



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

MUNICIPAL GOVERNMENT ACT RECORDS RETENTION REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to January 30, 2021. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



RECORDS RETENTION REGULATIONS

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Municipal Government Act

CHAPTER M-12.1

RECORDS RETENTION REGULATIONS

Pursuant to section 117 and clause 261(1)(f) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

1. Definitions

In these regulations

- (a) “**Act**” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1;
- (b) “**permanent record**” means a record that a municipality is required to retain permanently;
- (c) “**record**” means a record of information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing or otherwise processing information;
- (d) “**temporary record**” means a record that a municipality is required to retain for a minimum period of time in accordance with the Schedule to these regulations. (EC697/19)

2. General retention and disposition requirements

A council shall ensure in respect of each record, that

- (a) the record is retained by the municipality in accordance with these regulations and the Schedule to these regulations;
- (b) where the record is not stored in the municipal office, the record is stored in a location and a manner that the council has determined is secure and will preserve the integrity of the record; and
- (c) documentation of the final disposition of the record is maintained by the municipality which provides details of the destruction of the record or its transfer to permanent storage, as the case may be. (EC697/19)

3. Requirements for temporary records

- (1) A council shall ensure that each temporary record of a type specified in the Schedule to these regulations is
 - (a) retained in the municipal office for a minimum of two years; and

- (b) during that period, is accessible within 24 hours.

Off-site storage

- (2) A council may, at the end of the retention period specified in clause (1)(a), move a record to which subsection (2) applies to a storage facility outside the municipality for the remainder of the retention period specified in the Schedule to these regulations in respect of that record, if
- (a) the storage facility meets the requirements of clause 2(b); and
- (b) the record is accessible within three business days. *(EC697/19)*

4. Permanent records

- (1) A council shall ensure, in respect of each permanent record, that the record
- (a) is retained in the municipal office for a minimum of five years;
- (b) during that period, is accessible within 24 hours; and
- (c) is not destroyed.

Transfer to permanent storage

- (2) A council shall, as soon as reasonably possible after the end of the retention period specified in clause (1)(a), move a record to which subsection (1) applies to permanent storage in a facility that the council has determined is secure and will preserve the integrity of the record.

Accessibility

- (3) A council shall ensure that, while in permanent storage, the record referred to in subsection (2) is accessible within three business days. *(EC697/19)*

5. Authorized destruction of temporary records

- (1) A council may, at the end of the retention period specified in respect of a temporary record, provide for the secure destruction of the record.

Duplicate copies, destruction

- (2) Subject to the requirements for retention of duplicate copies specified in the Records Retention Schedule set out in the Schedule to these regulations, a council may destroy or authorize the destruction of a duplicate copy of a record at any time.

Protection of records

- (3) A council shall ensure in respect of each record that reasonable care is taken to protect the record against damage, deterioration, unauthorized destruction, sale or other disposition, or theft. *(EC697/19)*

6. Retention in electronic form

- (1) A council that retains a record in electronic form shall ensure that the record is retained and retrievable for the minimum retention period.

Copies required

- (2) A council that retains a permanent record in electronic form shall copy the record to paper or microfilm for the purpose of transfer to permanent storage.



Requirements for microfilm storage

- (3) Microfilm applications of permanent records shall conform to industry-accepted technical standards and established preparation and documentation procedures. *(EC697/19)*

7. Schedule adopted

The Schedule to these regulations is adopted and forms part of these regulations. *(EC697/19)*



SCHEDULE

RECORDS RETENTION SCHEDULE

Note: The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as “PERMANENT” or expressed as a number of years. Retention periods are labelled as:

- (a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).
- (b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*.
- (c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

SUBJECT	DESCRIPTION	RETENTION PERIOD (YEARS)	ENDS
Accountants	Working Papers	7	FY
Accounts	Paid (summary sheet)	7	FY
	Payable vouchers	7	FY
	Receivable duplicate invoices	7	FY
Administration	Reports (not part of Minutes)	7	CY
Advertising	Electoral	4	CY
	Other notices- MGA, other legislation	2	CY
Agendas	Part of Minutes	PERMANENT	
Agreement	General	12	S/O
	Development	12	S/O
	Major legal	12	S/O
	Minor legal	12	S/O
Annexations	Correspondence	7	CY
	Final Order	PERMANENT	
Annual Reports	Council, Boards, Commissions	5	CY
Applications	Development permit	2	CY
	Site plan approval	2	CY
	Subdivision (after final approval)	3	CY
	Part-time employees (after end of employment)	1	CY
Appointments	Other than those in Minutes	3	FY
Assessment	Rolls	PERMANENT	
	Duplicate roll	7	FY
Assets	Asset Management Inventory	20	S/O
	Records of surplus	7	FY
	Temporary files	2	FY
Bank	Deposit books	7	FY
	Deposit slips	7	FY
	Memos (credit/debit)	7	FY
	Reconciliations	2	FY
	Statements	7	FY

Boards	Minutes	PERMANENT	S/O
	Authority & Structure	5	CY
	Correspondence	5	CY
Briefings/Reports	To Council	7	CY
Budgets	Operating (in minutes)	PERMANENT	
	Capital (in minutes)	PERMANENT	
	Working papers	3	FY
Bylaws	All	PERMANENT	
Cash	Receipts journal	7	FY
	Disbursements journal	7	FY
	Duplicate receipts	7	FY
Certificates	of Title	PERMANENT	
Census	Reports	12	CY
Cheques	Cancelled (paid)	7	FY
	Register	7	FY
	Stubs	7	FY
Claims	Notice of	12	S/O
	Statements of	12	S/O
Committee	Minutes	PERMANENT	
Compensation	Records	10	FY
Contracts	Files (completion of)	12	S/O
	Forms	12	FY
	Major legal	12	S/O
	Minor legal	12	S/O
Council	Minutes	PERMANENT	
Court Cases		12	S/O
Destroyed Records	Index	PERMANENT	
	Signed destroyed records statements	PERMANENT	
Documents	Not part of bylaws	12	S/O
	Agreements, major legal	12	S/O
	Agreements, minor legal	12	S/O
	Contracts legal	12	S/O
	Easements	12	S/O
	Funding agreements	12	S/O
	Leases (after expiration)	12	S/O
	Notices of change of land titles	12	S/O



Elections	All election documents other than ballot box contents	4	CY
	Ballot box contents	In accordance with the MGA	CY
	Campaign disclosure statement	7	CY
Engineering	Drawings	PERMANENT	
Employee Benefits	Health, Dental, WCB Claims, etc.	5	CY
Employees	Job applications (hired)	3	CY
	Job application (not hired)	1	CY
	Job descriptions	3 (after position abolished)	CY
	Oaths of Office	1 (after position vacated)	CY
	Personnel file	3 (after cessation of employment) or 6 (after dismissal)	CY
Financial Statements	Interim	10	FY
	Working papers	7	FY
	Final	12	FY
Franchises		PERMANENT	
Income Tax	Deductions	7	FY
	TD1	7	FY
	T4	7	FY
	T4 Summaries	7	FY
Inquiries	From the public	3	CY
Insurance	Claims	12 (after settled)	FY
	Records (after expiration)	12	FY
Land	Appraisals	1 (after sold)	
Leases	After expiration	7	S/O
Legal	Opinions	12	S/O
	Proceedings	12	S/O
Legislation	Acts (after superseded)	1	CY
Licenses	Applications	3	CY
	Business (after expired)	5	CY
	Literature	2	CY
Local Improvements	Records	PERMANENT	
Maps	Base (original)	PERMANENT	
	Contour	PERMANENT	
Maintenance Reports		12	CY
Monthly Reports	Road	5	FY
Municipal Affairs	Annual reports	5	FY

Organization	Structure and records	2	S/O
Payroll	Garnishees	7 (after garnish is removed)	FY
	Individual earning records	7	FY
	Journal	7	FY
	Time cards	7	FY
	Time sheets - daily	7	FY
	Time sheets - Overtime	7	FY
	Time sheets - weekly	7	FY
	Employment Insurance	5 (after cessation of employment)	FY
Permits	Development	12	S/O
Petitions		10	CY
Plans	Amendment applications	5	CY
	Official Amendments	PERMANENT	
	Subdivision	PERMANENT	
Policy	After superseded	5	CY
Progress Reports	Project	5	CY
	Under contract (final payment)	7	S/O
Property Files		Until sold +10	FY
Prosecution	All	12	S/O
Publications	Local reports	3	CY
Purchase	Land	Until Sold +12	FY
Receipts	Books	7	FY
	Duplicate cash	7	FY
	Registration	7	FY
Receptions & Special Events (non-historic)		3	CY
Reports	Accident	12	S/O
	Accident statistics	12	S/O
	Field	12	S/O
	Inspection	12	CY
Requisitions	Copies	2	FY
	Duplicate	7	FY
	Paid	7	FY
Resolutions	Minutes	PERMANENT	
Subdivision	After Final Approval	12	CY



Taxes	Municipal Credits	7	FY
	Rolls	PERMANENT	
Termination	Employees	7	CY
Tenders	Files	12	FY
	Successful	12	FY
	Purchase Quotations	12	FY
	Unsuccessful	10	FY
Traffic	Streets	7	CY
Training and Development Files		5	CY
Trial Balances	Monthly	5	FY
	Year End	7	FY
Vendors	Correspondence	2	FY
	Contracts	12	FY
	Suppliers Files	12	FY
Vouchers	Duplicate	7	FY
Weed Control Reports	Until updated	1	CY
Zoning	Amendment applications	5	CY
	Bylaws	PERMANENT	
	Bylaw Enforcement	5	CY

(EC697/19; 753/20)