

## **Transfer Agreement**

This agreement is made as of the day of [date]

Between

Brant Haldimand Norfolk Catholic District School Board (HNCDSB)  
(the “Board”)

and

Norfolk County Archives  
(the “Archives”)

WHEREAS the Board is the owner of certain archival records which are described in Schedule A attached to this Agreement (the “Records”) and has retained these records under the Ontario Education Act, R.S.O 1990, c.E.2, S.171 (1) par. 38, and desires to give said Records to the Norfolk County Archives as a permanent loan;

AND WHEREAS the Archives is authorized to acquire by gift, transfer or in any other manner records belonging to or having a bearing on the history of Norfolk County and its region under Norfolk County By-Law No. 2020-91;

NOW THEREFORE the parties agree as follows:

1. The Board warrants that the Board is the sole and rightful owner of these Records and that the Board has no knowledge of any claims adverse to such ownership.
2. The Board transfers and assigns to the Archives, and Archives accepts the Records as a permanent loan for the sole use of the Archives within it’s mandate.
3. The Archives will accept, store and maintain the materials according to accepted archival procedures and in accordance with the Archives Collections Management Policy.
4. The Records will remain the property of the Board and the Archives will return to the Board all or any of the materials within 90 days provided written notice is given by the Board.

5. If by some circumstance the Archives ceases to exist or is no longer able to take responsibility for the Records, the Archives will return the Records back to the Board.
6. Annual funding of \$1000 per year will be provided to the Norfolk County Archives by the Friends of the Educational Archives to cover costs associated with archival supplies and/or digitization.
7. Public access to the records will be restricted until 90 years from date of creation has lapsed. Public access to any other records will require the written authority and consent of the Board and shall accordingly require any such member of the public wishing or intending to research or review the materials, to make specific application for permission and consent of the Board to do so.
  - (a) After 90 years from date of creation has lapsed, all records will be made available to members of the public for inspection in accordance with standard procedures established by the Norfolk County Archives and subject to restriction of access imposed by other applicable legislation;
  - (b) The Records made available to members of the public for inspection may be photocopied, photographed, digitized, or otherwise reproduced or copied in accordance with standard procedures or in accordance with the law of copyright in Canada;
  - (c) All or any part of the Records available for public inspection may be placed on public display in the sole discretion of the Archives;
  - (d) All or any part of the Records available for public inspection may be reproduced in a machine-readable format for the purposes of publication and distribution at the sole discretion of the Archives.
8. The Board authorizes the release of their name as the owner of the Records or any part of the Records.
9. The Archives will insure the materials against loss or damage at valuation agreed upon between the Board and the Archives.

The undersigned, on behalf of the Archives, acknowledges receipt of the Records on the date stated in the introductory clause.

[Signature of Archivist]

Name:

Title: Archivist

IN WITNESS THEREOF, the duly authorized officers of the transferee and transferor have executed this agreement.

The Corporation of Norfolk County

[Signature of Mayor]

Name:

Title: Mayor

[Signature of Clerk]

Name:

Title: County Clerk

Brant Haldimand Norfolk Catholic District School Board (HNCDSB)

[Signature of Board staff]

Name:

Title: