

# SECTION 6: GOVERNANCE AND LEGAL MATTERS

Primary Numbers: 2200 – 2499



**Section 6 covers subjects of a legal nature, such as accidents, agreements and contracts, claims and litigation. Also includes risk management and insurance. This section also includes governance functions, such as elections, meetings of chief and council, the legislature, laws and bylaws.**



## PRIMARY NUMBERS AND PRIMARY SUBJECTS

2210	Governance and Legal Matters	- General
2220	Accidents	
2240	Agreements and Contracts	- General
2250		- Land Sale/Option Agreements
2260		- Government Protocols and Cost Sharing Agreements
2270		- Contracts
2300	Band Council Resolutions and Bylaws	
2320	Chief and Council	- General
2330		- Committees
2340		- Meetings
2350		- Meetings -In Camera (Closed)
2370	Elections	
2400	Incorporations and Annual Filings	
2420	Information and Privacy	
2430	Insurance Claims	
2440	Leases	
2450	Legal Opinions	
2460	Litigation	
2470	Risk Management and Insurance	

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**2210 GOVERNANCE AND LEGAL MATTERS – GENERAL**

Includes records relating to matters of general legal and membership concerns to the First Nation organization, which are not found elsewhere in this section.

-01	General	CY + 1	6y	D
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**2220 ACCIDENTS**

Includes records relating to accidents involving property or personnel, and includes policies, procedures, reports, investigations and settlements. For claims made against or by the First Nation organization, see primary 2360.

-01	General	CY + 1	6y	D
-20	Incident files, by name and date (*SO = settlements of claim and expiry of limitation period)	SO*	6y	D

**2240 AGREEMENTS AND CONTRACTS – GENERAL**

Includes records of a general nature relating to financial and other arrangements entered into by the First Nation organization with other parties, public and private. For land sale/option agreements, see primary 2260. For contracts, see primary 2300. For easements and rights of way, see primary 3440. For leases, see primary 2380. For restrictive covenants, see primary 3850.

-01	General	CY + 1	6y	D
-02	Agreements register (*SO = until updated)	SO*	nil	P
-20	Agreements, by date and topic (*SO = until expired)	SO*	nil	P

**2250 AGREEMENTS AND CONTRACTS – LAND SALE/OPTION AGREEMENTS**

Includes records relating to the sale and purchase of land by the First Nation organization.

-01	General	CY + 1	6y	D
-20	Agreements, by address, name of signatories (*SO = expiry, life of agreement)	SO*	7y	P

**2260 AGREEMENTS AND CONTRACTS – GOVERNMENT PROTOCOLS AND COST-SHARING AGREEMENTS**

Includes records relating to agreements and arrangements made between the First Nation organization and other levels of government. Includes all original documentation and relating correspondence. Copies of the agreements and working documentation may be placed with the appropriate subject file.

-01	General	CY+1	6y	D
-20	Agreements, by name of agency and date (*SO = until completion of term of agreement)	SO*	nil	D

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**2280 AGREEMENTS AND CONTRACTS – CONTRACTS**

Includes records relating to contract administration by the First Nation organization, including actual contracts of various types relating to personal service, equipment, developments, etc.

-01	General	CY + 1	6y	D
-20	Contracts, by type and name (*SO = completion, life of equipment)	SO*	7y	D

**2300 BAND COUNCIL RESOLUTIONS AND BYLAWS**

Includes records relating to the creation and enactment of specific First Nation organization council resolutions and bylaws.

-01	General	CY + 1	6y	D
-02	Proposed Bylaws	CY + 1	6y	P
-20	Individual Band Council Resolutions (BCRs), listed numerically	SO*	nil	P
-30	Individual Bylaws, listed numerically (*SO = until repealed)	SO*	nil	P
-50	Repealed or dormant BCRs/Bylaws			P

**2320 CHIEF AND COUNCIL – GENERAL**

Includes records of a general nature relating to the First Nation organization governing body (the Chief and Council) which do not appear in other relating subject areas. For committees of Chief and Council, see primary 0350. For meetings of Chief and Council, see primary 0370.

-01	General	CY + 2	5y	P
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**2330 CHIEF AND COUNCIL – COMMITTEES**

Includes records relating to the establishment, organization and functions of the committees of the Chief and Council. Agendas, minutes, lists of appointments, reports and general information will be included.

-01	General	CY + 2	5y	P
-20	Committees - Social Development	CY + 2	5y	P

**2340 CHIEF AND COUNCIL – MEETINGS**

Includes the records of the meetings of the Chief and Council, including agenda packages, minutes, reports and other information from the meetings of Chief and Council. Keep meeting records together by date, and subdivide into folders as necessary.

-01	General	CY + 2	5y	P
-20	Meetings, by date			
	-01 Agenda	CY + 2	5y	D
	-02 Minutes	CY + 2	5y	P
	-03 Reports	CY + 2	5y	P
	-04 Resolutions	CY + 2	5y	P

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**2350 CHIEF AND COUNCIL – MEETINGS – IN CAMERA (CLOSED)**

Includes the records of the in camera (closed) meetings of Chief and Council, including agenda packages, minutes, reports and other information from the meetings of Chief and Council. Keep meeting records together by date, and subdivide into folders as necessary.

-01	General	CY + 2	5y	P
-20	Meetings, by date			
	-01 Agenda	CY + 2	5y	D
	-02 Minutes	CY + 2	5y	P
	-03 Reports	CY + 2	5y	P
	-04 Resolutions	CY + 2	5y	P

**2370 ELECTIONS**

Includes records relating to the conduct of elections including voter registration, polls, results, etc.

-01	General	CY + 2	5y	P
-02	Voters list	SO*	nil	P
	(*SO = after election is complete)			
-03	Statistics/results, by year	CY + 2	5y	P
-04	Information from other jurisdictions	CY + 2	5y	D
-20	Elections, by date	CY + 2	5y	P

For a further breakdown within an individual election, use:

- 01 General
- 02 Candidates
- 03 Referenda
- 04 Advertising
- 05 Voting divisions/places
- 06 Staff
- 07 Equipment and supplies
- 08 Training
- 09 Advance voter registration
- 10 Special voting opportunities (advance, mail in, mobile)
- 11 Campaign financing disclosure statements

**2400 INCORPORATIONS AND ANNUAL FILINGS**

Includes records relating to the establishment, incorporation, letters patent and other documentation associated with the establishment and annual filings of corporations established by the First Nation organization. For the operational functions and projects of the corporations, see the specific subject heading in Section 20 – Economic Development Corporations and Activities.

-01	General	CY + 1	6y	D
-20	Individual corporations, by name	SO*	6y	P
	(*SO = until corporation is dissolved)			

**2420 INFORMATION AND PRIVACY**

Includes records relating to the administration and management of access to information and privacy issues, including the operation of the Information Room

-01	General	CY + 1	6y	D
-20	Access requests	CY + 1	6y	D
-30	Privacy protection requests (PIB)	CY + 1	6y	D
-50	Appeals (*SO = until appeal is complete) (PIB = Personal Information Bank)	SO*	nil	P

**2430 INSURANCE CLAIMS**

Includes records relating to claims by and against the First Nation organization, including motor vehicle damage claims and property and personal damage claims.

-01	General	CY + 1	6y	D
-20	Claims case files (*SO = expiry of limitation period)	SO* + 1	6y	D

**2440 LEASES**

Includes records relating to leases to which the First Nation organization is a party.

-01	General	CY + 1	6y	nil
-20	Leases, by name and address (*SO = expiry of lease)	SO*	nil	P

**2450 LEGAL OPINIONS**

Includes the collection of legal memoranda that are prepared and/or received by First Nation organization staff on a variety of legal issues and legislation.

-01	General	CY + 1	6y	P
-02	Index of legal opinions (*SO = until updated)	SO*	nil	P
-20	Opinions/memos by subject, author (*SO = upon completion)	SO*	nil	P

**2460 LITIGATION**

Includes records of litigation instigated by or against the First Nation organization.

-01	General	CY + 1	6y	P
-02	Index of litigation (*SO = until updated)	SO*	nil	P
-20	Cases, by daye and name of appellant (*SO = upon completion)	SO*	nil	P

## 2470 RISK MANAGEMENT AND INSURANCE

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Includes records relating to risk management and insurance, including insurance coverage, agents and management of the insurance function. For claims, see primary 2300.

-01	General	CY + 1	6y	D
-20	Policies, by type and name of carrier (*SO = upon expiry and settlement of outstanding claims)	SO*	6y	D