



## **Routine Access to Archival Records of Public Bodies Policy**

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*Approved (Date):* 21 October 2003

*Approved by:* Provincial Archivist

*Effective (Date):* [Approval Date]

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### ***Executive Summary***

The *Freedom of Information and Protection of Privacy Act (FOIPOP)* applies to the archival records of public bodies held by Nova Scotia Archives and Records Management. The Routine Access to Archival Records of Public Bodies Policy provides a framework for administering *FOIPOP* in relation to the archival records of public bodies to which statutory exemptions do not apply.

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## 1.0 POLICY STATEMENT

This Routine Access Policy for Nova Scotia Archives and Records Management (NSARM) is designed to provide persons with an opportunity to obtain access to certain categories of archival records of public bodies without having to submit an application under the *Freedom of Information and Protection of Privacy Act*. It shall be administered in accordance with the following principles:

### a) Personal Privacy

Archival records of public bodies containing personal information shall not be disclosed by Nova Scotia Archives and Records Management except in accordance with the *FOIPOP Act*.

### b) Timeliness

Nova Scotia Archives and Records Management will respond to any routine access requests in a reasonable and timely fashion.

### c) Cost Recovery

Fees for the reproduction and provision of records may be charged where authorized by policy, regulation or statute.

### d) Transparency

This policy shall be made readily available to the public.

## 2.0 DEFINITIONS

**Archival records** Inactive records of public bodies other than local public bodies which form part of the archival holdings of Nova Scotia Archives and Records Management.

**FOIPOP access** is the release of a record in response to a formal FOIPOP application made under the *Freedom of Information and Protection of Privacy Act*.

**Public body** (1) A “public body” within the meaning of subclause 3(j) of the *FOIPOP Act*, other than a local public body; (2) The “Public Archives of Nova Scotia” [Nova Scotia Archives and Records Management].

**Record** “includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records”. (subclause 3(1)(k) *FOIPOP Act*)

**Routine Access** is the routine or automatic release, in whole or in part, of certain classes of archival records as a matter of course in response to a request without the need for a formal

application for records under the *FOIPOP Act*.

### **3.0 POLICY OBJECTIVE**

The objective of this policy is to make certain archival records routinely accessible, in order to facilitate access for those requesting information and reflect the spirit of openness and accountability of *FOIPOP*.

### **4.0 APPLICATION**

- 4.1 This policy applies to all NSARM staff, and to all archival records designated under this policy in accordance with the attached schedule. [*See 11.0 Appendix*].
- 4.2 This policy does not apply to information subject to exemptions under *FOIPOP*.
- 4.3 This policy does not apply to archival records of public bodies which were subject to access restrictions before the coming into force of *FOIPOP* on 1 July 1994.
- 4.4 This policy does not apply to information that is subject to solicitor-client privilege.
- 4.5 This policy does not apply to administrative and operational records of NSARM, access to which is administered by the Department of Tourism, Culture and Heritage.

### **5.0 POLICY DIRECTIVE**

Routine access to archival records of public bodies shall be provided in accordance with the schedule attached to this policy.

### **6.0 POLICY GUIDELINES**

Once a request for routine access to a particular archival record, or set of archival records, has been received, it shall be forwarded to the Reference Archivist who shall review the request and determine whether the records requested fall under the schedule. If the policy does not apply to the request, the requester shall be referred to the *FOIPOP* Administrator. If the policy applies to the request, the records shall be provided to the applicant within a reasonable period of time, but no later than 30 days after receipt of the request.

### **7.0 ACCOUNTABILITY**

The Provincial Archivist shall be accountable for the implementation of this policy.

## **8.0 MONITORING / COMPLIANCE / EVALUATION**

The Routine Access procedures established under this policy shall be reviewed and evaluated on an annual basis by the FOIPOP Administrator.

## **9.0 REFERENCES**

*Freedom of Information and Protection of Privacy Act*  
*Government Records Act*  
*Public Archives Act*

## **10.0 ENQUIRIES**

Enquiries concerning this policy may be directed to Margaret Campbell, Manager, Archival Holdings Management / FOIPOP Administrator, Nova Scotia Archives and Records Management, Department of Tourism and Culture, Public Archives Building. Tel 424-6076 Fax 424-0628 Email campbemj@gov.ns.ca

## **11.0 APPENDIX (Schedule of Routine-Access Archival Records)**

Coroners' inquests and medical examiner reports  
Crown lands records  
School registers and School board records  
Teachers licence registers  
Public inquiries (royal commissions) and task forces  
Orders in Council  
Court records [**Exception: adoption case files**]  
Legislature records  
Voters' lists  
Government records collections (e g education=school records)  
Defunct government departments, agencies, boards, commissions and offices (e g Provincial Secretary)  
Federal government records  
Municipal government records