



DISTRICT OF SOOKE

BYLAW No. 508

A bylaw to establish and authorize the District of Sooke Records Management and Classification system and to authorize the Records Officer to manage and maintain the system.

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

Title

1. This Bylaw is cited as *Records Management Bylaw, 2011*.

Interpretation

2. In this bylaw:

Records Officer means the Corporate Officer of the District of Sooke, or in his or her absence, the person acting in the Corporate Officer's place, or another person designated by resolution of Council to act in the place of the Corporate Officer;

Record includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;

Records management system includes a system used by the District of Sooke to manage the records of the District of Sooke from record creation through to records disposal.

Records Management System Established

3. The records management system currently used by the District of Sooke is authorized.

Compliance with Records Management System

- 4.1 All records in the custody and control of the employees of the District of Sooke are the property of the District of Sooke.

4.2 Subsection 4.1 does not apply to a record that was created on behalf of the District of Sooke by a person other than an elected or appointed officer, employee or other person.

4.3 All records of the District of Sooke must comply with this records management system and this Bylaw. All employees and management of the District of Sooke must comply with this bylaw.

Records Officer

5. The Records Officer is responsible for the management and maintenance of the records management system and the Records Officer is authorized to manage and maintain the records management system.

Manual of Procedures and Policy

6.1 The Records Officer is authorized to create and maintain the *District of Sooke LGMA Records Management and Classification System Manual* (the "Manual") of procedures and policy based on the manual prepared by the Local Government Managers Association of British Columbia. Records of the District of Sooke are created, accessed, maintained and disposed of only as provided by the Manual.

6.2 The Manual must provide for management of the records of the District of Sooke and include provisions regarding:

- the creation and organization of records, including records not authorized for creation;
- the collection of records (including records not authorized for collection);
- access to records;
- disclosure of records;
- maintenance of records;
- retention of records;
- security of records;
- storage of records;
- preservation of records;
- disposal of records; and
- any other matter(s) the Records Officer authorizes to be included in the Manual.

Integrity and Authenticity Maintained

7. The records management system must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

Authorization to Amend Manual

8. The Records Officer is authorized to amend the Manual.

Compliance with Law

9. The records management system must comply with the Manual, applicable laws and any provincial, national or international standards adopted for use and contained in the Manual.

Records Retention Schedule

10. The records retention schedule must prescribe the period of time that records are kept to meet the operational, legal, regulatory, financial or other requirements of the District of Sooke (the "Records Retention Schedule"). The Records Retention Schedule must also provide instructions as to the manner and time of the disposition of a record.

Records Officer

11. The Records Officer is designated and authorised to prepare, review, amend and manage the Records Retention Schedule.

Disposal Ordered by Records Officer

12. When the Records Officer determines that the retention period for a given record described in the Records Retention Schedule has ended, the Records Officer may order the record to be destroyed or otherwise disposed of in accordance with the instructions in the Records Retention Schedule.

Severability

13. If any section, subsection, paragraph, subparagraph or clause of the Records Management Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of the Records Management Bylaw.

Coming into Effect

14. The Records Management Bylaw comes into effect upon adoption.

Introduced and read a first time the 24th day of October, 2011.

Read a second time the 24th day of October, 2011.

Read a third time the 24th day of October, 2011.

Adopted on the 14th day of October, 2011.

Janet Evans
Mayor

Bonnie Sprinkling
Corporate Officer