



# **Records Classification & Retention Schedule**

**December 2019**

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## Authority of the Nanaimo RCRS

The Nanaimo RCRS has been approved as a policy by the Corporate Officer of the City of Nanaimo and shall not be altered without permission.

## What is the Nanaimo RCRS?

The City of Nanaimo Records Classification and Retention Schedule (Nanaimo RCRS) has two functions: first, it provides a filing structure (classification) for all Nanaimo records; and second, it is an official retention and disposition schedule, creating a consistent and officially approved timetable for managing City of Nanaimo's files.

Each department maintains the records in their custody. Each department is responsible for the proper creation, filing, retention, storage and disposal of them according to Nanaimo records management policies and procedures. This is done in cooperation with and under the guidance of the Records Management staff.

Perhaps the most important concept is that it is conceivable that every department could use every primary and secondary to classify records in their custody (see Key to Codes and Terms below for definitions of primary and secondary). A primary titled "Finance" does not mean that other departments are not allowed to use the secondaries in that primary. The reverse is also true. It is not possible for the Finance department to have all of their files classified under the Finance primary.

To clarify and emphasize this concept, refer to the next section: Classifications for Typical Office Functions.

## Classifications for Typical Office Functions

The following types of files are often found in any department or office and, therefore, these classification codes may be used in any department or office. This is not to imply that all the other codes may not be used. All codes are available for all departments and offices.

Function/Activity	Classification Code
Agreements ( <i>originals, copies may be kept in other files</i> )	LEG-03
Annual Reports	GOV-06
Calendars/Planners	COM-07
Committees	CC-02
Contracts ( <i>originals, copies may be kept in project files</i> )	LEG-03
Correspondence, General ( <i>see the RM Manual for defining "General"</i> )	COM-01
Diaries/Journals	COM-08
Issues Management	COM-03
Liaison with non-partnership organizations	COM-01
Liaison with partnership organizations	COM-02
Planning	GOV-04
Policies and Procedures	GOV-05
Presentations/Speeches ( <i>originals, copies may be kept in other files</i> )	COM-04
Reference Materials ( <i>when kept and tracked for long term use</i> )	IMT-08
Staff Meetings	HR-08
Studies and Reviews ( <i>originals, copies may be kept in project files</i> )	GOV-06
Leave Records and Time Sheets ( <i>copies only, originals are kept by Finance</i> )	FIN-02

## Key to Codes and Terms

**Primary:** Each “primary” is a related group of business functions or activities identified by a two or three letter classification code and a title (e.g., FIN and Finance). The functions or activities collected under the primary may have specific affiliation (e.g., Education and Training or Fire) or broad affiliation (e.g., Communication or Governance).

**Secondary:** Within each primary there are a number of “secondaries”. Every secondary will have a title and a classification code which consists of the primary classification code, a dash and a two-digit number (e.g., FIN-02). Each secondary includes additional notes and information as follows:

*Each secondary often includes additional notes and information as follows:*

<b>Group by</b>	How files are commonly grouped within the secondary.
<b>Arrange by</b>	How files are commonly named and/or further organized within the groups.
<b>Includes</b>	What kinds of records <i>may</i> be found within the secondary's files.
<b>Covers</b>	What activities, transactions or information processes <i>may</i> be managed within the secondary's files.
<b>ET</b>	<b>Event Trigger:</b> A detailed explanation for when an Active file in the secondary is to be closed.
<b># (e.g., 7)</b>	The rationale for the period of time a closed file is retained, based on legislative, regulatory or business requirements.
<b>DE</b>	<b>Destruction:</b> Why and/or how the secondary's files are being destroyed.
<b>LT</b>	<b>Long Term:</b> When the secondary's stored files will be reviewed for destruction.
<b>PR</b>	<b>Full Permanent Retention:</b> Why and/or how the secondary's files are being permanently retained.
<b>SR</b>	<b>Selective Permanent Retention:</b> Why and/or how to separate the secondary's files and/or records for destruction and either permanent retention or transfer to an Archive.
<b>LC</b>	<b>Legal Citation:</b> References the legislation and/or regulations which impacts the secondary's retention period or how files or records are managed in the secondary (See Appendix A: Legal Citations).
<b>NOTE</b>	More information about how to interpret or manage the files or records in the secondary.
<b>PIB</b>	<b>Personal Information Bank:</b> Why and/or how the secondary's files or records are a PIB (See LC BC038, BC039 and BC071).
<b>VRA/B/C</b>	<b>Vital Records A/B/C:</b> <b>VRA</b> <i>Vital</i> for emergency response and operations. Records are needed in hours. <b>VRB</b> <i>Essential</i> for resumption and continuation of business. Records are needed in days. <b>VRC</b> <i>Necessary</i> for legal or audit purposes. Records are needed in weeks.
<b>For</b>	Indicates a cross reference specific to the secondary.

*The three columns on the right-hand side of each secondary define the secondary's Retention Schedule.*

**Active:** a file is active until it is closed. Files transition from active to closed according to the following codes.

<b>CY</b>	<b>Calendar Year:</b> (January 1 to December 31; files are closed 12:00 pm on December 31 <sup>st</sup> )
<b>ET</b>	<b>Event Trigger:</b> (files are closed when the defined event trigger is met)
<b>FY</b>	<b>Fiscal Year:</b> (same as the Calendar Year)
<b>PA</b>	<b>Permanently Active:</b> (files will never be closed unless the function or activity is no longer performed by Nanaimo; superseded records [e.g., contact information] within the files are replaced when updated, thereby ensuring the most current information is maintained)

**Retain:** once closed, a file is often retained for some time in order to meet certain legislative, regulatory or business requirements. Unless specifically noted, this number (#) is in years. Often files which are closed, but still being retained, are moved from an office space to a less costly storage location.

Final: a file that reaches this stage meets its final disposition. Once all legislative, regulatory or business requirements have been met, final disposition is applied to a file according to the following codes:

- DE**      Destruction: (approved, tracked and secure destruction)
- PR**      Full Permanent Retention: (approved, tracked and secure permanent storage)
- SR**      Selective Permanent Retention: (some combination of DE and PR; a definition for each SR will be provided)
- LT**      Long Term Retention: retention of selected files which are periodically reviewed for ongoing relevance (a definition for each LT will be provided)

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## AM ASSET MANAGEMENT

Asset management is for records related to any assets either owned or leased and managed by Nanaimo. This includes both tangible capital assets (TCA) and non-tangible capital assets. Assets not owned by Nanaimo but managed or leased by the City use the same classifications to track the asset's history and activities.

Tangible capital assets covers furniture, equipment, office equipment, computers, commercial off-the-shelf (COTS) computer software, motor vehicles, telecommunication devices, buildings, land, sidewalks, signs, bridges and water and sewer systems. TCA does not include natural resources, Crown land, land held for resale, works of art (e.g., monuments and statues), historic buildings not used to provide services and intangible assets such as intellectual property. Assets which are not TCA are still managed using the same classifications.

*This table is intended to serve as a guide for understanding how asset records are classified in AM and how critical asset history records may be reclassified into AM-02.*

Activity		Note
Acquisition	AM-03	Copy all records except drafts and irrelevant correspondence to Asset History (AM-02).
Creation	AM-03	Copy all records except drafts and irrelevant correspondence to Asset History (AM-02).
Disposition	AM-02	All other Assets.
Disposition	AM-03	Land, Properties, Buildings and Infrastructure only. Copy all records except drafts and irrelevant correspondence to Asset History (AM-02).
History	AM-02	
Inspections	AM-05	
Maintenance	AM-05	Infrastructure Assets only
Maintenance	AM-04	All other Assets.
Major Alteration	AM-03	Copy all records except drafts and irrelevant correspondence to Asset History (AM-02).
Major Repair	AM-03	Copy all records except drafts and irrelevant correspondence to Asset History (AM-02).
Minor Alteration	AM-04	
Minor Repair	AM-04	
Monitoring	AM-05	
Safety Drill	AM-05	
Utilities	FIN-02	

For higher-level planning (e.g., traffic and storm water management), use GOV-04.

For incidents (e.g., traffic and environmental), use RSK-03.

For *original* agreements, contracts, and tenders, see LEG-03.

For property files, see LAN-01

For statistical reporting (e.g., traffic counts and crash data), use GOV-06.

For TCA amortization reporting, use GOV-06.

AM	ASSET MANAGEMENT	Active	Retain	Final
AM-01	<p><b>Asset tracking</b></p> <p>Covers inventories and status of assets.</p> <p>VRC Asset tracking files are necessary for auditing.</p> <p>For cemetery registers, burial logs and community heritage register, use LAN-06.</p> <p>For supply records (e.g., office or cleaning supplies), use AM-01 for inventory tracking and FIN-02 for reordering supplies.</p>	PA	0	DE

AM	ASSET MANAGEMENT	Active	Retain	Final
AM-02	<p><b>Asset history</b></p> <p>Group by type of asset (e.g., building, office equipment, computers, vehicles, intellectual property, etc.).</p> <p>Arrange by asset and use sub-folders <i>if necessary</i> (e.g., legal records, as built plans/maps, etc.).</p> <p>Land and property history files may include parcel information (e.g., legal description, maps, surveys, <i>copies</i> of land use plans); parcel management records (e.g., authorizations, protection orders and unauthorized use); and reports, studies, historical information, photographs, survey notes, plans and drawings.</p> <p>Building and infrastructure history files may include applications, plans and building inspections; fees/bonds/servicing agreements, drawing reviews, estimates, geotech reports, and statement of conditions (SOC); site safety assessments and safety plans; <i>copies</i> of easements and rights of way; space/office floor plans; licence of occupancy and various building and operating permits and licences.</p> <p>Software history files may include code repositories, data dictionaries, technical design documentation, user guides, support manuals, application-specific troubleshooting guides, application management procedures, backup schedule and relevant end-user licence agreements (EULAs).</p> <p>Intellectual property history files may include photographs with use waivers, permission to use copyright materials and proof of ownership. Intellectual property includes created software, images, copyrights, patents and inventions. Images cover logos, trademarks, badges, emblems, insignia and photographs. For communication, marketing or publication projects (e.g., brochures, pamphlets and bulletins) which use Nanaimo's intellectual property, use COM-04. For infringements, use LEG-02.</p> <p>Other asset history files may include reports, studies, plans, designs, guarantees, warranties, work orders, permits, licences and <i>copies</i> of agreements and contracts.</p> <p>ET When the asset is replaced, transferred or disposed of or is no longer managed by the City of Nanaimo.</p> <p>10 The ten-year retention period meets the requirements for professional engineering documentation (see LC BC029).</p> <p>SR History files of Nanaimo owned buildings, properties, intellectual property, monuments, statues, major infrastructure assets (e.g., roads, dams, bridges, and water works) and any asset with significant environmental impact will be permanently retained. All other files (e.g., vehicles, off the shelf software, playgrounds, and traffic lights) will be destroyed.</p> <p style="text-align: center;">(continued)</p>	ET	10	SR

AM	ASSET MANAGEMENT	Active	Retain	Final
AM-02	<p><b>Asset history</b> (continued)</p> <p>LC BC019 (Dikes), BC020 (Water Supply), BC029, BC030, BC037, BC045 (Nanaimo Water), BC046, BC057, BC063 (Heritage Inspection), BC069, BC080 (Dams), BC081 (Water Works), BC097 (Injury), C03, C08, C10, C11</p> <p>NOTE This secondary covers the ongoing history of an asset once it has been created or altered by a project under AM-03.</p> <p>NOTE When a property or building is leased to the Nanaimo, a <i>copy</i> of the lease agreement may be in the AM-02 files, but the <i>original</i> will be under LEG-03 and the lease payments are under FIN-02.</p> <p>NOTE Properties and buildings which are owned or leased by the City of Nanaimo have two files. The property file is managed under LAN-01 just like any other property within the boundaries of Nanaimo, while the Nanaimo's management of the property as an owner or leaser is classified under AM-02. There may be records which are copied into both files, but that is a correct practice due to the different functions of the files (LAN-01 as a civic property and AM-02 as an asset).</p> <p>VRB Asset history is essential for resumption of business.</p> <p>For inspections and monitoring records, use AM-05.</p> <p>For maintenance of infrastructure assets, use AM-05.</p> <p>For maintenance and minor repair not involving infrastructure assets, use AM-04.</p>	ET	10	SR
AM-03	<p><b>Asset major projects</b></p> <p>Group by type of asset (e.g., building, office equipment, computers, vehicles, intellectual property, etc.), <i>if necessary</i>.</p> <p>Arrange by project.</p> <p>Includes project scope, plan, charter, budget, and audit; meeting minutes; agency approvals and construction permits; photographs, surveys, maps, drawings, reports, studies, field reports; purchase and work orders; business process diagrams and models, business cases and drafts of asset documentation; <i>copies</i> of contracts and tender packages; and contract deliverables.</p> <p>Covers analysis, evaluation, background information, research, proof of work and creation or acquisition of a new asset and disposition of land, properties, buildings and infrastructure.</p> <p>ET When the project is complete or abandoned.</p> <p>10 The ten-year retention meets requirements for professional engineering documentation (see LC BC029).</p> <p>(continued)</p>	ET	10	DE

AM	ASSET MANAGEMENT	Active	Retain	Final
AM-03	<p><b>Asset major projects</b> (continued)</p> <p>DE When the file is closed, staff will <i>move or copy</i> any critical records such as reports, studies, as-built plans and long-term value records such as technical product information into the asset history file under AM-02. All other documents will be destroyed.</p> <p>LC BC019 (Dikes), BC020 (Water Supply), BC029 (Engineering), BC080 (Dams), BC081 (Water Works), BC082 (Underground), BC085 (Asbestos)</p> <p>NOTE Major projects are for acquisition of land, creation or procurement of a new asset, or major repairs or alterations to an asset (e.g., interior or exterior structural work, road resurfacing, significant software upgrade or an engine rebuild). Minor repairs and routine maintenance are covered by AM-04 or AM-05 for infrastructure assets. Some projects may involve multiple lands and/or assets and the ET statement may need to be applied to multiple land or asset files.</p> <p>VRB Asset major projects are essential as evidence of contractual obligations.</p>	ET	10	DE
AM-04	<p><b>Asset minor projects and routine maintenance</b></p> <p>Group by type of asset (e.g., building, office equipment, computers, vehicles, intellectual property, etc.), <i>if necessary</i>.</p> <p>Arrange by project or service provider.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>LC BC067 (Vehicles)</p> <p>NOTE Minor projects are for routine maintenance and minor asset repairs or alterations (e.g., painting, cleaning, landscaping, insignificant software updates, and vehicle servicing). Alterations to playgrounds and playground equipment are Major Projects. Major repairs and alterations of properties, buildings or infrastructure (e.g., engineering and public works) are covered by AM-03.</p> <p>For other routine services not associated with an asset (e.g., voice/telephony services, temporary office services, mail and package delivery, and routine destruction of transitory records in secured shred boxes), use FIN-02.</p> <p>For routine maintenance on infrastructure assets, use AM-05.</p>	CY	7	DE

AM	ASSET MANAGEMENT	Active	Retain	Final
AM-05	<p><b>Asset inspections and monitoring</b></p> <p>Group by asset type.</p> <p>Arrange chronologically by individual asset where appropriate. Nanaimo's drinking water system is considered a single asset in this secondary with specific portions of the system managed as individual assets under AM-02.</p> <p>Includes safety/emergency drills, radiation surveys, pesticide application logs, site safety assessment/work site inspections, safety data sheets (SDS), use logs, and routine evaluations.</p> <p>Water quality monitoring includes chlorination records, sampling, testing, logbooks, lab work, notices, health officer notifications, boil water orders, <i>copies</i> of annual reports, related plans and assessments (see LC BC020) may be kept here for convenience.</p> <p>Covers maintenance of infrastructure assets.</p> <p>ET Significant monitoring and inspection will remain active until the asset no longer exists. Routine monitoring and inspection records will be closed at the end of the calendar year. <u>However, any asbestos, dam or radiation inspections (e.g., radon) must be kept in Active status for at least three extra years in order to meet the legal requirements of LC BC080 (dams), BC090 (asbestos) and BC095 (radiation).</u></p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>LC BC019 (Dikes), BC020 (Water Supply), BC025 (Clothing), BC031 (Waste and Recycling), BC032 (Spill Tests and Exercises), BC067 (Vehicles), BC073 (Pools), BC080 (Dams), BC081 (Water Records), BC083, BC084 (Noise), BC086 (Storage Racks), BC090 (Asbestos), BC093 (Hazard), BC095 (Various Workers Compensation Act)</p> <p>NOTE Significant monitoring and inspection records include records related to infrastructure, buildings, properties, land, playgrounds, play equipment, gas detection and calibration, drinking water and fire trucks and covers fire and safety inspections, asbestos, noise exposure measurements, and records related to the machines or equipment as required by the <i>Occupational Health And Safety Regulation</i> (see LC BC084).</p> <p>NOTE Routine monitoring and inspection records also covers pool water monitoring and pesticide application records.</p> <p>For municipal, regional and provincial public safety and emergency response exercises, use RSK-03.</p> <p>VRC Significant monitoring and inspection records are necessary for legal or audit purposes.</p>	ET	7	DE

## CC COUNCIL AND COMMITTEES

CC	COUNCIL AND COMMITTEES	Active	Retain	Final
CC-01	<p><b>Council member information</b></p> <p>Arrange by individual.</p> <p>Includes oaths, declarations, financial disclosures, photographs and biographical sketches and profiles.</p> <p>ET When the individual is no longer a Council member.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>For expense accounts, use FIN-02.</p> <p>For other personal records such as contact information, tax forms, disciplinary actions, etc., use HR-05.</p> <p>For volunteer committee members, use HR-05.</p>	ET	7	DE
CC-02	<p><b>Council and committee meetings and public hearings</b></p> <p>Group by type of meeting (public or name of Council, board, or committee).</p> <p>Arrange by date of meeting.</p> <p>Includes notices, agendas, minutes, reports, resolutions and handouts.</p> <p>7 The seven-year retention is reasonable for convenient reference.</p> <p>SR Council or committee minutes, annual Council and committee member lists, agenda packages (e.g., reports and supplemental items such as handouts and presentations) will be separated from other documents and files and permanently retained. Other records will be destroyed (e.g., audio-visual recordings, board members' notes, delegation requests, proclamations, key date calendars, action reports, annotated agendas and correspondence not within agenda packages). Non-Nanaimo committee files will be destroyed.</p> <p>LC BC009 (Resolutions), BC016, BC059, BC061 (OCP), BC062 (Board of Variance), BC099 (Health &amp; Safety)</p> <p>NOTE The health and safety committee covers documents related to the Workplace Hazardous Material Information System (WHMIS).</p> <p>VRC Council and committee minutes and agenda packages are necessary for legal and research purposes.</p> <p>For council members' correspondence, notes and files, use policy <i>RM-11 Records in the Custody of Council</i>.</p> <p>For staff meetings, use HR-08.</p> <p>For video and audio recordings of Council and committee meetings and public hearings, use CC-03.</p>	CY	7	SR

CC	COUNCIL AND COMMITTEES	Active	Retain	Final
CC-03	<p><b>Elections, Referenda, Alternative Approvals</b></p> <p>Group by type.</p> <p>Arrange by name and date of election.</p> <p>Includes statements under the <i>Local Government Act</i> s. 77(4).</p> <p>Covers plebiscites, polls, notifications, nominations, deposits, election financial disclosures, lists of registered electors, results and statistics.</p> <p>7 The seven-year retention is reasonable for convenient reference.</p> <p>SR Staff will select significant records for permanent retention. All other documents will be destroyed.</p> <p>LC BC016, BC054, BC065 (Electors), BC076 (School Board)</p> <p>NOTE If volume warrants, election files may contain subfolders for nominations/candidates, advertising, voting divisions/places, staff, equipment and supplies, training, campaign finance disclosure statements, advance voter registration and special voting opportunities (advance, mail in, mobile). In some cases, the subfolders will contain <i>copies</i> rather than <i>original</i> records (e.g., training, equipment, etc.).</p> <p>For court challenges, use LEG-02.</p> <p>For election information from other jurisdictions, use IMT-08.</p>	CY	7	SR
CC-04	<p><b>Records covered by the <i>Local Government Act</i> s. 160(8)</b></p> <p>Includes the ballots used in the election; any stubs for ballots used in the election; any <i>copies</i> of the list of registered electors used for the purposes of voting proceedings; the voting books used in the election; any solemn declarations and any written statements or declarations in relation to voting proceedings, other than those used for the registration of electors.</p> <p>ET As soon as practicable 56 days after the declaration of the election results, unless s. 160(9) of the <i>Local Government Act</i> applies.</p> <p>LC BC056</p> <p>PIB Files contain personal information.</p>	ET	0	DE
CC-05	<p><b>Register of non-resident property owners/electors</b></p> <p>LC BC065 (Electors), BC076 (School Board)</p> <p>NOTE For all other Electors, the City uses the Provincial Government's Register of Electors.</p> <p>PIB Files contain personal information.</p>	PA	0	DE

## COM COMMUNICATION

Liaison with partnership and non-partnership external organizations means general communications to, correspondence from and information about:

- Private companies (see NOTE below), industry lobby groups and industry associations;
- Government and quasi-government organizations, including ministries, agencies, health authorities, Crown corporations and marketing boards at local, provincial and federal levels;
- Schools, universities, colleges and hospitals;
- Non-City of Nanaimo councils, boards, committees and commissions which do not have a representative of Nanaimo (see CC-02); and
- Associations, clubs and societies (also covers voluntary participation and/or membership and charitable fundraising activities and payroll deduction campaigns such as Red Cross and United Way).

NOTE: Liaison with private companies does not cover contract correspondence with an active vendor, which is classified with the contract file under LEG-03.

COM	COMMUNICATION	Active	Retain	Final
COM-01	<p><b>General correspondence</b></p> <p>Group by external organization (i.e., non-partnership organizations and vendors without a current City contract) or by individual (<i>if volume warrants</i>) or by monthly batch.</p> <p>Arrange by name of organization or individual or by month for batches.</p> <p>Liaison files with external organizations includes general correspondence (i.e., not related to a specific topic, project or other file) and information such as annual reports, marketing documents and current contact information.</p> <p>Liaison files with external organizations covers vendors that are not currently contracted by the City of Nanaimo.</p> <p>General correspondence files covers the management and tracking of acknowledgements, regrets, complaints, criticism, invitations, greetings, general incoming correspondence and responses and telephone conversation notes.</p> <p>NOTE If a correspondence is related to a specific project, function or activity do NOT use this secondary. For example, classify liaison with a partnership organization under COM-02, agreement or contract correspondence under LEG-03, program correspondence under PRG-02, bylaw complaints under LEG-01, etc.</p> <p>NOTE When general correspondence becomes an issue, reclassify the related documents to an issue management file under COM-03. Typically, this occurs when the same topic is raised by multiple sources, the topic is one which is returned to over multiple years or the volume of the discussion becomes unwieldy.</p> <p>PIB Files contain personal information.</p> <p>For policies and guidelines regarding the format and style of outgoing correspondence, use GOV-05.</p>	CY	2	DE

COM	COMMUNICATION	Active	Retain	Final
COM-02	<p><b>Liaison with partnership organizations</b></p> <p><u>For liaison with benefit and insurance providers, use HR-01.</u></p> <p>Arrange by partnership or membership organization.</p> <p>Includes general correspondence (i.e., not related to a specific topic, project or other file), a <i>copy</i> of agreement, annual reports, marketing documents and current contact information.</p> <p>Covers partnership prospecting projects.</p> <p>ET When the partnership agreement is no longer active.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>LC BC003, BC085 (Asbestos Notification)</p> <p>NOTE Partners include</p> <ul style="list-style-type: none"> <li>• Vendors that have or may have multiple contracts or agreements with the City;</li> <li>• Associations, clubs and societies which cooperate directly with the City (e.g., memberships, voluntary participation in fundraising /payroll deduction campaigns such as Red Cross and United Way);</li> <li>• Provincial and federal ministries, agencies and Commissioners (e.g., Fire, Police, Information and Privacy, Merit and Ombudsperson);</li> <li>• Organizations with which the Nanaimo has an agreement (e.g., unions and emergency response dispatch partners); and</li> <li>• Organizations with a legislated relationship (e.g., Labour Relations Board and Worker's Compensation Board).</li> </ul> <p>NOTE (e.g., Fire, Police, Information and Privacy, Merit and Ombudsperson) are considered partnership organizations.</p> <p>VRB Partnership files are essential as evidence of an agreement.</p> <p>For investigations by external agencies, including commissioners, use RSK-03.</p> <p>For partnership agreements, use LEG-03.</p>	ET	7	DE
COM-03	<p><b>Issue management</b></p> <p>Arrange by issue or topic.</p> <p>Includes correspondence and reference material related to the issue.</p> <p>Covers research, advice, recommendations, opinions, and decisions.</p> <p>ET When issue is resolved and is no longer required for reference purposes.</p> <p>SR Staff should identify significant records or significant issue files before storage or permanent retention.</p> <p style="text-align: center;">(continued)</p>	ET	2	SR

COM	COMMUNICATION	Active	Retain	Final
COM-03	<p><b>Issue management</b> (continued)</p> <p>NOTE If the issue is directly related to an existing file (e.g., a contract or a project) classify the issue under that file, possibly using a sub-file. If the issue is related to a policy or a bylaw, but no amendment or evaluation file exists for that policy or bylaw, maintain the issue here until an amendment or evaluation file may exist. An existing issue file may be partially or completely reclassified if it results in a project, or a program or a plan or in the development or amendment of a policy or bylaw.</p> <p>For incidents and investigations, use RSK-03.</p>	ET	2	SR
COM-04	<p><b>Marketing, communications and publications</b></p> <p>Group by type (e.g., publications, social media, community engagement, advertising, marketing), <i>if necessary</i>.</p> <p>Arrange by name of project or publication.</p> <p>Includes City of Nanaimo press releases, media and public invites, advertisements, campaign notices, presentations, speeches, speaking notes, educational/informational documents, exhibits, books, periodicals, articles, newsletters, journals, manuals, pamphlets, social media posting, blocking and responses, website development, photos, films, and sound recordings.</p> <p>Covers development and application of a brand.</p> <p>ET When no longer required for reference purposes.</p> <p>7 The seven-year retention is reasonable for review and reference.</p> <p>SR Final City of Nanaimo products will be permanently retained. All other records, including drafts and correspondence will be destroyed.</p> <p>LC C01 (CASL, see NOTE)</p> <p>NOTE With respect to the CASL Act referenced in LC C01, this secondary covers National Do Not Call List registration and subscription information, other do not call and unsubscribe requests, all evidence of express consent (e.g. audio recordings or forms), call records/logs, and call scripts.</p> <p>For communication and media plans, use GOV-03.</p> <p>For intellectual property (e.g., photos, logos, trademarks, etc.) used in marketing, communications and publications, use AM-02.</p>	ET	7	SR
COM-05	<p><b>Events and publications</b></p> <p>Arrange by name of event.</p> <p>Covers sponsored or managed festivals, parades, events, conferences, visits and tours.</p> <p>ET When the event is finished, and the file is no longer required for reference purposes.</p> <p>7 The seven-year retention is reasonable for review and reference.</p>	ET	7	DE

COM	COMMUNICATION	Active	Retain	Final
COM-06	<p><b>Awards</b></p> <p>Group by type of award.            Arrange by award and year.            Includes development of award, applications, decision process, ceremony and <i>copy</i> of award.            Covers long service awards, honorary firefighters and congratulations (e.g., birthdays and retirements).</p> <p>ET When award process has been abandoned or award has been given.            7 The seven-year retention is reasonable for review and reference.            LC BC013, BC040</p> <p>NOTE Awards given to employees will be noted under HR-05. Awards given to members of the public or organizations will be copied under GOV-01. Awards given to the City of Nanaimo are classified under GOV-01.</p> <p>PIB Files are organized by and contain personal information.            For the management of monuments and statues, use AM-02.</p>	ET	7	DE
COM-07	<p><b>Calendars and planners</b></p> <p>Includes appointment books, outlook calendars, planners, day timers, and meeting room booking records.</p> <p>NOTE Calendars and planners specific to a file or activity should be classified under that file or activity (e.g., program calendars under PRG-02). Mileage logs are filed under accounts payable (FIN-02).</p>	CY	2	DE
COM-08	<p><b>Diaries and journals</b></p> <p>CY Diaries and journals which span multiple years are managed by the last calendar year contained in the book.            7 The seven-year retention is reasonable for review and reference.</p> <p>NOTE Field books specific to a file or activity should be classified under that file or activity (e.g., investigator's notebooks under RSK-03). Mileage logs are filed under accounts payable (FIN-02).</p>	CY	7	DE

## ET EDUCATION AND TRAINING

ET	EDUCATION AND TRAINING	Active	Retain	Final
ET-01	<p><b>Education and training courses</b></p> <p><u>For delivery of courses, use ET-02.</u></p> <p>Arrange by course name.</p> <p>Includes instructor's notes, presentation slides, handouts, participant course workbooks, manuals, blank tests and answer keys.</p> <p>Covers development, amendment and evaluation of courses, including courses developed for Nanaimo by contractors and post secondary institutions.</p> <p>ET When course is no longer used and is no longer required for reference purposes.</p> <p>10 The ten-year retention period allows a reasonable time for tracking courses.</p> <p>LC BC032 (Spill Training), BC084 (Hearing), BC085 (Asbestos), BC093 (Hazard), BC094 (Health and Safety)</p> <p>For courses, workshops and information not provided by Nanaimo (e.g., conferences and seminars), use IMT-08.</p>	ET	10	DE
ET-02	<p><b>Education and training delivery</b></p> <p><u>For development of courses, use ET-01.</u></p> <p>Group by type of course, <i>if necessary</i>.</p> <p>Arrange by course name and session date.</p> <p>Includes notes, registration, attendance, completed exams, and evaluations of the session.</p> <p>Covers the administrative activity of providing the courses, not the information presented in the course which is classified under ET-01.</p> <p>10 The ten-year retention period allows a reasonable time for tracking courses.</p> <p>LC BC032 (Spill Training), BC093 (Hazard), BC094 (Health and Safety)</p> <p>PIB Files contain personal information.</p> <p>For evidence of employee training (e.g., certificates), use HR-05.</p>	CY	10	DE

ET	EDUCATION AND TRAINING	Active	Retain	Final
ET-03	<p><b>Student files</b></p> <p><u>For employee training records, use HR-05.</u></p> <p>Arrange by name of individual.</p> <p>Includes education plan/student strategy, prerequisites, learning disability, student profiles and assessments (e.g., academic and literacy), photos, progress notes, information sheets, test results, transcripts, consent/permission/release forms and attendance.</p> <p>Covers data in databases, tutoring, special program involvement and any post-secondary information.</p> <p>ET Seventy-five years after the student's date of birth.</p> <p>PIB Files are organized by and contain personal information.</p> <p>VRC Student files are necessary for legal purposes.</p>	ET	0	DE

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## FIN FINANCE

FIN	FINANCE	Active	Retain	Final
FIN-01	<b>Chart of accounts</b>	PA	0	NA
FIN-02	<p><b>Accounts management and reconciliation</b></p> <p>Group by type of account (AP, AR, PAY, REC, TAX, UT).            Arrange by specific account.</p> <p>Includes invoices, receipts, statements, applications, payment requisitions, travel vouchers, expense claims, money orders, wire transfers, and electronic fund transfers.</p> <p>AP covers accounts payable such as employee expenses, business travel, supplies, and the provision and management of services such as temporary office services and mail and package delivery.</p> <p>AR covers accounts receivable such as ticket, permit and license processing. It does not include Utilities.</p> <p>PAY covers payroll and employee time tracking records including timesheets, leave forms, direct deposit forms, Canada Revenue Agency tax documentation (e.g., T4s, garnishment, adjustments), payslips, worksheets, and records of employment.</p> <p>REC covers reconciliations for bank accounts, credit cards, benefit reporting, general ledger, cash management, voided, redeemed and cancelled cheques, and stop payment and cheque replacement forms.</p> <p>TAX covers payments in lieu of taxes, tax requisitions, parcel taxation (e.g., Parcel Tax Review Panel and court of revision submissions), permissive tax exemptions, Land Title changes, sales taxes (e.g., Provincial Sales Tax and Goods and Services Tax) and Home Owner Grant.</p> <p>UT covers utility fees and charges to and by the City including claims, disputes, adjustments, meter reading data and letters.</p> <p>7 The seven-year retention meets the requirements for financial records (See LC BC023, C02, C04, C05, C07).</p> <p>LC BC012 (Fees), BC014, BC023 (Health Tax), BC024, BC027 (Payroll), BC047 (HOG), BC049 (Wages), BC066 (Ticketing), BC072 (PST), BC077 (Ticket Sales), BC098, C02, C04, C05, C07</p> <p>NOTE Also covers the provision and management of services not directly related to an asset such as temporary office services and mail and package delivery. For services related to an asset, use AM-04.</p> <p>PIB Tax and payroll files are organized by and contain personal information.</p> <p>VRB Payroll files are essential in protecting the rights of employees.</p> <p>VRC The current fiscal year is necessary for auditing.</p> <p style="text-align: center;">(continued)</p>	CY	7	DE

FIN	FINANCE	Active	Retain	Final
FIN-02	<p><b>Accounts management and reconciliation</b> (continued)</p> <p>For employee direct deposit forms and records of employment, use HR-05.</p> <p>For financial reporting and audits, use GOV-06.</p>	CY	7	DE
FIN-03	<p><b>Account authorization</b></p> <p>Group by type as necessary (bank accounts, credit cards, credit applications, investments, funds, grants, restricted and conditional donations, lines of credit, loans, debts, mortgages, written-off accounts and fee and charge accounts (e.g., utilities [account set up and changes and long-term adjustments]).</p> <p>Arrange by account or individual financial instrument.</p> <p>Includes applications, cheque signing authority list, signature cards and other delegations of authority related to financial management (e.g., operational signing authority). Other delegations of authority are managed either by bylaw (GOV-01) or as individual assignments (Fire or Commissioner HR-05).</p> <p>Covers the establishment, maintenance and termination of financial instruments (see groups for types).</p> <p>ET When account or financial instrument is closed.</p> <p>7 The seven-year retention meets the requirements for financial records.</p> <p>LC BC017 (Care Fund), BC034 (Signing Authority), BC053 (Limitation), C06</p> <p>NOTE A <i>copy</i> of the cheque signing authority list should be kept with the emergency response documents under GOV-03.</p> <p>NOTE For delegation of organizational authority, use PRG-03.</p> <p>PIB Files contain personal information.</p> <p>VRB Account authorization is essential for resumption and continuation of business.</p>	ET	7	DE

<b>FIN</b>	<b>FINANCE</b>	<b>Active</b>	<b>Retain</b>	<b>Final</b>
FIN-04	<p><b>Tendering and procurement</b></p> <p>Arrange by contract.</p> <p>Includes solicitation documents (e.g., requests for proposal [RFP], quotes [RFQ], and information [RFI], and invitations to tender), business cases, advertising, tenders or quotes from bidders, evaluation and award criteria, bid challenges and complaints, and acceptance or rejection letters.</p> <p>ET When the contract has been awarded and bid challenges and complaints resolved.</p> <p>7 The seven-year retention meets the requirements for financial records.</p> <p>NOTE Copies of tender packages may be kept under AM-03.</p> <p>VRC The current fiscal year is necessary for auditing.</p> <p>For final signed agreements and contracts, use LEG-03.</p> <p>For qualified and open source lists, use IMT-08.</p>	ET	7	DE
FIN-05	<p><b>Unclaimed property - under \$1000</b></p> <p>LC BC078</p>	CY	6	DE
FIN-06	<p><b>Unclaimed property - \$1000 to \$24999</b></p> <p>LC BC078</p>	CY	10	DE
FIN-07	<p><b>Unclaimed property - \$25000 or more</b></p> <p>LC BC078</p>	CY	30	DE

## FIR FIRE

For education and training, see ET.

For equipment and vehicles, use AM.

For fire and safety programs (e.g., educational and volunteer management), use PRG-02.

For fire and safety inspections of properties owned or leased by the City of Nanaimo, use AM-02.

For incidents and investigations, use RSK-03.

For training certificates and proof of training, use HR-05.

FIR	FIRE	Active	Retain	Final
FIR-01	<p><b>Fire and safety inspections</b></p> <p>Arrange by civic address.</p> <p>Includes inspection list and inspection reports.</p> <p>ET When the building no longer exists.</p> <p>5 The five-year retention is sufficient for reference purposes.</p> <p>LC BC035</p> <p>NOTE Fire and safety inspections of Nanaimo buildings and properties are <u>also</u> classified under AM-05.</p> <p>NOTE If an inspection results in an incident and/or investigation, include a <i>copy</i> of the inspection report in the file under RSK-03.</p>	ET	5	DE
FIR-02	<p><b>Pre-fire plans</b></p> <p>Arrange by civic address.</p> <p>Covers plot plan, floor layout and relevant data for each building.</p> <p>ET When the pre-fire plan has been updated or the building no longer exists.</p> <p>NOTE If the pre-fire plan was utilized, a <i>copy</i> of it may be included in the incident and/or investigation file.</p>	ET	0	DE
FIR-03	<p><b>Response information</b></p> <p>Covers dispatch operations information such as emergency response binders, dispatch scheduling, radio matrices and paging procedures, as well as fire truck response books with planned routes, response zones, orthographic maps, and mobile home park maps.</p> <p>ET When no longer required for reference purposes.</p>	ET	2	DE

## GOV GOVERNANCE

GOV	GOVERNANCE	Active	Retain	Final
GOV -01	<p><b>City of Nanaimo history</b></p> <p>Group according to type of historical documents.</p> <p>Arrange by name and date of documents.</p> <p>Includes notices of incorporation, Letters Patent, municipal classification, organizational charts, annual reports, period and annual financial reports, other significant reports (i.e., scientific or historical value), reviews audits (including selected audit working papers), strategic plans, infrastructure master plans, bylaws, maps, historical presentations, awards won by Nanaimo, significant issue files, significant marketing products, publications, and articles.</p> <p>Covers approved corporate and department level policies, procedures, manuals, standards, guidelines, practices and directives.</p> <p>ET When no longer required for reference purposes.</p> <p>LC BC009, BC017 (Interment Bylaws), BC058 (Letters Patent), BC061 (OCP), BC063 (Heritage Bylaws)</p> <p>VRC History records are necessary for legal purposes.</p> <p>For Council approved proclamations and declarations, use CC-02.</p>	ET	0	PR
GOV -03	<p><b>Bylaw development</b></p> <p>Arrange by name of proposed bylaw.</p> <p>Includes proposed bylaw, staff report, legal opinion, significant drafts and a copy of the approved bylaw.</p> <p>ET When the approved bylaw is replaced or repealed, or the bylaw development project is abandoned.</p> <p>NOTE The approved bylaw and <i>copies</i> of any related staff reports and legal opinions must be classified under GOV-01.</p> <p>LC BC009, BC017 (Interment), BC061 (OCP), BC063 (Heritage)</p> <p>NOTE Bylaws include Official Community Plans and zoning/re-zoning.</p>	ET	0	DE
GOV -04	<p><b>Planning</b></p> <p>Group by type of plan (e.g., strategic, budget, marketing, etc.).</p> <p>Arrange by name and year.</p> <p>Includes draft and final, approved plans.</p> <p>Budget planning includes annual budget forecasting, allocation and reallocation of annual operating, capital, and revenue budgets.</p> <p>Covers research, evaluation, development, amendment and approval of all plans such as strategic, budget, communications, human resources, public health, market promotion, and research and development.</p> <p>(continued)</p>	ET	7	DE

GOV	GOVERNANCE	Active	Retain	Final
GOV -04	<p><b>Planning</b> (continued)</p> <p>ET When replaced and no longer required for reference purposes.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>DE Classify a version of each final, approved improvement, development and infrastructure master plan and corporate strategic plan under GOV-01. Final, approved corporate budgets are covered by bylaws under BYL-01.</p> <p>LC BC010 (Emergency), BC020 (Water Supply), BC022 (Financial), BC032 (Spill Planning), BC073 (Pools), BC074 (Public Health), BC080 (Dams), BC093 (Hazard)</p> <p>NOTE Place a <i>copy</i> of final space/office floor plans in AM-02.</p> <p>NOTE The Business Continuity/Disaster Recovery Plan includes emergency binders, contact lists, etc.</p> <p>VRA The Business Continuity/Disaster Recovery Plan is vital for emergency response and immediate resumption of business.</p> <p>VRB All other plans are essential for resumption of business.</p>	ET	7	DE
GOV -05	<p><b>Policies and Procedures</b></p> <p>Group by type of document (e.g., policies, procedures, manuals, standards, guidelines, forms, templates, practices and directives).</p> <p>Arrange by name and date of approval.</p> <p>Includes significant drafts and a final version of the document.</p> <p>Covers the research, evaluation, amendment, development and approval of internal guidelines and standards for use by staff, consultants, volunteers, and Board and committee members. Research includes gathering policies from other jurisdictions for reference.</p> <p>ET When the document is replaced or becomes irrelevant, and the file is no longer needed for reference purposes.</p> <p>7 The seven-year retention is reasonable for review and reference.</p> <p>DE Classify a final version of each approved corporate and department level policy, procedure, manual, standard, guideline, practice or directive under GOV-01 for permanent retention. Forms and templates and any office level policies will not be permanently retained.</p> <p>LC BC042 (FOI Access), BC080 (Dams), BC085 (Asbestos), BC087 (Bullying), BC088 (Hazard), BC093 (Hazard), C01 (CASL)</p> <p>VRC Active policies are necessary for legal purposes and business resumption.</p>	ET	7	DE

GOV	GOVERNANCE	Active	Retain	Final
GOV -06	<p><b>Report, review and audit development</b></p> <p>Group by type (e.g., financial, audit, operational and scientific), as <i>necessary</i>.</p> <p>Arrange by type and name.</p> <p>Includes financial statements, month-end, quarter-end, and fiscal year-end reports, and projections, collection of statistical data research and data analysis.</p> <p>Reporting covers any and all types of statistical data gathering, monitoring, analysis and formal or informal reporting. Financial reporting and analysis specifically cover reviews of potential revenues, cost recoveries, and expenditures and commitments, including charge backs and liabilities (e.g., contingent liabilities such as guarantees and indemnities and leave liabilities such as retirement and vacation entitlements due to employees).</p> <p>Auditing and reviewing covers internal or external audits, evaluations and reviews, including financial, compliance, efficiency and cost-effectiveness and environmental.</p> <p>ET When replaced and no longer required for reference purposes.</p> <p>7 The seven-year retention period allows for long term reference.</p> <p>DE Classify a final version of each annual report, audited financial statement, significant report (i.e., scientific or historical value), review and audit (including selected audit working papers) under GOV-01. All other reports and working records will be destroyed.</p> <p>LC BC002 (Audits), BC011 (Financial Statements), BC020 (Water Supply), BC031 (Waste), BC033 (Financial Information), BC055 (Housing Needs), BC080 (Dams)</p> <p>NOTE If a report or study is related to the history or creation of an asset, classify a <i>copy</i> under AM-02 or AM-03. If an assessment or monitoring data is related to the maintenance of an asset, classify the <i>original</i> under AM-05.</p> <p>NOTE Reports and studies which are specifically created for a project or property may also have a <i>copy</i> filed in the project or property file.</p> <p>PIB Bylaw security and patrol reports in this secondary may contain personal information.</p> <p>VRC All annual reports, audits and reviews are necessary for legal purposes and/or auditing.</p>	ET	7	DE

## HR HUMAN RESOURCES

For the collective agreement, use LEG-03.

For education and training, use ET.

For employee incidents and investigations, use RSK-03.

For HR lists (e.g., leave tracking), HR reference material (e.g., job postings and sample interview questions), and employee reference lists (e.g., termination and hiring lists), use IMT-08.

For HR planning (e.g., strike plan, FTE plan), use GOV-04.

For HR programs (e.g., conducting the performance evaluation), use PRG-02.

For HR surveys and reports (e.g., salary matrix), use GOV-06.

HR	HUMAN RESOURCES	Active	Retain	Final
HR-01	<p><b>Benefits management and liaison</b></p> <p><u>For an employee's claim, use HR-05.</u></p> <p>Group by plan or benefit.</p> <p>Arrange by year.</p> <p>Includes contact lists, general correspondence, reports summarizing the number and types of claims processed by the plan carrier and a <i>copy</i> of the benefit agreement or contract.</p> <p>Covers WorkSafe BC and Medical Services Plan benefit information.</p> <p>ET When all claims against a benefit package have been resolved.</p> <p>15 The fifteen-year retention is based on the ultimate limitation period.</p> <p>NOTE Benefits management covers the provision of optional and mandatory employment programs (e.g., reduced employment insurance, life insurance, Medical Services Plan (MSP), extended health, dental, deferred salary leave, and benefit continuation while on leave without pay), as well as the corporate administration of claims (not individual claims).</p> <p>NOTE Interpretations and negotiations of agreements and contracts are covered by LEG-03.</p> <p>VRB Benefits management files are essential in protecting the rights of employees.</p> <p>For <i>original</i> benefit agreements and service provider contracts, use LEG-03.</p>	ET	15	DE

HR	HUMAN RESOURCES	Active	Retain	Final
HR-02	<p><b>Compensation, job description and job evaluation</b></p> <p>Group according to salary grid, description, or evaluation.</p> <p>Arrange by position name or number.</p> <p>Includes benchmarks, signed job descriptions, classification decision rationale, position exclusions, on-site interview notes, comparative job descriptions, internal classification reviews, and appeals and decisions.</p> <p>Covers classification/description appeals and requests for re-evaluation.</p> <p>ET When the file is no longer required for reference purposes.</p> <p>NOTE An <i>original</i> of a signed job description is filed on the employee's personnel file (HR-05).</p>	ET	2	DE
HR-03	<p><b>Competition synopsis</b></p> <p>Arrange by position name or number.</p> <p>15 The fifteen-year retention period provides a substantial period for HR staff to refer to summaries of previous competitions.</p>	CY	15	DE
HR-04	<p><b>Recruitment</b></p> <p>Group criminal record checks separate from recruitment files for security.</p> <p>Arrange by position name or number.</p> <p>Includes applications, résumés, job descriptions, posting request forms, job postings, reference checks, tests and test results, assessment panel notes, competition synopsis, <i>copies</i> of offer letters, and letters of regret to unsuccessful candidates.</p> <p>Covers candidates' qualifications, competition assessment tools including criteria and rating methodology, and approvals or waivers for special considerations or restrictions.</p> <p>Also covers collections of unsolicited résumés.</p> <p>ET When the applicant is successfully placed (i.e., the effective date of the appointment).</p> <p>2 The two-year retention is sufficient in the event that these records need to be reviewed by an auditor.</p> <p>NOTE <i>Original</i> versions of applications, criminal record checks, evaluations and résumés of successful candidates are filed on the employee personnel file. <i>Copies</i> are retained on the competition files. The competition synopsis is also classified under HR-03.</p> <p>PIB Files contain personal information.</p> <p>For recruitment and retention programs, use PRG-02.</p>	ET	2	DE

HR	HUMAN RESOURCES	Active	Retain	Final
HR-05	<p><b>Employee personnel files</b></p> <p>Arrange by employee surname, then separate records into subfolders by administrative, medical, disability management, and benefit. Subfolders may be located separately.</p> <p>Administrative personnel records includes job application and/or résumé, offer/confirmation letter, direct deposit forms, personal and emergency contact information, signed standards of conduct, and <i>copies</i> of any documents that confirm job qualifications (e.g., degrees and licences) which have been verified for authenticity, formal performance evaluations, formal letters of recommendation, awards, digital signatures, seniority reports/summaries, letters of resignation, separation reports, exit interviews, training certificates, certifications, letters advising employees of pay classification changes, assignments and reassignments, signed job descriptions and retroactive classifications.</p> <p>Medical personnel records includes claims applications and supporting documentation, claims correspondence with insurance carrier, doctors' notes and medical reports, and benefit statements.</p> <p>Disability management records includes disability case management reports, accident and incident reports (e.g., joint accident investigation form), employer's report of injury or occupational disease, first aid report, worker's report of injury or occupational disease to employer, decision letters, appeals, accommodations and graduated return to work plans, rehabilitation committee applications, return to work documentation, medical opinion letters, ergonomic assessments, hearing tests, and exposures (e.g., asbestos, radiation and hazardous materials).</p> <p>Benefits records includes pension information, benefit enrollment forms, and claims correspondence with insurance carrier.</p> <p>ET One hundred years after the employee's date of birth.</p> <p>LC BC006, BC007 (Care Facility), BC018 (Criminal Records Check), BC024, BC035 (Fire Authority), BC084 (Hearing), BC085 (Asbestos), BC096, BC097 (Injury), BC100 (Injury), C09 (Radiation)</p> <p>PIB Files are organized by and contain personal information.</p> <p>VRB Employee personnel files are essential in protecting the rights of employees.</p> <p>For complaints against or investigations of an employee, use HR-06.</p> <p>For grievances, use HR-06.</p> <p>For time sheets, leave forms and tax records, use FIN-02.</p>	ET	0	DE

HR	HUMAN RESOURCES	Active	Retain	Final
HR-06	<p><b>Labour relations files</b></p> <p>Arrange by topic.</p> <p>Includes correspondence, and letters of expectations.</p> <p>Covers grievances, discipline, settlements, disputes or complaints by employees.</p> <p>ET When the issue has been resolved.</p> <p>15 The fifteen-year retention is based on the ultimate limitation period.</p> <p>LC BC026, BC091 (Bullying)</p> <p>PIB Files are organized by and contain personal information.</p> <p>For collective bargaining negotiations, interpretations, letters of understanding, etc., use LEG-03.</p>	ET	15	DE
HR-07	<p><b>Volunteer files</b></p> <p>Arrange by volunteer surname.</p> <p>Includes honorarium claims, training, criminal record check, personal and emergency contact information, and waivers.</p> <p>Covers grievances, disputes or complaints by or against the volunteer.</p> <p>ET When no longer a volunteer.</p> <p>15 The fifteen-year retention is based on the ultimate limitation period and provides a reasonable length of time for consultation and reactivation of the files if the individual again volunteers with the City of Nanaimo.</p> <p>LC BC006, BC007 (Care Facility), BC018 (Criminal Records Check), BC041 (Volunteer)</p> <p>NOTE Volunteer firefighter files are managed as employee files under HR-05. Council members' records are managed under CC-01.</p> <p>NOTE Character references are immediately destroyed when volunteer is no longer ordinarily present at a community care facility. See LC BC007.</p> <p>PIB Files are organized by and contain personal information.</p>	ET	15	DE
HR-08	<p><b>Staff meetings</b></p>	CY	2	DE

## IMT INFORMATION MANAGEMENT AND TECHNOLOGY

Information management is also known as records management.

For advice from OIPC or Provincial Privacy Branch, use COM-02.

For investigations and incidents, use RSK-04.

For information security incidents and privacy breaches, use RSK-04.

For the records classification and retention schedule, use GOV-05.

For the records management manual, use GOV-05.

For routine service, maintenance and testing of software, hardware and networks, use AM-04

For software, hardware and network history, licences and documentation, use AM-02.

For software and hardware inventories, use AM-01.

For software, hardware and network projects (research, creation or upgrade), use AM-03.

For various IT or records management projects, use PRG-03.

IMT	INFORMATION MANAGEMENT AND TECHNOLOGY	Active	Retain	Final
IMT-01	<p><b>Requests for access to information</b></p> <p>Group by access to/freedom of information requests and litigation searches.</p> <p>Includes written requests for information and request forms, letter of acknowledgement, notice of extension, notice of transfer; staff time logs; fees or extension of time; file lists, indexes or finding aids, working notes, news clippings; expert advice and summary of analysis; request response package including cover letter and <i>copies</i> of severed documents, un-severed documents; mediation materials, and related OIPC and judicial appeals, and recommendations and orders.</p> <p>Covers preliminary property information requests, requests to change personal information in the custody or control of the Nanaimo.</p> <p>ET When request is closed, all avenues of appeal are exhausted, and the information is no longer needed for reference.</p> <p>LC BC001 (ALR), BC008 (Municipal Records), BC019 (Dike Inspector), BC023 (Health Tax), BC036 (FLR), BC042 (FOI Access to Policies), BC043 (FOI Public Body Records), BC044, BC047 (HOG), BC052 (Regional District Records), BC060 (Labour Relations), BC077 (Ticket Sales), BC081 (Water Records), BC092 (First Aid)</p> <p>PIB Files may be organized by individual's names.</p> <p>For litigation searches, use LEG-01.</p> <p>For routine release and informal requests for information, use COM-01.</p>	ET	7	DE
IMT-02	<p><b>Privacy impact assessments</b></p> <p>ET When PIA is superseded or obsolete.</p> <p>LC BC044</p> <p>NOTE Privacy impact assessments are conducted to determine if information systems, or operational projects or programs meet the requirements of part 3 of the <i>Freedom of Information and Protection of Privacy Act</i>. A <i>copy</i> of the PIA will be filed in the information system's asset history file or in the program or project file.</p>	ET	2	DE

IMT	INFORMATION MANAGEMENT AND TECHNOLOGY	Active	Retain	Final
IMT -03	<p><b>File inventories, storage and retrieval tracking</b></p> <p>Group by type of tracking document.</p> <p>Includes routine release and personal information bank lists.</p> <p>Covers storage and retrieval tracking, and electronic document audit trails.</p> <p>ET When list or inventory is updated or when the files which are being tracked have been destroyed or transferred from Nanaimo custody.</p> <p>LC BC044 (Directory of PIBs), BC045 (Nanaimo Water),</p> <p>VRC File inventories and document audit trails are necessary for auditing.</p> <p>For access and permission lists, use RSK-01.</p>	ET	0	DE
IMT -04	<p><b>Disposition processing and transfers</b></p> <p>Group by disposition type (e.g., destruction, permanent retention or transfer).</p> <p>Arrange by year and destruction or transfer number.</p> <p>Includes box content lists, authorizations, certificates of destruction and disposition notices.</p> <p>Covers the transfer of legal custody of records.</p> <p>ET Upon completion of disposition action (i.e., permanent storage, transfer of custody or destruction) and when the information is no longer required for immediate reference.</p>	ET	0	PR
IMT -05	<p><b>IM/IT service requests</b></p> <p>Group by IT or IM.</p> <p>Covers advice provided to staff by IT and IM staff.</p> <p>For service requests which result in a project, use PRG-03.</p>	CY	2	DE
IMT -06	<p><b>GIS system and reference data</b></p> <p>Covers data contained with the GIS software and temporary source data such as contours, water and sewer systems, trail information, etc.</p> <p>ET When the data is updated, obsolete or no longer required by Nanaimo.</p> <p>NOTE Geographic Information System is a set of software which uses geographical data for capturing, managing, analyzing, and displaying as maps and surveys, all forms of geographically referenced material.</p> <p>For marketing products and publications using GIS data, use COM-04.</p>	ET	0	DE
IMT -07	<p><b>GIS permanent data</b></p> <p>Includes change logs.</p> <p>Covers land registry data, geo-reference spatial data such as satellite and aerial photography.</p>	PA	0	NA

IMT	INFORMATION MANAGEMENT AND TECHNOLOGY	Active	Retain	Final
IMT -08	<p><b>Reference and library materials</b></p> <p><u>See Appendix B: Transitory Records for more information.</u></p> <p>Covers records which are library materials (i.e., <u>not</u> published by Whitehorse) such as non- created books, articles, newsletters, journals, reports, manuals, pamphlets, films, and sound recordings.</p> <p>ET When no longer required for reference purposes.</p> <p>NOTE Records and files classified under this secondary may be destroyed at any time by any employee without approval <u>unless there is an active legal hold.</u></p> <p>For résumés of potential employees, use HR-04.</p>	ET	0	DE

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## LAN LAND USE

LAN	LAND USE	Active	Retain	Final
LAN-01	<p><b>Property files</b></p> <p>Arrange by civic address.</p> <p>Includes building plans and inspections, drawing review, estimates, fees/bonds/servicing agreements, geotech reports, statements of conditions (SOC), comfort letters, <i>copies</i> of easements and rights of way and various building application, permits and licences.</p> <p>Covers Civic Information data.</p> <p>LC BC015 (Building Inspect), BC062 (Board of Variance Decisions), BC063 (Heritage Inspection)</p> <p>NOTE When a property is subdivided or consolidated the records in the file are re-filed or copied into the new property files. A tracking file note will be added to any files that are emptied.</p> <p>NOTE Properties and buildings which are owned or leased by the City of Nanaimo have two files. The property file is managed under LAN-01 just like any other property within the boundaries of Nanaimo, while the Nanaimo's management of the property as an owner or leaser is classified under AM-02. There may be records which are copied into both files, but that is a correct practice due to the different functions of the files (LAN-01 as a civic property and AM-02 as an asset).</p> <p>PIB Files contain personal information.</p> <p>VRC Property files are necessary for legal and research purposes.</p> <p>For land use issues not related to a specific property, use COM-03.</p>	PA	0	PR

LAN	LAND USE	Active	Retain	Final
LAN-02	<p><b>Land use permits and licences</b></p> <p>Group by type of licence or permit. Arrange by name, civic address or code.</p> <p>Includes applications, site plan drawings, staff reports, rejection/approval letter, land/survey/engineering reports, and <i>copies</i> of receipts.</p> <p>Land use permits and licences covers development, development variance, development frontage improvements, fuel tank removal/installation, heritage alteration, occupancy, industrial, traffic, utility connection and the various building permits (e.g., demolition, irrigation, chimney, etc.).</p> <p>ET When the licence or permit is rejected or approved.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>DE Completed land development permit files will produce records which need to be permanently maintained and must be copied to either property files under LAN-01 or asset management files under AM-02. Example of such permanent records include the final permit or license, any plans or drawings, studies or reports and any other records staff identify.</p> <p>LC BC048, BC063 (Heritage Alteration)</p> <p>NOTE Permits and licences issued by another jurisdiction (i.e., provincial or regional district) to a Nanaimo owned or managed facility (e.g., commercial water licence) or project are filed under the facility (e.g., storm/water pond) or project file. If such a facility or project permit is issued by the Nanaimo, an <i>original</i> will be filed in this secondary as well as the facility or project file.</p> <p>PIB Files may contain personal information.</p> <p>VRC Permits and licences are necessary for legal purposes.</p> <p>For business permits and licences, use LEG-04.</p>	ET	7	DE

LAN	LAND USE	Active	Retain	Final
LAN-03	<p><b>Referrals for external authorizations</b></p> <p>Includes applications, site plan drawings, land/survey/engineering reports, <i>copies</i> of studies, and response letter from Nanaimo.</p> <p>Covers applications to other jurisdictions for land and resource permits and licences which may affect City of Nanaimo.</p> <p>ET When the authorization expires, is withdrawn or 18 months after it is declared inactive</p> <p>7 The seven-year retention period allows a reasonable time for review.</p> <p>LC BC004 (Cannabis licences)</p> <p>For referrals which require approval by the City of Nanaimo, use LAN-02.</p>	ET	7	DE
LAN-04	<p><b>Agricultural Land Reserve applications</b></p> <p>Arrange by code, year and consecutive number (e.g., ALR15-003).</p> <p>Includes public hearing, City of Nanaimo planning staff report, map, and decision letter.</p> <p>Also covers Forest Land Reserve applications.</p> <p>ET When the application decision has been communicated by the commission.</p> <p>LC BC001 (ALC), BC036 (FLR)</p> <p>VRC ALR applications are necessary for legal and research purposes.</p>	ET	0	PR
LAN-05	<p><b>Street naming and addressing</b></p> <p>Arrange by name.</p> <p>Includes request for street name, approval, and maps.</p>	PA	0	DE
LAN-06	<p><b>Cemetery and heritage registers</b></p> <p>Includes community heritage register.</p> <p>Covers alphabetical burial register, cemetery range books, interment books, which contain interment licenses, family authorization forms, cremation certificates, and plot and cemetery fees.</p> <p>Also covers the data contained in the Stone Orchard database.</p> <p>LC BC017, BC063 (Community Heritage Register)</p> <p>VRC Cemetery records are necessary for legal purposes.</p> <p>For marker permits, use LEG-04.</p> <p>For the management of cemetery properties and facilities, use AM.</p>	PA	0	PR

## LEG LEGAL

LEG	LEGAL	Active	Retain	Final
LEG -01	<p><b>Bylaw enforcement</b></p> <p>Group by type of enforcement.</p> <p>Arrange by number and year.</p> <p>Includes complaints, photographs, correspondence, false alarm notices, staff reports, invoices and payments.</p> <p>Covers false alarm enforcement, investigations, and bylaw court cases.</p> <p>ET When the case file is closed and is no longer required for reference purposes.</p> <p>15 The fifteen-year retention provides for re-activation of an incident.</p> <p>LT Selectively retain zoning/land use files, significant bylaw enforcements and bylaw enforcement files which have resulted in court cases. These files will be reviewed every 10 years after storage to determine their continuing relevance. Files determined to be no longer relevant will be destroyed.</p> <p>LC BC066</p> <p>PIB Files contain personal information.</p> <p>VRC Bylaw enforcement files are necessary for legal purposes.</p> <p>For statistical reporting, use GOV-06.</p> <p>For ticket processing, use FIN-02.</p>	ET	15	LT

LEG	LEGAL	Active	Retain	Final
LEG -02	<p><b>Legal matters</b></p> <p>Group by type of legal matter (e.g., legal opinions/advice library, land rights [rights of way, encroachments, easements], claims, court cases), as <i>necessary</i>.</p> <p>Arrange by name of legal matter.</p> <p>Includes court documents, notices of claim, subpoenas, legal advice and opinions and judicial decisions.</p> <p>Covers appeals, precedents, intellectual property infringement, unclaimed property claims, and variance orders.</p> <p>ET When no longer required to document precedents and protect the City of Nanaimo's legal interests, rights, and obligations.</p> <p>15 The fifteen-year retention period provides a long period for re-examination of a legal matter and covers the ultimate limitation period in LC BC053.</p> <p>SR Significant court cases involving the City of Nanaimo should be permanently retained. The identification of such cases should be done before the file is sent to storage.</p> <p>LC BC050 (Vehicle Insurance), BC051 (Insurance), BC053 (Limitation), BC057, BC064 (Municipal Limitation), BC078 (Unclaimed Property), BC097 (Injury)</p> <p>LC 4, 5, 46, 50</p> <p>NOTE A legal request for records or a formal document discovery file may include <i>copies</i> of court orders and writs of summons, signed file and file list transmittal slips, lists of active and semi-active records in the lawyer's possession, and signed forms or affidavits confirming that the search for potentially relevant records has been completed.</p> <p>NOTE <i>Copies</i> of legal opinions are often kept in other files in order to maintain complete documentation (e.g., agreement, benefits program, partnership liaison, or communication).</p> <p>PIB Files may be organized by and contain personal information.</p> <p>VRC Active legal matter files are necessary for legal purposes.</p> <p>For FOI access to information requests, use IMT-01.</p> <p>For incidents and investigations, use RSK-03.</p> <p>For WorkSafe BC claims, use HR-05.</p>	ET	15	SR

LEG	LEGAL	Active	Retain	Final
LEG -03	<p><b>Agreements and contracts</b></p> <p>Group as <i>necessary</i>.</p> <p>Arrange by agreement or contract.</p> <p>Includes signed <i>originals</i>, renewals and amendments, certificates of insurance, change requests and change orders, payment schedules, contract relationship documents (e.g., progress and status reports and issue resolution records), payment requisitions and final deliverables.</p> <p>Covers procurement processes, negotiations, drafts, bids, proposals, solicitation documents (e.g., requests for proposal), monitoring, post-contract evaluation, disputes, and interpretations.</p> <p>Covers licences (e.g., Provincial pesticide permit) issued to the City of Nanaimo not connected to an asset, collective agreement, benefit agreement, or insurance policy.</p> <p>Agreements include memoranda of understanding (MOU), protocol agreements, cost sharing agreements (CSA), information sharing agreements (ISA), service level agreements (SLA) and unique, one-time agreements.</p> <p>ET When agreement or contract expires, and all audits and legal matters are complete.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>SR Permanently retain approved agreement files that document significant decisions and arrangements (e.g., collective bargaining agreements and key partnerships [RCMP, insurance, benefits, etc.]).</p> <p>LC BC003, BC028 (Employees), BC031 (Waste and Recycling), BC041 (Volunteer), BC050 (Vehicle Insurance), BC051 (Insurance), BC079 (Disposition Permit)</p> <p>NOTE <i>Copies</i> of agreements and contracts are often kept in files related to the purpose of the agreement (e.g., facility maintenance, leased buildings, benefit programs, partnership liaison, engineering, etc.).</p> <p>NOTE Insurance certificates issued to a third party is a sub-file of the insurance policy. Insurance certificates from a third party must be filed under the associated contract or permit.</p> <p>VRB Active agreements are essential for the resumption of business.</p>	ET	7	SR

LEG	LEGAL	Active	Retain	Final
LEG -04	<p><b>Business permits and licences</b></p> <p><u>For land use permits, use LAN-02.</u></p> <p>Group by type of licence or permit.</p> <p>Arrange by name, civic address or code.</p> <p>Includes applications, final approval, and <i>copies</i> of receipts and training attendance (e.g., safety and fireworks).</p> <p>Covers alarms, alarm registrations, burns, campfires, commercial vehicle, dog, fireworks, liquor, marker (cemetery), sign development, special events, special/temporary use, street closures, street entertainers, and commercial and residential parking.</p> <p>ET When licence or permit expires is withdrawn or is declared inactive.</p> <p>7 The seven-year retention is consistent with the retention periods of financial records.</p> <p>LC BC068 (Parking)</p> <p>NOTE Liquor control licences and special event licences issued by BC Liquor Control and Licensing Branch (LCLB) for events held at a community facility are filed under RSK-04.</p> <p>NOTE Permits and licences issued by another jurisdiction (i.e., provincial or regional district) to a Nanaimo owned or managed facility or project are filed under the facility or project file. If such a facility or project permit is issued by Nanaimo, an <i>original</i> will be filed in this secondary as well as the facility or project file.</p> <p>PIB Files may contain personal information.</p> <p>VRC Permits and licences are necessary for legal purposes.</p>	ET	7	DE

## PRG PROGRAMS AND PROJECTS

PRG	PROGRAMS AND PROJECTS	Active	Retain	Final
PRG-01	<p><b>Program proposals</b></p> <p>Arrange by name of proposal.</p> <p>Covers rejected or abandoned program proposals.</p> <p>1 The one-year retention period covers section 31 of the <i>Freedom of Information and Protection of Privacy Act</i>.</p> <p>LC BC038</p> <p>NOTE Accepted program proposals are reclassified to form the basis of a program file under PRG-02.</p> <p>PIB Files may contain personal information.</p>	CY	1	DE
PRG-02	<p><b>Program mandate and description</b></p> <p>Arrange by name and year of program.</p> <p>Includes program descriptions, schedules and <i>copies</i> of evaluations.</p> <p>ET When the program is abandoned, rejected, completed, cancelled or updated and the file is no longer required for reference purposes. If the program repeats annually, close the file at the end of the calendar year. For long term programs, program sub-files may be reviewed and culled with the participation and advice of Records Management staff.</p> <p>7 The seven-year retention is consistent with the retention of financial records.</p> <p>SR When a program file is closed, staff, with the participation and advice of Records Management staff, will identify for permanent retention any significant documents not already permanently retained in other classifications. All other documents will be destroyed after the retention period. Few, if any, records should be selected for permanent retention.</p> <p>LC BC089 (Health and Safety)</p> <p>NOTE Due to the wide-ranging functions involved in managing a program, the intention of PRG-02 is to classify the how and why of the program itself rather than every function required by the program. Program activities which are logically filed under a different function should be classified appropriately. For example, programs require functions such as planning (GOV-03), marketing or advertising (COM-04), issues management (COM-03), and evaluations, reviews, reports and statistics (GOV-06). Public works and recreation programs may also result in the creation of assets, major repair and alteration projects (AM-03), and routine maintenance and minor repairs (AM-04). The coordination of all these functions may be kept in the program file and portions of a program file might be copied to these files.</p> <p>(continued)</p>	ET	7	SR

PRG	PROGRAMS AND PROJECTS	Active	Retain	Final
PRG-02	<p><b>Program mandate and description</b> (continued)</p> <p>NOTE To assist in the classification of files the following definitions are provided. A <u>program is a set of related measures, events, or activities with a particular long-term aim</u> whereas a <u>project is an individual or collaborative enterprise that is carefully planned and designed to achieve a particular aim</u>. Therefore, a project is a well-defined singular action usually with a short-term goal whereas a program is a loose collection of functions and activities usually with a longer term and broader goal.</p> <p>NOTE Examples of programs include recreation, human resources, community education, health and wellness, safety, employment, elders' recreation, educational, school, community relations, community services (care for children, families, special needs, elderly, etc.), risk management, energy conservation, environmental management, recycling and waste, transportation, revitalization, and sustainable, industrial, tourism, and economic development.</p> <p>Specific examples of City of Nanaimo programs include Operational Health and Safety (OHS), Bike to Work Week, Burn it Smart Awareness and Leisure Economic Access Policy (LEAP).</p> <p>NOTE The <u>delivery</u> of community programs with public participation or involvement is covered by RSK-04.</p>	ET	7	SR
PRG-03	<p><b>Project management</b></p> <p>Group by project type (e.g., HR, organizational, records/information management, information technology (IT), security, recreation program).</p> <p>Arrange by name and year of project.</p> <p>ET When the project is complete, cancelled or abandoned and the file is no longer required for reference purposes.</p> <p>7 The seven-year retention is consistent with the retention of financial records.</p> <p>SR When <u>significant project files</u> are closed, staff must choose <u>significant documents</u> for permanent retention or file an <i>original</i> of the <u>significant documents</u> within another appropriate file such as AM-02 or GOV-01.</p> <p>(continued)</p>	ET	7	SR

PRG	PROGRAMS AND PROJECTS	Active	Retain	Final
PRG-03	<p><b>Project management</b> (continued)</p> <p>NOTE Due to the wide-ranging nature of projects, many secondaries within the Nanaimo RCRS already adequately classify projects.</p> <p><u>Use PRG-03 <b>only</b> if there is no other place to classify the project:</u></p> <ul style="list-style-type: none"> <li>• Asset creation, acquisition, major repair or major alteration: AM-03;</li> <li>• Asset minor repair or minor alteration: AM-04;</li> <li>• Bylaw development: GOV-04;</li> <li>• Issues management/miscellaneous research: COM-03;</li> <li>• Marketing, communications, advertising and publishing: COM-04;</li> <li>• Education and training development and amendment: ET-01;</li> <li>• Nanaimo planning: GOV-03;</li> <li>• Policy development and amendment: GOV-04;</li> <li>• Records classification &amp; retention schedule development: GOV-04</li> <li>• Forms and template development: GOV-04;</li> <li>• Reports, reviews and audits: GOV-06;</li> <li>• Position reclassification: HR-02;</li> <li>• Job recruitment and competition: HR-04;</li> <li>• Agreements and contracts: LEG-03; and</li> <li>• Incidents and investigations: RSK-03.</li> </ul> <p>NOTE Organizational management projects includes development of vision, mission, reorganization projects, and establishing and adjusting roles, responsibilities, descriptions of offices.</p> <p>NOTE Freedom of information projects may be conducted with respect to the collection, use, disclosure, and protection of personal information.</p> <p>NOTE Records and information management projects include records classification implementations, file inventories, records protection, conservation and remediation, and naming conventions.</p> <p>NOTE Access to information projects may be conducted with respect to the collection, use, disclosure, and protection of personal information.</p> <p>NOTE The majority of IT projects are covered by AM-03 which includes major projects such as the creation, upgrade, evaluation and implementation of applications, hardware and networks. IT projects include data conversions.</p> <p>VRC Projects are necessary for legal purposes and/or auditing.</p>	ET	7	SR

## RSK RISK MANAGEMENT AND SECURITY

RSK	RISK MANAGEMENT AND SECURITY	Active	Retain	Final
RSK-01	<p><b>Access authority and User IDs</b></p> <p>Covers authorizations, email addresses, logins and keys for access to buildings, properties, equipment (e.g., network, computer, vehicle).</p> <p>ET When Human Resources notifies IT that the individual's access is no longer required.</p> <p>2 The two-year retention is sufficient in the event that these records need to be reviewed.</p> <p>NOTE <i>Copies</i> of the current access authority lists which may be vital for emergency response must be filed with the Business Continuity Plan/Disaster Recovery Plan under GOV-04.</p> <p>NOTE Digital signatures and certifications related to access for individual staff are maintained under their employee file, use HR-05.</p> <p>PIB Files are organized by and contain personal information.</p> <p>VRB Access authorities and user IDs are essential for business resumption.</p> <p>For digital signatures of individual staff, use HR-04.</p>	ET	2	DE
RSK-02	<p><b>Security monitoring</b></p> <p>Covers access, IT audit trails, surveillance recordings, intrusion detection and sign-in/out logs, including electronic sign-out/employee location tracking systems, and daily logs maintained by security personnel.</p> <p>2 The two-year retention is sufficient in the event that these records need to be reviewed.</p> <p>NOTE Any records related to an incident or an investigation will be reclassified under RSK-03.</p> <p>PIB Files contain personal information.</p> <p>For community facility logbooks, see RSK-04.</p> <p>For information management audit trails (e.g., document alterations), see IMT-03.</p>	CY	2	DE
RSK-03	<p><b>Incidents and investigations</b></p> <p><u>For community facility first aid records, use RSK-04.</u></p> <p>Group by the type of incident (e.g., security, vandalism, employee, privacy, disaster, emergency, near misses, etc.) or investigation (e.g., commissioner, internal, human resources, police, etc.).</p> <p>Arrange by name and date of the incident, investigation or individual.</p> <p>Includes reports, accident forms, non-community facility first aid records, security logs, investigators' notebooks, surveillance recordings, and exhibit records.</p> <p>(continued)</p>	ET	15	SR

RSK	RISK MANAGEMENT AND SECURITY	Active	Retain	Final
RSK-03	<p><b>Incidents and investigations</b> (continued)</p> <p>Covers public safety/disaster exercises (i.e., practice runs), WorkSafe BC inspections, investigations, reports, recommendations, newspaper clippings. Also covers complaints, accusations, or expressions of dissatisfaction with an employee and any subsequent investigations, settlements, disciplines, and arbitration.</p> <p>ET CY for simple first aid records/logbooks. When investigation is closed, and any appeal periods have expired. Incidents and investigations (not including simple first aid records) involving children must be kept active until they have reached the age of majority (or a full 19 years if unknown).</p> <p>15 The fifteen-year retention period provides a long period for re-activation of an incident and covers the ultimate limitation period in LC BC053.</p> <p>LT When a file is closed, staff will separate <u>significant incident or investigation files</u> for long term review. The file will be reviewed every 15 years. Once a file is determined to be no longer relevant, it will be destroyed.</p> <p>LC BC021 (Disaster), BC026, BC032 (Spill Incidents), BC035 (Fire), BC050 (Vehicle Insurance), BC053 (Limitation), BC064 (Municipal Limitation), BC070 (Ombudsperson), BC091 (Bullying), BC092 (First Aid), BC093 (Hazard Exposure), BC097 (Injury), BC100 (Injury)</p> <p>NOTE Incidents covers injuries, diseases, accidents (e.g., vehicular), trespass, theft, vandalism, information security incidents, privacy breaches, emergencies and disasters. Investigations may include criminal, safety, external commissioners (e.g., WorkSafe BC, Ombudsperson or Information and Privacy), or various internal investigations, but do not include employee and bylaw investigations.</p> <p>NOTE Incidents that result in death, time loss, or medical attention; have the potential of causing serious injury; involve a major structural failure; involve exposure to hazardous or bio-hazardous substances (e.g., asbestos and avian influenza) must be reported to WorkSafe BC even if a claim is not anticipated.</p> <p>NOTE Files which result in a court case (e.g., a claim or lawsuit) must be reclassified to LEG-02. Files which result in a WorkSafe BC claim must be reclassified to HR-05. Bylaw investigations are classified under LEG-01.</p> <p>NOTE First aid records are confidential. See LC BC092.</p> <p>NOTE Incidents that result in death, time loss, or medical attention; have the potential of causing serious injury; involve a major structural failure; involve exposure to hazardous or bio-hazardous substances (e.g., asbestos and avian influenza) must be reported to WorkSafe BC even if a claim is not anticipated.</p> <p>(continued)</p>	ET	15	LT

RSK	RISK MANAGEMENT AND SECURITY	Active	Retain	Final
RSK-03	<p><b>Incidents and investigations</b> (continued)</p> <p>PIB Files may be organized by and contain personal information.</p> <p>VRC Active incident and investigation files are necessary for legal and research purposes.</p> <p>For bylaw investigations, use LEG-01.</p> <p>For employee investigations, use HR-06.</p> <p>For issues not related to a specific incident or investigation, use COM-03.</p> <p>For reporting, monitoring and statistics, use GOV-06.</p>	ET	15	SR
RSK-04	<p><b>Community parks and facility risk management</b></p> <p>Within a facility and/or program, group by type of document (e.g., logbooks, waivers, schedules, etc.).</p> <p>Arrange by name and date of document (i.e., year the document was last changed for logbooks and first aid records).</p> <p>Includes community facility first aid records, medication schedules, emergency contacts, waivers, logbooks, site safety assessments, <i>copies</i> of agreements and insurance policies, facility schedules (e.g., staff and volunteer), and participant feedback and assessments.</p> <p>Covers liquor control licensing and any records necessary for risk mitigation of local government facilities such as pools, daycares, care homes and recreational centres.</p> <p>35 The thirty-five-year period is based on the fifteen-year ultimate limitation period in LC BC053, plus nineteen years for a minor to reach the age of majority.</p> <p>LC BC005 (Child's Records), BC007 (Care Facility), BC041 (Volunteer), BC053 (Limitation), BC064 (Municipal Limitation), BC073 (Pool Injuries), BC075 (Child's Injury), BC092 (First Aid)</p> <p>LC 26, 27, 45 (First Aid), 46, 60 (Pools)</p> <p>NOTE Liquor control licences and special event licences issued by BC Liquor Control and Licensing Branch (LCLB) for events held at a community facility are filed under this secondary.</p> <p>NOTE This secondary covers the functions and activities involved in delivering community programs which have public participation. The creation of such programs is filed under PRG-02.</p> <p>NOTE This secondary is also used to manage participant files within a program. Participant records and files are to remain with the program and must not be moved to another program.</p> <p>NOTE First aid records are confidential. See LC BC092.</p> <p>PIB Files contain personal information.</p> <p>VRC Community facility risk management files are necessary for legal and research purposes.</p>	CY	35	DE

## Appendix A: Legal Citations (updated 2019-08-31)

These Legal Citations are included as a convenient reference. While every effort has been made to list the relevant records management requirements in Federal and Provincial legislation and regulation, they may not be comprehensive. Additionally, they should not be interpreted as legal advice or legal opinion. If legal advice or legal opinion is required, professional legal counsel should be consulted.

To update the Legal Citations, refer to the separate electronic document "To Update DC RCRS Leg Reg YYYY-MM-DD.docx".

BC# legal citations for British Columbia legislation or regulation.

- "RSBC" and "SBC" indicate British Columbia Legislation.
- "BC Reg" indicates British Columbia Regulation under a related piece of British Columbia Legislation.

C# legal citations for Federal Canadian legislation or regulation.

- "RS", "RSC" and "SC" indicates Canadian Federal Legislation.
- "CRC" and "SOR" indicates Canadian Federal Regulation under a related piece of Canadian Federal Legislation.

(Limitation) indicates a section of legislation or regulation which defines the time limit allowed for an appeal or other legal action to begin.

Highlighting is used to track specific records management requirements in a piece of legislation or regulation to a specific City of Nanaimo RCRS classification code (e.g., in BC020, red highlighting connects **text** in section 54 of the Act to the classification code **GOV-06** which requires the creation of reports and blue highlighting links **plans** to **GOV-04**).

LC	Nanaimo RCRS	Application of Legislation and Regulations and Related Notes
BC001	IMT-01 LAN-05	<p><b><i>Agricultural Land Commission Act</i></b> (SBC 2002, c. 36) permits a member of the commission or an official:</p> <ul style="list-style-type: none"> <li>• s. 49(1)(d) to make any inspection of records, things or activities reasonably related to the purpose of the inspection;</li> <li>• s. 49(1)(e) to make copies of any records or documents reasonably related to the purpose of the inspection; and</li> <li>• s. 49(1)(f) to make an order requiring a person to produce for the member or official a record or thing in the person's possession or control.</li> </ul>
BC002	GOV-06	<p><b><i>Auditor General for Local Government Act</i></b> (SBC 2012, c. 5)</p> <ul style="list-style-type: none"> <li>• s. 1 defines "local government" to mean:               <ul style="list-style-type: none"> <li>○ a municipality,</li> <li>○ a regional district,</li> <li>○ a greater board,</li> <li>○ a board, a commission, a corporation or another organization that, under generally accepted accounting principles, is considered to be controlled by one or more municipalities, regional districts or greater boards, and</li> <li>○ another local body prescribed by regulation;</li> </ul> </li> <li>• s. 1 defines "municipality" to mean "the corporation into which the residents of an area are incorporated as a municipality under the Local Government Act or under any other Act and the City of Vancouver";</li> <li>• s. 13 requires a local government or a municipality, as specified, to provide to the Auditor General for Local Government access to records, information and things unless there is a claim based on solicitor-client privilege;</li> <li>• s. 14 the Auditor General for Local Government may compel persons to answer questions and order disclosure, including producing records or things in the person's possession or control;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 15 the Auditor General for Local Government may sue a person who does not cooperate as required by s. 14 for contempt in Supreme Court, including failure of a person to produce records or things in the person's possession or control; and</li> <li>• s. 21.1(1) the Auditor General may give the Audit Council access to the Local Government's records and information.</li> </ul>
BC003	COM-02 LEG-03	<b>Business Corporations Act</b> (SBC 2002, c. 57, s. 430) provides that the limitation period for an offence under the Act is 3 years after the commission of the offence (Limitation).
BC004	LAN-03	<b>Cannabis Control and Licensing Act</b> (SBC 2018, c. 29) <ul style="list-style-type: none"> <li>• s. 1 defines "local government";</li> <li>• s. 33 local government may make recommendations before a licence is issued and may seek the opinions of the residents. <i>Cannabis Licensing Regulation</i> (BC Reg. 202/2018)</li> <li>• s. 13 comments and recommendations from local government must be in writing.</li> </ul>
BC005	RSK-04	<b>Child, Family and Community Service Act</b> (RSBC 1996, c. 46, s. 65) gives director right to seek a court order if denied a record about a child by an organization.
BC006	HR-05 HR-07	<b>Community Care and Assisted Living Act</b> (SBC 2002, c. 75) <i>Child Care Licensing Regulation</i> (BC Reg. 332/2007, s. 60(4)) immediately after a person who was the subject of a character reference is no longer employed by or ordinarily present at the community care facility, a licensee must return all character references to the person, or destroy the character references.
BC007	HR-05 HR-07 RSK-04	<b>Community Care and Assisted Living Act</b> (SBC 2002, c. 75) <ul style="list-style-type: none"> <li>• s. 4(1)(b) gives director power to inspect records of community care facility; <i>Child Care Licensing Regulation</i> (BC Reg. 332/2007)</li> <li>• s. 1 defines "criminal record check" to mean: <ul style="list-style-type: none"> <li>(a) for an employee who is not a volunteer, a criminal record check under the <i>Criminal Records Review Act</i>; and</li> <li>(b) for an employee who is a volunteer, including a parent, a criminal record check under the <i>Criminal Records Review Act</i> or specified municipal police force;</li> </ul> </li> <li>• s. 3(1)(f) exempt from the <i>Community Care and Assisted Living Act</i> is a program for children that is: operated, in respect of each group of children who attend the program, for 2 hours or less each day and directly operated and funded by a municipality;</li> <li>• s. 3(2) for greater certainty, a program that is described in subsection 3(1) is not exempt if the program is delivered in a place that is regulated under the Act as a program of residential care;</li> </ul> <u>Character and Skill Requirements</u> <ul style="list-style-type: none"> <li>• s. 19 a licensee must not employ a person in a community care facility unless the licensee or, in the case of a person who is not the manager, the manager has first met with the person and obtained all of the following: <ul style="list-style-type: none"> <li>(a) a criminal record check for the person;</li> <li>(b) character references in respect of the person;</li> <li>(c) a record of the person's work history;</li> <li>(d) copies of any diplomas, certificates or other evidence of the person's training and skills;</li> <li>(e) a statement signed by a medical practitioner indicating that the person is physically and psychologically capable of working with children and carrying out assigned duties in a community care facility;</li> <li>(f) evidence that the person has complied with the Province's immunization and tuberculosis control programs;</li> </ul> </li> </ul>

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		<p><u>Repayment Agreements</u></p> <ul style="list-style-type: none"> <li>• s. 56.1 requires a licensee to keep a copy of the repayment agreement and a current record of the statement, arising out of the repayment agreement, setting out the terms and conditions on which a refund of all or any of the prepayment will be made;</li> </ul> <p><u>Community Care Facility Records</u></p> <ul style="list-style-type: none"> <li>• s. 56 a licensee must keep current records of each of the following: <ul style="list-style-type: none"> <li>(a) written policies and procedures for the safe release of children;</li> <li>(b) for each employee, the records required under s. 19(1) (character and skill requirements);</li> <li>(c) a record respecting compliance with s. 22(2)(b) and (c) (emergency training and equipment);</li> <li>(d) written policies and procedures that are intended to guide employees in the care and supervision of children;</li> <li>(d.1) in the case of a licensee who provides a care program described as Child-minding, written policies and procedures that are intended to guide employees in <ul style="list-style-type: none"> <li>(i) monitoring the premises where the child-minding service operates to ensure that a parent of each child is present and accessible, and</li> <li>(ii) responding if a parent is found not to be present or accessible;</li> </ul> </li> <li>(e) written policies and procedures respecting food and drink to be given to children;</li> <li>(f) a log of minor accidents, illnesses and unexpected events involving children, that did not require medical attention and were not reportable incidents described in Schedule H;</li> </ul> </li> </ul> <p><u>Records for Each Child</u></p> <ul style="list-style-type: none"> <li>• s. 57(1) a licensee must keep current records for each child as specified;</li> <li>• s. 57(2) a licensee must keep, for each child, a record showing the following information: <ul style="list-style-type: none"> <li>(a) name, sex, date of birth, medical insurance plan number and immunization status;</li> <li>(b) date of enrolment in the community care facility;</li> <li>(c) daily attendance record, indicating for each day whether the child is absent or, if the child is present, the time of arrival and departure;</li> <li>(d) name and telephone number of a parent, medical practitioner and emergency contact;</li> <li>(e) any illness, allergy or medical disability disclosed to the licensee by the child or his or her parent or medical practitioner;</li> <li>(f) any medication administered to the child, including the amount and the time at which the medication was administered;</li> <li>(g) any notification of a parent, emergency contact or medical health officer made under s. 55 (notification of illness or injury);</li> <li>(h) any special instruction respecting the child's diet, medication, participation in a program of activities, or other matter relevant to the child's care: given by the child's parent to the licensee in writing, and agreed to by the licensee;</li> <li>(i) a photograph or digital image of the child, and other information that can be used to readily identify the child in an emergency;</li> <li>(j) a record of any person who is not permitted access to the child;</li> <li>(k) the date on which the child stops attending the community care facility;</li> </ul> </li> <li>• s. 57(2.1) requires that a licensee who provides a care program described as Child-minding must record the child's health information as specified;</li> <li>• s. 57(2.2) requires that a licensee who provides a care program described as Child-minding must have written agreements with the parent of a child as specified;</li> <li>• s. 57(2.3) requires that a licensee who provides a care program described as Child-minding to retain records in (2.1) and (2.2) at the community care facility;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 57(3) a licensee must have in writing from a parent, and maintain at the community care facility, consent: <ul style="list-style-type: none"> <li>(a) to call a medical practitioner or ambulance in case of accident or illness if the parent cannot immediately be reached, and</li> <li>(b) to release a child to someone other than the parent;</li> </ul> </li> </ul> <p><u>Care Plans</u></p> <ul style="list-style-type: none"> <li>• s. 58(1) a licensee must keep, for each child requiring extra support, a current care plan showing the following information: <ul style="list-style-type: none"> <li>(a) the diagnoses relevant to the child's requirement for extra support, as made by health care professionals;</li> <li>(b) the courses of action recommended by health care professionals to address the needs of the child requiring extra support;</li> <li>(c) the resources to be made available to the child requiring extra support by the licensee, including: any adaptation of the community care facility necessary to ensure the child's safety or comfort, and any modification to the program of activities necessary to enable the child to participate in or benefit from the program;</li> </ul> </li> <li>• s. 58(2) the licensee must: <ul style="list-style-type: none"> <li>(a) develop the care plan in consultation, and</li> <li>(b) review the care plan at least once each year with a parent of the child requiring extra support and any person requested by the parent.</li> </ul> </li> <li>• s. 58(3) the licensee must record compliance with the care plan of a child requiring extra support in respect of each of the following that are applicable to the child: <ul style="list-style-type: none"> <li>(a) any therapeutic diet given to the child by the licensee;</li> <li>(b) any medication administered to the child by the licensee, including the amount and the time at which the medication was administered;</li> <li>(c) any modification to the program of activities for the child's benefit;</li> <li>(d) any behavioural guidance provided to the child, and its effect;</li> <li>(e) any other matter for which the licensee has agreed with the parent of the child to record compliance;</li> </ul> </li> </ul> <p><u>Records Must Be Available</u></p> <ul style="list-style-type: none"> <li>• s. 59 in respect of a record referred to in this Division, a licensee must: <ul style="list-style-type: none"> <li>(a) keep in a single place at the community care facility the records referred to in ss. 56 to 58;</li> <li>(b) keep a record other than one referred to in paragraph (a) in a place from which it can be retrieved within a reasonable time, on request; and</li> <li>(c) produce records, on demand, to the medical health officer;</li> </ul> </li> </ul> <p><u>How Long Records Must Be Kept</u></p> <ul style="list-style-type: none"> <li>• s. 60(1) subject to subsections (2) to (5), a licensee must keep all records referred to in this Division for at least 1 year;</li> <li>• s. 60(2) a licensee must retain for at least 5 years all signed original forms authorizing criminal record checks to be done;</li> <li>• s. 60(3) a licensee must keep: <ul style="list-style-type: none"> <li>(a) in the case of employees, all records required under s. 19 (1) (character and skill requirements) for the entire time that the subject of the records is an employee of the community care facility; and</li> <li>(b) in any other case, all criminal record check results and character references for the entire time that the subject of the criminal record check or character reference is ordinarily present on the premises;</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 60(5) a licensee must keep a record referred to in s. 57 (records for each child) for at least 2 years from the date the child who is the subject of the record is discharged from the community care facility.</li> </ul>
BC008	IMT-01	<b>Community Charter</b> (SBC 2003, c. 26, s. 162) Access to municipal records.
BC009	GOV-01 GOV-03 CC-02	<b>Community Charter</b> (SBC 2003, c. 26, s. 163) Evidence of bylaws, resolutions or other records.
BC010	GOV-04	<p><b>Emergency Program Act</b> (RSBC 1996, c. 111)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “local authority” to mean: <ul style="list-style-type: none"> <li>○ for a municipality, the municipal council,</li> <li>○ for an electoral area in a regional district, the board of the regional district, or</li> <li>○ for a national park, the park superintendent or the park superintendent’s delegate if an agreement has been entered into with the government of Canada under s. 4(2)(e) in which it is agreed that the park superintendent is a local authority for the purposes of this Act;</li> </ul> </li> <li>• s. 6 requires a local authority to prepare local emergency plans respecting preparation for, response to and recovery from emergencies and disasters. <i>Local Authority Emergency Management Regulation</i> (BC Reg. 380/95)</li> <li>• s. 2 requires a local government to create and maintain a specified local emergency plan;</li> <li>• s. 4 specifies duties of a local authority, including providing update plans to the Minister.</li> </ul>
BC011	GOV-06	<p><b>Community Charter</b> (SBC 2003, c. 26)</p> <ul style="list-style-type: none"> <li>• s. 167 requires the municipality to prepare annual financial statements for acceptance by council;</li> <li>• s. 167(3) requires the municipality to provide information requested by the inspector;</li> <li>• s. 167(4) requires the municipality to submit to the inspector its audited financial statements for the preceding year and any other financial information requested by the inspector by May 15 in each year;</li> <li>• s. 167(5) in addition to any requirement under subsection 167(4), the municipal financial officer must compile and supply information on the financial affairs of the municipality requested by the inspector.</li> </ul>
BC012	FIN-02	<b>Community Charter</b> (SBC 2003, c. 26, s. 194(4)) a municipality must make available to the public, on request, a report on how municipal fees imposed under this section were determined.
BC013	COM-06	<b>Community Charter</b> (SBC 2003, c. 26, s. 90(1)(b)) meetings that may or must be closed to the public if personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity.
BC014	FIN-02	<p><b>Community Charter</b> (SBC 2003, c. 26)</p> <ul style="list-style-type: none"> <li>• s. 1 Schedule (Definitions and Rules of Interpretation) “parcel tax” means a tax imposed on the basis of a single amount for each parcel, the taxable area of a parcel or the taxable frontage of a parcel and “collector “ means the municipal officer assigned responsibility as collector of taxes for the municipality;</li> <li>• s. 200(4) a municipality must make available to the public, on request, a report regarding how parcel tax amounts or rates were determined;</li> <li>• s. 203(3) once it has been prepared by the collector, the parcel tax roll must be available for public inspection;</li> <li>• s. 203(4) if requested by an owner, the collector must amend a parcel tax roll that is to be available for public inspection by omitting or obscuring the address of the owner or other information about the owner in order to protect the privacy or security of the owner;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 207(5)(a) in an appeal to Supreme Court from review panel decision, the collector must produce before the court the parcel tax roll and all records in that officer's possession affecting the matter.</li> </ul>
BC015	LAN-01	<p><b>Community Charter</b> (SBC 2003, c. 26)</p> <ul style="list-style-type: none"> <li>• s. 57 permits a building inspector to recommend to council to make a note against property in the Land Title Office if building regulations contravened;</li> <li>• s. 57(4) corporate officer must ensure that all records are available for inspection at the municipal hall regarding any council resolution accepting building inspector's recommendations.</li> </ul>
BC016	CC-02 CC-03	<p><b>Community Charter</b> (SBC 2003, c. 26)</p> <p><u>Alternative approval process</u></p> <ul style="list-style-type: none"> <li>• s. 86(1) permits approval of the electors by alternative approval process regarding a bylaw, agreement or other matter;</li> <li>• s. 86(3) requires council to establish elector response forms (and make these forms available at the municipal hall) and make a fair determination of the total number of electors of the area to which the approval process applies;</li> <li>• s. 86(4) requires council to make available to the public, on request, a report regarding the basis on which the determination of the total number of electors of the area to which the approval process applies was made;</li> </ul> <p><u>Closed Meeting Attendance</u></p> <ul style="list-style-type: none"> <li>• s. 91(3) minutes of a meeting or part of a meeting that is closed to the public must record the names of all persons in attendance;</li> </ul> <p><u>Public Notice and Access to Records</u></p> <ul style="list-style-type: none"> <li>• s. 94 sets requirements for public notice, including permitting council to provide notice by the Internet or other electronic means;</li> <li>• s. 95 in addition to the public access provided by the <i>Freedom of Information and Protection of Privacy Act</i> a council may, by bylaw, provide for public access to its records and establish procedures respecting that access;</li> <li>• s. 97 provides that public access must be provided for specified records, or copies of them, including s. 97(1)(b) which requires public inspection of all minutes of council meetings, other than a meeting or part of a meeting that is closed to the public and s. 97(1)(c) which requires public inspection of all minutes of meetings of bodies referred to in s. 93 (application of rules to other bodies), other than a meeting or part of a meeting that is closed to the public;</li> </ul> <p><u>Procedure Bylaws</u></p> <ul style="list-style-type: none"> <li>• s. 124(2)(c) requires council to pass bylaws to provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;</li> <li>• s. 148 requires that a municipal officer must be assigned the responsibility to ensure that accurate minutes of the meetings of the council and council committees are prepared; further this officer must ensure that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe and that access is provided to records of the council and council committees, as required by law or authorized by the council;</li> <li>• s. 149 requires that a municipal officer must be assigned the responsibility of financial administration, ensuring that accurate records and full accounts of the financial affairs of the municipality are prepared, maintained and kept safe;</li> <li>• s. 168(1) at least once a year, council must have prepared a report separately listing the following for each council member by name regarding council remuneration, expenses and contracts.</li> </ul>

LC	Nanaimo RCRS	Application of Legislation and Regulations and Related Notes
BC017	GOV-01 GOV-03 FIN-03 LAN-06	<p><b>Cremation, Interment and Funeral Services Act</b> (SBC 2004, c. 35)</p> <ul style="list-style-type: none"> <li>• s. 3 an operator and a funeral provider must maintain records of a prescribed category in accordance with requirements established by regulation;</li> <li>• s. 16 if a licenced funeral provider or a licenced operator is a corporation, the funeral provider or operator must report to the director in writing within 14 days of the change occurring:             <ul style="list-style-type: none"> <li>(a) a change in the senior officers, as defined in the <i>Business Corporations Act</i> of the corporation, and</li> <li>(b) a material change in the beneficial ownership of the shares of the corporation;</li> </ul> </li> <li>• s. 30(1) the director may:             <ul style="list-style-type: none"> <li>(a) audit a care fund, or</li> <li>(b) order an operator of a place of interment to have a care fund audited by a person within a class of persons prescribed by the Lieutenant Governor in council;</li> </ul> </li> <li>• s. 30(2) an operator of a place of interment must maintain records related to the maintenance of the <b>care fund</b> in a manner that is satisfactory to a director;</li> <li>• s. 37 how a Local Government may own or operate a place of interment or crematorium;</li> <li>• s. 39(1) an operator of a place of interment must have <b>bylaws</b>;</li> <li>• s. 39(3) an operator must submit to a director a copy of the bylaws relating to the place of interment or crematorium:             <ul style="list-style-type: none"> <li>(a) if the director requests the operator to do so, or</li> <li>(b) in prescribed circumstances;</li> </ul> </li> <li>• s. 44(c) before an operator of a place of interment ceases selling rights of interment, the operator must notify a director of the operator's intention and provide the director with the methods that the operator intends to adopt to ensure continued access to records of interment and rights of interment;</li> <li>• s. 56(2) the following sections of the <i>Business Practices and Consumer Protection Act</i> (SBC 2004, c. 2) apply for the purposes of this Act: s. 150 ((inspection powers) to 153 (records or things retained);            Note: In the <i>Business Practices and Consumer Protection Act</i> the time limit for giving a notice imposing an administrative penalty is 2 years after the date on which the contravention occurred <sup>(Limitation)</sup>;</li> <li>• s. 63 the time limit for laying an information for an offence under the Act is 2 years after the time when the subject matter of the proceedings arose <sup>(Limitation)</sup>;</li> <li>• s. 64 requires that information or records under the Act be kept confidential subject to specified exceptions.</li> </ul> <p><i>Cremation, Interment and Funeral Services Regulation</i> (BC Reg. 298/2004) the records a provider must keep related to interments (s. 27), cremations (s. 30) and funerals (s. 43).</p>
BC018	HR-05 HR-07	<p><b>Criminal Records Review Act</b> (RSBC 1996, c. 86)</p> <ul style="list-style-type: none"> <li>• s. 1 defines "specified organization" to mean an organization that, in the opinion of the registrar, provides a benefit or service to children or vulnerable adults, a "specified organization" includes a municipality;</li> <li>• s. 1 defines a "volunteer" as an individual who, for no monetary compensation, voluntarily provides services to a registered specified organization;</li> <li>• s. 7(2)(c) Part 3 (Employers and Employees) applies to employers and employees other than a municipality or an employee of a municipality;</li> <li>• s. 8(1) requires an employer to ensure that every individual who is hired for employment involving work with children or work with vulnerable adults and every employee who works with children or works with vulnerable adults undergoes a criminal record check or a criminal record check verification;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 8(2) permits an employer to require an applicant for employment or an employee to undergo a criminal record check even if the applicant or employee could undergo a criminal record check verification;</li> <li>• s. 10, 15, 17.7, 21, and 24.5 identifies individuals who must undergo a criminal record check at least once every 5 years;</li> <li>• s. 28.1 permits the registrar to require a person, who has duty under s. 8, 13, 17.1, 17.5, 19 or 24.3 of the Act to ensure that criminal record checks are undergone, to submit records or information if the registrar considers it necessary in determining whether the person's duty is being performed and a person who receives this request must comply.</li> </ul>
BC019	AM-02 AM-03 AM-05 IMT-01	<p><b>Dike Maintenance Act</b> (RSBC 1996, c. 95)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “diking authority” to mean a regional district, a municipality or an improvement district;</li> <li>• s. 2(2)(f) permits the dike inspector to inspect or make an order for the inspection of any books or records in connection with the construction or maintenance of dikes in the possession or control of a diking authority.</li> </ul>
BC020	AM-02 AM-03 AM-05 GOV-04 GOV-06	<p><b>Drinking Water Protection Act</b> (SBC 2001, c. 9)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “local government”;</li> <li>• s. 7 requires construction permits for water supply systems;</li> <li>• s. 8 requires operating permits for water supply systems;</li> <li>• s. 10 requires emergency response and contingency plans for water supply systems;</li> <li>• ss. 12-14 reporting and notices of threats to drinking water;</li> <li>• s. 15 water supplier must make public:               <ul style="list-style-type: none"> <li>(a) the water supplier's emergency response and contingency plan;</li> <li>(b) the results of the monitoring required by the regulations, its operating permit or the drinking water officer, subject to any applicable time limits established by the regulations;</li> <li>(c) if applicable, its current assessment under section 18 [<i>water source and system assessments</i>];</li> <li>(d) if applicable, its current plan under section 22 [<i>assessment response plans</i>];</li> <li>(e) other information required to be made public by the regulations, its operating permit or the drinking water officer;</li> </ul> </li> <li>• s. 18 may be required to create a water source and system assessment;</li> <li>• s. 21 advance public notice required if a water source and system assessment is required;</li> <li>• s. 22 may be required to create an assessment response plan.</li> </ul> <p><i>Drinking Water Protection Regulation</i> (BC Reg. 200/2003)</p> <ul style="list-style-type: none"> <li>• s. 11 requires an annual report of the results of monitoring;</li> <li>• s. 13 requirements for the emergency response and contingency plans;</li> <li>• s. 15 requirements for the assessment response plan.</li> </ul>
BC021	RSK-03	<p><b>Emergency Program Act</b> (RSBC 1996, c. 111)</p> <p><i>Compensation and Disaster Financial Assistance Regulation</i> (BC Reg. 124/95)</p> <ul style="list-style-type: none"> <li>• Part 3 (Disaster Financial Assistance for Local Government Body) Lieutenant Governor in council or the Minister may determine that disaster financial assistance may be provided to a local government body for specified eligible local government body expenses;</li> <li>• s. 22 sets out the definition of “eligible local government body expenses” in Schedule 5 to the regulation, including:               <ul style="list-style-type: none"> <li>○ structural repair to or replacement of a public facility;</li> <li>○ repair to or replacement of eligible local government body materials including books, papers and other records essential to local government body functions and operation;</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>○ clean up and debris removal;</li> <li>○ emergency response measures;</li> <li>○ deductible amounts for insurance costs;</li> <li>○ costs of inspection, appraisal, planning or design;</li> <li>○ general administrative costs;</li> <li>○ replacing damaged/destroyed local government body stores or materials;</li> <li>○ payment by the local government body of compensation required under Part 1 of the regulation.</li> </ul>
BC022	GOV-04	<b>Community Charter</b> (SBC 2003, c. 26, s. 165) a municipality must have a financial plan.
BC023	FIN-02 IMT-01 financial records	<b>Employer Health Tax Act</b> (SBC 2018, c. 42) <ul style="list-style-type: none"> <li>• s. 70-72 <b>Inspections</b> of records; and</li> <li>• s. 73 Records to be kept for <b>six years after the calendar year</b>.</li> </ul>
BC024	FIN-02 HR-05	<b>Employment Standards Act</b> (RSBC 1996, c. 113, s. 124) no proceeding for an offence under the Act may be commenced in any court more than 2 years after the facts on which the proceeding is based first come to the director's knowledge <sup>(Limitation)</sup> .
BC025	AM-05	<b>Employment Standards Act</b> (RSBC 1996, c. 113, s. 25(2)(c)) if there is an agreement between the employer and employees, employers must retain for 4 years the records of the agreement for employees to clean/maintain special clothing (these amounts deemed to be wages).
BC026	HR-06	<b>Employment Standards Act</b> (RSBC 1996, c. 113, s. 74(3)) requires a complaint relating to an employee whose employment has terminated must be delivered to the director within 6 months after the last day of employment <sup>(Limitation)</sup> .
BC027	FIN-02	<b>Employment Standards Act</b> (RSBC 1996, c. 113) <ul style="list-style-type: none"> <li>• s. 27 requires employers to provide written wage statements to employees containing specified information;</li> <li>• s. 28(2) requires that employers must retain specified payroll records and retain them for 4 years after the date on which the payroll records were created (s. 28(2) includes records relating to the payment of employees, including personal identifying information, date employment began and ended, wages/salaries/benefits paid and deductions made, hours worked and vacation taken).</li> </ul>
BC028	LEG-03	<b>Employment Standards Act</b> (RSBC 1996, c. 113) <ul style="list-style-type: none"> <li>• s. 37(13) An employer must retain an averaging agreement under this section for 4 years after the following, as applicable: (a) the expiry date set out in the averaging agreement, unless paragraph (b) applies; (b) the expiry date set out in one or more agreements to repeat the averaging agreement, whichever date is the latest;</li> <li>• s. 48(3) requires an employer who has entered into an agreement with an employee to substitute another day off for a statutory holiday to retain records of this agreement for 4 years.</li> </ul>
BC029	AM-02 AM-03	<b>Professional Engineers and Geoscientists Project Documentation</b> <b>Engineers and Geoscientists Act</b> (RSBC 1996, c. 116, s. 10(1)(c)) The Association of Professional Engineers and Geoscientists of the Province of British Columbia may make bylaws to establish quality management programs for members, licensees and certificate holders of the association. <i>Bylaws of the Association of Professional Engineers and Geoscientists of the Province of British Columbia</i> (as amended October 2018) Article 14(b)(1) Members and licensees shall retain complete project documentation for a minimum period of 10 years. <i>Quality Management Guidelines</i> (January 9, 2018) Article 3.2.4 interprets this period to mean project documentation must be "retained as a record for a minimum of ten years after the end of the project or ten years after a document used in ongoing work is no longer in use."

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BC030	AM-02	<p><b>Permanently Retaining Asset History Files</b>  <i>Environmental Management Act</i> (SBC 2003, c. 53, ss. 45, 47, 115, 124) (Limitation)</p> <p><b>General Recordkeeping</b>  <i>Environmental Management Act</i> (SBC 2003, c. 53, s. 22(2)(j)) permits the Minister to make regulations or codes of practice requiring the keeping of records and authorizing the inspection of records.</p>
BC031	AM-05 GOV-04 LEG-01	<p><b>Biosolid waste, recycling and composting facilities or programs</b>  <i>Environmental Management Act</i> (SBC 2003, c. 53)</p> <ul style="list-style-type: none"> <li>• s. 109(4) regarding the production, treatment, storage, handling, transportation or discharge of waste, the right of conservation officers to: <ul style="list-style-type: none"> <li>○ examine and take away copies of records related to waste treatment and discharge;</li> <li>○ use a computer system at the place that is being inspected to information;</li> <li>○ record or copy by any method any information;</li> <li>○ use any machine or other equipment in the place that is being inspected as is necessary to carry out the inspection;</li> <li>○ use copying equipment located at the place that is being inspected to make copies to take away;</li> <li>○ take photographs or make audio or video records.</li> </ul> </li> </ul> <p><i>Environmental Management Act</i> (SBC 2003, c. 53) and <i>Public Health Act</i> (SBC 2008, c. 28, s. 3)  <i>Organic Matter Recycling Regulation</i> (BC Reg. 18/2002)</p> <ul style="list-style-type: none"> <li>• s. 3.1 specifies the conditions under which a discharger must have a permit;</li> <li>• s. 5 requires a land application plan for managed organic matter;</li> <li>• s. 23 requires an environmental impact study and report for large composting facilities;</li> <li>• s. 24 requires plans and specifications for new composting facilities and significant alterations to existing facilities;</li> <li>• s. 33 specifies the transitional conditions under which an existing discharger must have a permit;</li> <li>• Schedule 6 (Record-keeping): requires dischargers or composting facilities or those otherwise required to follow the provisions of this regulation temperature and retention time records for specified biosolids and compost must be kept at the facility for at least 36 months and must be made available for inspection by an officer upon request.</li> </ul> <p><b>Wastewater facility or program</b>  <i>Environmental Management Act</i> (SBC 2003, c. 53)  <i>Municipal Wastewater Regulation</i> (BC Reg. 87/2012)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “discharger” to mean “a person authorized under this regulation to discharge”;</li> <li>• s. 62 requires a discharger using a septic tank must provide pump out records to a director;</li> <li>• s. 63 requires a discharger to retain for inspection by an officer at any time a copy of, as applicable: <ul style="list-style-type: none"> <li>(a) the information and records submitted on registration under Division 2 (Registration) of Part 2,</li> <li>(b) a record prepared under s. 42(2) (overflows),</li> <li>(c) all outfall inspection reports,</li> <li>(d) municipal effluent flow and municipal effluent quality monitoring data, and</li> <li>(e) receiving environment monitoring data.</li> </ul> </li> <li>• s. 65 requires a discharger, coverage by an assurance plan, to provide to the director an annual report regarding assurance plans;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 66 requires a discharger to make reports regarding discharge to ground and water;</li> <li>• s. 67 requires a provider of reclaimed water to provide to the director and a health officer an annual report regarding reclaimed water as specified;</li> <li>• s. 120(1) provides that a person who contravenes any of s. 23, 32, 33, 40, 45(a), (b) or (c), 47, 48, 50(1) or (2), 53, 63, 67(c), 105(1) or 117 (2) or (3) commits an offence;</li> <li>• s. 120(2) a person commits an offence if the person, with intent to mislead, <ul style="list-style-type: none"> <li>(a) submits false monitoring data,</li> <li>(b) fails to retain monitoring data under s. 63(d) or (e) (information and records to be retained),</li> <li>(c) makes a false report, or</li> <li>(d) fails to submit a report under s. 66(1) (reports respecting discharge to ground and water), or a report containing the information required under s. 66(2)(a) or (3)(c).</li> </ul> </li> </ul>
BC032	<p>AM-05 ET-01 ET-02 GOV-04 RSK-03</p>	<p><b>Environmental Management Act</b> (SBC 2003, c. 53)</p> <ul style="list-style-type: none"> <li>• s. 91.1 defines "local government";</li> <li>• s. 91.11(1) spill contingency plan is created, reviewed, updated and published;</li> <li>• s. 91.11(2), 91.11(3)(a) &amp; (b) investigations, tests and surveys conducted before spill contingency plan is created [they must be retained with the plan they support – see section 8 of the <i>Spill Preparedness, Response and Recovery Regulation</i> below]</li> <li>• s. 91.11(3)(c) &amp; (d) employees are trained, and training exercises and drills are conducted;</li> <li>• s. 91.11(5) documents provided at the director's request;</li> <li>• s. 91.2 spill response including spill report and recovery plan;</li> <li>• s. 91.71 information must be provided at the director's request;</li> <li>• s. 124(1) time limit for prosecuting offence is (a) 3 years after the date that the facts on which the information is based arose, or (b) if the minister completes a certificate described in subsection (2), 18 months after the date that the facts on which the information is based first came to the knowledge of the minister.</li> </ul> <p><i>Spill Contingency Planning Regulation</i> (BC Reg 186/2017)</p> <ul style="list-style-type: none"> <li>• ss. 2-13 contents of plan;</li> <li>• s. 14 reviewing and updating plan;</li> <li>• ss. 15-16 testing of spill plan;</li> <li>• s. 17 plan must be made available to employees.</li> </ul> <p><i>Spill Preparedness, Response and Recovery Regulation</i> (BC Reg 185/2017)</p> <ul style="list-style-type: none"> <li>• s. 6 spill recovery plan;</li> <li>• s. 7 spill recovery report;</li> <li>• s. 8 investigations, tests and surveys must be retained with the spill contingency plan they support;</li> <li>• s. 9(1) A regulated person who has a spill contingency plan must maintain the following records: <ul style="list-style-type: none"> <li>(a) a record of changes to the plan that shows, for each change, the date the change was made and the reason for the change;</li> <li>(b) a record in relation to the spill response equipment listed in the plan that shows <ul style="list-style-type: none"> <li>(i) the dates on which each item on the list was inspected and whether the item was ready for use on each date, and</li> <li>(ii) the dates on which each item on the list was maintained or repaired;</li> </ul> </li> <li>(c) a record of the training referred to in section 13(1) [training] of the <i>Spill Contingency Planning Regulation</i> that includes the following for each course of training provided: <ul style="list-style-type: none"> <li>(i) the dates of the training;</li> </ul> </li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>(ii) a description of the training;</li> <li>(iii) the person who provided the training;</li> <li>(iv) the roles and procedures, as applicable, on which the training was provided;</li> <li>(v) the names and job titles of the individuals to whom the training was provided;</li> <li>(d) a record of the tests conducted by the regulated person for the purposes of section 15 [testing spill contingency plans] of the <i>Spill Contingency Planning Regulation</i> that shows the following for each test: <ul style="list-style-type: none"> <li>(i) the date of the test;</li> <li>(ii) a description of the test;</li> <li>(iii) whether the test is a discussion-based test, an operations-based test or a worst-case-scenario test;</li> <li>(iv) the components of the spill contingency plan tested;</li> <li>(v) the records generated by the individuals who participated in the test;</li> <li>(vi) an evaluation of the components tested that identifies any deficiencies in the components revealed by the test or changes to the components suggested by the test;</li> <li>(vii) if applicable, the changes made to the spill contingency plan in response to the test and the dates on which those changes were made.</li> </ul> </li> <li>• s. 9(2) The regulated person must keep each record referred to in subsection (1) for at least 5 years;</li> <li>• s. 10 If a regulated person enters into an arrangement with another person respecting the use of the other person's services to meet obligations of the regulated person under Division 2.1 [<i>Spill Preparedness, Response and Recovery</i>] of Part 7 of the Act in relation to spill contingency planning or spill response actions, the regulated person must keep any records relating to the arrangement for at least 5 years after that arrangement comes to an end;</li> <li>• s. 11 records must be provided to the minister upon request.</li> </ul> <p><i>Spill Reporting Regulation</i> (BC Reg 221/2017)</p> <ul style="list-style-type: none"> <li>• ss. 4-7 spill reports.</li> </ul>
BC033	GOV-06	<p><b>Financial Information Act</b> (RSBC 1996, c. 140, s. 2) a corporation must prepare statements of financial information as specified by the Act.</p> <p><i>Financial Information Regulation</i> (BC Reg. 371/93)</p> <ul style="list-style-type: none"> <li>• s. 5 fee for a copy of the financial information provided under s. 2(6) of the Act is \$5; Schedule 1 (Statements and Schedules of Financial Information):</li> <li>• s. 9(2) a Statement of Financial Information prepared by a municipality must be approved by its council and by the officer assigned responsibility for financial administration under the <i>Local Government Act</i>,</li> <li>• s. 9(3) a management report approved by the head and chief financial officer of the reporting organization or, in the case of a municipality, the officer assigned responsibility for financial administration under the <i>Community Charter</i>, must accompany the Statement of Financial Information;</li> <li>• s. 10(1) reasonable accommodation must be provided for any person who asks to examine the Statement of Financial Information;</li> <li>• s. 10(2) requires a local government to keep copies of the financial information available for examination or purchase for 3 years after the end of the year reported on;</li> <li>• s. 10(3) if a person so requests, a corporation may provide information contained in the Statement of Financial Information, severed from the Statement and furnished free of charge or subject to the duplication fees prescribed under the <i>Freedom of Information and Protection of Privacy Act</i> if those fees do not exceed the fee prescribed under s. 5 of this regulation.</li> </ul>

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BC034	FIN-03	<p><b>While there is no legislated requirement for a local government to maintain signing authorities for a prescribed period, various other statutes do, and it is considered a best practice. Example:</b></p> <p><b>Financial Institutions Act</b> (RSBC 1996, c. 141, s. 85(7)) requires credit unions to keep all related signature cards and signing authorities or microfilm copies of them for a prescribed period after which the credit union may destroy them.</p> <p><b>Inactive Deposit Regulation</b> (BC Reg. 322/90, s. 3) the prescribed record retention periods for keeping signature cards and signing authorities or microfilm copies of them if they relate to a debt treated as income under s. 85(2) of the Act, 6 years from the date the debt, including interest, became an inactive deposit; or if they relate to an amount paid to the administrator under s. 85(4) of the Act until the credit union concerned is notified that copies of the signature cards and signing authorities submitted by it under s. 2.1 of this regulation have been received by the administrator.</p>
BC035	FIR-01 HR-05 RSK-03	<p><b>Fire Services Act</b> (RSBC 1996, c. 144)</p> <ul style="list-style-type: none"> <li>• s. 6 defines “local assistants” to the fire commissioner as follows: <ul style="list-style-type: none"> <li>○ in a municipality that maintains a fire department, the fire chief and <b>persons authorized in writing by the fire chief</b> to exercise the powers of a local assistant;</li> <li>○ in a municipality that does not maintain a fire department, the mayor of the municipality or another person appointed as a local assistant by the fire commissioner;</li> <li>○ in any other part of British Columbia, a person appointed as a local assistant by the fire commissioner;</li> </ul> </li> <li>• s. 9 requires the local assistant (usually the municipal fire chief or delegate) to provide a <b>report</b> of investigation of fires to the fire commissioner;</li> <li>• s. 13 requires the fire chief or local assistant to make preliminary <b>report</b> of a suspicious fire to the fire commissioner.</li> </ul> <p><b>Fire Code Administration Regulation</b> (BC Reg. 161/2018, s. 2)</p> <ul style="list-style-type: none"> <li>• For the purpose of inspecting a building or facility for compliance with the British Columbia Fire Code, the fire commissioner or a local assistant may: <ul style="list-style-type: none"> <li>○ make examinations and conduct tests,</li> <li>○ require information relevant to the building or facility,</li> <li>○ require, for inspection or for the purposes of making copies or extracts, production of documents relevant to the building or facility, and</li> <li>○ make a record of a matter relevant to the inspection.</li> </ul> </li> </ul>
BC036	IMT-01 LAN-05	<p><b>Forest and Range Practices Act</b> (SBC 2002, c. 69)</p> <ul style="list-style-type: none"> <li>• s. 59(4)(2)(ii) permits an official to enter land or premises and copy or inspect records required to be kept under the <i>Forest and Range Practices Act</i> <i>Forest Act</i> or the <i>Range Act</i> or regulations;</li> <li>• s. 61 permits the Minister or official to require an agreement holder to produce records for inspection or copying.</li> </ul>
BC037	AM-02	<p><b>Permanently Retaining Asset History Files</b></p> <p><b>Forest and Range Practices Act</b> (SBC 2002, c. 69, ss. 75, 86) (Limitation)</p>
BC038	PRG-01 PIB	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165, s. 31) requires that an individual’s personal information must be retained for at least 1 year after being used to make a decision.</p>
BC039	PIB	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165, s. 69)</p> <ul style="list-style-type: none"> <li>• (6) The head of a public body that is not a ministry must make available for inspection and copying by the public a directory that lists the public body’s personal information banks and includes the following information with respect to each personal information bank: <ul style="list-style-type: none"> <li>(a) its title and location;</li> </ul> </li> </ul>

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		<p>(b) a description of the kind of personal information and the categories of individuals whose personal information is included;</p> <p>(c) the authority for collecting the personal information;</p> <p>(d) the purposes for which the personal information was obtained or compiled and the purposes for which it is used or disclosed;</p> <p>(e) the categories of persons who use the personal information or to whom it is disclosed;</p> <p>(f) information required under subsection (7).</p> <ul style="list-style-type: none"> <li>• (7) The minister responsible for this Act may require one or more public bodies, or classes of public bodies, that are not ministries of the government of British Columbia <ul style="list-style-type: none"> <li>(a) to provide additional information for the purposes of subsection (6), and</li> <li>(b) to comply with one or more of the subsections in this s. as if the public body were a ministry of the government of British Columbia.</li> </ul> </li> </ul>
BC040	COM-06	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165, s. 27(1)(c)) public body must collect personal information or cause personal information to be collected directly from the individual the information is about unless the information is collected for the purpose of determining suitability for an honour or award including an honorary degree, scholarship, prize or bursary.</p>
BC041	HR-07 LEG-03 RSK-04	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165, Schedule 1) “employee”, in relation to a public body, includes a volunteer and a service provider (i.e., a person retained under a contract to perform services).</p>
BC042	GOV-05 IMT-01	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165, s. 70) policy manuals of a public body must be made publicly available without formal request for access.</p>
BC043	IMT-01	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165)</p> <ul style="list-style-type: none"> <li>• s. 6(2) a public body must create a record for an applicant if: the record can be created from a machine-readable record in the custody or under the control of the public body using its normal computer hardware and software and technical expertise; and creating the record would not unreasonably interfere with the operations of the public body;</li> <li>• s. 10 public body may seek permission of the Information and Privacy Commissioner to extend the time for responding to an access request if the period is longer than 30 days and if the Commissioner otherwise considers that it is fair and reasonable to do so;</li> <li>• s. 29 requires a public body to correct personal information;</li> <li>• s. 30.2 requires a public body duty to report foreign demand for disclosure.</li> </ul> <p><i>Freedom of Information and Protection of Privacy Regulation</i> (BC Reg 155/2012)</p> <ul style="list-style-type: none"> <li>• s. 2 circumstances under which oral requests are permitted;</li> <li>• s. 7 public body may disclose information relating to the mental or physical health of an individual to a health professional for an opinion on whether disclosure of the information could reasonably be expected to result in grave and immediate harm to the individual's safety or mental or physical health;</li> <li>• s. 8 public body may, for audit purposes, disclose personal information under section 33.2 (f) of the Act to the ministry of the minister responsible for the administration of the <i>Financial Administration Act</i>.</li> </ul>
BC044	IMT-01 IMT-02 IMT-03	<p><b>Freedom of Information and Protection of Privacy Act</b> (RSBC 1996, c. 165)</p> <ul style="list-style-type: none"> <li>• s. 69(5 to 5.4) requires the head of a public body to conduct a <b>privacy impact assessment</b> regarding a proposed system, project, program or activity or a data-linking initiative;</li> <li>• s. 69(6) requires the head of a public body to make available for public inspection and copying a <b>directory</b> that lists the public body's personal information banks;</li> <li>• s. 71 the head of a public body may designate categories of records that are available to the public, on demand, without a formal request for access but must not establish a</li> </ul>

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		category of records unless the information may be disclosed under s. 33.1 or 33.2, or would not constitute, if disclosed, an unreasonable invasion of the personal privacy of the individual the information is about.
BC045	AM-02 IMT-03	<b>Nanaimo and South West Water Supply Act</b> (SBC 2004, c. 25) s. 3 All the assets of the Greater Nanaimo Water District are transferred to the City of Nanaimo.
BC046	AM-02	<b>Permanently Retaining Asset History Files</b> <b>Heritage Conservation Act</b> (RSBC 1996, c. 187, s. 36(6)) (Limitation)
BC047	FIN-02 IMT-01	<b>Home Owner Grant Act</b> (RSBC 1996, c. 194) <ul style="list-style-type: none"> <li>• s. 13 provides for inspection of municipal records during business hours;</li> <li>• s. 13.1 parameters for access to and disclosure of records.</li> </ul>
BC048	LAN-02	<b>Homeowner Protection Act</b> (SBC 1998, c. 31) <ul style="list-style-type: none"> <li>• s. 9(4) requires that a municipality or regional district must provide reports respecting building regulation compliance by persons required to be licenced under the Act;</li> <li>• s. 23(5) legal action must commence within 10 years after the date of first occupancy of the new home or, in respect of common property, common facilities and other assets of a strata corporation, the date the strata plan is deposited in a land title office in accordance with the Act<sup>(Limitation)</sup>;</li> <li>• s. 23(6) nothing in s. 23 subjects a municipality, regional district or treaty first nation to any greater liability than if this section were not in force;</li> <li>• s. 30(1) a municipality, regional district or treaty first nation must not issue a building permit for a proposed new home unless the applicant provides evidence, in the prescribed form respecting insurance coverage for the home;</li> <li>• s. 30(3) provides that the registrar may request a municipality, regional district or treaty first nation to forward to the registrar information provided by applicants for building permits under subsection (1).</li> </ul> <i>Notice to Mediate (Residential Construction) Regulation</i> (BC Reg. 152/99, s. 6) requires a municipality or regional district as a “government body” to participate in pre-mediation conference unless exempted under the regulation.
BC049	FIN-02	<b>Human Rights Code</b> (RSBC 1996, c. 210) <ul style="list-style-type: none"> <li>• s. 12(5) requires that, if an employee is paid less than the rate of pay to which the employee is entitled under this section, the employee is entitled to recover from the employer, by action, the difference between the amount paid and the amount to which the employee is entitled, together with the costs, but: <ul style="list-style-type: none"> <li>(a) the action must be commenced no later than 12 months from the termination of the employee's services, and</li> <li>(b) the action applies only to wages of an employee during the 12-month period immediately before the earlier of the date of the employee's termination or the commencement of the action<sup>(Limitation)</sup>;</li> </ul> </li> <li>• s. 22(1) requires that a complaint must be filed within 6 months of the alleged contravention of discrimination or other prohibited conduct under the Act<sup>(Limitation)</sup>;</li> <li>• s. 22(2) requires that, if a continuing contravention is alleged in a complaint, the complaint must be filed within 6 months of the last alleged instance of the contravention<sup>(Limitation)</sup>;</li> <li>• s. 22(3) provides that, if a complaint is filed after the expiration of the time limit referred to in subsection (1) or (2), a member or panel may accept all or part of the complaint if the member or panel determines that: (a) it is in the public interest to accept the complaint, and (b) no substantial prejudice will result to any person because of the delay<sup>(Limitation)</sup>;</li> <li>• s. 27(1)(g) provides that, a member or panel may, at any time after a complaint is filed and with or without a hearing, dismiss all or part of the complaint if that member or panel determines that the contravention alleged in the complaint or that part of the complaint occurred more than 6 months before the complaint was filed unless the complaint or that part of the complaint was accepted under s. 22(3)<sup>(Limitation)</sup>.</li> </ul>

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BC050	LEG-02 LEG-03 RSK-03	<b>Insurance (Vehicle) Act</b> (RSBC 1996, c. 231, s. 17) legal actions against the corporation regarding benefits, insurance money or indemnification payable under the plan must be commenced within 1 year after the happening of the loss or damage or after the cause of action arose, or as the regulations may provide in the case of any coverage, but not afterwards <sup>(Limitation)</sup> .
BC051	LEG-02 LEG-03	<b>Insurance Act</b> (SBC 2012, c. 1) <ul style="list-style-type: none"> <li>• s. 23(1) an action on a contract against an insurer must be commenced within 2 years <sup>(Limitation)</sup>;</li> <li>• s. 23(2) an action must not be brought for the recovery of money payable under a contract of insurance until the expiration of 60 days after proof, in accordance with the contract (a) of the loss, or (b) of the happening of the event on which the insurance money is to become payable, or of such shorter period as may be set by the contract of insurance <sup>(Limitation)</sup>.</li> </ul>
BC052	IMT-01	<b>Local Government Act</b> (RSBC 2015, c. 1, ss. 266, 267, 268) Public access to regional district records.
BC053	FIN-03 LEG-02 RSK-03 RSK-04	<b>Limitation Act</b> (SBC 2012, c. 13) <ul style="list-style-type: none"> <li>• s. 6(1) basic limitation period so that a court proceeding in respect of a claim must not be commenced more than 2 years after the day on which the claim is discovered <sup>(Limitation)</sup>;</li> <li>• s. 7 a court proceeding to enforce or sue on a judgment for the payment of money or the return of personal property must not be commenced more than 10 years after the day on which the judgment becomes enforceable <sup>(Limitation)</sup>;</li> <li>• s. 21 the ultimate limitation is 15 years after the day on which the act or omission on which the claim is based took place <sup>(Limitation)</sup>.</li> </ul>
BC054	CC-03	<b>Local Elections Campaign Financing Act</b> (SBC 2014, c. 18) <ul style="list-style-type: none"> <li>• Schedule defines the terms "designated local authority officer", "local authority", "local authority offices", and "local election officer";</li> <li>• s. 59 local authority responsibilities to provide for public access to disclosure information;</li> <li>• s. 59(5) permits the local authority to require an individual seeking access to agree, in writing, to comply with s. 63;</li> <li>• s. 61(2) requires that the designated local authority officer must prepare a report regarding a specified notice for noncompliance received from the BC chief electoral officer and that report must be presented at an open meeting of the local authority;</li> <li>• s. 63 imposes restrictions on use of personal information regarding disclosure, public inspection or other use of or access to Files containing personal information;</li> <li>• s. 76(c) empowers the BC chief electoral officer to require a local authority to provide to the BC chief electoral officer the originals or copies, as requested by the BC chief electoral officer, of records received or obtained by a local authority under this Act or other local elections legislation, or created by a local authority official in relation to this Act or other local elections legislation, including records that include personal information;</li> <li>• s. 92(1), (2), (4) and (5) requires the local election officer to provide to the BC chief electoral officer specified information regarding candidates and/or endorsement documents for an elector organization;</li> <li>• s. 92(3) requires the local election officer to ensure that any updated information received regarding any of the information or material to be provided to the BC chief electoral officer under this section is provided to the BC chief electoral officer as soon as practicable.</li> </ul> <p><i>Local Elections Campaign Financing Expense Limit Regulation</i> (BC Reg 309/2016) Information and records which must be disclosed.</p>

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BC055	GOV-06	<p><b>Local Government Act</b> (RSBC 2015, c. 1)  <i>Housing Needs Report Regulation</i> (BC Reg. 90/2019) Local governments are required to gather and report on various aspects of housing needs.</p>
BC056	CC-04	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 160(8) the following materials must be destroyed as soon as practicable following 56 days after the declaration of the official election results under s. 146: <ul style="list-style-type: none"> <li>○ the ballots used in the election;</li> <li>○ any stubs for ballots used in the election;</li> <li>○ any copies of the list of registered electors used for the purposes of voting proceedings;</li> <li>○ the voting books used in the election;</li> <li>○ any solemn declarations and any written statements or declarations in relation to voting proceedings, other than those used for the registration of electors;</li> </ul> </li> <li>• s. 160(9) as exceptions, subsection 160(6) does not apply: <ul style="list-style-type: none"> <li>(a) if otherwise ordered by a court, or</li> <li>(b) if the materials relate to an election that is the subject of an application under s. 153, until the final determination of that application or the court authorizes their destruction;</li> </ul> </li> <li>• s. 160(10) unless otherwise provided under this Act a person may not inspect a ballot.</li> </ul>
BC057	AM-02 LEG-02	<p><b>Local Government Act</b> (RSBC 2015, c. 1, s. 748) the corporate seal, tools, machinery, equipment and records, office furniture, fixtures and fittings of a municipality are exempt from forced seizure or sale by any process of law.</p>
BC058	GOV-01	<p><b>Local Government Act</b> (RSBC 2015, c. 1, s. 780) requires a local government to publish its letters patent.</p>
BC059	CC-02	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 223 requires minutes of board and board committee meetings to be kept;</li> <li>• s. 226 specific provisions of the <i>Community Charter</i> apply to regional districts;</li> <li>• s. 236 requires that an officer must be assigned the responsibility to ensure that accurate minutes of the meetings of the board and board committees are prepared; further this officer must ensure that the minutes, bylaws and other records of the business of the board and board committees are maintained and kept safe and that access is provided to records of the board and board committees, as required by law or authorized by the board;</li> <li>• s. 237 requires that an officer must be assigned the responsibility of financial administration, ensuring that that accurate records and full accounts of the financial affairs of the regional district are prepared, maintained and kept safe; (Note: The <i>Local Government Act</i> (RSBC 2015, c. 1, s. 234) requires that a regional district board pass a bylaw establishing officer positions regarding the powers set out in s. 236 and 237 of the <i>Local Government Act</i>).</li> <li>• s. 266 provides for public access to regional district records;</li> <li>• s. 268 s. 97 (<i>other records to which public access must be provided</i>) of the <i>Community Charter</i> applies to regional districts, but an obligation under this section to provide public access to a regional district record does not apply to records that must not be disclosed under the <i>Freedom of Information and Protection of Privacy Act</i>;</li> <li>• s. 461 if an advisory planning commission is established, minutes of all of its meetings must be kept and, on request, made available to the public.</li> </ul>
BC060	IMT-01	<p><b>Labour Relations Code</b> (RSBC 1996, c. 244)  <i>Labour Relations Regulation</i> (BC Reg. 7/93, s. 10) regarding votes directed by the Labour Relations Board (Board) or Minister, imposes duties on employers, employees and trade unions to cooperate with the returning officer and deputy returning officer appointed by the Board and to comply with any direction validly given by either of</p>

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		them, including a direction to the employer to supply information and records and to make available the use of facilities owned by the employer.
BC061	GOV-01 GOV-03 CC-02	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 446 requires that regional context statements be placed in municipal official community plans, if a regional growth strategy applies;</li> <li>• s. 448 requires a review of the regional context statement at least once every 5 years;</li> <li>• s. 465(5) requires a written report of each public hearing regarding an official community plan bylaw or a zoning bylaw, containing a summary of the nature of the representations respecting the bylaw that were made at the hearing, be prepared and maintained as a public record;</li> <li>• s. 466 requires the local government to give notice of a public hearing;</li> <li>• s. 467(3) requires, if a local government waives the holding of a public hearing under s. 464 (2) (<i>waiver for certain zoning bylaws</i>), the local government to give notice and publication as specified.</li> </ul>
BC062	CC-02 LAN-01	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 536 a local government that has adopted a zoning bylaw must, by bylaw, establish a board of variance;</li> <li>• s. 539(4) a board of variance must maintain a record of all its decisions and must ensure that the record is available for public inspection during regular office hours.</li> </ul>
BC063	AM-02 GOV-01 GOV-03 LAN-01 LAN-02 LAN-06	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 598 a local government may establish a <b>community heritage register</b>;</li> <li>• s. 600 a local government may order a heritage inspection;</li> <li>• s. 602 a local government may undertake studies at the expense of the local government;</li> <li>• s. 606 a local government may order that real property is subject to temporary protection;</li> <li>• s. 608 for the purposes of heritage conservation planning for an area identified in the bylaw, permits the local government, by <b>bylaw</b>, to declare a heritage control period with respect to the area;</li> <li>• s. 610 a local government may, by <b>bylaw</b>, enter into a heritage revitalization agreement under this section with the owner of heritage property;</li> <li>• s. 611 a local government may, by <b>bylaw</b>, on terms and conditions it considers appropriate, designate real property in whole or in part as protected;</li> <li>• s. 612 heritage designation procedure to be followed, including notice and a report required to be prepared by the local government regarding the heritage property;</li> <li>• s. 614 and 615 procedures to be followed for how an <b>official community plan</b> may designate an area as a heritage conservation area;</li> <li>• s. 617 a local government, or its delegate, may issue a <b>heritage alteration permit</b> authorizing alterations or other specified actions.</li> </ul>
BC064	LEG-02 RSK-03 RSK-04	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <ul style="list-style-type: none"> <li>• s. 735 the limitation period for actions against a municipality is 6 months <sup>(Limitation)</sup>;</li> <li>• s. 736 a municipality has immunity unless notice given to the municipality 2 months after damage <sup>(Limitation)</sup>.</li> </ul>
BC065	CC-03 CC-05	<p><b>Local Government Act</b> (RSBC 2015, c. 1)</p> <p><u>Electors</u></p> <ul style="list-style-type: none"> <li>• s. 75(2) designated local government officer is responsible for maintaining the register of electors;</li> <li>• s. 77(3) From the 46th day before general voting day until the close of general voting, a copy of the list of registered electors as it stands at the beginning of that period must be</li> </ul>

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		<p>available for public inspection at the local government offices during its regular office hours;</p> <ul style="list-style-type: none"> <li>• s. 77(4) before inspecting the list of registered electors, a person other than a local government officer or employee acting in the course of duties must sign a statement that the person will not inspect the list or use the information included in the list except for the purposes of this Part;</li> <li>• s. 77(5) designated local government officer must ensure that the statements referred to in subsection 77(4) are kept until after general voting day for the next general local election;</li> <li>• s. 77(6) at least 6 but not more than 30 days before the first day on which the list of registered electors is required to be available under subsection 77(3), notice must be given in accordance with s. 50 (<i>newspaper publication</i>) that: <ul style="list-style-type: none"> <li>(a) a copy of the list of registered electors will be available for public inspection at the local government offices during its regular office hours from the date specified in the notice until the close of general voting for the election;</li> <li>(b) an elector may request that personal information respecting the elector be omitted from or obscured on the list in accordance with s. 78 (<i>protection of privacy</i>); and</li> <li>(c) an objection to the registration of a person as an elector may be made in accordance with s. 79 (<i>objection to elector registration</i>) before 4 p.m. on the 36th day before general voting day;</li> </ul> </li> <li>• s. 77(10) person entitled to inspect a copy of the list of registered electors under subsection 77(3) is not entitled to obtain a copy of the list;</li> <li>• s. 78 chief election office to protect elector privacy on request by an elector to protect the privacy or security of the elector, by amending a list of registered electors that is to be available for public inspection, or that is to be provided under s. 77(8) (<i>list provided to candidates</i>), by omitting or obscuring the address of the elector or other information about the elector;</li> </ul> <p><u>Nomination Documents</u></p> <ul style="list-style-type: none"> <li>• s. 87 requires a nomination for local government office to be in writing;</li> </ul> <p><u>Nomination by Delivery of Nomination Documents</u></p> <ul style="list-style-type: none"> <li>• s. 89(4) permits delivery of nomination documents as specified;</li> <li>• s. 89(5) deems the nomination withdrawn if originals of nomination documents are not received by the chief election officer as specified;</li> <li>• s. 89 (6) requires the chief election officer, after receiving nomination documents, to review the list under s. 60 (Elections BC to maintain disqualification lists) of the <i>Local Elections Campaign Financing Act</i> to determine whether an application must be made under s. 91(5) (<i>challenge required if candidate appears to be disqualified</i>) of this Act;</li> <li>• s. 89(7) nomination documents delivered to the chief election officer: <ul style="list-style-type: none"> <li>(a) must be available for public inspection in the local government offices during its regular office hours from the time of delivery until 30 days after the declaration of the election results under s. 146; and</li> <li>(b) if a bylaw under subsection 89(8) applies, must be made available to the public in accordance with the bylaw;</li> </ul> </li> <li>• s. 89(8) a local government may, by bylaw, provide for public access to nomination documents, during all or part of the period referred to in subsection 89(7)(a), in any manner the local government considers appropriate, including by the Internet or other electronic means;</li> <li>• s. 89(9) a person who inspects or otherwise accesses nomination documents under this section must not use the information included in them except for the purposes of this Act or purposes authorized by s. 63 (<i>restrictions on use of personal information</i>) of the <i>Local Elections Campaign Financing Act</i>;</li> </ul> <p><u>Voting</u></p>

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		<ul style="list-style-type: none"> <li>• s. 126(5) presiding election official must keep a record if there is a challenge of an elector indicating: that the person was challenged, the name of the person who made the challenge, and how the person challenged satisfied the requirement of subsection 116(3);</li> <li>• s. 127(3) presiding election official must keep a record if another person has already voted under an elector's name indicating: <ul style="list-style-type: none"> <li>(a) that a second ballot was issued in the name of the elector; and</li> <li>(b) any challenge under s. 126 of the person who obtained the second ballot;</li> </ul> </li> </ul> <p><u>Counting of the Vote</u></p> <ul style="list-style-type: none"> <li>• s. 138(4) vote counting must proceed as continuously as is practicable and the votes must be recorded;</li> <li>• s. 141 requires ballot accounts to be prepared and 141(3) a copy of the ballot account must be prepared and signed by the presiding election official and included with the election materials under s. 143;</li> <li>• s. 142 requires packaging of ballots;</li> <li>• s. 143 requires delivery of election materials as specified to chief election officer;</li> </ul> <p><u>Report of Election Results</u></p> <ul style="list-style-type: none"> <li>• s. 158 requires the chief election officer, within 30 days after the declaration of official election results, to submit a report of the election results to the local government;</li> </ul> <p><u>Publication of Election Results</u></p> <ul style="list-style-type: none"> <li>• s. 159 requires the designated local government officer, within 30 days after elected candidates have taken office, to submit the names of the elected officials to the Gazette for publication and then within 30 days after persons appointed to local government have taken office, the designated local government officer must submit the names of the appointed officials to the Gazette for publication;</li> </ul> <p><u>Retention and Destruction of Election Materials (see also LC 17)</u></p> <ul style="list-style-type: none"> <li>• s. 160(1) until the end of the period for conducting a judicial recount, the chief election officer: <ul style="list-style-type: none"> <li>(a) must keep the sealed ballot packages delivered under s. 143 in the officer's custody,</li> <li>(b) is responsible for retaining the nomination documents and endorsement documents for the election, other than the written disclosure under the <i>Financial Disclosure Act</i> and</li> <li>(c) is responsible for retaining the remainder of the election materials delivered under s. 143;</li> </ul> </li> <li>• s. 160(2) after the end of the period for conducting a judicial recount, the designated local government officer is responsible for retaining the materials referred to in subsection 160(1);</li> <li>• s. 160(3) from the time of the declaration of the official election results under s. 146 until 30 days after that date, the following election materials must be available for public inspection at the local government offices during regular office hours: <ul style="list-style-type: none"> <li>○ the voting books used for the election;</li> <li>○ any copies of the list of registered electors used for the purposes of voting proceedings;</li> <li>○ any records required by or under this Part to be made during voting proceedings;</li> <li>○ any solemn declarations taken and any signed written statements or declarations required by or under this Part in relation to voting proceedings;</li> </ul> </li> <li>• s. 160(4) before inspecting materials referred to in subsection 160(3), a person other than a local government officer or employee acting in the course of duties must sign a statement that the person will not inspect the materials except for the purposes of this Act;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 160(5) the designated local government officer must ensure that the statements referred to in subsection 160(4) are kept until after general voting day for the next general local election;</li> <li>• s. 160(10) unless otherwise provided under this Act a person may not inspect a ballot.</li> </ul>
BC066	BYL-03 LEG-02	<p><b>Local Government Bylaw Notice Enforcement Act</b> (SBC 2003, c. 60)</p> <ul style="list-style-type: none"> <li>• s. 5 provides that a bylaw notice may not be issued more than 6 months after the contravention in respect of which it is issued is alleged to have occurred <sup>(Limitation)</sup>;</li> <li>• s. 6 permits local governments designated by regulation to create bylaw courts to adjudicate minor matters, like traffic tickets, with a fine value of under \$500;</li> <li>• s. 26(2) provides that amounts owing may be enforced as a Provincial Court judgment within 2 years before the date on which the local government filed a certificate with the court <sup>(Limitation)</sup>.</li> </ul> <p><i>Bylaw Notice Enforcement Regulation</i> (BC Reg. 175/2004) lists the local governments permitted to use bylaw notices. Section 15 requires that the local government must create and maintain a hearing record.</p>
BC067	AM-04 AM-05	<p><b>Motor Vehicle Act</b> (RSBC 1996, c. 318)</p> <p><i>Motor Vehicle Act Regulations</i> (BC Reg. 26/58, s. 25.18) subject to limitations specified in s. 25.18(2), the owner of every vehicle must, during the last 3 years of ownership and for a period of 6 months following disposal of it, maintain in safe keeping a record of:</p> <ul style="list-style-type: none"> <li>(a) each inspection made of the vehicle and of every component of it to which the standards apply, and</li> <li>(b) every replacement and repair made to the vehicle and to each such component following each inspection.</li> </ul>
BC068	LEG-04	<p><b>Motor Vehicle Act</b> (RSBC 1996, c. 318)</p> <p><i>Motor Vehicle Act Regulations</i> (BC Reg. 26/58)</p> <ul style="list-style-type: none"> <li>• s. 38.02 permits a municipality to issue disabled parking permit;</li> <li>• s. 38.05 permits a municipality to cancel disabled parking permit with cause as specified.</li> </ul>
BC069	AM-02	<p><b>Permanently Retaining Asset History Files</b></p> <p><b>Oil and Gas Activities Act</b> (SBC 2008, c. 36, ss. 68, 85) <sup>(Limitation)</sup></p>
BC070	RSK-03	<p><b>Ombudsperson Act</b> (RSBC 1996, c. 340)</p> <ul style="list-style-type: none"> <li>• s. 13(1) gives the Ombudsperson discretion to refuse to investigate or cease investigating a complaint if, in the opinion of the Ombudsperson, the complainant or person aggrieved knew or ought to have known of the decision, recommendation, act or omission to which the complaint refers more than one year before the complaint was received by the Ombudsperson <sup>(Limitation)</sup>;</li> <li>• s. 14(1) requires the Ombudsperson to notify an authority in the event of investigation of that authority;</li> <li>• s. 14(3) requires that, if before making a decision respecting a matter being investigated, the Ombudsperson receives a request for consultation from the authority, the Ombudsperson must consult with the authority;</li> <li>• s. 15(3) if the authority requests the return of a document or thing obtained by the Ombudsperson, the Ombudsperson must return it to the authority within 48 hours after receiving the request, but the Ombudsperson may again require its production in accordance with this section;</li> <li>• s. 35 defines authorities, including municipalities and regional districts.</li> </ul>

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BC071	PIB	<p><b>Records related to an individual's personal information must not be kept permanently<sup>1</sup>.</b></p> <p><b>Personal Information Protection Act</b> (SBC 2003, c.63, s. 35(2)) Organization must destroy documents containing personal information, or remove the means by which the personal information can be associated with particular individuals, as soon as it is reasonable to assume that (a) the purpose for which that personal information was collected is no longer being served by retention of the personal information, and (b) retention is no longer necessary for legal or business purposes.</p>
BC072	FIN-02	<p><b>Provincial Sales Tax Act</b> (SBC 2012, c. 35)</p> <ul style="list-style-type: none"> <li>• s. 224(2) collection proceeding may be commenced at any time within 7 years after the date of the notice of assessment for the amount claimed in the collection proceeding (Limitation);</li> <li>• s. 224(3) despite subsection (2), a collection proceeding that relates to a contravention of the Act or the regulations and that involves willful default or fraud may be commenced at any time (Limitation);</li> <li>• s. 230(3) sets out offences regarding records, including destroying, altering, omitting, fraudulently creating or disposing of records;</li> <li>• s. 234 no prosecution for an offence under this Act or the regulations may be instituted more than 6 years after the day the alleged offence was committed (Limitation).</li> </ul> <p><b>Provincial Sales Tax Regulation</b> (BC Reg. 96/2013)</p> <ul style="list-style-type: none"> <li>• s. 93(1) a person required to keep records under the Act must retain the records for a period of 5 years from the date the record is created;</li> <li>• s. 93(2) person required to retain records may apply to Director to destroy records before 5-year retention period expires;</li> <li>• s. 93(3) requires that records that might be necessary for appeals under s. 211 (appeal to minister) or 212 (appeal to court) of the Act are required to be retained after the retention period and until the appeals have been exhausted.</li> </ul>
BC073	<p>AM-05</p> <p>GOV-04</p> <p>RSK-04</p>	<p><b>Public Health Act</b> (SBC 2008, c. 28)</p> <p><b>Pool Regulation</b> (BC Reg. 296/2010)</p> <ul style="list-style-type: none"> <li>• s. 10(4) a health officer may require an operator to test for chemical, physical or biological characteristics of water in a pool;</li> <li>• s. 13 requires an operator to prepare a written pool safety plan, as specified, and review and update the pool safety plan at least once each year;</li> <li>• s. 19(1) requires that an operator must ensure that, for each pool operated by the operator, a daily record is kept of the following: <ul style="list-style-type: none"> <li>○ all injuries sustained at or within the pool;</li> <li>○ all occurrences of contamination by feces or vomit at or within the pool;</li> <li>○ the amount and types of chemicals added to the pool water;</li> <li>○ the results of all tests performed as required under s. 10 (2) and (4) (pool water);</li> </ul> </li> <li>• s. 19(2) requires that the operator must ensure that the records required under subsection (1) are available for inspection by a health officer on request.</li> </ul>

<sup>1</sup> While there is no legislation that specifically prohibits public bodies from permanently retaining personal information, the Personal Information Protection Act (SBC 2003, c.63, s. 35(2)) does prohibit private companies from permanent retention of personal information, so it should be considered a best practice. In addition, the guidelines from the Office of Information and Privacy Commissioner imply that public bodies should not permanently retain personal information without serious consideration of the archival value of the information.

"There is no retention limit specified in FIPPA, but in order to minimize unauthorized collection, use and disclosure of personal information, a public body should not retain personal information that is no longer required for operational, legal or archival reasons." (*Accountable Privacy Management in BC's Public Sector*, Office of the Information and Privacy Commissioner for British Columbia, [www.oipc.bc.ca](http://www.oipc.bc.ca), downloaded May 28, 2016.)

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BC074	GOV-04	<b>Public Health Act</b> (SBC 2008, c. 28, s. 3) if the Minister orders, requires a municipality or any other public body, in order to promote and protect health and well-being, to make, in respect of a specific issue or geographic area, a public health plan.
BC075	RSK-04	<p><b>Representative for Children and Youth Act</b> (SBC 2006, c. 29)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “public body” as having the same meaning as in the <i>Freedom of Information and Protection of Privacy Act</i>;</li> <li>• s. 10 gives the representative right to any information in the custody or control of a public body that is necessary to enable the representative to exercise his or her powers or perform his or her functions or duties under the Act unless there is a claim based on solicitor-client privilege;</li> <li>• s. 11(1) gives the representative the right to review critical deaths or injuries of children arising out of a reviewable service provided by a public body and requires the public body to provide information about those deaths or injuries to the representative;</li> <li>• s. 11(2) permits the public body to compile information about those deaths or injuries and provide that information to the representative;</li> <li>• s. 12 gives the representative the right to investigate critical deaths or injuries of children arising out of a reviewable service provided by a public body;</li> <li>• s. 14 the representative may compel persons to answer questions and order disclosure, including producing records or things in the person's possession or control;</li> <li>• s. 14.1 the representative may sue a person who does not cooperate as required by s. 14 for contempt in Supreme Court, including failure of a person to produce records or things in the person's possession or control.</li> </ul>
BC076	CC-03 CC-05	<p><b>School Act</b> (RSBC 1996, s. 412)</p> <ul style="list-style-type: none"> <li>• s. 37 municipality is responsible for school board elections;</li> <li>• s. 43 list of registered electors;</li> <li>• s. 46 election conducted by municipality uses Part 3 (ss. 47-168) of the <i>Local Government Act</i> with various terms replaced.</li> </ul>
BC077	FIN-02 IMT-01	<b>Ticket Sales Act</b> (SBC 2019, c. 13, s. 14) allows inspections of ticket sale records.
BC078	FIN-05 FIN-06 FIN-07 LEG-02	<p><b>Unclaimed Property Act</b> (SBC 1999, c. 48)</p> <ul style="list-style-type: none"> <li>• s. 1 defines “property” broadly and includes employee benefits;</li> <li>• s. 1 defines local government as a “public body” as defined by the <i>Freedom of Information and Protection of Privacy Act</i>;</li> <li>• s. 6(3) requires a “public body” to retain records of unclaimed property;</li> <li>• s. 9 requires holders of property to make reasonable efforts to locate and notify owners within 6 months after the applicable dates as prescribed;</li> <li>• s. 10 property becomes unclaimed within 12 months after the applicable dates referred to in s. 9(1)(b);</li> <li>• s. 16.1 rights and duties under the Act as specified are unaffected by limitation periods (Limitation).</li> </ul> <p><i>Unclaimed Property Regulation</i> (BC Reg. 463/99, s. 5 &amp; 5.1) specifies retention periods for property claimant files:</p> <ul style="list-style-type: none"> <li>• 6 years, if the amount of the deposit is under \$1,000 (Limitation);</li> <li>• 10 years, if the amount of the deposit is at least \$1,000 but is under \$25,000 (Limitation);</li> <li>• 30 years, if the amount of the deposit is \$25,000 or more (Limitation).</li> </ul>
BC079	LEG-03	<p><b>Vital Statistics Act</b> (RSBC 1996, c. 479)</p> <ul style="list-style-type: none"> <li>• s. 22 the vital statistics registrar must prepare a disposition permit and issue it to the funeral director and no one must bury or otherwise dispose of a dead body without this permit;</li> </ul>

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		<ul style="list-style-type: none"> <li>s. 23 an operator of a cemetery, mausoleum or crematorium must not permit the interment or cremation of a dead body unless the operator holds the appropriate copy of the disposition permit or other document described under s. 22.</li> </ul>
BC080	AM-02 AM-03 AM-05 GOV-04 GOV-05 GOV-06	<p><b>Water Sustainability Act</b> (SBC 2014, c. 15, ss. 116, 117) provides instruction for records and reporting and the delivery and publication of documents and information.</p> <p><i>Dam Safety Regulation</i> (BC Reg. 44/2000)</p> <ul style="list-style-type: none"> <li>s. 8 requires an operation, <b>maintenance and surveillance manual</b>;</li> <li>s. 9 requires an emergency <b>plan</b>;</li> <li>s. 10 requires an owner to maintain <b>emergency contact records</b>;</li> <li>s. 20 requires a dam safety <b>review and report</b>;</li> <li>s. 21 specifies information and records to be maintained by a dam owner;</li> <li>s. 25 requires an owner to submit records to the dam safety officer in the manner specified by the dam safety officer; and</li> <li>s. 26 requires records to be kept for 10 years after the date on which written notice is given to a dam safety officer, by a person who is an owner of the dam when the dam is decommissioned, stating that the decommissioning of the dam is complete and the dam has been completely removed.</li> </ul>
BC081	AM-02 AM-03 AM-05 IMT-01	<p><b>Water Sustainability Act</b> (SBC 2014, c. 15)</p> <ul style="list-style-type: none"> <li>s. 38(4) A water bailiff who takes action or measurements under subsection (2) or (3) must keep records of anything the water bailiff does under this section, including, without limitation, actions and measurements taken, work performed, hours of work and expenses incurred, and provide the records to the engineer.</li> <li>s. 64 defines “local authority”, including municipalities and regional districts;</li> <li>s. 93(5) an officer may <b>inspect records</b> related to <b>works</b> or the <b>construction, deactivation or decommissioning</b> of works;</li> <li>s. 95(2)(b) during an inquiry, records must be produced if ordered;</li> <li>s. 106(5) it is an offence to fail to keep, produce or provide information or records as required;</li> <li>s. 116, 117 provide instruction for records and reporting and the delivery and publication of documents and information;</li> <li>s. 131 The Lieutenant Governor in Council may make regulations requiring testing and reporting;</li> <li>s. 132 The Lieutenant Governor in Council may make regulations requiring water sustainability plans.</li> </ul>
BC082	AM-03	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <p><i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 22.7(5)) the employer must retain Underground Records for 5 years after completion of underground working project and have these records available for inspection.</p>
BC083	AM-05	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <p><i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 12.182) requires records of inspection to be kept for each roll-on/roll-off container used with hoist vehicle regarding wastes and recyclable materials.</p>
BC084	AM-05 ET-01 HR-05 HR-05	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <p><i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 7.9) employer must keep records of:</p> <ul style="list-style-type: none"> <li>the annual <b>hearing test results for each worker</b>, which must: be kept as long as the worker is employed by the employer and be kept confidential and not released to anyone without the written permission of the worker, or as otherwise required by law;</li> <li><b>the education and training provided to workers</b>; and</li> </ul>

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		<ul style="list-style-type: none"> <li>the results of noise exposure measurements taken under section 7.3 (noise measurement required).</li> </ul>
BC085	AM-03 COM-02 ET-01 GOV-05 HR-05	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 6.32(2)) records of corrective actions to control fibre release, training and instruction of workers, written work procedures and written notification of the Board must be retained by the employer for at least 3 years.
BC086	AM-05	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97) <ul style="list-style-type: none"> <li>s. 4.43.1(6) storage rack rated capacity is clearly posted and readily visible;</li> <li>s. 4.43.1(8) inspection records must be made.</li> </ul>
BC087	GOV-05	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Prevention Manual (WorkSafe BC, s. D3-115-02)</i> To address workplace bullying and harassment, the employer must <ul style="list-style-type: none"> <li>develop a policy statement;</li> <li>take reasonable steps to prevent where possible, or otherwise minimize it;</li> <li>implement procedures for reporting incidents or complaints;</li> <li>implement procedures for investigating incidents or complaints;</li> <li>annually review the above.</li> </ul>
BC088	GOV-05	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97) <ul style="list-style-type: none"> <li>s. 5.100 the employer must have written evacuation procedures appropriate to the risk posed by hazardous substances from accidental release, fire or other such emergency;</li> <li>s. 5.101 if workers are required to control a release of a hazardous substance, to perform cleanup of a spill, or to carry out testing before re-entry, the employer must provide: adequate written safe work procedures, appropriate personal protective equipment which is readily available to workers and is adequately maintained and material or equipment necessary for the control and disposal of the hazardous substance.</li> </ul>
BC089	PRG-02	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97) <ul style="list-style-type: none"> <li>s. 3.1 require an occupational health and safety program as outlined in s. 3.3 by each employer that has a workforce of 20 or more workers (as specified) or by each employer that has a workforce of 50 or more workers;</li> <li>s. 3.3 requires occupational health and safety program to be maintained and meetings records kept.</li> </ul>
BC090	AM-05	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 6.32(1)) records of asbestos-containing materials inventories and risk assessments, inspections and air monitoring results must be retained for at least 10 years.
BC091	HR-06 RSK-03	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Prevention Manual (WorkSafe BC, s. D3-115-02)</i> The employer must investigate and report findings of incidents or complaints of workplace bullying and harassment.
BC092	IMT-01 RSK-03 RSK-04	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 3.19) requires first aid records 1) be kept confidential; 2) be inspected by the Board; 3) access given to workers about their own first aid records; and 4) must be kept for at least 3 years.
BC093	AM-05 ET-01 ET-02 GOV-04	<b>Workers Compensation Act</b> (RSBC 1996, c. 492) <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97) <ul style="list-style-type: none"> <li>s. 5.2 requires an employer, if a worker is exposed to a hazardous substance, to ensure that:</li> </ul>

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	<p>GOV-05 RSK-03</p>	<p>(a) the identity of the chemical agent or biological agent, possible effects on worker health and safety and any precautions required to protect the health and safety of the worker are clearly indicated by labels, SDSs, or other similar means,</p> <p>(b) the information required by paragraph (a) is clearly communicated to the worker</p> <p>(c) written procedures are prepared and implemented to eliminate or minimize a risk of exposure to a chemical agent or biological agent by any route that could cause an adverse health effect, and to address emergency and cleanup procedures in the event of a spill or release of a chemical agent or biological agent, and</p> <p>(d) the supervisor and the worker are trained in and follow the measures required in this Part and Part 6 of this Regulation for the safe handling, use, storage and disposal of the chemical agent or biological agent, including emergency and spill cleanup procedures.</p> <ul style="list-style-type: none"> <li>• s. 5.59(3) records confirming an investigation that an exposure to a hazardous substance may have occurred must be made available to workers, and maintained by the employer for a minimum of 10 years;</li> <li>• s. 6.34 if a worker has or may have occupational exposure, an employer must develop and implement an exposure control plan, based on the precautionary principle, that meets the requirements of section 5.54 and that includes the following: <ul style="list-style-type: none"> <li>(a) a risk assessment conducted by a qualified person to determine if there is a potential for occupational exposure by any route of transmission;</li> <li>(b) a list of all work activities for which there is a potential for occupational exposure;</li> <li>(c) engineering controls and administrative controls to eliminate or minimize the potential for occupational exposure;</li> <li>(d) standard or routine infection control precautions and transmission-based precautions for all work activities that have been identified as having a potential for occupational exposure, including <ul style="list-style-type: none"> <li>(i) housekeeping practices designed to keep the workplace clean and free from spills, splashes or other accidental contamination,</li> <li>(ii) work procedures to ensure that contaminated laundry is isolated, bagged and handled as little as possible, and</li> <li>(iii) work procedures to ensure that laboratory or other samples containing a biological agent designated as a hazardous substance in s. 5.1.1 are handled in accordance with the Laboratory Biosafety Guidelines 3rd edition, 2004, issued by the Public Health Agency of Canada;</li> </ul> </li> <li>(e) a description of personal protective equipment designed to eliminate or minimize occupational exposure;</li> <li>(f) a program to inform workers about the contents of the exposure control plan and to provide them with adequate education, training and supervision to work safely with, and in proximity to, a biological agent designated as a hazardous substance in s. 5.1.1;</li> <li>(g) a record of all training and education provided to workers in the program described in paragraph (f);</li> <li>(h) a record of all workers who have been exposed, while performing work activities, to a biological agent designated as a hazardous substance in s. 5.1.1.</li> </ul> </li> </ul>
BC094	ET-01 ET-02	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <p><i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97)</p> <ul style="list-style-type: none"> <li>• s. 3.25 records of all orientation and training provided under s. 3.23 and 3.24 must be retained for young and new workers;</li> <li>• s. 4.21 a worker required to work in isolation or alone and any person assigned to check on the worker must be trained in the written procedure for checking the worker's well-being;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 4.22 worker described in s. 4.21(1) and any person assigned to check on the worker must be trained in the written procedure for checking the worker’s well-being;</li> <li>• s. 4.30 employers must train employees regarding the risk of violence in their workplace;</li> <li>• s. 4.51(1) employers must ensure that a worker who may be exposed to a risk of MSI is educated in risk identification related to the work, including the recognition of early signs and symptoms of MSIs (musculoskeletal injuries) and their potential health effects;</li> <li>• s. 5.2(d) the supervisor and the worker must be trained in and follow the measures required in this Part and Part 6 of this Regulation for the safe handling, use, storage and disposal of the chemical agent or biological agent, including emergency and spill cleanup procedures;</li> <li>• s. 5.94 employer must ensure that workers who are required to use emergency eyewash and shower facilities are adequately trained in their location and proper use;</li> <li>• s. 5.102 the employer must provide training in the appropriate emergency procedures to all workers who may be affected and conduct drills;</li> <li>• s. 6.34 requires an employer, if a worker has or may have occupational exposure, to develop and implement an exposure control plan, based on the precautionary principle, that meets the requirements of s. 5.54 and that includes the following: <ul style="list-style-type: none"> <li>(b) a list of all work activities for which there is a potential for occupational exposure;</li> <li>(f) a program to inform workers about the contents of the exposure control plan and to provide them with adequate education, training and supervision to work safely with, and in proximity to, a biological agent designated as a hazardous substance in s. 5.1.1;</li> <li>(g) a record of all training and education provided to workers in the program described in paragraph (f);</li> <li>(h) a record of all workers who have been exposed, while performing work activities, to a biological agent designated as a hazardous substance in section 5.1.1.</li> </ul> </li> <li>• s. 29.3 the employer must provide training regarding hazards from aircraft operations;</li> <li>• s. 30.17(5) the employer must provide training regarding laboratory hazards.</li> </ul>
BC095	AM-05	<p><b>Emergency Drills</b>  <i>Workers Compensation Act</i> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 4.14(3)) requires that once each year emergency drills must be held to ensure awareness and effectiveness of emergency exit routes and procedures, and a record of the drills must be kept.</p> <p><b>Firefighting Equipment</b>  <i>Workers Compensation Act</i> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 31.9) requires that the employer must keep the test and inspection records required by Part 31 (Fire fighting) available at the workplace for inspection by an officer or the joint committee or worker health and safety representative, as applicable.</p> <p><b>Hazardous Material and Pesticides</b>  <i>Workers Compensation Act</i> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97)</p> <ul style="list-style-type: none"> <li>• s. 1.1 defines “safety data sheet” or “SDS” to mean a document that contains, under the headings that, by virtue of the regulations made under section 15 (1) of the <i>Hazardous Products Act</i> (Canada), are required to appear in the document, information about a hazardous product, including information related to the hazards associated with any use, handling or storage of the hazardous product in the workplace;</li> </ul>

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		<ul style="list-style-type: none"> <li>• s. 6.75 employers must make readily available to workers an SDS or its written equivalent for all pesticides used at the workplace;</li> <li>• s. 6.94 employers must maintain a record of pesticide applications;</li> <li>• s. 6.108 requires that employers must keep records and SDSs on all previously used antistain materials if a change of chemical has occurred and the equipment or work areas have not been adequately decontaminated, and this information must be readily available to workers.</li> </ul> <p><b>Inspection Reports under the <i>Workers Compensation Act</i></b>  <b><i>Workers Compensation Act</i></b> (RSBC 1996, c. 492, s. 183) requires an employer to post inspection reports made by an officer under the Act at the workplace and give a copy of this report to the joint committee or worker health and safety representative, as applicable.</p> <p><b>Machines or Equipment under the <i>Occupational Health and Safety Regulation</i></b>  <b><i>Workers Compensation Act</i></b> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97)</p> <ul style="list-style-type: none"> <li>• s. 4.9(1) requires, for machines or equipment that are required by this Regulation, to have a permanent recording system for inspection and maintenance records as specified, these records are to be retained for the duration of the service life of the machine or equipment and must be reasonably available to the workplace and made available, upon request, to the operator and to anyone else involved in the operation, inspection, testing or maintenance of the equipment.</li> <li>• s. 16.3(3) requires maintenance records for mobile equipment to be available;</li> <li>• s. 16.3(8) requires that a record of inspections and maintenance meeting the requirements of s. 4.9 must be kept by the operator of a variable reach rough terrain forklift truck, as defined in section 2 of the standard adopted by reference under s. 16.7(e), and any other persons inspecting and maintaining that truck.</li> </ul> <p><b>Radiation Surveys</b>  <b><i>Workers Compensation Act</i></b> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 7.25) the employer must maintain and make available to the Board, for at least 10 years, records of radiation surveys, and for the period that the worker is employed plus 10 years, records of exposure monitoring and personal dosimetry data; and make the records available to workers.</p>
BC096	HR-05	<p><b>Firefighters</b>  <b><i>Workers Compensation Act</i></b> (RSBC 1996, c. 492)</p> <ul style="list-style-type: none"> <li>• s. 6.1(1) &amp; (6) defines “firefighter”;</li> <li>• s. 6.1(1.1), (2), (7) &amp; (8) provides that specified cancers, diseases and heart injury must be presumed to be due to the nature of the worker's employment as a firefighter, unless the contrary is proved.</li> </ul> <p><i>Firefighters' Occupational Disease Regulation</i> (BC Reg. 125/2009)<sup>2</sup></p> <ul style="list-style-type: none"> <li>• s. 2 sets out the list of 10 occupational diseases;</li> <li>• s. 3 sets out the minimum cumulative periods for a firefighter to have worked in order to benefit under the Act for the specified occupational disease, these periods ranging from 5 to 25 years;</li> <li>• s. 4 sets out the minimum non-smoking periods prescribed for previous smokers regarding the presumption for primary site lung cancer, these periods ranging from 6 to 28 years.</li> </ul>

<sup>2</sup> **Note: Regulation time periods relate to time served as a firefighter and do not affect the Retain retention period.**

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		<p><b>Pesticides</b>  <b>Workers Compensation Act</b> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 6.79) where, in the opinion of the Board, it is necessary to provide health monitoring for workers exposed to pesticides, employers and workers must participate as required by the Board, and records must be maintained in a manner acceptable to the Board.</p> <p><b>Radiation exposure</b>  <b>Workers Compensation Act</b> (RSBC 1996, c. 492)  <i>Occupational Health and Safety Regulation</i> (BC Reg. 296/97, s. 7.25) the employer must maintain and make available to the Board, for at least 10 years, records of radiation surveys, and for the period that the worker is employed plus 10 years, records of exposure monitoring and personal dosimetry data; and make the records available to workers.</p>
BC097	AM-02 HR-05 LEG-02 RSK-03	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <ul style="list-style-type: none"> <li>• s. 10(2) where the cause of the injury, disablement or death of a worker is such that an action lies against some person, other than an employer or worker within the scope of this Part, the worker or dependent may claim compensation or may bring an action. If the worker or dependent elects to claim compensation, he or she must do so within 3 months of the occurrence of the injury or any longer period that the Board allows (Limitation);</li> <li>• s. 214(1) the time limit for laying an information regarding an offence is 2 years after the last occurrence of the act or omission on which the prosecution is based (Limitation).</li> </ul>
BC098	FIN-02	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <ul style="list-style-type: none"> <li>• s. 10(2) where the cause of the injury, disablement or death of a worker is such that an action lies against some person, other than an employer or worker within the scope of this Part, the worker or dependent may claim compensation or may bring an action. If the worker or dependent elects to claim compensation, he or she must do so within 3 months of the occurrence of the injury or any longer period that the Board allows (Limitation);</li> <li>• s. 38 requires the employer to furnish to the Board an estimate of the employer's payrolls or be subject to monetary penalties;</li> <li>• s. 214(1) the time limit for laying an information regarding an offence is 2 years after the last occurrence of the act or omission on which the prosecution is based (Limitation).</li> </ul>
BC099	CC-02	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <ul style="list-style-type: none"> <li>• s. 125 requires an employer to establish a joint health and safety committee: <ul style="list-style-type: none"> <li>(a) in each workplace where 20 or more workers of the employer are regularly employed; and</li> <li>(b) in any other workplace for which a joint committee is required by order;</li> </ul> </li> <li>• s. 133 requires an employer, on receipt of a written recommendation from the joint health and safety committee, to respond in writing to the committee within 21 days of receiving the request;</li> <li>• s. 137 after each joint committee meeting, the committee must prepare a report of the meeting and provide a copy to the employer, including, in s. 137(2)(b), requiring the employer to retain a copy of the reports for at least 2 years from the date of the joint committee meeting to which they relate;</li> <li>• s. 138 requires the employer to post and keep posted: the names and work locations of the joint committee members, the reports of the 3 most recent joint committee meetings and copies of any applicable orders under this Division for the preceding 12 months.</li> </ul>

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BC100	HR-05 RSK-03	<p><b>Workers Compensation Act</b> (RSBC 1996, c. 492)</p> <ul style="list-style-type: none"> <li>• s. 54 the employer must report to the Board within 3 days of its occurrence every injury to a worker that is or is claimed to be one arising out of and in the course of employment;</li> <li>• s. 55(2) unless an application is filed, or an adjudication made, within 1 year after the date of injury, death or disablement from occupational disease, no compensation is payable, except as provided in subsections (3), (3.1), (3.2) and (3.3);</li> <li>• s. 165 unless another time is established in the order, a variance order ceases to have effect 3 years from the date on which it first comes into effect.</li> </ul>
C01	COM-04 GOV-05	<p><b>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act the Competition Act the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</b> (aka CASL) (SC 2010, c. 23)</p> <ul style="list-style-type: none"> <li>• Canadian Radio-television and Telecommunications Commission (CRTC)'s Frequently Asked Questions about Canada's Anti-Spam Legislation provides that CASL applies to municipal governments (<a href="http://crtc.gc.ca/eng/com500/faq500.htm">http://crtc.gc.ca/eng/com500/faq500.htm</a>);</li> <li>• s. 23 provides that no proceeding in respect of a violation may be commenced later than 3 years after the day on which the subject matter of the proceeding became known to a person designated under s. 14 of CASL by the Canadian Radio-television and Telecommunications Commission <sup>(Limitation)</sup>;</li> <li>• s. 47(2) provides that, unless the court decides otherwise, no application may be brought later than 3 years after the day on which the subject matter of the proceeding became known to the applicant regarding a private right of action under s. 47 <sup>(Limitation)</sup>;</li> <li>• Due diligence explained in Compliance and Enforcement Information Bulletin CRTC 2014-0326 (June 19, 2014) (<a href="http://crtc.gc.ca/eng/archive/2014/2014-0326.htm">http://crtc.gc.ca/eng/archive/2014/2014-0326.htm</a>), use Record keeping subsections 9 and 10 for list of records an organization may wish to consider to maintain.</li> </ul>
C02	FIN-02 financial records	<p><b>Canada Pension Plan</b> (RS 1985, c. C-08)</p> <ul style="list-style-type: none"> <li>• s. 24(1) requires that every employer shall keep records and books of account at his place of business or residence in Canada;</li> <li>• s. 24(2) requires that every employer shall retain those records and books of account until the expiration of <b>6 years from the end of the year</b> in respect of which those records and books of account are kept or until written permission for their prior disposal is given by the Minister;</li> <li>• s. 24(2.1) requires that every employer who keeps electronic records shall retain them in an electronically readable format for the retention period referred to in s. 24(2);</li> <li>• s. 24(3) requires that, if the employer or an employee of the employer is subject to a ruling under s. 26.1 or has made an appeal to the Minister under s. 27 or 27.1, the employer shall retain every record, book of account, account and voucher necessary for dealing with the ruling or the appeal until the ruling is made or the appeal is disposed of and any further appeal is disposed of or the time for filing a further appeal has expired;</li> <li>• s. 25(1) defines "documents" to include money, securities and any of the following, whether computerized or not: books, records, letters, telegrams, vouchers, invoices, accounts and statements (financial or otherwise);</li> <li>• s. 41(4) every person who: <ul style="list-style-type: none"> <li>(a) makes, or participates in, assents to or acquiesces in the making of, false or deceptive statements in a return, certificate, statement or answer filed or made as required by or under this Part or a regulation,</li> </ul> </li> </ul>

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		<p>(b) to evade payment of a contribution imposed by this Act destroys, alters, mutilates, secretes or otherwise disposes of the records or books of account of an employer,</p> <p>(c) makes, or assents to or acquiesces in the making of, false or deceptive entries, or omits, or assents to or acquiesces in the omission, to enter a material particular, in records or books of account of an employer,</p> <p>(d) wilfully, in any manner, evades or attempts to evade, compliance with this Act or payment of contributions imposed by this Act or</p> <p>(e) conspires with any person to commit an offence described in any of paragraphs (a) to (d), is guilty of an offence and, in addition to any penalty otherwise provided, is liable on summary conviction to</p> <p>(f) a fine of not less than \$25 and not more than \$5,000 plus, in an appropriate case, an amount not exceeding double the amount of the contribution that should have been shown to be payable or that was sought to be evaded, or</p> <p>(g) both the fine described in paragraph (f) and imprisonment for a term not exceeding 6 months;</p> <ul style="list-style-type: none"> <li>• s. 90(2) the limitation period for proceedings under the Act is 5 years <sup>(Limitation)</sup>;</li> <li>• s. 103(1) the limitation period for prosecutions under the Act is 5 years <sup>(Limitation)</sup>.</li> </ul>
C03	AM-02	<p><b>Copyright Act</b> (RS 1985, c. C-042)</p> <ul style="list-style-type: none"> <li>• s. 6 the term of copyright is life of the author, the remainder of the calendar year in which the author dies, and a period of 50 years following the end of that calendar year;</li> <li>• s. 42(4) sets the limitation period for proceedings by summary conviction is 2 years after the time when the offence was committed;</li> <li>• s. 43.1 provides that the limitation period for civil remedies is 3 years <sup>(Limitation)</sup>.</li> </ul>
C04	FIN-02 financial records	<p><b>Employment Insurance Act</b> (SC 1996, c. 23)</p> <ul style="list-style-type: none"> <li>• s. 40 states that the limitation on imposition of penalties is 36 months since the day on which the act or omission occurred <sup>(Limitation)</sup>;</li> <li>• s. 87(3) employers are required to maintain books and records for 6 years after the year for which they are kept, or until written permission for their prior disposal is given by the Minister;</li> <li>• s. 87(3.1) every employer who keeps electronic records shall retain them in an electronically readable format for the retention period referred to in s. 87(3); but there is a Minister's exemption according to 87(3.2);</li> <li>• s. 87(4) if there is an appeal or a ruling, the employer shall retain records necessary for dealing with the ruling/appeal until the ruling is made or the appeal is disposed of and any further appeal is disposed of or the time for filing a further appeal has expired;</li> <li>• s. 102(4) states that the limitation for making an information or complaint for an offence is within 5 years after the subject-matter of the information or complaint arose <sup>(Limitation)</sup>;</li> <li>• s. 125(4) states that the limitation of prosecutions is 5 years <sup>(Limitation)</sup>.</li> </ul>
C05	FIN-02 financial records	<p><b>Excise Tax Act</b> (RS 1985, c. E-015)</p> <ul style="list-style-type: none"> <li>• s. 2 defines "document" to include money, a security and a record;</li> <li>• s. 2 defines "record" to include an account, an agreement, a book, a chart or table, a diagram, a form, an image, an invoice, a letter, a map, a memorandum, a plan, a return, a statement, a telegram, a voucher, and any other thing containing information, whether in writing or in any other form;</li> <li>• s. 81.11(2) no assessment shall be made more than 4 years after tax, penalty, interest or sum became payable <sup>(Limitation)</sup>;</li> <li>• s. 98(2) requires books and records be maintained for 6 years until the expiration of six years from the end of the calendar year in respect of which those records and books of account are kept or until written permission for their prior disposal is given by the Minister;</li> </ul>

LC	Nanaimo RCRS	Application of Legislation and Regulations and Related Notes
		<ul style="list-style-type: none"> <li>• s. 98(2.01) requires records that are kept electronically to be retained in an electronically readable format for the retention period set out in s. 98(2);</li> <li>• s. 98(2.02) the Minister may exempt a person from the requirement in s. 98(2.01);</li> <li>• s. 98(2.1) requires a party subject to an appeal to retain records necessary to verify the information therein until the objection or appeal has been finally disposed of by appeal or otherwise;</li> <li>• s. 98(3) requires financial records to be made available for inspection by government.</li> </ul> <p><u>Goods and Services Tax</u></p> <ul style="list-style-type: none"> <li>• s. 286(1) and (3) requires, that if required to keep proper records and books, such records and books must be retained until the expiration of six years after the end of the year to which they relate or for such other period as may be prescribed;</li> <li>• s. 286(3.1) requires records that are kept electronically to be retained in an electronically readable format for the retention period set out in s. 286(3);</li> <li>• s. 286(3.2) the Minister may exempt a person from the requirement in s. 286(3.1);</li> <li>• s. 286(4) if there is an appeal or objection, a person shall retain, until the objection, appeal or reference and any appeal therefrom is finally disposed of, every record that pertains to the subject-matter of the objection, appeal or reference.</li> </ul>
C06	FIN-03	<p><b><i>Income Tax Act</i></b> (RSC 1985, c. 1 (5th Supp.), s. 222(4)) the limitation period to collect tax debts is 10 years <sup>(Limitation)</sup>.</p>
C07	FIN-02 financial records	<p><b><i>Income Tax Act</i></b> (RSC 1985, c. 1 (5th Supp.))</p> <ul style="list-style-type: none"> <li>• s. 230(2.1) For greater certainty, the records and books of account required by subsection 230(1) to be kept by a person carrying on business as a lawyer (within the meaning assigned by subsection 232(1)) whether by means of a partnership or otherwise, include all accounting records of the lawyer, including supporting vouchers and cheques.</li> <li>• s. 230(3) Where a person has failed to keep adequate records and books of account for the purposes of this Act, the Minister may require the person to keep such records and books of account as the Minister may specify and that person shall thereafter keep records and books of account as so required.</li> <li>• s. 230(4) requires keeping proper records and books until the expiration of <b>six years after the end of the year</b> to which they relate or for such other period as may be prescribed;</li> <li>• s. 230(4.1) requires records that are retained electronically shall retain them in an electronically readable format for the retention period referred to in s. 230(4);</li> <li>• s. 230(4.2) the Minister may exempt persons from the requirement in s. 230(4.1);</li> <li>• s. 230(6) requires, where an appeal or objection is filed, for a person to keep records and books of account necessary for dealing with the objection or appeal until, in the case of the serving of a notice of objection, the time provided by s. 169 to appeal has elapsed or, in the case of an appeal, until the appeal is disposed of and any further appeal in respect thereof is disposed of or the time for filing any such further appeal has expired;</li> <li>• s. 230(8) permits disposal of records if written permission for their disposal is given by the Minister;</li> <li>• s. 244(4) provides that the limitation period for summary conviction offenses under the <i>Criminal Code</i> is 8 years <sup>(Limitation)</sup>.</li> </ul> <p><b><i>Income Tax Regulations</i></b> (CRC c. 945, Part 5800(1))</p> <ul style="list-style-type: none"> <li>• ss. (a) and (b) require corporate records be retained 2 years after the day that the corporation is dissolved;</li> <li>• s. (c) requires business records of a person not a corporation be retained <b>6 years after the last day of the taxation year</b> of the person in which the business ceased.</li> </ul>

LC	Nanaimo RCRS	Application of Legislation and Regulations and Related Notes
C08	AM-02	<p><b>Industrial Design Act</b> (RS 1985, c. I-08)</p> <ul style="list-style-type: none"> <li>• s. 10 Subject to subsection (3), the term limited for the duration of an exclusive right (a) begins on the later of the date of registration of the design and the prescribed date, referred to in subsection 8.3(1), on which the application for the registration of the design is made available to the public; and (b) ends on the later of the end of 10 years after the date of registration of the design and the end of 15 years after the filing date of the application;</li> <li>• s. 18 states that the limitation period for infringement is 3 years <sup>(Limitation)</sup>.</li> </ul>
C09	HR-04	<p><b>Nuclear Safety and Control Act</b> (SC 1997, c. 9)</p> <ul style="list-style-type: none"> <li>• s. 27 every licensee and every prescribed person shall keep the prescribed records, including a record of the dose of radiation received by or committed to each person who performs duties in connection with any activity that is authorized by this Act or who is present at a place where that activity is carried on, retain those records for the prescribed time and disclose them under the prescribed circumstances;</li> <li>• s. 32 allows inspectors to examine any records that may be related to an inspection. <i>Nuclear Substances and Radiation Devices Regulations</i> (SOR/2000-0207)</li> <li>• s. 31(1)(e) requires that a record of radiation doses be kept;</li> <li>• s. 36 requires that specified records regarding nuclear substances be retained for 3 years after the termination of employment of the worker, the expiration of the licence or last test, as specified;</li> <li>• s. 37 requires that specified records regarding exposure devices be kept.</li> </ul>
C10	AM-02	<p><b>Patent Act</b> (RS 1985, c. P-04)</p> <ul style="list-style-type: none"> <li>• s. 44 where an application for a patent is filed under this Act on or after October 1, 1989, the term limited for the duration of the patent is 20 years from the filing date;</li> <li>• s. 55.01 states that the limitation period for infringement is 6 years <sup>(Limitation)</sup>.</li> </ul>
C11	AM-02	<p><b>Trade-marks Act</b> (RS 1985, c. T-013)</p> <ul style="list-style-type: none"> <li>• s. 17(2) registration is incontestable in court proceedings commenced after the expiration of 5 years from the date of registration of a trade-mark <sup>(Limitation)</sup>;</li> <li>• s. 38(1) within 2 months after the advertisement of an application for the registration of a trade-mark, any person may file a statement of opposition with the Registrar <sup>(Limitation)</sup>;</li> <li>• s. 46 registration of a trademark is on the register for an initial period of 10 years beginning on the day of the registration and for subsequent renewal periods of 10 years for each renewal.</li> </ul>

## Appendix B: Transitory Records

It is necessary for all staff at all levels to understand what a **transitory record** is and how it is different from an **official record**. There are two reasons why this is important. First, official records must be filed and classified. Second, transitory records must be destroyed regularly to prevent an accumulation of useless, low value and temporary records.

The accumulation of transitory records can be costly and may expose the organization to needless cost, wasted time and space and storage issues. Searches for Freedom of Information and litigation *must* include any transitory records which have not yet been destroyed and some transitory records may cause unnecessary confusion (e.g., drafts and copies).

Transitory records can be legally and routinely destroyed when no longer needed. However, any transitory record that may be involved in a Freedom of Information request or a litigation records discovery *may not be destroyed*.

### **WHAT IS A TRANSITORY RECORD?**

Transitory Records are records of temporary usefulness that are needed only for a limited period, to complete a routine task, or to prepare an ongoing document. They are not required to meet statutory obligations or to sustain administrative or operational functions. Once they have served their purpose, they may be destroyed without additional approval.

Transitory records:

- DO NOT provide evidence of a decision, activity or transaction;
- DO NOT support the accountability of the organization operations or programs; and
- ARE NOT required to meet statutory, regulatory or audit requirements.

If there is any doubt about whether a record is transitory, file it as if it were an official record.

### **CATEGORIES OF TRANSITORY RECORDS**

It is helpful to think of transitory records as belonging to one of six categories: **Temporary Notes, Convenience Copies, Non-Relevant Recordings, Drafts, Unsolicited Mail** and **Reference Material**.

1. **Temporary Notes:** Temporary information that is required to complete a routine action, prepare an ongoing record, or was received for informational purposes only. It has little value and can be destroyed once it has been acted upon and is not required to support the operations and accountability of the program department.
  - a. Examples: Telephone/voicemail messages, data entry forms, to do lists, "FYI" email messages, email that transmits an attachment with no other information, meeting notices, informal notes, and opened envelopes.
  - b. Exceptions: If a note or message's existence carries extra information related to a business function or activity, it must be kept. Obviously if a phone message provides evidence of an action or decision, it must be kept. Similarly, a postmark on an envelope, the date stamp on a voice mail or the time an email is received may be necessary to prove that the information transmitted was sent or received by a certain time or date. A signature on a data entry form may need to be kept even though the data is entered into a database.
  - c. Method of Physical Destruction: If there is any possibility of confidential or personal information in the record's content, use a secured shred box or shred it manually.
2. **Convenience Copies (cc).** These are copies of internal documents with no alterations or additions. The office of primary responsibility (OPR) within the organization is responsible for the filing of the official record. Convenience copies are also known as courtesy copies, carbon copies, and non-OPR copies.
  - a. Examples: Internal memos or email notifications, photocopies, or correspondence which has no relevance to the receiving office.

- b. **Method of Physical Destruction:** If there is any possibility of confidential or personal information in the record's content, use a secured shred box or shred it manually.
3. **Non-Relevant Recordings:** Any audio-visual recordings made during the course of a business activity or function which have little or no information are transitory.
- a. **Examples:** Most voice messages are transitory. Photographs and audio-visual recordings taken during incidents, investigations or bylaw enforcement which have no additional, relevant information. Therefore, if a bylaw officer takes thirty photographs of an infraction, they may immediately decide that only six provide relevant information and may delete the remainder.
  - b. **Exceptions:** Surveillance recordings are maintained according to Appendix RM-03c Auto-Deleted Data. This is because an employee is unlikely to review a recording until an incident is realized and therefore cannot make the determination that the recording has no or little relevant information.
  - c. **Method of Physical Destruction:** Not Applicable.
4. **Drafts:** Draft documents and working materials contain information that has been used to create final versions of reports, correspondence, memoranda and other records.
- a. **Examples:** Rough notes, research notes, outlines, calculations, preliminary drafts, editing and formatting notes.
  - b. **Exceptions:** Some types of records such as legislation, policies, high level plans, agreements and contracts benefit from long term retention of drafts. In these cases, significant drafts which indicate a major decision or a shift in direction need to be retained to provide additional perspective and knowledge about the final record. Also, if no final document is produced, the latest draft is not transitory.
  - c. **Method of Physical Destruction:** If there is any possibility of confidential or personal information in the record's content, use a secured shred box or shred it manually.
5. **Unsolicited Mail:** Typically, this category includes unrequested electronic and physical documents.
- a. **Examples:** Advertising materials, resumes, brochures, sales letters, catalogues, price lists, company profiles and "spam".
  - b. **Exceptions:** Unsolicited materials from a vendor or individual that the organization has a regular relationship with may be filed in a vendor liaison file.
  - c. **Method of Physical Destruction:** Recycling.
6. **Reference Materials:** Any physical or electronic documents gathered or downloaded for information and research. Typically, these documents are from external sources, but see the exceptions.
- a. **Examples:** Publications, books, magazines, newspapers, brochures, journals, newsletters, posters, reports, studies, standards, and software and software documentation.
  - b. **Exceptions:** In some cases, a reference document may have been created by another department within the same organization and it has been placed in a library for convenience. The originating department must classify the official record as explained under Convenience Copies. If reference documents are retained long term it may be useful to file and classify the records in a reference materials classification.
  - c. **Method of Physical Destruction:** Recycling.
  - d. **NOTE:** Often reference material may be collected within a file folder in order to support its purpose. For example, policies from other jurisdictions may be referenced when developing a new policy (GOV-05) or research material may be used to inform a response to an issue (COM-03). Typically, this material is kept in the file folder until the classification indicates that the file is no longer active. At this point the material is usually removed and destroyed
  - e. **NOTE:** See IMT-08 for the classification of reference and library materials which may be retained long term. IMT-08 provides a meaningful flag to identify a file folder that contains transitory records. An example of this includes copies of forms and templates and collections of library material.

## Appendix C: Personal Information Banks List

This Appendix provides a current list of databases, systems, records, or files which are collections of personal information that are organized or retrievable by the name of an individual or by an identifying number, symbol or other particular assigned to an individual. This process is established in order to achieve compliance with subsection 69(6) of the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, c. 165).

Nanaimo RCRS	Personal Information Bank	Notes
CC-04	Records covered by the <i>Local Government Act</i> s. 160(8)	Files contain personal information.
CC-05	Register of non-resident property owners/electors	Files contain personal information.
COM-01	General correspondence	Files contain personal information.
COM-06	Awards	Files are organized by and contain personal information.
ET-02	Education and training delivery	Files contain personal information.
ET-03	Student files	Files may be organized by and contain personal information.
FIN-02	Accounts management and reconciliation	Tax and payroll Files are organized by and contain personal information.
FIN-03	Account authorization	Files contain personal information.
GOV-06	Reports, reviews and audits	Bylaw security and patrol reports in this secondary may contain personal information.
HR-04	Recruitment	Files contain personal information.
HR-05	Employee personnel files	Files are organized by and contain personal information.
HR-06	Labour relations files	Files are organized by and contain personal information.
HR-07	Volunteer files	Files are organized by and contain personal information.
IMT-01	Requests for access to information	Files may be organized by individual's names.
LAN-01	Property files	Files contain personal information.
LAN-02	Land use permits and licences	Files may contain personal information.
LEG-01	Bylaw enforcement	Files contain personal information.
LEG-02	Legal matters	Files may be organized by and contain personal information.
LEG-04	Business permits and licences	Files may contain personal information.
PRG-01	Program proposals	Files may contain personal information.
RSK-01	Access authority and User IDs	Files are organized by and contain personal information.
RSK-02	Security monitoring	Files may contain personal information.
RSK-03	Incidents and investigations	Files may be organized by and contain personal information.
RSK-04	Community parks and facility risk management	Files may contain personal information.