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Pursuant to the provisions of Act No. 5, approved December 8, 1955, creating the Program for the Preservation and Disposal of Public Documents, the following rules are hereby established to govern the administration of said program in the departments, agencies and corporate entities of the Executive Branch of the Commonwealth of Puerto Rico.

RULE I

Definitions

1. Document - The word document shall include any paper, book, pamphlet, photograph, photostat, film, map, drawing, plan, or any other item of record regardless of its physical form or characteristics. Publications and, also, bibliographical or museum material acquired for exposition, consultation, or other related purposes, are not included in the definition of the word document.
2. Archives - The General Archives of Puerto Rico.
3. Agency - Any executive department, municipality, public entity, board, or commission of the Executive Branch of the Commonwealth of Puerto Rico and its divisions, bureaus, and offices.
4. Administrator - The person authorized to administer the Program for the Preservation and Disposal of Public Documents in the Executive Branch and the corporate entities.
5. Archivist - The General Archivist of Puerto Rico.
6. Active document - Document frequently used in connection with the management of public affairs and for which reason should be filed in the government agency to which it is administratively useful.

7. Inactive document - That document infrequently used in connection with the management of public affairs and for which reason it is not necessary to retain same near the using agency.

RULE II

Inventory

1. Agency heads shall strike an inventory of all the documents existing in their respective agencies except those originating under the Spanish sovereignty and those that are more than fifty (50) years old. To carry out the inventory, Form PCDD-1 (Preservation and Disposal of Documents List) inclosed as appendix "A", shall be used, jointly with the instructions for executing same. Once the inventory has been prepared, each agency head shall carefully examine the documents in his agency, classifying them according to their natrue and character, under the following categories:

   (a) Documents covered by Commonwealth legislation or through contracts with agencies of the Government of the United States or other entities or individuals donating funds to public programs in the Island and which entail obligation to preserve them with no time limit or for a fixed time.

   (b) Documents of a fiscal nature or necessary for the examination and verification of fiscal accounts and operations.

(c) Documents not included in categories (a) and (b) which must be preserved either for a fixed time or indefinitely because they constitute evidence of title to public or private property or because of any lawful reason which justifies or necessitates their preservation.

(d) Documents not included in categories (a), (b) and (c), but which, because of their daily administrative usefulness in the transactions of the agency, or because of the information they contain, are necessary to substantiate important past events or for use as reference in planning future operations and working out norms for programs.

(e) Documents not included in categories (a), (b), (c) and (d).

2. The documents excepted in the foregoing clause shall conform to the following procedure:

(a) Documents originating under the Spanish sovereignty and those that are more than fifty years old shall be located and arranged, and the agencies shall also prepare a list thereof and transmit same to the Administrator,

(b) The agencies shall withhold these documents, packed by years, until they receive the approval of the Administrator to send them to the Archives. However, should the agency head consider that among these documents there is one needed in connection with the

internal administration of the affairs of the agency, he shall so inform the Administrator, so that the latter may certify the fact and the documents may remain in the corresponding agency.

3. After the agency head has concluded the classification of the documents of his agency, he shall sign and transmit the inventory to the Administrator.
4. The Administrator shall study the decisions contained in the inventory and shall approve same if they fulfill the requirements of law and the rules which govern the administration of this program. Furthermore he shall fill in the blank columns missing and which are of his concern.
5. The inventory shall be returned to the agency head for him to prepare the Plan for the Preservation and Disposal of Documents (Form PCDD-2), the original to be sent to the Administrator.
6. The agency head shall be responsible for keeping the inventory up to date by adding to it all documents newly created or that are received in the agency and inserting therein the corresponding decision. He shall also inform the Administrator of any change in the inventory.

RULE III

Document Disposal Lists

1. From the inventory prepared pursuant with the provisions of Rule II, the agency heads shall annually prepare document disposal lists for their respective agencies; for the performance of this task they shall use the form known as (Appendix "B"). In the preparation of these lists the different categories of documents established under Rule II and the provisions of Rule IV shall be taken into consideration. They shall include the following information:

   (a) title of the document

   (b) description of the document, for the better identification of those whose title is not sufficiently explanatory.

   (c) time for which the document shall be held pursuant to the provisions of this regulation and by the law establishing the Program for the Preservation and Disposal of Public Documents.

   (d) A list of such documents as, pursuant to the provisions of Rule IV and of the law governing the Program for the Preservation and Disposal of Public Documents, are ready to be destroyed or transferred to the Archives.

RULE IV

Destruction

1. The information on documents available for destruction and the date for carrying out such action shall be obtained from the Plan for the Preservation and Disposal of Documents (Form PCDD-2). This plan shall be approved by the agency head and the Administrator, as explained in Rule II.

2. To determine the decisions to appear on the destruction column of the Plan for the Preservation and Disposal of Documents, the categories of documents (a), (b), (c), (d) and (e) described above under Rule II, shall be taken into consideration. Pursuant with the provisions of the law establishing this program, these categories shall govern the adoption of decisions as follows:

Category (a) The documents so classified shall not be destroyed without express legal authorization. The agency head to which the documents belong shall submit to the administrator such legislative recommendations for the purpose he may deem necessary for the success of the program.

Category (b) The Secretary of the Treasury shall determine the preservation period for these documents.

Category (c) The documents belonging to this category shall not be destroyed unless the agency head justifies their uselessness and the Administrator approves the destruction.

Category (d) The agency head, with the approval of the Administrator, shall fix the preservation period of the documents herein comprised, and their destruction shall depend on the decision.

Category (e) This category shall comprise all documents not belongingto any of the above categories and available for destruction or transfer to the Archives, subject to the approval of the Administrator.

3. The Administrator shall periodically transmit to the Archivist document disposal lists and shall abstain from ordering the destruction of any document until receiving information from the Archivist on said lists.

4. After the Administrator has received information from the Archivist on the document disposal lists, he shall prepare monthly and annual destruction quotas for each agency, which agencies shall faithfully follow the instructions in that respect, unless unforeseen events take place, of which the Administrator shall be immediately notified.

5. The destruction of the documents shall be carried out individually in each agency. The agencies shall choose the most appropriate methodfor said purpose and shall take all the necessary precautions so that the documents are totally destroyed. The official in charge of the program in the agency shall bear witness to and certify the fact.