

**DISTRICT OF PORT HARDY
BYLAW NO. 03-2008**

**A BYLAW TO PROVIDE FOR THE RETENTION AND DISPOSITION
OF RECORDS OF THE DISTRICT OF PORT HARDY**

WHEREAS it is the desire of the District of Port Hardy to provide specific regulations with respect to the retention and disposal of its records;

AND WHEREAS it is the desire of the Council to establish the necessary authority to destroy certain redundant records with and without microfilming;

NOW THEREFORE the Council of the District of Port Hardy, in open meeting assembled, hereby enacts as follows:

1. Title

This bylaw may be cited as the District of Port Hardy Records Management Bylaw 03-2008.

2. Interpretation

In this bylaw:

“Designated Officer” means the person designated and authorized to act on behalf of the organization to manage and maintain the records management system;

"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 Port Hardy (the “District”) to manage its records from record creation through to records disposal;

3. Records Management System Established

The records management system of the District is established and authorized.

4. Compliance with Records Management System

All records in the custody and control of the employees of the District are the property of the District. All records of the District must comply with this records management system and this bylaw. All employees and management of the District must comply with this bylaw.

5. Designated Officer

The Designated Officer is responsible for the management and maintenance of the records management system. The Designated Officer is authorized to prepare, review, amend and manage the Records Retention Schedule.

6. Record Retention Schedule

- a) The Designated Officer is authorized to create, maintain and amend a record retention schedule (the Schedule). Records of the District are created, accessed, maintained and disposed of only as provided by the Schedule.
- b) The Schedule must prescribe the period of time that records are kept to meet the operational, legal, regulatory, financial or other requirements of the District. The Schedule must also provide instructions as to the manner and time of the disposition of a record.
- c) When the Designated Officer determines that the retention period for a given record described in the Schedule has ended, the Designated Officer may order the record to be destroyed or otherwise disposed of in accordance with the instructions in the Schedule.

7. Integrity and Authenticity Maintained

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

8. Compliance with Law

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

9. Severability

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

10. Repeal

Records Retention and Scheduling Bylaw No. 818, 1992 is hereby repealed.

READ A FIRST TIME ON THE 8TH DAY OF JANUARY 2008.

READ A SECOND TIME ON THE 8TH DAY OF JANUARY 2008.

READ A THIRD TIME ON THE 8TH DAY OF JANUARY 2008.

ADOPTED ON THE 22ND DAY OF JANUARY, 2008.

Original signed by:

DIRECTOR OF
OF CORPORATE SERVICES

MAYOR

Certified to be a true copy of District of Port Hardy
Records Management Bylaw 03-2008.

DIRECTOR OF CORPORATE SERVICES