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Approved as to Form  
Corporate Services (Law Branch)

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Approved as to Content  
General Manager  
Corporate Services

## **CITY OF EDMONTON**

### **BYLAW 12101**

#### **CORPORATE RECORDS AND INFORMATION MANAGEMENT BYLAW**

**Whereas**, pursuant to section 36 of the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, c.F-18.5, the Head of the City of Edmonton must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction;

**And Whereas**, pursuant to section 214 of the *Municipal Government Act*, S.A. 1994, c. M-26.1, Council may pass a bylaw respecting the destruction of records and documents of the municipality;

**And Whereas**, the *Freedom of Information and Protection of Privacy Act* does not prohibit the transfer, storage or destruction of any record in accordance with a bylaw of a local government body;

Edmonton City Council enacts:

#### **PART I - PURPOSE, DEFINITIONS AND INTERPRETATION**

<b>PURPOSE</b>	1	The purpose of this Bylaw is to provide a framework and guideline for a program to manage the creation, use, receipt, access, maintenance, retention and disposition of the records of the City of Edmonton regardless of their physical medium.
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<b>DEFINITIONS</b>	2	In this Bylaw, unless the context otherwise requires:
	(a)	<b>“Act”</b> means the <i>Freedom of Information and Protection of Privacy Act</i> , S.A. 1994, c. F-18.5;
	(b)	<b>“City”</b> means the City of Edmonton;

- (c) **“Department”** means the internal administrative division of the City Administration headed by a General Manager, and for the purposes of Records Management, includes: Policing Services Division, Investigative Services Bureau of the Edmonton Police Service;
  - (i) Policing Services Division, Investigative Services Bureau of the Edmonton Police Service;
  - (ii) Edmonton Taxi Cab Commission; and
  - (iii) any board, committee, commission, panel, agency or corporation that is identified in Schedule “A” as being included within a department;
- (d) **“Disposition”** means;
  - (i) the destruction of records, or
  - (ii) the transfer of records of enduring value to the City Archives;
- (e) **“FOIP Head”** means the person designated by City Council as the Head of the City for the purposes of the Act;
- (f) **“Outside Agency”** means an organization under a contract with the City;
- (g) **“Record”** means a record of information in any form including books, documents, maps, drawings, photographs, letters, vouchers and papers, sound recordings, videotapes, electronic files, electronic mail transmissions, databases and spreadsheets, and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records;
- (h) **“Records Management”** means the application of systematic control over records throughout their life cycle, including but not limited to forms management, manuals management, records inventorying, filing systems development and implementation, file maintenance procedures development, filing equipment selection, correspondence and reports maintenance and records scheduling and disposition.

**RULES FOR  
INTERPRETATION**

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The marginal notes and headings in this bylaw are for reference purposes only.

**PART II - FOIP HEAD****CORPORATE  
RECORDS POLICY**

- 4 The FOIP Head will approve a Corporate Records and Information Management Policy including procedures, standards or guidelines relating to Records Management.

**DISPOSITION AND  
STORAGE**

- 5 Disposition and storage of all City records must be in accordance with the Corporate Records and Information Management Policy.

**PART III - CORPORATE RECORDS****CARE AND  
CUSTODY**

- 6 (1) Records in the care and custody of City Departments are the property of the City.
- (2) Where records are in the possession of an Outside Agency, such records will be under the City's control when:
- (a) the record is specified in the contract as being under the control of the City;
  - (b) the content of the record relates to the City's mandate and functions;
  - (c) the City has the authority to regulate the record's use and disposition;
  - (d) the Outside Agency is a consultant, and the record was created for the public body; or
  - (e) the contract permits the City to inspect, review, or copy the records produced, received or acquired.

**PART IV - GENERAL**

**EFFECTIVE DATE**        7        This Bylaw comes into effect on October 1, 1999.

Read a first time

Read a second time

Read a third time

**SIGNED AND PASSED**

CITY OF EDMONTON

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MAYOR

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CITY CLERK

**SCHEDULE “A” – BOARDS, COMMITTEES AND AGENCIES**

<b>Name of Civic Board Subject to FOIP</b>	<b>City Department Providing Support</b>
Advisory Board on Services for Persons with Disabilities	• Community Services Department
Community Services Advisory Board	• Community Services Department
Dating and Escort Services Task Force	• Community Services Department
Edmonton Aboriginal Urban Affairs Committee	• Community Services Department
Edmonton Historical Board	• Community Services Department
Kinsmen Park Advisory Committee	• Community Services Department
Landlord and Tenant Advisory Board	• Community Services Department
Peer Review Panel for the Tax Status of Non-Profit Organizations	• Community Services Department
Safer Cities Initiatives Advisory Committee	• Community Services Department
Non-Profit Housing Corporation	• Asset Management & Public Works Department
Edmonton Transit System Advisory Board	• Transportation and Streets Department
Downtown Advisory Committee	• Planning & Development Department
Free Standing Communication Towers, Ad Hoc Committee	• Planning & Development Department
Names Advisory Committee	• Planning & Development Department
Emergency Medical Services Medical Advisory Committee	• Emergency Response Department
Disaster Services Agency	• Emergency Response Department
Assessment Review Board	• Corporate Services Department -- OCC
Committee to Develop a Process to Evaluate the City Manager's Performance	• Corporate Services Department -- OCC
Edmonton Regional Governance Committee	•
Subdivision and Development Appeal Board	• Corporate Services Department -- OCC
Independent Committee to Review the Remuneration and Benefits of Members of Council	• Corporate Services Department -- OCC
Vision for Social Well-Being and Sustainability of Communities Committee	• Corporate Services Department -- OCC
Disaster Services Committee	• Corporate Services Department -- OCC
Any Council Committee established for a specific task that automatically terminates on the completion of the task	• Corporate Services Department -- OCC