

# Donation Agreement

## Donor Information

SURNAME		FIRST NAME		MIDDLE INITIAL(S)
ADDRESS			CITY	
PROVINCE/STATE	POSTAL CODE/ZIP	COUNTRY		
ORGANIZATION (IF APPLICABLE)				
TELEPHONE		EMAIL		

## Material Description

Please provide a brief summary of the materials:

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I (THE UNDERSIGNED DONOR) GIVE TO THE DISTRICT OF WEST VANCOUVER ("DWV") the "Materials" listed on this form, voluntarily and without receiving any consideration or benefit (except for an income tax receipt for the assessed fair market value if requested from and deemed appropriate by the DWV), for DWV's use absolutely, subject to the following conditions:

### Acceptance of Donation:

1. The DWV welcomes donations of Materials which upon their acceptance will become its unconditional property, but reserves the right to reject Materials whose donation (a) is subject to payment of any consideration or benefit, (b) contains limitations on their use, reproduction, location, access, or disposal, (c) discriminates against any groups or classes, or (d) creates a potential liability or financial burden on, impinges on the duties of, or adversely impacts the reputation of, the DWV.

### Public Acknowledgement:

2. Except as otherwise shown on this form, the Donor consents to being publicly recognized or acknowledged as the donor of the Materials when the DWV deems appropriate, including city of residence and position within the organization ("Organization") to which the Materials relate if applicable. The Donor shall not publicly represent or imply that in addition to such acknowledgement the DWV is providing any endorsement or sponsorship of the Donor or the Organization.

**Use of Materials:**

3. The DWV shall have the right to use the Materials without limitation, including incorporating them as part of the West Vancouver Archives' holdings and copying them for other persons pursuant to the Copyright Act, but shall not be obligated to (a) use them in any particular way or for any specific purpose, or (b) display or provide access to them perpetually or otherwise.

**Retention and Disposal:**

4. The DWV shall have the right, in its discretion to determine whether and how to (a) store, reproduce, preserve, and catalogue the Materials, and (b) transfer, sell, recycle, or discard the Materials when not required.

**Ownership Assignment:**

5. The Donor represents and warrants that, to the Donor's knowledge, the Materials are not unauthorized copies, and the Donor is the owner of the Materials, and hereby irrevocably assigns and transfers to the DWV (a) ownership in and title to the Materials and (b) all rights, title, and interests that the Donor may have in the copyright in the Materials.

**Non-Assertion of Rights:**

6. The Donor, and the Donor's successors, heirs, and legal representatives, waive and shall not assert at any time, any and all copyright, and other intellectual and proprietary rights, and privacy rights, that they may have in the Materials, against the DWV and its licensees and customers, for their use, reproduction, sale, or disposal of the Materials or copies of the Materials.

**Moral Rights Waiver:**

7. The Donor, if the creator or author of the Materials, waives and shall not assert at any time any and all moral rights in the Materials, against the DWV and its licensees and customers.

**Appraisal:**

8. The DWV disclaims all representations and warranties as to the accuracy, value, or acceptability to any tax or other government authorities or agencies, of any appraisals or valuations provided by or on behalf of the DWV to the Donor, and shall have no liability of any kind with respect to any such appraisals or valuations. The Donor's gifting of the Materials is not conditional upon the results of any appraisal or valuation.

**ADDITIONAL CONDITIONS:**

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**I HAVE READ AND AGREE TO THE CONDITIONS OF DONATION ABOVE.**

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*Donor signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Accepted by*

\_\_\_\_\_  
*Date*

**Freedom of Information and Protection of Privacy Act Notice:** *personal information contained on this form is collected under the Freedom of Information and Protection of Privacy Act section 26(c) and will be used for the purpose of completing the West Vancouver Archives Donation Agreement. If you have any questions about the collection and use of this information please contact Legislative Services, Records and Information Management Coordinator at 604-921-3497, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3.*