

**Draft Record Retention Period Guidelines Covering Common
Administrative Records in Support of the
Real Property Management Function**

Table of Contents

SECTION I - INTRODUCTION	1
General	1
Scope	1
Offices of Primary Interest	1
Arrangement of the Guide	2
Disposition	2
SECTION II - RECORD RETENTION PERIODS	3
Real Property Management Function	4
1. Assessing and Planning Real Property Requirements	5
Current and Future Planning	5
2. Acquiring Real Property Assets and Related Services	6
Plans and Specifications - Government Owned or Leased	6
Drawings and Specifications	6
3. Operating and Using Real Property	7
Addresses and Locations	7
4. Maintaining Real Property Assets	7
Alterations and Repairs	8
Damages	8
Fires	
5. Replacing, Transferring, and Disposing of Real Property Assets	8
Sale, Transfer, Expiry of Lease, etc.	10
Legal Documents	10

Record Retention Period Guidelines Covering Common Administrative Records in Support of the Real Property Management Function

SECTION I - INTRODUCTION

General

The following guidelines provide to institutions advice regarding the establishment of minimum retention periods for those common administrative records which support the Real Property Management Function of the Government of Canada. They should be viewed as best practices and are not intended to override the requirement for institutions to manage records with reference to the accountability framework of their enabling legislation, programme requirements and business practices. *The ultimate determination and application of retention periods for records managed by institutions of the Government of Canada is the responsibility of individual institutions.*

For Print Version Only: These guidelines are also available on-line at (url)

Scope

The guidelines apply to all *common administrative records* which are collected, created or received by institutions in support of the administration of the Real Property Management Function of the Government of Canada (that is, records documenting common administrative business functions and sub-functions, programmes, and activities), regardless of how the records are organized or internally controlled within each institution.

In applying these retention guidelines, institutions should take care to ensure that the records:

- ! are not operational in nature;
- ! are not of a mixed operational and administrative character;
- ! do not support an administrative function in an Office of Primary Interest (OPI);
- ! are not otherwise excluded from the application of Authority No. 2001/002 by virtue of the definitions and scope statement contained in the Appendix of Authority No. 2001/002;
- ! are not anterior to 1946 (pre-1946 records are to be transferred to the National Archives).

Offices of Primary Interest

These retention guidelines do not apply to those records of either Offices of Primary Interest (OPI) or central agencies, which are collected, created or received in the pursuance of their mandated role in administering Real Property Management on behalf of the Government of Canada.

Examples of such government bodies include Treasury Board, Department of Public Works and Government Services Canada, Parks Canada, National Capital Commission, Department of Natural Resources, Royal Canadian Mounted Police, and any other institution mandated to perform, in full or in part a Real Property Management function on behalf of the Government of Canada. These retention guidelines do apply to all those records that are collected, created or received in support of such organization's common administrative real property management requirements.

Arrangement of the Guidelines

The record descriptions and retention periods contained in these guidelines are designed to reflect the Real Property Management Function of the Government of Canada which includes the following five (5) sub-functions: Assessing and Planning; Acquiring; Operating and Using; Maintaining; Replacing, Transferring and Disposing.

Where explicit direction is not available, institutions should set retention periods for those records in accordance with the specific institution's operational and legal requirements.

Disposition

Nothing in these guidelines should be seen as constituting an authority or requirement to dispose of records. For direction regarding the disposition of common administrative records related to the Real Property Management Function, institutions should consult the *National Archives Multi-Institutional Disposition Authority (MIDA) No. 2001/002* (http://www.archives.ca/06/0604_e.html).

Guidance

For advice or assistance regarding the application of these guidelines, please contact the National Archives at 613-944-IMGI (613-944-4644) or by e-mail (imgi@archives.ca)

SECTION II - RECORD RETENTION PERIODS

These retention guidelines are for common administrative records generated in support of the real property management function, which administers responsibilities related to managing real property assets in the federal government.

Real Property Management Function

The function of Real Property Management, as a broad conceptual description of a common or shared function within and across all government institutions, is the management of federal real property as defined by the Federal Real Property Act such as buildings, lands, fixed structures and related utility infrastructures, and other real property assets. The Federal Real Property Act establishes ministers' authority to enter into transactions for acquiring, transferring, and disposing of real property, and the Real Property Transactions Processes and Authority Policy of the Treasury Board of Canada Secretariat sets thresholds above which Treasury Board (TB) approval is required before an institution carries out a transaction. This function involves how an institution manages its real property assets to ensure it meets its operational requirements for effective program delivery to the maximum long-term economic advantage of the government, to honour environmental objectives, to provide safe and adequate facilities, and to respect relevant government policies on the acquisition, use, maintenance, and disposition of real property by the Government of Canada. Real Property Management is described as a life-cycle approach to the management of real property assets of an institution or administered by an institution, as set out in Treasury Board of Canada Secretariat's Real Property Management policies and related publications. The life-cycle approach can be applied to any institution whether or not it is subject to federal central agency policies or guidelines. Real Property Management and its various sub-functions, as it is understood here, is governed by Federal, Provincial or other Acts, Statutes, Regulations and Circulars and all other Appendices and Sections which consist of either mandatory or optional requirements as specified. For additional information, please consult Appendix II of Real Property Management MIDA (2001/002). For the purposes of identifying and explaining records disposition requirements, the Real Property Management Function has been divided into five sub-sections, described below.

General Guidelines

Policy	5 yrs after superseded Active 2 yrs, Dormant 3 yrs (A2, D3)
Routine	2 yrs

Exceptions to these general rules are noted below.

NB: The five-year retention period for policy and procedures, and the two-year period for routine records should be applied, unless noted otherwise below, to similar records related to each sub-function. Retention periods (unless otherwise specified) should always be interpreted and applied "after all administrative actions are completed." For example, two years after all administrative actions are completed.

Function / Description	Retention Guidance and Authorities
<p>1. Assessing and Planning Real Property Requirements</p> <p><i>This sub-function generally encompasses the business processes and activities which produce records created by government institutions while evaluating existing assets and resources, and assessing current and future organizational needs; developing short-term to maximum long-term strategic planning and life-cycle costing of acquisition alternatives; coordinating the development of real property objectives based on requirements for institutional programs and plans that are consistent with corporate goals, including environmental objectives, policy and legislation; keeping inventories and maintaining records of real property administered by departments and Crown corporations, including recording information in the Directory of Federal Real Property (DFRP) containing the central records of the real property holdings of the Government of Canada; seeking the administration of real property, through acquisition or transfer only when the property is required for the purposes of the department's programs; conducting regular reviews of the real property administered, linking it to program requirements, and confirming that the current use of it is appropriate; ascertaining the environmental condition of the property before acquisition and determining whether it is or can be made environmentally compatible with its intended use; and systematically examining and assessing the condition of the real property in inventory and using this information to determine when and how to acquire, maintain, preserve, and renew its value based on the full life-cycle costs of the property involved.</i></p>	<p>Disposition Authority MIDA 99/003</p>
<p>Current and Future Planning and Requirements, Plans for Expansion, Space Allocation, etc. Reports and Statistics</p>	<p>3 yrs</p>

Function / Description	Retention Guidance and Authorities
<p>2. Acquiring Real Property Assets <i>This sub-function generally encompasses the business processes and activities which produce records created by government institutions that add new real property to the federal inventory by purchase, lease, exchange, gift, easement, expropriation, or any other means, such as the acceptance of the surrender of a lease or the acceptance of the relinquishment of a licence or easement; transfer of administration of real property from a department or an agent Crown corporation to a department; or a transfer of administration and control of real property to the federal government. It also includes the contracting for or provision of services supporting the acquisition, use and maintenance of real property; for example, cleaning, utilities maintenance and repair, office design, fire-protection or investigating and reporting, snow removal, surveying, etc. Acquiring real property must be done in a manner consistent with the principle of sustainable development contributing to protecting and preserving the environment, and in a manner that protects their heritage character by arranging for the Department of Canadian Heritage to evaluate sites, and all buildings 40 years of age or older as to their heritage designation before acquiring, altering, dismantling, demolishing or selling them. The Minister of Canadian Heritage is responsible for approving heritage designations of real property based on criteria and a process for evaluation and designation of such heritage or historic character, upon the recommendations of the Federal Heritage Buildings Review Office or the Historic Sites and Monuments Board of Canada. The National Capital Act requires separate approval by the National Capital Commission for the acquisition, disposal and demolition of buildings on federal lands within the National Capital Region, as well as for exterior alterations and additions to them. When acquiring real property, departments must determine that the total consideration payable or receivable by the government is justified in relation to the market value of the real property using current appraisals or estimates. When proposing to acquire, lease, design, build or alter a building, institutions must have the plans, drawings or specifications reviewed by Labour Canada to ensure conformance with fire standards and codes.</i></p> <p>NB: See also the "Note" section of Acquiring Real Property Assets in RDA 2001/002</p>	<p><i>Disposition Authority MIDA 99/003</i></p>
<p>Plans and Specifications – Government Owned or Leased</p>	<p>Until obsolete</p>
<p>Drawings and Specifications</p>	<p>Until superseded or obsolete</p>

Function / Description	Retention Guidance and Authorities
<p>3. Operating and Using Real Property <i>This sub-function generally encompasses the business processes and activities which produce records created by government institutions while operating and using real property assets such as, buildings, works, lands, communications systems, hydro-electric structures, utility infrastructures, sewers and drainage, or other fixed structures on, above or below the surface of the land; ensuring that real property is used for its intended purpose; using real property in a manner consistent with the principle of sustainable development contributing to protecting and preserving the environment, and in a manner that protects their heritage character; providing a safe, healthy and productive environment in facilities; ensuring barrier-free access to, and use of, real property owned or leased; ensuring the real property conforms to physical and fire standards and policies on occupational health and safety; and ensuring that the appropriate program department administers real property, and the total real property a department administers (referring to the stewardship between a department and the real property it uses for its program purposes and for which it is accountable) is limited to that required to directly support its program.</i></p> <p>Addresses and Locations</p>	<p>Disposition Authority MIDA 99/003</p> <p>Until superseded or obsolete</p>
Function / Description	Retention Guidance and Authorities
<p>4. Maintaining Real Property Assets <i>This sub-function generally encompasses the business processes and activities which produce records created by government institutions while ensuring real property assets are properly maintained to extend the service life of the asset for as long as the property is required for the purposes of the institutions' programs; repairing, refurbishing, altering, improving, and reusing assets when economically feasible; submitting annual reports to the Treasury Board of Canada Secretariat reflecting changes made to accessibility plans and implementation progress on accessibility improvements completed to real property. Real Property must be managed and maintained to the maximum long-term economic advantage of the government, to honour environmental objectives, and to provide safe and adequate facilities.</i></p>	<p>Disposition Authority MIDA 99/003</p>
<p>Alterations and Repairs</p> <p>Major</p> <p>Minor</p>	<p>3 yrs after completion or cancellation</p> <p>1 yr after completion or cancellation</p>

<p>Damages - Reports of Investigations into the Damage</p> <p>Major</p> <p>Minor</p> <p>NB: If claims are involved, see Comptrollership Function</p>	<p>3 yrs after investigation completed</p> <p>1 yr after investigation completed</p>
<p>Fires</p> <p>Major</p> <p>Minor</p> <p>NB: It is incumbent upon the institution to determine the difference between 'major' and 'minor'. Generally, however, the value of the asset determines whether it is considered minor or major.</p>	<p>5 yrs</p> <p>2 yrs following completing report to Dominion Fire Commissioner</p>
<p>Janitorial Services, Re-decorating, etc.</p> <p>Landscaping and Gardening</p> <p>Parking Areas; Recreation Areas; Roads, Streets, Sidewalks and Highways (including snow removal)</p> <p>Lettings and Concessions, Rights of Way, Easements, Leases, etc., for Crown-owned Lands by Private Corporations or Persons or Privately-owned Lands by the Crown</p> <p>NB: Excludes legal documents</p>	<p>1 yr</p> <p>2 yrs</p> <p>2 yrs</p> <p>3 yrs after expiry of right involved</p>

Function / Description	Retention Guidance and Authorities
<p>I. Replacing, Transferring and Disposing of Real Property Assets</p> <p><i>This sub-function generally encompasses the business processes and activities which produce records created by government institutions while replacing, exchanging, transferring, disposing, or selling-off real property when these assets are beyond cost-effective repair or are no longer required for the purposes of an institution's programs, including custody transfer of administration of real property that supports an adjustment to or transfer of program accountability, such as transfers to support the government's reassignment of program responsibility, transfers to support government restructuring, and transfers to recognize a more appropriate custodian; disposing of real property which includes alienating real property by sale, lease, exchange, gift, easement, or any other means, such as the surrender of a lease or the relinquishment of a real property from one department to another department or an agent Crown corporation, or a transfer of administration and control of real property from the federal government; and disposing of real property in a manner consistent with the principle of sustainable development contributing to protecting and preserving the environment, and in a manner that protects their heritage character.</i></p> <p><i>When disposing of real property, departments must; determine that the total consideration payable or receivable by the government is justified in relation to the market value of the real property using current appraisals or estimates; ascertain the environmental conditions of the real property and determine whether or not remediation is necessary in consultation with legal and environmental advisors; provide the public with a fair and equitable opportunity to acquire real property from, and to dispose of it to, the government by soliciting offers where it is appropriate to do so; and consult with the Department of Canadian Heritage when selling a property containing a National Historic Site or part thereof, or with the Federal Heritage Buildings Review Office of Heritage Canada before disposing of recognized or classified heritage buildings. (NB: See also the 'Note' section in RDA 2001/002).</i></p> <p><i>All records documenting activities related to Canadian natural resources, mines, and minerals are operational in nature and, therefore, are excluded from the scope of MIDA 2001/002 and this Profile. All dispositions of mineral rights must be made through Natural Resources Canada.</i></p> <p><i>All proposals for the alteration, demolition, or sale of sites, buildings or other works, or change to the use of public lands within the National Capital Region (NCR), must be submitted to the National Capital Commission (NCC) for approval prior to the commencement of the project, and no public lands in the NCR shall be sold without the approval of the NCC or Governor in Council.</i></p> <p><i>Custodian departments must establish and maintain a database of their contaminated sites and their solid waste landfills, and provide this information (updated annually) to the Treasury Board of Canada Secretariat (TBS) for incorporation into the central Federal Contaminated Sites Inventory and the central Federal Solid Waste Landfills Inventory, both managed by TBS. This is mandatory for sites known to be contaminated as of 1 April 1998, and optional on contaminated sites that were remediated before 1 April 1998.</i></p>	<p>Disposition Authority: MIDA 99/003</p>

<i>Function / Description</i>	<i>Retention Guidance and Authorities</i>
<p>Sale, Transfer, Expiry of Lease, etc.</p> <p>NB: Excludes legal documents</p> <p>Legal Documents Purchase, transfer, sale, etc.</p>	<p>3 yrs after sale, transfer, expiry of lease, etc.</p> <p>Original documents are transferred to new owner. Institutional copies are retained until of no further value.</p>