



# Records Retention & Disposition Policy

(Version 1.0)



## VERSION CONTROL

Version	Date of Change	Amendment Description
0.1	2019/02/12	Initial draft
1.0	2021/06/30	Minor amendments made

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## 1. EXECUTIVE SUMMARY

### 1.1 Overview

Records are essential for the effective and efficient functioning of ISFAP processes as they document the decisions and activities across ISFAP and provide verifiable evidence of compliance, governance and risk management.

Legislation, regulations, standards and practices require ISFAP to retain specific types of records, for specified periods of time, in specific formats, at specific locations. Appropriate measures must be implemented throughout ISFAP to manage the risks associated with Records Management.

This ISFAP Records Retention and Disposition Policy provides ISFAP's functions with relevant legislative and business appropriate guidelines to formalise and embed acceptable practices and associated accountability for effective and efficient records retention/management .

### 1.2 Scope

The ISFAP Records Retention and Disposition Policy applies to all records maintained by ISFAP, whether such records relate to business operational processes, employees, customers, business partners or third parties (external consultants and service providers.) or other ISFAP Stakeholders.

Each Business Unit/department within ISFAP (collectively referred to as the business) must accept accountability and responsibility for records management and ensure that the required records management practices are put in place and maintained in order to comply with the ISFAP Records Retention and Disposition Policy.

### 1.3 Purpose

The overarching purpose of the ISFAP Records Retention and Disposition Policy is to ensure all necessary records and documents are adequately retained in compliance with various legislative requirements. In addition, this procedure will ensure that records no longer needed or of little or no value are discarded in a timely, secure manner.

Each Business Unit/department within ISFAP (collectively referred to as the business) must accept accountability and responsibility for records management and ensure that the required records management practices are put in place and maintained in order to comply with the ISFAP Records Management Policy.

### 1.4 Applicability

This procedure applies to all official records generated in any format in the ordinary course of ISFAP's operation, including both original and reproduced documents. Examples of said formats include, but are not limited to emails, records stored

on computer hard drives or disks, microfilmed, microfiche, or imaged records and those records maintained on paper, including handwritten notes.

## 2. RETENTION OF RECORDS

Owing to various legislative requirements, documents must be retained for a certain number of years, depending on the legislation.

- This guide refers to the legislation and identifies the timeframe in which certain documents have to be kept.
- The guide does not attempt to include all legislation, but only refers to the general legislation that impact on a wide variety of entities.
- The guide has been compiled to assist ISFAP meet the legislative requirements when they dealing with business processes.
- The guide is structured to refer to the relevant Act and then to the documents that should be kept and to the period of retention.

### 2.1 Definition of a records retention schedule

The records retention schedule is a practical document that details the classes of records held by the University and metadata about them for the purposes of preventing premature destruction or unnecessary retention of records. It lists the length of time for which categories of records should be retained in order to meet compliance and business requirements. It specifies when records need to be destroyed and the person(s) responsible to ensure this.

It records:

- categories of records held
- the format in which the master record should ideally be retained;
- the event which triggers the retention period to begin
- a subsequent retention period for each category
- what to do with the record when the retention period expires
- the rationale for the retention

### 2.2 Multiple legislative requirements

Where different legislation refers to the retention of the same records/information, business must consider adhering to the most stringent of the legislative requirements. Where legislation refers to different records (e.g. employment records versus accounting records), then each requirement is specific to that legislation and should be applied accordingly to the specific records.

### 2.3 Retention of records for an “indefinite” period

In certain instances, legislation requires that records be kept for an “indefinite” period. The term “indefinite” is not defined in the legislation, but clearly requires that documents be retained for as long as the relevant entity exists. We note, however, that once an entity ceases to exist, the obligation on that entity to retain documents “indefinitely” also ceases to exist. After an entity ceases to exist, other legislation may require records to be retained, but typically only for a period of time and no longer “indefinitely”.

## 3. RETENTION GUIDE IN ACCORDANCE TO RELEVANT LEGISLATION

Below is the guide to the retention of records in its relevant/applicable considerations.

### 3.1 Electronic Communication

*(Electronic Communication and Transaction Act, No 25 of 2002)*

The Electronic Communication and Transaction Act, No 25 of 2002, regulates electronic communication and prohibits the abuse of information. Certain principles are stated for the electronic collection of personal information and also the timeframe in which this information must be kept.

Document	Retention period
<i>Reference: Section 51(5), (7) and (8)</i>	
Personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information	As long as information is used, and at least 1 year thereafter
A record of any third party to whom the information was disclosed must be kept for as long as the information is used	As long as information is used and at least 1 year thereafter
All personal data which has become obsolete	Destroy

### 3.2 Close Corporations

*(Close Corporations Act, No 69 of 1984)*

The Close Corporations Act, No 69 of 1984, has the goal of providing for the management, control and liquidation of close corporations. The Administrative Regulations identify the various periods that documents relating to the Close Corporation must be retained.

Document	Retention period
<i>Schedule 3 amended by Government Notice R1664 of 1982</i>	
Accounting records, including supporting schedules to accounting records and ancillary accounting records	15 years
Amended Founding statement (forms CK 2 and CK 2A)	Indefinite

Annual financial statements, including annual accounts and the report of the accounting officer	15 years
Founding statement (Form CK 1)	Indefinite
Microfilm image of any original record reproduced directly by the camera – the “camera master”	Indefinite
Minutes books as well as resolution passed at meetings	Indefinite

### 3.3 Companies

**(Companies Act, No 71 of 2008).**

The Companies Act, No 71 of 2008, consolidates and amends the law that relates to companies. This Act became effective on 1 May 2011 and should be read with the Companies Amendment Act, No 3 of 2011, and the Companies Regulations, 2011. The Act expressly provides that records must be kept “in written form, or other form or manner that allows that information to be converted into written form within a reasonable time”.

Document	Retention period
<b>Reference: Section 24</b>	
General rule for company records: Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of the Act and other public regulation	<i>7 years or longer (as specified in other public regulation)</i>
Notice of Incorporation (Registration certificate)	<i>Indefinite</i>
Memorandum of Incorporation and alterations or amendments	<i>Indefinite</i>
Rules	<i>Indefinite</i>
Register of company secretary and auditors	<i>Indefinite</i>
Regulated companies (companies to which chapter 5, part B, C and Takeover Regulations apply) - Register of disclosures of person who holds beneficial interest equal to or in excess of 5% of the securities of that class issued	<i>Indefinite</i>
Notice and minutes of all shareholders meeting including: Resolutions adopted Document made available to holders of securities	<i>7 years</i>
Copies of reports presented at the annual general meeting of the company	<i>7 years</i>
Copies of annual financial statements required by the Act	<i>7 years</i>
Copies of accounting records as required by the Act	<i>7 years</i>
Record of directors and past directors, after the director has retired from the company	<i>7 years</i>
Written communication to holders of securities	<i>7 years</i>
Minutes and resolutions of directors’ meetings, audit committee and directors’ committees	<i>7 years</i>

<b>Reference: Section 50</b>	
Securities register and uncertificated securities register	<i>Indefinite</i>

### 3.4 Consumer Protection

#### **(Consumer Protection Act, No 68 of 2008)**

The Consumer Protection Act, No 68 of 2008, seeks to promote a fair, accessible and sustainable marketplace, to provide for improved standards of consumer information and to prohibit certain unfair marketing and business practices.

<b>Document</b>	<b>Retention period</b>
<b>Reference: Section 27(3)(b) and Regulation 10 Disclosure by intermediary</b>	
Information provided to a consumer by an intermediary - <ul style="list-style-type: none"> <li>• Full names, physical address, postal address and contact details;</li> <li>• Id number and registration number;</li> <li>• Contact details of public officer in case of a juristic person;</li> <li>• Service rendered;</li> <li>• Intermediary fee;</li> <li>• Cost to be recovered from the consumer;</li> <li>• Frequency of accounting to the consumer;</li> <li>• Amounts, sums, values, charges, fees or remuneration specified in monetary terms</li> </ul>	3 years
Disclosure in writing of a conflict of interest by the intermediary in relevance to goods or service to be provided	3 years
Record of advice furnished to the consumer reflecting the basis on which the advice was given	3 years
Written instruction sent by intermediary to the consumer	years
<b>Reference: Section 36(11)(b) and Regulation 11(6) Promotional competitions</b>	
<ul style="list-style-type: none"> <li>• A person who conducts a promotional competition must retain:</li> <li>• full details, including identity or registration numbers, addresses and contact numbers of the promoter;</li> <li>• rules of promotional competition;</li> <li>• copy of offer to participate in promotional competition;</li> <li>• names and identity numbers of persons responsible for conducting the promotional competition;</li> <li>• full list of prizes offered in promotional competition;</li> <li>• a representative selection of materials marketing the promotional competition;</li> <li>• list of all instances when the promotional competition was marketed, including dates, medium used and places where marketing took place;</li> <li>• summary describing the proceedings to determine the winners;</li> <li>• whether an independent person oversaw the determination of the prize winners;</li> <li>• the means by which the prize winners were announced and frequency;</li> <li>• list of names and identity numbers of prize winners;</li> <li>• list of dates when prizes were handed over to the prize winners;</li> <li>• steps taken by the promoter to contact the winner;</li> <li>• reasons for prize winner not receiving or accepting the prize and steps taken by promoter to hand over the prize</li> </ul>	3 years

<b>Document Section 45 and Regulation 31 Auctions</b>	
Written agreement that contains the terms and conditions upon which the auctioneer accepts the goods for sale.	3 years

### 3.5 Financial Advisory And Intermediary Services

#### ***(Financial Advisory and Intermediary Services Act, No 37 of 2002)***

The Financial Advisory and Intermediary Services Act, No 37 of 2002, seeks to regulate the rendering of certain financial advisory and intermediary services to clients and to provide for matters incidental to these services.

<b>Document</b>	<b>Retention period</b>
<b>Reference: Section 18</b>	
An authorised financial services provider must maintain the following records regarding- <ul style="list-style-type: none"> <li>• known premature cancellations of transactions or financial products by clients of the provider;</li> <li>• complaints received together with an indication whether or not any such complaint has been resolved;</li> <li>• the continued compliance with the requirements referred to in section 8;</li> <li>• cases of non-compliance with this Act, and the reasons for such non-compliance; and</li> <li>• the continued compliance by representatives with the requirements referred to in section 13(1) and (2).</li> </ul>	5 years (except to the extent exempted by the registrar)
<b>GENERAL CODE OF CONDUCT FOR AUTHORISED FINANCIAL SERVICES PROVIDER AND REPRESENTATIVES (Section 3(2))</b>	
Specific duties of provider A provider must have appropriate procedures and systems in place to- <ul style="list-style-type: none"> <li>• record such verbal and written communications relating to a financial service rendered to a client as are contemplated in the Act, this Code or any other Code drafted in terms of section 15 of the Act;</li> <li>• store and retrieve such records and any other material documentation relating to the client or financial service rendered to the client; and</li> <li>• keep such client records and documentation safe from destruction.</li> </ul> All such records must be kept for a period after termination, to the knowledge of the provider, of the product concerned or, in any other case, after the rendering of the financial service concerned. Providers are not required to keep the records themselves but must ensure that they are available for inspection within seven days of the registrar's request. Records may be kept in an appropriate electronic or recorded format, which are accessible and readily reducible to written or printed form.	5 years

### 3.6 Financial Intelligence

#### ***(Financial Intelligence Centre Act, No 38 of 2001)***

The Financial Intelligence Centre Act, No 38 of 2001, established a Financial Intelligence Centre and a Money Laundering Advisory Council in order to combat money laundering activities and the financing of terrorist and related activities. The Act imposes certain duties on institutions and people who might be used for money laundering purposes and the financing of terrorist and related activities. The Act became effective on 1 February 2002.

Document	Retention period
<b>Reference: Section 22 and 23</b>	
<p>Whenever an accountable institution establishes a business relationship or concludes a transaction with a client, the accountable institution must keep record of:</p> <ul style="list-style-type: none"> <li>• the identity of the client;</li> <li>• if the client is acting on behalf of another person,               <ul style="list-style-type: none"> <li>○ the identity of the person on whose behalf the client is acting;</li> <li>○ the client’s authority to act on behalf of that other person;</li> </ul> </li> <li>• if another person is acting on behalf of the client               <ul style="list-style-type: none"> <li>○ the identity of that other person; and</li> <li>○ that other person’s authority to act on behalf of the client;</li> </ul> </li> <li>• the manner in which the identity of the persons referred to above was established.               <ul style="list-style-type: none"> <li>○ the nature of that business relationship or transaction;</li> <li>○ in the case of a transaction:                   <ul style="list-style-type: none"> <li>○ the amount involved; and</li> <li>○ the parties to that transaction;</li> </ul> </li> </ul> </li> <li>• all accounts that are involved in:               <ul style="list-style-type: none"> <li>○ transactions concluded by that accountable institution in the course of that business relationship; and</li> <li>○ that single transaction;</li> </ul> </li> <li>• the name of the person who obtained the identity of the person transacting on behalf of the accountable institution; and</li> <li>• any document or copy of a document obtained by the accountable institution</li> </ul> <p>The records may be kept in electronic format.</p> <p><b>Records must be kept:</b></p> <ul style="list-style-type: none"> <li>○ From termination of business relationship</li> <li>○ From the date the transaction is concluded</li> </ul>	5 years

### 3.7 Credit Agreements

**(National Credit Act, No 34 of 2005)**

The public is protected by the National Credit Act, No 34 of 2005 (“NCA”), which aims to promote and advance the social and economic welfare of consumers by promoting a fair and transparent credit industry and assisting consumers to make more informed decisions before buying goods and services on credit. To ensure that this process occurs, certain documents must be retained.

Document	Retention period
<b>Reference: National Credit Regulations, Regulation 55(1)(b)</b>	
Records of registered activities to be retained by Credit Providers, in respect of each consumer: <ul style="list-style-type: none"> <li>• application for credit;</li> <li>• application for credit declined;</li> <li>• reasons for decline of application for credit;</li> <li>• pre-agreement statement and quote;</li> <li>• documentation in support of steps taken in terms of section 81(2) of the Act;</li> <li>• record of payments made; and</li> <li>• documentation in support of any steps taken after default by consumer.</li> </ul>	3 years from the earliest of the dates on which the registrant created, signed or received the document
<b>Reference: National Credit Regulations, Regulation 55(1)(c)</b>	
Records of registered activities to be retained by Credit Providers, in respect of operations: <ul style="list-style-type: none"> <li>• record of income, expenses and cash flow;</li> <li>• credit transaction flows; and</li> <li>• management accounts and financial statements.</li> </ul>	3 years from the earliest of the dates on which the registrant created, signed or received the document
<b>Reference: National Credit Regulations, Regulation 17(1) Retention period applicable to credit bureau information</b>	
Details and results of disputes lodged by the consumers	6 months
Enquiries	1 year
Payment Profile	5 years
Adverse classification of enforcement action	1 year
Adverse classification of consumer behaviour	1 year
Debt restructuring	Until a clearance certificate is issued
Civil court judgments	The earlier of 5 years or until the judgment is rescinded by a court or abandoned by the credit provider.
Maintenance judgments	Until the judgment is rescinded by a court
Administration orders	5 years or until order is rescinded by court
Sequestration order	5 years or until rehabilitation order is granted
Rehabilitation orders	5 years
<b>Reference: National Credit Regulations, Regulation 55(1)(d)</b>	
Records of registered activities to be retained by Credit Bureaux,	3 years from the earliest of the dates on which the registrant

<p>1. All documents relating to disputes, inclusive of but not limited to:</p> <ul style="list-style-type: none"> <li>documents from the consumer;</li> <li>documents from the entity responsible for disputed information;</li> <li>documents pertaining to the investigation of the dispute;</li> </ul> <p>2. Correspondence addressed to and received from sources of information as set out in section 70(2) of the Act and Regulation 18(7) pertaining to issues of disputed information.</p>	<p>created, signed or received the document.</p>
<b>Reference: National Credit Regulations, Regulation 55(1)(a)</b>	
<p>Records of registered activities to be retained by Debt Counsellors, in respect of each consumer</p> <ul style="list-style-type: none"> <li>application for debt review;</li> <li>copy of all documents submitted by the consumer;</li> <li>copy of rejection letter (if applicable);</li> <li>debt restructuring proposal;</li> <li>copy of any order made by the tribunal and/or the court; and</li> <li>copy of clearance certificate.</li> </ul>	<p>3 years from the earliest of the dates on which the registrant created, signed or received the document.</p>
<b>Reference: National Credit Regulations, Regulation 56</b>	
<p>Records to be kept in terms of section 170 of the Act in respect of each consumer:</p> <ul style="list-style-type: none"> <li>records of all applications for credit, credit agreements and credit accounts</li> </ul>	<p>3 years from the date of termination of the credit agreement; or, in the case of an application for credit that is refused or not granted for any reason, from the date of receipt of the application</p>

### 3.8 Labour Relations

Employee relations are governed by a variety of legislation, including the Basic Conditions of Employment Act and the Labour Relations Act.

#### 3.8.1 (Basic Conditions of Employment Act, No 75 of 1997)

The Basic Conditions of Employment Act, No 75 of 1997, states that various documents relating to employees should be kept for future reference.

Document	Retention period
<b>Reference: Section 29(4)</b>	
Written particulars of employee must be kept after termination of employment	3 years after the termination of employment.
<b>Reference: Section 31</b>	

Employee's name and occupation	3 years from the date of the last entry in the record.
Time worked by each employee	
Remuneration paid to each employee	
Date of birth of any employee under 18 years of age	
Any other prescribed information	

A reference exists that an employer who keeps records in terms of this section is not required to keep any other record of time worked and remuneration paid as required by any other employment law.

### 3.8.2 (*Employment Equity Act, No 55 of 1998*)

The Employment Equity Act, No 55 of 1998, provides for employment equity and applies to employers and employees. The Act has certain requirements with regard to the retention of certain documents.

Document	Retention period	
<b>Reference: Section 26</b>		
An employer must establish and maintain records in respect of its workforce, its employment equity plan and other records relevant to its compliance with this Act.	5 years after expiry of the plan	
<b>Employment Equity Regulations, 2014 Reference: Regulation 9(3)</b>		
A designated employer must retain their Employment Equity Plan		
<b>Reference: Section 21 Employment Equity Regulations</b>		
A designated employer must submit a report to the Director General once every year. This report should be retained after submission to the Director General	5 years after it has been submitted to the Director-General.	

### 3.8.3 (*Labour Relations Act, No 66 of 1995*)

The Labour Relations Act, No 66 of 1995, applies to employees, employers, trade unions and employers' organisations and provides a framework where the parties can collectively bargain regarding remuneration, basic conditions of service and other matters of importance.

Document	Retention period
<b>Reference: Section 53(4)</b>	
Every Council must preserve the following documents in original or reproduced form: <ul style="list-style-type: none"> <li>• books of account</li> <li>• supporting vouchers</li> <li>• income and expenditure statements</li> <li>• balance sheets</li> <li>• auditor's reports</li> <li>• minutes of its meetings (Reference: Section 54)</li> </ul>	3 years from the end of the financial year to which they relate
<b>Reference: Section 98(4)</b>	

Registered trade unions and registered employers' organisation must preserve the following documents in original or reproduced form: <ul style="list-style-type: none"> <li>books of account</li> <li>supporting vouchers</li> <li>records of subscriptions or levies paid by its members</li> <li>income and expenditure statements</li> <li>balance sheets</li> <li>auditor's reports</li> </ul>	3 years from the end of the financial year to which they relate.
<b>Reference: Section 99</b>	
Registered trade unions and registered employers' organisation must keep a list of its members	Indefinite
Minutes of its meetings, in an original or reproduced form from the end of the financial year to which they relate	3 years
Registered trade unions and registered employers' organisation must keep the ballot papers for a period of three years from the date of every ballot	3 years
<b>Reference: Section 205(1) and (2)</b>	
Every employer must keep the records in their original form or a reproduced form that an employer is required to keep in compliance with any applicable: <ul style="list-style-type: none"> <li>collective agreement;</li> <li>arbitration award;</li> <li>determination made in terms of the Wage Act</li> </ul>	3 years from the date of the event or end of the period to which they relate
<b>Reference: Section 205(3)</b>	
Employer must keep prescribed details of any strike, lock-out or protest action involving its employees	Indefinite
<b>Schedule 8, Section 5</b>	
Employers should keep records for each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions	Indefinite
<b>Schedule 3, Section 8(a)</b>	
The Commission must keep the following records: Books of accounts Records of income, expenditure, assets and liabilities	Indefinite

### 3.9 Tax

#### 3.9.1 (Tax Administration Act, No 28 of 2011)

Section 29 of the Tax Administration Act (TAA), No 28 of 2011, contains the general record retention requirements for all Acts administered by the Commissioner (Schedule 1 of the South African Revenue Service Act, 1997) and states that a person must keep the records, books of account or documents that:

- enable the person to observe the requirements of a tax Act;

- are specifically required under a Tax Act or by the Commissioner by public notice; and 17. will enable the South African Revenue Service (SARS) to be satisfied that the person has observed these requirements.

Document	Retention period
<b>Reference: Section 29(3)(a)</b>	
Taxpayers that have submitted a return	5 years from date of submission
<b>Reference: Section 29(3)(b)</b>	
Taxpayers who were meant to submit a return, but haven't for that period	Indefinite, until the return is submitted – then the 5-year rule applies
<b>Reference: Section 29(3)(c)</b>	
Taxpayers who were not required to submit a return, but received income, had capital gains/losses or engaged in any other activity that is subject to tax or would be subject to tax but for the application of a threshold or exemption	5 years from the end of the relevant tax period
<b>Reference: Section 32(a)</b>	
A person who has been notified or is aware that the records are subject to an audit or investigation	In addition to the 5- year rule, records must be retained until the audit is concluded or the assessment or decision becomes final. In this regard the extended retention period will apply irrespective of whether the assessments have prescribed in terms of section 99.
<b>Reference: Section 32(b)</b>	
A person who has lodged an objection or appeal against an assessment or decision under the TAA	In addition to the 5- year rule, records must be retained until the audit is concluded or the assessment or decision becomes final
<b>Reference: Section 102</b>	
While this is not a specific requirement in terms of the TAA that records must be retained for longer, on the basis that a taxpayer bears the onus of proving a valuation, an exemption and a deduction, where any of these items form part of a calculation for purposes of calculating the base cost for capital gains tax purposes, it is recommended that a taxpayer retain records for such longer period as will enable the taxpayer to discharge this onus	In addition to the 5- year rule, records must therefore be retained until the base cost calculation must be proved to SARS in the event of a capital gain or capital loss

### 3.9.2 (Income Tax Act, No 58 of 1962)

Document	Retention period
In addition to the records required in Chapter 4, part A of the Tax Administration Act, every employer must keep the records as indicated below	
<b>Reference: 4<sup>th</sup> Schedule, para 14(1)</b>	

<p>In addition to the records required in section 29 TAA, in respect of each employee the employer shall keep a record showing:</p> <ul style="list-style-type: none"> <li>• amount of remuneration paid or due by him to the employee;</li> <li>• the amount of employees' tax deducted or withheld from the remuneration paid or due;</li> <li>• the income tax reference number of that employee;</li> <li>• any further prescribed information</li> </ul>	<p>5 years from the date of submission of the return evidencing payment.</p>
<p><b>Reference: 4<sup>th</sup> Schedule, para 14(3)</b></p>	
<p>In addition to the records required in section 29 Tax Administration Act, in respect of each employee the employer shall keep a record showing:</p> <ul style="list-style-type: none"> <li>• amount of remuneration paid or due by him to the employee;</li> <li>• the amount of employees' tax deducted or withheld from the remuneration paid or due;</li> <li>• the income tax reference number of that employee;</li> <li>• any further prescribed information;</li> </ul>	<p>5 years from the date of submission of the return.</p>
<p><b>Reference: 6<sup>th</sup> Schedule, para 14(a) – (d)</b></p>	
<p>Notwithstanding the provisions of Part A of Chapter 4 of the Tax Administration Act, a registered micro business must only retain a record of:</p> <ul style="list-style-type: none"> <li>• amounts received by that registered micro business during a year of assessment;</li> <li>• dividends declared by that registered micro business during a year of assessment;</li> <li>• each asset of that registered micro business as at the end of a year of assessment with a cost price of more than R10 000; and</li> <li>• each liability of that registered micro business as at the end of a year of assessment that exceeded R10 000.</li> </ul>	<p>5 years from date of submission or 5 years from end of the relevant tax year depending on type of transaction</p>

### 3.10 Auditors

#### **(Auditing Profession Act, No 26 of 2005)**

The Auditing Profession Act, No 26 of 2005, implicitly requires that documents should be retained for three years. Section 47 requires the regulatory board, or any person authorised by it, to inspect or review the practice of a registered auditor that audits a public company at least every three years.

Section 5 of the IRBA Manual of Information 2014/15 states the following under the heading "Act": "Inspections are performed in terms of Section 47 of the Auditing Profession Act, 2005. Functions of the IRBA include promoting the integrity of the auditing profession through conducting inspections.

Audit firms performing mandatory audits of financial statements of entities, as defined by the Companies Act of 2008, are subject to firm inspections at least once in a three year cycle."

Document	Retention period
<i>Reference: ISQC 1, paragraph A61</i>	
Engagement documentation, including working papers, statements, correspondence, books or other documents in the possession or under the control of a registered auditor	Ordinarily no shorter than <b>five years</b> from the date of the auditor's report, or, if later, the date of the group auditor's report.

#### 4. ENFORCEMENT & REVIEW

The policy cannot be pro-actively enforced in the absence of an Electronic Documents and Records Management System, but the introduction of the Records Management Framework and Data Officer roles will provide support and guidance to staff in respect of managing records in their business areas.

The schedule should be updated by all departments on an ongoing basis. A review must be organised at least annually by the Data Officer. It must also be updated to reflect changes in legislation, regulation or audit requirements and/or university business practice. The schedule should be reviewed by the Information Compliance team.

Where a department requires a record for longer than the retention period specified in the retention guide, this should be notified to the Data Officer for review. Where appropriate, the Data Officer will liaise with the Information Compliance team.

#### 5. IMPLEMENTATION

Responsibility for implementing the schedule will need to be assigned to appropriate members of staff within the faculties and departments holding the records. They should maintain a local record of when specific records meet their destruction/disposal date.

#### 6. STORAGE AND PRESERVATION

Documents need to be arranged systematically and labelled helpfully and consistently, so that it will be possible to locate them with ease and respond promptly to enquiries.

Paper Records should have a file cover labelled with a disposal date, so that it is easy to locate material due for destruction. In the case of electronic information, a logical hierarchical structure of folders, subfolders and metadata should be used to ensure that documentation can be readily identified for deletion.

Local storage for paper records should be secure and protect the records from water damage (from flooding, leaks, or sprinklers), fire damage, light damage, large fluctuations in temperature/humidity and pests.

Vital records (without which the department could not function) should be prioritised for protection. Appropriate measures must be enacted to ensure access to vital records is maintained for business continuity purposes.

Records held electronically must be held securely but remain accessible to appropriate members of staff. Business areas must review their data periodically (ideally every five years) and, if necessary, arrange for it to be converted to new file formats, particularly where retention is greater than seven years.

All critical, long-term electronic data needs to be held on a server, so that it will be adequately backed up and safeguarded from hardware failure.

## 7. DISPOSITION OF RECORDS

Directors are responsible for ensuring that the Schedules are periodically reviewed (at least annually) to determine whether any retention periods applying to records within their directorates have expired. Once the retention period has expired, the record must be reviewed and a 'disposition action' agreed upon.

A 'disposition action' is either:

1. The destruction of the record;
2. The retention of the record for a further period within Monitor; or
3. The transfer of the record to The National Archives.

### 7.1 Making And Recording The Disposition Decision

A review of the record should take place as soon as possible after the expiry of the retention period or, if that is not feasible, the record should be retained and a later review date set. It need not be a detailed or time consuming exercise but there must be a considered appraisal of the contents of the record. The review should be conducted by the relevant Director (or their delegate) in consultation with relevant stakeholders for example:

- Other senior managers;
- Head of IT;
- Relevant external bodies;
- Legal adviser.

The disposition decision must be reached having regard to:

- on-going business and accountability needs (including audit);
- current applicable legislation;
- whether the record has any long-term historical or research value;
- best practice in the applicable professional field (for example human resources);
- costs associated with continued storage versus costs of destruction;
- the legal, political and reputational risks associated with keeping, destroying or losing control over the record.

Decisions must not be made with the intent of denying access or destroying evidence.

The agreed disposal decision must be recorded on a Record Disposal Form. The form will be available from the intranet under Tools – Forms and will require the following information:

- Description of the record;
- The medium on which it is held e.g. CD;
- The directorate which created or held the record;
- The date of the creation of the record and the date of review;
- The disposal decision and the method of disposal;
- A summary of the reasons for the decision;
- The titles of the reviewers and officers consulted;
- The signature of the person authorising disposal.

Completed forms must be passed to the Head of IT for safekeeping.

## 7.2 Destruction

No destruction of a record should take place without assurance that:

- the record is no longer required by any part of the business;
- no work is outstanding by any part of the business;
- no litigation or investigation is current or pending which affects the record;
- there are no current or pending FOIA or DPA access requests which affect the record.

## 7.3 Destruction Of Paper Records

Destruction should be carried out in a way that preserves the confidentiality of the record. Non-confidential records i.e. records that are clearly in the 'public domain' can be placed in ordinary rubbish bins or recycling bins. Confidential records should be placed in the grey confidential waste bins or shredded and placed in paper rubbish sacks for collection by an approved disposal firm. All copies including security copies, preservation copies and backup copies should be destroyed at the same time in the same manner.

## 7.4 Destruction Of Electronic Records

All electronic records will need to be either physically destroyed (and a record of destruction certified) or wiped to the current Government standard. Deletion of the files is not sufficient. Destruction will be overseen by the Head of IT.

## 7.5 Further Retention Within Monitor

The record may be retained for a further period if it has on-going business value or if there is specific legislation which requires it to be held for a further period. A record should not ordinarily be retained for more than 30 years in aggregate

from the date of creation. The National Archives should be consulted for advice where the aggregate retention period is likely to exceed 30 years.

## 7.6 Transfer To The National Archives

The record may be transferred to The National Archives, or another appropriate place of deposit as advised by The National Archives, if it is decided that the record has no further administrative value but should be permanently preserved for historical or research purposes. (Officers should seek the advice of The National Archives if there is doubt as to whether a record should be permanently preserved.) The National Archives has produced transfer application forms and detailed guidance as to the preparation of records for transfer to The National Archives.

## 8. THE ISFAP RECORDS MANAGEMENT POLICY COMPLIANCE

### Disposition of records/Record destruction ( as per the ISFAP Records Management Policy)

To validate that records are properly disposed of once they are no longer required. Ensure that records are retained appropriately if required for known or anticipated legal, regulatory or business requirements/enquiries.

The procedure for disposing of paper and electronic records must be detailed in the records Retention Schedule.

- Vital Records (original or imaged) should be disposed of securely as per defined process, at retention expiry dates, except if a Disposition Hold applies.
- Records should be disposed of as soon as is practical, and at least annually, (unless required longer for operational reasons), except if a relevant Disposition Hold applies.
- In each case, disposition or destruction of records must be in compliance with the relevant local legislation, regulation or Business Specific Records Retention Schedule.
- Destruction processes should be documented and tested annually for Records.
- When records have been authorised for destruction, appropriate secure and confidential
- methods of destruction must be used.
- All copies of records that have been authorised for destruction, including security, preservation and backup copies must be destroyed.
- A Certificate of Destruction must be produced by the Records Manager as a historical reference for the destruction of the records as listed therein.