



Multi-Institutional Disposition Authorities

4.10 APPENDIX I: Terms and Conditions for the Disposal of Surplus Publications in Government Institutions subject to the Library and Archives of Canada Act

A. SCOPE OF THE MULTI-INSTITUTIONAL DISPOSITION AUTHORITY (MIDA)

Eligibility

A.1 Multi-Institutional Authority (MIDA) 2010/004 applies to all Government of Canada (GC) institutions subject to the *Library and Archives of Canada Act*.

Coverage

A.2 The scope of MIDA 2010/004 covers information resources, in all media and locations that are described as “publications that have become surplus” in section 16 of the *Library and Archives Canada Act*.

The scope of the MIDA includes:

- a) all published information resources that have been identified as **not** or **no longer** having business value in the fulfilment of requirement 6.1.1 of the Treasury Board of Canada Secretariat (TBS) *Directive on Recordkeeping*; and/or
- b) all published information resources that are **duplicates** of those information resources that have been identified as having business value under the TBS *Directive on Recordkeeping*;
- c) rare Canadian imprints in good condition;
- d) any large collection of Canadian imprints resulting from the closure of a government institution or its library, or resulting from a major weeding/de-accessioning initiative which includes significant numbers of Canadian imprints.

The scope of the MIDA excludes:

- e) all published information resources that must be provided to the Librarian and Archivist of Canada as per Section 10 of the *Library and Archives of Canada Act*.

Temporal status

- A.3 This MIDA provides for on-going disposition of information resources described in Section A.2.

Relationship to other authorities

- A.4 This MIDA fully supersedes MIDA 2008/007 (*Surplus Publications in Government of Canada Institutions*).
- A.5 Apart from the relationship described in Section A.4, this MIDA has no impact on any other Records Disposition Authorities (RDAs).

Relationship to rules, court or tribunal orders, or provisions in other Acts

- A.6 Nothing in this MIDA shall be taken or deemed to authorize the retention, the transfer, destruction or other disposition of any government information resource in contravention of a rule or order of a court or tribunal or in contravention of an express provision in any other Act (e.g. *Canadian International Trade Tribunal Act, Federal Court Rules, Access to Information Act, Privacy Act*).

B. OBLIGATIONS FOR THE USE OF MIDA 2010/004

Obligation to agree to all terms and conditions of this MIDA

- B.1 Government institutions, as a condition for using and applying this MIDA, shall agree to all terms and conditions of the Authority by signing and returning the attached letter to the Librarian and Archivist of Canada

Obligation to convey the provisions of this MIDA

- B.2 To ensure the integrity of its application, Government institutions shall convey the provisions of this MIDA to all those responsible for its application.

Criteria for Identifying Publications

- B.3 All government institutions shall develop and implement a set of criteria for identifying publications that may be declared surplus.

C. DISPOSAL OF INFORMATION RESOURCES

- C.1 Through the application of this MIDA, information resources as defined in the Section A.2 above are hereby considered to be “placed in the care or control of the Librarian and Archivist.”
- C.2 In accordance with the powers granted to the Librarian and Archivist of Canada under Section 9 of *the LAC Act*, GC institutions may dispose of all information resources described in Section A.2.a and A.2.b of this MIDA without further reference to Library and Archives Canada.
- C.3 In accordance with the powers granted to the Librarian and Archivist of Canada under Section 16 of *the LAC Act*, GC institutions must notify LAC when they declare surplus any publications identified in Section A.2.c and A.2.d of this MIDA in order that LAC may exercise its right to acquire.