

Accessing Private Restricted Records

Some records at the Saskatchewan Archives may have access restrictions. Individual files are identified as restricted and marked as such, in either the finding aid to a specific collection of records or on the card in the card catalogue. If an entire collection of records is restricted the *Guide to Finding Aids* lists the title of the finding aid as restricted. The finding aid itself is also not readily accessible to researchers.

If a researcher has enquiries regarding access to private records, reference staff will provide advice in the procedure for requesting access. The researcher should have the correct collection number and title of the records, and know in general terms what records are being requested. Reference staff will inform the researcher of the terms of restriction and will identify the name and address of the donor. The researcher must then make a written request to the donor for permission to view the records. The following should be part of the written request:

- a description of the research project including the topic, purpose of study, how the information is to be used
- the research status of the individual (i.e. student, genealogist, professor, local historian, media)
- a request to copy relevant parts of the collection, if necessary

If the donor grants access to the records, the researcher must bring the original document identifying the terms of this access to the Archives. It should be noted that granting access to the records is the prerogative of the donor.

Out-of-town researchers may wish to consult reference staff for details on restricted records and contact donors for written permission to access material prior to visiting our offices.

Donors of Private Records and the *Agreement to Transfer* Form

The *Agreement to Transfer* form is required for the transfer of all private records to the Saskatchewan Archives. The purpose of this form is to:

- identify the donor of private records
- acknowledge the ownership of the records prior to transfer
- acknowledge receipt of records donated to the institution

The form also identifies material loaned for copying or deposited pending the negotiation of a formal detailed agreement with the Saskatchewan Archives.

All donors wishing to transfer records *must* complete the form. Mailed donations will be held *on deposit* until the form is completed and returned to the Archives. When completing the form, the donor must sign and date it and identify one of three terms of transfer:

- The first term transfers all rights and title, including copyright, to the Saskatchewan Archives.
- The second term transfers rights and title of records that are identified as published works. As a published work(s), the donor recognizes that the records will be copied by the Archives according to the terms of the Government of Saskatchewan Cancopy Licensing Agreement. Examples of published works donated to the Archives are family and local histories.
- The third term of transfer allows for the deposit of the records according to a specific agreement negotiated between the Saskatchewan Archives Board and the donor. Agreements are most often required for records which have access or copying restrictions.

The *Agreement to Transfer* form is completed every time a donation is made to the Archives. This form does not replace existing agreements with donors concerning the transfer and use of records; it acknowledges the formal transfer of specific material to our custody.