

# Regulatory Compliance for New Zealand Government Agencies

New Zealand Government agencies must comply with regulations and guidelines for archiving and retaining electronic communication. Compliance with these regulations will help your organization to avoid fines, sanctions, and other penalties, as well as avoid the risks involved with email, social media, and mobile messaging misuse.

## Retain Unified Archiving at a Glance:

### ■ Unified archiving:

Archive email, social, and mobile communication in one central location.

### ■ Built-in NetIQ eDiscovery:

Retain Unified Archiving includes powerful eDiscovery tools, at no additional cost.

### ■ Compliant archive:

Retain Unified Archiving meets regulatory standards for archiving, including WORM storage, granular retention policies, NetIQ eDiscovery, exporting, full auditing and logging capabilities, archive access control, and encryption.

### ■ Archive search:

Retain Unified Archiving features a "Google" like search tool for quick and easy searches.



Regulations and Guidelines for Governmental Agencies:

## Public Records Act 2005

The Act introduces a new recordkeeping framework and focuses on supporting good government recordkeeping, in addition to the current emphasis on the disposal of records. This act introduces key recordkeeping requirements. The focus of the legislation is the effective management of all public sector and local authority records. This includes new and current records (i.e., documents, emails, correspondence, etc.) and recordkeeping practices in all government organizations, rather than just the end-process of archival transfer.

The Public Records Act establishes a recordkeeping framework, which has clear requirements. The core recordkeeping requirements are:

### ■ The requirement to create and maintain records

**All public offices and local authorities are required to create and maintain full and accurate records**, including employees and contractors, in accordance with normal, prudent business practice. **These records must also be accessible over time.**

### ■ What is a record?

This Act defines 'records' as any information that is compiled, recorded, or stored in any format. **Electronic records (email, etc.) should be treated according to content not format, and should be managed in a recordkeeping system.**

### ■ Who is covered?

This Act covers recordkeeping at all levels of government, including both central and local government. All public offices and local authorities are subject to the requirements of this Act.

## Official Information Act 1982

The OIA provides for public access to official information and the special circumstances under which access may be declined. The latest annual report of the Ombudsmen considers whether deleted emails are documents for the purposes of the OIA. It states "To the extent that a deleted email can be retrieved, the information is 'held' for the purposes of the OIA..."

## Privacy Act 1993

This Act establishes a set of privacy principles to protect personal privacy for both public and private sector organizations. Principle 10 requires an agency that holds personal information shall not keep that information for longer than is required for the purposes for which the information may lawfully be used.

**"We were looking for a solution that archives in accordance with current retention laws—Retain fulfills all our internal and the external compliance regulations!"**

STEFAN VETTER

Tax Counsellor & Partner  
Rieker - Alber - Thoni

**Retain Unified Archiving helps you stay compliant with the regulations that affect your organization, but it does more. Retain Unified Archiving also helps you manage data, increase email system performance, and maintain oversight of communication data.**

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## How Does Retain Unified Archiving Address Regulatory Concerns?

**Multi-Platform, Policy-Based Unified Archiving:** OpenText™ Retain Unified Archiving archives all messaging data, including email, social media, and mobile into one unified data archive. This gives you the ability to search, publish, and perform NetIQ eDiscovery by OpenText from one central location. Retain Unified Archiving provides fully configurable policies that allow you to define the specific email, mobile, and social media communication data you want to archive.

**Compliance and Control** The standard archiving functionality of email systems lack critical capabilities that can put your organization at risk for data loss and compliance violations. Retain Unified Archiving solves this problem by disabling auto-purge, supporting SmartPurge, allowing for archive policy control, supporting export to PDF, allowing archived messages to be restored to the inbox, allowing for redaction on exported messages and prohibiting message alteration or deletion. These features help ensure your data archive is complete and compliant.

**Web Archive Viewer:** Only Retain Unified Archiving offers an easy-to-use browser-based interface with powerful search tools that let you quickly access, search, and perform NetIQ eDiscovery on the archive.

**Export Functionality:** Export the data easily into either PST, PDF or stand-alone archive viewer formats. The exported file is fully indexed, searchable, and includes a table of contents for quick browsing.

**Redaction:** Exported data can be redacted, ensuring that personal information, or other redacted items do not become part of the open records request.

**Litigation Hold:** To protect email that may potentially be involved in future litigation, Retain Unified Archiving can flag an archived item to protect it from deletion or actions until the hold is removed.

**Audit Trail:** Retain Unified Archiving creates a searchable audit trail of all administrators and users who have permission to search the archive, enabling you to have a record of all activity.

**Message Tagging:** Administrators and end users can create custom and confidential tags for messages within the archive. These tags are searchable for easier NetIQ eDiscovery.

**Configurable Permissions:** Grant users, administrators, or others access to the features and functionality of the Retain Unified Archiving system based on the roles you set.

**Mailbox Management:** Easily search and restore data with the OpenText™ Retain Web Access Archive Viewer. Give end users the ability to search, forward, print, restore, access, and view messages in their original context without administrator support.

**Fast and Easy Retrieval:** Retain Unified Archiving contains a built-in Lucene indexing engine or the OpenText™ Retain High Performance Indexing Engine (for larger deployments).

Learn more at  
[www.opentext.com](http://www.opentext.com)