



THE IMPORTANCE OF IMPLEMENTING DISPOSAL OF GOVERNMENT RECORDS

AGENDA

<u>Definition/ Interpretation</u>	<u>1</u>
<u>NATIONAL ARCHIVES ACT 2003</u> <u>[ACT 629]</u>	<u>2</u>
<u>Procedures of public records</u> <u>disposal</u>	<u>3</u>
<u>Method of Destruction of Public</u> <u>Records</u>	<u>4</u>
<u>The importance of implementing</u> <u>disposal of government records</u>	<u>5</u>

<u>An example of video about</u> <u>improper disposal</u>	<u>6</u>
<u>Summary</u>	<u>7</u>
<u>Q & A Session</u>	<u>8</u>
<u>Thank You</u>	<u>9</u>
<u>Contact</u>	<u>10</u>

DEFINITION/ INTERPRETATION

Archives #1

"archives " means records which are preserved for their permanent and enduring national or historical value or both

Public Archives #2

Public records which are specified by the Director General as being of permanent and enduring national or historical value or both and which have been transferred to the National Archives or such other place as the Director General may from time to time direct.

Public Office #3

An office of the Federal Government or the Government of any State or an office of any local authority, statutory authority or Government enterprise.

DEFINITION/ INTERPRETATION

Public Records #4

Records officially received or produced by any public office for the conduct of its affairs or by any public officers or employee of a public office in the course of his official duties and includes the records of any Government enterprise and also includes all records which, on the coming into operation of this Act, are in the custody or under the control of the National Archives of Malaysia established under the National Archives Act 1966.

Concluded #5

"Concluded" in relation to a public records, means no further action is required to taken on that record.

Disposal#6

The manner of managing the segregation of records with view to destruction, transfer or otherwise.

DEFINITION/ INTERPRETATION

Acquisition#7

To acquire by way of transfer, purchase, donation, bequest, gift or otherwise.

Destruction #8

The act of destroying or eliminating any type of records by any means.

Preservation #9

The totality of processes and operations involved in the physical protection of public records and archives against damage or deterioration and in the restoration or repair of such records and archives

NATIONAL ARCHIVES ACT 2003 [ACT 629]

- Enforced on 10th October 2003.
- Authority to implement the disposal of records in public sectors
- In accordance with the provisions of section 25–28 which covers:
 - Prohibition against destruction of public records (Section 25).
 - Disposal of public records (Section 26).
 - Records Disposal Schedule (Section 27).
 - Transfer of public records to National Archives (Section 28).

PROHIBITION AGAINST DESTRUCTION OF PUBLIC RECORDS(SECTION 25)

Notwithstanding any written law to the contrary, no person shall, except with the prior written consent of the Director General, destroy or authorize the destruction of any public records which are in the custody or under the control of that person

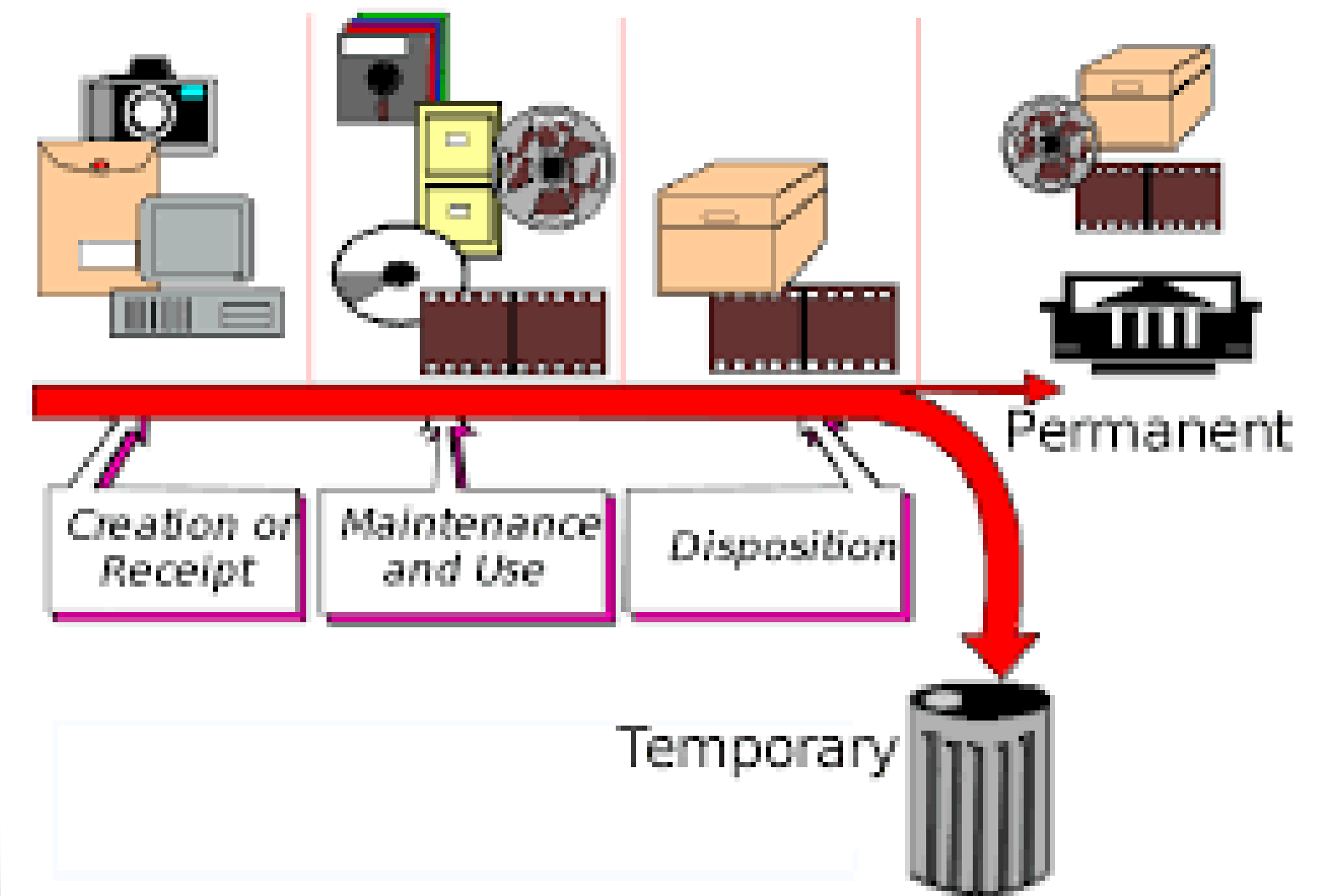


DISPOSAL OF PUBLIC RECORDS (SECTION 26)

The Director General may authorize the disposal or any public records or classes of public records which ;

a) by reason of their number, kind or routine nature, do not in his opinion possess any permanent and enduring national or historical value or both;

b) are not required for reference purposes in any public office after action on the public records are completed and the expiration of such period as may be agreed upon between the Director General and the administrative head of that public office or their physical condition does not permit their continued preservation.



RECORDS DISPOSAL SCHEDULE (SECTION 27)

- 1) The administrative head of a public office shall prepare and submit a record disposal schedule in the prescribed form for the disposal of public records to the Director General for his approval.
- 2) A schedule identifying those records of archival value to be preserved and authorizing the destruction of the remaining records after the lapse of specified retention periods.



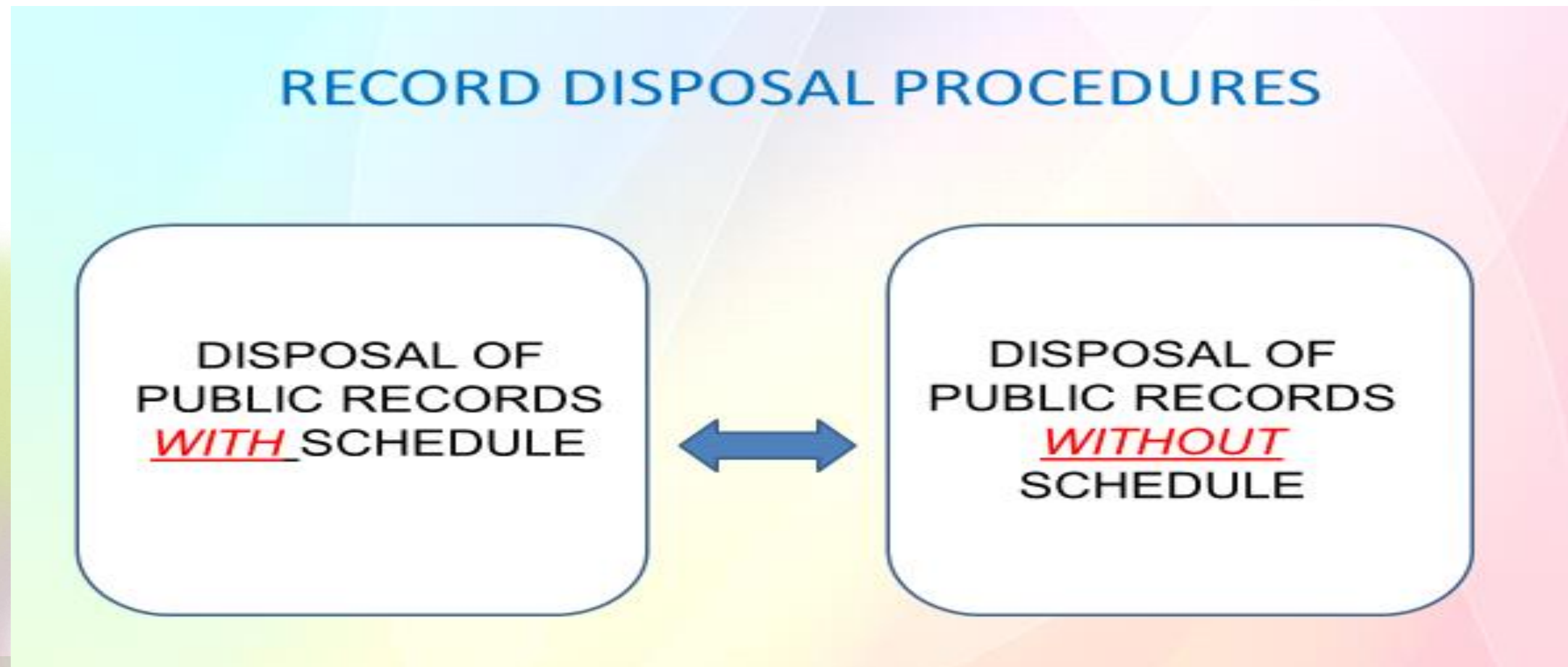
TRANSFER OF PUBLIC RECORDS TO NATIONAL ARCHIVES (SECTION 28)

Public records which are in the custody or under the control of a public office shall be transferred by the administrative head of public office to the custody and control of National Archives.



PROCEDURES OF PUBLIC RECORDS DISPOSAL

- The application of records disposal should be done using the forms which has been enacted on 13th October 2008.
- 13 types of different forms depending on types of records (files, audio-visuals etc.)
- Disposal of Public Records is stated in the Records Disposal Schedule.
- Disposal of Public Records is not stated in the Records Disposal Schedule.



DISPOSAL OF PUBLIC RECORDS WITH SCHEDULE

1. Housekeeping Record Disposal Schedule

- Schedule have been prepared by NAM and should serve as a guide for records disposition activities

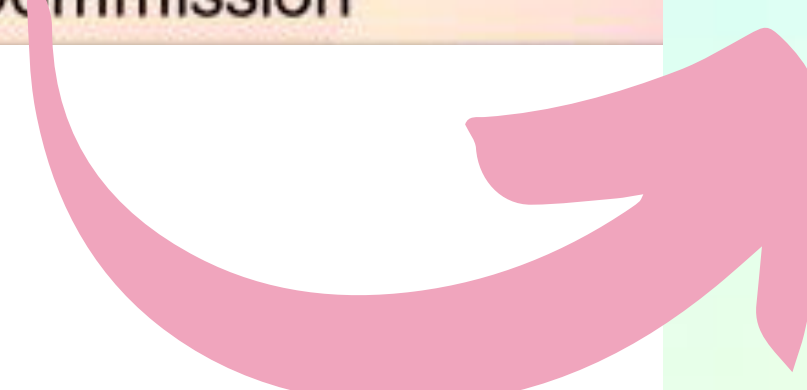
2. Financial and Accounting Records Disposal Schedule

- Used for the disposal of financial and accounting records
- The schedule provided by NAM together with
 - State Treasury
 - Accountant General's Department
 - National Audit Department , and
 - Anti-Corruption Commission

...continued

3. Functional Records Disposal Schedule

- Ministries/Department/Agencies must have their Records Disposal Schedule of (JPR) Functional Records
- Ministries/Department/Agencies are required to seek advise from NAM to create their Functional Records Disposal Schedule



DISPOSAL OF PUBLIC RECORDS WITH RECORDS DISPOSAL SCHEDULE

- Disposal based on the disposal action specified (destroyed/transfer to National Archives/permanently kept in the department). Approved of disposal within 14 working days.
 - Form 2 (Arkib 2/08) : Application Form for Destruction of Public Records.
 - Form 4 (Arkib 4/08) : Application Form for Destruction of Financial and Accounting Records.

One copy of the application form has to be submitted.

FORMAT

BORANG PERMOHONAN BAGI PEMUSNAHAN REKOD AWAM

BUTIR-BUTIR JABATAN				Untuk Kegunaan Arkib Negara		
(1) Kementerian/Jabatan/Agenasi:		(2) Bahagian/Cawangan/Unit:		Tarikh Terima:		
(3) Penguji rekod (jika tidak sama dengan (1)): *						
MAKLUMAT MENGENAI REKOD						
(4) Nama dan No. Jadual Pelupusan Rekod:						
Bil. (5)	Tajuk Siri (6)	Tahun Dihilir (7)		Tempoh Pengeluaran Yang Ditemukan Dalam Jadual (8)	Unit Rekod (9)	Meter Panjang Rekod (10)
		Daripada	Kepada			
					Jumlah Unit Rekod:	Ukuran Meter Panjang Rekod:
(11) Mengikut seksyen 25 dan 26, Akta Arkib Negara 2003 (Akta 629), saya mengemukakan permohonan ini bagi pemusnahan rekod di atas: Nama Pegawai: _____ Tandatangan dan Meterai/Cap Jabatan: _____ Jawatan: _____ Tarikh: _____						

Form (Arkib 2/08) :
Application Form for
Destruction of Public
Records

CONCLUSIONS

BUTIR-BUTIR JABATAN					
(1) Kementerian/Jabatan/Agenasi			(2) Bahagian/Cawangan/Unit		
MAKLUMAT MENGENAI REKOD					
Bil. (3)	Tajuk Bil (4)	Tahun Diliputi (5)		Tempoh Pengkaji Yang Ditentukan Dalam Jadual (6)	Meter Panjang Rekod (7)
		Darjah	Kegusa		
					Jumlah Meter Panjang Rekod:

(8) Mengikut seksyen 25 dan 26 Akta Arkib Negara 2009 (Akta 629) dan Arahan Perbeniharaan 156, saya mengemukakan permohonan ini bagi pemeliharaan rekod di atas.

Nama Penerima: _____ Tandatangan dan Meterai/Cap Jabatan: _____

Form (Arkib 4/08) :
Application Form for
Destruction of
Financial
and Accounting
Records

DISPOSAL OF PUBLIC RECORDS WITHOUT

RECORDS DISPOSAL SCHEDULE

- Approved of disposal within 6 months.
 - Form 5 (Arkib 5/08) : Application Form for Disposal of Files.
 - Form 6 (Arkib 6/08) : Application Form for Disposal of Cartographic Records.
 - Form 7 (Arkib 7/08) : Application Form for Disposal of Architectural Records.
 - Form 8 (Arkib 8/08) : Application Form for Disposal of Audio Visual Records.
 - Form 9 (Arkib 9/08) : Application Form for Disposal of Published and Printed Records.

BORANG PERMOHONAN BAGI PELUPUSAN FAIL
(YANG TIDAK DINYATAKAN DALAM JADUAL PELUPUSAN REKOD)

BUTIR-BUTIR JABATAN				Untuk Kegunaan Arkib Negara			
(1) Kementerian/Jabatan/Agensi:		(2) Bahagian/Cawangan/Unit:		Tarikh Terima: Jumlah Fail: No. Penerimaan:			
(3) Penguat Rekod (jika tidak sama dengan (1) & (2))							
MAKLUMAT MENGENAI REKOD							
(4) Kategori Rekod: ☐ Fungsian ☐ Am				(5) Peringkat Keselamatan:			
(6) Tarikh Diliput:				(7) Ukuran Rekod: (meter panjang)			
Bil. (8)	No. Rujukan Fail (9)	Tajuk Fail (10)	Tarikh (11)		Bil. Lampiran (12)	Cadangan Pelupusan (13)	Cabutan (14)
			Daripada	Kepada			
(15) Mengikut seksyen 25 dan 26, Akta Arkib Negara 2009 [Akta 629], saya mengemukakan permohonan ini bagi pelupusan rekod di atas: Nama Pegawai: _____ Tandatangan/Meterai/Cap Jabatan: _____							

Form 5 (Arkib 5/08) :
Application Form for
Disposal of Files

TRANSFER OF PUBLIC RECORDS

- Two methods transfer of public records:
 - Transfer of Public Records indicated from the retention schedule
 - Transfer of Public Records according to the evaluation and revision from NAM

FORMAT

BORANG PERMOHONAN BAGI PEMINDAHAN REKOD AWAM

BUTIR-BUTIR JABATAN		Untuk Kapsyen Arkib Negara			
(1) Kementerian/Jabatan/Agensi:	(2) Bahagian/Cawangan/Unit:	Tarikh Terima:			
MALUMAT MENGENAI REKOD		No. Penerimaan:			
(3) No. Penerimaan:	(4) Nama dan No. Jadual Pelikupan Rekod:				
(5) Tahun Diliputi:	(6) Ukuran Rekod: _____ (meter panjang/ unit/ lembar)				
(7) Petegut Kelelaman:	(8) Jenis dan Format Rekod:				
DL (9)	No. Fail/Rujukan/Gil. (10)	Tajuk/Pencara (11)	Tarikh (12)		Bil. Lembaran/Lembar/Unit (13)
			Daripada	Kepada	

(14) Mengikut seksyen 28 (1) dan (2), Akta Arkib Negara 2003 [Akta 629], saya mengemukakan permohonan ini bagi pemindahan rekod di atas:

Nama Pegawai: _____ Tandatangan dan Meterai/Cap Rasmi Jabatan: _____
Jawatan: _____ Tarikh: _____

Form 11 (Arkib 11/08) :
Application Form for
Transfer of Public
Records.

TRANSFER PROCEDURE

- Records must be transferred within 3 months from the date of consent letter (if cannot be performed within the period the department must request for the extension).
- Transfer to Records Service Center and retained for 25 years before open to access for public.

VERIFICATON OF DESTRUCTION

Form 12 (Arkib 12/08) : Verification of the Destruction of Public Records.

Form 13 (Arkib 13/08) : Verification of the Destruction of Financial and Accounting Records.

Arkib 12/08

FORMAT

PENENTUSAHAN PEMUSNAHAN REKOD AWAM

BUTIR-BUTIR JABATAN	
(1) Kementerian/Jabatan/Agensi:	(2) Bahagian/Cawangan/Unit:
MAKLUMAT MENGENAI REKOD	
(3) Surat Kebenaran Pemusnahan: 3.1 No. Rujukan: 3.2 Tarikh:	
(4) Perihal Rekod:	
(5) Meter Panjang Rekod Yang Dimusnahkan:	
(6) Peringkat Keselamatan:	
(7) Kaedah Pemusnahan : ☐ dibakar ☐ dirincih ☐ dikitar semula ☐ dijual ☐ dipadamkan	
No. Resit (jika dijual) :	
(8) Tarikh Pemusnahan:	(9) Tempat Pemusnahan:
PEGAWAI YANG MELAKSANAKAN PEMUSNAHAN	
(10) Nama Pegawai: Tandatangan : Jawatan:	(11) Nama Saksi: Tandatangan: Jawatan:
PENENTUSAHAN	
(12) Saya mengesahkan bahawa rekod di atas telah dimusnahkan dengan sewajarnya mengikut Seksyen 25 dan 26, Akta Arkib Negara 2003 [Akta 629]: Nama Pegawai: Tandatangan dan Meterai/Cap Jabatan: Jawatan: Tarikh:	

Kewangan-Arkib 13/08

FORMAT

PENENTUSAHAN PEMUSNAHAN
REKOD KEWANGAN DAN PERAKAUNAN

BUTIR-BUTIR JABATAN	
(1) Kementerian/Jabatan/Agensi :	(2) Bahagian/Cawangan/Unit:
MAKLUMAT MENGENAI PEMUSNAHAN	
(3) Kelulusan bagi Pemusnahan - Arkib Negara, No. Rujukan : - Audit Negara, No. Rujukan : - Akauntan Negara No. Rujukan: Tarikh: Tarikh: Tarikh:	
(4) Meter Panjang Rekod Yang Dimusnahkan:	
(5) Kaedah Pemusnahan (tandakan) : (6) No Resit (Jika Dijual):..... ☐ Dibakar ☐ Dirincih ☐ Dikitar semula ☐ Dijual ☐ Dipadamkan	
(7) Tarikh Pemusnahan :	(8) Tempat Pemusnahan:
PEGAWAI YANG MELAKSANAKAN PEMUSNAHAN	
(9) Nama Pegawai: Tandatangan : Jawatan:	(10) Nama Saksi: Tandatangan : Jawatan :
PENENTUSAHAN	
(11) Saya mengesahkan bahawa rekod di atas telah dimusnahkan dengan sewajarnya mengikut Seksyen 25 dan 26, Akta Arkib Negara 2003 [Akta 629] dan Arahan Perbendaharaan 150 Nama Pegawai: Tandatangan dan Meterai/Cap Jabatan: Jawatan: Tarikh:	

DISPOSAL OF RECORDS WITH SCHEDULE

Identify series of records based on the retention and disposal schedules

Separate records that meet the storage period in schedule and follow the series level



- 1. Housekeeping Schedule
 - 2. Financial Schedule
 - 3. Functional Schedule
- According to the Agencies

Government Agencies

DESTRUCTION
List according to;
- Archive Form 2/08 (File)
- Archive Form 3/08 (Electronic Records)
- Archive Form 4/08 (Finance Records)

TRANSFER
List using Archive Form 11/08

Submit the form and application letter to the National Archives

Received disposition consent from the National Archives within 14 working days

NAM

Government Agencies

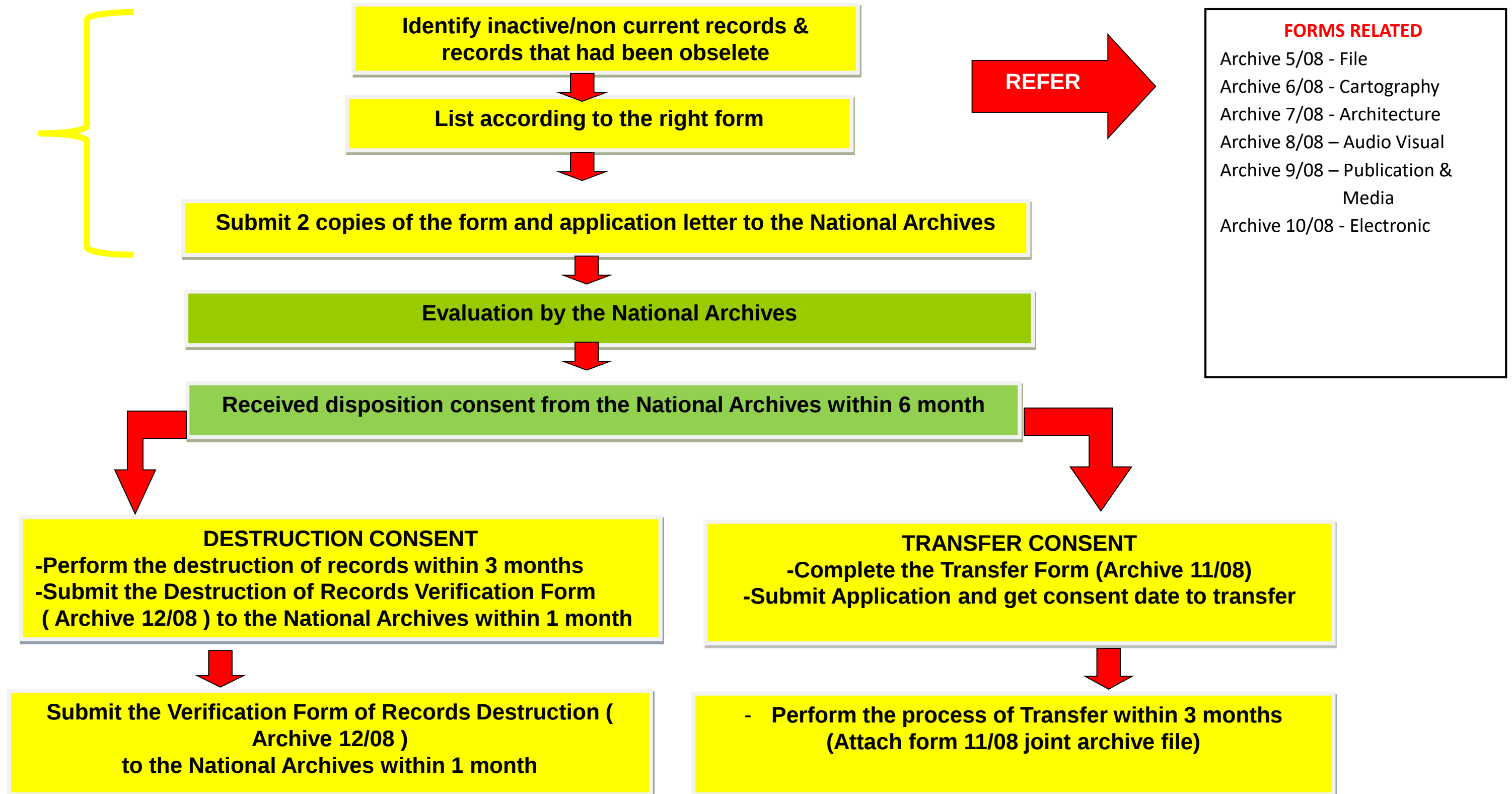
DESTRUCTION CONSENT
-Perform the destruction of records within 3 months
-Submit the Destruction of Records Verification Form (Archive 12/08) / (Archive 13/08) to the National Archives within 1 month

TRANSFER CONSENT
-Complete the Transfer Form (Archive 11/08)
-Submit Application and get consent to transfer

Submit the Verification Form of Records Destruction (Archive 12/08) / (Archive 13/08) to the National Archives within 1 month

- Perform the process of Transfer within 3 months (Attach form 11/08 joint archive file)

DISPOSAL OF RECORDS WITHOUT SCHEDULE







Method of Destruction of Public Records

- Consent letter of disposal/destruction from the Director of National Archives will be issued.
- Records must be destroyed within 3 months from the date of consent letter (if the destruction of records cannot be performed within the period the department must request for the extension).
- Records must be destroyed physically: shredded/burnt/deleted/buried/recycled (which applicable).

buried



shredded



burnt



Pelupusan buku teks
SRA Rahmaniah



Pelupusan Buku Teks
SRA Rahmaniah
Sg Ramal Luar Kajang



Sg Ramal Luar Kajang



incineration



The importance of implementing disposal of government records

Understanding what information to keep and disposing of information that is no longer needed is an important part of effective information management.

However, disposal must be done responsibly through a clear understanding of:

- An organization's business functions
- The value of the information to the business
- Legislative retention requirements including information of historical value under the National Archives Act.

The importance of implementing disposal of government records

1)Administrative value: Records with administrative value are those needed to determine the policy and procedures necessary to carry out the activities of an organization. Previous record helps us for better future planning

2)Operational value: Records with operational value are those documenting the activities and transactions of an organization.

3)Legal value: Records with legal value are those required to define the rights and obligations of an organization.

4)Archival value: Records with archival value are those which should be preserved permanently.

Comply with legal and regulatory requirements

Secured Documents

Records of permanent value are immediately transferred to ANM as national heritage treasures

Save Manpower
and Access
Documents Quicker



Easy Maintenance
and Customisation



Reduced physical
storage



Reduces Costs and
Saves the Environment

The importance of implementing disposal of government records

INTERNATIONAL COURT FINDS THAT SOVEREIGNTY OVER ISLANDS OF LIGITAN AND SIPADAN BELONGS TO MALAYSIA

17/12/2002
Press Release
ICJ/605

INTERNATIONAL COURT FINDS THAT SOVEREIGNTY OVER ISLANDS

OF LIGITAN AND SIPADAN BELONGS TO MALAYSIA

(Reissued as received.)

THE HAGUE, 17 December (ICJ) -- The International Court of Justice, principal judicial organ of the United Nations, has rendered its judgment in the case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan.

In its Judgment, which is final, without appeal and binding for the Parties, the Court finds that "sovereignty over Pulau Ligitan and Pulau Sipadan belongs to Malaysia". Ligitan and Sipadan are two small islands located off the north-east coast of the island of Borneo.

17 DECEMBER 2002

Sipadan, Ligitan milik kita

lagi bukti pengadilan yang berkekuatan. Tambahan hakim dari Perancis itu, Indonesia dan Belanda sebelumnya tidak pernah mengemukakan keberatan bantahan kepada Malaysia atau British sepanjang masa aktiviti itu dijalankan bertahun-tahun.

"Berdasarkan kepada aktiviti itu, mahkamah dengan ini memutuskan bahawa hak kedaulatan ke atas Pulau Sipadan dan Pulau Ligitan adalah milik Malaysia," katanya menurut petikan pengakhiran yang dibacakan dalam masa kira-kira sejam 45 minit itu.

ICJ memutuskan dua buah pulau itu sebagai milik negara hanya satu sahaja itu tersebut -- pengadilan berkekuatan -- selepas ia mendapati bahawa tiada mana-mana perjanjian antara kuasa penaja yang memberikan hak kedaulatan hak kepada Malaysia mahupun Indonesia.

Mahkamah dunia itu bagaimanapun tidak mengiktiraf keberatan aktiviti yang dijalankan oleh Malaysia termasuk pembangunan kemudahan pelancongan di Pulau Sipadan dan pemeliharaan alam sekitar di kedua-dua pulau itu pada tahun 1980-an kerana ia dilakukan selepas konflik wilayah itu timbul pada tahun 1960.

Guillaume berkata, mengikut prinsip undang-undang antarabangsa,

se, aktiviti yang dijalankan yang menunjukkan pemilikan hak kedaulatan mutlak berlaku sebelum kedua-dua pihak mengemukakan bantahan masing-masing.

Delegasi Malaysia ke ICJ hari ini diketuai oleh Menteri Luar, Datuk Seri Syed Hamid Albar dan turut disertai oleh Ketua Menteri Sabah, Datuk Chong Kah Kiat manakala pasukan Indonesia diketuai oleh Datu Rosarys ke Belanda, Mohd Yusof.

Majoriti

Sementara itu, hakim ad-hoc yang ditunjuk oleh Indonesia, Hakim Thomas Franck dalam pengakhiran yang memihak kepada negara jiran itu memutuskan bahawa Konvensyen Lagaria-Belanda 1891 menetapkan dua buah pulau itu sebagai milik Indonesia.

ICJ bagaimanapun dalam keputusan majoritiya berpendapat bahawa pemertahanan sempadan pada garis lintang 4 darjah 10 minit menurut Konvensyen 1891 itu hanya satu perwujudan wilayah darat yang terbenti setelah hijrah Pulau Sebatik dekat pesisiran Sabah.

Kes itu didengar oleh Guillaume (Perancis); Nish Presiden mahkamah, Shi Jinyang (China); hakim-hakim Rodrigo Oda (Jepun); Ray-

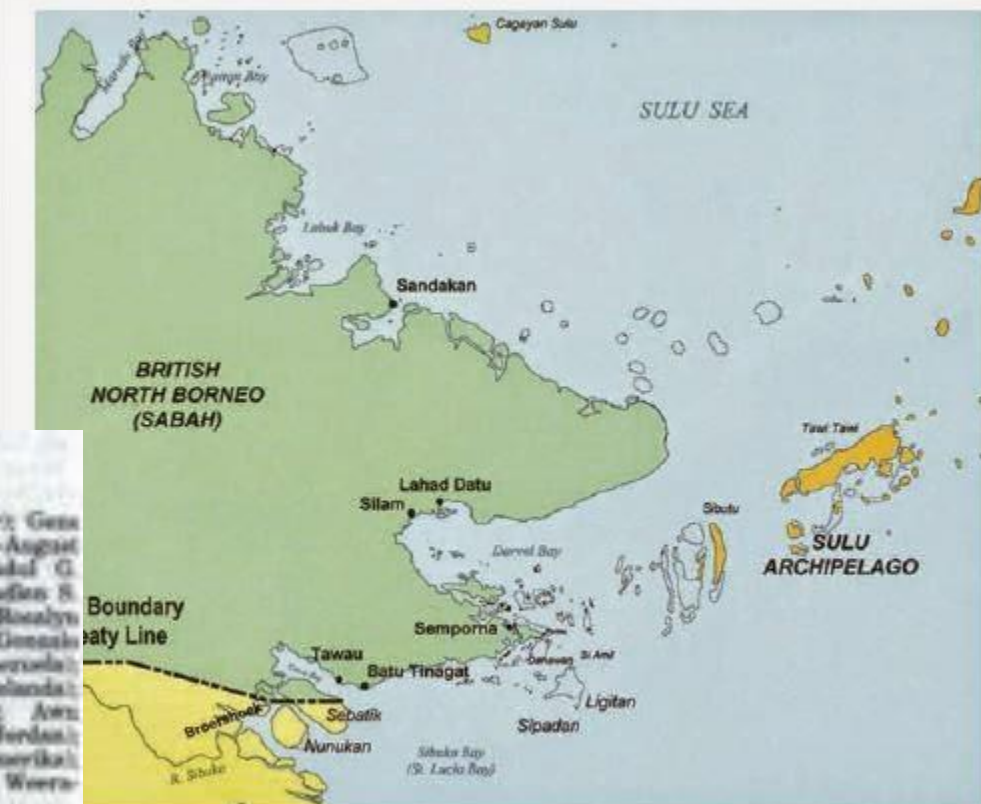
mond Benjara (Madagascar); Gens Hervé (Hungary); Carl-August Florschütz (Jerman); Abdul G. Koroma (Sierra Leone); Vladimir S. Yeroshchotin (Russia); Rosalyn Higgins (United Kingdom); Gonzalo Pardo-Aranguren (Venezuela); Peter H. Kooijmans (Belanda); Francisco Resak (Brazil); Awn Shawkat Al-Khasawneh (Jordan); Thomas Bogert (Amerika); Nabil Elaraby (Mesir) dan Weeramantry (ad-hoc).

Franck dari Amerika Syarikat tidak bersetuju.

Pasukan Malaysia yang mengendalikannya kes itu di ICJ diketuai oleh Tan Sri Abdul Kadir Mohamed iaitu bekas Ketua Setiausaha Kementerian Luar. Anggotanya termasuk Penguasa Cara Negara dan empat pegawai terkemuka antarabangsa terdiri Sir Elio Lutherpacht, Prof. James Crawford, Prof. Jean-Pierre Cot dan Prof. Nicholas Schrijver.

Yang lain terdiri daripada pegawai-pegawai dari Bahagian Hal Ehwal Wilayah dan Maritim di Kementerian Luar, Kerajaan Malaysia di Hague, Jabatan Peguam Negara, Pejabat Peguam Negeri Sabah, Bahagian Keselamatan Dalam Negeri, Kementerian Tanah dan Pembangunan Koperasi serta Jabatan Utuk dan Pemetaan. -- Utusan

Pulau Ligitan dan Pulau Sipadan



Peta menunjukkan lokasi dari segi geografi Pulau Ligitan dan Pulau Sipadan
Sumber: Memorial Malaysia 2 November 1999, Jilid 1, muka surat 11

The importance of implementing disposal of government records



The importance of implementing disposal of government records



An example of video about improper disposal

SUMMARY



GOOD



LEARN PRACTICE
IMPROVE



THANK YOU

Thank you so much for watching our presentation! Do you have any questions, comments, or suggestions?



CONTACT

For questions, please reach out to:

RECORDS DISPOSAL SECTION

**GOVERNMENT RECORDS
MANAGEMENT DIVISION**

**NATIONAL ARCHIVES OF
MALAYSIA**

03-6209 0600

spr@arkib.gov.my