



MSpace Digital Repository Mandate and Policy

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Mandate

MSpace is an open access digital repository for published and unpublished material created by the members of University of Manitoba community. The purpose of this repository is to display and preserve the University's unique scholarly output by making content freely available to all, via the Internet.

This repository fulfills the infrastructure requirements of research-intensive organizations in Canada in support of the Canadian Tri-Agency's open access and data management policies.

Accordingly, MSpace shall act to ensure the long-term preservation of materials in MSpace, safeguarding the authenticity, security and accessibility of materials it contains, and to minimize information technology obsolescence of the platform and its materials.

Policy

The purpose of this internal Libraries Policy is to set boundaries for the acquisition, submission, public access and preservation of materials maintained in MSpace.

This Policy is subject to University of Manitoba Governing Documents, Policies and Procedures. The administration of this Policy will be guided by other University Policies and Procedures, and in particular Policies with relevance to the MSpace digital repository, such as those relating to research, Indigenous culture and knowledge, and repatriation and repatriation.

3. Defined Terms

- a. “UML” means the University of Manitoba Libraries.
- b. “MSpace Staff” means University of Manitoba Libraries personnel who provide technical and/or administrative oversight of the repository.
- c. “University” means the University of Manitoba community (current faculty, students, staff).
- d. “Materials” means research and other academic and creative materials that have been archived in MSpace.
- e. “Submitter” means the member of the University of Manitoba community who makes a submission of Materials to MSpace.
- f. “License Agreement” means the license signed by the Submitter as part of the process to submit the Materials to MSpace, and includes any agreed upon amendments thereto.

4. Acquisition Statement

- a. MSpace will accept research, and other scholarship developed by the University.
- b. Materials produced by persons outside the University may be added to MSpace upon approval of the UML. Normally, such materials must be closely associated with the University.

Note: Please refer to the Content Guidelines: Scholarly Works.

5. Submission Requirements

- a. Materials will be accepted ‘as is’ and will not be edited, peer-reviewed or otherwise examined as part of the process of submission and deposit in MSpace.
- b. All submissions must be made by, or with the express consent of, the creator(s) of the Materials, or the person(s) holding the copyright in the Materials and any part thereof.
- c. Each Submitter must enter into a License Agreement in the form approved by the UML, in consultation with the Copyright Office.
- d. Materials, and all associated descriptive information, must be complete at the time of submission to MSpace. In particular,
 - i. If the Materials consist of multiple files, all the files must be submitted at the same time, so long as the content corresponds to the Content Guidelines: Scholarly Works.
 - ii. If the Materials are part of a series or set of related works, the other works should, if possible, be deposited into a UM repository, and/or appropriate associated descriptive information, at minimum a persistent identifier be added to the Materials that indicate that relationship;
 - iii. The Materials should be in their final formatted and edited state, and provided in digital form as per [Section 6](#).

6. Technical Requirements

- a. All Materials must be submitted in digital form.
- b. A list of preferred digital file types are found described in the [Digital preservation practices and processes](#) webpage of Digital Preservation section of Libraries website. The UML cannot guarantee the preservation of information presented in other format types, although reasonable efforts will be made.

7. Limits on Public Access to Materials

- a. In general, all Materials will be made available to the public in accordance with the license terms agreed to by the Submitter.
- b. A Submitter may request that their Materials be withheld from public access for a certain period (otherwise known as publication delay or embargo). Except as set out in [7.c. \(regarding theses and practica\)](#), the application and approval process for a publication delay/embargo is as follows:
 - i. All requests must be made to the UML at the time of submission, together with the reasons for the publication delay/embargo (for example, pending publication, publisher embargo). This reason must be submitted as the descriptive reason for the embargo.
 - ii. The UML will consider all circumstances when determining whether to grant a publication delay/embargo and the length of such delay. The UML is not obligated to approve any request for a publication delay/embargo, but the UML will respect publication delay/embargo policies agreed upon by the UML and groups representing Submitters or setting standards for Submissions (e.g. Copyright Office, faculties)
 - iii. A publication delay/embargo agreed upon by the UML and the Submitter is only valid and binding after it has been put in writing.
 - iv. If the Submitter does not agree with the UML's decision regarding a publication delay/embargo, the Submitter should engage the Head of their Department or Dean (as the Submitter may deem appropriate) and, if necessary, the Head or Dean may engage the University Librarian in collaborative resolution discussions.
- c. For graduate students submitting a thesis or practicum as either a Faculty of Graduate Studies or course-based graduation requirement, the application and approval process is as follows:
 - i. All requests for a publication delay/embargo and any other special terms of public access to the Materials, must be made to the Dean, Faculty of Graduate Studies or, for course-based graduate studies, the respective Head of the Department and/or Dean, in advance of submitting the Materials to MSpace.
 - ii. The Dean, Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean, will decide and MSpace will respect that determination.
 - iii. If the Dean, Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean, approves a publication delay/embargo or other special terms, the Submitter must inform the UML when submitting the Materials to MSpace, providing such supporting information as the UML may require. Upon the Dean, Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean confirming the embargo date with the UML, the UML will implement the embargo date.
 - iv. Only in exceptional circumstances will a request for retrospective embargo (i.e. Material had an open access condition applied on approval and then alters the access condition to publication

delay/embargo post-submission) be considered and in accordance to the following: the request must be submitted and be considered within 4 months of the submission date and all stipulations 5.c i-iii must be followed. No further publication delays/embargos for that Material will be entertained.

8. Withdrawal of Public Access

- a. **Meaning of Withdrawal.** To withdraw public access of Materials means to make the Materials (and its record) inaccessible to the public, otherwise known as to execute a takedown request.
- b. **Withdrawal of Public Access.** Without limitation, the UML may, at its sole discretion, choose to make any Materials, temporarily or permanently non-publicly accessible, for any reason, including, but not limited to:
 - i. The content infringes upon your intellectual property rights (including moral rights protected by Canadian copyright legislation);
 - ii. The content infringes upon your privacy rights and/or the Submitter has failed to obtain required approvals from the applicable Research Ethics Board(s) or revocation of such approval(s);
 - iii. Any of the representations or warranties set out in the License Agreement being incorrect or inaccurate;
 - iv. Claimed or suspected copyright infringement or plagiarism;
 - v. Concerns related to national security, public safety or danger to individuals; and/or
 - vi. Claims or concerns of scholarly misconduct.

In addition, The Dean, Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean, may exercise the same discretion with respect to theses and practicum accepted into MSpace, and the UML will respect the Faculty's determination.

- c. **Request to Withdraw Public Access for Materials other than theses and practicum.** All requests to withdraw public access temporarily or permanently to Materials must be made to the UML via the Library Research Services email address. The UML is not obligated to approve any withdrawal request. The UML will consider all the circumstances, make a final determination of all requests, and inform the applicant of the decision. Some of the reasons for approving a withdrawal request are listed in [Section 8 b. i – vi](#).
- d. **Request to Withdraw Public Access for theses and practicum.** All requests to withdraw public access to a thesis or practicum either temporarily or permanently must be made as follows:
 - i. For theses and practicum accepted into MSpace with graduation dates 2008 or later, the request must be made to the Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean. The Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean is not obligated to approve any withdrawal request. Dean, Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean will consider all the circumstances and determine all requests. The UML will comply with the Dean, Faculty of Graduate Studies' determination, or, for course-based graduate studies, the respective Head of the Department and/or Dean. Some of the reasons for approving a withdrawal request are listed in [Section 8 b. i – vi](#).
 - ii. For theses and practicum in MSpace with graduation dates during the period of theses before 2008, the request must be made to the UML, who will withdraw the theses or practicum at the author's request.

- e. **Reconsideration of Decision.** The UML, and/or the Faculty of Graduate Studies, the respective Head of the Department and/or Dean (with respect to theses and practicum) may revisit and, at its sole discretion, revise or reverse its decision to withdraw public access to any Materials, at any time.
- f. **Notification of Withdrawal.**
 - i. If withdrawing public access in accordance with this Section 8, the UML or the Faculty of Graduate Studies, or, for course-based graduate studies, the respective Head of the Department and/or Dean (with respect to theses and practicum) will notify the applicant and the Materials' Submitter of the decision as soon as reasonably possible (in advance if possible), give a short summary of its reason(s), and give a reasonable opportunity to respond.
 - ii. The UML may temporarily remove public access to any Materials pending confirmation of outstanding issues with the Materials or resolution of a dispute regarding the Materials.
 - iii. If the applicant or the Materials' Submitter (as the case may be) does not agree with the decision regarding withdrawal or removal, that person should engage the Head of the relevant department or Dean (as that person may deem appropriate), and if necessary, the Head or Dean may engage the University Librarian in collaborative resolution discussions.

9. Permanent Removal of Materials from MSpace

- a. If the decision is made to withdraw public access temporarily or permanently any Materials (in accordance with Section 8 of this Policy), the UML will maintain the Materials in MSpace with access restricted to the UML staff administering MSpace.
- b. However, in extraordinary circumstances, the UML may remove such Materials from MSpace. In this case, a copy of any Materials shall be retained in the University of Manitoba Archives & Special Collections and will be subject to Archives & Special Collections internal procedures relating to preservation and access.

10. Preservation of Materials in MSpace

- a. The UML undertakes to preserve Materials in MSpace for the long term by means of regular backups, by minimizing the effects of information technology obsolescence and by preserving the authenticity, security and accessibility of the Materials.

11. Review and Amendment of this Policy

- a. The UML will review this Policy and related license agreements annually, or more frequently at the discretion of the Coordinator, Research Services and Digital Strategies.
- b. Amendments to this Policy are subject to the approval of the UML Management Committee.
- c. MSpace contributors, individually or collectively by department or faculty, are encouraged to engage with UML to establish MSpace contribution policies specific to their needs, including (but not limited to) policies regarding publication delays/embargoes.