

RECORDS RETENTION AND DISPOSITION AUTHORITY

This is a recommendation to authorize an ongoing records schedule.

Title: Tobacco Litigation Records Schedule

Ministry of Health Services
Population Health and Wellness Division
Healthy Living/Chronic Disease Branch
Tobacco Control Programs

Description and Purpose:

These records are created and received by the Tobacco Control Programs Branch. They document the coordination of cross-government document discovery for the British Columbia government's legal action against Canadian Tobacco manufactures.

These records consist of reports, correspondence, memoranda, meeting minutes, signed off discovery and records destruction forms, and files lists.

For more information, see attached schedule.

Date range: 1998 ongoing

Physical format of records: see attached schedule

Annual accumulation: 0.06 cubic meters

Recommended retention and disposition: scheduled in accord with attached ongoing records schedule.

THE UNDERSIGNED ENDORSE THE RECOMMENDATIONS:

Records Officer

2006/02/17
Date

Executive Director/ADM

2006/02/21
Date

A/Deputy Minister/Corporate Executive

March 06/06
Date

THE PUBLIC DOCUMENTS COMMITTEE CONCURS:

Chair, PDC

23 Oct 06
Date

THE SELECT STANDING COMMITTEE ON PUBLIC ACCOUNTS APPROVES THE RECOMMENDATION OF THE PUBLIC DOCUMENTS COMMITTEE:

April 4 2007
Date

APPROVED BY RESOLUTION OF THE LEGISLATIVE ASSEMBLY:

Nov 22 2007
Date

OTHER STATUTORY APPROVALS:

Signature
Title:

Date

Signature
Title:

Date

CONTACT: Duncan McAndrew, Litigation Document Coordinator, (250) 952-3106

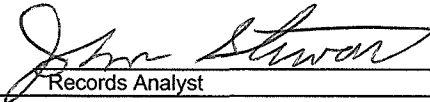
RECORDS MANAGEMENT APPRAISAL:

This appraisal documents the recommendation for active and semi-active retention periods.

These records are created and received under the authority of the *Tobacco Damages and Health Care costs Recovery Act* (SBC 2000, c. 30) and subsequent legislation governing the operational responsibilities and functions of the creating agency.

The retention and final disposition guidelines specified in the attached ongoing records schedule meet the creating agency's information requirements, ensure fiscal and audit control, protect government's legal rights and liabilities, and provide for effective management of the agency's operational functions. Upon expiry of the active and semi-active retention periods, the records covered by this recommendation will no longer be of any primary value to government.

The retention and final disposition guidelines have been established in consultation with the Records Officer and staff and managers.


Records Analyst

2006-02-07
Date

ARCHIVAL APPRAISAL:

This appraisal documents the recommendation for final disposition.

The final disposition recommendations protect records considered to have significant evidential and historical values. The specific reasons for retaining certain records are stated within the ongoing records schedule.

Record series or groups of records which will be retained in their entirety are indicated by "Full Retention."

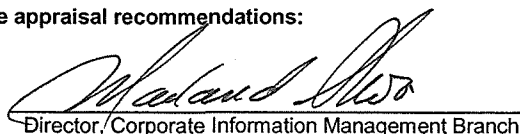
Record series or groups of records which will be retained in part are indicated by "Selective Retention." Selective retention means that portions of the record series will be retained by means of recognized archival selection criteria. For the meaning of selective retention with respect to a specific record series, see the attached schedule.

The definitions of both selective and full retention provide that records will be preserved in the government archives, and that unnecessary duplicates, transitory materials, and ephemera may be discarded.


Archivist

2006-02-07
Date

The undersigned endorses the appraisal recommendations:


Director, Corporate Information Management Branch

2006-02-07
Date

OPERATIONAL RECORDS CLASSIFICATION SYSTEM

This records schedule is approved in accordance with the *Document Disposal Act* (RSBC 1996, c. 99). It constitutes authority for retention and disposition of the records described herein provided ORCS has been implemented according to standards approved by Corporate Information Management Branch. For assistance in implementing ORCS, contact your Records Officer.

A SA FD

67000 TOBACCO LITIGATION DOCUMENT DISCOVERY

Records relating to the coordination of cross-government document discovery for the British Columbia government's legal action against Canadian tobacco manufacturers pursuant to the *Tobacco Damages and Health Care Costs Recovery Act* (SBC 2000, c. 30). This includes the administration of the discovery process; coordination of document production from ministries, agencies, boards, commissions and health authorities; and consultation and liaison with the Ministry of Attorney General, legal firms Bull, Housser and Tupper, and Berger and Nelson, and other agencies concerning the litigation, discovery, document production, and related issues.

Record types include reports received from the Ministry of Attorney General and the legal team, correspondence, memoranda, meeting minutes, signed off discovery and records destruction forms, file lists, and electronic records.

For judicial decisions, see *ARCS* 350.

For legal challenges, see *ARCS* 350.

For legal issues and opinions, see *ARCS* 350.

For tobacco control programs, see *Community Health Programs*
ORCS primary 64300.

Unless otherwise specified below, the ministry OPR
(Tobacco Strategy Branch) will retain these records for:

SO 2y DE

Except where non-OPR retention periods are identified below,
all other ministry offices will retain these records for:

SO nil DE

-00 Policy and procedures

- OPR

SO 5y FR

- non-OPR

SO nil DE

-01 General

(Continued on next page)

A = Active

SA = Semi-active

FD = Final Disposition

PIB = Personal Information Bank

PUR = Public Use Records

OPR = Office of Primary Responsibility

CY = Calendar Year

FY = Fiscal Year

NA = Not Applicable

w = week m = month

y = year

SO = Superseded or Obsolete

DE = Destruction

SR = Selective Retention

FR = Full Retention

FOI - Freedom of Information/Privacy

VR = Vital Records

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		<u>A</u>	<u>SA</u>	<u>FD</u>
67000	<u>TOBACCO LITIGATION DOCUMENT DISCOVERY</u> (Continued)			
-02	Document tracking database (electronic records)	SO	nil	DE
	SO = when the documents tracked by the database have been destroyed or returned to their original locations			
	NOTE: This in-house database, created on MS Access, tracks the location of records that have been collected for the litigation. Because this is a simple system, an information system overview has not been developed.			
-03	Document tracking reports (includes document requests) (arrange alphabetically by subject)	SO	2y	DE
	SO = when the legal action is concluded and when all issues are resolved			
-04	File lists (arrange by agency name)	SO	nil	DE
	SO = when the legal action is concluded and when all issues are resolved			
-20	Consultation and liaison – legal (includes consultation with the Ministry of Attorney General, Berger and Nelson, and Bull, Housser and Tupper) (arrange alphabetically by organization)	SO	2y	FR
	SO = when the legal action is concluded and when all issues are resolved			

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SA = Semi-active	FY = Fiscal Year	DE = Destruction
FD = Final Disposition	NA = Not Applicable	SR = Selective Retention
PIB = Personal Information Bank	w = week m = month	FR = Full Retention
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67000	<u>TOBACCO LITIGATION DOCUMENT DISCOVERY</u> (Continued)			
-25	Consultation and liaison – ministries (arrange alphabetically by ministry name)	SO	2y	FR
	SO = when the legal action is concluded and when all issues are resolved			
-30	Consultation and liaison – other agencies (arrange alphabetically by agency name)	SO	2y	FR
	SO = when the legal action is concluded and when all issues are resolved			
FR =	The records covered by secondaries -20, -25, and -30 will be fully retained by the government archives because they document consultation between the Ministry of Health and the Ministry of Attorney General, the legal firm conducting the litigation and the other ministries and agencies regarding document discovery in tobacco litigation. This case has great financial and legal importance for the province, and will set legal precedents for litigation for recovery of medical costs related to tobacco by this and other provinces.			
-40	Destruction of irrelevant documents (includes Tobacco Litigation Form D) (arrange alphabetically by agency)	SO	nil	DE
	SO = when the legal action is concluded and when all issues are resolved			
-50	Document discovery sign-off (includes Tobacco Litigation Form F and Form I) (arrange alphabetically by agency)	SO	2y	DE
	SO = when the legal action is concluded and when all issues are resolved			

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