

## **ACT TWENTY-SIX**

### ***Of Archives and the Preservation of Records***

#### Purpose

- 1 This Act is to provide a framework for the administration of diocesan Archives in particular and the preservation of records at both parish and diocesan levels generally.

#### Establishment and Oversight

- 2 (a) A Diocesan Archive is hereby established. It will be situated in such buildings and at such places as the Bishop, after consulting with the Board of Trustees, may from time to time determine. The Archives and associated arrangements in operation at the promulgation of this Act are deemed to have been authorised by this Act and continue to function until changed in terms of these provisions.
- (b) The Archives shall function under the oversight of the Diocesan Archives Committee, which shall be a committee of the Board of Trustees. The Committee shall be constituted as follows:
  - (i) Chairperson: The Bishop or her/his nominee;
  - (ii) The Diocesan Secretary or her/his nominee;
  - (iii) The Diocesan Archivist referred to in Section 3(a) of this Act;
  - (iv) A person nominated by the Board of Trustees, who may be a member of that Board but need not be;
  - (v) Not more than four other persons nominated by the Bishop after consulting the Board of Trustees, and, if he/she considers it appropriate, any other body or person which/who is able to furnish useful advice regarding these nominations.
- (c) The Archives Committee, in addition to the oversight of the Archives, is tasked with making recommendations to the Bishop on all matters appertaining to the management of church records and documents and may recommend the issue of Diocesan Bylaws in that context, provided that its capacity to recommend the issue bylaws does not inhibit the right of the Bishop to issue similar bylaws on her/his own initiative.
- (d) The Archives Committee should meet as often as is necessary, but not less than twice a year at such time and place as the Chairperson may decide.

- (e) The secretarial services to the Archives Committee must be provided by the Diocesan Secretary.

### Administration and Financing

- 3 (a) The administration of the Archives is entrusted to the Diocesan Archivist, who shall be a person appointed by the Bishop and who may be full-time or part-time. The Diocesan Archivist is remunerated by way of a package approved by the Board of Trustees on the recommendation of the Remuneration Committee.
- (b) The Diocesan Archivist has authority to make all arrangements necessary for the proper functioning of the Archives within the framework of this, and other Diocesan Acts and the associated Bylaws and the Constitution and Canons of the Anglican Church of Southern Africa. He/she shall also have due regard to any laws of the Republic of South Africa relating to archival functions.
- (c) The Diocesan Archivist may be assisted by an Assistant Archivist and/or Archival Assistants, who may be Diocesan employees or volunteers.
- (d) The Diocesan Archivist and staff are responsible to the Diocesan Secretary, and, through the latter, to the Bishop.
- (e) The Archives shall be funded by -
  - (i) an allocation from the Diocesan Budget;
  - (ii) income from such fees and charges as may be levied for services rendered, which fees and charges shall be set by the Archives Committee from time to time; and
  - (iii) such donations as may be received.
- (f) Once the allocation made under Section 3(e)(i) of this Act is known, the Diocesan Archivist must prepare an Archives Operating budget and for that purpose shall make estimates of the income, which may be reasonably anticipated from fees, charges and donations, as well as of the anticipated expenditure. The draft operating budget shall be approved by the Archives Committee and submitted to the Board of Trustees for ratification.
- (g) The cost of the operation of the Archives must remain within the approved operating budget. Any anticipated excess expenditure must be advised to the Diocesan Secretary without delay, who shall submit a report to the Bishop and Board of Trustees with her/his recommendations. Such excess expenditure may not be incurred without the prior approval of the Board of Trustees. In an emergency the Bishop may, however, approve the excess expenditure and submit the details to the Board of Trustees for ratification.

General

- 4** (a) The proper preservation of records is important to individuals who have benefited from the ministry of the Church: It is important from the point of view of history and it is important for the protection of Church property rights. No doubt there are also other benefits to be derived from the retention and retrieval of data.
- (b) Diocesan Bylaws will be issued, providing detailed guidance on archival/record-keeping procedures and requirements, as the need arises. Any Bylaw on record-keeping issued prior to the promulgation of this Act, is deemed to have been issued in terms of this Act, read with Act 3, Act on Diocesan Bylaws.