

Content

Title :	Regulation on Transformation of Archives 
Date :	2005.01.03
Legislative :	1. Promulgated on December 12, 2001. 2. Amendment to Articles 2, 4, and 9 per the National Archives Administration Decree No. Tang-Zeng 09400000012 dated January 3, 2005.
Content :	Article 1 This Regulation is prescribed in accordance with Article 11 of the Archives Act (hereinafter referred to as the Act). Article 2 Permanent records in the government agency shall be transferred to the central archives competent authority in the year following the expiration of the twenty-fifth year from the creation date of such records. The transfer of the permanent records to the central archives competent authority under the preceding paragraph may be advanced or delayed if the records lack of adequate preservation techniques, proper storage environment, or such records are related to a litigation case, or other justifiable reasons, that are approved by the central archives competent authority, may transfer in advance or extend the transfer period. The permanent records referred to in the first paragraph will be transferred in files, one case per file. The computation of the transfer date shall start from the creation date of the last record in that file. Article 3 Before the government agency transfers permanent records, it shall review as prescribed by law the issues relevant to the change or declassification of classification level of such records. Article 4 In principle, the transfer of permanent records shall be conducted once every year. Before the transfer, agencies shall first appraise the preservation value of the records, and if the records are found to still have permanent preservation value, they shall catalog the records to be transferred and send the appraisal report and the catalogs to the central archives competent authority for review, in accordance with the procedures provided in paragraph 1 of Article 10 of the Enforcement Rule of the Act. The transfer catalogs referred to in the preceding paragraph shall specify the following information: 1. Year, classification number and folder number. 2. The number of volumes. 3. Folder title. 4. Creator of the records. 5. The start and end dates of the records in the folder. 6. The classification level for classified records. 7. Summary. 8. Storage medium of the records that is stored on microfilms, electronic files or some other formats of storage media. 9. Other matters stated by the central archives competent authority. If the records are not cataloged at the folder level, but cataloged instead by item, the catalog shall include the following: 1. File number. 2. Folder title. 3. Subject. 4. Sender (recipient). 5. Creation dates of the files.

6. Title and number of the attachments. If the records are classified, the title of the attachments can be omitted.
 7. The classification level for classified records.
 8. Storage medium of the records that is stored on microfilms, electronic files or some other formats of storage media.
 9. Other matters stated by the central archives competent authority.
- The format of the transfer catalogs shall be prescribed by the central archives competent authority separately.

Article 5

When the central archives competent authority deems it necessary, the government agency shall provide storage media for duplication of records in the government agency to be transferred to the central archives competent authority which are stored on microfilms, electronic files or other methods.

Article 6

When transferring records, the transferring agency shall prepare a letter regarding the transfer and appoint a person for bringing the records to be transferred to the place determined by the central archives competent authority. The person taking over the records shall carefully check the records according to the transfer catalogs and make a transfer record. The transfer records in the preceding paragraph shall specify the following information and shall be signed by or affixed a seal of the person taking over. Such records shall be sent to the head of the transferring agency and the takeover agency for signature or seal and stamped with official seals then to be stored in a copy respectively by said agencies.

1. The names of the transferring agency and the takeover agency.
2. The name of the person taking over the records.
3. The content and the amount of records to be transferred.
4. The time and place of transferring records.

Article 7

The central archives competent authority shall be the competent authority for the management and access for archives in the government agency to be transferred to the central archives competent authority since the taking over of such archives.

People shall file applications for viewing, hand-copying or duplicating archives managed by the central archives competent authority to the central archives competent authority. If people file an application to the government agency, it shall refer such application to the central archives competent authority and notify the applicant.

Article 8

Permanent records in the government agency to be transferred to the central archives competent authority shall be transferred in accordance with the schedules made by the central archives competent authority.

Article 9

This Regulation shall come into force from the date of the Act coming into force.

Amendments to this Regulation shall come into force from the date of promulgation.

Files : 國家檔案移轉辦法EN.pdf

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