



Canada's LGBTQ2+ Archives

DEED OF GIFT AGREEMENT

The ArQuives: Canada's LGBTQ2+ Archives
34 Isabella Street, Toronto, Ontario M4Y 1N1
Charitable registration # 11883 2864 RR0001

This form must be completed by the Donor at the time of transfer of materials to The ArQuives: Canada's LGBTQ2+ Archives.

Date of Transfer: \_\_\_\_\_ Accession Number: \_\_\_\_\_

1. Warranty & Physical Transfer

1.1 I \_\_\_\_\_ (herein referred to as the Donor), am the sole and absolute owner of these materials, as personal property, and do hereby transfer, give, grant, and assign to The ArQuives: Canada's LGBTQ2+ Archives (herein referred to as The ArQuives) and its successors the materials described as follows (please use additional space if necessary or attach a box or item listing):

This donation includes:

- Personal Papers, Organizational Records, Equipment or Supplies, Electronic Records, Books or Monographs, Artifacts and Ephemera, Photographs, Posters, Periodicals, Works of Art, A/V Material, Other (describe)

Contact Information (please print):

Full Name: \_\_\_\_\_

Pronoun(s): [ ] He/Him [ ] She/Her [ ] They/Their [ ] Other:

Street Address: \_\_\_\_\_

City and Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Preferred method of contact:  Phone  Email  Mail

Please add me to The ArQuives e-Newsletter:  Yes  No

**1.2 Do you have authority to donate the materials on offer?**  Yes  No

If **no**, please explain:

**1.3 Are you the creator/author of the records?**  Yes  No

If **no**, please describe how you acquired the records:

#### **1.4 Tax Receipts for In-kind Donations**

Do you require an official tax receipt for the donation?  Yes  No

**Note:** A tax receipt will only be issued to eligible donors in accordance with The ArQuives *Monetary Appraisal Policy*.

#### **1.5 Return of Material not Accepted**

Do you wish to have any materials not accepted returned to you at your own cost?  Yes  No

**Note:** Reasonable efforts will be made to contact the Donor to return materials. After thirty (30) days The ArQuives reserves the right to dispose of the material in accordance with the *Acquisitions Policy*.

#### **1.6 Processing and Cataloguing**

The ArQuives will endeavour to arrange, describe, catalogue, preserve, and provide access to your donation in accordance with Canadian library, archival, and museum standards at the discretion of the Executive Director. Additional funding and resources may need to be obtained through financial donations, grant programs, or other sources before The ArQuives can begin to process and catalogue your donation.

**Are you including a cash gift with this donation to assist this process?**  Yes  No

#### **1.7 Permission to Contact Donor**

Researchers may request information about donors and/or donated materials. Does the Donor consent to their name and contact information being released?

- The researcher may contact the Donor directly.
- The ArQuives may contact the Donor on behalf of the researcher.
- No, I do not wish to be contacted by researchers.

## **2. Copyright**

This section of the Agreement pertains to any access restrictions and specifics around the donation's copyright. In accordance with the Canadian Copyright Act, The ArQuives may make copies of the material you donate under *Fair Dealing*. If you object to material being used under *Fair Dealing*, you must impose an access restriction by completing section 3 of this Agreement.

### **2.1 Copyright and Intellectual Property**

Do you own copyright for all, some, or none of the material on offer?

**All**             **Some**             **None**

If **all or some**, please complete sections 2.2 and 2.3 of this Agreement.

If **none**, do you know who owns the copyright in the material on offer? If yes, please provide the name(s) and contact information on a separate sheet.

### **2.2 If applicable, do you transfer copyright for all, some, or none of this material to The ArQuives upon transfer?**

**All**             **Some**             **None**

If **all or some**, please describe the copyright(s) that you are transferring to The ArQuives (use additional pages if necessary):

### **2.3 If applicable, do you transfer the copyright of all, some, or none of this material to The ArQuives after your death?**

**All**             **Some**             **None**

If you would like to transfer **all or some** of your copyright after your death, please specify (use additional pages if necessary):

**Note:** If you would like to transfer the copyright of all or some of your donated materials to The ArQuives before or after your death please ensure that terms of copyright are specified in your will.

### **2.4 Do you give permission to The ArQuives to digitize and make accessible online the materials you own copyright to?**

**Yes**             **No**

If **no**, please describe the materials that you do not wish to be digitized and made accessible online at this time (use additional pages if necessary):

### **3. Access Restrictions**

Access to materials may be restricted at the discretion of The ArQuives or by request of the Donor. The ArQuives reserves the right to make copies and/or digitize materials for the purpose of preservation without seeking additional permission from the Donor.

**3.1** Do you wish to make all materials freely and publicly available in their entirety? Please consider personal or third-party information that might need to be restricted for a limited time period or be subject to access conditions.

**Yes**             **No**

If **yes**, skip to section 4.

If **no**, please describe the materials that you do not wish to make freely and publicly accessible at this time (use additional pages if necessary):

The restriction(s) applies until:

- The death of the Donor.
- \_\_\_\_\_ years after the death.
- \_\_\_\_\_ years after date of transfer.

**Note:** The ArQuives will not restrict access to materials for an indefinite period of time and reserves the right to impose access restrictions over any material in the interest of privacy or for ethical reasons.

**3.2 While materials are restricted, would you consider granting limited access to registered researchers?**

**Yes**             **No**

If **yes**, how would you like to be contacted?

- The researcher may contact the Donor directly.
- The ArQuives may contact the Donor on behalf of the researcher.
- The ArQuives may grant permission to access restricted materials to registered researchers on the condition that they not publish work based on these materials and/or make public any private or personally identifying information contained in the materials.
- Other, please describe:

**4. Signature**

You may request a copy of the Deed of Gift signed by a representative of The ArQuives.

\_\_\_\_\_  
(Donor's signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Where relevant) Name of Organization / Corporation

By signing, I acknowledge that I have authority to bind the Organization / Corporation.

\_\_\_\_\_  
(Representative of The ArQuives: Canada's LGBTQ2+ Archives)

\_\_\_\_\_  
(Date)