



North

Yorkshire County Council

NORTH YORKSHIRE COUNTY COUNCIL RECORD OFFICE

CONDITIONS OF DEPOSIT

September 2005

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North Yorkshire County Council will accept for deposit in the Record Office documents which it considers worthy of permanent preservation and which conform to its Acquisition Policy

1. Definitions

In these terms of agreement the word "Council" shall mean North Yorkshire County Council or any successor authority authorised to keep and preserve records. "Record Office" shall mean the professional archive service for the county of North Yorkshire. "Depositor" shall mean the person who places records on deposit or his or her lawful successor in title.

2. Statutory powers

The Record Office operates under the terms of the following legislation:

- The Local Government (Records) Act 1962
- The Local Government Act 1972
- The Public Records Act 1958
- The Law of Property Act 1922
- The Tithe Act 1936
- The Parochial Registers and Records Measure 1978, as amended 1992
- The Data Protection Act 1998
- The Freedom of Information Act 2000

Nothing in these conditions of deposit shall override the detailed stipulations of these acts.

3. Forms of transfer

Records may be acquired by transfer, purchase, gift, long-term loan or temporary deposit

4 Gifts & purchases

Records purchased or received as the result of a gift or bequest shall become the property of the Council to be preserved by the Record Office.

5. Deposits

Records deposited on indefinite loan shall be subject to the following terms:

- Ownership of the records concerned is not affected.
- Records may be withdrawn by the depositor in accordance with the terms specified in (12) below.
- Any changes in the name or address of the owner or depositor of the records shall be notified to the Record Office. The Record Office will not accept responsibility for any consequences which may arise from the failure to notify such changes.
- The Record Office reserves the right to return to the depositor any records which do not conform to its Acquisition Policy or which it does

not consider worth preserving permanently. Such records may also be transferred to a more appropriate place of deposit or destroyed. In the case of transfer or destruction the Record Office will make reasonable enquiries to obtain the consent of the depositor before such action is taken.

6. Preservation & storage

- Records deposited by individuals or organisations will be kept in appropriate archival conditions which comply as far as possible with BS 5454 (2000) : a standard for the storage and exhibition of archival documents.
- All reasonable precautions will be taken to preserve the records from damage, loss and theft but the Record Office can accept no liability for any loss, damage or theft, howsoever arising, suffered by documents while in its custody

7. Conservation

The Record Office shall have the right, at its discretion, to take any of the following measures in respect of the deposited records:

- To microfilm, photograph or otherwise copy them. Ownership of and copyright in such copies to vest in NYCC
- To number or mark them in a non-permanent manner with a catalogue reference for their identification and security
- To undertake such conservation work as is deemed desirable or necessary

8. Access

Access to records is provided in surrogate or original format. Records will be made available to the public in the supervised search room during the advertised opening hours of the Record Office in accordance with the Record Office Access Policy, search room rules and the principles and conditions of the Data Protection Act 1998 and the requirements of the Freedom of Information Act 2000.

Original records which are uncatalogued, severely damaged or at risk from further handling may require special provision to provide access. Information from them is made available in accordance with the principles of the *Freedom of Information Act*.

9. Listing

Records will be listed in accordance with the Record Office's current practice. A copy of the list will be provided free of charge to the depositor. Copyright in all such lists and finding aids shall vest in the Council

10. Reproduction and Copyright

With regard to the provisions of the Copyright Acts currently in force, copies of records may be supplied to members of the public, upon payment of the appropriate fee, for use in private study.

The Record Office may, at its discretion and with regard to the Copyright Acts, allow the publication of deposited records in whole or in part, including exposure through the media, on condition that appropriate acknowledgement is made by the publisher to the Record Office. If it is apparent that such publication would affect the interests of the depositor, the depositor will be consulted before publication is allowed.

11. Exhibition

The Record Office shall have the discretion to exhibit any records upon being satisfied that proper provision will be made for their security.

12. Withdrawals

A depositor may temporarily withdraw all or part of his or her records upon giving reasonable notice and permanently withdraw them upon giving not less than six months notice. Any person withdrawing deposited records must prove their entitlement to receive the records to the satisfaction of the Record Office.

During the period of notice the Record Office will be entitled to copy the records by any appropriate method. The copy will remain the property of the Record Office after removal of the records and the Record Office will continue to make the copy available for study, subject to the conditions in (8) and (10) above. Publication of such material will only be allowed with the consent of the former depositor.

Where collections are permanently withdrawn the Record Office reserves the right to make a charge to cover the costs of any cataloguing or conservation work carried out on the documents.

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