

# Halifax Regional Municipality Archives Copying Policy

## Policy Statement

In accordance with its mandate the Halifax Regional Municipality Archives will provide copies of their holdings, within legal and preservation requirements and for the financial benefit of HRM. The Municipal Archives is committed to facilitating the use of their holdings within the limitations of the Canadian Copyright Act, donor, or preservation requirements.

## Objective

This policy will provide staff and researchers of the Municipal Archives with guidelines for copying their archival holdings and reference materials, in order to comply with the Copyright Act and to preserve holdings.

## Scope

This policy applies to the entire holdings of the Municipal Archives, and to all staff, researchers and volunteers working with or using the holdings.

## Pertinent Procedures

- Reformatting Policy
- Digitization Procedures
- Photocopying Procedures
- Fee Administration Procedures

## Policy Directives

1. The Municipal Archives will inform donors of the potential use (copying and publication) that can be made of archival holdings, and will encourage donors to transfer any copyright they hold in the donated material.
2. The Municipal Archives will inform researchers of restrictions on copying and publication through the Terms Governing Use field of any descriptions.
3. The Municipal Archives will inform researchers of their responsibilities under the Copyright Act through the Terms and Conditions of the Requests for Copies form, and through the stamp put on all copies provided to researchers.
4. Researchers may use a camera to photograph records, if no flash is used and a wrist strap secures the camera from falling. All other copying of original material will be done by trained staff or designated external service providers. Staff may refuse to copy fragile material, or suggest alternate copying methods.
5. All copying will be documented through a Request for Copies form signed by the requester.
6. Obtaining authorization to copy or use material protected by copyright, beyond the Exception for Educational Institutions, Libraries, Archives and Museums

**Copying Policy**

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allowed in the Copyright Act remains the responsibility of the researcher. Researchers are responsible for any infringement of copyright or any other rights, including the invasion of privacy arising from their use of copies.

7. The Municipal Archives will provide consistent and up-to-date copyright information to assist researchers in obtaining authorization for further use of copies from archival holdings.
8. The Municipal Archives may, as permitted in section 30.1 of the Copyright Act, make copies of copyrighted holdings for the maintenance and management of the holdings.
9. The Municipal Archives will maintain a schedule of fees to be charged for copying and authorization services to external researchers. Fees should recover all cost involved in providing the service.
10. There is no charge for copies provided to internal HRM clients when requested in the course of municipal business. Internal HRM clients are defined as elected officials of Council and staff of business units, boards and commissions that are on the HRM organizational chart. Clients working on contract to HRM are not considered internal unless the staff-person working with them authorizes in writing that they are to be served as internal clients.
11. The Municipal Archives will negotiate with external service providers if a copying service is not available within the Archives. Security of original records must be maintained throughout any copying service.
12. The Municipal Archives will provide only basic manipulation for quality control (eg. cropping, changing size, brightness, contrast).

### **Roles and Responsibilities**

Manager, Information Management - will ensure that staff are aware of their responsibilities under the Copyright Act, and that staff adhere to the Copying Policy. Manager will maintain a Cancopy licence to facilitate copying of published works.

Municipal Archivist - will ensure that any copying of archival holdings and reference material is done within legal limitations and according to preservation standards. The Municipal Archivist will promote researcher awareness of copyright and copying issues. The Municipal Archivist will identify archival holdings protected by copyright and advise researchers on copyright compliance, to the best of his/her knowledge and refer researchers to legal professionals when legal advice is required. The Municipal Archivist will maintain current and adequate Copying Policies, Procedures and Fees.

Staff and volunteers, Information Management - Individuals working with the archival records and published reference materials will provide copies of the archival holdings and published reference materials within legal limitations and according to preservation standards.

HRM and external copying service providers - will take extra care in copying unique archival and reference material, and will affix Municipal Archives stamps or labels to all copies provided.

Researchers - Individuals requesting copies of archival holdings, by signing the Copy Request Form, agree to the Terms and Conditions on that form (i.e. researchers agree to only use copies for research or private study; if other use is planned a Permission to Publish Form is submitted; researchers will cite the Archive's reference code in any publication making use of the copy provided; researchers are responsible for any copyright infringement resulting from use of copies from Municipal Archives; researchers will pay fees charged for copying; researchers will not sell the copy provided).

### **Review**

This policy will be reviewed by the Municipal Archivist every three years or whenever federal copyright statutes or regulations are revised. Comments or concerns should be directed to the Municipal Archivist.