



**PAM** Pokrajinski  
arhiv  
Maribor

*Moderna*  
**arhivistika**

Časopis arhivske teorije in prakse  
Journal of Archival Theory and Practice

ISSN 2591-0884

<https://doi.org/10.54356/MA>

Letnik 6 (2023), št. 1 / Year 6 (2023), No. 1

Maribor, 2023

Prejeto / Received: 08. 05. 2023

1.04 Strokovni članek

1.04 Professional article

<https://doi.org/10.54356/MA/2023/QZTZ3952>

## **SELECTION AND DISPOSAL OF RECORDS**

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### **Abstract:**

*All custodians and creators have a legal obligation to organize and arrange public records/archival material. This obligation for "arrangement" of records refers to the records created by the work of the creator of public records, as well as to the records created by the work of another creator that is in his possession on any legal basis.*

*The work of organizing and arranging public records consists of four phases: classification and selection records into fonds, arrangement of records within one fonds, selection and disposal of records and creating basic description about records.*

*The author will present the third phase of records arrangement, selection and disposal of records, and the most common mistakes that occur in the realization of that process. Retention periods of records are determined in accordance with regulations. For records that are not stored permanently and that do not have archival value, the disposal dates are determined depending on the business needs of the creator and in accordance with special regulations, taking into account the time in which the records needed for business was created.*

*The author will present the experiences of the Archives of the Republic of Srpska with different creators of records and look back on their approach to selecting and disposal of records. Also, the challenges when selecting records from some non-specific creators, as well as the conditions in which those records are found, will be shown.*

### **Key words:**

*records, selecting, disposal, arrangement*

### **Izvleček:**

#### **Odbiranje in uničenje dokumentarnega gradiva**

*Vsi skrbniki in ustvarjalci imajo zakonsko dolžnost organizirati in urediti javno dokumentacijo/arhivsko gradivo. Ta se nanaša na dokumente, ki jih ustvarjalci ustvarijo ali jih pri svojem delu prejmejo od drugih oseb.*

*Delo organiziranja in urejanja javnih dokumentov poteka v štirih fazah: klasifikacija in razvrščanje v fonde, urejanje dokumentov v fondu, odbiranje in uničevanje dokumentov in ustvarjanje osnovnih popisov.*

*Avtorica bo predstavila tretjo fazo, tj. fazo odbiranja in uničenja dokumentov, ter najpogostejše napake, ki se pri tem postopku pojavijo. Rok hrambe dokumentov so določeni v skladu z zakonodajo. Zapisi, ki se ne hranijo trajno in nimajo arhivske vrednosti, imajo roke hrambe, ki so odvisni od poslovnih potreb in skladni z zakonodajo ter se določajo glede na čas nastanka dokumenta.*

*Avtorica bo predstavila izkušnje Arhiva Republike Srbske z različnimi ustvarjalci in njihov sistem odbiranja ter uničevanja dokumentov. Prav tako bo predstavila izzive pri odbiranju gradiva nekaterih neobičajnih ustvarjalcev in stanje dokumentacije, ki so jo pri njih zasledili.*

**Ključne besede:**

*zapisi, odbiranje, uničenje, urejanje*

## 1. Introduction

Custodians and creators of public and private records, as well as companies that provide services for the preservation of records, follow the instructions of the competent archives on the implementation of certain protection measures prescribed by the Regulations on the Conditions of storing Records (*Official Gazette of the Republic of Srpska*, no. 37/10). Article 15 of these Regulations refers to the regulation of issues of general records on the system of records management (as the Rulebook), which regulate the issues of conducting office operations, records management, and the procedure for appraisal of records and selection and disposal of records.

As prescribed by these Regulations, an integral and mandatory part of the Rulebook on records management is the Records schedule. In practice, this is not always the case. Most often, the Records schedule comes separately, and especially the Rulebook on records management. This practice is fine, although the Regulations provides otherwise, for example due to possible changes to the disposal date in the Records schedule. In this way, we avoid the accumulation of records that we would get by re-sending both the Rulebook and the Records schedule for approval. Also, in practice we treat the Rulebook and the Records schedule as two documents, each with its own date and number. Both, the Rulebook and the Records schedule are submitted to the competent Archives for approval and cannot be applied before that approval is obtained (Regulations on the Conditions of storing Records, 2010, art. 15).

Also, according to the Law on Archives, custodians and creators of records and archival material are obliged to, among other things, adopt a general act on the system of their records management (regulations or instructions), adopt a Records schedule, and to obtain the archives' consent to their application (Law on Archives, 2008, art. 8).

## 2. Records schedule

Records schedule is a general record that prescribes the retention periods for all categories of records created by the work of their creator. Records schedule can be positive and general. Records that should be kept permanently are determined by the positive Records schedule. The General Records schedule determines records that should be removed after the expiration of the disposal date. In the Republic of Srpska, we do not implement this practice, in fact we use a unique Records schedule, which includes the whole of records created by the work of the creator (Мачкић, 2018, p. 150). Records schedules are divided into general, departmental and individual, and in our practice only individual lists are used, where all custodians of records are obliged to bring an individual list. When creating a Records schedule, it is important to entrust the creation to experts and experienced persons, to specify the exact names of all categories of records, to respect the organizational structure provided by the general act, the Rulebook.

Disposal dates in the Records schedule are established or proposed by the custodians of records to which the Records schedule refers. Some are prescribed by

positive legal regulations, and some are proposed by the custodians /creators based on experience. Disposal dates cannot be shorter than those established by law, and can be longer or maximum. The exception are the so-called multiples, which can be classified as worthless records only if one copy is kept until the maximum disposal date expires. If custodians/creators of records own records and files, their disposal date is actually the maximum term of the records in the file/item, because it is extracted uniquely.

Appraisal criteria determine the level of obligations, needs and interests of individuals and groups or the social benefit of keeping certain records, then the content value of the records, the socio-historical circumstances and conditions of the creation of the document, and the external features of the records (Мачкић, 2018). For example, the permanent term of records disposal date is established for records that contain information of importance for history, science and culture; for the legal protection of the individual or the creator of the records; for records that provide insight into the business of the creator of the records, which has the characteristics of a cultural asset, and the like.

Disposal dates in the Records schedule can be short-term or long-term. Long-term preservation of records implies a keeping period longer than five years (Law on Archives, 2008, art. 16). They are expressed alphabetically and numerically, for example: 1 year, 5 years, 10 years, permanent and archival material (Regulations on the procedure for scheduling, criteria and appraisal of archival material, 2010, art. 8).

The Records schedule contains: introduction, name, history of the creator of the records (archival fonds), serial number, classification symbol, name of categorized records, disposal date, type of record carrier, provision on the application of the list, signature, seal, effective number and date. The introduction contains the legal basis for establishing the Records schedule and the name of the custodian establishing the list. The name of the Records schedule: "Lista kategorija dokumentarne građe sa rokovima čuvanja" and contains the name of the creator of the records (archival fonds). The history of the records creator (archival fonds) contains data on the establishment and status changes, activity, internal organization, completeness, originality and physical condition of the records. The serial number is written in Arabic numbers, in continuity, from the first to the last number of the categorized records included in the records schedule. A classification sign is a numeric, alphabetic or alphanumeric sign that determines the place of an individual record in a systemically arranged classification plan, organized on several levels, which is the basis for recording, storing and searching records. The name of the categorized record is determined according to the type and content of the record and differs from each other in terms of disposal date. A record carrier is a conventional or electronic carrier on which the content is recorded in accordance with the record format.

The prepared Records schedule is sent by the custodian to the competent Archives for approval, and it can come into force only after the competent Archives has given its consent to its application. In case of deficiencies, the owner is obliged to act according to the order of the Archives.

Records schedule is not a permanent document and is subject to changes, modifications and additions to the terms, to which the Archives also gives its consent. Why is it important for us to know all this about the Records schedule? Because archival material is selected and disposed of based on the Records schedule.

### **3. Why selection and disposal of records?**

Selection and disposal of records is the procedure of separation of records with a limited storage period, after the expiration of that period. At the same time, the process

of selecting archival records can be carried out, because it is actually a unique process. The process of selecting archival records is initiated by the custodian in whose work this records was created or is with him for any reason.

This process implies a series of tasks whose ultimate goal is the assessment of the records' value. Thus, it is possible to extract parts of records that have the characteristics of archival records or for which the storage period is permanent, but also the selection of records whose disposal date has expired.

Custodians of records in category I<sup>1</sup> are obliged to carry out an ongoing selection of archival records within one year after the expiration of the disposal date determined by the Records schedule, and custodians in category II at least once in every five years (Regulations on the procedure for scheduling, criteria and appraisal of archival material, 2010, art. 14). Custodians of records for III category can, without checking and without the approval of the competent archive, select and disposal records after the expiration of the disposal date, provided that they have obtained the consent of the competent archive to apply the Records schedule 8 Regulations on the procedure for scheduling, criteria and appraisal of archival material, 2010, art. 16).

Selection and disposal of records is done on arranged records. Therefore, it is necessary for the custodian/creator to have a basic register for records (we call it the „archives book“), if necessary for several fonds, and a Records schedule, because they will exclude records based on the prescribed periods. The basic register of records of their creator must be organized in accordance with positive regulations, and all changes related to the records in it, so the disposal record is also included.

Given that the Records schedule is our basic guide when we perform the selection and disposal of records, records whose disposal date is not determined by the Records schedule, and which are proposed for disposal, cannot be removed. In that case, amendments to the Records schedule are required.

The process of selection and disposal of records is carried out by a commission. The custodian of records names a commission that compiles a Records schedule it proposes to dispose.

The disposal list should contain:

1. name of the custodian/creator of the records,
2. the exact name of the fonds from which the disposal is made,
3. detailed chronological disposal list,
4. number of packaging units (register, box, book, folder,...),
5. classification sign (if classification has been made),
6. disposal date determined by the Records schedule,
7. the total amount of disposed records,
8. a note on the physical condition and preservation of the disposal records.

The disposal list must also contain the signatures of the commission, the signature of the responsible person, and the stamp of the institution that sends it.

"Regulations on the procedure for scheduling, criteria and appraisal of archival material " stipulates that upon receipt of the Disposal list, an authorized employee of the archives performs an on-site check of the records proposed for selection and makes a record of it. However, this is not always possible. For example, in only one year, over

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<sup>1</sup> More on creators' categories in M. Todorović Bilić, 2018.

250 disposal lists arrive at the Banja Luka office, so it is physically impossible to carry out every visit to inspect the records. In that case, the office issues a Decision on approval of disposal without record.

If the archivist determines that the process of disposal has not been carried out in accordance with the regulations, the proposal for disposal is rejected with instructions for eliminating the deficiencies. If the disposal list contains data, the publication of which could harm the public interest or the interest of an individual, the Archives determines the method of destruction of those records with a decision.

After the competent Archives makes a Decision on approval of disposal, data about it (e.g. decision number, date, etc.) are recorded in the basic register for records and those changes are saved permanently. The disposal process, which refers to conventional (paper) records, is also applied to electronic records.

The tasks of keeping, protecting, arranging, selecting, recording and making public records and archival materials available outside the archives (with the owners) can be performed by persons with at least a high school diploma, six months of work experience in the aforementioned jobs and a passed professional archival exam (Law on Archive, 2008, art. 76).

Errors that occur when selecting and disposing of records:

- disposal of records whose disposal date has not expired according to the valid Records schedule,
- disposal of records that are kept permanently according to specially established regulations,
- selection of records whose disposal date is not provided for in the Records schedule, i.e. which are not in the Records schedule,
- disposal of records without prior consent of the competent Archives (decision),
- analytical, instead of summary disposal list,
- disposal list that does not contain signatures of the commission, responsible person and seal,
- disposal list that contains several fonds, but which are not divided, but entered as one (last),
- insufficiently clear/precise definition of disposal records (e.g. record, report, personal name, miscellaneous, mail, finance,...),
- at the same time sending several disposal lists related to the same fonds, with several protocol numbers,
- writing abbreviations in disposal list.

## 4. Literature and sources

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## POVZETEK

### ODBIRANJE IN UNIČENJE ZAPISOV

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V skladu z Zakonom o arhivskem gradivu in arhivih so skrbniki in ustvarjalci zapisov ter arhivskega gradiva dolžni sprejeti splošni akt o sistemu upravljanja z dokumenti (pravilnik ali navodila) in načrt hrambe ter pridobiti soglasje arhiva za njihovo uporabo. 15. člen Pravilnika o pogojih za hranjenje dokumentov se nanaša na urejanje vprašanj o sistemu upravljanja z dokumenti (kot pravilnik), ki ureja izvajanje uradnih opravil, upravljanja z dokumenti in postopka za vrednotenje zapisov ter odbiranja in uničenja zapisov.

Načrt hrambe zapisov je splošni dokument, ki predpisuje obdobja hrambe za vse kategorije dokumentov, ustvarjenih pri nekem ustvarjalcu. Pri pripravi načrta hrambe je pomembno, da ga oblikujejo strokovnjaki in izkušene osebe, da so imena vseh kategorij zapisov navedena natančno ter da se spoštuje organizacijska struktura, določena v splošnem aktu ali pravilniku. Roke hrambe v načrtu hrambe dokumentov določajo ali predlagajo skrbniki dokumentov, na katere se načrt hrambe nanaša. Nekateri so določeni s pravnimi predpisi, nekatere predlagajo skrbniki/ustvarjalci na podlagi izkušenj. Pripravljen načrt hrambe skrbnik pošlje pristojnemu arhivu v odobritev in lahko stopi v veljavo šele, ko pristojni arhiv poda svoje soglasje za njegovo uporabo. V primeru pomanjkljivosti je lastnik dolžan ravnati v skladu z navodili arhiva.