

CHARLOTTE COUNTY ARCHIVES ACQUISITION POLICY

Approved by the Charlotte County Board of Directors September 27, 2023

1 Purpose

This document describes the acquisition policy of the Charlotte County Archives (hereafter “the Archives”), including the authority and means by which the Archives acquires records and other material (as defined herein), and the rationale by which the Archives selects records and other material for preservation.

2 Scope

This document applies to all staff and volunteers of the Charlotte County Archives involved in the acquisition and selection of records and other material for long-term preservation.

3 Collections mandate

The collections mandate of the Charlotte County Archives is to acquire, preserve, and make accessible records of archival value, regardless of media or format, that make a significant contribution to an understanding of the history and development of Southwest New Brunswick, its natural and built environment, and the people who have lived in, worked in, or had an impact on Southwest New Brunswick.

The Charlotte County Archives identifies, selects, and acquires materials created by:

- local governments
- businesses and corporations
- not-for-profit groups, organizations and societies
- individuals and families

Criteria taken into consideration when acquiring private-sector materials include, but are not limited to:

- whether or not the records creator was based in, or conducted a substantial portion of their activities in Southwest New Brunswick or had substantial relationships with the County, its citizens, or other organizations operating in the County.
- the degree to which the activities of the records creator illustrate aspects of the history, culture and character of Southwest New Brunswick
- the presence of unique or valuable information in the records

- the ability of the Archives to preserve the materials

4 Principles

The Archives carries out the acquisition of records in accordance with the following principles:

4.1 Adherence to the principle of *respect des fonds*

In accordance with the principle of *respect des fonds*, the Archives endeavours to acquire fonds in their entirety. If only part of a fonds is available for acquisition, the Archives may choose to accept it if it meets established selection criteria; when possible, the Archives will acquire the remainder of the fonds as a later accrual.

4.2 Acquisition of collections and discrete items

The Archives recognizes that records and other material may be physically severed from fonds before they are available for acquisition. Therefore the Archives also acquires individual records and other material in the form of collections and discrete items, provided they meet established selection criteria.

5 User community

The Archives serves a diverse user community of organizations and individuals. Members of the public consult the Archives for a variety of academic, professional, personal, commercial, legal, recreational and other purposes.

6 Methods of acquisition

In order to conduct preservation activities, provide access to materials, and otherwise manage its holdings, the Archives seeks to have complete ownership of physical property and associated intellectual property rights, particularly copyright.

The Archives prefers to acquire ownership of or licence to reproduce and provide ongoing access to the private-sector material it acquires. Loans will only be accepted in extraordinary circumstances. Offers of sale will not be accepted.

6.1 Physical property rights

The Archives may acquire custody of physical property through the following methods:

Donation

Donation is the preferred method of acquisition of materials.

To donate materials to the Archives, a donor must have clear title to the material. That being the case, the donor must assign and transfer to the Charlotte County Archives ownership and title to the material.

Charitable tax receipts for the fair market value of a donation may be provided by the Charlotte County Archives. Donors are responsible for acquiring, providing, and paying for the monetary appraisal prior to donation.

Loans

In exceptional circumstances, the Archives may acquire materials on long-term loan. Materials considered for acquisition through loan must demonstrate a strong fit with multiple acquisition criteria, and/or be considered at risk of loss or destruction without the Archives' preservation capabilities. Any agreement must take into consideration the effect on the Archives' current and future resources and operations. Any materials considered for loan must receive the approval of the Archives Manager.

Abandoned or orphaned material

The Archives may acquire material for which documentation of legal transfer of custody or ownership is not available (i.e., for which a formal donation agreement was not created) provided that the Archives has a good-faith belief that its actions to acquire, preserve, and provide access to the material will not infringe upon any existing intellectual or physical property rights to the material.

In cases where material is abandoned at the Archives, the Archives may assert ownership over and incorporate into its holdings said material provided that it is reasonable to believe that the material was intentionally abandoned or anonymously donated to the Archives, and that a reasonable and sufficient amount of time has elapsed since the discovery of the material without any third party enquiring about or asserting a claim to the material.

Copying

In some cases where the donor is unable or unwilling to donate the original physical media, or where it is otherwise impractical or unnecessary to acquire the original physical media (e.g., because the materials exist only as digital versions), the Archives may instead choose to create or acquire a copy of the materials.

In cases where the materials exist on analogue media (paper documents, photographs, films, audio tapes, etc.) the Archives will consider making copies by digitization or another suitable process if:

- the informational value of the records is considered of major significance
- the amount of copying is limited to a single item or small number of items; and,
- there are no legal obstacles to creating or receiving a copy, including but not limited to copyright restrictions.

Copying for the purpose of acquisition of a large volume of materials is considered only under exceptional circumstances.

6.2 Intellectual property – Copyright

Transfer of copyright in donated or copied material

In all cases when the Archives acquires materials for its holdings--including both the donation of physical property, or the creation or receipt of copies--the Archives prefers that the donor transfers to the Archives all copyright, and waives any moral rights, that the donor has in the donated material.

Unlicensed materials

Nothing in the preceding section prevents the Archives from acquiring materials without a transfer of rights or licence. The Archives respects copyright and other intellectual property legislation. The Archives relies on the Copyright Act's Fair Dealing section and other sections specifically to manage and provide access to materials in its holdings for which it does not own copyright or have a licence.

7 Access Restrictions

Regardless of the method of acquisition proposed or undertaken, the Archives reserves the right to refuse any material that is subject to limitations on its use, reproduction, location, access and disposal.

The Archives will administer:

- limited periods of records closures on part or all of an acquisition
- access restrictions consistent with privacy legislation

The Archives will not administer:

- restrictions that privilege or discriminate against certain groups or classes
- restrictions that are not consistent with privacy legislation and that require
- researchers to seek the donor's permission to access donated material

8 Retention of material

Records acquired by the Archives by any means may not always be retained in their entirety.

8.1 Appraisal and selection - private-sector records

The Archives may perform appraisal and selection on donated material in a manner that reflects and supports the Archives' acquisition mandate and criteria, and that is consistent with archival principles.

According to the preference indicated by the donor at the time of transfer, the Archives will offer to return to the donor any donated material not selected for preservation or relocate and/or securely destroy such materials.

8.2 Deaccessioning

The Archives may deaccession material in its holdings that clearly falls outside the conditions of the Acquisition Mandate.

The Archives will not deaccession material that, if removed from the Archives, would damage the integrity and decrease the usefulness of the remaining fonds.

If possible, the Archives will return deaccessioned materials to the donor or transfer deaccessioned material to a suitable repository. If not possible, materials will be securely destroyed.

All deaccession decisions and procedures will be clearly documented (see Appendix 2: Deaccession form)

9 Referral to other repositories

If material offered to the Archives for donation is considered to be outside the scope of the Acquisition Mandate, the Archives may refer the donor to other/another, more pertinent institution(s).

If material is considered to be within the scope of the Acquisition Mandate, but may be more appropriately preserved and made accessible at another local repository, the Archives will refer the donor to the other repository. If the other repository declines the donation, the Archives will acquire the donation.

10 Roles and responsibilities

The Archives Manager is responsible for appraisal decisions on all new donations, as well as the decision to reappraise accessioned materials and recommend deaccession. All deaccessions must be approved by the Board, with the exception of non-archival materials (eg. sourced photocopies, non-annotated publications) which may be deaccessioned directly by the Archives Manager.

Appendix 1: Definitions

Accession

The materials physically and officially transferred to a repository as a unit at a single time;

The process of recording basic information (extent, date range, provenance, transfer of ownership, etc.) concerning an acquisition of archival records; or,

Acquisition

The activity of transferring physical custody and legal ownership of archival records to the Charlotte County Archives;

Appraisal

The process of determining the value and thus the disposition of records based on a consideration of their administrative, legal, fiscal implications, and archival value.

Archival value

The evidential value and informational value of records, which are determined during appraisal, and justify their preservation as archival records.

Archivist

A person trained, experienced, and engaged in the administration of archival records, including the following activities: appraisal, acquisition, arrangement, processing, description, reference services, and outreach.

Collection

A grouping of documents of any provenance intentionally assembled on the basis of some common characteristic, such as details of acquisition, subject, language, medium, type of document, or name of collector, which may be managed and described as a unit under a common title. Collection does not include groupings of documents naturally accumulated by a creator in the course of a practical activity (see “fonds”).

Copyright

The right vested by law in the author of a document and the author’s heirs or assignees to publish or reproduce the document or to authorize publication or reproduction of the document.

Creator

The individual, group or organization responsible for the production, accumulation or formation of a grouping of records.

Deaccession

The process of removing previously accessioned records from the holdings as a result of re-appraisal.

Discrete item

An individual object containing or displaying recorded information that is not part of a larger body of material (e.g., a fonds or collection).

Examples of discrete items include: a textual record such as a single letter, diary, or logbook; graphic material such as a single photograph, postcard, or drawing; cartographic material such as a map or atlas; or an object such as a sculpture or medal.

Fonds

The whole of the records, regardless of form or medium, automatically and organically created and/or accumulated and used by a particular individual, family or corporate body in the course of that creator's activities or functions.

Holdings

The whole of the archival records and collections of documents held by Archival Services.

Material

Objects, including records, that bear recorded information and that the Archives may acquire, preserve and make accessible.

Monetary appraisal

The appraisal of the fair market value of a record or group of records, usually for the purpose of providing a tax receipt to a donor for the appraised monetary value of the donation.

Preservation

All processes and operations involved in the stabilization and protection of records against damage or deterioration and in the treatment of damaged or deteriorated records to ensure their long-term use. Preservation may also include the transfer of information to another medium to maintain access to the contents of records.

Processing

The activities of an archivist dealing with an archival acquisition, including arrangement, culling, rehousing, and description.

Provenance

The person(s) or office(s) of origin of the records; the person(s), family (families), or corporate body (bodies) that created and/or accumulated and used records in the conduct of personal or business life.

Reappraisal

The process of identifying materials that no longer merit inclusion in the Archives and that are candidates for deaccessioning

Restrictions on access

Restricted records are closed to the public. Restrictions on access to records by members of the public will result from:

- compliance with Canada's Privacy Act and Access to Information Act
- compliance with the spirit of the Privacy and Access to Information acts, especially regarding the protection of sensitive personal information about identifiable individuals, with respect to non-governmental records
- compliance with a donor request to limit access to some or all of the donated records for a period of time negotiated between the donor and the City

Record

A document made or received in the course of a practical activity and set aside for future reference or as evidence of that activity.

Respect de fonds

The core archival principle that no subset of a creator's archival records should be alienated from the whole, nor should it be intermixed with the records of other creators.



Appendix 2: Deaccession Form

All sections must be completed. Please use one form per accession.

Date of reappraisal: _____ **Archivist name:** _____

Accession number: _____

Level of unit: fonds series file item other

Unit name: _____

Unit has accession form Unit does not have known accession form

Date accessioned: _____

Name of donor: _____

Donor contact information: _____

Donor signed permission for archives to dispose if needed

Donor contacted Donor unable to be contacted

Reason (s) for deaccession

Non-archival material

Photocopy

originals at another institution originals privately owned

source of originals unknown

Newspaper/newspaper clippings

Published material (without annotations)

Duplicate material

Location of other copies: _____

Condition (details)

Details: _____

Out of collection scope

Details: _____

Other _____

Proposed mode of deaccession

- Transfer to CCA library Transfer to CCA vertical files
 Offer transfer to another institution (include all documentation)

Institution name: _____

Date of transfer: _____

- Return to donor

Date returned: _____

- Destroy (method, date)

Method: _____

Date destroyed: _____

- Sell (include all documentation)

Method: _____

Date sold: _____

- Other: _____

Final decision

- Deaccession Retain

Signature of archivist:

Signature on behalf of Board (where needed):
