DRAFT - ICT Project Guidance

New Zealand Government Agency   
Digital Services Resource Archiving and Destruction Considerations

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## Description

This document outlines the laws and regulations that impact on information systems that manage information that may contain personal and/or personal identifying information, then provides recommendations on how to adhere to them correctly.

## Synopsis

Data can be preserved without negatively impacting privacy laws and regulation and/or the privacy of people.

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## Introduction

## Background

Solutions are released into an area intersected by multiple domains: at the very least the ICT domain where technical constraints apply, and the business domain, but also the general public domain. Government services also intersect the government domain.

Constraints in the form of lews and regulations exists in most of the above domains. For example, the public domain has privacy laws that regulate the rights of users, the education business domain regulates the use of identifiers across systems, and the government domain has regulation governing the accessibility and security of services.

## Issue

While project delivery stakeholders may be subject matter experts in the business domain, or system engineering, or the orchestration of work items to deliver systems within budget and on time to expectations, most stakeholders have limited experience at interpreting regulations and applying them to system design considerations.

## Risk

The risk is that the delivered software is technically addressing the expectations and contracted requirements developed by business SMEs, but be illegal, and therefore not receiving an Authority to Operate (ATO) and/or putting the organisation’s reputation at risk if it does.

## Resolution

This paper presents first the constraints that must be adhered to, then proposes an approach that can meet these constraints.

# Applicable Regulation

The Records Act 2005

The Records Act 2005 obligates every public office to create and maintain full and accurate records of its affairs in an accessible form until their disposal is required by an Act[[1]](#footnote-2).

* [Best practice guidance on digital storage and preservation – Archives New Zealand](https://www.archives.govt.nz/manage-information/how-to-manage-your-information/digital/best-practice-guidance-on-digital-storage-and-preservation#0-1-introduction)

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### Images

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### Tables

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### References

**There are no sources in the current document.**

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### Audience

The document is technical in nature, but parts are expected to be read and/or validated by a non-technical audience.

### Structure

Where possible, the document structure is guided by either ISO-\* standards or best practice.

### Diagrams

Diagrams are developed for a wide audience. Unless specifically for a technical audience, where the use of industry standard diagram types (Archimate, UML, C4), is appropriate, diagrams are developed as simple “box & line” monochrome diagrams.

### Terms

Refer to the project’s Glossary.

##### Term

: the meaning.

1. [Public Records Act 2005 No 40 (as at 01 September 2022), Public Act 17 Requirement to create and maintain records – New Zealand Legislation](https://www.legislation.govt.nz/act/public/2005/0040/latest/DLM345729.html) [↑](#footnote-ref-2)