

ISLANDS TRUST COUNCIL

BYLAW NO. 195

A Bylaw to establish and provide for the Islands Trust Records Management System

Contents

WHEREAS Islands Trust Council has jurisdiction under the *Islands Trust Act*;

WHEREAS pursuant to section 11 of the Islands Trust Regulation (B.C. Reg. 119/90) under the *Islands Trust Act*, R.S.B.C. 1996, c. 239, specified provisions of the *Local Government Act*, R.S.B.C. 1996, c. 323 and Community Charter, S.B.C. 2003, c. 26, apply to the operations of the trust bodies under the *Islands Trust Act*;

AND WHEREAS pursuant to section 198 of the *Local Government Act*, the Secretary under the *Islands Trust Act* is responsible for the preparation, maintenance, access and safe preservation of records of the business of the trust bodies under the *Islands Trust Act*;

AND WHEREAS pursuant to sections 95 and 97 of the *Community Charter*, the trust bodies under the *Islands Trust Act* must make available for public inspection certain of its records;

AND WHEREAS the Islands Trust Council desires to manage and maintain the Records Management System;

NOW THEREFORE the Islands Trust Council enacts as follows:

CITATION

1. This bylaw may be cited for all purposes as "Islands Trust Council Records Management System Bylaw, 2024"

INTERPRETATION

2. In this bylaw:

"Designated Officer" means the Secretary pursuant to section 11 of the Islands Trust Regulation (B.C. Reg. 119/90) under the *Islands Trust Act*, or delegate, who is designated and authorized to act on behalf of Islands Trust to manage and maintain the records management system;

"Islands Trust" means all corporate bodies established under the *Islands Trust Act*;

"Record" includes books, documents, maps, drawings, photographs, letters, emails, 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 Islands Trust to manage the records of Islands Trust from record creation through to records disposal.

RECORDS MANAGEMENT SYSTEM ESTABLISHED

3. The Records Management System currently used by Islands Trust is authorized.

COMPLIANCE WITH RECORDS MANAGEMENT SYSTEM

4. All records in the custody and control of the employees of Islands Trust are the property of Islands Trust. All records of Islands Trust must comply with this Records Management System and this bylaw. All employees, management, service providers and volunteers of Islands Trust must comply with this bylaw.

DESIGNATED OFFICER

5. The Designated Officer is responsible for the management and maintenance of the records management system. The Designated Officer is authorized to manage, maintain and amend the Records Management System.

MANUAL OF PROCEDURES AND POLICY

6. The Designated Officer is authorized to create and maintain a manual of procedures and policy, the "Islands Trust Council Records Management System Manual" (the "Manual"). Records of Islands Trust are created, accessed, maintained and disposed of only as provided by the Manual.
7. The Manual must provide for management of the records of Islands Trust and include provisions regarding:
 1. the making, receiving and capturing and organization of records, including records not authorized for creation;
 2. the collection of records, including records not authorized for collection;
 3. access to records;
 4. disclosure of records;
 5. maintenance of records;
 6. managing records;
 7. using records;
 8. retention of records;
 9. security of records, including protection;
 10. storage of records;
 11. preservation of records;
 12. disposal of records, including destruction; and
 13. any other matter(s) the Designated Officer authorizes to be included in the Manual.

INTEGRITY AND AUTHENTICITY MAINTAINED

8. The Records Management System must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

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 Islands Trust (the "Records Retention Schedule"). The Records Retention Schedule must also provide instructions as to the manner and time of the disposition of a record. The Designated Officer is designated and authorized to prepare, review, amend and manage the Records Retention Schedule.

DISPOSAL ORDERED BY DESIGNATED OFFICER

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

SEVERABILITY

12. If any section, subsection, paragraph, subparagraph or clause of the Records Management System 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

13. The Islands Trust Council Records Management System Bylaw, 2024 comes into effect upon adoption.

REPEAL

14. "Islands Trust Records Management Bylaw No. 144, 2011" is repealed upon adoption of this Bylaw.

READ A FIRST TIME THIS	12 th	DAY OF	MARCH	, 2024
READ A SECOND TIME THIS	12 th	DAY OF	MARCH	, 2024
READ A THIRD TIME THIS	12 th	DAY OF	MARCH	, 2024
ADOPTED THIS	22 nd	DAY OF	MARCH	, 2024

SECRETARY

CHAIR