Web archiving with and around government in Canada

Nicholas Worby
University of Toronto Libraries
Mid-Atlantic Regional Archives Conference, Buffalo, NY
October 27 2017
“Sampling from Internet

(2) In exercising the powers referred to in paragraph (1)(a) and for the purpose of preservation, the Librarian and Archivist may take, at the times and in the manner that he or she considers appropriate, a representative sample of the documentary material of interest to Canada that is accessible to the public without restriction through the Internet or any similar medium.”

*Library and Archives Canada Act. (S.C. 2004, c. 11), 8(2)*
Legal Deposit Exclusions

“The following are not subject to, or are specifically exempted from, legal deposit:

- official publications of Canadian provincial, territorial and municipal governments
- loose-leaf publications with updates in print format
- materials not intended for public sale or distribution…”
Who is web archiving in Canada?

On what basis?

Exceptions

Fair Dealing

Research, private study, etc.

29 Fair dealing for the purpose of research, private study, education, parody or satire does not infringe copyright.

R.S., 1985, c. C-42, s. 29;  R.S., 1985, c. 10 (4th Supp.), s. 7;  1994, c. 47, s. 61;  1997, c. 24, s. 18;  2012, c. 20, s. 21.

Previous Version

Libraries, Archives and Museums in Educational Institutions

Application to libraries, etc. within educational institutions

30.4 For greater certainty, the exceptions to infringement of copyright provided for under sections 29.4 to 30.3 and 45 also apply in respect of a library, archive or museum that forms part of an educational institution.

1997, c. 24, s. 18.
Academic libraries & digital government information in Canada:

- Solid leg to stand on RE: copyright ✔
- Extension of depository stewardship role in digital age ✔
- Addresses need for research material ✔
- Web archiving expertise ✔
### Archives Descriptive Database

#### Description of File or Item:

<table>
<thead>
<tr>
<th>Title</th>
<th>Ministry of Community Safety and Correctional Services - CSD Annual Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class</td>
<td>MSCS</td>
</tr>
<tr>
<td>Dates of Creation</td>
<td>2002-2003</td>
</tr>
<tr>
<td>Physical Description</td>
<td>1 file of textual records</td>
</tr>
<tr>
<td>File or Item Forms a Part of</td>
<td><strong>RG 33-73 Ministry of Community Safety and Correctional Services Chief Information Officer's subject and</strong></td>
</tr>
<tr>
<td></td>
<td><strong>correspondence files</strong></td>
</tr>
<tr>
<td></td>
<td>Click on the reference code above for information about this group of records.</td>
</tr>
</tbody>
</table>

**Restrictions on the Group of Records of which this File/Item forms a Part:**

Access to these records is governed by the Freedom of Information and Protection of Privacy Act. Requests for access to records 100 years old or less must be submitted in writing to the Information and Privacy Unit of the Archives of Ontario.

**Location and ordering information:**

Item is located in RG 33-73, barcode B740492.

Take note of this information for retrieval of this item. To help you find what you need, also note the File/Item Ref. Code and/or the Creator Ref. shown above.
Barriers for academic libraries archiving Canadian gov sites:

• Confusing or prohibitive copyright statements ✗
• Unclear scope of government domain ✗
• Lack of forums to advocate for archiveability ✗
• Lack of avenues to address technical problems ✗
Working with allied professions within government:

- Extensive knowledge of domain
- Heads up RE: website changes
- Access to communications & web teams
- Partners in advocacy
- Potential for labour sharing
Outstanding issues:

• Informal agreements, no guarantees
• Subject to changing administrations/priorities
• Differing understandings of access & metadata
• Issues of what to capture, different institutional interests
• Documentation & provenance concerns
Questions?
nicholas.worby@utoronto.ca