

APPENDIX B

DISPOSAL OF DOCUMENTS

MADE BY THE RIGHT HONOURABLE HUGH MACDOWELL POLLOCK, MINISTER OF FINANCE FOR NORTHERN IRELAND, APPROVED BY THE RIGHT HONOURABLE DENIS STANISLAUS HENRY, BARONET, LORD CHIEF JUSTICE OF NORTHERN IRELAND, AND BY CERTAIN OF HIS MAJESTY'S MINISTERS AND OTHER HEADS OF DEPARTMENTS AND PRINCIPAL OFFICERS OF PUBLIC OFFICES IN NORTHERN IRELAND, PURSUANT TO THE PUBLIC RECORDS ACT (NORTHERN IRELAND), 1923 (13 & 14 GEO 5, CH. 20), FOR THE DISPOSAL OF CERTAIN DOCUMENTS.

1925. No. 167.

I, the Right Honourable Hugh MacDowell Pollock, Minister of Finance for Northern Ireland, hereinafter referred to as "the Minister of Finance", in exercise of the power conferred upon me by section eight of the Public Records Act. (Northern Ireland), 1923 (hereinafter referred to as "the Act") do hereby make the rules following.

1. The documents mentioned in sub-section (2) of section one of the Act shall be inspected by officers specially appointed by the Ministry of Finance, and holding their appointments to retain such office during his pleasure.
2. The Inspecting Officers shall be not less than three in number. One shall be the Secretary or an Assistant Secretary or the Principal Establishment Officer of the Ministry of Finance for Northern Ireland, another the Deputy Keeper of the Records of Northern Ireland, and the third an officer of the Public Record Office of Northern Ireland.
3. The Inspecting Officers shall keep minutes of their proceedings for the information, if necessary, of the Minister of Finance, and shall mention therein every document or class of document which they examine.
4. The Inspecting Officers shall, as occasion demands, prepare schedules of the documents proposed to be disposed of, showing a list of these documents and such particulars as to their character and contents as may be calculated to enable the Houses of Parliament to judge of the expediency of disposing of such documents in the proposed manner.
5. When the documents of any court, deposited in the Public Record Office of Northern Ireland, are to be taken into consideration, the Lord Chief Justice of Northern Ireland shall appoint some officer especially conversant with such documents to act with the Inspecting Officers; similarly when the documents of any department of the Government or of any public office of Northern Ireland, deposited in the Public Record Office of Northern Ireland, are to be

taken into consideration, the head of that department or the principal officer of such office shall appoint an officer specially conversant with such documents to act with the Inspecting Officers.

6. When documents which can be removed to the Public Record Office of Northern Ireland existing or, in ordinary course, about to exist in any court or in any department of the Government or in any public office in Northern Ireland, are to be taken into consideration, the Lord Chief Justice of Northern Ireland, head of that department or chief official of that office, as the case may be, shall appoint some officer specially conversant with such documents to prepare a schedule of the documents proposed to be disposed of, showing a list and particulars as aforesaid, and such officer shall submit the same to the Inspecting Officers.

7. The Officer or Officers charged with the preparation of any schedule shall be guided by the following principles:-

(a) They shall take care to preserve the essential parts of the records of every stage of judicial and legal proceedings, act of registration, series of accounts, file of correspondence or other set of documents in such a manner that upon the removal of the existing personnel of a court, department or office, their successors would be enabled, where necessary, to carry on the suit or other business or continue the correspondence.

(b) They shall take into account the difficulty of forecasting what case may become a precedent and the danger of leaving the decision to the persons actually handling it at the moment.

(c) They shall be careful not to include in any Schedule documents which give important information not to be found elsewhere.

(d) On the other hand the following classes of documents may without hesitation be disposed of

- (i) Duplicates of documents, the originals of which are preserved.
- (ii) Unimportant legal documents such as affidavits of service of writs and appearances, of which a note is kept.
- (iii) Minor correspondence and papers, such as covering letters, acknowledgments, letters making or confirming appointments, requests for literature or forms.

8. Every schedule prepared as aforesaid shall, when settled, be signed by the Inspecting Officers and the Officer appointed to act with them in the matter.

9. Every schedule signed as aforesaid shall be submitted for the approval of the Minister of Finance, and in addition, in the case of the documents of a court, for that of the Lord Chief Justice of Northern Ireland, and in the case of those of a Department of Government or of a public office, for that of the head of such department or the principal officer of such office.

10. Every schedule approved by the Minister of Finance and the Lord Chief Justice of Northern Ireland, or by the Minister of Finance and the head of a Department of Government or principal officer of a public office shall be laid before both Houses of Parliament, as provided in the Act.

11. When a schedule of documents existing in the Public Record Office of Northern Ireland, prepared and approved as aforesaid, shall have lain before each House of Parliament for a period of not less than ten days on which such House has sat, the Inspecting Officer shall (except in the case of the passing of such a resolution as is mentioned in sub-section (2) of section eight of the Act) take measures for the disposal of the documents mentioned therein in the proposed manner.

12. When a schedule of documents existing or in ordinary course about to exist in any court or in any department of the Government or public office, prepared and approved as aforesaid, shall have lain before each House of Parliament for a period of not less than ten days, on which such House has sat, the Chief Official of that Court or the Head of such Department of Government or Chief Official of such public office shall (except in the case of the passing of such a resolution as is mentioned in sub-section (2) of section eight of the Act) take measures for the disposal of the documents mentioned therein in the proposed manner.

13. The mode of disposal shall be by destruction, unless the Minister of Finance shall direct the disposal thereof by transfer to the governors of any library, association or other body in Northern Ireland or elsewhere. The proposed mode of disposal of the documents included in each schedule shall be specifically mentioned in the schedule. When the documents are to be destroyed, such destruction shall be effected under the direction of the Controller of His Majesty's Stationery Office.

14. The first Inspecting Officers appointed under Rule 2 shall be
George Chester Duggan, O.B.E.,
Assistant Secretary,
Ministry of Finance.

Reginald Ernest Thornley, C.B.E.,
Principal Establishment Officer,
Ministry of Finance.

David Alfred Chart, Litt.D.,
Deputy Keeper of the Records.

Edward Heatly, LL.B.,
Public Record Office.

Signed this seventeenth day of October, One Thousand Nine
Hundred and Twenty-four.

(Signed) H. M. Pollock,
Minister of Finance.

Approved
Denis S. Henry,
Lord Chief Justice.

Further Approved :-
A. P. Magill,
Assistant Secretary,
Ministry of Home Affairs.

J. A. Dale,
Secretary,
Ministry of Labour.

A. N. Bonaparte Wyse,
Assistant Secretary,
Ministry of Education.

J. S. Gordon,
Secretary,
Ministry of Agriculture.

C. H. E. Parr,
Assistant Secretary,
Ministry of Commerce.

E. K. Tallent,
for Comptroller and Auditor-General.

Whereas by Section eight of the Public Records Act (Northern Ireland), 1923 (in this Order referred to as "the Act"), it is provided that the Minister of Finance for Northern Ireland may make rules for the disposal by destruction or otherwise of certain documents deposited in or capable of removal to the Public Record Office of Northern Ireland, which are not of sufficient public value to justify their preservation in the said Public Record Office.

And whereas by the said section of the Act it is further provided that every such rule shall be laid before both Houses of Parliament as therein Mentioned, and when approved by Order of the Governor in Council, shall, subject to revocation or alteration by a subsequent rule, have effect as if it were enacted in the Act.

And whereas in accordance with the said section of the Act the rules which are set forth in the Schedule to this Order have been made by the said Minister of Finance and laid before both Houses of Parliament.

Now I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, in exercise of the powers vested in me by the Act, by and with the advice of the Privy Council of Northern Ireland, do by this Order approve of the said rules.

Given at the Council Chamber, Stormont Castle, Belfast, this 20th day of
January, 1925.

JAMES CRAIG.

H. AI. POLLOCK.

R. DAWSON BATES. HERBERT DIXON.