



Norfolk County Archives Reproduction and Photocopying Policy

Policy Statement

Any form of reproduction at the Norfolk County Archives including photocopies, scanning, or photography, shall proceed according to the directives of this policy.

All archival records and published materials in the collection are subject to the Copyright Act, unless the materials are within the public domain.

Norfolk County Archives retains the ownership of all original archival materials and some local publications in the collection, unless it is stated otherwise.

When using or reproducing archival materials, researchers are responsible for ensuring that they follow the fair dealing provisions in the Copyright Act.

Policy Directives

Purpose of Reproduction:

The fair dealing provisions in sections 29, 29.1, and 29.2 of the Copyright Act permit dealing with a copyright-protected work, without permission from or payment to the copyright owner, for specified purposes. These purposes are:

- Research
- Private study
- Education
- Parody
- Satire
- Criticism
- News reporting or review

The fair dealing exception is available to users, provided that the materials are being used for one of the above purposes.

Quantity of Reproductions:

Section 3 of the Copyright Act includes the sole right to reproduce the work "or a substantial part thereof." Copying short excerpts of a work that is not substantial, does not require permission or payment to the copyright owner.

A "short excerpt" can mean (but is not limited to and may vary depending on the exact nature of the work being used, and of the use itself, all in the context of consideration and application of the fair dealing purposes mentioned above):

- 10% of a copyright-protected work
- One chapter from a book
- A single article from a book or periodical
- An artistic work (including a painting, map, photograph or an entire poem)
- An entire newspaper article or page
- An entry from a reference work (including indexes) provided that in each case you copy no more of the work than you need to in order to achieve the allowable purpose



- Copying or communicating multiple different short excerpts from the same copyright-protected work, with the intention of copying or communicating substantially the entire work is not permitted. This practice is not considered fair dealing.

Quality of Reproductions:

All reproductions will be completed to the highest quality possible. However, patrons should understand that there may be limitations on reproduction due to the original quality of the archival material or limitations in equipment. Patrons must agree to accept all copies and/or scanned items as provided.

Researchers are not permitted to make their own photocopies of archival materials. All photocopies and scanning of archival materials will be done by Archives staff or volunteers.

Fees:

All copy fees are set by the "Schedule of Fees" approved by Norfolk County Council in the User Fee By-law #2019-04. Please see the By-law #2019-04 or the "Schedule of Fees" for more information.

Reproduction of Images:

Researchers will be required to sign an agreement regarding the use of images (See "Reproductions Request and Use of Image Agreement"). Use of images is generally approved for non-commercial purposes. All other use is subject to the approval of the Archivist and may be subject to additional fees and an agreement if approved. The use and reproduction of all images is subject to the Copyright Act.

References

The Canadian Copyright Act
The Corporation of Norfolk County By-Law #2019-04