



InterPARES 3 Project

International Research on Permanent Authentic Records in Electronic Systems
TEAM Canada

Title: General Study 03 – Canadian Legislation, Standards, Policies, Regulations, and Guidelines Relevant to the InterPARES 3 Project

Status: Final (public)

Version: 2.4

Date Created: May 2008

Last Revised: May 2013

Author: The InterPARES 3 Project, TEAM Canada

Writer(s): Donald C. Force
School of Library, Archival and Information Studies,
The University of British Columbia

Suher Zaher-Mazawi
School of Library, Archival and Information Studies,
The University of British Columbia

Joanna Hammerschmidt
School of Library, Archival and Information Studies,
The University of British Columbia

Project Component: Research

URL: http://www.interpares.org/ip3/display_file.cfm?doc=ip3_canada_gs03_canadian_standards.pdf

Document Control

Version history			
<u>Version</u>	<u>Date</u>	<u>By</u>	<u>Version notes</u>
1.0	2008-09-22	D. Force, S. Zaher-Mazawi	Discussion draft prepared following identification of action items for GS03 at TEAM Canada Plenary Workshop 02.
2.0	2008-11-24	D. Force	Revised draft to incorporate provincial legislation.
2.1	2008-01-08	R. Preston	Copy and minor content editing.
2.2	2010-06-29	J. Hammerschmidt	Reviewed and updated content.
2.3	2010-10-14	R. Preston	Minor copy and content editing.
2.4	2013-05-03	R. Preston	Minor copy editing.

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Introduction

The task of identifying and entering into the InterPARES 3 Bibliographic Database annotated citations for all Canadian legislation, policies, standards and guidelines relevant to the research activities of TEAM Canada was assigned to the TEAM during the October 2007 International Summit in Rome, Italy.

Bearing in mind that TEAM Canada's goals, objectives, research activities and expected outcomes cover a wide range of issues and areas in relation to digital records creation, maintenance and preservation within the context of both public and private organizations, a concerted effort was made to identify only those federal and provincial acts, policies, standards and guidelines that are *most pertinent* to the TEAM's activities. Thus, in this bibliography, one will find acts such as the Information Act or Copyright Act but not the Canadian Food Inspection Agency Act or the Marine Liability Act, even though the latter two examples (and many others like them) contain clauses specific to the management of records. Additionally, given the broad scope of some of the legislation and policies, a field labeled "Relevant Section(s)" has been provided to show the reader which part(s) of the referenced item are most applicable to digital records. In some cases, it is likely that relevant sections of an act or policy were missed and thus not included during the creation of this bibliography.

In the case of the Provincial Regulations, every effort has been made to include all Acts cited or referenced in the existing InterPARES 3 TEAM Canada case study reports. Because all of the existing TEAM Canada test-bed organizations are situated in British Columbia, the Acts cited in the case study reports pertain, almost exclusively, to the legislation of British Columbia; thus, the legislation may not appear under other provinces. For example, the Society Act has been cited in two TEAM Canada case studies—CS01: BCIT and CS09: AMS—but this Act has not been included elsewhere in the bibliography.

This bibliography is organized by type of reference. It starts with legislation with Federal Acts of Canada followed by Provincial Acts and then major legislation from the United States. Following the legislation, in order, are: Canadian policies, standards, guidelines, guides & handbooks, and some miscellaneous entries.

Due to the close relationship of many of the legislation, policies, standards and guidelines, this bibliography has created internal and external hyperlinks to show these connections. Internal links are simply displayed as blue underlined text and will take one to another entry within the bibliography. External links are those with the full Web site address (e.g., <http://...>).

Definitions

Act: A legislative proclamation passed by Parliament or a provincial legislature modifying the existing body of law. At the federal level in Canada, a bill (legislation) becomes an Act when it receives royal assent. Before receiving royal assent, a bill must pass three readings in both the House of Commons and the Senate (i.e., the Legislative Assembly).

Canadian Department of Justice: Headed by the Deputy Minister, who provides advice and support to the Minister and acts as the main interface between the political and administrative functions of government. The Department also maintains a policy and program development capacity in order to fulfill core departmental responsibilities associated with the administration of justice in Canada and to support the government of Canada's policy and program priorities related to safety and security.

Guideline: A statement or other indication of policy or procedure by which to determine a course of action, accomplish a given task or achieve a set of goals and objectives, formulated by a body with authority to speak on the subject but less binding than a directive or formal standard.

Legislation (Bill): A document proposing new law or changes to existing law for consideration by members of a legislative body.

Library and Archives Canada: The national public institution charged with, among other responsibilities, collecting and preserving Canada's documentary heritage and making it accessible to all Canadians. This heritage includes publications, archival records, sound and audio-visual materials, photographs, artworks and electronic documents such as Web sites.

Policy: A formal statement of direction or guidance as to how an organization will carry out its mandate, functions or activities, motivated by determined interests or programs.

Regulation: A rule that is issued by an authorized government agency and that has the force of law.¹

Statute: A law, especially one established by legislation.²

Treasury Board of Canada, Secretariat: Provides advice and support to Treasury Board ministers in their role of ensuring value-for-money. It also provides oversight of the financial management functions in federal departments and agencies.

¹ Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (Chicago, IL: Society of American Archivists, 2005), s.v. "statute." Available at <http://www.archivists.org/glossary/index.asp>.

² *Ibidem*, s.v. "statute."

Federal Legislation

Acts/Legislation

Note: Listed alphabetically by name.

Access to Information Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/A-1>

Legislation Citation: R.S., 1985, c. A-1

Purpose: To extend the present laws of Canada to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific and that decisions on the disclosure of government information should be reviewed independently of government.

Scope: Applies to records under the control of a government institution.

See Also: [Policy on Access to Information](#)

Auditor General Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/A-17>

Legislation Citation: R.S., 1985, c. A-17

Purpose: To establish the role of the Auditor General to audit government departments, agencies and Crown corporations, and the Accounts of Canada and to report the results to the House of Commons.

Scope: Provides for an independent assessment of government activity that relies heavily on the availability of quality information and makes observations and recommendations, at least in part, based on assessment of available information.

Relevant Section(s):

7.(2) (Powers and Duties). Each report of the Auditor General under subsection (1) shall call attention to anything that he considers to be of significance and of a nature that should be brought to the attention of the House of Commons, including any cases in which he has observed that (b) **essential** records have not been maintained or the rules and procedures applied have been insufficient to safeguard and control public property, to secure an effective check on the assessment, collection and proper allocation of the revenue and to ensure that expenditures have been made only as authorized.

Canada Cooperatives Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-1.7/index.html>

Legislation Citation: 1998, c. 1

Purpose: To set out the law applicable to the business endeavors of persons who have associated themselves in a democratic manner to carry on a common purpose.

Scope: Applies to all persons wishing to incorporate a federal co-operative that will carry on its activity in two or more provinces and will have a fixed place of business in more than one province. The Act modernizes the corporate governance rules relating to non-financial cooperatives and is partly modeled on the Canada Business Corporations Act.

Relevant Section(s):

31.(1) (Types of Records to be kept). A cooperative must prepare and maintain the following records at its registered office or at any other place in Canada designated by the directors: (a) the cooperative's articles and by-laws, including any amendments and a copy of any unanimous agreement; (b) the minutes of meetings of the members and shareholders; (c) copies of all notices of directors and notices of change of directors; (d) a list of its members, setting out their names and addresses, the number of any membership shares owned and the amount of any member loans; (e) a list of its shareholders, setting out their names and addresses and the number of investment shares owned; (f) a register of its directors, setting out the names and addresses of the individuals who are or who have been directors and the dates on which they became or ceased to be directors; and (g) if the cooperative issues securities in registered form, a securities register that complies with section 186.

31.(2) (Other types of records). In addition to the records specified in subsection (1), a cooperative **must** prepare and maintain adequate (a) accounting records; (b) records containing minutes of meetings and resolutions of directors and any committee of directors; and (c) records sufficient for the purpose of calculating patronage returns, that show for each member particulars of the transactions between the cooperative and the member.

31.(4) (Retention of records). Subject to any other Act of Parliament and to any Act of the legislature of a province that provides for a longer retention period, a cooperative must retain the accounting records referred to in paragraph (2)(a) for a period of six years after the end of the financial year to which they relate.

32.(1) (Form of records). Any register or record required by this Act must be prepared and maintained in a form that is capable of reproducing any required information in intelligible written form within a reasonable time, including (a) a bound or loose-leaf form; (b) a photographic form; (c) a system of mechanical or electronic data processing; or (d) any other information storage device.

316 (Powers of court). In connection with the liquidation and dissolution of a cooperative, the court may, if it is satisfied that the cooperative is able to pay or adequately provide for the discharge of all its obligations, make any order it thinks fit, including an order ... (i) disposing of or destroying documents and records of the cooperative.

325 (Custody of records). A person who has been granted custody of the documents of a dissolved **cooperative** remains liable to produce them for six years after the date of its dissolution or until the end of any other shorter period that may be ordered under subsection 322(5).

378.(1) (Records of the Director). Records required by this Act to be maintained by the Director may be in bound or loose-leaf form or in photographic film form, or may be entered or recorded by a system of mechanical or electronic data processing or by any other information storage device that is capable of reproducing any required information in intelligible written form within a reasonable time.

Canada Evidence Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-5>

Legislation Citation: R.S., 1985, c. C-5

Purpose: To describe roles and procedures with respect to witnesses and documentary evidence in civil and criminal proceedings, and other matters where Parliament has jurisdiction. It identifies the nature and characteristics of information that is admissible as evidence and information that is not.

Scope: Applies to all criminal proceedings and to other matters over which the Parliament of Canada has jurisdiction.

Related Regulation(s): [Secure Electronic Signature Regulations](#)

Canadian Cultural Property Export and Import Act³

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-51>

Legislation Citation: R.S., 1985, c. C-51

Purpose: (1) to ensure the preservation of important objects related to Canadian heritage by establishing export restrictions for certain categories of objects of historical, scientific and cultural significance; and (2) to provide Canadian import restriction on cultural property that has been illicitly exported from certain foreign countries.

Scope: Applies to all institutions, businesses and individuals importing, exporting or transporting cultural property.

Canadian Security Intelligence Service Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-23>

Legislation Citation: R.S., 1985, c. C-23

Purpose: To establish the Canadian Security Intelligence Service (CSIS) to investigate and advise government on activities that may constitute a threat to the security of Canada. It makes special provisions for access to information in the interests of national security.

Scope: Permits the CSIS, if it has the approval of the appropriate Minister, to enter arrangements or cooperate with the government of a foreign state, an institution of that state, or an international organization of states.

³ CS03: Belkin. Contextual Analysis (p. 2).

Copyright Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-42>

Legislation Citation: R.S., 1985, c. C-42

Purpose: This is an Act respecting copyright. “Copyright” is defined in four different contexts:

- In relation to a work (see section 3).
- In the case of a performer’s performance (see sections 15 & 26)
- In the case of sound recording (see section 18)
- In the case of a communication signal (see section 21)

Crown Liability and Proceedings Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/C-50>

Legislation Citation: R.S., 1985, c. C-50

Purpose: To identify the liability of the government and rules and procedures for proceedings, by or against the government.

Scope: Information liability is specifically addressed in the context of invasion of privacy.

Federal Accountability Act⁴

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/cs/F-5.5>

Legislation Citation: 2006, c. 9

Purpose: To provide for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability.

Scope: Applies to and in respect of every person employed by, and applies to and in respect of the Senate, House of Commons, Library of Parliament, office of the Senate Ethics Officer or office of the Ethics Commissioner.

Financial Administration Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/f-11>

Legislation Citation: R.S., 1985, c. F-11

Purpose: To provide for the financial administration of the Government of Canada, the establishment and maintenance of the accounts of Canada and the control of Crown corporations.

Scope: Applies to government departments, other government agencies, Crown corporations, and to any parties engaged in financial transactions with such departments, agencies and corporations.

Inquiries Act

Responsible Agency: Canadian Department of Justice

⁴ CS04: CTC. Contextual Analysis (p. 2).

Source: <http://laws.justice.gc.ca/en/showdoc/cs/I-11>

Legislation Citation: R.S., 1985, c. I-11

Purpose: An Act respecting public and departmental inquiries. The Governor in Council may, whenever the Governor in Council deems it expedient, cause inquiry to be made into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof.

Library and Archives Act of Canada

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/showdoc/cs/L-7.7>

Legislation Citation: 2004, c. 11

Purpose: Establishes the Library and Archives of Canada. The purpose of this Act is to ensure that: (1) the documentary heritage of Canada be preserved for the benefit of present and future generations; (2) Canada be served by an institution that is a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada as a free and democratic society; (3) that institution facilitate in Canada cooperation among the communities involved in the acquisition, preservation and diffusion of knowledge; and (4) that institution serve as the continuing memory of the government of Canada and its institutions.

Official Languages Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/O-3.01>

Legislation Citation: 1985, c. 31 (4th Supp.)

Purpose: (1) to ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions, in particular with respect to their use in parliamentary proceedings, in legislative and other instruments, in the administration of justice, in communicating with or providing services to the public and in carrying out the work of federal institutions; (2) to support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society; and (3) to set out the powers, duties and functions of federal institutions with respect to the official languages of Canada.

See Also: [Policy on the Language of Work](#); [Policy on the Use of Official Languages for Communications with and Services to the Public](#)

Personal Information Protection and Electronic Documents Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/P-8.6>

Legislation Citation: 2000, c. 5

Purpose: To support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic

means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act.

Scope: The Act consists of two parts:

- **Protection of Personal Information in the Private Sector**: The purpose of this Part is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.
- **Electronic Documents**: The purpose of this Part is to provide for the use of electronic alternatives in the manner provided for in this Part where federal laws contemplate the use of paper to record or communicate information or transactions.

Scope: Applies to every organization that collects, uses and discloses personal information in the course of commercial activity. It does not apply to government institutions that are subject to the federal Privacy Act.

See Also: [Secure Electronic Signatures Regulations](#)

Privacy Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/ShowTdm/cs/P-21>

Legislation Citation: R.S., 1985, c. P-21

Purpose: To extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information.

Scope: Applies to personal information held by a government institution (which is defined as a government ministry or department listed in the Act).

Security of Information Act

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/O-5>

Legislation Citation: R.S., 1985, c. O-5

Purpose: To define the offences related to the disclosure of information of a nature that is prejudiced to the safety or interests of Canada.

Scope: Applies to anyone who has been granted security clearance by the federal government, including those who have been granted Enhanced Reliability Status for accessing designated information.

See Also: [Operational Security Standard for the Security of Information Act](#)

Provincial Legislation

Alberta (<http://www.qp.gov.ab.ca/catalogue/>)

Access to Information Regulation

Responsible Agency: Ministry of Service Alberta

Source: http://www.qp.gov.ab.ca/documents/regs/2001_162.cfm

Legislation Citation: 162/2001

Purpose: To govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of an individual to have his or her personal information protected and the need of organizations to collect, use or disclose personal information for purposes that are reasonable.

Scope: Except as provided in this Act and subject to the regulations, this Act applies to every organization and in respect of all personal information. Subject to the regulations, this Act does not apply to a public body or any personal information that is in the custody of or under the control of a public body.

Electronic Transactions Act

Responsible Agency: Ministry of Service Alberta

Source: <http://www.qp.gov.ab.ca/documents/Acts/E05P5.cfm>

Legislation Citation: S.A. 2001, c. E-5.5

Date Assented: 2003

Purpose: To outline the legal use and exchange of electronic information or documents. The Act includes the following sections: Functional Equivalency Rules; Public Bodies; Electronic Transactions and Electronic Agents; Contracts for the Carriage of Goods; Forms; Regulations; Related Amendments and Coming into Force; and Application of Act.

Scope: In this Act, (a) “electronic” includes created, recorded, transmitted or stored in digital form or in any other intangible form by electronic, magnetic or optical means or by any other means that have similar capabilities for creation, recording, transmission or storage; (b) “electronic agent” means a computer program or any other electronic means used to initiate an act or to respond to electronic information, records or acts, in whole or in part, without review by an individual at the time of the initiation or response; (c) “electronic signature” means electronic information that a person creates or adopts in order to sign a record and that is in, attached to or associated with the record.

In this Act, a reference to a legal requirement includes a reference to any enactment or other law (a) that imposes consequences if writing is not used or a form is not used, a record is not signed or an original record is not provided or retained, or (b) by virtue of which the use of writing or a form, the presence of a signature or the provision or retention of an original record leads to a special permission or other result.

Evidence Act

Responsible Agency: Ministry of Justice and Attorney General

Source: http://www.qp.gov.ab.ca/documents/Acts/A18.cfm?frm_isbn=0779727193

Legislation Citation: R.S.A. 2000, c. A-18

Date Assented: 1980

Purpose: To define the provincial rules of witnesses and evidence for Alberta. The Act provides rules on the admissibility of records in court proceedings.

Relevant Section(s):

41.1 Defines an electronic record.

41.6 For the purpose of determining under any rule of law whether an electronic record is admissible, evidence may be presented in respect of any standard, procedure, usage or practice on how electronic records are to be recorded or stored, having regard to the type of business or endeavour that used, recorded or stored the electronic record and the nature and purpose of the electronic record. 2001 cE-5.5 s33.

Freedom of Information and Protection of Privacy Act

Responsible Agency: Ministry of Service Alberta

Source: <http://foip.gov.ab.ca/legislation/act/index.cfm>

Legislation Citation: R.S.A. 2000, Chapter F-25

Date Assented: 2000

Purpose: (1) to allow any person a right of access to the records in the custody or under the control of a public body subject to limited and specific exceptions as set out in this Act; (2) to control the manner in which a public body may collect personal information from individuals, to control the use that a public body may make of that information and to control the disclosure by a public body of that information; (3) to allow individuals, subject to limited and specific exceptions as set out in this Act, a right of access to personal information about themselves that is held by a public body; (4) to allow individuals a right to request corrections to personal information about themselves that is held by a public body; and (5) to provide for independent reviews of decisions made by public bodies under this Act and the resolution of complaints under this Act.

Scope: Applies to all records in the custody or under the control of a public body in Alberta. Public bodies include Government of Alberta ministries, boards, agencies and commissions, as well as school boards, post-secondary educational institutions, municipalities, police services and commissions, Health Care bodies, Metis settlements, public libraries, drainage and irrigation districts, and housing management bodies.

Personal Information Protection Act

Responsible Agency: Ministry of Service Alberta

Source:

http://www.qp.alberta.ca/574.cfm?page=P06P5.cfm&leg_type=Acts&isbncln=9780779748938&display=html

Legislation Citation: Chapter P-6.5

Date Assented: 2004

Purpose: To govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of an individual to have his or her personal information protected and the need of organizations to collect, use or disclose personal information for purposes that are reasonable.

Scope: Except as provided in this Act and subject to the regulations, this Act applies to every organization and in respect of all personal information. Subject to the regulations, this Act does not apply to a public body or any personal information that is in the custody of or under the control of a public body.

Records Management Regulation

Responsible Agency: Ministry of Service Alberta

Source:

http://www.qp.alberta.ca/574.cfm?page=2001_224.cfm&leg_type=Regs&isbncln=9780779735600&display=html

Legislation Citation: 224/2001

Date Assented: 2001

Purpose: To establish (as part of the Government Organization Act) a Records Management Committee and program to serve the purpose of providing the details for the operation of the records management program

Scope: The Minister may establish, maintain and promote policies, standards and procedures for the creation, handling, control, organization, retention, maintenance, security, preservation, disposition, alienation and destruction of records in the custody or under the control of departments and for their transfer to the Provincial Archives of Alberta.

Guide to Managing Electronic Mail in the Government of Alberta

Responsible Agency: Alberta Government

Source: <http://www.im.gov.ab.ca/publications/pdf/ManagingEmailGuide.pdf>

Original Publication Date: February 2005

Purpose: (1) to bring together existing policies and legislation that govern the management of e-mail in the Government of Alberta; (2) to describe guidelines and practices that should be established at the ministry level; and (3) to provide some tips to help individual employees manage e-mail more effectively.

British Columbia (<http://www.qp.gov.bc.ca/statreg/>)

Company Act⁵

Responsible Agency: British Columbia, Ministry of Labour and Citizen's Services

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/02057_00

⁵ CS08: North Vancouver Museum and Archives. Contextual Analysis (p. 1).

Legislation Citation: [RSBC 1996] Chapter 62

Date Assented: 1996

Purpose: Although this Act has been repealed by the Business Corporation Act (SBC2002, c. 57, s. 445 (a)), it continues to apply to the following: Business Corporation Act (section 4(3)); Cooperative Association Act (section 1(5)); Credit Union Incorporation Act (section 1(4)); Financial Institutions Act (sections 1(4) & 6(2)); and the Society Act (section 71(1)).

See Also: [Personal Information Protection Act](#); [Society Act](#)

Electronic Transactions Act

Responsible Agency: British Columbia, Ministry of Labour and Citizen's Services

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_01010_01

Legislation Citation: [SBC 2001] Chapter 10

Date Assented: 2001

Purpose: To provide the legal recognition of an electronic transaction and its role.

Scope: In this Act, "electronic" means created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic or optical means or by any other similar means. This Act does not apply to: (1) wills, (2) trusts created by wills, (3) powers of attorney, to the extent that they concern the financial affairs or personal care of an individual, (4) documents that create or transfer interests in land and that require registration to be effective against third parties, or (5) other provisions, requirements, information or records prescribed in the regulations.

Employment Standards Act

Responsible Agency: Office of the Information & Privacy Commissioner

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96113_01

Legislation Citation: [RSBC 1996] Chapter 113

Date Assented: 1995

Purpose: (1) to ensure that employees in British Columbia receive at least basic standards of compensation and conditions of employment; (2) to promote the fair treatment of employees and employers; (3) to encourage open communication between employers and employees; (4) to provide fair and efficient procedures for resolving disputes over the application and interpretation of this Act; (5) to foster the development of a productive and efficient labour force that can contribute fully to the prosperity of British Columbia; and (6) to contribute in assisting employees to meet work and family responsibilities.

Evidence Act

Responsible Agency: British Columbia, Ministry of Labour and Citizen's Services

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96124_01

Legislation Citation: [RSBC 1996] Chapter 124

Date Assented: 1996

Purpose: To define the provincial rules of witnesses and evidence for British Columbia.

Freedom of Information and Protection of Privacy Act (FIPPA)

Responsible Agency: Office of the Information & Privacy Commissioner

Source:

[http://www.oipc.bc.ca/legislation/FIPPA/Freedom_of_Information_and_Protection_of_Privacy_Act\(May_2008\).htm](http://www.oipc.bc.ca/legislation/FIPPA/Freedom_of_Information_and_Protection_of_Privacy_Act(May_2008).htm)

Legislation Citation: [RSBC 1996] Chapter 165

Date Assented: 1996

Purpose: To make public bodies more accountable to the public and to protect personal privacy by: (1) giving the public a right of access to records, (2) giving individuals a right of access to, and a right to request correction of, personal information about themselves, (3) specifying limited exceptions to the rights of access, (4) preventing the unauthorized collection, use or disclosure of personal information by public bodies, and (5) providing for an independent review of decisions made under this Act.

Scope: This Act does not replace other procedures for access to information or limit in any way access to information that is not personal information and is available to the public.

See Also: Freedom of Information and Protection of Privacy Regulation; Committee of the Executive Council Regulation

Freedom of Information and Protection of Privacy Regulation

Responsible Agency: Office of the Information & Privacy Commissioner

Source: <http://www.oipc.bc.ca/legislation/FIPPA/BCReg323-93.pdf>

Legislation Citation: 323/93

Date Assented: 1993

Purpose: To provide details regarding oral requests, who can request a record on behalf of a minor or another person, anthropological and historical sites, disclosure of health care information, consent to the disclosure of personal information, and the maximum fees for servicing a record.

See Also: [Freedom of Information and Protection Act \(FIPPA\)](#)

Personal Information Protection Act (PIPA)

Responsible Agency: Office of the Information & Privacy Commissioner

Source: http://www.oipc.bc.ca/legislation/PIPA/Personal_Information_Protection_Act.htm

Legislation Citation: [SBC 2003] Chapter 63

Date Assented: 2003

Purpose: To govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of individuals to protect their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

See Also: [Personal Information Protection Act Regulations](#); [Society Act](#)

Personal Information Protection Act Regulations

Responsible Agency: Office of the Information & Privacy Commissioner

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_03063_01

Legislation Citation: B.C. Reg. 473/2003, O.C. 1234/2003

Date Assented: 2003

Purpose: These regulations provide details regarding oral requests, who can request a record on behalf of a minor, other, or deceased person, determination of nearest relative, disclosure of health care information, and prescribed source of public information.

See Also: [Personal Information Protection Act](#)

Privacy Act

Responsible Agency: British Columbia, Ministry of Labour and Citizen's Services

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96373_01

Legislation Citation: [RSBC 1996] Chapter 373

Date Assented: 1996

Purpose: To define violation of privacy, exceptions to the violation of privacy, unauthorized use of name or portrait of another, and the actions to be taken in case of the violation.

Society Act^{6,7}

Responsible Agency: British Columbia, Ministry of Labour and Citizen's Services

Source: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96433_01

Legislation Citation: [RSBC 1996] Chapter 433

Date Assented: 1996

Purpose: A society may be incorporated under this Act for any lawful purpose or purposes such as national, patriotic, religious, philanthropic, charitable, provident, scientific, fraternal, benevolent, artistic, educational, social, professional, agricultural, sporting or other useful purposes. Additionally, carrying on a business, trade, industry or profession as an incident to the purposes of a society is not prohibited by this section, but a society must not distribute any gain, profit or dividend or otherwise dispose of its assets to a member of the society without receiving full and valuable consideration except during winding up or on dissolution and then only as permitted by section 73.

See Also: [Company Act](#); [Personal Information Protection Act](#)

Manitoba (<http://web2.gov.mb.ca/laws/index.php>)

Archives and Recordkeeping Act

Responsible Agency: Legislative Assembly of Manitoba

Source: <http://web2.gov.mb.ca/laws/statutes/ccsm/a132e.php>

Legislation Citation: C.C.S.M. c. A132

⁶ CS01: BCIT. Research Questions, question #10 (p. 4).

⁷ CS09: AMS. Contextual Analysis (p. 1).

Date Assented: 2001

Purpose: To define the purposes of the Archives and the duties and responsibilities of the archivists working therein.

Evidence Act

Responsible Agency: Legislative Assembly of Manitoba

Source: <http://web2.gov.mb.ca/laws/statutes/ccsm/e150e.php>

Legislation Citation: C.C.S.M. c. E150

Date Assented: 1987

Purpose: To define the provincial rules of witnesses and evidence for Manitoba.

Freedom of Information and Protection of Privacy Act

Responsible Agency: Legislative Assembly of Manitoba

Source: <http://web2.gov.mb.ca/laws/statutes/ccsm/f175e.php>

Legislation Citation: C.C.S.M. c. F175

Date Assented: 1997

Purpose: (1) to allow any person a right of access to records in the custody or under the control of public bodies, subject to the limited and specific exceptions set out in this Act; (2) to allow individuals a right of access to records containing personal information about themselves in the custody or under the control of public bodies, subject to the limited and specific exceptions set out in this Act; (3) to allow individuals a right to request corrections to records containing personal information about themselves in the custody or under the control of public bodies; (4) to control the manner in which public bodies may collect personal information from individuals and to protect individuals against unauthorized use or disclosure of personal information by public bodies; and (5) to provide for an independent review of the decisions of public bodies under this Act.

New Brunswick (<http://www.gnb.ca/0062/acts>)

Archives Act

Responsible Agency: New Brunswick Department of Supply and Services

Source: <http://www.gnb.ca/0062/acts/acts/a-11-1.htm>

Legislation Citation: Chapter A-11.1

Date Assented: 1977

Purpose: The Archives are to consist of all the records in the care, custody and control of the Provincial Archivist at the coming into force of this Act, all records that under this or any other Act are placed in the care, custody and control of the Provincial Archivist and books, papers and records vested in Her Majesty under the *Public Records Act*.

See Also: Public Records Act (New Brunswick)

Evidence Act

Responsible Agency: New Brunswick Attorney General

Source: <http://www.gnb.ca/0062/acts/acts/e-11.htm>

Legislation Citation: R.S.N.B. 1973, Chapter E-11

Date Assented: 1973

Purpose: To define the provincial rules of witnesses and evidence for New Brunswick.

Related Section(s):

47(1)-(4), Electronically Stored Information:

47.1(2) Where a document kept or held by a person is copied by a process of electronic imaging or similar process and is recorded or stored electronically in the course of an established practice in order to keep a permanent record of the document, a printout of the document generated by or produced from a computer record or other electronic medium is admissible in evidence in all cases and for all purposes for which the original document would have been admissible.

47.1(3) A printout described in subsection (2) is not admissible in evidence unless (a) the original document was copied by a process of electronic imaging or similar process and was recorded or stored electronically in the course of an established practice in order to keep a permanent record of it, (b) the original document was destroyed after being copied and recorded or stored in accordance with paragraph (a), and (c) the printout is a true copy of the original document.

47.1(4) Proof of compliance with the requirements of this section may be given by any person who has knowledge, or who has informed himself or herself, of the facts, either orally or by affidavit sworn before a notary public, and unless the court otherwise orders, a notarial copy of any such affidavit is admissible in evidence in lieu of the original affidavit.

Protection of Personal Information Act

Responsible Agency: New Brunswick Department of Supply and Services

Source: <http://www.gnb.ca/0062/acts/acts/p-19-1.htm>

Legislation Citation: Chapter P-19.1

Date Assented: 1998

Purpose: Information that relates to an identifiable individual but is collected, used or disclosed in a form in which the individual is not identifiable is not personal information when so collected, used or disclosed.

Public Records Act

Responsible Agency: New Brunswick Attorney General

Source: <http://www.gnb.ca/0062/acts/acts/p-24.htm>

Legislation Citation: Chapter P-24

Date Assented: 2005

Purpose: To define public records for New Brunswick and the process that occurs if public records have been wrongfully taken or withheld.

See Also: Archives Act (New Brunswick)

Right to Information Act

Responsible Agency: New Brunswick Executive Council

Source: <http://www.gnb.ca/0062/acts/acts/r-10-3.htm>

Legislation Citation: Chapter R-10.3

Date Assented: 1978

Purpose: To entitle every person to request and receive information relating to the public business of the Province, including, without restricting the generality of the foregoing, any activity or function carried on or performed by any department to which this Act applies.

Newfoundland and Labrador (<http://www.justice.gov.nl.ca/just/legcounsel.htm>)

Access to Information and Protection of Privacy Act

Responsible Agency: Department of Justice and House of Assembly

Source: <http://www.assembly.nl.ca/legislation/sr/statutes/a01-1.htm>

Legislation Citation: SNL2002 Chapter A-1.1

Date Assented: 2002

Purpose: To make public bodies more accountable to the public and to protect personal privacy by: (1) giving the public a right of access to records; (2) giving individuals a right of access to, and a right to request correction of, personal information about themselves; (3) specifying limited exceptions to the right of access; (4) preventing the unauthorized collection, use or disclosure of personal information by public bodies; and (5) providing for an independent review of decisions made by public bodies under this Act.

Relevant Section(s):

Section 10 – Access to Records in Different or Electronic Form

10. (1) Where the requested information is in electronic form in the custody or under the control of a public body, the head of the public body shall produce a record for the applicant where

(a) it can be produced using the normal computer hardware and software and technical expertise of the public body; and

(b) producing it would not interfere unreasonably with the operations of the public body.

10. (2) Where a record exists, but not in the form requested by the applicant, the head of the public body may create a record in the form requested where the head is of the opinion that it would be simpler or less costly for the public body to do so.

Evidence Act

Responsible Agency: House of Assembly

Source: <http://www.assembly.nl.ca/legislation/sr/statutes/e16.htm>

Legislation Citation: RSNL1990 Chapter E - 16

Date Assented: 1990

Purpose: To define the provincial rules of witnesses and evidence for Newfoundland and Labrador.

Privacy Act

Responsible Agency: House of Assembly

Source: <http://www.assembly.nl.ca/legislation/sr/statutes/p22.htm>

Legislation Citation: RSNL1990 Chapter P-22

Date Assented: 1995

Purpose: This Act covers the legal issues involved with the Violation of privacy declared as: 3. (1) It is a tort, actionable without proof of damage, for a person, willfully and without a claim of right, to violate the privacy of an individual. (2) The nature and degree of privacy to which an individual is entitled in a situation or in relation to a matter is that which is reasonable in the circumstances, regard being given to the lawful interests of others; and in determining whether the act or conduct of a person constitutes a violation of the privacy of an individual, regard shall be given to the nature, incidence, and occasion of the act or conduct and to the relationship, whether domestic or other, between the parties.

Northwest Territories (<http://www.justice.gov.nt.ca/Legislation/SearchLeg&Reg.shtml>)

Access to Information and Protection of Privacy Act

Responsible Agency: Department of Justice

Source:

http://www.justice.gov.nt.ca/Legislation/..%5CPDF%5CACTS%5CAccess_to_Information.pdf

Legislation Citation: S.N.W.T. 1994, c.20

Date Assented: 1996

Purpose: To make public bodies more accountable to the public and to protect personal privacy by: (1) giving the public a right of access to records held by public bodies; (2) giving individuals a right of access to, and a right to request correction of, personal information about themselves held by public bodies; (3) specifying limited exceptions to the rights of access; (4) preventing the unauthorized collection, use or disclosure of personal information by public bodies; and (5) providing for an independent review of decisions made under this Act.

Archives Act

Responsible Agency: Department of Justice

Source: <http://www.justice.gov.nt.ca/Legislation/..%5CPDF%5CACTS%5CArchives.pdf>

Legislation Citation: R.S.N.W.T. 1988, c.A-6

Date Assented: 1999

Purpose: 5. (1) The Northwest Territories Archives are established and shall consist of (a) all records under the care, custody and control of the Archivist on December 3, 1981; and (b) all other records that are placed under the care, custody or control of the Archivist under this or any other Act or under an agreement that the Archivist enters into. (2) The Archivist is responsible

for the safekeeping of every public record that is transferred to the Archivist under this section.
(3) Public records transferred to the Archivist under this section shall be made available to the public in accordance with the regulations.

Evidence Act

Responsible Agency: House of Assembly

Source: <http://www.justice.gov.nt.ca/PDF/ACTS/Evidence.pdf>

Legislation Citation: R.S.N.W.T. 1988, c.E-8

Date Assented: 1988

Purpose: To define the provincial rules of witnesses and evidence for the Northwest Territories.

Nova Scotia (<http://gov.ns.ca/legislature/legc>)

Evidence Act

Responsible Agency: Office of the Legislative Counsel

Source: http://www.gov.ns.ca/LEGISLATURE/legc/bills/60th_2nd/3rd_read/b012.htm

Legislation Citation: R.S., c. 154, s. 1

Date Assented: 1989 Amended 2007

Purpose: To define the provincial rules of witnesses and evidence for Nova Scotia.

Relevant Section(s):

Section 23: Electronic Records

Freedom of Information and Protection of Privacy Act

Responsible Agency: Office of the Legislative Counsel

Source: <http://www.gov.ns.ca/legislature/legc/statutes/freedom.htm>

Legislation Citation: 1993, c. 5, s. 1

Date Assented: 1993

Purpose: To ensure that public bodies are fully accountable to the public; provide for the disclosure of all government information with necessary exemptions, that are limited and specific; and protect the privacy of individuals with respect to personal information about themselves held by public bodies and to provide individuals with a right of access to that information.

Personal Information International Disclosure Protection Act

Responsible Agency: Office of the Legislative Counsel

Source: http://www.gov.ns.ca/legislature/legc/bills/60th_1st/3rd_read/b019.htm

Legislation Citation: 2006, c. 3, s. 1

Date Assented: 2006

Purpose: To protect the personal information of citizens of Nova Scotia from disclosure outside Canada Archives of Nova Scotia. It applies to all records in the custody or under the control of a public body, including court administration records.

Public Archives Act

Responsible Agency: Office of the Legislative Counsel

Source: <http://www.gov.ns.ca/legislature/legc/statutes/pubarch.htm>

Legislation Citation: 1998, c. 24, s. 1

Date Assented: 1998

Purpose: To establish a central agency of Government to be known as the Public Archives of Nova Scotia.

Nunavut (<http://www.assembly.nu.ca>)

Access to Information and Protection of Privacy Act

Responsible Agency: Department of Justice

Source: http://action.attavik.ca/home/justice-gn/attach-en_conlaw_postdiv/consSNWT1994c203.pdf

Legislation Citation: S.N.W.T. 1994, c.20

Date Assented: 1996

Purpose: To make public bodies more accountable to the public and to protect personal privacy by: (1) giving the public a right of access to records held by public bodies; (2) giving individuals a right of access to, and a right to request correction of, personal information about themselves held by public bodies; (3) specifying limited exceptions to the rights of access; (4) preventing the unauthorized collection, use or disclosure of personal information by public bodies; and (5) providing for an independent review of decisions made under this Act.

Archives Act

Responsible Agency: Department of Justice

Source: http://action.attavik.ca/home/justice-gn/attach-en_conlaw_postdiv/consRSNWT1988cA-6.pdf

Legislation Citation: R.S.N.W.T. 1988, c.A-6

Date Assented: 1999

Purpose: To establish the Northwest Territories Archives and defines its purposes, duties and obligations to the territories.

Evidence Act

Responsible Agency: Department of Justice

Source: http://action.attavik.ca/home/justice-gn/attach-en_conlaw_postdiv/consRSNWT1988cE-81.pdf

Legislation Citation: R.S.N.W.T. 1988, c.E-8

Date Assented: 1988

Purpose: To define the provincial rules of witnesses and evidence for the Northwest Territories.

Ontario (<http://www.e-laws.gov.on.ca>)

Archives and Recordkeeping Act

Responsible Agency: Ontario Government

Source: http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06a34_e.htm

Legislation Citation: S.O. 2006, c. 34, Sch. A, amended : 2009, c. 33, Sched. 6, s. 40.

Date Assented: 2006

Purpose: (1) to ensure that the public records of Ontario are managed, kept and preserved in a useable form for the benefit of present and future generations; (2) to foster government accountability and transparency by promoting and facilitating good recordkeeping by public bodies; and (3) to encourage the public use of Ontario's archival records as a vital resource for studying and interpreting the history of the province.

Electronic Commerce Act

Responsible Agency: Ontario Government

Source: http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_00e17_e.htm

Legislation Citation: S.O. 2000, Chapter 17

Date Assented: 2000

Purpose: To outline the legal use and exchange of electronic information or documents.

Scope: The Act includes the following sections: Functional Equivalency Rules; Public Bodies; Electronic Transactions and Electronic Agents; Contracts for the Carriage of Goods; Forms; and Application of Act.

Evidence Act

Responsible Agency: Ontario Government

Source: http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e23_e.htm

Legislation Citation: R.S.O. 1990, c. E.23, amended 2009, c. 33, Sched. 2, s. 32.

Date Assented: 1990

Purpose: To define the provincial rules of witnesses and evidence for Ontario.

Freedom of Information and Protection of Privacy Act

Responsible Agency: Ontario Government

Source: http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm

Legislation Citation: R.S.O. 1990, c. F.31 amended 2008, c. 15, s. 86.

Date Assented: 1992

Purpose: (1) to provide a right of access to information under the control of institutions in accordance with the principles that, (a) information should be available to the public, (b) necessary exemptions from the right of access should be limited and specific, and (c) decisions on the disclosure of government information should be reviewed independently of government; and (2) to protect the privacy of individuals with respect to personal information about

themselves held by institutions and to provide individuals with a right of access to that information.

Prince Edward Island (<http://www.gov.pe.ca/law/statutes/index.php3>)

Archives and Records Act

Responsible Agency: Minister of Communities, Cultural Affairs and Labour

Source: http://www.gov.pe.ca/law/statutes/pdf/a-19_1.pdf

Legislation Citation: 2001 c.28, R.S.P.E.I. 1988, A-19.1

Date Assented: 1988

Purpose: (1) to vest the records of public bodies in the Government; (2) to provide for the comprehensive and accurate description and classification of records in the custody or under the control of a public body; and (3) to authorize the retention and disposition of the records of public bodies.

Electronic Evidence Act

Responsible Agency: Office of the Attorney General

Source: http://www.gov.pe.ca/law/statutes/pdf/a-19_1.pdf

Legislation Citation: 2001 c.32, R.S.P.E.I. 1988, E-4.3

Date Assented: 1988

Purpose: To define the provincial rules for using electronic evidence in court for Prince Edward Island.

Relevant Section(s):

2.(1) This Act does not modify any common law or statutory rule relating to the admissibility of records, except the rules relating to authentication and best evidence. (2) A court may have regard to evidence adduced under this Act in applying any common law or statutory rule relating to the admissibility of records.

3. The person seeking to introduce an electronic record in any legal proceeding has the burden of proving its authenticity by evidence capable of supporting a finding that the electronic record is what the person claims it to be.

Evidence Act

Responsible Agency: Office of the Attorney General

Source: <http://www.gov.pe.ca/law/statutes/pdf/e-11.pdf>

Legislation Citation: R.S.P.E.I. 1988, E-11

Purpose: To define the provincial rules of witnesses and evidence for Prince Edward Island.

Freedom of Information and Protection of Privacy Act

Responsible Agency: Office of the Attorney General

Source: <http://www.gov.pe.ca/law/statutes/pdf/e-11.pdf>

Legislation Citation: 2001 c.37, R.S.P.E.I. 1988, F-15.01

Purpose: (1) to allow any person a right of access to the records in the custody or under the control of a public body subject to limited and specific exceptions as set out in this Act; (2) to control the manner in which a public body may collect personal information from individuals, to control the use that a public body may make of that information and to control the disclosure by a public body of that information; (3) to allow individuals, subject to limited and specific exceptions as set out in this Act, a right of access to personal information about themselves that is held by a public body; (4) to allow individuals a right to request corrections to personal information about themselves that is held by a public body; and (5) to provide for independent reviews of decisions made by public bodies under this Act and the resolution of complaints under this Act.

Quebec (<http://www.publicationsduquebec.gouv.qc.ca/accueil.en.html>)

An Act respecting Access to documents held by public bodies and the Protection of personal information

Responsible Agency: ??

Source:

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/A_2_1/A2_1_A.html

Legislation Citation: R.S.Q., chapter A-2.1

Date Assented: 1982

Purpose: To outline the citizens' rights regarding access to personal information, restrictions to access, access procedures, and the protection of personal information.

Scope: This Act applies to documents kept by a public body in the exercise of its duties, whether it keeps them itself or through the agency of a third party; applies whether the documents are recorded in writing or print, on sound tape or film, in computerized form, or otherwise; and also applies to documents held by a professional order, to the extent provided by the Professional Code (chapter C-26). The Act declares that every person has a right of access, on request, to the documents held by a public body.

Archives Act

Responsible Agency: ??

Source:

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/A_21_1/A21_1_A.html

Legislation Citation: R.S.Q., chapter A-21.1

Date Assented: 1983

Purpose: To establish the Bibliothèque et Archives nationales du Québec and to define its purposes, duties and obligations to the province.

An Act to establish a legal framework for information technology

Responsible Agency: ??

Source:

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/C_1_1/C1_1_A.html

Legislation Citation: R.S.Q., chapter C-1.1

Date Assented: 2001

Purpose: To ensure: (1) the legal security of documentary communications between persons, associations, partnerships and the State, regardless of the medium used; (2) the coherence of legal rules and their application to documentary communications using media based on information technology, whether electronic, magnetic, optical, wireless or other, or based on a combination of technologies; (3) the functional equivalence and legal value of documents, regardless of the medium used, and the interchangeability of media and technologies; (4) the linking of a person, an association, a partnership or the State with a technology-based document, by any means allowing them to be linked, such as a signature, or any means allowing them to be identified and, if need be, located, such as certification; and (5) concerted action for the harmonization of the technical systems, norms and standards involved in communications by means of technology-based documents and interoperability between different media and information technologies.

An Act respecting the protection of personal information in the private sector

Responsible Agency: ??

Source:

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/P_39_1/P39_1_A.html

Legislation Citation: R.S.Q., chapter P-39.1

Date Assented: 1993

Purpose: To establish, for the exercise of the rights conferred by articles 35 to 40 of the Civil Code concerning the protection of personal information, particular rules with respect to personal information relating to other persons which a person collects, holds, uses or communicates to third persons in the course of carrying on an enterprise within the meaning of article 1525 of the Civil Code.

Scope: The Act applies to such information whatever the nature of its medium and whatever the form in which it is accessible, whether written, graphic, taped, filmed, computerized, or other.

Saskatchewan (<http://www.publications.gov.sk.ca/legislation.cfm>)

Archives Act

Responsible Agency:

Source: <http://www.publications.gov.sk.ca/details.cfm?p=9376&cl=5>

Legislation Citation: Chapter A-26.1

Date Assented: 2004

Purpose: An Act respecting the Archives of Saskatchewan and making consequential amendments to other Acts.

Electronic Information and Documents Act

Responsible Agency: Justice and Attorney General

Source: <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/E7-22.pdf>

Legislation Citation: Chapter E-7.22

Date Assented: 2000

Purpose: To facilitate the use and acceptance of electronic information by persons who wish to do so. The Act ensures that people who wish to deal with each other electronically can do so despite the existence of certain legal requirements that seem difficult to satisfy electronically (e.g., for writing, for signatures or for delivery by registered mail).

Evidence Act

Responsible Agency: Justice and Attorney General

Source: <http://www.qp.gov.sk.ca/documents/english/Statutes/Statutes/e11-2.pdf>

Legislation Citation: Chapter E-11.2

Date Assented: 2006

Purpose: Replaces *The Saskatchewan Evidence Act* and *The Recording of Evidence by Sound Recording Machine Act*.

Scope: Applies to all matters over which the province has jurisdiction, including civil litigation, family law, and provincial offences. The Canada Evidence Act applies to all criminal proceedings and to other matters over which the Parliament of Canada has jurisdiction. The Act authorizes the court to order the examination of a witness or the production of a document, or both, for use in a trial; provides rules for the proof and admissibility of evidence; provides rules for the capacity of witnesses to give evidence, including the administering of oaths and affidavits; and includes special rules for determining the authenticity of certain documents, such as photographic film, financial institutions' books or records, and reports by medical practitioners.

Freedom of Information and Protection of Privacy Act

Responsible Agency: Justice and Attorney General

Source: <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/F22-01.pdf>

Legislation Citation: Chapter F-22.01

Date Assented: 1990

Purpose: To allow citizens to apply for access to information possessed or controlled by government, subject to certain exemptions. The Act also establishes privacy rules for how the government may collect and use personal information.

Local Authority Freedom of Information and Protection of Privacy Act

Responsible Agency: Justice and Attorney General

Source: <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/L27-1.pdf>

Legislation Citation: Chapter L-27.1

Date Assented: 1990

Purpose: To allow citizens, subject to certain exemptions, to apply for access to information possessed or controlled by a local authority, such as a municipality, board of education, hospital or special-care home. The Act also establishes privacy rules for how a local authority may collect and use personal information.

Yukon (<http://www.gov.yk.ca/legislation>)

Access to Information and Protection of Privacy Act

Responsible Agency:

Source: <http://www.gov.yk.ca/legislation/acts/atipp.pdf>

Legislation Citation: RSY 2002, c.1

Date Assented: 1996

Purpose: To make public bodies more accountable to the public and to protect personal privacy by: (1) giving the public a right of access to records held by public bodies; (2) giving individuals a right of access to, and a right to request correction of, personal information about themselves held by public bodies; (3) specifying limited exceptions to the rights of access; (4) preventing the unauthorized collection, use or disclosure of personal information by public bodies; and (5) providing for an independent review of decisions made under this Act.

Archives Act

Responsible Agency:

Source: <http://www.gov.yk.ca/legislation/acts/archives.pdf>

Legislation Citation: RSY 2002, c.9

Date Assented: ??

Purpose: An Act respecting the Archives of the Yukon and making consequential amendments to other Acts.

See Also: Records Management Regulations (O.I.C. 1985/17)

Electronic Evidence Act

Responsible Agency: Office of the Attorney General

Source: http://www.gov.pe.ca/law/statutes/pdf/a-19_1.pdf

Legislation Citation: 2001 c.32, R.S.P.E.I. 1988, E-4.3

Date Assented: 1988

Purpose: To define the provincial rules for using electronic evidence in court for the Yukon.

Relevant Section(s):

2.(1) This Act does not modify any common law or statutory rule relating to the admissibility of records, except the rules relating to authentication and best evidence.

2.(2) A court may have regard to evidence adduced under this Act in applying any common law or statutory rule relating to the admissibility of records.

3. The person seeking to introduce an electronic record in any legal proceeding has the burden of proving its authenticity by evidence capable of supporting a finding that the electronic record is what the person claims it to be.

Federal Policies

Note: Listed alphabetically by name.

Policy on Access to Information

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_121/chap1_1_e.asp

Effective Date: April 1, 2008

Purpose: (1) to facilitate statutory and regulatory compliance, and to enhance effective application of the [Access to Information Act](#) and its Regulations by government institutions; and (2) to ensure consistency in practices and procedures in administering the Act and Regulations so that applicants receive assistance throughout the request process.

Scope: Applies to government institutions as defined in section 3 of the Access to Information Act, including parent Crown corporations and any wholly owned subsidiary of these corporations. It does not apply to the Bank of Canada. It does not apply to information that is excluded under the Access to Information Act.

See Also: [Access to Information Act](#); [Policy Framework for Information and Technology](#); [Policy on Privacy Protection](#)

Policy on Classification and Coding of Financial Transactions

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/TBM_142/5-1_e.asp

Effective Date: Unavailable

Purpose: To provide information for multiple uses both within and outside departments. The classification of accounts provides the framework to identify, aggregate, and report financial transactions for planning, resource allocation, management control, accounting, statistical, and evaluation purposes.

Scope: Applies to all organizations considered to be departments within the meaning of section 2 of the [Financial Administration Act](#).

See Also: [Policy on Electronic Authorization and Authentication](#)

Common Services Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/TB_93/csp-psc_e.asp

Effective Date: Unavailable

Purpose: To ensure that departments and agencies can acquire responsive, cost-effective support for their program delivery.

Scope: Applies to the departments and agencies listed in schedules I, I.1, and II of the [Financial Administration Act](#) and to commissions of inquiry designated as departments for purposes of the FAA.

Communications Policy of the Government of Canada

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/sipubs/comm/comm_e.asp

Effective Date: August 1, 2006

Purpose: To ensure that communications across the Government of Canada are well co-ordinated, effectively managed and responsive to the diverse information needs of the public.

Scope: Issued under the authority of the [Financial Administration Act](#) (FAA), Section 7, and applies to all institutions of the Government of Canada identified in Schedules I, I.1 and II of the Act. All other public institutions subject to the FAA, particularly Crown corporations identified in Schedule III (Parts 1 and 2), are encouraged to become familiar with this policy and to apply its principles to their own communications management.

See Also: [Policy on the Use of Electronic Networks](#)

Policy on Electronic Authorization and Authentication

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/tbm_142/2-2_e.asp

Effective Date: July 15, 1996; replaces the former version dated October 1, 1994.

Purpose: To ensure adequate control and protection of business transactions in electronic form through proper authorization and authentication.

Scope: Applies to all organizations considered to be departments within the meaning of Section 2 of the [Financial Administration Act](#); This policy applies to all electronic business systems where transactions are authorized electronically; For systems under development, this policy is effective within two years of it's coming into force. Existing systems need not comply with this policy unless a new threat and risk assessment indicates a requirement for electronic authorization and authentication; Existing systems using digital signatures should conform to this policy within the next two years.

See Also: [Policy on Classification and Coding of Financial Transactions](#); [Policy on Recording of Refunds of Expenditures and Repayments of Advances](#); [Policy on Recording Receipts of Money](#)

Evaluation Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/tbm_161/ep-pe_e.asp

Effective Date: This document contains the entire text of the policy as revised on April 1, 2001. This policy replaces Chapters 1-1, 1-2, 3-1 and 3-2 of the "Review" volume of the Treasury Board Manual (Unavailable online).

Purpose: To ensure that the government has timely, strategically focused, objective and evidence-based information on the performance of its policies, programs and initiatives to produce better results for Canadians.

Scope: Applies to all organizations considered to be departments within the meaning of section 2 of the [Financial Administration Act](#).

Federal Identity Program Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12314>

Effective Date: October 1, 1990

Purpose: To enable the public to recognize clearly federal activities by means of consistent identification; to improve service to the public by facilitating access to federal programs and services; to project equality of status of the two official languages consistent with the Canadian Charter of Rights and Freedoms and the [Official Languages Act](#); to ensure effective management of the federal identity consistent with government-wide priorities, and to achieve savings through standardization; to promote good management practices in the field of corporate identity and information design.

Scope: Applies to all institutions named in Schedules I, II, and III to the [Financial Administration Act](#) and all branches designated as departments for purposes of the Act, unless the institution has been specifically exempted from the Federal Identity Program.

See Also: [Common Look and Feel for the Internet](#); [Standard on E-Mail](#)

Policy Framework for Information and Technology

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/TB_IT/pfit-csit_e.asp

Effective Date: July 1, 2007

Purpose: Provides the strategic context for the Policy on Information Management and the Policy on the Management of Information Technology. It also takes into consideration the Policy on Privacy Protection, the Policy on Access to Information, and the Government Security Policy.

Scope: Provides guiding principles to sound information and technology management practices across government. These principles also serve to support individuals and employees in exercising their rights and performing their duties.

See Also: [Policy on Access to Information](#); [Government Security Policy](#); [Policy on Information Management](#); [Policy on the Management of Information Technology](#); [Policy on Privacy Protection](#); [Security Organization and Administration](#)

Government Security Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_12A/gsp-psg_e.asp

Effective Date: February 1, 2002

Purpose: To support the national interest and the Government of Canada's business objectives by safeguarding employees and assets and assuring the continued delivery of services. The policy prescribes the application of safeguards to reduce the risk of injury. It is designed to protect employees, preserve the confidentiality, integrity, availability and value of assets, and assure the continued delivery of services. Since the Government of Canada relies extensively on information technology (IT) to provide its services, this policy emphasizes the need for departments to monitor their electronic operations.

Scope: Applies to all departments listed in Schedule I, Schedule I.1 and Schedule II of the [Financial Administration Act](#) (FAA). It also applies to: Any commission under the Inquiries Act that is designated by order of the Governor in Council as a department for the purposes of the FAA; The Canadian Forces with the proviso that any reference in this policy to employees does not include members of the Canadian Forces.

Certain agencies and crown corporations can enter into agreements with the Treasury Board of Canada, Secretariat to adopt the requirements of this policy and apply them to their organization.

See Also: [Policy Framework for Information and Technology](#); [Operational Security Standard](#)

Policy on Information Management

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/TB_GIH/pim-pgi_e.asp

Effective Date: July 1, 2007; replaces the Policy on the Management of Government Information, 2003, and the Policy on Personnel Information Management, 1994.

Purpose: To achieve efficient and effective information management to support program and service delivery; foster informed decision making; facilitate accountability, transparency, and collaboration; and preserve and ensure access to information and records for the benefit of present and future generations.

Scope: Applies to departments as defined in section 2 of the [Financial Administration Act](#), unless excluded by specific acts, regulations, or Orders in Council.

See Also: [Policy Framework for Information and Technology](#); [Policy on Management of Information Technology](#); [Operational Security Standard](#); [Security Organization and Administration](#); [Policy on Learning Training and Development](#)

Policy on Internal Audit

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12340>

Effective Date: April 1, 2006; replaces the 2001 Policy on Internal Audit.

Purpose: To ensure that, at both departmental and government-wide levels, internal audit and audit committees provide deputy heads and the Comptroller General, respectively, with added assurance, independent from line management, on risk management, control, and governance processes. The objective of the policy is to strengthen public sector accountability, risk management, resource stewardship and good governance by reorganizing and bolstering internal audit on a government-wide basis.

Scope: Applies to departments and agencies defined as departments within the meaning of section 2 of the [Financial Administration Act](#). Throughout this policy, the terms “government-wide” and “across government” refer to these departments.

Policy on the Language of Work

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/OffLang/plw-plt_e.asp

Effective Date: April 1, 2004; replaces the Policy on Language of Work in Bilingual Regions, Policy on Language of Work in Unilingual Regions, Policy on Communications Between Regions.

Purpose: To achieve efficient and effective use of information technology to support government priorities and program delivery, to increase productivity, and to enhance services to the public.

Scope: Applies to all institutions subject to Part V of the [Official Languages Act](#) with the exception of the Senate, the House of Commons, the Library of Parliament, the Office of the Senate Ethics Officer and the Office of the Ethics Commissioner.

Policy on Learning, Training and Development

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/TB_856/ltd-afp_e.asp

Effective Date: January 1, 2006. This policy replaces the Career Assignment Program Policy, Management Trainee Program Policy, Salary Administration Policy for the Career Assignment Programme Group, and Salary Administration Policy - Management Trainee Group.

Purpose: To help build a skilled, well-trained and professional workforce; to strengthen organizational leadership; and to adopt leading-edge management practices to encourage innovation and continuous improvements in performance. Additionally, it supports deputy heads in meeting their responsibilities by addressing specific training requirements for three groups of employees: new employees, managers at all levels and functional specialists in domains defined by the employer.

Scope: Applies to the core public administration as defined in the [Financial Administration Act](#), i.e., the departments named in Schedule I and the other portions of the federal public administration named in Schedule IV of the Act.

See Also: [Policy on Information Management](#)

Policy on Management of Information Technology

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/TB_IT/pmit-pgti_e.asp

Effective Date: July 1, 2007; Implementation of the policy requirement related to performance measurement, paragraph 6.1.5 in this policy under “Policy requirements,” will come into effect July 1, 2008. This policy replaces the Management of Information Technology Policy.

Purpose: To achieve efficient and effective use of information technology to support government priorities and program delivery, to increase productivity, and to enhance services to the public.

Scope: Applies to departments as defined in section 2 of the [Financial Administration Act](#), unless excluded by specific acts, regulations, or Orders in Council.

See Also: [Policy on Information Management](#); [Operational Security Standard](#); [Security Organization and Administration](#); [Policy Framework for Information and Technology](#)

Policy on the Management of Projects

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/TBM_122/mp-gp_e.asp

Effective Date: June 7, 2007; replaces Project Management Policy; Policy on the Management of Major Crown Projects; Project Approval Policy. Full compliance with this policy is expected by April 1, 2011.

Purpose: To ensure that the appropriate systems, processes and controls for managing projects are in place, at a departmental, horizontal or government-wide level, and support the achievement of project and program outcomes while limiting the risk to stakeholders and taxpayers.

Scope: Applies to all departments as defined in section 2 of the [Financial Administration Act](#), unless specific acts or regulations override it; The policy applies to all Government of Canada projects as defined in section 4 of this policy; This policy does not apply to projects funded by the federal government through transfer payments.

Multi-Institutional Disposition Authorities (MIDA)

Responsible Agency: Library and Archives Canada

Source: <http://www.collectionscanada.gc.ca/government/disposition/007007-1008-e.html>

Effective Date: Varies

Purpose: To provide direction to government institutions subject to the [Library and Archives of Canada Act](#) regarding the disposal of records managed by all or a multiple number of government institutions. They are designed to eliminate the need for government institutions individually to prepare submissions for and negotiate agreements with the Librarian and Archivist for records which have similar administrative or operational status.

Scope: All government institutions subject to the Library and Archives of Canada Act may use MIDA to dispose of records which do not have archival or historical value.

Relevant Section(s):

- **Downsizing Government and the Disposition of Records** – To ensure the orderly disposition of records by government institutions facing downsizing (especially where this involves major programme reduction, complete abandonment of a function, or transfer of the programme to another jurisdiction).
- **Retention Guidelines for Common Administrative Records of the Government of Canada** (<http://www.collectionscanada.gc.ca/information-management/007002-3100-e.html>) – To present institutions with retention periods for common administrative records based on best practices established over the past thirty years. It also contains Treasury Board policy direction on the retention and disposal of records containing personal information. The guidelines are divided into two sections: Functional Arrangement and Alphabetical Arrangement by Subject
- **Authority for the Destruction of Transitory Records** – This authority provides approval to Ministers and government institutions for the destruction of Transitory Records, defined as: those records that are required only for a limited time to ensure the

completion of a routine action or the preparation of a subsequent record. They *do not* include records required by government institutions or Ministers to control, support, or document the delivery of programs, to carry out operations, to make decisions, or to account for activities of government.

- **Common Administrative Records**
- **Operational and Medium-Specific Records**

Policy on Privacy Protection

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_128/CHAP1_1-1_e.asp

Effective Date: April 1, 2008; replaces the Policy on Privacy and Data Protection, and all mandatory policy requirements contained in Implementation Reports issued up to the effective date of this policy.

Purpose: To facilitate statutory and regulatory compliance, and to enhance effective application of the [Privacy Act](#) and its Regulations by government institutions; to ensure consistency in practices and procedures in administering the Act and Regulations so that applicants receive assistance in filing requests for access to personal information; to ensure effective protection and management of personal information by identifying, assessing, monitoring and mitigating privacy risks in government programs and activities involving the collection, retention, use, disclosure and disposal of personal information.

Scope: Applies to government institutions as defined in section 3 of the Privacy Act, including parent Crown corporations and any wholly owned subsidiary of these corporations. It does not apply to the Bank of Canada.

See Also: [Policy on Access to Information](#); [Privacy Impact Assessment Policy](#); [Policy Framework for Information and Technology](#)

Policy for Public Key Infrastructure Management in the Government of Canada

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/pki/pki1_e.asp

Effective Date: This policy is effective April 26, 2004 and supersedes the Policy on Public Key Infrastructure Management in the Government of Canada of May 27, 1999.

Purpose: To provide for the effective management of public key infrastructure in the federal government. The Government of Canada has chosen to use Public Key technology as the preferred means of electronically authenticating the identity of individuals and of documents. Public key infrastructures, based on principles associated with public key cryptography permit, the encryption of data and the use of digital signatures to enable and facilitate secure electronic business.

It is government policy to promote and manage the use of public key cryptography, as a component of the government's common information management and information technology infrastructure, in order to: Support Government objectives with respect to service transformation and improvement; Facilitate and promote, for the business of the Government of Canada, the

implementation and use of Public Key Infrastructures as the preferred means of authenticating the identity of individuals and documents; Promote and enable the use of Common Certification Authorities; Enable and encourage co-operation and collaboration between government Certification Authorities and, on their behalf, between the government and other Certification Authorities within Canada and internationally; and Encourage the development and use of open standards for commercial products that use public key cryptography.

Scope: Applies to all Departments listed in Schedule I, Schedule I.1 and Schedule II of the Financial Administration Act (FAA). It also applies to: Any commission under the Inquiries Act that is designated by order of the Governor in Council as a Department for the purposes of the FAA; the Canadian Forces, with the proviso that any reference in this policy to employees does not include members of the armed forces.

See Also: [Guidelines For Records Created Under a Public Key Infrastructure Using Encryption And Digital Signatures](#)

Policy on Recording Receipts of Money

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/Pubs_pol/dcgpubs/TBM_142/3-2_1E.asp

Effective Date: This chapter contains the entire text of the policy as revised June 1, 1996. Chapter 3-2 of the “Comptrollership” volume is cancelled and replaced by this policy and Chapter 3-5, Policy on Receivables Management.

Purpose: To ensure that all receipts of money are accurately accounted for and adequately controlled to prevent or reduce error, fraud, or omission.

Scope: Applies to all organizations considered to be departments under section 2 of the [Financial Administration Act](#).

See Also: [Policy on Electronic Authorization and Authentication](#)

Policy on Recording of Refunds of Expenditures and Repayments of Advances

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/tbm_142/3-1E1.asp

Effective Date: This policy is effective October 1, 1996; supersedes section 10.7.9 of the Treasury Board Guide on Financial Administration for Departments and Agencies of the Government of Canada, consolidated revision.

Purpose: To ensure proper use of the authority to credit refunds of expenditures and repayments of advances to the appropriations from which they were originally spent.

Scope: Applies to all organizations considered to be departments within the meaning of section 2 of the Financial Administration Act.

See Also: [Policy on Electronic Authorization and Authentication](#)

Policy on the Use of Electronic Networks

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/tb_cp/uen_e.asp

Effective Date: February 12, 1998

Purpose: To ensure that anyone authorized to access electronic networks by a federal government institution uses those electronic networks appropriately.

Scope: Pursuant to the authority of the Treasury Board under section 7 of the Financial Administration Act, this policy applies to all institutions and other portions of the Public Service listed in Schedule 1, Parts I and II of the [Public Service Staff Relations Act](#), to the Canadian Forces and to the Royal Canadian Mounted Police.

See Also: [Communications Policy of the Government of Canada](#)

Policy on the Use of Official Languages for Communications with and Services to the Public

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/OffLang/puolcsp-pllocpps_e.asp

Effective Date: July 15, 2005; replaces Policy on Communications with the Public, Policy on Active Offer, Policy on Events of National or International Scope for the General Public, and Guidelines on Use of Media.

Purpose: To ensure that anyone authorized to access electronic networks by a federal government institution uses those electronic networks appropriately.

Scope: Applies to all institutions subject to Part IV of the [Official Languages Act](#), with the exception of the Senate, the House of Commons, the Library of Parliament, the Office of the Senate Ethics Officer and the Office of the Ethics Commissioner.

See Also: [Official Languages Act](#)

Privacy Impact Assessment Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/pia-pefr/paip-pefr_e.asp

Effective Date: May 2, 2002

Purpose: To assure Canadians that privacy principles are being taken into account when there are proposals for, and during the design, implementation and evolution of programs and services that raise privacy issues by: prescribing the development and maintenance of Privacy Impact Assessments; and routinely communicating the results of Privacy Impact Assessments to the Privacy Commissioner and the public.

Scope: Applies to all government institutions listed in the Schedule to the [Privacy Act](#), except the Bank of Canada.

See Also: [Policy on Privacy Protection](#); [Privacy Impact Assessment Guidelines](#)

Risk Management Policy

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/RiskManagement/riskmanagpol_e.asp

Effective Date: Unavailable

Purpose: To safeguard the government's property, interests, and certain interests of employees during the conduct of government operations.

Scope: Applies to: Departments and departmental corporations named in Schedules I and II of the [Financial Administration Act](#); any division or branch of the Public Service of Canada, including commissions appointed under the Inquiries Act, designated by the Governor in Council as a department; and the Canadian Forces; referred to in this policy as "departments"; *and* every individual appointed or employed as a servant of Her Majesty in Right of Canada (the Crown). Without limiting the generality of this application, "servant" includes any individual appointed or employed by any of the entities referred to above; any minister, agent, and former servant of the Crown; and the estate of a deceased servant of the Crown. It does not include any person appointed or employed by or under the authority of an ordinance of the Yukon Territory or the Northwest Territories, or any person engaged under a contract for services.

See Also: [Integrated Risk Management Implementation Guide](#)

Regulations

Note: Listed alphabetically by name.

Educational Program, Work and Other Subject-matter Record-keeping Regulations

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/SOR-2001-296/FullText.html>

Effective Date: July 18, 2001

Purpose: To safeguard the government's property, interests, and certain interests of employees during the conduct of government operations.

Scope: Applies in respect of: (a) copies of news programs and news commentary programs that are made pursuant to paragraph 29.6(1)(a) of the Copyright Act; and (b) copies of works and other subject-matter that are made pursuant to paragraph 29.7(1)(a) of the Copyright Act.

Secure Electronic Signature Regulations

Responsible Agency: Canadian Department of Justice Website

Source: <http://laws.justice.gc.ca/en/SOR-2005-30/FullText.html>

Purpose: To define the government's use of electronic signatures and digital signature certificates.

See Also: [Canada Evidence Act](#); [Personal Information Protection and Electronic Documents Act](#)

Standards

Note: Listed alphabetically by name.

Common Look and Feel for the Internet, 2.0

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/clf2-nsi2>

Effective Date: Unavailable

Purpose: The new Common Look and Feel Standards for the Internet were developed to reflect modern practices on the Web, changes in technology and issues raised by the Web community over the past six years as well as to improve navigation and format elements. The standards were rewritten to eliminate duplication and conflict with other Treasury Board policy instruments and were reformatted to improve their structure and organization. The standards consist of four parts: Standard on Web Addresses, Standard on the Accessibility, Interoperability and Usability of s, Standard on Common Web Page Formats, and [Standard on E-Mail](#).

Scope: Unspecified.

See Also: [Federal Identity Program Policy](#)

Standard on Electronic Records as Documentary Evidence

Responsible Agency: Canadian General Standards Board

Source: http://www.techstreet.com/cgi-bin/detail?product_id=1252845

Standard Identifier: CAN/CGSB 72.34-2005

Effective Date: December 2005

Purpose: To provide principles for developing policies, procedures, practices and documentation for the integrity and authenticity of electronically recorded information to: (1) ensure that electronic records can reliably support business decisions and exchanges of commitments; (2) enhance the admissibility and the weight of electronic records in a court of law, a tribunal or an inquiry; and (3) protect the value of electronic records in documenting the content and accountability for decisions and transactions.

Scope: Applies to those who receive, create, capture, maintain, use, store or dispose of records electronically. This standard applies to private and public sector activities of Persons irrespective of whether such activities are undertaken on a for-profit or not-for-profit basis. This standard is intended for use by those who want to ensure that the recorded information (electronic records and transactions) in their IT Systems is trustworthy, reliable and recognized as authentic.

Standard on E-Mail

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/clf2-nsi2/clfs-nnsi/clfs-nnsi-4-eng.asp>

Effective Date: January 1, 2007; replaces the following Treasury Board Common Look and Feel Standards and Guidelines for Internet: Standard 4.1 - Institutional Addresses; Standard 4.2 - Signature Blocks; and Standard 4.3 - “Canada” Wordmark and FIP Signatures for E-mail.

Purpose: With the prevalent use of electronic mail as a communication tool for delivering Government of Canada information, it is important to identify the jurisdiction of the information at both institutional and individual levels. Public servants who provide information via email cannot make assumptions regarding the end-use of information. E-mail recipients may respond immediately, store the message indefinitely, forward it to other recipients, import it to other documents or print a hard copy record. Thus, all email messages must contain enough information to identify the individual and the institution s/he represents, as well as contact information to facilitate further communication via various methods, for example, by telephone, facsimile and postal mail.

Scope: Applies to institutions listed in Schedules I, I.1 and II of the [Financial Administration Act](#).

See Also: [Federal Identity Program Policy](#)

Standard on Microfilm and Electronic Images as Documentary Evidence

Responsible Agency: Canadian General Standards Board

Source: http://www.techstreet.com/cgi-bin/detail?product_id=23271

Standard Identifier: CAN/CGSB 72.11-93

Effective Date: October 1993; amended in April 1994 (CAN/CGSB 72.11-93 CORR.) and April 2000 (CAN/CGSB 72.11-93 AMEND.)

Purpose: To provide rules and guidelines for organizations to establish and operate a credible image management program with the ability to demonstrate that the resulting captured images are accurate reproductions of source records.

Scope: Public and private organizations.

Operational Security Standard: Management of Information Technology Security

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_12A/23RECON-1_e.asp

Effective Date: Unavailable, though it replaces the Information Technology Security Standard (1995)

Purpose: To define baseline security requirements that federal departments must fulfill to ensure the security of information and information technology (IT) assets under their control.

Scope: Unspecified government departments.

See Also: [Government Security Policy](#); [Policy on Information Management](#); [Policy on the Management of Information Technology](#); [Security Organization and Administration](#)

Operational Security Standard for the Security of Information Act

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_12A/sia-lpi1_e.asp

Effective Date: March 17, 2003

Purpose: To provide administrative procedures for departments that are listed in the schedule to the Security of Information Act; and the designation by notice of employees in non-scheduled

departments and of persons and government contractors in scheduled and non-scheduled departments.

Scope: Unspecified government departments.

See Also: [Security of Information Act](#)

Security Organization and Administration

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/gospubs/TBM_12A/21RECON_e.asp

Effective Date: Unavailable, though last revision occurred on June 1, 1995.

Purpose: To establish the operational standard for the organization and administration of security as required by the Security policy. The standard contains both requirements and recommended safeguards.

Scope: Unspecified government departments.

See Also: [Government Security Policy](#); [Policy on Information Management](#); [Policy on the Management of Information Technology](#); [Operational Security Standard](#); [Policy Framework for Information and Technology](#)

TBITS39: Treasury Board Information Management Standard, Part I: Government On-Line Metadata Standard

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=15764>

Effective Date: November 8, 2001.

Purpose: This standard adopts Dublin Core (<http://www.dublincore.org>) as the core metadata standard for resource discovery.

Scope: All Government of Canada Web sites must use metadata to describe Web resources.

See Also: [TBITS39.2: Treasury Board Information Management Standard, Part II](#)

TBITS39.2: Treasury Board Information Management Standard, Part II: Controlled Vocabulary Standard

Responsible Agency: Treasury Board of Canada, Secretariat

Source: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=15765>

Effective Date: November 8, 2001.

Purpose: To adopt the principle of controlled vocabulary for the management of electronic information. The standard adopts the *Government of Canada Core Subject Thesaurus* from the Depository Services Program as the default thesaurus to be used by federal organizations. The standard also adopts the *Government of Canada Core Subject Thesaurus* as the default thesaurus to be used with the Common Look and Feel mandatory element “Controlled Subject.”

Scope: Applies to federal organizations, although some organizations already use departmental or existing thesauri. In this event, thesauri must be bilingual, comply with the ISO standards 2788:1986 “*Guidelines for the establishment and development of monolingual thesauri*” and 5964:1985 “*Guidelines for the establishment and development of multilingual thesauri*,” and be

registered either with the National Library of Canada or the Dublin Core Metadata Initiative (DCMI). Departmental and/or existing thesauri must be capable of being mapped to the *Government of Canada Core Subject Thesaurus*. Alternatively, organizations can use internationally accepted controlled vocabulary lists relevant to them, such as the Library of Congress Subject Headings (LCSH), the Canadian Subject Headings (CSH) or the Répertoire des vedettes-matières de l'Université Laval. Recognized organizations or departments maintain such lists that are registered either with the National Library of Canada or the Dublin Core Metadata Initiative (DCMI).

See Also: [TBITS: Treasury Board Information Management Standard, Part I](#)

Guidelines

Note: Listed alphabetically by name.

Guidelines for Cookies on Government of Canada Web Sites

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pgol-pged/cookies-temoins/cookies-temoins00_e.asp

Original Publication Date: 2002

Purpose: To provide direction on the use of cookies and other similar technologies to developers and administrators, program and service content managers, privacy coordinators and other relevant Government of Canada officials involved in providing services on-line.

Scope: The Guidelines are designed to complement the existing legislative and policy framework that includes the [Privacy Act](#) and [Common Look and Feel for the Internet Standards](#) that outline requirements for Government of Canada s to provide Privacy Notices including a mandatory statement about cookies.

Dublin Core Application Profile for Web Resource Discovery in the Government of Canada

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.collectionscanada.gc.ca/webarchives/20071120004754/www.tbs-sct.gc.ca/im-gi/meta/profil/profil00_e.asp

Original Publication Date: 2006

Purpose: To document how the Government of Canada (GC) uses Dublin Core terms to describe its Web resources.

Scope: Identifies and describes the attributes of the terms for the metadata elements and refinements maintained by the Dublin Core Metadata Initiative that the GC has adopted to aid discovery of its Web resources. It is intended that this application profile will be used by federal departments and agencies. It may also be used by other government jurisdictions and partners when developing metadata standards and applying metadata to Web resources to facilitate Web resource discovery across all levels of government services.

Government of Canada Metadata Implementation Guidelines for Web Resource Discovery (5th Edition)

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.collectionscanada.gc.ca/webarchives/20071120004816/www.tbs-sct.gc.ca/im-gi/mwg-gtm/ts-sf/docs/2006/metaweb/metaweb00_e.asp

Original Publication Date: December 2006

Purpose: To assist federal government departments and agencies in understanding and meeting their obligations to produce descriptions of their Web-based information under the [Government of Canada Common Look and Feel](#) standards. Compliance with the implementation guidelines

will ensure a consistent approach to describing federal government resources and will help Canadians locate more easily the information they need.

Scope: This manual sets out the requirements for the implementation of the Dublin Core metadata terms (elements and refinements) assigned “recommended” status by the Dublin Core Metadata Initiative Usage Board as of March 2006. The guidelines are aimed at metadata developers in federal departments and agencies. These include information management specialists who may be developing local metadata standards, information technology specialists who need to understand how resources should be described to enhance resource discovery, content publishers responsible for posting content to the Web, and content creators who are adding metadata at the point of resource creation.

Privacy Impact Assessment Guidelines: A Framework to Manage Privacy Risks

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/ciopubs/pia-pefr/paipg-pefrld_e.asp

Original Publication Date: May 2002; Revised August 2002

Purpose: To provide a comprehensive framework for the completion of a Privacy Impact Assessment (PIA).

Scope: The PIA ensures that privacy principles and legislation are considered and adhered to throughout the lifecycle of a new program, service or initiative and where appropriate, for existing initiatives undergoing service transformation or redesign. They convey practical advice on the application of the Government of Canada’s [Privacy Impact Assessment Policy](#).

Guidelines for Records Created Under a Public Key Infrastructure Using Encryption and Digital Signatures

Responsible Agency: Library and Archives Canada

Source: <http://www.collectionscanada.gc.ca/government/products-services/007002-3015-e.html>

Original Publication Date: Unknown

Purpose: To facilitate the development of electronic communication at all levels, the federal government has implemented a Public Key Infrastructure (PKI), which enables documents in electronic form to be encrypted and to carry a digital signature.

Scope: All such electronic documents potentially can be designated records within the meaning of the [Library and Archives Canada Act](#), and therefore be identified for transfer to Library and Archives Canada at the end of their operational retention period. These guidelines explain Library and Archives Canada’s position on the use of PKI and assist institutions in the management and disposal of records created under a PKI using encryption and digital signatures.

See Also: [Policy for Public Key Infrastructure Management in the Government of Canada](#)

Retention Guidelines for Common Administrative Records of the Government of Canada

See: [Multi-Institutional Disposition Authorities \(MIDA\)](#)

Guidelines for the Transfer of Textual Archival Records to the National Archives of Canada

Responsible Agency: Library and Archives Canada

Source: <http://www.collectionscanada.gc.ca/obj/007/f2/007-1028-e.pdf>

Original Publication Date: Unknown

Purpose: To provide government institutions with guidance on how to prepare records for transfer to the custody of the Government Archives and Records Disposition Division (GARDD), National Archives of Canada.

Scope: Apply equally to other government institutions that have Agreements with the National Archives regarding the transfer of their archival records. The guidelines pertain to archival records of government institutions subject to the [Library and Archives of Canada Act](#), other government institutions that have Agreements with the National Archives, as well as those institutions that are about to become defunct or already are defunct.

Guides & Handbooks

Note: Listed alphabetically by name.

Government of Canada Internet Guide

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/ig-gi/index_e.asp

Original Publication Date: 2002; Revised 2004

Purpose: To support the Government of Canada's Government On-line (GOL) initiative by giving those who plan, implement, evaluate and maintain Web initiatives within the Government of Canada a resource to help put their services and information on-line.

Scope: Applies to information technology/information management (IT/IM) managers and specialists, communications personnel, Web developers, content providers and anyone else working on the Government On-Line initiative. People must adhere to a number of government-wide statutes, policies and standards when providing their services and information on-line, such as the [Access to Information Act](#), [Privacy and Data Protection Act](#), [Official Languages Act](#), [Security Policy](#), [Communications Policy for the Government of Canada](#), [Use of Electronic Networks Policy](#), [Federal Identity Program](#), and [Common Look and Feel Standards for the Internet](#). This guide is structured around the lifecycle approach to creating, maintaining, managing and preserving a Web initiative. Such work is not linear; it involves moving back and forth among activities and is divided into four main parts:

- **Part I** - Getting Started provides a starting point and foundation for developing a Web initiative.
- **Part II** - Implementation describes ways to make effective use of on-line tools and technology for your Web initiative.
- **Part III** - Evaluation includes methods used to examine the success of the planning and implementation process of your Web initiative.
- **Part IV** - Maintenance describes maintenance processes that will help your Web initiative succeed.

See Also: [Risk Management Policy](#)

Integrated Risk Management Framework

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/riskmanagement/rmf-cgr_e.asp

Original Publication Date: 2001

(1) to provide guidance to advance the use of a more corporate and systematic approach to risk management; (2) to contribute to building a risk-smart workforce and environment that allows for innovation and responsible risk-taking while ensuring legitimate precautions are taken to protect the public interest, maintain public trust, and ensure due diligence; and (3) to propose a set of risk management practices that departments can adopt, or adapt, to their specific circumstances and mandate.

Scope: This Framework is designed to advance the development and implementation of modern management practices and to support innovation throughout the federal Public Service. It provides a comprehensive approach to better integrate risk management into strategic decision-making. The Framework provides an organization with a mechanism to develop an overall approach to manage strategic risks by creating the means to discuss, compare and evaluate substantially different risks on the same page. It applies to an entire organization and covers all types of risks faced by that organization (e.g., policy, operational, human resources, financial, legal, health and safety, environment, reputational).

See Also: [Integrated Risk Management Implementation Guide](#)

Integrated Risk Management Implementation Guide

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/RiskManagement/guide01_e.asp

Original Publication Date: 2004

Purpose: To provide practical advice to those leading and facilitating implementation of integrated risk management in their organizations. It will be useful as well in increasing understanding and collaboration where needed. Risk champions familiar with the Integrated Risk Management Framework (IRMF) can look to the guide for what to do next. The guide is also a reference tool for assessing progress and identifying gaps in organizations where integrated risk management is already underway.

Scope: The guide's focus is *integrated* risk management, not risk management. The guide is a companion to the Government of Canada's IRMF and is intended for use with the IRMF in implementing integrated risk management in a federal organization.

See Also: [Integrated Risk Management Framework](#); [Risk Management Policy](#)

Manager's Guide to Multiple Format Production

Responsible Agency: Library and Archives Canada

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/RiskManagement/guide01_e.asp

Original Publication Date: 2004

Purpose: To provide updated guidelines on how to develop and deliver accessible published government materials.

Scope: Applies to the following types of materials: Accessible Web Sites, Audio Braille, Computer Diskettes, Described Video, Large Print, On-Screen Text, and Sign Writing and provides recommendations for how best to make these materials accessible to a variety of audiences and user needs.

Security Policy-Manager's Handbook

Responsible Agency: Treasury Board of Canada, Secretariat

Source: http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/RiskManagement/guide01_e.asp

Original Publication Date: 2004

Purpose: To summarize and explain the main provisions of the government security policy.

Scope: The security policy establishes a framework of policy guidelines for implementing information security and privacy requirements. This framework requires departments to properly safeguard the personal information and other sensitive data contained in their information systems and used in their programs and services. It is based on the principle that safeguards for information and assets should reflect their sensitivity, importance and value.

Miscellaneous

Note: Listed alphabetically by name.

Canadian Charter of Rights and Freedoms

Responsible Agency: Canadian Department of Justice

Source: <http://laws.justice.gc.ca/en/charter>

Purpose: The Canadian Constitution is a series of documents that collectively establish the executive, legislative and judicial branches of government, allocate government powers and define citizen rights. The Canadian Charter of Rights and Freedoms is Schedule B of the Constitution Act, 1982. It guarantees the fundamental rights and freedoms of every individual subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Excise and GST/HST Rulings and Interpretations Service

Responsible Agency: Canada Revenue Agency

Source: <http://www.cra-arc.gc.ca/E/pub/gm/1-4/1-4-e.html>

Purpose: To assist clients (e.g., GST/HST registrants, excise tax licensees, excise duty licensees and registrants, and other interested persons) to comply voluntarily with the law by providing them with as much information as possible on how the relevant provisions of the applicable legislation affect their operations or transactions.

Scope: The Canada Revenue Agency (CRA) offers a rulings and interpretations service in respect of taxes and duties on goods and services. This is referred to as the Excise and GST/HST Rulings and Interpretations Service. As part of this service, the CRA issues technical publications and provides a technical telephone enquiry service, in addition to issuing rulings and interpretations on these taxes and duties.