

THE ARCHIVES ACT

REGULATIONS
(under section 4)

The Archives (Official Records) Regulations, 1988

L.N. 26c/88.

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(Made by the Minister on the 23rd day of February, 1988)

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1. These Regulations may be cited as the Archives (Official Records) Regulations, 1988.

2. In these Regulations, unless the context otherwise requires—

“Archives” means the Jamaica Archives established under section 4 of the Act;

“Committee” means the Archives Advisory Committee established under section 3 of the Act;

“Records Officer” means the person responsible for the custody of official records in each public organization.

3.—(1) The Records Officer, acting in accordance with the advice of the Archivist, shall establish and maintain a system for the proper care and control of official records within his custody and for this purpose the Archivist may issue guidelines to be followed from time to time.

(2) The system established shall—

(a) make provision for the standards, procedures and techniques to be applied for the management of official records;

- (b) promote the maintenance, storage and security of official records selected for preservation as archives until these are transferred to the Archives;
- (c) facilitate the categorization and segregation of official records; and
- (d) provide a programme for the disposition of official records including their transfer to the Jamaica Archives, or such other place under the charge and control of the Archivist.

4. The Records Officer shall establish safeguards against the unlawful removal or loss of official records within his custody.

5. No official record shall be disposed of without the prior approval of the Committee.

6. The Records Officer shall, as soon as he has knowledge of this, notify the Archivist of any actual or threatened unlawful removal, alteration or destruction of official records in his custody and shall take such action as is necessary to recover such records as may have been removed.

7.—(1) The Records Officer who is of the opinion that certain official records in his custody are no longer needed for the use of the public organization, may in writing request the approval of the Committee for such records to be disposed of as specified in the request.

(2) Any request for the approval of the disposal of official records shall be sent to the Archivist and shall be accompanied by a comprehensive list of the records to be disposed of together with details of the records sufficient to allow an appraisal to be made as to the value thereof, and the time within which such records may be disposed of.

(3) The Archivist shall upon receipt of a request under this regulation examine the documents submitted and if he considers it necessary, examine the official records also and thereafter submit the documents to the Committee together with his recommendation for its decision.

(4) The decision of the Committee shall be notified in writing by the Archivist and where approval has been granted for the disposition of the records this notification shall be authorization for such records to be disposed of as specified therein.

8.—(1) The Committee may issue general authorization from time to time to public organizations for the disposal of certain categories of official records which are of no historical value.

(2) Any general authorization issued by the Committee shall specify the form and character of the records which may be disposed of and the period within which such records shall be so disposed.

9.—(1) The Records Officer shall prepare and keep up-to-date, under the guidance of the Archivist, an inventory of official records in his custody.

(2) On the basis of this inventory the Records Officer shall compile schedules of these records showing, in the form approved by the Archivist, their retention periods.

(3) These schedules shall be submitted to the Archivist for the approval of the Committee.

(4) The Records Officer shall compile an annual summary of official records in his custody for submission to the Archivist not later than the 31st March each year.

10. Where official records have been adjudged by the Committee as being worthy of permanent preservation in the Archives, the Archivist shall arrange for such records to be transferred to the Archives.

11. Every person who unlawfully removes, alters, destroys or disposes of any official record shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one hundred dollars or to imprisonment not exceeding three months, or to both such fine and imprisonment.