**2017 Retention & Weeding Guidelines**

These guidelines are used to produce the LawMatters *Retention and Weeding Guide (excel document)*. The guide contains all of the books listed on the current LBL list as well as some titles from previous lists that have since been removed.

The guide is organized alphabetically by title but can also be sorted. Many of the fields that appear in the LawMatters LBL list (title, publisher, and subject) also appear on the *Retention and Weeding Guide*. When using the guide, there are a couple of extra fields to consider:

*Discard and Replace if earlier than…*

Many titles get updated. If you have a title that was published before the *earlier than…* date indicated, it should be discarded and replaced if possible. Generally, this is because of substantial changes to the law that the older title does not reflect.

*Notes*

The notes field in the *Retention and Weeding Guide* provides some context for reasons to discard or update. Also included may be some cautions using an item. For example, a title that focuses on Ontario law may be a good resource, but consultation of BC related sources may be necessary.

When sorting the guide, be mindful that some titles may have *Notes* but no *Discard and Replace if earlier than…* date, and vice versa. For example, there may be a minor caution mentioned on a title but it does not need to be discarded.

**General Guidelines for Legal Collections**

Similar to the *Selection Guidelines*, jurisdiction and currency are important factors in retention and weeding. The jurisdiction should be Canada focused and/or British Columbia focused. The currency can get a little tricky:

**In general** a title may be considered current if p*ublished within the last 5 years* **BUT** there are some important exceptions:

If the laws have changed, materials should be updated to reflect the most recent changes.

As a general rule, in the following areas of law, items should be discarded and replaced if they are published before the following dates:

* **Criminal Law** – Most current possible (within 2-3 years max)
	+ The Criminal Code is amended every year.
* **Family Law** – March 2013
	+ New Family Law Act repealed and replaced the old Family Relations Act, effective March 2013.
* **Immigration** – Most current possible (within 2-3 years max)
	+ The Immigration and Refugee Protection has had massive changes in 2008, 2010, 2012, 2013, 2014, 2015; there are changes made fairly regularly.
* **Insurance Act** – July 2012
	+ The Insurance Act was revised in 2012 consolidating the previously existing act and its amendments.
* **Local Government Act** – January 2016
	+ This act governs municipalities –if your library collects municipal legal information, update to reflect the latest updates.
* **Societies Act** – November 2016
	+ A new Societies Act replaced the old Society Act effective November 2016. This act governs how societies (not-for-profit corporations) are created and run in BC.
* **Wills, Estates, and Personal Planning** – March 2014
	+ Effective March 2014, the Wills, Estates, and Succession Act (WESA) repealed and replaced:
		- Estate Administration Act
		- Probate Recognition Act, R.S.B.C. 1996, c. 376
		- Wills Act, R.S.B.C. 1996, c. 489
		- Wills Variation Act, R.S.B.C. 1996, c. 490

And parts of…

* + - Law and Equity Act
		- Survivorship and Presumption of Death Act

**Legislation at your Library**

Whether or not you want to keep or collect legislation at your library depends on your community’s needs, your shelf space, circulation etc.

This section may apply to you if your library collects legislation and/or is subscribed to BC legislative updates from the following:

* Revised Statutes of British Columbia (1996) (grey binders)
* Consolidated Regulations of British Columbia (green binders)

The main benefit of these binders is that one can see, in print, a fairly up-to-date version of British Columbian laws. The ‘1996’ refers to the last time the laws were consolidated; subscription filings are what make them current.\*

Fortunately, this information is all freely available now on [www.bclaws.ca](http://www.bclaws.ca). The online versions will be the most current. These binders are updated by subscription so if you are thinking of weeding these binders, make sure your subscription is not still active.

If you are receiving bound (federal) legislative volumes, before weeding your legislation, it might be a good idea to check if your library is actually designated as a depository for those materials: You may have to refer to the [Depository Services Program of Canada](http://www.publications.gc.ca/site/eng/programs/aboutDsp.html) and [contact them](http://www.publications.gc.ca/site/eng/contact/contactUs.html) to see what requirements are needed for your library.

\* Please note that the online version of BC laws and the content in the binders are not considered the ‘official’ versions; the official laws are bound in statute volumes. Conversely, Federal Laws online at <http://laws.justice.gc.ca/> are considered official.

If you have any questions about the Retention and Weeding guidelines, please contact:

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