

Summary of Contents

Volume 1

Chapter 1.	Introduction
Chapter 2.	Corporate, Securities and Limited Partnership Records
APPENDIX 2A	Records Management and ESG Reporting
Chapter 3.	Taxation Requirements for Records Retention
Chapter 4.	Workplace Safety Records
Chapter 5.	Access to Information
Appendix 5A.	Issues in Focus: Can a Canadian corporation, whose foreign subsidiary is a defendant to an action outside Ontario, seek the protection of Canada's <i>Personal Information Protection and Electronic Documents Act</i> ("PIPEDA") to refuse production of documents?
Appendix 5B.	Issue in Focus: How has the tort of 'intrusion upon seclusion', as established in the case of <i>Jones v. Tsige</i> , been applied to cases where medical records were unlawfully viewed or otherwise obtained?
Appendix 5C.	Video Surveillance Policy
Appendix 5D.	Freedom of Information Requests
Chapter 6.	The Admissibility of Business Records in Court Proceedings
Appendix 6A.	Issues in Focus: How may business records be admitted as evidence in criminal proceedings for the truth of their contents, and when will they be inadmissible?

SUMMARY OF CONTENTS

Appendix 27C.	Environment Glossary
Appendix 27D.	Provincial Brownfields Legislation
Appendix 27E.	Self Assessment Checklist
Appendix 27F.	List of Legislation administered by Prince Edward Island Ministry of Environment, Energy and Forestry
Appendix 27G.	List of Legislation administered by Manitoba Conservation Department
Appendix 27H.	List of Legislation administered by the Quebec Ministry of the Environment
Appendix 27I.	List of Legislation administered by the New Brunswick Department of Environment and Local Government
Appendix 27J.	List of Legislation administered by Newfoundland Department of the Environment and Conservation
Appendix 27K.	List of legislation Administered by the Nova Scotia Department of Environment and Labour
Appendix 27L.	Federal/Provincial Agreements for Environmental Assessment Cooperation
Chapter 28.	Workers Compensation—Return to Work or Return to Health?
Appendix 28A.	Glossary of Terms

Volume 3

Chapter 29.	Records and Information Management: Evolving to Fit the Times
Appendix 29A.	Girding for Battle
Appendix 29B.	Reshaping Records Management
Chapter 30.	Corporate Dissolution “Breaking up is Hard to do” or is it?
Appendix 30A.	Form 17—Articles of Dissolution
Appendix 30B.	Form 19—Statement of Intent to Dissolve

RECORDS AND INFORMATION MANAGEMENT

Appendix 6B.	Issue in Focus: When does ordinary correspondence amount to a “business record” which can be introduced into evidence under the hearsay exception?
Chapter 7.	Records Security
Appendix 7A.	Beware of These 4 Myths of IT Data Security
Appendix 7B.	Ways to Prevent Data from Walking Out the Office Door
Appendix 7C.	Memorandum
Appendix 7D.	Security of Confidential Information When Working at Home or an Off-Site Location
Appendix 7E.	Confidentiality Policies
Appendix 7F.	Information Security Policies
Chapter 8.	Destruction of Records
Appendix 8A.	Risk Management, Bottom-Line Benefits from Records Retention Schedules
Chapter 9.	Recordkeeping and Dissolution of Corporations
Chapter 10.	Lawyers’ Accounting Records
Chapter 11.	Records Retention Issues for Accounting Firms
Chapter 12.	Document Retention and Anti-Trust Compliance Programs
Appendix 12A.	Securities Laws and Insider Trading
Chapter 13.	Record Retention in Insolvencies
Chapter 14.	Directors’ Duties
Chapter 15.	Information Privacy In The (Not So) Private Sector
Appendix 15A.	Canadian Privacy Acts
Appendix 15B.	Ontario Court of Appeal Recognizes Tort of Invasion of Privacy

SUMMARY OF CONTENTS

Appendix 15C.	Issue in Focus: Does the <i>Canadian Charter of Rights and Freedoms</i> protect privacy over computers and the Internet?
Appendix 15D.	Issues in Focus: How has the <i>Charter of Rights and Freedoms</i> been used in cases concerning employee privacy in workplace technology and surveillance?
Appendix 15E.	Issue in Focus: How are damages awarded for a breach of private sector privacy legislation?
Appendix 15F.	<i>Issue in Focus: How does the common law privacy tort of intrusion upon seclusion co-exist with Personal Information Protection and Electronic Documents Act and other legislative privacy schemes?</i>
Appendix 15G.	Privacy Complaints Policy
Appendix 15H.	Recent Developments in Privacy Law and Regulation 2022-2024
Appendix 15I.	Privacy, Records and Artificial Intelligence (AI)
Appendix 15J.	Privacy Guidance in the Use of Artificial Intelligence
Appendix 15K.	Artificial Intelligence Concerns Surrounding Privacy of Health Information

Volume 2

Chapter 16.	The Use of Electronic Documents & Their Impact on Legal Admissibility
Appendix 16A.	Data Protection Officers
Appendix 16B.	Bring Your Own Device (BYOD)
Appendix 16C.	The Economics of Long-Term Digital Storage
Appendix 16D.	14 Things You Need to Know About Data Storage Management

RECORDS AND INFORMATION MANAGEMENT

- Appendix 16E. 14 Things You Need to Know About Data Storage Management
- Appendix 16F. What are the ethical issues involved in the preservation of digital evidence?
- Appendix 16G. Issues in Focus: What reasonable expectation of privacy do employees have in their workplace computers and devices?
- Chapter 17. Emergency Management—Disaster Preparedness, Recovery and Resumption Planning & Program Execution
 - Appendix 17A. Disaster Planning/Business Continuity Glossary
 - Appendix 17B. A Hazard Identification Outline
 - Appendix 17C. Across the Provinces
- Chapter 18. Archives—A Role in Transition
 - Appendix 18A. Minimum Criteria for an Archival Repository of Digital Scholarly Journals
 - Appendix 18B. Metadata Schemes
 - Appendix 18C. Glossary of Archival Terminology
 - Appendix 18D. Provincial and Federal Legal Requirements for Archives
- Chapter 19. The *Sarbanes-Oxley Act*, Part 1: A Legislative Review
 - Appendix 19A. Pre-Existing Legislation Affected by the *Sarbanes-Oxley Act* of 2002
 - Appendix 19B. Sarbanes-Oxley Section Overview
 - Appendix 19C. Standard No. 1 on Financial Information Enforcement of Standards on Financial Information in Europe—A Context and Scope of the Standard
 - Appendix 19D. Corporate Governance Initiatives
- Chapter 20. The *Sarbanes-Oxley Act*, Part 2: Laying a Foundation for Tomorrow

SUMMARY OF CONTENTS

Appendix 20A.	U.S. Sentencing Commission Guidelines
Appendix 20B.	An IT Governance Implementation Plan
Appendix 20C.	Records Management Compliance Program How to Get Started
Appendix 20D.	RIM Guide to the <i>Sarbanes-Oxley Act</i>
Appendix 20E.	SOXA Compliance Survey
Chapter 21.	There Are Buried Treasures in Your File Rooms
Appendix 21A.	Further Readings
Chapter 22.	Occupational Health and Safety—Do or Die
Appendix 22A.	Policy Checklist
Appendix 22B.	Job Safety Analysis (JSA) Worksheet
Appendix 22C.	Sample Inspection List
Appendix 22D.	Workplace Inspection Report
Appendix 22E.	Responsibilities of Individuals
Appendix 22F.	Job Task Inventory Matrix
Appendix 22G.	Hazard Assessment and Control Worksheet List Tasks from Step #1 Work / Task Inventory for Hazard Assessment)
Chapter 23.	Employment Records Including Payroll
Appendix 23A.	Issue in Focus: What are the legal implications for disclosing personal information that arise from the <i>Personal Information Protection and Electronic Documents Act</i> , S.C. 2000, c. 5, and the common law?
Appendix 23B.	Issue in Focus: Does an employee have a legal right to see his or her personnel file?
Appendix 23C.	Marijuana in the Workplace Policies and Procedures
Appendix 23D.	Personnel Files and Badges
Appendix 23E.	Employee Physical Examinations Policy

RECORDS AND INFORMATION MANAGEMENT

Appendix 23F.	References
Appendix 23G.	Work Searches Inspection Policy
Chapter 24.	Intellectual Property—Whose Idea Was it, Anyway?
Appendix 24A.	Series of IP Files
Appendix 24B.	IP Retention Schedule A
Appendix 24C.	Glossary of Intellectual Property Terms (2018)
Appendix 24D.	Employee Intellectual Property Statements
Appendix 24E.	Intellectual Property Agreements
Chapter 25.	Records Management in Law Firms
Appendix 25A.	Law Society of Upper Canada File Management
Appendix 25B.	Law Society of Upper Canada File Retention
Appendix 25C.	Law Society of Alberta
Appendix 25D.	Law Society of BC—Closed Files—Retention and Disposition
Chapter 26.	Canada and its Environment, Part 1
Appendix 26A.	Federal / Provincial Agreements
Appendix 26B.	The Canadian Environmental Assessment Agency is responsible for the Canadian Environmental Assessment Act, 2012 (CEAA 2012)
Appendix 26C.	Organizational Structure: Environment and Climate Change Canada
Appendix 26D.	Major Federal Laws Covering Environment and Environmental Health Issues
Appendix 26E.	Sample EMS Documents
Chapter 27.	Canada and its Environment, Part 2
Appendix 27A.	Regulations Associated with Alberta Acts
Appendix 27B.	List of Legislation Administered by the BC. Ministry of Environment

RECORDS AND INFORMATION MANAGEMENT

Appendix 30C.	Request to Close Business Number Accounts
Chapter 31.	Cloud Computing—Can I Still Govern My Information?
Appendix 31A.	List of recommended Security Policies to Support ISO 27001
Appendix 31B.	Records and Information Management Concerns for the Cloud
Appendix 31C.	ENISA’s Division of Responsibilities
Appendix 31D.	Cloud Service Agreements Checklist
Appendix 31E.	ISO IEC 27002 2005 Recommended Security Practices
Appendix 31F.	Important Provincial Privacy Legislation
Appendix 31G.	Privacy in the Cloud: A Legal Framework for Moving Personal Data to the Cloud
Appendix 31H.	Cloud Computing and Privacy FAQ
Appendix 31I.	Five Ways to Get Your Cloud Provider Ready for e-Discovery
Appendix 31J.	e-Discovery Implications of Cloud Computing
Appendix 31K.	Issues in Focus: What are the privacy factors and implications that private Alberta organizations have to take into consideration and account when moving any of their operations into the cloud?
Appendix 31L.	Issues in Focus: What are the privacy factors and implications that public organizations in Alberta have to take into consideration and account for when moving any of their operations into the cloud?
Appendix 31M.	Issues in Focus: In the context of cloud computing, what constitutes “reasonable security arrangements” as mandated by section 34 of the <i>Personal Information Protection Act</i> , S.A. 2003, c. P-6.5 (“PIPA”)?

SUMMARY OF CONTENTS

Chapter 32.	Fighting Internet and Wireless Spam Act— FISA
Appendix 32A.	Spam Glossary
Appendix 32B.	European Union E-commerce Legislation, Information
Appendix 32C.	Websites for Provincial E-Commerce Legislation
Chapter 33.	Telecommunications in Canada
Appendix 33A.	Estimated Number of Internet Users by Country
Appendix 33B.	Glossary
Appendix 33C.	CRTC Fee Structure
Appendix 33D.	Selected Telecommunications Timeline,
Appendix 33E.	Canada's Anti-Spam Legislation (CASL)
Chapter 34.	Managing Engineering Documentation
Appendix 34A.	Types of Engineering Disciplines
Appendix 34B.	Provincial and Territorial Engineering Licensing Bodies
Appendix 34C.	Accredited engineering Programs in Canada
Appendix 34D.	Provincial and Territorial Engineering Acts, Relevant Regulations, Bylaws, Guidelines
Appendix 34E.	Ontario Association of Architects Ontario General Contractors Association, Joint Best Practice Statements
Appendix 34F.	Sample Engineering Project Management Classification Systems
Chapter 35.	Records and Information Management Competencies, Positions, Education and Certifications
Chapter 36.	Information Governance: Pulling Down the Silos
Appendix 36A.	Information Governance as a Service

RECORDS AND INFORMATION MANAGEMENT

- Appendix 36B. Predictive Coding Will Help Information Governance Get Real
- Appendix 36C. Information Governance to the Rescue
- Appendix 36D. Indigenous Data Governance
- Chapter 37. Knowledge Management
- Chapter 38. Social Media and Records and Information Management
 - Appendix 38A. Bibliography
 - Appendix 38B. City of Reno Social Communications Policy
 - Appendix 38C. Issue in Focus: How have Ontario courts dealt with the production of information from social networking sites in the discovery process following the January 1, 2010 amendments to the *Rules of Civil Procedure*?
 - Appendix 38D. Social Media Policies
- Chapter 39. RIM Strategies for BYOD
- Chapter 40. Crossing the Ocean in a Leaky Boat—*How to keep from Sinking*
 - Appendix 40A. Glossary of Terms
- Chapter 41. Winning the Resource Wars (Why Should You Love Me? Let Me Count the Ways)
- Chapter 42. Privacy and Records Retention in Employment
- Chapter 43. Implementing a Corporate-Wide Electronic Document and Records Management (EDRM) System: Project Management Considerations
 - Appendix 43A. Knowledge Transfer for Succession Planning

Volume 4

- Chapter 44. Blockchain and Recordkeeping
- Chapter 45. Records Management in the Data Lake

SUMMARY OF CONTENTS

Appendix 45A.	Works Cited
Chapter 46.	Records Retention Scheduling: Terminology and Concepts
Chapter 47.	The Intersection of Information Governance and E-Discovery
Appendix 47A.	Sample: Legal Hold Policy and Procedures Manual
Appendix 47B.	Sample Electronic Communications Policy
Appendix 47C.	Sample Unacceptable Use of the Organization's Systems
Appendix 47D.	Key Data Points from AIIM, Balancing Records Management and Information Governance
Chapter 48.	Records Retention Scheduling: Records Retention Schedule Development
Chapter 49.	The Importance of Information Governance in a Mergers and Acquisitions Environment

Appendices

Appendix A.	Canada Customs and Revenue Agency/Excise Duty Memoranda Series 9.1.1 General Requirements for Books and Records (Revised November 2003)
Appendix B.	Canada Revenue Agency Information Circular 77-9R: "Books, Records and Other Requirements for Taxpayers Having Foreign Affiliates"
Appendix C.	National Standard of Canada CAN/CGSB-72.11-93: "Microfilm and Electronic Images as Documentary Evidence", including Amendment No. 1 (April 2000)
Appendix D.	Excise Taxes and Special Levies Memoranda Series: "X6.1 Books and Records" (October 2013)
Appendix E.	Canada Border Services Agency, Memorandum D17-1-21: "Maintenance of Records in Canada by Importers"

RECORDS AND INFORMATION MANAGEMENT

- Appendix F. Industry Canada, Principles of Electronic Authentication
- Appendix G. Consumer and Corporate Affairs Canada, Directive No. 7 of the Superintendent of Bankruptcy: “Retention of Documents by the Trustee” (June 19, 1986; reissued January 10, 1991)
- Appendix H. Revenue Canada, Customs and Excise GST Memoranda 400-1-2 Input Tax Credits—Documentary Requirements (November 8, 1990)
- Appendix I. Hold That Paper Shredder: Revisiting Records Retention by Osler, Hoskin & Harcourt
- Appendix J. Spoliation
- Appendix K. Better e-Discovery: Unified Governance and the IGRM
- Appendix L. Canadian Association of Insolvency and Restructuring Professionals-Standards of Professional Practice
- Appendix M. Canada Customs and Revenue Agency GST/HST Memoranda Series, 15.1: General Requirements for Books and Records (June 2005)
- Appendix N. Canada Customs and Revenue Agency GST/HST Memoranda Series, 15.2: Computerized Records (June 2005)
- Appendix O. Ontario Information and Privacy Commissioner: Electronic Records: Maximizing Best Practices (March 1997)
- Appendix P. Canada Revenue Agency Form T137 E, Request for Destruction of Records
- Appendix Q. Memorandum D20-1-5: “Maintenance of Records and Books in Canada by Exporters and Producers” (January 1, 1994)
- Appendix R. Canada Revenue Agency Income Tax Information Circular IC 78-10R5: “Books and Records Retention/Destruction”
- Appendix S. IM Forum: Internet and Intranet Working Group: An Approach to Managing Internet and Intranet Information for Long Term Access and Accountability (September 24, 1999; last modified 2000-08-24)

SUMMARY OF CONTENTS

Appendix T.	AIRMILES Our Privacy Commitment to You
Appendix U.	TELUS Our Privacy Commitment to You
Appendix V.	Guide For Businesses and Organizations to Canada's <i>Personal Information Protection and Electronic Documents Act</i>
Appendix W.	Canada Revenue Agency Information Circular 05-1R1 Electronic Record Keeping
Appendix X.	Canada Revenue Agency RC4409 Keeping Records
Appendix Y.	Electronic Records and Document Management Systems: A New Tool for Enhancing the Public's Right to Access Government Information
Appendix Z.	Applying Canadian Privacy Law to Transborder Flows of Personal Information from Canada to the United States: A Clarification
Appendix AA.	A Lawyer's Perspective on Records Retention and Destruction
Appendix BB.	Canada: Corporate Governance Developments in Canada and the United States
Appendix CC.	Do it Yourself eDiscovery
Appendix DD.	Making the Case for Information Governance
Appendix EE.	Defining Information Governance: Theory or Action?
Appendix FF.	Solving Shared Drives: 10 Tips for Cleaning Up, Organizing and Migrating Shared Network Drives
Appendix GG.	New Online Advertising Guidance Sets Out Restrictions for Tracking
Appendix HH.	Must Parent and Attachment Files Be Kept Together?
Appendix II.	Managing Mobile Risk
Appendix JJ.	Big Data—Bigger is Not Always Better
Appendix KK.	The Role of Writing and Recordkeeping in the Cultural Evolution of Human Cooperation
Appendix LL.	Records and Information Management Audit Toolkit

RECORDS AND INFORMATION MANAGEMENT

Appendix MM. Privacy Issues Relating to COVID-19
Vaccinations and Other Measures

Bibliography

Table of Cases

Index