

RECORDS RETENTION PROJECT CITATION INFORMATION LIST

Preamble

The Citation Information List is designed to be used in conjunction with the Records Retention Schedule. Legal citations appear as a numbered code in the Schedule under the 'Legal Citation' column. The numbered code is described in detail in the List, including a hyperlink to the legal resource.

The Citation Information List was reviewed by Stuart Rennie, Lawyer & Records Management Consultant (stuart@stuartrennie.ca). #1-103, and 245 and 246 were reviewed as of Feb 14, 2017; #104-244 were reviewed as of June 13, 2017; #246-249 were added as result of that review.

Mr. Rennie recommends using www.canlii.org as the preferable database since it is automatically updated for the user as the laws change from time to time.

#	Citation Information
3	<p><u>Canada Pension Plan</u>, [R.S., 1985, c. C-8]:</p> <ul style="list-style-type: none"> • section 24(1) requires that every employer shall keep records and books of account at his place of business or residence in Canada; • section 24(2) requires that every employer shall retain those records and books of account until the expiration of 6 years from the end of the year in respect of which those records and books of account are kept or until written permission for their prior disposal is given by the Minister; • section 24(2.1) requires that every employer who keeps electronic records shall retain them in an electronically readable format for the retention period referred to in section 24(2); • section 24(3) requires that, if the employer or an employee of the employer is subject to a ruling under section 26.1 or has made an appeal to the Minister under section 27 or 27.1, the employer shall retain every record, book of account, account and voucher necessary for dealing with the ruling or the appeal until the ruling is made or the appeal is disposed of and any further appeal is disposed of or the time for filing a further appeal has expired; • section 25(1) defines "documents" to include money, securities and any of the following, whether computerized or not: books, records, letters, telegrams, vouchers, invoices, accounts and statements (financial or otherwise); • section 38(3.1) employer's application to Minister for refund of amount remitted in excess of required must be made within four years after the end of the year; • section 41(2) provides that every person who fails to comply with or contravenes section 24 or 25 is guilty of an offence punishable on summary conviction; • section 41(4) every person who: <ul style="list-style-type: none"> (a) makes, or participates in, assents to or acquiesces in the making of, false or deceptive statements in a return, certificate, statement or answer filed or made as required by or under this Part or a regulation, (b) to evade payment of a contribution imposed by this Act, destroys, alters, mutilates, secretes or otherwise disposes of the records or books of account of an employer, (c) makes, or assents to or acquiesces in the making of, false or deceptive entries, or omits, or assents to or acquiesces in the omission, to enter a material particular, in records or books of account of an employer, (d) willfully, in any manner, evades or attempts to evade, compliance with this Act or payment of contributions imposed by this Act, or (e) conspires with any person to commit an offence described in any of paragraphs (a) to (d), is guilty of an offence and, in addition to any penalty otherwise provided, is liable on summary conviction to (f) a fine of not less than twenty-five dollars and not more than five thousand dollars plus, in an appropriate case, an amount not exceeding double the amount of the contribution that should have been shown to be payable or that was sought to be evaded, or (g) both the fine described in paragraph (f) and imprisonment for a term not exceeding 6 months. • section 90(2) provides that the limitation period for proceedings under the Act is 5 years after the Minister becomes aware of the subject-matter of the proceedings; • section 97(1) entry in contributor's Record of Earnings presumed to be accurate after four years have elapsed from the end of the year in which the entry was made; • section 98(5) requires employer to maintain record of Social Insurance Number for each employee; • section 103 provides that the limitation period for prosecutions under the Act is 5 years. <p>The Information Circular IC78-10R5 (June 2010) Books and Records Retention/Destruction is a guideline regarding records retention and destruction (IC78-10R5 applies to the <i>Income Tax Act</i>, <i>Employment Insurance Act</i> and <i>Canada</i></p>

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	<p><i>Pension Plan</i>) (IC78-10R5 available at: http://www.cra-arc.gc.ca).</p> <p>The Information Circular IC05-1R1 (June 2010) Electronic Record Keeping is a guideline regarding keeping records electronically (IC05-1R1 applies to the <i>Income Tax Act</i>, <i>Employment Insurance Act</i> and <i>Canada Pension Plan</i>) (IC05-1R1 available at: http://www.cra-arc.gc.ca).</p>
15	<p>Copyright Act, R. S. C. 1985, c. C-42:</p> <ul style="list-style-type: none"> • section 6, the term of copyright is life of the author, the remainder of the calendar year in which the author dies, and a period of 50 years following the end of that calendar year; • section 6.1 provides that for anonymous and pseudonymous works, the term of copyright is for whichever of the following terms ends earlier: <ul style="list-style-type: none"> (a) a term consisting of the remainder of the calendar year of the first publication of the work and a period of fifty years following the end of that calendar year, and (b) a term consisting of the remainder of the calendar year of the making of the work and a period of seventy-five years following the end of that calendar year, but where, during that term, the author's identity becomes commonly known, the term provided in section 6 applies; • section 6.2 provides that for anonymous and pseudonymous works of joint authorship, the term of copyright is for whichever of the following terms ends earlier: <ul style="list-style-type: none"> (a) a term consisting of the remainder of the calendar year of the first publication of the work and a period of fifty years following the end of that calendar year, and (b) a term consisting of the remainder of the calendar year of the making of the work and a period of seventy-five years following the end of that calendar year, but where, during that term, the identity of one or more of the authors becomes commonly known, copyright shall subsist for the life of whichever of those authors dies last, the remainder of the calendar year in which that author dies, and a period of fifty years following the end of that calendar year; • section 13(3) an employee can be the author and the employer can be the owner of the copyright and the term of copyright is the employee's life plus 50 years. <p>Note: Provisions relating to educational institutions and copyright are section 2 "educational institutions", sections 29.3 to 30.4, sections 38.1 and 38.2, section 41.2, section 42(3.1) and section 45(1).</p> <p>The Canadian (federal) <i>Industrial Design Act</i>, [R.S., 1985, c. I-9] in section 10 the term limited for the duration of an exclusive right for an industrial design is 10 years beginning on the date of registration of the design.</p> <p>The Canadian (federal) <i>Patent Act</i>, [R.S., 1985, c. P-4] in section 44, where an application for a patent is filed under this Act on or after October 1, 1989, the term limited for the duration of the patent is 20 years from the filing date.</p> <p>The Canadian (federal) <i>Trade-marks Act</i>, [R.S., 1985, c. T-13]:</p> <ul style="list-style-type: none"> • section 17(2) provides that registration is incontestable in court proceedings commenced after the expiration of 5 years from the date of registration of a trade-mark unless it is established that the person who adopted the registered trade-mark in Canada did so with knowledge of that previous use or making known; • section 46(1) registration of a trade-mark that is on the register is subject to renewal within a period of 15 years from the day of the registration or last renewal.
20	<p><i>Cultural Property Export and Import Act</i>, R. S. C. 1985, c. C-51</p> <p>Cultural Property Export and Import Tax Appeals — Limitation Period</p> <p>Section 33.1 provides that a person may appeal the redetermination of fair market value to a designated institution or public authority within ninety days after the day on which a certificate referred to in subsection 33(1) is issued in relation to that object, appeal the redetermination to the Tax Court of Canada.</p>
36	<p><i>Employment Insurance Act</i>, (S. C. 1996, c. 23)</p> <ul style="list-style-type: none"> • section 87(3) employers are required to maintain books and records for 6 years after the year for which they are kept, or until written permission for their prior disposal is given by the Minister; • section 87(3.1) and (3.2) every employer who keeps electronic records shall retain them in an electronically readable format for the retention period referred to in section 87(3); • section 87(4) if there is an appeal or a ruling, the employer shall retain records necessary for dealing with the ruling/appeal until the ruling is made or the appeal is disposed of and any further appeal is disposed of or the time for filing a further appeal has expired. <p>The <i>Employment Insurance Regulations</i> (SOR/96-332) under the <i>Employment Insurance Act</i> in section 19, the Record of Employment must be maintained by the employer as required by section 87(3) of the <i>Employment Insurance Act</i>.</p>

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	<p>Information Circular IC78-10R5 (June 2010) Books and Records Retention/Destruction is a guideline regarding records retention and destruction (IC78-10R5 applies to the Income Tax Act, Employment Insurance Act and Canada Pension Plan) (IC78-10R5 available at: http://www.cra-arc.gc.ca).</p>
42	<p>The Excise Tax Act, [R.S., 1985, c. E-15]:</p> <ul style="list-style-type: none"> • section 2 defines “document” to include money, a security and a record; • section 2 defines “record” to include an account, an agreement, a book, a chart or table, a diagram, a form, an image, an invoice, a letter, a map, a memorandum, a plan, a return, a statement, a telegram, a voucher, and any other thing containing information, whether in writing or in any other form; • section 97.1 makes it an offence to destroy records and making false entries, punishable by summary conviction (\$25,000 maximum fine and double the amount of taxes to be paid, and/or 2 years in prison) or by indictment (\$25,000 maximum fine and double the amount of taxes to be paid, and/or 5 years in prison); • section 98(2) requires books and records be maintained for 6 years until the expiration of 6 years from the end of the calendar year in respect of which those records and books of account are kept or until written permission for their prior disposal is given by the Minister; • section 98(2.01) requires records that are kept electronically to be retained in an electronically readable format for the retention period set out in section 98(2); • section 98(2.02) permits the Minister to exempt a person from the requirement in section 98(2.01); • section 98(2.1) requires a party subject to an appeal to retain records necessary to verify the information therein until the objection or appeal has been finally disposed of by appeal or otherwise; • section 98(3) requires such records to be made available for inspection by government. <p>Goods and Services Tax being Part IX of the <i>Excise Tax Act</i>, [R.S., 1985, c. E-15]:</p> <ul style="list-style-type: none"> • section 286(1) and (3) requires, that if required to keep proper records and books, such records and books must be retained until the expiration of 6 years after the end of the year to which they relate or for such other period as may be prescribed; • section 286(3.1) requires records that are kept electronically to be retained in an electronically readable format for the retention period set out in section 286(3); • section 286(3.2) permits the Minister to exempt a person from the requirement in section 286(3.1); • section 286(4) provides that, if there is an appeal or objection, a person shall retain, until the objection, appeal or reference and any appeal therefrom is finally disposed of, every record that pertains to the subject-matter of the objection, appeal or reference. <p>The GST/HST Memorandum 15.1, General Requirements for Books and Records (Revised June 2005) provides guidelines regarding keeping books and records (available at: http://www.cra-arc.gc.ca).</p> <p>The GST/HST Memorandum 15.2, Computerized Records (Revised June 2005) provides guidelines regarding keeping electronic records (available at: http://www.cra-arc.gc.ca).</p> <p>The Income Tax Act, [R.S.C. 1985, c. 1 (5th Supp.)]:</p> <ul style="list-style-type: none"> • section 230(4) requires keeping proper records and books until the expiration of 6 years after the end of the year to which they relate or for such other period as may be prescribed; • section 230(4.1) requires records that are retained electronically shall retain them in an electronically readable format for the retention period referred to in section 230(4); • section 230(4.2) permits the Minister to exempt persons from the requirement in section 230(4.1); • section 230(6) requires, where an appeal or objection is filed, for a person to keep records and books of account necessary for dealing with the objection or appeal until, in the case of the serving of a notice of objection, the time provided by section 169 to appeal has elapsed or, in the case of an appeal, until the appeal is disposed of and any further appeal in respect thereof is disposed of or the time for filing any such further appeal has expired; • section 230(8) permits dispose of records if written permission for their disposal is given by the Minister. <p>The Information Circular IC78-10R5 (June 2010) Books and Records Retention/Destruction is a guideline regarding records retention and destruction (IC78-10R5 applies to the <i>Income Tax Act, Employment Insurance Act and Canada Pension Plan</i>) (IC78-10R5 available at: http://www.cra-arc.gc.ca).</p> <p>The Information Circular IC05-1R1 (June 2010) Electronic Record Keeping is a guideline regarding keeping records electronically (IC05-1R1 applies to the <i>Income Tax Act, Employment Insurance Act and Canada Pension Plan</i>) (IC05-1R1 available at: http://www.cra-arc.gc.ca).</p> <p>Income Tax Regulations, [C.R.C., c. 945] under the <i>Income Tax Act</i>, [R.S.C. 1985, c. 1 (5th Supp.)] in Regulation Part 5800(1):</p>

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	<ul style="list-style-type: none"> • subsections (a) and (b) require specified corporate records be retained 2 years after the day that the corporation is dissolved; • subsection (c) requires business records of a person not a corporation be retained 6 years after the last day of the taxation year of the person in which the business ceased; • subsections d), (e) and (f) require specified records of registered charities or Canadian amateur athletic associations be retained 2 years after the date on which the registration of the charity or Canadian amateur athletic association is revoked
65	<p><u>Alberta Corporate Tax Act</u>, R. S. A. 2000, c. A-15, s. 36.(1)</p> <ul style="list-style-type: none"> • Return to be filed 36(1) A return of a corporation in the prescribed form and containing the prescribed information shall be filed for each taxation year with the Provincial Minister within 6 months from the end of the taxation year by or on behalf of the corporation. • Overpayment of tax 47(1) For the purposes of this section, the “overpayment” of a corporation for a taxation year means the amount, if any, by which the aggregate of all amounts paid on account of the corporation’s liability under this Act for the year exceeds the aggregate of all amounts payable by the corporation in respect of the year. (2) If the return required to be filed by a corporation under section 36 for a taxation year has been filed within 3 years from the end of that year, the Provincial Minister <ul style="list-style-type: none"> (a) may, on or after sending the notice of assessment for the taxation year, refund without application for the refund any overpayment for the year, and (b) shall, with all due dispatch, make the refund referred to in clause (a) after sending the notice of assessment if application for it is made in writing by the corporation within the period within which the Provincial Minister would be allowed, under section 43(1) read without reference to clause (a) or under section 43(1.2), to assess tax payable under this Act by the taxpayer for the year. • Procedure re information and complaint 81(1) An information or complaint under this Act may be laid or made by an officer of the Minister’s Department, by a member of the Royal Canadian Mounted Police or by a person authorized by the Provincial Minister and when an information or complaint purports to have been laid or made under this Act it is deemed to have been laid or made by a person authorized by the Provincial Minister and shall not be called in question for lack of authority of the informant or complainant except by the Provincial Minister or by some person acting for the Provincial Minister or Her Majesty. (2) (3) An information or complaint in respect of an offence under this Act may only be laid or made on or before a day 8 years from the time when the matter of the information or complaint arose. • Records and books of account 61(1) A corporation that is required by or pursuant to this Act to pay taxes or other amounts or is entitled to a refundable tax credit pursuant to this Act shall keep records and books of account including an annual inventory kept in the prescribed manner and the records and books of account shall be in the form and shall contain the information that will enable taxes payable and refundable tax credits receivable under this Act or taxes and other amounts that are to be collected to be determined. (1.1) Records and books of account required to be kept under subsection (1) shall be kept <ul style="list-style-type: none"> (a) at the corporation’s place of business or residence in Alberta, or (b) if it has no place of business or residence in Alberta, at a place in Alberta or elsewhere approved in writing by the Provincial Minister under any terms and conditions the Provincial Minister may impose. (1.2) Notwithstanding subsection (1.1)(a), a corporation may keep the records and books of account at a place in Alberta or elsewhere approved in writing by the Provincial Minister under any terms and conditions the Provincial Minister may impose. (2) If a corporation has failed to keep adequate records and books of account for the purposes of this Act, the Provincial Minister may require it to keep those records and books of account that the Provincial Minister may specify and that corporation shall then keep the records and books of account so required. (3) Every corporation required by this section to keep records and books of account shall retain <ul style="list-style-type: none"> (a) the records and books of account in respect of which a period is prescribed, together with every account and voucher necessary to verify the information in any record or book of account, for the prescribed period, and (b) all records and books of account other than those referred to in clause (a), together with every account and voucher necessary to verify the information contained in any record or book of account, until the expiration of 6 years from the end of the last taxation year to which the records and books of account relate. (3.1) Every person required by this section to keep records who does so electronically shall retain them in an electronically readable format for the retention period referred to in subsection (3).

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	<p>(3.2) The Provincial Minister may, on such terms and conditions as are acceptable to the Provincial Minister, exempt a person or a class of persons from the requirement in subsection (3.1).</p> <p>(4) Where, in respect of any taxation year, a corporation referred to in subsection (1) has not filed a return with the Provincial Minister as and when required by section 36(1), that corporation shall retain every record and book of account that is required to be kept by this section and that relates to that taxation year, together with every account and voucher necessary to verify the information contained in the record and book of account, until the expiration of 6 years from the day the return for that taxation year is filed.</p> <p>(5) Where a corporation required by this section to keep records and books of account serves a notice of objection or is a party to an appeal under this Act, that corporation shall retain every record, book of account, account and voucher necessary for dealing with the objection or appeal until, in the case of the serving of a notice of objection, the time provided by section 50 or 50.1 to appeal has elapsed or, in the case of an appeal, until the appeal is disposed of and any further appeal in respect of it is disposed of or the time for filing any further appeal has expired.</p> <p>(6) Where the Provincial Minister is of the opinion that it is necessary for the administration of this Act, the Provincial Minister may, by a demand served personally or by registered letter, require any corporation required by this section to keep records and books of account to retain those records and books of account, together with every account and voucher necessary to verify the information contained in the records and books of account, for any period specified in the demand.</p> <p>(7) A corporation required by this section to keep records and books of account may dispose of the records and books of account referred to in this section, together with every account and voucher necessary to verify the information contained in the records and books of account, before the expiration of the period for which those records and books of account are required to be kept if written permission for their disposal is given by the Provincial Minister.</p> <ul style="list-style-type: none"> • Communication of information <p>77(2) Except as authorized by this section, no person shall</p> <ul style="list-style-type: none"> (a) knowingly communicate, or knowingly allow to be communicated, to any person any tax information, (b) knowingly allow any person to have access to any tax information, or (c) knowingly use any tax information otherwise than for the purpose for which it was provided under this section. <p>(3) Subsection (2) applies whether the tax information is communicated</p> <ul style="list-style-type: none"> (a) directly or indirectly by the inspection, copying or giving possession of a tax record, (b) by the direct or indirect use of the tax information, or (c) by any other method. <p>(4) Subsection (2) does not apply in respect of</p> <ul style="list-style-type: none"> (a) criminal proceedings, either by indictment or on summary conviction, that have been commenced by the laying of an information or the preferring of an indictment under an Act of Parliament, (b) proceedings under the Provincial Offences Procedure Act, or (c) any legal proceedings relating to the administration or enforcement of this Act or any other Act of Alberta that provides for the imposition or collection of a tax. <p>(5) Tax information may be communicated as follows:</p> <ul style="list-style-type: none"> (a) to a person employed or engaged by the Government of Alberta if the tax information is <ul style="list-style-type: none"> (i) statistical in nature and to be used solely in accordance with section 3 of the Office of Statistics and Information Act; (ii) to be used solely by an employee under the administration of the Registrar of Corporations or the Registrar of Companies to confirm that a return or application under this Act has been filed or made by any person; (iii) to be used solely for the purposes of the formulation or analysis of tax or fiscal policy; (iv) to be used solely for the purposes of administering or enforcing this Act or any other taxation statute of Alberta, the Small Power Research and Development Act or Part 1, Division 2 of the Crown's Right of Recovery Act; (v) to be used solely to identify a person to whom money is owed by the Government and to determine the amount of the money so that the Government can set off all or part of the money owed against amounts owing by that person to the Government; (vi) to be used solely for the purposes of administering section 14 of the Auditor General Act; (vii) to be used solely for the purposes of administering the Insurance Act; (viii) to be used solely for the purposes of identifying a person and an amount deducted by that person under section 25.01(2) pursuant to an investor tax credit certificate issued under the Investing in a Diversified Alberta Economy Act; (ix) to be used solely for the purposes of identifying a person and an amount deducted by that person under section 25.02(2) pursuant to a capital investment tax credit certificate issued under the Investing in a Diversified Alberta Economy Act; (b) to a person employed or engaged by the Government of Canada or the government of a province in the administration or enforcement of a taxation statute of Canada or of that province if <ul style="list-style-type: none"> (i) the tax information is used solely for the purposes of administering or enforcing the taxation statute, and

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	<ul style="list-style-type: none"> (ii) the Government of Canada or the government of that province supplies the Provincial Minister with equivalent information and records on a reciprocal basis; (c) to an employee or agent of the Government of Canada or the government of a province <ul style="list-style-type: none"> (i) if the tax information consists of the name, address, telephone number, occupation and size or type of business of a person and is to be used solely for the purposes of enabling a department or agent of the Government of Canada or the government of that province to obtain statistical data for research and analysis, or (ii) if the tax information consists of the identifying number, name, address, telephone number and facsimile number of an identifying number holder and is to be used solely for the purpose of the administration or enforcement of an Act of Parliament or a law of a province, if the holder of the identifying number is required by that Act or that law to provide the information, other than the identifying number, to the department or agency; (d) to a person to be used solely in the investigation or prosecution of offences under this Act; (e) to a justice of the peace or a judge of the Provincial Court for the purpose of making an application for an order under section 77.1; (f) to a person employed or engaged in the investigation or prosecution of offences under the Criminal Code (Canada) if <ul style="list-style-type: none"> (i) an order under section 77.1 has been obtained in respect of the tax information, and (ii) the tax information is used solely for the purpose of investigating or prosecuting the offence referred to in the order made under section 77.1; (g) to a corporation if the tax information is in respect of <ul style="list-style-type: none"> (i) the status, for the purposes of section 26(1)(h), of property acquired by the corporation, or (ii) the tax cost of property acquired by that corporation if, because of a provision of this Act or the federal Act, the cost is other than the consideration paid by that corporation; (h) to the person in respect of whom the information was received or any other person if the person in respect of whom the information was received authorizes in writing its release; (i) to any person if the tax information is in such a form that it cannot, directly or indirectly, be associated with or identify a particular person; (j) to any person, solely for the purposes of administration or enforcement of a law of a province that provides for workers' compensation benefits; (k) to an official of the federal Department of Finance, solely for the purposes of the formulation or evaluation of tax or fiscal policy; (l) to a police officer (within the meaning assigned by subsection 462.48(17) of the Criminal Code (Canada)) solely for the purpose of investigating whether an offence has been committed under the Criminal Code (Canada), or the laying of an information or the preferring of an indictment, where <ul style="list-style-type: none"> (i) such information can reasonably be regarded as being necessary for the purpose of ascertaining the circumstances in which an offence under the Criminal Code (Canada) may have been committed, or the identity of the person or persons who may have committed an offence, with respect to an official, or with respect to any person related to that official, (ii) the official was or is engaged in the administration or enforcement of this Act, and (iii) the offence can reasonably be considered to be related to that administration or enforcement; (m) to the Chief Electoral Officer or his designate to be used solely for the purposes of ensuring associated corporations are complying with the requirements of the Election Finances and Contributions Disclosure Act. <p>(6) A person who knowingly receives tax information holds that information subject to the same prohibitions and restrictions, if any, under subsections (2), (3) and (5) respecting communication of the information that applied to the person from whom the information was obtained.</p> <p>(7) Subsection (6) does not apply to tax information provided under subsection (5)(g), (h) or (i).</p> <p>(8) A person who contravenes subsection (2) is guilty of an offence and liable to a fine of not more than \$10 000.</p> <p>(9) A person to whom tax information has been provided for a particular purpose under subsection (5)(a) to (f) and who for any other purpose knowingly uses, communicates to any person, allows the communication to any person of, or allows any person access to, that information is guilty of an offence and liable to a fine of not more than \$10 000.</p>
71	<p>Alberta Evidence Act, R. S. A. 2000, c. A-18, ss. 41.3 to 41.</p> <p>Electronic Records as Evidence</p> <p>Event = Electronic record in printout form used as record is record for best evidence rule. Integrity of record may be proved by system integrity, evidence of way information recorded, reliable encryption techniques. Standards illustrate.</p>
74	<p>Alberta Human Rights Act, R. S. A. 2000, c. A-25.5,</p> <p>Equal pay</p> <p>6(3) When an employee is paid less than the rate of pay to which the employee is entitled under this section, the employee is entitled to recover from the employer by action the difference between the amount paid and the amount to which the employee was entitled, together with costs, but</p>

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	<p>(a) the action must be commenced within 12 months from the date on which the cause of action arose and not afterwards,</p> <p>(b) the action applies only to the wages of an employee during the 12-month period immediately preceding the termination of the employee's services or the commencement of the action, whichever occurs first,</p> <p>(c) the action may not be commenced or proceeded with when the employee has made a complaint to the Commission in respect of the contravention of this section, and</p> <p>(d) no complaint by the employee in respect of the contravention shall be acted on by the Commission when an action has been commenced by the employee under this section.</p> <p>Who may make complaint</p> <p>20(1) Any person, except the Commission, a member of the Commission and a person referred to in section 18, who has reasonable grounds for believing that a person has contravened this Act may make a complaint to the Commission.</p> <p>(2) A complaint made pursuant to subsection (1) must</p> <p>(a) be in a form acceptable to the Commission, and</p> <p>(b) be made within one year after the alleged contravention of the Act occurs.</p> <p>Retroactive compensation limit</p> <p>34 No settlement effected under this Act and no order made by a human rights tribunal may compensate a person for wages or income lost or expenses incurred prior to 2 years before the date of the complaint under section 20.</p>
90	<p>Charitable Fund-raising Act, R. S. A. 2000, c. C-9, s. 55.(6)</p> <p>Charitable Fund-Raising Act Offence Prosecutions — Limitation Period</p> <ul style="list-style-type: none"> • Section 7 provides that a charitable organization or fund-raising business that makes solicitations must maintain <ul style="list-style-type: none"> (a) complete and accurate financial records of its operations in Alberta for at least 3 years after the solicitations are made, (b) records regarding the solicitations made in Alberta for at least 3 years after the solicitations are made, and (c) other records and documents described in the regulations for the period described in the regulations. • Section 8 requires that if solicitations are made by or on behalf of a charitable organization in a financial year, the charitable organization must prepare for that financial year financial information returns as specified by the regulations that meet the requirements of the regulations. • Section 9 provides that if solicitations are made by or on behalf of a charitable organization, the charitable organization must provide the following information to any person who requests it: <ul style="list-style-type: none"> (a) a copy of the most recent financial information return that the charitable organization is required to prepare under section 8; (b) the portion of gross contributions received during the charitable organization's last financial year that were used directly for charitable purposes and not for the administration of the charitable organization or other purposes and an estimate of the portion of gross contributions received in its current financial year that will be used directly for charitable purposes and not for the administration of the charitable organization or other purposes; (c) reasonable detail about where and how the contributions received as a result of the solicitations will be spent; (d) the information that must be provided under section 6. • Section 9(2) provides that despite subsection (1)(a), a charitable organization may establish a reasonable fee for providing a copy of its financial information return that is based on the cost of reproducing the return, and postage if the return is to be mailed, and the charitable organization may refuse to provide a copy of the return unless the fee is paid. • Section 10(1) provides that a person who makes a solicitation must give a receipt to a person making a monetary contribution if the person making the contribution requests a receipt. • Section 10(2) provides that section does not apply to a solicitation that involves a direct or indirect request to buy a good or service. <p>The Charitable Fund-raising Regulation (Alta. Reg. 108/2000) under the <i>Charitable Fund-raising Act</i>, requires in:</p> <ul style="list-style-type: none"> • section 5 specified records to be maintained; • section 7 requires a financial information return as specified.
106	<p>Employment Standards Code, R.S.A. 2000, c. E-9,</p> <p>Records to be maintained</p> <p>14(4) An employer must keep an up-to-date record of the following additional information for each employee:</p> <p>(a) name, address and date of birth;</p> <p>(b) the date that the present period of employment started;</p> <p>(c) the date on which a general holiday is taken;</p> <p>(d) each annual vacation, showing the date it started and finished and the period of employment in which the annual vacation was earned;</p>

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	<p>(e) the wage rate and overtime rate when employment starts, the date of any change to wage rates or overtime rates, and particulars of every change to them;</p> <p>(f) copies of documentation relating to maternity and parental leave;</p> <p>(f.1) copies of documentation relating to reservist leave;</p> <p>(f.2) copies of documentation relating to compassionate care leave;</p> <p>(g) copies of any termination notice and of written requests to employees to return to work after a temporary layoff.</p> <p>(5) On request, an employer must give to an employee a detailed statement of how the employee's earnings were calculated and the method of calculating any bonus or living allowance paid, whether or not it forms part of wages.</p> <p>Keeping employment records</p> <p>15 Employment records must be retained by an employer for at least 3 years from the date each record is made.</p> <p>Overtime agreements</p> <p>23(3) An employer must provide a copy of the overtime agreement to each employee affected by it.</p> <p>Liability of directors of corporate employers</p> <p>112(7) No certificate may be filed against a former director more than 2 years after the date the person ceased to be a director.</p> <p>Prosecutions</p> <p>133 A prosecution for an offence under this Act may be commenced within one year from the date on which the alleged offence occurred.</p> <p>Limitation periods for orders</p> <p>90(4) An order under this Division may direct...</p> <p>(b) payment of vacation pay or general holiday pay, or both, for a period not exceeding 2 years from whichever first occurs:</p> <p>(i) the order, or</p> <p>(ii) the employee's termination of employment, if the employee's employment is terminated.</p> <p>(5) An order of the Director for compensation under section 89(3)(b) may direct payment for a period not exceeding 6 months from the date that the employment of the employee was suspended or terminated, that the employee was laid off or that the employer failed to reinstate the employee or to provide the employee with alternative work, in accordance with Part 2, Division 7, Maternity Leave and Parental Leave, Part 2, Division 7.1, Reservist Leave or Division 7.2, Compassionate Care Leave</p>
119	<p>Employment Standards Regulation, Alta Reg 14/1997, http://canlii.ca/t/52t6l</p> <ul style="list-style-type: none"> • Employment Standards Records Exemptions Event + 6 months (Event = Date employment terminated; unless Director considers extenuating circumstances warrant extension)
120	<p>Environmental Protection and Enhancement Act, R. S. A. 2000, c. E-12, s. 226</p> <p>Limitation period</p> <p>226 A prosecution for an offence under this Act may not be commenced more than 2 years after the later of</p> <p>(a) the date on which the offence was committed, or</p> <p>(b) the date on which evidence of the offence first came to the attention of the Director.</p>
122	<p>Environmental Protection and Enhancement Act, R. S. A. 2000, c. E-12, s. 241.(1)(a)(i)</p> <ul style="list-style-type: none"> • Environmental Protection Order Regarding Record Not specified "requiring person to maintain"
125	<p>Freedom of Information and Protection of Privacy Act RSA 2000 c F-25</p> <p>Accuracy and retention</p> <p>35 If an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must</p> <p>(a) make every reasonable effort to ensure that the information is accurate and complete, and</p> <p>(b) retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it, or for any shorter period of time as agreed to in writing by</p> <p>(i) the individual,</p> <p>(ii) the public body, and</p> <p>(iii) if the body that approves the records and retention and disposition schedule for the public body is different from the public body, that body.</p>

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141	<p>Labour Relations Code, R. S. A. 2000, c. L-1, s.</p> <p>Powers of the Minister and dissemination of information 5(3) An employer shall make available to the employer’s employees at the employer’s place of business a copy of each notice, information bulletin or extract from this Act or the regulations that the Minister or the Board sends to the employer and requires the employer to make available.</p> <p>Timeliness of application for revocation 52(5) An application for revocation of bargaining rights may be made by an employer or former employer only if the employer or former employer and the bargaining agent have not bargained collectively for a period of 3 years (a) after the date of certification, if no collective agreement has been entered into affecting the employer or former employer and the bargaining agent, or (b) after the first date fixed for the termination of the collective agreement, if a collective agreement has been entered into affecting the employer or former employer and the trade union.</p> <p>Reinstatement of employee 90(1) When a strike or lockout ends (a) as a result of a settlement, (b) on the termination of bargaining rights of the bargaining agent, or (c) on the expiration of 2 years from the date the strike or lockout commenced, any employee affected by the dispute whose employment relationship with the employer has not been otherwise lawfully terminated is entitled, on request, to resume the employee’s employment with the employer in preference to any employee hired by the employer as a replacement employee for the employee making the request during the strike or lockout.</p>
144	<p>Land Titles Act, R. S. A. 2000, c. L-4, s. 178;</p> <p>Land Titles — Limitation Period Section 178 provides these limitation periods apply:</p> <ul style="list-style-type: none"> • a party must file a lawsuit in court, for deprivation of land, within 6 years from the date when the deprivation took place (s. 178(1)(a)); or • a party must file a lawsuit in court, for any error, omission or misdescription in a certificate of title, within 6 years after the time when the error, omission or misdescription was made (s. 178(1)(b)); or • a party must file a lawsuit in court, for any other reason, within 6 years from the date when the cause of action arose (s. 178(1)(c)).
146	<p>Limitations Act, R. S. A. 2000, c. L-12,</p> <ul style="list-style-type: none"> • Section 3(1)(a) provides that a 2-year limitation applies after the date on which the claimant first knew, or in the circumstances ought to have known and other conditions as specified. • Section 3(1)(b) provides that a 10-year limitation applies after the claim arose. <p>Depending on whichever period expires first in section 3(1)(a) or (b), the defendant, on pleading this Act as a defense, is entitled to immunity from liability in respect of the claim.</p> <ul style="list-style-type: none"> • Section 3(3) to (8) set out the rules regarding a party seeking to recover possession of real property.
159	<p><u><i>Pesticide Sales, Handling, Use and Application Regulation</i></u> Note: Law only applies if ASBOA or school boards are “applicator” under per s. 2 (2) Terms that are defined in the <u><i>Pesticide Sales, Handling, Use and Application Regulation</i></u> have the same meaning when they are used in this Regulation. So, in the <u><i>Pesticide Sales, Handling, Use and Application Regulation</i></u> in section (g) “applicator” means the holder of the appropriate class of applicator certificate; and then section [(h) “applicator certificate” means a certificate of qualification referred to in <u>section 3</u> of the <u><i>Pesticide (Ministerial) Regulation</i></u> Thus, not sure this law applies to ASBOA or school boards</p>
161	<p>Practice Review of Teachers Regulation, Alta Reg 11/2010, under the School Act Apply ss. 9 (esp. 2 year limitation in 9(4)), 12(6), 13(2), 20(1), 21(a)(ii)</p> <p>Complaint 9(1) Any individual may make a complaint to the Registrar about the professional competence or alleged unprofessional conduct of a teacher. (2) A complaint under subsection (1) must be in writing. (3) If a superintendent or a principal has reason to believe that a teacher has been or may have been convicted of an indictable offence at a time when the teacher held a certificate or was eligible for the re-issuance of a certificate, the superintendent or principal must make a complaint under this section relating to that belief.</p>

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	<p>(4) A complaint may be made</p> <ul style="list-style-type: none"> (a) about the professional competence of a teacher not later than 2 years after the teacher ceases to engage in the practice of teaching, or (b) about the alleged unprofessional conduct of a teacher at any time. <p>(5) If the Registrar receives a complaint that relates to the professional competence or alleged unprofessional conduct of a teacher who is subject to the <i>Teaching Profession Act</i>, the Registrar must refer the complaint to the executive secretary of The Alberta Teachers' Association to be dealt with in accordance with the <i>Teaching Profession Act</i>.</p> <p>Registrar's authority in absence of complaint</p> <p>12(6) In the case of a matter relating to the professional competence of a teacher, any action taken under subsection (1) must be taken not later than 2 years after the teacher ceases to engage in the practice of teaching.</p> <p>Investigation</p> <p>13(2) An investigator may</p> <ul style="list-style-type: none"> (a) request any person, including the teacher's employer or former employer and the teacher or any other employee of the teacher's employer or former employer, to answer any questions and to produce to the investigator any documents, papers, notes, records and other materials and things relevant to the investigation, and (b) copy and keep copies of any of the materials or things that are produced under clause (a). <p>Compellable witness</p> <p>20(1) Subject to subsection (3), the chair of the practice review hearing committee, at the request of the Registrar or the teacher, may issue an order compelling the teacher or any other individual who, in the opinion of the chair, may have knowledge of the matter</p> <ul style="list-style-type: none"> (a) to appear as a witness before the practice review hearing committee, or (b) to produce any materials, including any documents, papers, notes or records, to the practice review hearing committee. <p>Civil contempt proceedings</p> <p>21 The chair of a practice review hearing committee may direct the Registrar to initiate proceedings for civil contempt of court before the Court of Queen's Bench against a witness</p> <ul style="list-style-type: none"> (a) who fails ... (ii) to produce records in compliance with a notice to produce them,
163	<p>Pressure Equipment Safety Regulation, Alta Reg 49/2006</p> <p>Retention of certificates of inspection permit</p> <p>34 A certificate of inspection permit must be retained in a manner acceptable to the Administrator.</p> <p>Change of ownership or location</p> <p>36(4) An owner who acquires a new or used boiler, pressure vessel, fired-heater pressure coil or thermal liquid heating system must ...</p> <ul style="list-style-type: none"> (b) request the owner or vendor disposing of the boiler, pressure vessel, fired-heater pressure coil or thermal liquid heating system to provide the equipment records for the pressure equipment, and
169	<p>Safety Codes Act, R. S. A. 2000, c. S-1, s. 60</p> <p>Information compilation</p> <p>60 If any information is required to be prepared, submitted or retained under this Act, the regulations and the terms and conditions of a permit may state the qualifications required to be held by the person who prepares, submits or retains it and may provide for how the information is to be prepared, submitted and retained.</p> <p>Note that this act applies only under the following conditions:</p> <p>Application of Act</p> <p>2(1) This Act applies to fire protection, barrier-free design and the design, manufacture, construction, installation, use, operation, occupancy and maintenance of</p> <ul style="list-style-type: none"> (a) buildings, (b) electrical systems, (c) elevating devices, (d) gas systems, (e) plumbing systems, (f) pressure equipment, and (g) private sewage disposal systems. <p>(2) The Minister may, by order, exempt any person or municipality or any thing, process or activity from any or all provisions of this Act and attach terms and conditions to the exemption.</p> <p>(3) An exemption order made under subsection (2) may be made to apply generally or specifically and to all or a particular area of Alberta.</p>

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	(4) The <i>Regulations Act</i> applies to an exemption order made under subsection (2).
170	<p>School Act, RSA 2000, c S-3,</p> <ul style="list-style-type: none"> • 143 (1) and (3) Appeal Record (30 day appeal period) Not specified “shall be founded on record” • 159.(3) Separate School Board — Meeting Minutes - Not specified “shall record” • 23 Student Records- Not specified “shall maintain” • 60.(1)(a) Board — Educational Services and Program Policies - Not specified “must establish” • 74 Board Proceedings Records - Not specified “shall maintain” • 60.(1)(d),(e) Board — Employee and Expulsion Rules - Not specified “must make” • 72.(3),(4) Trustee Vote Record - Not specified “shall record” • 75.(1) to (3), 77.(1),(2), 167.(1),(2) Access to Employee, Student Records and Assessment Roll – privacy • 81.(1),(2) Board — Conflict of Interest Item Lists - Not specified “shall compile” • 83.(3),(4) Board — Record of Pecuniary Interest/ Minutes - Not specified “must be recorded in minutes”
180	<p>School Councils Regulation, Alta Reg 113/2007, under the School Act]</p> <p>S. 13 and 14 apply Responsibilities of board</p> <p>13(1) A board must provide the school council with an opportunity to provide advice on the development of the school's</p> <ol style="list-style-type: none"> (a) mission, vision and philosophy, (b) policies, (c) annual education plan, (d) annual results report, and (e) budget. <p>(2) A board must provide the school council with the school's provincial testing program results and other provincial measures and a reasonable interpretation of those results and measures.</p> <p>(3) A board must at all reasonable times allow the school council free and full access to timely and accurate information of the board that is publicly available, including board policies and minutes of board meetings.</p> <p>Duty to report to the board</p> <p>14(1) The chair of a school council must prepare and provide to the board by September 30 of each year a report</p> <ol style="list-style-type: none"> (a) summarizing the activities of the school council in the previous school year, and (b) including a financial statement relating to money handled by the school council in the previous school year, if any, and how the funds were used. <p>(2) A school council must retain at the school a copy of the minutes for each meeting of the school council and make them available to the board or the public on request.</p> <p>(3) A school council must retain the minutes for each meeting of the school council for at least 7 years.</p>
183	<p>Student Evaluation Regulation, Alta Reg 177/2003, _ under the School Act</p> <p>Student evaluation</p> <p>2 The Minister may establish tests, examinations or other methods for determining the ability, achievement or development of students or other individuals, including but not limited to provincial achievement tests, diploma examinations and provincially-administered national and international tests.</p> <p>Invalidation of evaluation</p> <p>8(2) If an examinee or other person, before, during or following the evaluation, interferes with the security of the evaluation materials, falsifies the evaluation results or commits any other act that may result in an examinee's performance being inaccurately represented, the Executive Director may ...</p> <ol style="list-style-type: none"> (d) record the decision on the examinee's official transcript of achievement, and
184	<p>Student Record Regulation, Alta. Reg. 225/2006 under the <i>School Act</i>, R.S.A. 2000, c. S-3</p> <p>Apply sections 2, 3, 4, 5, 6, 7, 8, 9 and note Citation 185</p> <p>Retention of student record</p> <p>4(1) Subject to subsection (2), a board shall keep a student record containing the information referred to in section 2(1) and (3) for 7 years after the student ceases to attend a school operated by the board or until the student record has been forwarded to another school in accordance with section 8(1).</p> <p>(2) If a student transfers from a school in Alberta to a school outside Alberta, the board that operates the school from which the student transfers shall keep the student record containing the information referred to in section 2(1) and (3) for 7 years after the date the student could be expected to have completed grade 12 if the student had not transferred from the school.</p> <p>(3) Notwithstanding subsections (1) and (2), a board may choose to keep a student record for longer than 7 years if a longer retention period is authorized by a resolution of the board</p>

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185	<p>Student Record Regulation, Alta. Reg. 225/2006 under the <i>School Act</i>, R.S.A. 2000, c. S-3 , (Proper to separate from other student records since retention of suspension is 1-3 yrs, not 7 as for general student record)</p> <p>Information included in student record</p> <p>2(1) The student record of a student must contain all information affecting the decisions made about the education of the student that is collected or maintained by a board, regardless of the manner in which it is maintained or stored, including</p> <p style="padding-left: 20px;">(r) information about any suspension of more than one day or expulsion relating to the student or the student's rights pursuant to the Act, which must be recorded and retained on the student record for a minimum period of one year and a maximum period of 3 years following the date of the suspension or expulsion after which the information must be removed from the student's record,</p>
190	<p>Teachers' Pension Plans Act, R.S.A. 2000, c. T-1 in: Collection and disclosure of employment information</p> <p>25(1) In this section,</p> <p style="padding-left: 20px;">(a) "Department" means the Government department responsible for education;</p> <p style="padding-left: 20px;">(b) "employer" and "employment" include a former employer and former employment respectively;</p> <p style="padding-left: 20px;">(c) "employment information" means personal information within the meaning of the Freedom of Information and Protection of Privacy Act that relates to members' employment or pensions but, as regards the collection by or the disclosure to an employer of that information, is restricted to information about members employed by that particular employer.</p> <p>(2) The Board is authorized to collect employment information from, and to disclose it to,</p> <p style="padding-left: 20px;">(a) employers,</p> <p style="padding-left: 20px;">(b) the Department, and</p> <p style="padding-left: 20px;">(c) any other prescribed body or person.</p> <p>(3) Employers are authorized to collect employment information from, and to disclose it to,</p> <p style="padding-left: 20px;">(a) the specific members to whom the information relates,</p> <p style="padding-left: 20px;">(b) the Board,</p> <p style="padding-left: 20px;">(c) the Department, and</p> <p style="padding-left: 20px;">(d) any other prescribed body.</p> <p>(4) The Department is authorized to collect employment information from, and to disclose it to,</p> <p style="padding-left: 20px;">(a) employers, and</p> <p style="padding-left: 20px;">(b) the Board.</p> <p>(5) Where this section gives authority to a body to collect from, or to disclose to, a prescribed body or person any employment information, that prescribed body or person is authorized respectively to disclose to, or to collect from, that first-mentioned body that employment information.</p> <p>(6) Information may be collected under this section from a person or body other than the member to whom it relates in any manner that is agreed between the persons or bodies collecting and providing it.</p> <p>Teachers' and Private School Teachers' Pension Plans, Alta. Reg. 203/1995 under the Teachers' Pension Plans Act, R.S.A. 2000, c. T-1 in:</p> <p>Employer participation</p> <p>7.1(1) A private school that is not a participating employer by virtue of this section is entitled to join the Plan as a participating employer by making a valid application in writing to the Board to permit its plan employees and substitute teachers to participate in the Plan.</p> <p>(2) The applicant school must provide to the Board any information required in respect of its affairs and operations.</p> <p>(3) The plan employees of a private school that has made a valid application for participation as an employer under subsection (1) become active members with effect from the beginning of the fiscal year following that in which the application is made provided that the applicant school has given at least one month's notice prior to that time and, if not, from the beginning of the next following fiscal year.</p> <p>(4) Private schools that were employers under the former Act immediately before commencement continue, subject to subsection (5), to be participating employers under the Plan.</p> <p>(5) A private school is entitled, on giving notice in writing to the Board, to withdraw its participation as an employer and the withdrawal takes effect as at the end of the fiscal year in which the notice is given provided that the school gave at least 2 weeks' notice prior to that time and, if not, from the end of the next following fiscal year.</p> <p>Teachers' Pension Plans (Legislative Provisions) Regulation, Alta. Reg. 204/1995 under the Teachers' Pension Plans Act, R.S.A. 2000, c. T-1 in:</p>

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	<p>Collection and provision of information</p> <p>9(1) In this section, “employment information” has the meaning assigned to it in section 25(1)(c) of the Act.</p> <p>(2) The Board may by written notice require any employer to provide employment information to it, within the time and in the manner specified in the notice.</p> <p>(3) An employer shall provide to the Board, before the date and with respect to the period specified by the Board by written notice, an independent auditor’s opinion on matters established by the Board with respect to the employer’s compliance with his obligations under the Plan during the relevant period.</p> <p>(4) Where the opinion required by subsection (3) is not received within the time specified by the Board, the Board may order that an audit be conducted at the expense of the employer.</p> <p>(5) An employer shall comply with an order made by the Board under subsection (4).</p> <p>(6) An employer shall report to the Board each year, forthwith after fixing them,</p> <p style="padding-left: 40px;">(a) a school year which, in the case of an employer that is required to report a school year under the School Act, will be that school year, and</p> <p style="padding-left: 40px;">(b) the minimum time that is required to constitute a full-time basis for employment for the purposes of the Plan,</p> <p>and, if any such information is subsequently changed during the year, shall forthwith report the change to the Board.</p> <p>(7) Revenue Canada is prescribed for the purposes of section 25(2)(c) of the Act for the purpose of the disclosure of employment information that is or may be required to enable the Board to maintain a Plan’s registration.</p> <p>(8) The Association is prescribed for the purposes of section 25(2)(c) of the Act.</p>
193	<p>Teaching Profession Act, R.S.A. 2000, c. T-2 in:</p> <ul style="list-style-type: none"> • sections 24(4), 38, 47, 55(4), 66(2) apply <p>Making a complaint</p> <p>24(4) If after a person’s membership in the association lapses or has been suspended or cancelled</p> <p style="padding-left: 40px;">(a) a complaint is made about the former member, and</p> <p style="padding-left: 40px;">(b) the complaint relates to conduct occurring before the lapse, suspension or cancellation,</p> <p>the complaint may be dealt with under this Act as if the lapse, suspension or cancellation had not occurred, if the complaint is made to the executive secretary within 5 years after the date of the lapse, suspension or cancellation.</p> <p>Notice to attend and produce records</p> <p>38(1) The attendance of witnesses before a hearing committee and the production of records may be enforced by a notice issued by the executive secretary requiring the witness to attend and stating the date, time and location at which the witness is to attend and the records, if any, that the witness is required to produce.</p> <p>(2) On the written request of the investigated person or that person’s counsel or agent, the executive secretary shall, without charge, issue and deliver to that person or that person’s counsel or agent any notices that that person requires for the attendance of witnesses or the production of any record.</p> <p>(3) A witness, other than the investigated person, who has been served with a notice to attend or a notice for the production of any record under subsection (1) or (2) is entitled to be paid the same fees, expenses and allowances as are payable to a witness in an action in the Court of Queen’s Bench.</p> <p>Service of decision</p> <p>47(1) A hearing committee shall forward to the executive secretary</p> <p style="padding-left: 40px;">(a) the decision, and</p> <p style="padding-left: 40px;">(b) the record of the hearing, consisting of all evidence presented before it, including</p> <p style="padding-left: 80px;">(i) all exhibits,</p> <p style="padding-left: 80px;">(ii) all documents, and</p> <p style="padding-left: 80px;">(iii) all testimony given before it, whether recorded electronically, mechanically or in handwritten form.</p> <p>(2) The executive secretary shall, on receiving the decision of a hearing committee and the record of the hearing referred to in subsection (1),</p> <p style="padding-left: 40px;">(a) serve a copy of the decision on the investigated person,</p> <p style="padding-left: 40px;">(b) forward a notice of the decision to the complainant,</p> <p style="padding-left: 40px;">(c) forward a notice of the decision to the executive council, and</p> <p style="padding-left: 40px;">(d) forward a copy of the decision to the Registrar.</p> <p>(3) The investigated person and the executive council may examine the record or any part of the record of the proceedings before a hearing committee and hear any recording or examine any mechanical or handwritten record of evidence given before the hearing committee.</p> <p>(4) The decision of a hearing committee must be available to the public on request and free of charge.</p> <p>Written decision</p> <p>55(4) The decision of the Appeal Committee must be available to the public on request and free of charge</p>

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	<p>Penalties 66(2) A prosecution under this section may be commenced within 2 years after the commission of the alleged offence, but not afterwards</p>
202	<p><u>Workers' Compensation Act</u>, R.S.A. 2000, c. W-15 in: Sections 9, 14(2), 14(3), 15, 18(3) to (5), 23, 29(1) to (3), 30(b), 32,33,35,36,37,41(4), 46,103,108,109,120, 144,145 apply</p> <p><u>Medical Panels Regulation</u>, Alta. Reg. 290/2006 under the <u>Workers' Compensation Act</u>, R.S.A. 2000, c. W-15 in section 7 report of medical panel copy given to employer.</p> <p><u>Workers' Compensation Regulation</u>, Alta. Reg. 325/2002 under the <u>Workers' Compensation Act</u>, R.S.A. 2000, c. W-15 in:</p> <p>Recording accident 9(1) An employer who receives notice of an accident under section 32 of the Act or otherwise acquires knowledge of the happening of such an accident or of an allegation of the happening of such an accident shall forthwith record the particulars of the accident or allegation of the happening of an accident</p> <p style="padding-left: 40px;">(a) in the record required to be kept under the Occupational Health and Safety Code adopted under the <u>Occupational Health and Safety Act</u>, or</p> <p style="padding-left: 40px;">(b) if the employer does not keep that record, in an accident report record maintained for the purposes of this section.</p> <p>(2) The particulars of the accident to be recorded must include:</p> <p style="padding-left: 40px;">(a) the full name of the injured worker;</p> <p style="padding-left: 40px;">(b) the date, place and time of the accident;</p> <p style="padding-left: 40px;">(c) the date and time that the accident was reported or that the employer acquired knowledge of it;</p> <p style="padding-left: 40px;">(d) the cause of the accident;</p> <p style="padding-left: 40px;">(e) a description of the injury;</p> <p style="padding-left: 40px;">(f) the medical treatment rendered.</p> <p><u>AR 325/2002</u> s9;348/2009</p> <p>Notice by employer 10(1) The notice of accident required to be given by an employer under section 33(1)(b) and (c) of the Act must be given in the form prescribed by the Board for that purpose or any other form acceptable to the Board.</p> <p>(2) In completing the form referred to in subsection (1), the employer shall provide all of the information required by the Board that the employer reasonably has in its power or possession or with due diligence can reasonably ascertain.</p> <p>(3) The Board shall by notice in writing to employers prescribe the means by which the notice of accident is to be given.</p> <p>(4) The notice of the accident is effectively given when the employer transmits the completed form to the Board by the most expeditious means at the employer's disposal that is prescribed under subsection (3).</p>
217	<p><u>Employment Pension Plans Act</u> S.A. 2012, c. E-8.1, s.</p> <p>If ASBOA or school boards are "employers" under this statute, then ss. 46 applies (Other duties apply only if the school board is an "administrator of a pension plan")</p> <p>Participating employer must provide information and records to administrator</p> <p>46(1) On the written request of the administrator of a pension plan, a participating employer or a former participating employer must, within any reasonable period that is specified in the request, provide the administrator with information or records required by the administrator for the purpose of administering the plan in compliance with this Act, the regulations and the plan documents.</p> <p>(2) A request under subsection (1) must specifically identify the information or records required under that subsection.</p> <p>(3) If the participating employer or former participating employer requests that any records provided under subsection (1) be returned, the administrator must return those records within a reasonable period.</p> <p>(4) The administrator may make copies of or take extracts from any records provided under subsection (1).</p>

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225	<p><u>Occupational Health and Safety Act</u>, R.S.A. 2000, c. O-2 in:</p> <p>Serious injuries and accidents</p> <p>18(1) If an injury or accident described in subsection (2) occurs at a work site, the prime contractor or, if there is no prime contractor, the contractor or employer responsible for that work site shall notify a Director of Inspection of the time, place and nature of the injury or accident as soon as possible.</p> <p>(2) The injuries and accidents to be reported under subsection (1) are</p> <ul style="list-style-type: none"> (a) an injury or accident that results in death, (b) an injury or accident that results in a worker's being admitted to a hospital for more than 2 days, (c) an unplanned or uncontrolled explosion, fire or flood that causes a serious injury or that has the potential of causing a serious injury, (d) the collapse or upset of a crane, derrick or hoist, or (e) the collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure. <p>(3) If an injury or accident referred to in subsection (2) occurs at a work site or if any other serious injury or any other accident that has the potential of causing serious injury to a person occurs at a work site, the prime contractor or, if there is no prime contractor, the contractor or employer responsible for that work site shall</p> <ul style="list-style-type: none"> (a) carry out an investigation into the circumstances surrounding the serious injury or accident, (b) prepare a report outlining the circumstances of the serious injury or accident and the corrective action, if any, undertaken to prevent a recurrence of the serious injury or accident, and (c) ensure that a copy of the report is readily available for inspection by an officer. <p>(4) The prime contractor, contractor or employer who prepared the report referred to in subsection (3) shall retain the report for 2 years after the serious injury or accident.</p> <p>(5) A report prepared under this section is not admissible as evidence for any purpose in a trial arising out of the serious injury or accident, an investigation or public inquiry under the <u>Fatality Inquiries Act</u> or any other action as defined in the <u>Alberta Evidence Act</u> except in a prosecution for perjury or for the giving of contradictory evidence.</p> <p>(6) Except as otherwise directed by a Director of Inspection, an occupational health and safety officer or a peace officer, a person shall not disturb the scene of an accident reported under subsection (1) except insofar as is necessary in</p> <ul style="list-style-type: none"> (a) attending to persons injured or killed, (b) preventing further injuries, and (c) protecting property that is endangered as a result of the accident. <p>Written health and safety policies</p> <p>32 A prime contractor, contractor or employer, if required by or under the regulations or the adopted code, shall</p> <ul style="list-style-type: none"> (a) state that person's policy in writing for the protection and maintenance of the health and safety of that person's workers on the work site, (b) state the arrangements to implement that policy, and (c) as far as is reasonably practicable, inform that person's workers of the policy. <p>Existence of imminent danger</p> <p>35(1) No worker shall</p> <ul style="list-style-type: none"> (a) carry out any work if, on reasonable and probable grounds, the worker believes that there exists an imminent danger to the health or safety of that worker, (b) carry out any work if, on reasonable and probable grounds, the worker believes that it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the work site, or (c) operate any tool, appliance or equipment if, on reasonable and probable grounds, the worker believes that it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the work site. <p>(2) In this section, "imminent danger" means in relation to any occupation</p> <ul style="list-style-type: none"> (a) a danger that is not normal for that occupation, or (b) a danger under which a person engaged in that occupation would not normally carry out the person's work. <p>(3) A worker who</p> <ul style="list-style-type: none"> (a) refuses to carry out work, or (b) refuses to operate a tool, appliance or equipment <p>pursuant to subsection (1) shall, as soon as practicable, notify the worker's employer at the work site of the worker's refusal and the reason for the worker's refusal.</p> <p>(4) On being notified under subsection (3), the employer shall</p> <ul style="list-style-type: none"> (a) investigate and take action to eliminate the imminent danger,

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	<p>(b) ensure that no worker is assigned to use or operate the tool, appliance or equipment or to perform the work for which a worker has made a notification under subsection (3), unless</p> <p style="padding-left: 40px;">(i) the worker to be so assigned is not exposed to imminent danger, or</p> <p style="padding-left: 40px;">(ii) the imminent danger has been eliminated,</p> <p>(c) prepare a written record of the worker's notification, the investigation and action taken, and</p> <p>(d) give the worker who gave the notification a copy of the record described in clause (c).</p> <p>(5) The employer may require a worker who has given notification under subsection (3) to remain at the work site and may assign the worker temporarily to other work assignments that the worker is reasonably capable of performing.</p> <p>(6) A temporary assignment under subsection (5), if there is no loss in pay, is not disciplinary action for the purposes of section 36.</p> <p>(7) If a worker who receives a record under subsection (4)(d) is of the opinion that an imminent danger still exists, the worker may file a complaint with an officer.</p> <p>(8) An officer who receives a complaint under subsection (7) shall prepare a written record of the worker's complaint, the investigation and the action taken and shall give the worker and the employer a copy of the record.</p> <p>(9) A worker or an employer who receives a record under subsection (8) may request a review of the matter by the Council by serving a notice of appeal on a Director of Inspection within 30 days from the date of receipt of the record.</p> <p>(10) After considering the matter, the Council may by order</p> <p style="padding-left: 40px;">(a) dismiss the request for a review, or</p> <p style="padding-left: 40px;">(b) require the employer to eliminate the imminent danger.</p> <p>(11) An appeal lies to the Court of Queen's Bench from an order of the Council on a question of law or a question of jurisdiction and on hearing the matter the Court may make any order, including the awarding of costs, that the Court considers proper.</p> <p>(12) An appeal under subsection (11) shall be made by way of application within 30 days from the date that the order of the Council is served on the person appealing the order of the Council.</p> <p>(13) The commencement of an appeal under subsection (11) does not operate as a stay of the order of the Council being appealed from except insofar as a judge of the Court of Queen's Bench so directs.</p> <p>RSA 2000 cO-2 s35;2009 c53 s122</p> <p>Occupational Health and Safety Regulation, Alta. Reg. 62/2003 under the <i>Occupational Health and Safety Act</i>, R.S.A. 2000, c. O-2 in:</p> <p>Critical documents</p> <p>8(1) If an employer is required to make a report or plan under the Act, the regulations or the adopted code, the employer shall ensure that a paper or downloaded electronic copy of it is readily available for reference by workers at the work site affected by it.</p> <p>(2) If an employer is required to develop procedures or to put procedures in place under the Act, the regulations or the adopted code, the employer shall ensure that a paper or downloaded electronic copy of the current procedures is readily available for reference by workers at the work site affected by the procedures.</p> <p>(3) An employer shall ensure that current paper or downloaded electronic copies of the Act, this Regulation and the adopted code are readily available for reference by workers.</p> <p>Posting orders and notices</p> <p>9(1) An employer must post a copy of the following at a work site:</p> <p style="padding-left: 40px;">(a) an order made under the Act that is relevant to the work site;</p> <p style="padding-left: 40px;">(b) a health and safety notice prepared by or for a Director concerning conditions or procedures at the work site.</p> <p>(2) The employer must post the copy at a conspicuous place at the work site as soon as the employer receives it.</p> <p>(3) The employer must keep an order under the Act posted until the conditions specified in the order are met.</p> <p>(4) Despite subsections (1) to (3), if the work site is mobile and posting is impracticable, the employer must ensure that the information in the order or the notice is brought to the attention of all workers at the work site.</p> <p>Acceptance</p> <p>10(1) An application for an acceptance must provide the specific details about the alternative tool, appliance, equipment, work process or first aid service, supplies or equipment that a Director needs to determine if the alternative gives workers equal or greater protection than the original requirement.</p> <p>(2) An employer must ensure that a copy or a record of an acceptance that applies at a work site is</p> <p style="padding-left: 40px;">(a) posted at the work site,</p> <p style="padding-left: 40px;">(b) if applicable, secured to or kept with the equipment to which the acceptance applies, or</p> <p style="padding-left: 40px;">(c) otherwise communicated to the workers who may be affected by the acceptance.</p> <p>Safety training</p> <p>15(1) An employer must ensure that a worker is trained in the safe operation of the equipment the worker is required to operate.</p> <p>(2) An employer must ensure that the training referred to in subsection (1) includes the following:</p>

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	<ul style="list-style-type: none"> (a) the selection of the appropriate equipment; (b) the limitations of the equipment; (c) an operator’s pre-use inspection; (d) the use of the equipment; (e) the operator skills required by the manufacturer’s specifications for the equipment; (f) the basic mechanical and maintenance requirements of the equipment; (g) loading and unloading the equipment if doing so is a job requirement; (h) the hazards specific to the operation of the equipment at the work site. <p>(3) If a worker may be exposed to a harmful substance at a work site, an employer must</p> <ul style="list-style-type: none"> (a) establish procedures that minimize the worker’s exposure to the harmful substance, and (b) ensure that a worker who may be exposed to the harmful substance <ul style="list-style-type: none"> (i) is trained in the procedures, (ii) applies the training, and (iii) is informed of the health hazards associated with exposure to the harmful substance. <p>(4) A worker must participate in the training provided by an employer.</p> <p>(5) A worker must apply the training referred to in subsections (1) and (3).</p>
230	<p>Local Authorities Election Act, R.S.A. 2000, c. L-21:</p> <ul style="list-style-type: none"> • section 101 The secretary, unless otherwise ordered by a judge, shall retain copies of voter registers, if any, made under section 90 and the ballot boxes with their seals unbroken for 6 weeks from the date of voting and then shall cause the ballot boxes to be opened and their contents destroyed, and cause copies of voter registers, if any, to be destroyed, in the presence of 2 witnesses and each of the 2 witnesses shall take an affidavit that the witness has witnessed the destruction of the contents of the ballot boxes; • section 134 the judge may require the secretary to produce any ballots, books, lists of electors and other lists and any other records of the election and documents in the secretary’s possession and connected with the election that the judge considers necessary.
233	<p>Off-campus Education Handbook (November 17, 2015)</p> <p>Changes in the Off-campus Education Handbook (June 10, 2016)SECTION 2 – SCHOOL AUTHORITY’S RESPONSIBILITIES PROCEDURES...</p> <p>19. In developing and maintaining the off-campus program, the school authority shall ensure that at each selected work site or work station:</p> <ul style="list-style-type: none"> (1) there is adequate space provided for the number of students enrolled (2) the work site or work station is annually approved prior to the placement of a student (3) facilities and equipment are available to make it possible to achieve the objectives of the program (4) equipment used by students meets the Canadian Standards Association standards or an equivalent industry standard (5) applicable federal, provincial and municipal legislation is followed, including, but not limited to, the Employment Standards Code, the Labour Relations Code (Alberta), the Occupational Health and Safety (OHS) Act, Regulation and Code and related regulations including Workplace Hazardous Materials Information System (WHMIS), local and provincial health, safety and building standards, as well as the applicable sections of the Young Offenders Act, the Freedom of Information and Protection of Privacy (FOIP) Act and the Student Record Regulation <p>SAMPLE 5.1 – OFF-CAMPUS COORDINATOR INFORMATION GUIDE: WORK SITE AND WORK STATION INSPECTIONS AND APPROVALS</p> <p>...</p> <p>4. Safety Factors It is essential that:</p>

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	<p> <input type="checkbox"/> each potential site is visited in person, prior to the placement of a student at the site <input type="checkbox"/> proper documentation is completed and kept on file for at least three years. </p> <p>In addition, it is recommended that each student be given a copy of A Worker's Guide to the Occupational Health and Safety Act.</p> <p>SECTION 7 – STUDENT PLACEMENT, MONITORING AND ASSESSMENT PLACEMENT PROCEDURES AND DOCUMENTATION Prior to the commencement of the placement, the off-campus coordinator must ensure:</p> <ol style="list-style-type: none"> 1. all off-campus education work sites and work stations have been approved (see Section 5). 2. the student has received an appropriate pre-placement orientation (see Section 6). 3. a work agreement or contract has been signed by the student, the student's parent or guardian, the employer and the school authority designee (see Sample 7.1 and Sample 7.2). <p>MONITORING 3. Off-campus coordinators should maintain a dated, anecdotal record of each visit (see Sample 7.3).</p> <p>STUDENT RECORDS 1. It is recommended that off-campus coordinators maintain a file for each student involved in off-campus education. This file should be taken to the placement when the offcampus coordinator conducts a monitoring visit. The following records should be included in this file:</p> <ol style="list-style-type: none"> 1) the Work Agreement form 2) the student's learning plan and outline of learner expectations 3) dated, anecdotal monitoring reports 4) employer evaluation forms 5) weekly time logs. <p>2. The student file may also include copies of his or her:</p> <ol style="list-style-type: none"> 1) completed application form 2) cover letter and résumé 3) references 4) portfolio material.
236	<p>School Act , RSA 2000, c S-3 Section 54</p> <p>Off-campus education programs</p> <p>54(1) A board may provide off-campus education programs for its students.</p> <p>(2) Subject to the regulations, a board may enter into an agreement with a person to provide a workplace for students who are participating in an off-campus education program.</p> <p>(3) When a student wishes to participate in an off-campus education program, the board shall obtain the consent of the student's parent or, if the student is 16 years of age or older, the student.</p>

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	<p>(4) A student who is participating in an off-campus education program is considered to be attending school while at the workplace provided for the program.</p>
238	<p>Commercial Vehicle Safety Regulation, Alta. Reg. 121/2009 under the <i>Traffic Safety Act</i>, R.S.A. 2000, c T-6 in:</p> <p>Records</p> <p>37(1) In this section and section 38, “carrier” includes a carrier subject to section 6(1) or a person subject to section 6(2).</p> <p>(2) A carrier shall maintain, or cause to be maintained, the following records pertaining to each commercial vehicle used in the carrier’s business:</p> <ul style="list-style-type: none"> (a) an identification of the vehicle, including <ul style="list-style-type: none"> (i) a unit number, the manufacturer’s serial number or a similar identifying mark, (ii) the make of the vehicle, and (iii) the year of manufacture; (b) a record of the inspection of the vehicle under the Vehicle Inspection Regulation (AR 211/2006), and repairs, lubrication and maintenance for the vehicle, including <ul style="list-style-type: none"> (i) the nature of the inspection or work performed on the vehicle, and (ii) the date on which that inspection or work took place and the odometer or hubometer reading on the vehicle at that time; (c) notices of defect received from the vehicle manufacturer and the corrective work done on the vehicle in relation to those notices; (d) trip inspection reports prepared under section 12. <p>(3) Unless otherwise authorized by the Registrar, a carrier shall maintain, or cause to be maintained, the records referred to in subsection (2) at the carrier’s principal place of business.</p> <p>(4) The carrier shall ensure that the records required to be maintained under this section are true, accurate and legible.</p> <p>Retention of records</p> <p>38(1) Subject to subsection (2), the records referred to in section 37(2) shall be retained by the carrier,</p> <ul style="list-style-type: none"> (a) except for the records under section 37(2)(d), for the current calendar year and the 4 calendar years immediately preceding, and (b) in the case of the records under section 37(2)(d), for the current month and the 6 months immediately preceding. <p>(2) Despite subsection (1), when a commercial vehicle is permanently retired from use in business by the carrier or is otherwise disposed of, records kept in respect of that vehicle shall be retained for a period of 6 months from the date that the vehicle was retired or disposed of.</p> <p>Interference with records</p> <p>39 No person shall destroy, mutilate, deface, falsify or alter any of the records required to be maintained under section 37 or retained under section 38.</p>
242	<p>Drivers' Hours of Service Regulation, Alta. Reg. 317/200 under the <i>Traffic Safety Act</i>, R.S.A. 2000, c. T-6 in:</p> <p>Daily log not required</p> <p>12(1) Notwithstanding sections 9 and 10, a daily log is not required to be maintained where all of the following conditions exist:</p> <ul style="list-style-type: none"> (a) the driver does not operate beyond a radius of 160 km from the home terminal of that driver; (b) the driver returns to the home terminal and is released from work within 15 hours from the commencement of the driver’s work shift; (c) the carrier that employs the driver maintains and retains for a period of 6 months accurate time records showing the time that the driver reports to commence the driver’s work shift and the time that the driver is released from work. <p>(2) Notwithstanding subsection (1), if one or more of the conditions under which a person is excused from maintaining a daily log ceases to exist,</p>

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	<p>(a) the carrier shall, on that condition ceasing to exist, comply with section 9 or 10, as the case may be, and</p> <p>(b) the driver shall,</p> <p style="padding-left: 40px;">(i) on that condition ceasing to exist, commence keeping a daily log, and</p> <p style="padding-left: 40px;">(ii) record in the daily log the total number of hours on duty accumulated by the driver during the 7 days immediately preceding the day on which that condition ceased to exist.</p> <p>Possession of daily logs and documents by driver</p> <p>13(1) Where a driver is required to maintain a daily log, a carrier shall not permit the driver to drive a vehicle unless the driver has in the driver's possession in the vehicle,</p> <p style="padding-left: 40px;">(a) for the driver's current work shift and the 2 previous days, the original and one duplicate of the daily log that the driver is required to maintain, and</p> <p style="padding-left: 40px;">(b) the documents and receipts required by section 11.</p> <p>(2) Where a driver is required to maintain a daily log, the driver shall not drive a vehicle unless the driver has in the driver's possession in the vehicle,</p> <p style="padding-left: 40px;">(a) for the driver's current work shift and the 2 previous days, the original and duplicate of the daily log that the driver is required to maintain, and</p> <p style="padding-left: 40px;">(b) the documents and receipts required by section 11.</p> <p>(3) Every driver shall, on request by a peace officer, produce forthwith to the peace officer for inspection</p> <p style="padding-left: 40px;">(a) the daily logs, and</p> <p style="padding-left: 40px;">(b) the documents and receipts referred to in section 11, that the driver is required to have in the driver's possession in the vehicle.</p> <p>No extra logs</p> <p>14 No driver shall maintain more than one daily log for each calendar day.</p> <p>Distribution of daily logs</p> <p>15(1) Where a driver is employed or otherwise engaged by more than one carrier in a calendar day, the driver shall forward a copy of the daily log for that day to each carrier by whom the driver was employed or otherwise engaged.</p> <p>(2) A driver shall, within 20 days from the day that a daily log is completed, forward the original of the daily log to the home terminal of the driver or to the principal place of business of the carrier by whom the driver was employed or otherwise engaged.</p> <p>Retention of records by carrier</p> <p>16(1) A carrier shall retain at its principal place of business</p> <p style="padding-left: 40px;">(a) every copy of the daily log that is forwarded to the carrier pursuant to section 15(1), and</p> <p style="padding-left: 40px;">(b) every daily record referred to in section 15(2), for a period of at least 6 months from the date that the information is recorded in the daily log.</p> <p>(2) A carrier</p> <p style="padding-left: 40px;">(a) shall retain the daily records and daily logs referred to in subsection (1) in a neat and orderly manner, and</p> <p style="padding-left: 40px;">(b) shall, on request by a peace officer, produce forthwith to the peace officer the daily records and logs for inspection.</p> <p>(3) A carrier shall, within 30 days after it has received the original copy of a daily log pursuant to section 15, place the original copy of the daily log at the location where the carrier retains the records relating to its drivers or at such other location as may be approved in writing by the Registrar.</p> <p>Retention of records by driver</p> <p>17(1) A driver shall retain a duplicate of all of the daily logs maintained by the driver for a period of at least 6 months from the date that the information is recorded in the daily log.</p> <p>(2) A driver</p> <p style="padding-left: 40px;">(a) shall retain the duplicate of the daily logs referred to in subsection (1) in a neat and orderly manner at the residence of the driver, and</p> <p style="padding-left: 40px;">(b) shall, within 7 days from the day that a peace officer makes a request for the duplicate of the daily logs, produce the duplicate of the daily logs to the peace officer for inspection.</p> <p>Inspections</p> <p>18 A peace officer may enter any facility or vehicle for the purpose of determining whether a carrier and a driver have complied with this Regulation.</p> <p>Prohibition</p> <p>19 No person shall knowingly falsify or enter false information into a daily log.</p> <p>Offences</p>

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	<p>20 It is an offence to contravene or fail to comply with the following provisions of this Regulation:</p> <ul style="list-style-type: none"> section 3; section 5(1); section 5(2); section 6(1); section 6(2); section 7(2); section 7(3); section 8(2); section 8(3); section 9(1); section 9(2); section 9(5); section 10(2); section 11(1); section 12(2); section 13; section 14; section 15; section 16; section 17; section 19.
244	<p>Alberta Education Funding Manual for School Authorities (https://education.alberta.ca/media/3575997/funding-manual-2017-2018-school-year-v4.pdf)(April 17, 2017)(updated annually)</p> <p>General Conditions at page 9:</p> <p>7. School authorities applying for funding shall keep on file, for seven years, the documents required to support their claim for each type of funding described in this Manual, including invoices. The following are examples of other information to be kept on file:</p> <ul style="list-style-type: none"> a) an eligible enrolment count as of the September count date for the school year; b) copies of current education service agreements including transportation agreements; c) a record of the daily attendance of each enrolled student including high school students, the master timetable and student timetables and documents listed in Section 1.2; d) a list of schools, teachers and administrators involved in each program; e) documentation supporting a student's eligibility as a funded student/funded child; f) where applicable, documentation supporting a student's eligibility for funding as a child of a temporary resident. <p>8. Alberta Education reserves the right to request and inspect documentation to substantiate data submitted that determines funding allocations and that assists in conducting financial and other reviews. This document inspection may be conducted off-site or on-site in a school authority.</p> <p>Section 1.20 — Rural Transportation Funding.. DOCUMENTATION AND REPORTING REQUIREMENTS at page 42-43:</p> <p>5. School jurisdictions are required to retain the following information on file for a minimum of seven years and make it available for review by Alberta Education upon request:</p> <ul style="list-style-type: none"> a) geographic roadway maps of overall attendance areas and transportation service areas; b) location of each student's residence (street addresses in towns, villages and hamlets, and where available in rural areas, and legal land descriptions in all other rural areas); c) individual bus route lists that includes stop locations and students transported; d) a list of names of eligible transported ECS children transported by bus and the names and grades of eligible passengers; e) records of route distance verified by an official(s) of the school jurisdiction; f) copies of educational services agreements; g) copies of transportation agreements with school boards, private schools, charter schools and private ECS operators; h) copies of completed route risk assessment forms; i) copies of contracts with: <ul style="list-style-type: none"> i. operators of contracted busses for all transportation; ii. parents providing transportation indicating the amount to be paid; and iii. agents providing special transportation for students with disabilities. <p>Section 1.21 — Urban Transportation Funding... DOCUMENTATION AND REPORTING REQUIREMENTS at page 46-47:</p>

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	<p>4. School jurisdictions are required to retain the following information on file for a minimum of seven years and make it available for review by Alberta Education upon request.</p> <ul style="list-style-type: none"> a) geographic roadway maps of overall attendance areas and transportation service areas; b) location of each student's residence (street addresses in towns, villages and hamlets); c) individual bus route lists that includes stop locations and students transported; d) a list of names of eligible transported ECS children transported by bus and the names and grades of eligible passengers; e) records of route distance verified by an official(s) of the school jurisdiction; f) copies of educational services agreements; g) copies of transportation agreements with school boards, private schools, charter schools and private ECS operators; h) copies of completed route risk assessment forms; i) copies of contracts with: <ul style="list-style-type: none"> i. operators of contracted busses for all transportation; ii. parents providing transportation indicating the amount to be paid; and iii. agents providing special transportation for students with disabilities. <p>Section 1.22 — Metro Urban Transportation Funding... DOCUMENTATION AND REPORTING REQUIREMENTS at page 49-50:</p> <p>1. Metro urban school jurisdictions are required to retain the following information on file for a minimum of seven years and make it available for review by Alberta Education upon request.</p> <ul style="list-style-type: none"> a) geographic roadway maps of overall attendance areas and transportation service areas; b) location of each student's residence (street addresses in towns, villages and hamlets); c) individual bus route lists that includes stop locations and students transported; d) a list of names of eligible transported ECS children transported by bus and the names and grades of eligible passengers; e) records of route distance verified by an official(s) of the school jurisdiction; f) copies of educational services agreements; g) copies of transportation agreements with school boards, private schools, charter schools and private ECS operators; h) copies of completed route risk assessment forms; i) copies of contracts with: <ul style="list-style-type: none"> i. operators of contracted busses for all transportation; ii. parents providing transportation indicating the amount to be paid; and iii. agents providing special transportation for students with disabilities. <p>Section 1.23 - Special Transportation Funding (Gr. 1-12)... DOCUMENTATION AND REPORTING REQUIREMENTS at page 51-52:</p> <p>4. School jurisdictions are required to retain the following information on file for a minimum of seven years and make it available for review by Alberta Education upon request.</p> <ul style="list-style-type: none"> a) geographic roadway maps of overall attendance areas and transportation services areas; b) location of each student's residence (street addresses in towns, villages and hamlets, and where available in rural areas, and legal land descriptions in all other rural areas); c) individual bus route lists that includes stop locations and students transported; d) a list of names of eligible transported ECS children transported by bus and the names and grades of eligible passengers; e) records of route distance verified by an official(s) of the school jurisdiction; f) copies of education service agreements; g) copies of transportation agreements with school boards, private schools, and charter schools; h) copies of completed route risk assessment forms; i) copies of contracts with: <ul style="list-style-type: none"> i. written transportation agreements with agents, organizations, parents or other persons; ii. records showing the amount to be paid on behalf of students with disabilities who require special transportation; iii. agents providing special transportation for students with disabilities.
245	<p>Freedom of Information and Protection of Privacy Act;</p> <p>Section 35 an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must ... retain the personal information for at least one year...</p>
246	<p>Disclosure of Information Regulation 231/2013 under Children First Act</p>

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	<p>Records</p> <p>1(1) A service provider or a custodian that discloses information under section 4 of the Act shall maintain records in accordance with this section about the disclosure.</p> <p>(2) Records referred to in subsection (1) must contain</p> <ul style="list-style-type: none"> (a) a description of the information disclosed under section 4 of the Act, (b) the date on which the information was disclosed, and (c) the name of the person to whom or the entity to which the information was disclosed. <p>(3) Records referred to in subsection (1) must be retained for 10 years after being created and must thereafter be disposed of in accordance with the service provider's or custodian's records disposition policy or, if the service provider or custodian has no applicable records disposition policy, in a manner approved by the Minister.</p> <p>Children First Act</p> <p>Information-sharing for purposes of providing services</p> <p>4(1) For the purposes of enabling or planning for the provision of services or benefits to a child, a service provider may collect and use either or both of the following:</p> <ul style="list-style-type: none"> (a) personal information about the child or a parent or guardian of the child from another service provider; (b) health information about the child from a custodian. <p>(2) For the purposes of enabling or planning for the provision of services or benefits to a child,</p> <ul style="list-style-type: none"> (a) a service provider may disclose to another service provider personal information about the child or a parent or guardian of the child, and (b) a custodian may disclose to another custodian or to a service provider health information about the child if, in the opinion of the service provider or custodian making the disclosure, the disclosure is in the best interests of the child. <p>(3) A service provider may disclose personal information and a custodian may disclose health information about a child to a guardian of the child if</p> <ul style="list-style-type: none"> (a) the disclosure is not contrary to the express request of the child, and (b) the service provider or custodian making the disclosure is of the opinion that the disclosure is in the best interests of the child. <p>(4) A service provider or custodian shall, in accordance with the procedures set out in the regulations, maintain records about the disclosure of information under this section.</p>
247	<p>Unclaimed Personal Property and Vested Property Act, SA 2007, c U-1.5, http://canlii.ca/t/52b1z and General Regulation, Alta Reg 104/2008, http://canlii.ca/t/52ccq</p> <p>Retention of records</p> <p>13 A holder who pays, transfers or delivers personal property, or pays an amount as equivalent value for personal property, to the Minister under section 7, 9 or 10 must retain possession or control, for 10 years after complying with the applicable section, of all of the records relating to the personal property that are not delivered to the Minister under section 11 or 12 and that</p> <ul style="list-style-type: none"> (a) could be used in identifying or locating the owner or apparent owner of the personal property, or (b) describe or could be used in determining the value of the personal property at the time it was paid, transferred or delivered to the Minister.
248	<p>Canada's Anti Spam Law (CASL) as explained in the Compliance and Enforcement Information Bulletin CRTC 2014-326 (June 19, 2014) (http://crtc.gc.ca/eng/archive/2014/2014-326.htm)</p> <p>Record keeping</p> <p>9. Good record-keeping practices may help businesses (i) identify potential non-compliance issues, (ii) investigate and respond to consumer complaints, (iii) respond to questions about the business's practices and procedures, (iv) monitor their corporate compliance program, (v) identify the need for corrective actions and demonstrate that these actions were implemented, and (vi) establish a due diligence defence in the event of complaints to the Commission against the business.</p> <p>10. As a business, consider maintaining hard copy and/or electronic records of the following:</p> <p>Relating to the Rules</p> <ul style="list-style-type: none"> • your telemarketing policies and procedures; • all National Do Not Call List registration and subscription information (required by law for at least 36 months); • all internal do not call requests and actions; • all evidence of express consent (e.g. audio recordings or forms) by consumers who agree to be contacted via an automatic dialing-announcing device; • call records/logs; • call scripts; and

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	<ul style="list-style-type: none"> • scrubbing procedures to remove from calling lists numbers that also appear on both a company's internal do not call list and the National Do Not Call List. <p><i>Relating to CASL</i></p> <ul style="list-style-type: none"> • your commercial electronic message policies and procedures; • all unsubscribe requests and actions; • all evidence of express consent (e.g. audio recordings or forms) by consumers who agree to be contacted via a commercial electronic message; • commercial electronic message recipient consent logs; • commercial electronic message scripts; and • actioning unsubscribe requests for commercial electronic messages. <p><i>Relating to both the Rules and CASL</i></p> <ul style="list-style-type: none"> • campaign records; • staff training documents; • other business procedures; and • official financial records.
249	<p>Certification of Teachers Regulation, Alta Reg 3/1999, http://canlii.ca/t/52ss5</p> <p>Power to investigate and collect information</p> <p>14(1) The Registrar may look into and collect information about any matter relating to the Registrar's powers and duties under this Regulation.</p> <p>(2) In the course of acting under subsection (1), the Registrar may</p> <ol style="list-style-type: none"> (a) request and collect personal information, records of credentials, records of criminal convictions and information about pardons and any other information and records the Registrar considers relevant, and (b) conduct interviews and keep records.
250	<p>Missing Persons Act, SA 2011, c M-18.5, http://canlii.ca/t/51wgh and Missing Persons Regulation, Alta Reg 151/2012, http://canlii.ca/t/51wgg, esp. regarding minor and vulnerable school children who may go missing;</p> <p>Missing Persons Regulation: 161</p> <p>Retention and disposal of records</p> <p>7(1) Records obtained under the authority of the Act</p> <ol style="list-style-type: none"> (a) are, when the missing person has been safely located, to be disposed of within 90 days of the locating of the missing person, (b) may be retained if the missing person is not found or if the missing person is found dead, or (c) may be retained if any further investigations arise or are likely to arise regarding the disappearance of the missing person until any and all investigations are concluded. <p>(2) Records obtained under the authority of the Act must be securely stored so that access to the records is limited to only those members of the police service who require access to perform their job function in accordance with the Act as determined by the commanding officer of the police service.</p> <p>(3) When records are disposed of, they are to be disposed of in accordance with the methods outlined in the police service's approved records retention and disposition schedule for disposition of confidential records.</p>