

Table of Contents

Volume 1

<i>About the Author/Contributors</i>	ii.1
<i>Preface</i>	iii
<i>Preface to the Second Edition</i>	v
<i>Preface to the First Edition</i>	vii
<i>Table of Cases</i>	xxxi
<i>Index</i>	lxi
Chapter 1 Introduction	1-1
1. Overview	1-1
(1) In the Beginning	1-1
(2) The Thin Edge of the Wedge.....	1-2
(3) The Dawn of Accountability	1-3
(4) Information Governance.....	1-3
(5) The Vexing Challenges	1-5
(6) Today's Environment	1-5
2. Federal/Provincial Jurisdiction.....	1-6
3. Limitation Periods	1-7
(1) When Does Limitation Period Begin "to Run"?	1-7
(2) Length of Limitation Periods.....	1-8
4. Language Requirements	1-9
Chapter 2 Corporate, Securities and Limited Partnership Records	2-1
1. Introduction	2-1
2. Corporate and Securities Records	2-2
(1) Introduction	2-2
(2) Federal.....	2-2
(a) <i>Canada Business Corporations Act</i>	2-2
(3) Alberta	2-5
(a) <i>Business Corporations Act</i>	2-5
(4) British Columbia.....	2-6
(a) <i>Business Corporations Act</i>	2-6
(5) Manitoba	2-10
(a) <i>The Corporations Act</i>	2-10
(6) New Brunswick	2-13
(a) <i>Business Corporations Act</i>	2-13
(7) Newfoundland and Labrador	2-14
(a) <i>Corporations Act</i>	2-14
(8) Northwest Territories.....	2-16

(a) <i>Business Corporations Act</i>	2-16
(9) Nova Scotia	2-19
(a) <i>Companies Act</i>	2-19
(10) Nunavut	2-20
(a) <i>Business Corporations Act</i>	2-20
(11) Ontario	2-23
(a) <i>Business Corporations Act</i>	2-23
(12) Prince Edward Island	2-25
(a) <i>Companies Act</i>	2-25
(13) Quebec	2-26
(a) <i>Companies Act</i>	2-26
(14) Saskatchewan.....	2-29
(a) <i>Business Corporations Act</i>	2-29
(15) Yukon.....	2-31
(a) <i>Business Corporations Act</i>	2-31
3. Limited Partnerships Records	2-33
(1) Introduction	2-33
(2) Alberta	2-33
(a) <i>Partnership Act</i>	2-33
(3) British Columbia.....	2-34
(a) <i>Partnership Act</i>	2-34
(4) Manitoba	2-34
(a) <i>The Partnership Act</i>	2-34
(5) New Brunswick	2-35
(a) <i>Limited Partnership Act</i>	2-35
(6) Newfoundland and Labrador	2-35
(a) <i>Partnership Act</i>	2-35
(7) Nova Scotia	2-36
(a) <i>Partnership Act</i>	2-36
(8) Ontario	2-36
(a) <i>Limited Partnerships Act</i>	2-36
(9) Prince Edward Island	2-37
(a) <i>Limited Partnerships Act</i>	2-37
(10) Quebec	2-38
(a) <i>Civil Code of Québec</i>	2-38
(11) Yukon.....	2-38
(a) <i>Partnership and Business Names Act</i>	2-38
Chapter 3 Taxation Requirements for Records Retention ..	3-1
1. Income Tax Records.....	3-1
2. Commodity Tax Records (Sales Tax and Excise Tax).....	3-2
3. Capital Tax Records	3-2
4. Records Retention Requirements by Jurisdiction.....	3-2
(1) Federal.....	3-2

(a)	<i>Income Tax Act</i>	3-2
(b)	<i>Excise Tax Act</i>	3-5
(c)	<i>Excise Tax Act</i>	3-6
(2)	Alberta	3-9
(a)	<i>Alberta Personal Income Tax Act</i>	3-9
(b)	<i>Alberta Corporate Tax Act</i>	3-9
(3)	British Columbia	3-11
(a)	<i>Income Tax Act</i>	3-11
(b)	<i>Social Service Tax Act</i>	3-12
(4)	Manitoba	3-13
(a)	<i>The Income Tax Act</i>	3-13
(b)	<i>The Tax Administration and Miscellaneous Taxes Act</i>	3-13
(5)	New Brunswick	3-14
(a)	<i>Income Tax Act</i>	3-14
(b)	<i>Financial Corporation Capital Tax Act</i>	3-14
(c)	<i>Revenue Administration Act</i>	3-17
(6)	Newfoundland and Labrador	3-19
(a)	<i>Income Tax Act, 2000</i>	3-19
(b)	<i>Financial Corporations Capital Tax Act</i>	3-20
(c)	<i>Retail Sales Tax Act</i>	3-21
(7)	Northwest Territories.....	3-23
(a)	<i>Income Tax Act</i>	3-23
(8)	Nova Scotia	3-24
(a)	<i>Income Tax Act</i>	3-24
(b)	<i>Corporation Capital Tax Act</i>	3-25
(c)	<i>Revenue Act</i>	3-26
(9)	Nunavut	3-27
(a)	<i>Income Tax Act</i>	3-27
(10)	Ontario	3-27
(a)	<i>Income Tax Act</i>	3-27
(b)	<i>Corporations Tax Act</i>	3-28
(c)	<i>Retail Sales Tax Act</i>	3-29
(11)	Prince Edward Island	3-30
(a)	<i>Income Tax Act</i>	3-30
(b)	<i>Financial Corporation Capital Tax Act</i>	3-31
(c)	<i>Revenue Administration Act</i>	3-31
(12)	Quebec	3-32
(a)	<i>Tax Administration Act</i>	3-32
(b)	<i>Retail Sales Tax Act</i>	3-35
(13)	Saskatchewan.....	3-36
(a)	<i>Income Tax Act</i>	3-36
(b)	<i>Revenue and Financial Services Act</i>	3-36
(14)	Yukon.....	3-38

(a) <i>Income Tax Act</i>	3-38
Chapter 4 Workplace Safety Records	4-1
1. Workplace Safety Records.....	4-1
2. Workplace Hazardous Materials Information System Records	4-2
3. Jurisdictions	4-3
(1) Federal.....	4-3
(2) Alberta	4-9
(3) British Columbia	4-11
(4) Manitoba	4-14
(5) New Brunswick	4-19
(6) Newfoundland and Labrador	4-24
(7) Northwest Territories.....	4-36
(8) Nova Scotia	4-39
(9) Nunavut	4-44
(10) Ontario	4-46
(11) Prince Edward Island	4-51
(12) Quebec	4-56
(13) Saskatchewan.....	4-60
(14) Yukon.....	4-63
Chapter 5 Access to Information	5-1
1. Access	5-1
2. Exemptions	5-2
3. Labelling Commercially Sensitive Information	5-3
4. Government Relationships	5-3
(1) Negotiating Confidentiality with the Government before Submitting the Information	5-4
(2) Offering the Government Official the Opportunity to Review the Records Without Taking Copies	5-4
(3) Supplying Information on a “Demand Loan” Basis.....	5-4
(4) Not Disclosing the Information	5-4
(5) Develop a Working Relationship with the Access Co-ordinators in any Departments with which the Company Habitually Deals.....	5-4
5. Client’s Access to Lawyer’s Records	5-5
(1) Documents Belonging To Solicitor	5-5
(2) Documents Belonging To Client.....	5-5
6. Access by Government Officials Pursuant to Laws of General Application	5-6
7. Access in the Course of Legal Proceedings	5-6
8. Pre-Trial Access to Documents in Civil Action	5-6
9. Reasons for Denying Access.....	5-7
(1) Solicitor-Client and Litigation Privilege	5-7

(2) Confidentiality of Records	5-8
(3) Charter of Rights Protection Against Self-incrimination and Unreasonable Search and Seizure	5-8
10. Jurisdictions	5-9
(1) Federal.....	5-9
(2) Alberta	5-17
(3) British Columbia.....	5-42
(4) Manitoba	5-59
(5) New Brunswick	5-76
(6) Newfoundland and Labrador	5-85
(7) Northwest Territories.....	5-88.5
(8) Nova Scotia	5-98
(9) Nunavut	5-107
(10) Ontario	5-118
(11) Prince Edward Island.....	5-148
(12) Quebec	5-161
(13) Saskatchewan.....	5-175
(14) Yukon.....	5-198

Chapter 5 — Appendices

<i>Appendix A</i> Can a Canadian corporation, whose foreign subsidiary is a defendant to an action outside Ontario, ask an Ontario court to limit, if not eliminate, the Canadian corporation's obligation to produce documents to the extent that the request for documents is merely a fishing expedition or is unduly burdensome to the corporation?	5-213
<i>Appendix B</i> How has the tort of 'intrusion upon seclusion', as established in the case of <i>Jones v. Tsige</i> , been applied to cases where medical records were unlawfully viewed or otherwise obtained?.....	5-220

Chapter 6 Admissibility of Business Records in Court

Proceedings	6-1
1. Introduction	6-1
2. Business Records Exception to Hearsay Rule.....	6-1
(1) Record Must Have Been Made Contemporaneously	6-2
(2) Personal Knowledge or Observation of the Record-Maker	6-3
(3) Person Who Made Record Must Have Been Under Duty to Make It	6-4
(4) Record Must Have Been Made in Usual and Ordinary Course of Business.....	6-4

(5) Record Must be of an “Act, Transaction, Occurrence or Event”	6-5
(6) No Motive to Misrepresent	6-5
3. Business Records and the “Best Evidence Rule”	6-6
(1) Microfilmed Copies	6-6
(2) Photostatic Copies	6-7
(3) Computer Output Microfilm (COM)	6-7
(4) Facsimile Documents	6-8
(5) Optical Disks	6-9
4. Computerized Business Records	6-9
5. Some Implications of the Evidence Rules for Records Managers	6-11
6. Further References	6-12
7. Relevant Legislation by Jurisdiction	6-12
(1) Federal	6-12
(a) <i>Canada Evidence Act</i>	6-12
(2) Alberta	6-14
(a) <i>Alberta Evidence Act</i>	6-14
(3) British Columbia	6-18
(a) <i>Evidence Act</i>	6-18
(4) Manitoba	6-20
(a) <i>Manitoba Evidence Act</i>	6-20
(5) New Brunswick	6-21
(a) <i>Evidence Act</i>	6-21
(6) Newfoundland and Labrador	6-23
(a) <i>Evidence Act</i>	6-23
(b) <i>Bankers’ Books Act</i>	6-24
(7) Northwest Territories	6-24
(a) <i>Evidence Act</i>	6-24
(8) Nova Scotia	6-26
(a) <i>Evidence Act</i>	6-26
(9) Nunavut	6-29
(a) <i>Evidence Act</i>	6-29
(10) Ontario	6-31
(a) <i>Evidence Act</i>	6-31
(11) Prince Edward Island	6-35
(a) <i>Evidence Act</i>	6-35
(12) Quebec	6-37
(a) <i>Civil Code</i>	6-37
(13) Saskatchewan	6-37
(a) <i>The Evidence Act</i>	6-37
(14) Yukon	6-41
(a) <i>Evidence Act</i>	6-41

Chapter 6 — Appendices

<i>Appendix A</i>	What is the law concerning admission of business records into evidence?.....	6-46
<i>Appendix B</i>	How may business records be admitted as evidence in criminal proceedings for the truth of their contents, and when will they be inadmissible.....	6-54
<i>Appendix C</i>	When does ordinary correspondence amount to a “business record” which can be introduced into evidence under the hearsay exception?.....	6-72

Chapter 7 Records Security 7-1

1.	Related Risks.....	7-1
	(1) Confidentiality of Information.....	7-1
	(2) Physical Security of Information.....	7-2
	(3) Introduction of Unauthorized Data.....	7-2
	(4) Inaccurate or Incomplete Information.....	7-3
2.	Internal Control.....	7-3
	(1) The Computer Environment.....	7-4
	(a) Do You Have a Security Policy?.....	7-4
	(b) Do You Have Adequate Access Controls?.....	7-5
	(c) Who is Responsible for Data and Program Integrity?.....	7-7
	(d) Are Duties Properly Segregated in All Departments?.....	7-8
	(e) Are Processing Controls Adequate?.....	7-8
	(f) What Happens if Processing is Disrupted?.....	7-9
	(2) Personal Computers.....	7-10
3.	Monitoring and Review.....	7-12
	(1) EDP Steering Committee.....	7-12
	(2) Data Security Function.....	7-13
	(3) Internal Audit.....	7-13

Chapter 7 — Appendices

<i>Appendix A</i>	Beware of These 4 Myths of IT Data Security.....	7-17
<i>Appendix B</i>	Ways to Prevent Data from Walking Out the Office Door.....	7-21

Chapter 8 Destruction of Records 8-1

1.	Principles Governing Destruction of Records.....	8-1
	(1) Destroy Records as a Class, Not Selectively.....	8-1
	(2) Do Not Destroy Records Pertaining to Litigation Along With Their Class.....	8-3
	(3) Destroy Confidential Records in a Manner Preserving Confidentiality.....	8-4

2. Alternatives to Destruction	8-5
3. Donating Law Files to Archives.....	8-5
Chapter 9 Recordkeeping for Dissolved Corporations	9-1
1. Federal	9-2
(1) <i>Canada Business Corporations Act</i>	9-2
(2) <i>Winding-up and Restructuring Act</i>	9-2
(3) <i>Bankruptcy and Insolvency Act</i>	9-3
2. Alberta	9-5
(1) <i>Business Corporations Act</i>	9-5
3. British Columbia.....	9-5
(1) <i>Business Corporations Act</i>	9-5
4. Manitoba	9-7
(1) <i>The Corporations Act</i>	9-7
5. New Brunswick	9-8
(1) <i>Business Corporations Act</i>	9-8
6. Newfoundland and Labrador	9-9
(1) <i>The Corporations Act</i>	9-9
7. Northwest Territories.....	9-10
(1) <i>Business Corporations Act</i>	9-10
8. Nunavut	9-10
(1) <i>Business Corporations Act</i>	9-10
9. Nova Scotia	9-11
(1) <i>Companies Winding-Up Act</i>	9-11
10. Ontario	9-11
(1) <i>Business Corporations Act</i>	9-11
11. Prince Edward Island	9-12
(1) <i>Winding-Up Act</i>	9-12
12. Quebec	9-12
(1) <i>Winding-Up Act</i>	9-12
13. Saskatchewan.....	9-13
(1) <i>The Companies Winding-Up Act</i>	9-13
(2) <i>Business Corporations Act</i>	9-13
14. Yukon	9-14
(1) <i>The Business Corporations Act</i>	9-14
Chapter 10 Lawyers' Accounting Records.....	10-1
1. Alberta	10-1
(1) <i>The Rules of the Law Society of Alberta, under the Legal Profession Act</i>	10-1
2. British Columbia.....	10-4
(1) <i>Law Society Rules, under the Legal Profession Act</i>	10-4
3. Manitoba	10-8
(1) <i>Law Society Rules, under the Legal Profession Act</i>	10-8

4. New Brunswick	10-10
(1) <i>Trust Account Rules, under the Law Society Act</i>	10-10
5. Newfoundland and Labrador	10-11
(1) <i>Law Society Rules, under the Law Society Act</i>	10-11
6. Northwest Territories	10-15
(1) <i>Legal Profession Act</i>	10-15
7. Nunavut	10-15
(1) <i>Legal Profession Act</i>	10-15
8. Nova Scotia	10-16
(1) <i>Regulations under the Legal Profession Act</i>	10-16
9. Ontario	10-17
(1) <i>Law Society Act</i>	10-17
10. Prince Edward Island	10-18
(1) <i>Legal Profession Act</i>	10-18
(2) <i>Regulations of the Law Society of P.E.I.</i>	10-19
11. Quebec	10-20
(1) <i>By-Law Respecting Accounting and Trust Accounts of Advocates</i>	10-20
12. Saskatchewan.....	10-21
(1) <i>Rules of the Law Society of Saskatchewan under the Legal Profession Act</i>	10-21
13. Yukon	10-23
(1) <i>Legal Profession Act</i>	10-23
Chapter 11 Records Retention Issues for Chartered Accounting Firms	11-1
1. Introduction	11-1
2. Auditing and Related Services	11-2
3. Tax Services	11-5
4. Insolvency Services	11-6
5. Financial Services	11-7
6. Management Consulting	11-8
Chapter 12 Document Retention and Anti-Trust Compliance Programs	12-1
1. Anti-Trust Compliance Programs	12-1
2. Document Retention Policy	12-2
3. Resistance of Foreign Anti-Trust Discovery Proceedings	12-4
4. Business Records Protection Legislation	12-4
5. Anti-Extraterritorial Provisions of the <i>Competition Act</i>	12-5
6. <i>Foreign Extraterritorial Measures Act</i>	12-5
Chapter 13 Federal Goods and Services Tax	13-1
1. Introduction	13-1

2. Who Is Required to Keep Records	13-1
3. What Constitutes Records	13-1
4. Retention Period	13-2
5. Location	13-3
6. Method of Keeping Records.....	13-3
7. Inspection and Penalties	13-3
Chapter 14 Records Retention in Insolvencies	14-1
1. Introduction	14-1
2. Requirements of Insolvency Practitioners	14-1
3. Retention of Debtor's Records	14-2
(1) Taking Possession	14-3
(2) Retention Periods	14-5
(3) Disposal of Debtor's Records During Administration.....	14-5
(4) Sale of Business	14-6
(5) Disposal of Debtor's Records After Completion of Administration	14-6
4. Retention of Estate Records	14-7
5. Requirements of Creditors	14-8
Chapter 15 Directors' Duties	15-1
1. General	15-1
(1) Reliance on Management	15-2
(2) Reliance on Financial Statements.....	15-2
(3) Reliance on Advisors	15-3
2. Information Management	15-4
(1) Information Provided to Directors.....	15-4
(2) Financial Statements.....	15-4
(3) Records to be Maintained for use by the Board	15-5
(4) Personal Records to be Retained by Directors	15-6
3. Environmental Matters	15-6
(1) Ongoing Compliance.....	15-7
(2) Specific Occurrences	15-9
(3) <i>R vs Bata Industries Limited et al</i>	15-10
Chapter 16 Information Privacy In The (Not So) Private Sector.....	16-1
1. Introduction	16-1
2. The History of Privacy Legislation in Canada	16-3
3. <i>The Privacy Act</i>	16-4
4. Privacy Within The Provinces	16-6
5. The Private Sector	16-8
(1) Quebec	16-10
(2) Federal.....	16-19

6. Health Care.....	16-27
(1) Issue 1 — What Constitutes “Health Information”?.....	16-28
(a) British Columbia.....	16-28
(b) Alberta.....	16-28
(c) Saskatchewan.....	16-29
(d) Manitoba.....	16-30
(e) Ontario.....	16-31
(f) New Brunswick.....	16-31
(g) Newfoundland and Labrador.....	16-32
(h) Nova Scotia.....	16-34
(2) Issue 2 — How Personal Health Information Can Be Used.....	16-35
(a) British Columbia.....	16-36
(b) Alberta.....	16-37
(c) Saskatchewan.....	16-38
(d) Manitoba.....	16-39
(e) Ontario.....	16-40
(f) New Brunswick.....	16-41
(g) Newfoundland and Labrador.....	16-43
(h) Nova Scotia.....	16-44
(3) Issue 3 — Medical Research.....	16-45
(a) British Columbia.....	16-45
(b) Alberta.....	16-47
(c) Saskatchewan.....	16-49
(d) Manitoba.....	16-50
(e) Ontario.....	16-51
(f) New Brunswick.....	16-52
(g) Newfoundland and Labrador.....	16-53
(h) Nova Scotia.....	16-53
(4) Issue 4 — Disclosure.....	16-56
(a) British Columbia.....	16-56
(b) Alberta.....	16-60
(c) Saskatchewan.....	16-63
(d) Manitoba.....	16-67
(e) Ontario.....	16-72
(f) New Brunswick.....	16-84
(g) Newfoundland and Labrador.....	16-93
(h) Nova Scotia.....	16-100
(5) Issue 5 - Custody of Records — Prime Responsibility ..	16-111
(a) British Columbia.....	16-111
(b) Alberta.....	16-111
(c) Saskatchewan.....	16-112
(d) Manitoba.....	16-113
(e) Ontario.....	16-113

	(f) New Brunswick	16-115
	(g) Newfoundland and Labrador	16-116
	(h) Nova Scotia	16-117
(6)	Issue 6 - Secondary Control of Records	16-118
	(a) British Columbia	16-118
	(b) Alberta	16-120
	(c) Saskatchewan	16-121
	(d) Manitoba	16-121
	(e) Ontario	16-122
	(f) New Brunswick	16-123
	(g) Newfoundland and Labrador	16-124
	(h) Nova Scotia	16-125
(7)	Issue 7 — Electronic Records	16-127
	(a) British Columbia	16-127
	(b) Alberta	16-128
	(c) Saskatchewan	16-130
	(d) Manitoba	16-130
	(e) Ontario	16-130
	(f) New Brunswick	16-131
	(g) Newfoundland and Labrador	16-132
	(h) Nova Scotia	16-132
(8)	Issue 8 - Combining Separate Pieces of Data	16-133
	(a) British Columbia	16-133
	(b) Alberta	16-134
	(c) Saskatchewan	16-135
	(d) Manitoba	16-135
	(e) Ontario	16-135
	(f) New Brunswick	16-136
	(g) Newfoundland and Labrador	16-136
	(h) Nova Scotia	16-136
(9)	Issue 9 - Records Retention	16-137
	(a) British Columbia	16-137
	(b) Alberta	16-137
	(c) Saskatchewan	16-138
	(d) Manitoba	16-138
	(e) Ontario	16-139
	(f) New Brunswick	16-140
	(g) Newfoundland and Labrador	16-140
	(h) Nova Scotia	16-141

Chapter 16 — Appendices

<i>Appendix A</i>	Canadian Privacy Acts	16-143
<i>Appendix B</i>	2010 Federal Amendments	16-151

<i>Appendix C</i>	Ontario Court of Appeal Recognizes Tort of Invasion of Privacy.....	16-155
<i>Appendix D</i>	Does the <i>Canadian Charter of Rights and Freedoms</i> protect privacy over computers and the Internet? ...	16-159
<i>Appendix E</i>	How has the <i>Canadian Charter of Rights and Freedoms</i> been used in cases concerning employee privacy in workplace technology and surveillance?	16-168
<i>Appendix F</i>	How are damages awarded for a breach of private sector privacy legislation?	16-186
<i>Appendix G</i>	How does the common law privacy tort of intrusion upon seclusion co-exist with Personal Information Protection and Electronic Documents Act and other legislative privacy schemes?.....	16-196
Chapter 17 The Use of Electronic Documents & Their Impact on Legal Admissibility		17-1
	Records Management.....	17-2
1.	Introduction	17-2
2.	Definitions	17-4
3.	Defining the Program	17-4
4.	Characteristics of a Record.....	17-6
5.	Records Management Systems	17-7
6.	Designing Records Systems	17-9
7.	Processes and Controls	17-13
	(1) Which Records Are Captured?	17-13
	(2) Records Retention	17-14
	(3) Classification of Records.....	17-15
8.	Storage and Handling	17-16
9.	Audits	17-18
10.	Training	17-18
11.	Electronic Documents	17-19
12.	Provincial Legislation	17-24
13.	List of Legislation	17-25
14.	CAN/CGSB-72.34 — 2005 Electronic Records as Documentary Evidence	17-33
	(1) Purpose & Scope	17-34
	(2) Definitions	17-34
	(3) Requirements for Admissibility	17-35
	(4) Establishing the Electronic Records Management (ERM) Program.....	17-37
	(5) Quality Assurance Programs	17-39
	(6) Audit Trails.....	17-39

Chapter 17 — Appendix

<i>Appendix A</i>	Data Protection Officers	17-43
<i>Appendix B</i>	Bring Your Own Device (BYOD)	17-47
<i>Appendix C</i>	The Economics of Long Term Digital Storage	17-51
<i>Appendix D</i>	14 Things You Need to Know about Data Storage Management	17-71
<i>Appendix E</i>	A Primer on Metadata: Separating Fact from Fiction	17-77
<i>Appendix F</i>	What are the ethical issues involved in the preservation of digital evidence?	17-93
<i>Appendix G</i>	What reasonable expectation of privacy do employees have in their workplace computers?	17-104

**Chapter 18 Emergency Management — Disaster Preparedness,
Recovery and Resumption Planning & Program
Execution**

	18-1
1. Overview	18-1
2. Deterrents to Emergency Management and Business Continuity Planning	18-4
3. Emerging Standards	18-6
4. EMPlan Objectives	18-8
5. Preparing an EMPlan	18-9
(1) Building a Team	18-9
(2) Defining the Scope of the EMPlan	18-11
(3) Risk Assessment and Management	18-11
(4) Hazard Assessment	18-13
(5) Business Impact Assessment	18-15
(6) Vital Records Identification	18-15
(7) Disaster Prevention	18-19
(8) Recovery Requirements Definition	18-20
6. Plan Inclusions	18-21
7. Plan Testing and Approval	18-22
8. Plan Activation	18-22
(1) Response	18-22
(2) Recovery	18-24
(3) Security	18-24
(4) Contingency	18-24
9. Recovery and Operations Resumptions	18-25
(1) Damage Assessment	18-25
(2) Stabilizing, Salvaging and Restoration Operations	18-26
(3) Operations Resumption	18-27
10. Business Continuity	18-28

Chapter 18 — Appendices

<i>Appendix A</i> A Disaster Planning / Business Continuity Glossary.....	18-33
<i>Appendix B</i> A Hazard Identification Outline.....	18-43
<i>Appendix C</i> Across the Provinces	18-45
British Columbia.....	18-46
Alberta	18-51
Saskatchewan.....	18-52
Manitoba	18-53
Ontario	18-55
Prince Edward Island.....	18-56
Quebec	18-56
New Brunswick	18-58
Nova Scotia	18-59
Newfoundland and Labrador.....	18-60
Yukon.....	18-61
Northwest Territories and Nunavut.....	18-62

Volume 2

Chapter 19 Archives — A Role in Transition	19-1
1. Overview.....	19-1
(1) Early Records and Record-keeping	19-3
2. Main types of Archives, Their Role and Services	19-5
(1) Public.....	19-5
(2) Academic Archives.....	19-10
(3) Corporate/Business Archives	19-12
(4) Church Archives.....	19-13
3. RAD — Rules for Archival Description.....	19-15
4. Preservation and Restoration.....	19-17
5. Archiving Digital Records — A Process.....	19-19
(1) Determining Preservation Requirements.....	19-20
(2) Capturing the Electronic Records.....	19-20
(3) Maintaining Electronic Records.....	19-20
(4) Output Electronic Record.....	19-21
6. Archives and Records Management	19-21
7. Concluding Thoughts	19-21
Chapter 19 — Appendices	
<i>Appendix A</i> Minimum Criteria for an Archival Repository of Digital Scholarly Journals.....	19-27
<i>Appendix B</i> Metadata Schemes	19-31

<i>Appendix C</i> Glossary of Archival Terminology	19-35
<i>Appendix D</i> Provincial and Federal Legal Requirements for Archives	19-39
British Columbia	19-39
Alberta	19-44
Saskatchewan	19-48
Manitoba	19-51
Ontario	19-54
New Brunswick	19-57
Nova Scotia	19-59
Prince Edward Island	19-61
Newfoundland & Labrador	19-63
Federal	19-65
Chapter 20 The Sarbanes Oxley Act, Part 1: A Legislative Review	20-1
1. Introduction	20-1
2. The 1934 <i>Securities Exchange Act</i>	20-3
(1) SOXA — What is it?	20-4
(2) SOXA in Canada — Who does it apply to?	20-6
(3) Canadian Legislative Efforts and Emerging Guidelines..	20-7
3. Bill C-46: An Act to Amend the <i>Criminal Code</i> (Capital Markets Fraud and Evidence-Gathering)	20-7
(1) Bill C-46 Clauses	20-8
(2) National and Multilateral Instruments	20-12
4. Proposed Instruments	20-18
5. TSX Corporate Governance — A Guide to Good Disclosure	20-20
(1) OSC Continuous Disclosure Review	20-21
(2) Amendments to the <i>Ontario Securities Act</i>	20-22
(3) OSC Notice 33-901 — Fair Dealing Model Concept Paper of the Ontario Securities Commission	20-22
(4) IDA Analyst Standards	20-22
(5) LSUC up the Ladder Reporting for Ontario Lawyers	20-23
6. CLERP	20-23
7. In Europe	20-26
8. CESR	20-32
Chapter 20 — Appendices	
<i>Appendix A</i> Pre-Existing Legislation Affected by the <i>Sarbanes-Oxley Act</i> of 2002	20-37
<i>Appendix B</i> Sarbanes Oxley Section Overview	20-39

<i>Appendix C</i>	CLERP 9 Proposed Audit Reforms	20-50
<i>Appendix D</i>	Standard No. 1 on Financial Information Enforcement of Standards on Financial Information in Europe — A Context and Scope of the Standard	20-51
<i>Appendix E</i>	Corporate Governance Initiatives	20-61
Chapter 21	The <i>Sarbanes-Oxley Act</i>, Part 2: Laying a Foundation for Tomorrow	21-1
1.	Introduction	21-1
2.	CESR	21-2
	(1) Advice on Intermediaries	21-4
	(2) Advice on Markets	21-5
	(3) Advice on Co-operation and Enforcement	21-5
3.	CLERP 9	21-6
	(1) Not Covered	21-6
4.	Ethics Issues	21-8
5.	Health Care Benefits	21-9
6.	Outsourcing	21-10
7.	Mergers and Acquisitions	21-10
8.	Impact on Private Companies	21-10
9.	Organizational and Management Change	21-12
10.	Reporting Material Changes	21-12
11.	Executive Mobility	21-13
12.	IT and Internal Controls	21-13
13.	IT Governance	21-14
14.	Auditing	21-16
15.	Compliance Software	21-17
16.	Records Management	21-18
17.	Conclusion	21-19
Chapter 21 — Appendices		
<i>Appendix A</i>	U.S. Sentencing Commission Guidelines	21-25
<i>Appendix B</i>	An IT Governance Implementation Plan	21-27
<i>Appendix C</i>	Records Management Compliance Program How to Get Started	21-29
<i>Appendix D</i>	RIM Guide to the <i>Sarbanes-Oxley Act</i>	21-33
<i>Appendix E</i>	Compliance Software Vendor Comparison	21-53
<i>Appendix F</i>	SOXA Compliance Survey	21-57
Chapter 22	There are Buried Treasures in Your File Rooms	22-1
1.	Introduction	22-1
2.	Records Life Cycle	22-4

3. Business Records and History	22-7
4. How are Archival Records Typically Amassed and Kept by an Organization?.....	22-10
5. What do Organizations Typically do with Archival Records?.....	22-12
(1) The T. Eaton Company.....	22-18
(2) CHUM	22-18
(3) Canadian Tire	22-20
(4) Moriyama and Teshima Architects	22-20
(5) Hudson's Bay Company.....	22-21
(6) Other Corporate Donations	22-24
6. Portrait of Archival Repositories.....	22-26
(1) Library and Archives Canada.....	22-26
(2) Provincial Archives.....	22-27
(3) University and College Archives	22-28
(4) Business Archives.....	22-29
(5) Municipal/Regional/County Archives	22-29
(6) Church and other Religious Archives.....	22-29
(7) Museums Archives.....	22-30
(8) Thematic Archives	22-30
7. Donating Archival Records.....	22-36

Chapter 22 — Appendices

<i>Appendix A</i> Further Readings	22-46
--	-------

Chapter 23 Occupational Health and Safety — Do or Die..... 23-1

1. Introduction	23-1
2. OH&S Legislation in Context.....	23-3
3. Federal Legislation.....	23-7
(1) Canada Labour Code and Regulations	23-7
(2) Bill C-45 — Overview.....	23-9
(3) The Issue of Criminal Liability for Organizations and Individuals	23-11
(4) Wanton or Reckless Disregard	23-12
(5) Punishment	23-14
4. Overview of Provincial Legislation.....	23-16
5. Codes of Practice	23-19
6. Standards.....	23-19
(1) ISO	23-19
(2) Canadian Standards Association	23-21
7. Building a Safety Culture	23-22
8. Safety Programs and Policies.....	23-24
(1) Safety Program Elements	23-27
(2) Safety Program Responsibilities	23-27

9. Joint Health and Safety Committees	23-29
10. Safe Work Rules and Procedures	23-30
11. Inspections and Hazard Assessment	23-31
12. Accident Investigation and Reporting	23-33
13. Safety Training	23-34
14. Safety Program Maintenance	23-34
15. Workplace Hazardous Materials Information System (WHMIS)	23-35
(1) The WHMIS Regulatory Framework	23-36
(2) Material Safety Data Sheets (MSDS)	23-36
16. OH&S Record Keeping Requirements	23-38
17. Canada Labour Code and Regulations Records Requirements	23-40
18. Conclusion	23-42

Chapter 23 — Appendices

<i>Appendix A</i> Canadian Occupational Health & Safety Legislation	23-45
<i>Appendix B</i> Policy Checklist	23-46
<i>Appendix D</i> Job Safety Analysis (JSA) Worksheet	23-48
<i>Appendix E</i> Sample Inspection List	23-49
<i>Appendix F</i> Workplace Inspection Report	23-54
<i>Appendix G</i> Responsibilities of Individuals	23-55
<i>Appendix H</i> Job Task Inventory Matrix	23-58
<i>Appendix I</i> Hazard Assessment and Control Worksheet	23-59

Chapter 24 Employment Records Including Payroll 24-1

1. What Constitutes an Employment Record	24-1
2. Wage Statement	24-12
3. Home Workers and Agencies	24-18
4. Recording Frequency	24-19
5. Exemptions from Labour/Employment Codes	24-22
6. Records Retention Requirements	24-29
7. Location of Records and Accessibility	24-39
8. Acceptability of Non Paper Media Format and Copies	24-42
9. Language	24-45
10. Penalties for Failure to Comply (Labour/Employment Acts) ...	24-45
11. Pension Plans	24-58
12. Workers Compensation	24-66

Chapter 24 — Appendices

<i>Appendix A</i> what are the legal implications for disclosing personal information that arise from the <i>Personal</i>	
--	--

	<i>Information Protection and Electronic Documents Act, S.C. 2000, c. 5, and the common law?</i>	24-73
<i>Appendix B</i>	Does an employee have a legal right to see his or her personnel file?	24-93
Chapter 25	Intellectual Property — Whose Idea Was it, Anyway?	25-1
1.	Introduction	25-1
2.	What is IP?	25-2
3.	Canadian Patents	25-4
4.	Canadian Trade-marks	25-7
5.	Canadian Copyright	25-9
6.	Canadian Industrial Design	25-13
7.	Canadian Integrated Circuit Topography.....	25-14
8.	Canadian Trade Secrets	25-15
9.	Canadian Plant Breeder's Rights	25-17
10.	IP Crime, Punishment and the Courts	25-19
	(1) Bill C-60	25-22
11.	IP Organizations	25-26
	(1) CIPO	25-26
	(2) WIPO	25-26
12.	International IP.....	25-27
	(1) NAFTA.....	25-28
	(2) The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs).....	25-28
	(3) The Trademark Law Treaty (TLT).....	25-29
	(4) Singapore Treaty	25-29
	(5) The Paris Convention for the Protection of Industrial Designs	25-30
	(6) The Berne Convention for the Protection of Literary and Artistic Works.....	25-30
	(7) The WIPO Copyright Treaty (WCT).....	25-31
	(8) The Patent Cooperation Treaty (PCT)	25-31
	(9) Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure	25-32
	(10) The Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement	25-32
	(11) The Hague Agreement Concerning the International Deposit of Industrial Design	25-34
	(12) The Geneva Act of the Hague Agreement.....	25-34
	(13) The Patent Law Treaty (PLT)	25-34
13.	Treaties on Classification	25-35

14. Other Treaties and Conventions	25-35
15. Protection of Intellectual Property	25-35
16. Inventory Intellectual Property Assets	25-36
(1) Determine the Value of IP Assets	25-37
(2) IP Protection Plan	25-38
(3) Implement the Plan and Audit/Monitor Compliance	25-39
17. Conclusion	25-39
Chapter 25 — Appendices	
<i>Appendix A</i> Intellectual Property Policy	25-43
<i>Appendix B</i> Printed Code of Ethics (Duke Energy)	25-49
<i>Appendix C</i> Series of IP Files	25-51
<i>Appendix D</i> IP Retention Schedule A.....	25-56
<i>Appendix E</i> Glossary of Intellectual Property Terms	25-65
Chapter 26 Records Management in Law Firms..... 26-1	
1. Introduction	26-1
2. Law Society Records Management Guidance	26-3
(1) Law Society of Upper Canada	26-4
(2) Law Society of Alberta	26-5
(3) Law Society of British Columbia	26-6
3. Information Management Consortium Study	26-8
4. Standards.....	26-10
5. The Changing Face of Records Management	26-11
6. Best Practices	26-13
Chapter 26 — Appendices	
<i>Appendix A</i> Law Society of Upper Canada, File Management...	26-21
<i>Appendix B</i> Law Society of Upper Canada, File Retention	26-31
<i>Appendix C</i> Law Society of Alberta, File Storage and Destruction Guidelines	26-45
Chapter 27 Canada and its Environment, Part 1 27-1	
1. Introduction	27-1
2. Controlling Bodies	27-3
(1) Environment Canada	27-3
(2) The Knowledge Integration Directorate, Environment Canada	27-5
(3) Canadian Council of Ministers of the Environment (CCME).....	27-6
3. Federal Law	27-7
(1) <i>Canadian Environmental Protection Act, 1999</i> (<i>CEPA, 1999</i>).....	27-8
(a) Toxic Substances.....	27-12
(b) National Pollutant Release Inventory	27-15

(c)	Chemicals Management Plan	27-16
(d)	Air and Sea Pollution	27-16
(e)	Environmental Emergencies	27-17
(f)	Enforcement.....	27-18
(g)	Public Participation and Consultation	27-20
(2)	<i>The Canadian Environmental Assessment Act (CEAA)</i>	27-20
(3)	<i>Canada Shipping Act, 2001</i>	27-22
(a)	Marine Spills	27-23
(4)	<i>Fisheries Act</i>	27-23
(5)	<i>Oceans Act</i>	27-24
(6)	<i>Marine Liability Act</i>	27-25
(7)	<i>National Parks Act</i>	27-25
(8)	<i>Navigable Waters Protection Act</i>	27-25
(9)	<i>Species At Risk Act (SARA)</i>	27-26
(10)	<i>Transportation of Dangerous Goods Act, 1992 (TDGA, 1992)</i>	27-26
(11)	<i>Hazardous Products Act (HPA)</i>	27-27
(12)	<i>Pest Control Products Act (PCPA)</i>	27-27
(13)	<i>Migratory Birds Convention Act (MBCA)</i>	27-28
4.	Criminal Law	27-28
(1)	<i>Clean Air Act</i>	27-28
(2)	<i>Kyoto Protocol</i>	27-28
(3)	ISO 14000.....	27-29
(a)	Documentation Required for EMS Certification under ISO 14001	27-31
5.	Conclusion	27-39
Chapter 27 — Appendices		
<i>Appendix A</i>	Federal / Provincial Agreements.....	27-44
<i>Appendix B</i>	Regulations under the <i>Canadian Environmental Assessment Act</i>	27-46
<i>Appendix C</i>	Canada's International Environment Commitments	27-50
<i>Appendix D</i>	Environment Canada Organization	27-57
<i>Appendix E</i>	Federal Environmental Laws.....	27-60
<i>Appendix F</i>	NPRI Substance List 2006.....	27-61
<i>Appendix G</i>	Canada Kyoto Timeline.....	27-68
<i>Appendix H</i>	Sample EMS Documents	27-73
Chapter 28 Canada and its Environment, Part 2		28-1
Environmental Legislation in Canadian Provinces		
1.	Introduction	28-1
(1)	Cumulative Affects Assessments	28-2

(2) Regional Studies and Assessments	28-6
(3) Federal/Provincial Agreements on Environmental Assessment Cooperation	28-7
(4) Federal-Provincial Environmental Assessment Harmonization Agreements	28-9
(5) <i>Brownfields Statute Law Amendment Act, 2001</i>	28-9
(6) Federal	28-10
(7) Provincial	28-11
(8) Municipal	28-11
2. Alberta	28-12
(1) <i>Environmental Enhancement and Protection Act</i>	28-13
(a) Regulations	28-13
(b) Offence Provisions	28-13
(2) <i>Climate Change and Emissions Management Act</i>	28-14
(a) Regulations	28-14
(b) Offence Provisions	28-15
(3) <i>Water Act</i>	28-15
(a) Regulations	28-15
(b) Offence Provisions	28-16
(4) <i>Government Organization Act, Schedule 5</i>	28-16
(a) Regulations	28-16
(b) Offence Provisions	28-16
(5) <i>Natural Resources Conservation Board Act</i>	28-16
(6) <i>Drainage Districts Act</i>	28-17
(a) Offence Provisions	28-17
(b) Information Disclosure in Alberta	28-17
(c) Alberta Environment's Compliance Inspection Program	28-18
3. Ontario	28-19
(1) The <i>Environmental Protection Act</i> and the <i>Ontario Water Resources Act</i>	28-19
(a) <i>Clean Water Act, 2006</i>	28-19
(b) <i>Ontario's Brownfields Statute Law Amendment Act, 2001</i>	28-20
(c) The Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem	28-21
4. British Columbia	28-23
(1) <i>Environmental Management Act</i>	28-24
(a) Other Regulations	28-24
(b) Enforcement Provisions	28-24
(2) <i>Environmental Assessment Act</i>	28-25
(3) <i>Significant Projects Streamlining Act</i>	28-25
(4) <i>Fish Protection Act</i>	28-25
(5) <i>Forest Practices Code of British Columbia Act</i>	28-25

(6)	<i>Forest and Range Practices Act</i>	28-26
(a)	<i>FRPA Regulations</i>	28-26
(7)	<i>Private Managed Forest Land Act</i>	28-27
(8)	<i>Integrated Pest Management Act</i>	28-27
(9)	<i>Protected Areas of British Columbia Act</i>	28-27
(10)	<i>Transport of Dangerous Goods Act</i>	28-28
(11)	<i>Water Act</i>	28-28
(12)	<i>Water Protection Act</i>	28-28
(13)	<i>Drinking Water Protection Act</i>	28-29
(14)	<i>Petroleum and Natural Gas Act</i>	28-29
(15)	<i>Mines Act</i>	28-30
(16)	<i>Wildlife Act</i>	28-30
(a)	Local Government Regulation of the Environment	28-30
(b)	First Nations.....	28-30
(17)	British Columbia's <i>Brownfields Statute Law Amendment Act, 2001</i>	28-30
5.	Saskatchewan.....	28-31
(1)	<i>Environmental Assessment Act</i>	28-32
(2)	<i>Environmental Management and Protection Act, 2002</i> ..	28-33
(3)	<i>Wildlife Act</i>	28-34
(4)	<i>Forest Resources Management Act</i>	28-34
(5)	Other Relevant Legislation	28-35
6.	Manitoba	28-35
(1)	Municipal, Industrial, and Hazardous Waste Section	28-36
(2)	Environmental Land Use Section	28-37
(3)	Pesticide Section	28-38
(a)	<i>The Environment Act</i>	28-39
(i)	Primary Enabling Regulations	28-40
(b)	<i>Dangerous Goods Handling and Transportation Act</i>	28-41
(i)	Primary Enabling Regulations	28-42
(c)	<i>Water Conservation Act</i>	28-43
(d)	<i>Water Protection Act</i>	28-44
(e)	<i>The Contaminated Sites Remediation Act</i>	28-45
(i)	Primary Enabling Regulation.....	28-45
(f)	<i>The Waste Reduction and Prevention (WRAP) Act</i>	28-45
(i)	Primary Enabling Regulations	28-45
(g)	The Sustainable Development Act.....	28-45
(h)	<i>Ozone Depleting Substances Act</i>	28-46
(i)	Regulation.....	28-46
7.	Quebec	28-46
(1)	<i>Environmental Quality Act</i>	28-47

(a)	<i>Bill 72 (Act to amend the Environment Quality Act and other legislative amendments with regard to land protection and rehabilitation)</i>	28-48
(b)	<i>Agricultural Operations Regulation</i>	28-48
(c)	<i>Soil Protection and Rehabilitation of Contaminated Sites Policy</i>	28-49
8.	New Brunswick	28-49
(1)	The <i>Clean Water Act</i> , the <i>Clean Environment Act</i> , and the <i>Clean Air Act</i>	28-49
(a)	The <i>Environmental Impact Assessment Regulation</i>	28-50
(b)	The <i>Water Quality Regulation</i> and the <i>Air Quality Regulation</i>	28-50
(c)	The <i>Petroleum Product Storage and Handling Regulation</i>	28-50
(d)	The <i>New Brunswick Tire Stewardship Regulation</i>	28-50
(e)	The <i>Potable Water Regulation</i>	28-51
(f)	The <i>Ozone Depleting Substances Regulation</i>	28-51
(2)	The <i>Environmental Trust Fund Act</i>	28-51
(3)	The <i>Pesticides Control Act</i> and the <i>General Regulation</i>	28-51
9.	Nova Scotia	28-51
(1)	The <i>Nova Scotia Environment Act</i>	28-52
10.	Prince Edward Island	28-55
(1)	The <i>Environmental Protection Act</i>	28-56
(2)	<i>Renewable Energy Act</i>	28-56
(a)	<i>Minimum Purchase Price Regulations</i>	28-56
(b)	<i>Designated Areas Regulations</i>	28-56
(c)	<i>Net-Metering System Regulations</i>	28-57
(3)	PEI and Canada-wide Standards	28-57
11.	Newfoundland	28-57
(1)	The <i>Environmental Protection Act</i>	28-57
(a)	Enabling Legislation	28-58
(b)	Regulations	28-59
12.	Conclusion	28-60
Chapter 28 — Appendices		
	<i>Appendix A</i> Regulations Associated with Alberta Acts	28-65
	<i>Appendix B</i> List of Legislation Administered by the B.C. Ministry of Environment	28-67
	<i>Appendix C</i> Environment Glossary	28-68
	<i>Appendix D</i> Provincial Brownfields Legislation	28-71

British Columbia	28-71
Alberta	28-71
Saskatchewan	28-71
Manitoba	28-71
Ontario	28-71
Quebec	28-71
Nova Scotia	28-71
<i>Appendix E</i> Self Assessment Checklist.....	28-72
<i>Appendix F</i> List of Legislation administered by Prince Edward Island Ministry of Environment	28-75
<i>Appendix G</i> List of Legislation administered by Manitoba Conservation Department	28-76
<i>Appendix H</i> List of Legislation administered by the Quebec Ministry of the Environment.....	28-79
<i>Appendix I</i> List of Legislation administered by the New Brunswick Department of Environment and Local Government.....	28-83
<i>Appendix J</i> List of Legislation administered by Newfoundland Depart- ment of the Environment and Conservation	28-85
<i>Appendix K</i> List of legislation Administered by the Nova Scotia Depart- ment of Environment and Labour.....	28-87
<i>Appendix L</i> Federal/Provincial Agreements for Environmental Assess- ment Cooperation	28-89
Chapter 29 Workers Compensation - Return to Work or Return to Health?.....	29-1
1. Introduction	29-1
2. History of WCB	29-5
3. Rate and Compensation	29-7
(1) 2006 Average Assessment Rates.....	29-9
(2) Percentage of workers covered by WCB in 2006	29-11
4. Occupational Health and Safety (OH&S).....	29-12
5. The Association of Workers' Compensation Boards of Canada (AWCBC).....	29-14
6. Saskatchewan.....	29-15
(1) The Board	29-15
(2) Record Keeping	29-16
(3) Access to Information	29-18
(4) Reviews and Appeals	29-18
(a) Appeal Department Review	29-18
(b) Board Members Review.....	29-18
(c) Medical Review Panel.....	29-19

(5) Fair Practices Office	29-19
(6) Current Environment	29-20
7. British Columbia	29-21
(1) The Board	29-22
(2) Access to Information	29-23
(3) Record Keeping	29-24
(4) Reviews and Appeals	29-27
(5) Current Environment	29-28
8. Alberta	29-31
(1) The Board	29-31
(2) Record Keeping	29-33
(3) Access	29-34
(4) Reviews and Appeals	29-35
(5) Current Environment	29-36
9. Manitoba	29-39
(1) The Board	29-39
(2) Record Keeping	29-41
(3) Access	29-43
(4) Reviews and Appeals	29-43
(5) Current Environment	29-44
10. Prince Edward Island	29-46
(1) The Board	29-46
(2) Record Keeping	29-48
(3) Access	29-49
(4) Reviews and Appeals	29-49
(5) Current Environment	29-50
11. Ontario	29-51
(1) The Board	29-51
(2) Record Keeping	29-53
(3) Access	29-56
(4) Reviews and Appeals	29-57
(5) Current Environment	29-59
12. Nova Scotia	29-61
(1) The Board	29-61
(2) Record Keeping	29-62
(3) Access	29-63
(4) Reviews and Appeals	29-64
(5) Current Environment	29-65
13. New Brunswick	29-67
(1) The Board	29-67
(2) Record Keeping	29-68
(3) Access	29-69
(4) Reviews and Appeals	29-69
(5) Current Environment	29-70

14. Newfoundland and Labrador	29-71
(1) The Board	29-71
(2) Record Keeping	29-72
(3) Access	29-73
(4) Reviews and Appeals	29-74
(5) Current Environment	29-74
15. Conclusion	29-75

Chapter 29 - Appendices

<i>Appendix A</i> Glossary of Terms	29-82
<i>Appendix B</i> Federal and Provincial WBC Legislation	29-83
<i>Appendix C</i> Appeal to Court	29-85
<i>Appendix D</i> Sample of Excluded Industries	29-86
<i>Appendix E</i> WCB Reporting Relationship	29-92
<i>Appendix F</i> Accounts, Records and Reports	29-93
<i>Appendix G</i> Filing, Reporting and Notice of a Claim	29-94

Chapter 30 - Records and Information Management:

Evolving to Fit the Time	30-1
1. Introduction	30-1
2. The Records Life Cycle Model	30-1
3. The Records Continuum Model	30-2
4. The Records Continuum Concept in an Information Management Context	30-5
5. The Distinction Between Records and Information	30-7
6. The Life Cycle Revisited - the Records and Information Life Cycle Management Model	30-9
7. Life Cycle Model, Life Cycle Management Model & Records Continuum Model	30-13
8. Refocusing - The Case for Records and Information Management (RIM)	30-15
9. Meeting RIM Needs	30-16
10. The Role of Legislation	30-17
11. Standards as Complementary RIM Tools	30-18
12. Using Legislation and Standards to Plan an RIM Program or Conduct an Evaluation	30-21
13. Conclusion	30-23

Chapter 30 - Appendices

<i>Appendix A</i> Girding for Battle	30-27
--	-------

Chapter 31 Corporate Dissolution “Breaking up is Hard to do” or is it?

1. Introduction	31-1
2. Types of Business Organizations	31-2

(1) Sole Proprietorship.....	31-2
(2) Partnership.....	31-4
(3) Limited Partnership	31-4
(4) Corporation	31-5
(5) Co-operative	31-6
(6) Co-ownership.....	31-6
(7) Joint Venture.....	31-6
(8) Franchises and Licenses	31-6
3. Overview.....	31-6
4. The History of Today's Corporation	31-7
(1) Canadian Corporate Law History	31-9
(a) Early Crown Charters.....	31-9
(b) <i>1849 and 1850 United Provinces Act</i>	31-9
(c) <i>1864 United Provinces Act</i>	31-9
(d) Memorandum of Association.....	31-9
(2) Modern Developments	31-9
(3) <i>Canada Business Corporations Act</i>	31-10
(4) Dissolve a Corporation under the CBCA.....	31-11
5. Custody of Records After Dissolution	31-15
6. Closing Specific Account.....	31-15
(1) Tax Accounts	31-16
7. Not-For-Profit Incorporation/Dissolution	31-17
(1) Corporate Records (Clause 21)	31-18
(2) Access to Corporate Records (Clauses 21-25).....	31-18
(3) Dissolving a Not-For-Profit Corporation.....	31-20
8. Corporate Dissolution under Provincial Legislation	31-23
(1) British Columbia.....	31-24
(a) Voluntary Dissolution and Liquidation	31-24
(b) Dissolution By Registrar.....	31-26
(c) Dissolution Following Liquidation	31-27
(d) BCA Corporate Records Requirement	31-29
(e) Access to Corporate Records	31-30
(f) Custody of Records After Dissolution	31-31
(2) Alberta	31-31
(a) Voluntary Liquidation and Dissolution	31-33
(b) Dissolution by Registrar	31-34
(c) Dissolution by Court Order.....	31-34
(d) ABCA Corporate Records Requirement.....	31-35
(e) Access to Corporate Records	31-35
(f) Custody of Records after Dissolution	31-36
(3) Saskatchewan.....	31-36
(a) Voluntary Dissolution	31-37
(b) Proposing Liquidation and Dissolution	31-37
(c) Dissolution By the Director.....	31-38

	(d) Other Grounds for Dissolution.....	31-38
	(e) SBCA Corporate Records Requirements	31-39
	(f) Access to Corporate Records	31-39
	(g) Custody of Records After Dissolution	31-40
(4)	Manitoba	31-40
	(a) Voluntary Dissolution	31-40
	(b) Dissolution by Director	31-41
	(c) Other Grounds for Dissolution.....	31-41
	(d) Manitoba <i>Corporations Act</i> Records Requirements.....	31-42
	(e) Access to Corporate Records	31-43
	(f) Custody of Records After Dissolution	31-43
(5)	Ontario	31-43
	(a) Voluntary Dissolution	31-44
	(b) Involuntary Dissolution	31-45
	(c) Corporate Records Requirements.....	31-47
	(d) Access to Corporate Records	31-48
	(e) Custody of Records After Dissolution	31-48
(6)	Quebec	31-49
	(a) Voluntary Dissolution	31-50
	(b) Involuntary Dissolution	31-50
	(c) Corporate Records Requirements.....	31-51
	(d) Access to Corporate Records	31-51
	(e) Custody of Records After Dissolution	31-52
(7)	Nova Scotia	31-52
	(a) Voluntary Dissolution	31-52
	(b) <i>Companies Winding-up Act</i>	31-52
	(c) Corporate Records Requirements.....	31-53
	(d) Access to Corporate Records	31-54
	(e) Custody of Records After Dissolution	31-54
(8)	New Brunswick	31-54
	(a) Voluntary Dissolution	31-54
	(b) Dissolution by the Court.....	31-55
	(c) Corporate Records Requirements.....	31-56
	(d) Access to Corporate Records	31-56
	(e) Custody of Records After Dissolution	31-52
(7)	Nova Scotia	31-52
	(a) Voluntary Dissolution	31-52
	(b) <i>Companies Winding-up Act</i>	31-52
	(c) Corporate Records Requirements.....	31-53
	(d) Access to Corporate Records	31-54
	(e) Custody of Records After Dissolution	31-54
(8)	New Brunswick	31-54
	(a) Voluntary Dissolution	31-54

(b)	Dissolution by the Court.....	31-55
(c)	Corporate Records Requirements.....	31-56
(d)	Access to Corporate Records	31-56
(e)	Custody of Records After Dissolution	31-57
(9)	Newfoundland and Labrador	31-57
(a)	Voluntary Dissolution	31-57
(b)	Dissolution by Registrar	31-58
(c)	Dissolution by Court.....	31-58
(d)	Corporate Records Requirements.....	31-59
(e)	Access to Corporate Records	31-59
(f)	Custody of Records After Dissolution	31-59
(10)	Prince Edward Island.....	31-60
(a)	The <i>Companies Act</i>	31-60
(i)	Voluntary Dissolution	31-60
(ii)	Involuntary Dissolution	31-60
(iii)	Corporate Records Requirements.....	31-61
(iv)	Access to Corporate Records	31-61
(v)	Custody of Records After Dissolution	31-61
(b)	<i>Winding-Up Act</i>	31-61
(i)	Voluntary Winding-Up	31-61
(ii)	Winding-Up by the Court.....	31-62
(iii)	Custody of Records After Dissolution	31-63
(iv)	Unlimited Liability Corporations (“ULCs”)	31-63
9.	Conclusion	31-64

Chapter 31 - Appendices

<i>Appendix A</i>	Form 17 - Articles of Dissolution.....	31-71
<i>Appendix B</i>	Form 19 - Statement of Intent to Dissolve	31-72
<i>Appendix C</i>	Request to Close Business Number Accounts.....	31-73

Chapter 32 Cloud Computing - Can I still govern my information

	32-1
1.	Introduction	32-1
2.	What is Cloud Computing?	32-4
3.	Benefits of Clouds.....	32-7
4.	Tethering.....	32-8
5.	Cloud Concerns	32-9
6.	Records and Information Management Concerns	32-10
(1)	Jurisdictional Issues	32-12
(2)	Security	32-12
(3)	Privacy Issues.....	32-13
(4)	Legally Privileged Information	32-14
(5)	Professional Secrecy Obligations.....	32-14
(6)	Transactional Data Use.....	32-14

(7) Creation of New Data Streams	32-15
(8) Data Intrusion.....	32-15
(9) Lawful Access	32-15
(10) Processing	32-15
(11) Permanence of Data	32-16
(12) Compliance	32-16
(13) User Audits	32-17
(14) Cloud Ownership	32-17
7. Generally Accepted Recordkeeping Principles (GARP)	32-17
8. Policy Implications.....	32-18
9. Legislation, Standards, Guidelines	32-19
(1) Europe	32-19
(a) ENISA	32-22
(2) United States Legislation	32-24
(a) HIPPA	32-24
(b) The <i>HITECH Act</i>	32-24
(c) <i>Cramm-Leach-Bliley Act</i>	32-25
(d) <i>USA Patriot Act</i>	32-26
(e) <i>Electronic Communications Privacy Act</i>	32-27
(f) E-Discovery and the Federal Rules of Civil Procedure	32-27
(g) ISO Standards for Information Security	32-30
(3) Canadian Federal Privacy Legislation	32-32
(a) The <i>Privacy Act</i>	32-34
(b) PIPEDA.....	32-35
(4) Provincial Legislation	32-36
10. Conclusion	32-37

Chapter 32 — Appendices

<i>Appendix A</i> List of Recommended Security Policies to Support ISO 27001	32-45
<i>Appendix B</i> Records and Information Management Concerns for the Cloud	32-56
<i>Appendix C</i> ENISA's Division of Responsibilities	32-60
<i>Appendix D</i> Cloud Service Agreements Checklist	32-62
<i>Appendix E</i> ISO IEC 27002 2005 Recommended Security Practices	32-65
<i>Appendix F</i> Important Provincial Privacy Legislation.....	32-83
<i>Appendix G</i> Privacy in the Cloud.....	32-87
<i>Appendix H</i> Cloud Computing and Privacy FAQ	32-93
<i>Appendix I</i> Five Ways to Get Your Cloud Provider Ready for e-Discovery	32-101

<i>Appendix J</i>	e-Discovery Implications of Cloud Computing	32-104
<i>Appendix K</i>	Memorandum of Law	32-109
<i>Appendix L</i>	Memorandum of Law	32-127
<i>Appendix M</i>	Memorandum of Law	32-145
<i>Appendix N</i>	What are the privacy factors and implications that private alberta organizations have to take into consideration and account when moving any of their operations into the cloud?.....	32-152

Volume 3

Chapter 33	Fighting Internet and Wireless Spam	
Act - FISA	33-1
1.	Introduction	33-1
2.	Phishing	33-4
(1)	Phishing Techniques	33-5
(a)	Link Manipulation	33-5
(b)	Filter Evasion	33-5
(c)	Website Forgery.....	33-5
(d)	Installing Crimeware on your Computer	33-6
(e)	Redirectors.....	33-6
(f)	Other Techniques	33-6
(2)	Phishing Impacts.....	33-7
(3)	Dealing with Phishing.....	33-7
(a)	Social Responses	33-7
(b)	Technical Responses	33-8
(c)	Identifying Legitimate Websites.....	33-8
(d)	Monitoring Fraudulent Websites.....	33-9
(e)	Enhancing Password Logins	33-9
(f)	Eliminating Phishing Mail	33-10
(g)	Monitoring and Takedown	33-10
(h)	Legal Responses	33-10
3.	History of E-Commerce.....	33-12
(1)	Early Canadian Legislation.....	33-13
(a)	Organization for Economic Co-operation and Development (OECD) Guidelines on the Protection of Privacy and Transborder Flows of Personal Data.....	33-13
(b)	UNCITRAL Model Law on Electronic Commerce	33-15
(c)	Model Code for the Protection of Personal Information	33-16

(d)	Principles of Consumer Protection for Electronic Commerce and Supporting Documentation - A Canadian Framework	33-18
(e)	Uniform Electronic Commerce Act	33-19
(f)	Internet Sales Contract Harmonization Template	33-20
(g)	Code of Practice for Consumer Protection in Electronic Commerce	33-22
4.	The First Canadian Attempt - Bill C-27: <i>Electronic Commerce Protection Act</i> (ECPA)	33-24
5.	The <i>Fighting Internet and Wireless Spam Act</i> (FISA)	33-25
(1)	Overview	33-25
(2)	Precedence of this Act	33-26
(3)	Definitions	33-27
(4)	Amendments	33-40
(a)	Amendments to the <i>Canadian Radio-television and Telecommunications Commission Act</i> (clause 69)	33-40
(b)	Amendments to the <i>Competition Act</i> (clauses 70-81)	33-40
(c)	Amendments to the <i>Personal Information Protection and Electronic Documents Act</i> (PIPEDA) (clauses 82-87)	33-42
(d)	Amendments to the <i>Telecommunications Act</i> (clauses 88-90)	33-43
6.	U.S. Legislation	33-44
7.	Provincial Legislation	33-46
8.	Conclusion	33-48

Chapter 33 — Appendices

<i>Appendix A</i>	Spam Glossary	33-53
<i>Appendix B</i>	European Union E-commerce Legislation, Information	33-63
<i>Appendix C</i>	Websites for Provincial E-Commerce Legislation	33-67

Chapter 34 Telecommunications in Canada 34-1

1.	Introduction	34-1
2.	History of Canadian Telecommunications	34-5
(1)	The Telegraph	34-5
(2)	The Telephone	34-11
(a)	The Prairies	34-17
(b)	Eastern Canada	34-18
3.	The <i>Telecommunications Act, 1993</i>	34-24
(1)	Established Carriers	34-26

(2) Canadian Ownership and Control	34-26
(3) Prohibition	34-27
(4) Exemption	34-27
4. The <i>Broadcasting Act</i>	34-28
5. The Canadian Radio-Television Commission	34-32
(1) Major CRTC Decisions	34-35
6. Telecommunications Standards Groups	34-39
(1) Industry Canada	34-39
(2) International Telecommunications Union	34-41
(3) The Telecommunications Standards Advisory Council of Canada	34-42
7. Wireless Telecommunication Technology	34-44
8. Conclusion	34-48

Chapter 34 — Appendices

<i>Appendix A</i> Estimated Number of Internet Users by Country	34-55
<i>Appendix B</i> Glossary	34-61
<i>Appendix C</i> CRTC Fee Structure — Fees and Adjustments	34-71
<i>Appendix D</i> Selected Telecommunications Timeline	34-75

Chapter 35 — Managing Engineering Documentation 35-1

1. Introduction	35-1
2. The Development of Canadian Engineering Practices	35-3
3. Codes of Ethics	35-7
4. Legislation and Licensing	35-11
5. Engineering Document Management	35-16
(1) <i>British Columbia</i>	35-16
(2) <i>Alberta</i>	35-19
(3) <i>Ontario</i>	35-20
(4) <i>Quebec</i>	35-21
6. Engineering Document Functionality	35-22
7. Engineering Project Documents	35-27
8. ISO Standard	35-33
9. The New Engineer	35-35
10. Conclusion	35-37

Chapter 35 — Appendices

<i>Appendix A</i> Types of Engineering Disciplines	35-41
<i>Appendix B</i> Provincial and Territorial Engineering Licensing Bodies	35-43
<i>Appendix C</i> Accredited engineering Programs in Canada	35-45
<i>Appendix D</i> Provincial and Territorial Engineering Acts, Relevant Regulations	35-59

<i>Appendix E</i>	Ontario Association of Architects Ontario General Contractors Association, Joint Best Practice Statement	35-65
<i>Appendix F</i>	Sample Engineering Project Management Classification Systems	35-71

Chapter 36	Records and Information Management Competencies, Positions, Education and Certifications	36-1
1.	Introduction	36-1
2.	Records and Information Management Competencies and Positions	36-2
(1)	RIM Competencies.....	36-2
(a)	Records and Information Management Core Competencies	36-3
(b)	Competency Tool Kit for Information Resources Management Specialists in Archives, Libraries and Records Management.....	36-5
(c)	Competencies of the Federal Government Information Management Community	36-5
(2)	RIM Positions.....	36-6
(a)	Clerk and Technician Positions.....	36-9
(b)	Analyst Positions.....	36-9
(c)	Coordinator, Specialist, and Electronic Records Management Positions.....	36-10
(d)	Supervisory/Management and Executive Oversight Positions	36-10
(3)	RIM Consulting as an Employment Alternative	36-11
(4)	Compensation	36-12
(5)	Advice for RIM Job Seekers	36-15
3.	Records and Information Management Education and Training	36-16
(1)	College Diplomas	36-17
(2)	University Degrees	36-17
(a)	Undergraduate Degrees.....	36-17
(b)	Graduate Degrees - Master's and PhD.....	36-18
(3)	College/University Certificates.....	36-20
(4)	Professional Association Certificates and Training Programs	36-22
(a)	Training Programs Offered by AIIM	36-22
(b)	Certificates Offered by ARMA International	36-28
(5)	Other Resources.....	36-29
4.	Records and Information Management Certifications.....	36-30
(1)	The Benefits of Certification	36-31
(a)	Benefits for Individuals.....	36-31

(b)	Benefits for Employers	36-32
(2)	RIM Certifications: CIP, CRM, and IGP	36-33
(a)	Certified Information Professional (CIP)	36-35
(i)	CIP Eligibility Criteria	36-36
(ii)	CIP Exam	36-37
(iii)	CIP Certification Maintenance	36-38
(b)	Certified Records Manager (CRM)	36-38
(i)	CRM Eligibility Criteria	36-39
(ii)	CRM Exams	36-40
(iii)	CRM Certification Maintenance	36-42
(c)	Information Governance Professional (IGP)	36-44
(i)	IGP Eligibility Criteria	36-45
(ii)	The IGP Exam	36-46
(iii)	IGP Certification Maintenance	36-48
(3)	RIM-related Certifications	36-48
(a)	Archives	36-50
(i)	CA Eligibility Requirements	36-50
(ii)	CA Exam	36-51
(iii)	CA Certification Maintenance	36-51
(b)	Audit	36-52
(i)	CIA Eligibility Requirements	36-52
(ii)	CIA Exam	36-53
(iii)	CIA Certification Maintenance	36-53
(c)	E-discovery	36-53
(i)	CEDS Eligibility Requirements	36-53
(ii)	CEDS Exam	36-54
(iii)	CEDS Certification Maintenance	36-54
(d)	IT	36-54
(i)	CDIA+ Eligibility Requirements	36-55
(ii)	CDIA+ Exam	36-55
(iii)	CDIA+ Certification Maintenance	36-56
(iv)	Additional IT Certifications	36-56
(e)	Privacy	36-56
(i)	CIPP Eligibility Requirements	36-57
(ii)	CIPP Exam	36-57
(iii)	CIPP Certification Maintenance	36-58
(iv)	Other Privacy Certifications	36-58
(f)	Project Management	36-58
(i)	PMP Eligibility Requirements	36-59
(ii)	PMP Exam	36-60
(iii)	PMP Certification Maintenance	36-60
5.	About the Author	36-61
6.	Author's Acknowledgment	36-61

Chapter 37	Information Governance: Pulling Down	
the Silos	37-1
1.	Introduction	37-1
2.	What is Information Governance?	37-2
	(1) Accountability	37-3
	(2) Managing Information is Not IT's Job	37-4
	(3) Information Governance Needs Oversight	37-4
	(4) Importance of Information	37-5
3.	Who Should Run the Shop?	37-5
	(1) The Information Governance Professional	37-6
	(2) Team Approach for Managing Information	37-7
4.	Information Governance is Strategic	37-8
	(1) Information Governance is not Records Management ...	37-8
5.	Information Explosion	37-9
	(1) History of How We Got Here — “The Revolutions”	37-9
	(2) Today's Business Environment	37-11
	(3) Unstructured and Structured Information	37-14
	(4) Getting value from the Data	37-15
6.	Building a Better Case for Data/Information Management	37-16
7.	Information Technology Governance Model as an Example	37-19
8.	Defining the IG Program	37-20
9.	Maturity Models	37-22
	(1) Electronic Discovery Reference Model (EDRM)	37-23
	(2) Information Governance Reference Model (IGRM)	37-24
	(3) ARMA's Information Governance Maturity Model (IGMM)	37-27
	(a) IGMM Levels of Maturity	37-27
	(b) A Guide to Using the IGMM	37-32
	(4) Steps to Developing a Roadmap	37-44
10.	Conclusion	37-49
	(1) Organizational Focus	37-49
	(2) Figure out what are your pain points	37-49
	(3) Develop a Road map to get to where you want to go	37-50
	(4) Accountability and Support from the “C” level suite	37-51
	(5) Identify Roles and Responsibilities of IG participants	37-52
	(6) Develop a Technology Strategy	37-52
	(7) Change Management Strategy	37-52
Chapter 37 — Appendices		
<i>Appendix A</i>	Information Governance as a Service	37-57

<i>Appendix B</i>	Predictive Coding Will Help Information Governance Get Real.....	37-61
<i>Appendix C</i>	Information Governance to the Rescue	37-65
Chapter 38	Knowledge Management.....	38-1
1.	What is Knowledge Management?.....	38-1
2.	The Stages of Development of KM.....	38-4
3.	Knowledge Management Today.....	38-6
4.	Knowledge Management Drivers	38-6
5.	What are the Types of Knowledge?.....	38-7
6.	The Professional Knowledge Worker	38-9
	(1) Lessons Learned Databases.....	38-10
	(2) Expertise Location.....	38-11
	(3) Communities of Practice (CoPs)	38-12
7.	The KM Challenge	38-13
8.	The Value of Knowledge Management	38-14
9.	Barriers to Knowledge Management	38-15
10.	Selling Knowledge Management.....	38-16
11.	What Is Knowledge Management Related To?.....	38-17
12.	Technologies That Support Knowledge Management.....	38-18
13.	Social Media & Wikis	38-19
14.	Social Network Analysis (SNA) & KM	38-20
	(1) The Effect of Knowledge Management on Databases ...	38-20
	(2) The Implications of Knowledge Management.....	38-21
15.	Is KM here to stay?	38-21
16.	Whose Responsibility is It Anyway?.....	38-24
	(1) HR's Role.....	38-25
	(a) Identifying the Main Knowledge Workers	38-25
	(b) Creating the Right Climate	38-25
	(c) Providing Help for Individuals.....	38-26
	(d) Secondments	38-26
	(e) Shadowing	38-26
	(f) Joint Problem-solving Approaches	38-27
	(g) Performance Management.....	38-27
	(h) Training Initiatives	38-27
	(i) Protecting Knowledge	38-28
	(j) Establishing the Social Network.....	38-28
	(k) Establishing Communities of Practice	38-28
	(l) Managing Knowledge Professionals	38-29
17.	IT's Role	38-29
18.	Product-Based Organizations in Low Volatility Context.....	38-31
19.	Product-Based Organizations in High Volatility Context.....	38-32
20.	Service-Based Organizations in Low Volatility Context.....	38-32
21.	Service-Based Organizations in High Volatility Context	38-33

22. Implications for Practice 38-33
 23. Knowledge Management and Information Management 38-34

Chapter 39 — Social Media and Records and Information Management 39-1

1. Introduction 39-1
 2. Social Media Overview 39-4
 (1) Content Communities..... 39-5
 (2) Networking Sites 39-6
 (a) Social Networks 39-6
 (b) Business Networks..... 39-7
 (3) Publishing 39-7
 (a) Blogs..... 39-7
 (b) Microblogs..... 39-8
 (4) Collaborative Projects 39-8
 3. Social Media and RIM..... 39-9
 (1) Social Media Content as Records..... 39-10
 (2) Social Media Content as Evidence 39-12
 (3) RIM Governance and Social Media Content..... 39-16
 (a) Governance 39-16
 (b) A Multi-disciplinary Approach to Managing Social Media Content..... 39-19
 (4) Life Cycle Management of Social Media Content 39-21
 (a) Capture 39-22
 (b) Storage 39-31
 (c) Retention and Disposition 39-31
 4. About the Author..... 39-32

Chapter 39 — Appendices

Appendix A Bibliography 39-37
Appendix B City of Reno Social Communications Policy 39-41
Appendix C How have Ontario courts dealt with the production of information from social networking sites in the discovery process following the January 1, 2010 amendments to the *Rules of Civil Procedure*? 39-55

Chapter 40 — RIM Strategies for BYOD 40-1

1. Introduction 40-1
 2. BYOD Basics 40-2
 (1) A Brief History of BYOD 40-2
 (2) Advantages and Disadvantages to the Enterprise 40-4
 (a) Advantages 40-4
 (b) Disadvantages 40-5

(3) Advantages and Disadvantages to the Employee	40-7
(a) Advantages	40-7
(b) Disadvantages	40-8
(4) Finding the Middle Ground: The BYOD Balancing Act	40-8
3. The State of BYOD in 2016	40-12
(1) Adoption	40-12
(2) Shadow BYOD	40-14
(3) CYOD and COPE	40-14
(a) CYOD (Choose Your Own Device)	40-14
(b) COPE (Corporately Owned, Personally Enabled)	40-15
(4) Newer Variants and Extensions	40-15
(a) BYOA (Bring Your Own Application)	40-15
(b) BYOC (Bring Your Own Cloud)	40-17
(c) BYON (Bring Your Own Network)	40-17
4. RIM Challenges	40-18
(1) Creation, Receipt and Capture	40-18
(2) Distribution and Use	40-20
(3) Storage and Retrieval	40-21
(4) Retention and Disposition	40-22
(5) Archival Preservation	40-23
5. RIM Strategies	40-23
(1) The Nuclear Option: Can BYOD Be Banned?	40-24
(2) Step One: Embrace a cross-disciplinary Approach	40-25
(a) Working in an Information Governance Framework	40-25
(b) Working in the Absence of an Information Governance Framework	40-28
(3) Policy Development: Define a BYOD Policy and End User Agreement	40-29
(a) Policy Development Process	40-29
(b) BYOD Policy Essentials	40-31
(c) Develop Appropriate User Agreements	40-32
(4) Technology Tools: Assess Technology Solutions Against Requirements	40-32
(a) Device Monitoring	40-32
(b) Containerization	40-33
(c) Syncing and Data Mirroring	40-33
(d) Remote Wiping	40-34
(e) Carrier/Public Network Services	40-34
(5) Controlled Execution: Develop a Phased BYOD Implementation Plan	40-34

(a)	Pilot.....	40-35
(b)	Phased Rollout.....	40-35
(c)	Support and Incident Management	40-35
(6)	Education and Enrolment: Communication is the Key ...	40-36
6.	About the Author.....	40-37
7.	Bibliography	40-37

Appendices Tab

<i>Appendix A</i>	Canada Customs and Revenue Agency/Excise Duty Memoranda Series 9.1.1 General Requirements for Books and Records (Revised November 2003)	A-1
<i>Appendix B</i>	Canada Customs and Revenue Agency Information Circular 77-9R: “Books, Records and Other Requirements for Taxpayers Having Foreign Affiliates”	B-1
<i>Appendix C</i>	National Standard of Canada CAN/CGSB-72.11-93: “Microfilm and Electronic Images as Documentary Evidence”, including Amendment No. 1 (April 2000)	C-1
<i>Appendix D</i>	Canada Customs and Revenue Agency/Excise Taxes and Special Levies Memoranda Series: “6.1 Books and Records” (August, 1999).....	D-1
<i>Appendix E</i>	Canada Customs and Revenue Agency, Memorandum D17-1-21: “Maintenance of Records and Books in Canada by Importers” (June 28, 2000).....	E-1
<i>Appendix F</i>	Canadian Institute of Chartered Accountants’ <i>CICA Handbook</i>	F-1
<i>Appendix G</i>	Industry Canada, Principles of Electronic Authentication	G-1
<i>Appendix H</i>	Consumer and Corporate Affairs Canada, Directive No. 7 of the Superintendent of Bankruptcy: “Retention of Documents by the Trustee” (June 19, 1986; reissued January 10, 1991).....	H-1
<i>Appendix I</i>	Revenue Canada, Customs and Excise GST Memoranda 400-1-2 Input Tax Credits—Documentary Requirements (November 8, 1990).....	I-1
<i>Appendix J</i>	Hold That Paper Shredder: Revisiting Records Retention by Osier, Hoskin, Harcourt	J-1
<i>Appendix J.1</i>	Spoliation	J-5
<i>Appendix J.2</i>	Better e-Discovery: Unified Governance and the IGRM	J-7
<i>Appendix K</i>	Canadian Insolvency Practitioners Association Standard of Professional Practice No. 8:	

	“Possession and Retention of Debtors’ Records” (June 16, 1989).....	K-1
<i>Appendix L</i>	Canada Customs and Revenue Agency GST/HST Memoranda Series: Chapter 15: Books and Records (June 2005)	L-1
	15.1: General Requirements for Books and Records (June 2005).....	L-3
	15.2: Computerized Records (June 2005)	L-15
<i>Appendix M</i>	Ontario Information and Privacy Commissioner: Electronic Records: Maximizing Best Practices (March 1997)	M-1
<i>Appendix N</i>	Canada Customs and Revenue Agency Form T137, Request for Destruction of Books and Records (July 20, 2000)	N-1
<i>Appendix O</i>	Canada Customs and Revenue Agency Memorandum D20-1-5: “Maintenance of Records and Books in Canada by Exporters and Producers” (January 1, 1994).....	O-1
<i>Appendix P</i>	Canada Revenue Agency Information Circular IC 78-10R4: “Books and Records Retention/Destruction” (June 2005).....	P-1
<i>Appendix Q</i>	Cowperthwaite Mehta Chartered Accountants: Retention of Books and Records (April 1998).....	Q-1
<i>Appendix R</i>	Cowperthwaite Mehta Chartered Accountants: New Revenue Canada Record Retention Requirements (January 1999).....	R-1
<i>Appendix S</i>	IM Forum: Internet and Intranet Working Group: An Approach to Managing Internet and Intranet Information for Long Term Access and Accountability (September 24, 1999; last modified 2000-08-24)....	S-1
<i>Appendix T</i>	AIRMILES Privacy Commitment	T-1
<i>Appendix U</i>	TELUS Privacy Commitment	U-1
<i>Appendix V</i>	Your Privacy Responsibilities Guide For Businesses and Organizations to Canada’s <i>Personal Information Protection and Electronic Documents Act</i>	V-1
<i>Appendix W</i>	Canada Revenue Agency Information Circular 05-1 Electronic Record Keeping.....	W-1
<i>Appendix X</i>	Canada Revenue Agency RC4409 Keeping Records	X-1
<i>Appendix Y</i>	Electronic Records and Document Management Systems: A New Tool for Enhancing the Public’s Right to Access Government Information.....	Y-1

<i>Appendix Z</i> Applying Canadian Privacy Law to Transborder Flows of Personal Information from Canada to the United States: A Clarification by Kris Klein.....	Z-1
<i>Appendix AA</i> A Lawyer’s Perspective on Records Retention and Destruction.....	AA-1
<i>Appendix BB</i> Canada: Corporate Governance Developments in Canada and the United States.....	BB-1
<i>Appendix CC</i> e-Discovery.....	CC-1
<i>Appendix CC.1</i> An Introduction to Social Media e-Discovery.....	CC-7
<i>Appendix CC.2</i> e-Discovery Best Practices.....	CC-9
<i>Appendix DD</i> Do it Yourself eDiscovery.....	DD-1
<i>Appendix EE</i> Making the Case of Information Governance.....	EE-1
<i>Appendix FF</i> Defining Information Governance: Theory or Action?.....	FF-1
<i>Appendix GG</i> Solving Shared Drives: 10 Tips for Cleaning Up, Organizing and Migrating Shared Network Drives ..	GG-1
<i>Appendix HH</i> New Online Advertising Guidance Sets Out Restrictions for Tracking.....	HH-1
<i>Appendix II</i> Must Parent and Attachment Files Be Kept Together?.....	II-1
<i>Appendix JJ</i> Managing Mobile Risk.....	JJ-1
<i>Appendix KK</i> Big Data - Bigger is Not Always Better.....	KK-1
<i>Appendix LL</i> The Role of Writing and Recordkeeping in the Cultural Evolution of Human Cooperation.....	LL-1
<i>Bibliography</i>	Bib-1