

City of St. John's Corporate and Operational Policy Manual

Policy Title: Archival Access and Restrictions Policy	Policy #: 09-02-06
Last Revision Date: June 16, 2026	Policy Section: Community Services > Archives
Policy Owner: Paula French, Archives Technician	

1. Policy Statement

The mandate of the City of St. John's Archives ("the Archives") as part of the Archives and Records Management (ARM) Division is to collect, preserve and provide Access to Municipal Records of Enduring Value, regardless of media or format. At the discretion of the Archivist, the Archives also collects, preserves and provides Access to Non-Municipal Records deemed to have made a significant contribution to the City and its development.

This Policy provides direction to Archives staff and to members of the public on Access to Archival Records.

2. Definitions

"Access" means the authority to view Records.

"Archival Records" means Records designated by the City Archivist that warrant continued preservation.

"Archivist" means the person employed by the City of St. John's under the Office of the City Clerk to administer the City's Archival Records.

"Authorized Individual" is a person granted permission to access an Archival Record that is classified as Restricted. Permission may be granted through the submission of a signed Third-Party Record Access Authorization Form, Council directive, or other means at the discretion of Archives staff.

"Closed Access (Closed)" means a Records classification to identify Records that are not available for public Access.

“Enduring Value” means the archival value of a Record warranting preservation based on its administrative, legal, intrinsic, evidential, or informational value.

“Open Access (Open)” means a Records classification to identify Records that are available for public Access.

“Municipal Records” means Records created by the City of St. John’s during its administration and delivery of services.

“Non-Municipal Records” means Records not produced by the City of St. John’s that have been acquired by the Archives due to their archival significance.

“Personal Information” shall have the same meaning as in the Access to Information and Protection of Privacy Act, 2015, that is “recorded information about an identifiable individual, including

- (i) the individual’s name, address or telephone number,
- (ii) the individual’s race, national or ethnic origin, colour, or religious or political beliefs or associations,
- (iii) the individual’s age, sex, sexual orientation, marital status or family status,
- (iv) an identifying number, symbol or other particular assigned to the individual,
- (v) the individual’s fingerprints, blood type or inheritable characteristics,
- (vi) information about the individual’s health care status or history, including a physical or mental disability,
- (vii) information about the individual’s educational, financial, criminal or employment status or history,
- (viii) the opinions of a person about the individual, and
- (ix) the individual’s personal views or opinions, except where they are about someone else.”

“Record” shall have the same meaning as in the Access to Information and Protection of Privacy Act, 2015, that is, “a record of information in any form, and includes a dataset, information that is machine readable, written, photographed, recorded or stored in any manner, but does not include a

computer program or a mechanism that produced records on any storage medium.”

“Restricted Access (Restricted)” means a Records classification used to identify Records that may be available to Access only by an Authorized Individual.

3. Policy Requirements

3.1 Records Access

- a) Any person may make a request to the Archives for Access to Archival Records.
- b) A request made to the Archives for Archival Records does not substitute a request made under the Access to Information and Protection of Privacy Act, 2015 (ATIPPA), and requests made to the Archives may not result in Access to all Records that may be released through an ATIPPA request.
- c) Archival Records may be designated as Closed or Restricted due to several factors, including but not limited to:
 - i) government restrictions as outlined in 3.1(d);
 - ii) copyright restrictions;
 - iii) Non-Municipal Record restrictions; and
 - iv) preservation restrictions.
- d) Government restrictions may include, but are not limited to, restricting Access to Records that contain information that:
 - i) may threaten the security of the City of St John’s or of any individual;
 - ii) may relate to legal proceedings;
 - iii) may include Personal Information, where the Record has not been in existence for 50 years or more and;
 - iv) is deemed confidential or sensitive information and necessary to restrict at the discretion of the Archives.
- e) Copyright restrictions may require restricting Access to Records that are protected by a copyright owner. It is the responsibility of the individual Accessing a Record to ensure that they are not infringing on copyright.
- f) Non-Municipal Record (donor agreement) restrictions are imposed by the agreement between a donor and the Archives.

- g) Preservation restrictions may apply to Records that are not available for Access due to being too large or fragile to handle without damage, or to Records that are currently being processed.

3.2 Open Records

Records designated as Open include, but are not limited to:

- a) any Record, the content of which is otherwise publicly available,
- b) assessment rolls,
- c) City directories,
- d) maps, and
- e) regular meeting minutes and agendas of Council.

3.3 Restricted Records

- a) Records classified as Restricted are not available for public Access but may be available for Access by an Authorized Individual.
- b) Records related to property are Restricted and are available for Access only through the submission of proof of ownership or a Third-Party Record Authorization Form.
- c) Records containing Personal Information where the Record has been in existence for 49 years or less may be classified as Restricted. The Archives may provide Access to a redacted copy of a Record that is classified as Restricted due to containing Personal Information.
- d) The City of St John's Act, s. 41(2) classifies minutes of special or privileged meetings of Council held prior to 1925 as Restricted. These Records may be viewed for historic or academic reasons with permission of Council. Permission has been granted to all members of the public by Council directive.
- e) Records other than those referenced in 3.3 b), c) and d) may be classified as Restricted at the discretion of the Archivist.

3.3 Closed Records

Closed Records include, but are not limited to:

- a) engineering files,
- b) legal files, and
- c) any Record deemed closed by the Archives due to the confidentiality or sensitivity of the Record.

4. Application

This Policy applies to all individuals making requests to Access Archival Records and to all material held in the City of St. John's Archives.

Where there is a conflict between this Policy and the Privacy Management Policy or its associated procedures, the Privacy Management Policy and its associated procedures will take precedence.

5. Responsibilities

5.1 The ARM Division is responsible for:

- a) receiving requests for Access to Archival Records;
- b) locating and retrieving Archival Records;
- c) redacting Personal Information from copies of Archival Records, where required; and
- d) seeking advice from the Office of the City Solicitor on Access and restrictions to Archival Records, where necessary.

5.2 The Office of the City Solicitor is responsible for providing advice to the ARM Division on Access and restrictions related to Archival Records.

6. References

01-04-02 Privacy Management Policy
Access to Information and Protection of Privacy Act, 2015
City of St. John's Act, 1990

7. Approval

- Position Title of Policy Owner: Archives Technician
- Position Title of Policy Writer: Policy Equity Associate
- Date of Approval from

- Corporate Policy Committee:
 - Senior Leadership Team:
 - Committee of the Whole:
- Date of Approval from Council:
- Date of Approval of Most Recent Revision:
 - Corporate Policy Committee: May 29, 2026
 - Senior Leadership Team: June 5, 2026
 - Committee of the Whole: June 9, 2026
 - Regular Meeting of Council: June 16, 2026

8. Monitoring and Contravention

The Archives and Records Management Division shall monitor the application of the policy.

Any contravention of the policy and/or associated procedures may be brought to the attention of the Office of the City Clerk, the Department of Finance and Corporate Services (Human Resources Division), the Office of the City Solicitor, and/or the Office of the City Manager for further investigation and appropriate action, which may include, but is not limited to, legal action and/or discipline up to and including dismissal.

9. Review Date

Five years.