UNIVERSITY OF MANITOBA LIBRARIES WEB ARCHIVING POLICY – PUBLIC STATEMENT

PURPOSE: This document is designed to articulate the scope and method of collecting web content at the University of Manitoba Libraries (UML) using the Archive-It service provided by the Internet Archive. https://www.archive-it.org/

ACCESS: Where appropriate and feasible, and where not restricted by the website owner, the contents of the websites that are archived will be publicly available. Maintaining the content without restrictions will ensure long-term access by faculty, staff, students and researchers at the University of Manitoba, as well as external researchers.

OWNERSHIP: University of Manitoba Libraries respects the intellectual property rights and the proprietary rights of others. Copyright ownership remains with the owner(s) identified on a website and governed by local, national, and/or international laws and regulations. The UML assumes no liability for the accuracy or lawfulness of the archived websites or the contents within.

AUTHORIZATION: The material within the Archive-It Account is collected for research and private study. All requests to reproduce and use the archived content must be sent to the website owner directly. The UML cannot authorize use of the material nor will it act as an intermediary to the transaction. Users are responsible for identifying the copyright status of the website’s contents, as well as identifying and contacting the appropriate authority for permission.

When reproducing and using content from the Archive-It service, the UML encourages users to review the original website’s terms of use, as well as to inform themselves of the relevant laws applicable to their country. In doing so, the UML wishes to establish a safeguard to ensure users are made aware of their obligation to deal fairly with the content. Canadian users will be referred to Section 29 of the Canadian Copyright Act http://laws-lois.justice.gc.ca/eng/acts/C-42/index.html. University of Manitoba users will also be referred to the Copyright Office and its guidelines. http://umanitoba.ca/copyright/

NOTIFICATION, TAKEDOWN AND OPTING-OUT: The University of Manitoba makes content within its Archive-It Account publicly accessible (no authentication to the system required) in the following situations:

I. Content is in the public domain
II. The rights to the content are owned by the University of Manitoba
III. The University of Manitoba has obtained permission to make the content publicly accessible, or
IV. There are no known restrictions on use of the content

When a website owner authorizes communication of their work to the public without technological restrictions (such as robot.txt), the UML views this as the website owner’s implicit consent to the indexing and caching of their website content. Where a site uses technological protection measures to restrict crawling technology, the UML will not harvest the content without providing notification and/or securing permission.

If someone has a legitimate complaint about the content in the University’s Archive-It Account they should send the following information to the site administrator at X@umanitoba.ca:

I. The complainant’s contact details
II. The URL(s) of the disputed content, and
III. The nature of the complaint
The following are considered legitimate complaints:

I. The content infringes upon copyright (including moral rights protected by Canadian copyright legislation)
II. The content infringes upon privacy rights
III. The content is offensive or unacceptable in some other way

Upon receipt of a complaint:

I. The complaint will be reviewed by the site administrator and the University of Manitoba Libraries. If the complaint is considered reasonable, the content will be removed from public view as soon as possible. If necessary, University of Manitoba Legal Counsel will be consulted and the content will either be restored to public view or permanently withdrawn from public view within the Archive-It Account.

LIABILITY:
The UML endeavors to maintain the integrity of the Archive-It website collection by capturing and presenting the information as it was originally made available to the public. The UML will not be held liable for the conduct or actions of site owners or those who access and use the service. The UML does not assume responsibility for verifying the accuracy of the collected content nor is the UML responsible for monitoring the collected sites for copyright compliance. A site owner is responsible for the content they communicate to the public by telecommunication and is solely responsible for securing the necessary permissions and releases when required by law. Those who access and use the collection do so at their own risk.

REFERENCES:
University of Victoria Libraries: Website Collection Policy. Available at http://www.uvic.ca/library/featured/webarchiving/ArchiveIt-WebsiteCollectionPolicy.pdf