

**ISLANDS TRUST COUNCIL**

**BYLAW NO. 144**

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

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**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:

**1. CITATION**

This Bylaw may be cited for all purposes as the “Islands Trust Records Management Bylaw No. 144, 2011”.

## **2. INTERPRETATION**

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 the 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 the Islands Trust to manage the records of the Islands Trust from record creation through to records disposal.

## **3. RECORDS MANAGEMENT SYSTEM AUTHORIZED**

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

## **4. COMPLIANCE WITH RECORDS MANAGEMENT SYSTEM**

All records in the custody and control of the employees of the Islands Trust are the property of the Islands Trust. All records of the Islands Trust must comply with this records management system and this bylaw. All employees and management of the Islands Trust 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 manage and maintain the Records Management System and to delegate the Designated Officer's authority under this bylaw.

## **6. MANUAL OF PROCEDURES AND POLICY**

The Designated Officer is authorized to create, maintain and amend a manual of procedures and policy (the "Manual"). Records of the Islands Trust must be created, accessed, maintained and disposed of only as provided by the Manual.

**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 Manual, the *Islands Trust Act*, applicable laws and any provincial, national or international standards or best practices adopted for use by the Designated Officer and contained in the Manual.

**9. SEVERABILITY**

If any section, subsection, paragraph, subparagraph or clause of the Islands Trust Records Management Bylaw No. 144 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 Islands Trust Records Management Bylaw No. 144, 2011.

READ A FIRST TIME THIS	9 <sup>TH</sup>	DAY OF	MARCH	, 2011
READ A SECOND TIME THIS	9 <sup>TH</sup>	DAY OF	MARCH	, 2011
READ A THIRD TIME THIS	9 <sup>TH</sup>	DAY OF	MARCH	, 2011
ADOPTED THIS	13 <sup>TH</sup>	DAY OF	APRIL	, 2011

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SECRETARY

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CHAIR