

South Africa			
DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS			
Contracts (new hire agreements, severance, etc.)	Minimum 3 years (including mandatory "written particulars of employment" under BCEA)	From termination	Basic Conditions of Employment Act (BCEA) 75 of 1997, Sec. 29(4)
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	Minimum 3 years	From date of last entry in record	Basic Conditions of Employment Act (BCEA) 75 of 1997, Sec. 31 (2)
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	No longer than necessary for purpose	From creation	Best practice based on Protection of Personal Information Act (POPIA), Sec. 14(1)
Data and personnel files	Record of employee's name, occupation, time worked, remuneration paid, date of birth if under 18 years of age, etc.: Minimum 3 years	From date of last entry in record	Basic Conditions of Employment Act (BCEA) 75 of 1997, Sec. 31
Government verification records (work papers, immigration, eligibility to work, etc.)	Applicable only to foreign employees: 2 years	From end of foreign employment	Immigration Act, Sec. 38; Regulation 35 of GNR 413 in Government Gazette No. 37679, 22 May 2014
Collective bargaining/union	List of members and meeting minutes: 3 years;	List of members and meeting minutes: From end of financial year to which records relate;	Labour Relations Act (LRA) 1995, Secs. 99(a), 99(b), 205(2)(a) and 205(3)(a)
	Collective agreement: 3 years;	Collective agreement: From date of event or end of period to which records relate;	
	Details of any strike, lockout or protest action involving employees: No longer than necessary for purpose	Details of any strike, lockout or protest action involving employees: From date of record	

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EMPLOYMENT RECORDS (continued)			
Background checks and drug tests	No longer than necessary for purpose	From creation	Best practice based on Protection of Personal Information Act (POPIA), Sec. 14(1)
Acknowledgements, policy agreements and required notices	Not prescribed	N/A	N/A
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Retain for a reasonable period of time after position is filled and no longer than necessary for purpose	From creation	Best practice based on Protection of Personal Information Act (POPIA), Sec. 14(1); Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices, 2005, Item 7.3.28
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	No longer than necessary for purpose	From creation	Best practice based on Protection of Personal Information Act (POPIA), Sec. 14(1)
BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	Not prescribed	N/A	N/A
Pension and retirement records	Remuneration records reflecting pension contributions and deductions (for income tax compliance): Minimum 5 years, No maximum; For basic conditions of employment compliance purposes: Minimum 3 years, no maximum period	Remuneration records: From date of submission of tax return or from end of tax period; For basic conditions of employment: From date of last entry in the record	Tax Administration Act 28 of 2011, Sec. 29(3)(a); Basic Conditions of Employment Act (BCEA), Sec. 31(1)(e)
Equity records	Copy of employment equity plan and copy of Sec. 21 of EEA Report: 5 Years	Employment equity plan: After plan expiration; Sec. 21 of EEA report: After report submitted to Director General	Employment Equity Act Regulations 2014, Regulation 9(3) and 10(9)

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PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Minimum 3 years; Register or Record of Earnings (including wages, hours worked, overtime, and accident book): Minimum 4 years, Recommended practice by Labour Department is 7 years	From date of last entry in record	Basic Conditions of Employment Act (BCEA) 75, Sec. 31; No. 130 of 1993: Compensation for Occupational Injuries and Diseases Act as amended by Compensation for Occupational Injuries and Diseases Amendment Act, No. 61 of 1997, Sec. 81
Tax records	Minimum 5 years	From date of filing and from end of tax period	The Income Tax Act of 1962, Fourth Schedule, Sec. 14(1); Tax Administration Act, No. 28 of 2011, Ch. 4, Returns and Records, Sec. 29 (3)
Miscellaneous 1	Income Differentials (under Employment Equity Act): 5 years	After submitted to Employment Conditions Commission	Employment Equity Act of 1998, Sec. 27; 2014 Regulations, Reg. 12(3)
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	No statutory retention period, best practice 3 years	From termination	Best practice
Injury and illness incident reports	Minimum 3 years	From date of record	General Administrative Regulations 2003, Reg. 929; Occupational Health and Safety Act (OHSA) Reg. 9
Medical records	No statutory retention period, best practice 3 years; Medical, psychological and similar assessments: Minimum 1 year (note, these records are generally prohibited)	General: From termination; Medical, psychological and similar assessments: From date of assessment	Best practice; Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices, 2005, Item 10

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MEDICAL/SAFETY/LEAVE RECORDS (continued)			
Hazardous material and other exposure records	Hazardous biological agent risk assessments, medical surveillance and monitoring: Minimum 40 years;	From date of record	Regulation 1390: Regulations for Hazardous Biological Agents, 2001, Art. 9;
	Hazardous chemical agent surveillance records: Minimum 30 years		Regulations 1179: Hazardous Chemical Substances Regulations, 1995, Art. 9
Miscellaneous 1	Records of health and safety committee (where applicable): Minimum 3 years	From date of record	Occupational Health and Safety Act 85 of 1993 (OHS), Reg. 5

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