##### 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

##### 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\* 6y D

 (\*SO = settlements of claim and expiry of limitation period)

##### 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\* nil P

 (\*SO = until updated)

-20 Agreements, by date and topic SO\* nil P

 (\*SO = until expired)

##### 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\* 7y P

 (\*SO = expiry, life of agreement)

##### 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\* nil D

 (\*SO = until completion of term of agreement)

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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\* 7y D

 (\*SO = completion, life of equipment)

##### 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\* nil P

 (\*SO = until repealed)

-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

##### 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 CY + 2 5y P

 - Social Development

##### 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

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##### 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\* nil P

 (\*SO = until appeal is complete)

 (PIB = Personal Information Bank)

##### 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\* + 1 6y D

 (\*SO = expiry of limitation period)

##### 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\* nil P

 (\*SO = expiry of lease)

##### 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\* nil P

 (\*SO = until updated)

-20 Opinions/memos by subject, author SO\* nil P

 (\*SO = upon completion)

##### 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\* nil P

 (\*SO = until updated)

-20 Cases, by daye and name of appellant SO\* nil P

 (\*SO = upon completion)

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##### 2470 RISK MANAGEMENT AND INSURANCE

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\* 6y D

 (\*SO = upon expiry and settlement of outstanding claims)