



The Corporation of the District of North Cowichan

Records Management Bylaw

Bylaw 3491

[Consolidated and printed by authority of the Corporate Officer under *The Corporation of the District of North Cowichan Consolidation and Revision Authority Bylaw 3514*. Current to May 14, 2020. Last amended July 18, 2018. Amendments: 3548, 3700.]

Contents

- 1 Definitions
- 2 Corporate records system established
- 3 Custody and control of records
- 4 Powers of the Director of Corporate Services
- 5 Manual
- 6 Compliance
- 7 Severability

The Council of The Corporation of The District of North Cowichan enacts as follows:

Definitions

- 1 In this Bylaw:
 - (a) **"corporate records manual"** means the policy and procedures manual, authorized by the Director of Corporate Services, for the corporate records system;
 - (b) **"corporate records system"** means the system used by the Municipality to manage its corporate records from creation through final disposition or long-term preservation;
 - (c) **"Municipality"** means The Corporation of the District of North Cowichan;
 - (d) **"record"** includes anything on which information is recorded or stored by graphic, electronic, mechanical, or other means, but does not include a computer program or other mechanism that produces records. [BL3548]

Corporate records system established

- 2 The records management system, developed by the Local Government Management Association of British Columbia, and revised by the Director of Corporate Services to provide for the management of the records of the Municipality, is established and authorized. [BL3548]

Custody and control of records

- 3 All records in the custody and control of personnel of the Municipality, which are created or received in the context of their functional responsibilities, are the property of the Municipality.

Powers of the Director of Corporate Services

- 4** The Director of Corporate Services is authorized to:
- (a) manage and maintain the corporate records system,
 - (b) create, maintain, and modify the corporate records manual, and
 - (c) audit the retention and disposal of records for compliance with the requirements of the corporate records manual. [BL3548]

Manual

- 5** The corporate records manual must provide for management of the records of the Municipality and include provisions regarding the creation, organization, collection, access, disclosure, maintenance, classification, retention, security, storage, preservation; and disposal of records.

Compliance

- 6** (1) The corporate records system must
- (a) protect the reliability, integrity and authenticity of records made or kept in the usual and ordinary course of business, and
 - (b) comply with applicable provincial and federal government laws and adopted international standards.
- (2) All records of the Municipality must comply with the corporate records manual, the corporate records system, and this Bylaw.
- (3) All personnel of the Municipality must comply with this Bylaw.
- (4) Records of the Municipality must not be destroyed without the written authorization of Director of Corporate Services and the department head responsible for the records, or their designates, in accordance with the corporate records manual. [BL3548]

Severability

- 7** If any provision of this Bylaw is, for any reason, found invalid by a court of competent jurisdiction, the provision must be severed and the remainder of the Bylaw left enforceable and in effect. [BL3700]

Read a first, second and third time on August 15, 2012
Adopted on September 5, 2012