
CHALLENGES IMPLEMENTING DIGITAL ARCHIVING IN ICELAND ON A NATIONAL AND MUNICIPAL LEVEL

Master thesis in Informationsforvaltning



AALBORG UNIVERSITY
DENMARK

MAY 31, 2018
AALBORG UNIVERSITY
Kári Einarsson

Abstract

This Master's thesis sets out to analyse the implementation of digital archiving in Iceland on both a national and a municipal level. The thesis uses secondary data from the National Archives of Iceland and original interviews with archivists and records managers outside the National archives in its analysis. The study shows that the number of entities subject to an obligation of transfer that transfer digital data to the National Archives of Iceland is increasing. Though, there is still a long way to go before all public data can be preserved digitally in the long term. Funding, professional recordkeeping and the dissemination of information all play a key role in ensuring that institutions adopt digital archiving successfully. Regional archives are currently not equipped with the necessary infrastructure or manpower to conduct digital transfer. There is a clear need to reconsider the legislation surrounding municipal archiving.

Contents

Abstract	1
Introduction	5
Table of Contents	6
1. Problem Definition.....	6
1.1. The aim and Objectives of the Research	6
1.2. Problem formulation	7
2. Methods and relevant background information	7
2.1. Theoretical background and source references.....	8
2.1.1. The Performance model.....	10
2.2 Data collection	12
2.2.1 Primary data.....	12
2.2.2 Secondary data	14
2.3 Introduction to case- legal framework for archiving in Iceland	17
2.4. Concepts and language	20
2.5 Data analysis	21
3. Implementing digital governance.....	23
3.1 First steps	23

3.2 Trial projects and the start of digital transfers	25
3.4. Performance survey 2012.....	27
3.3. Performance survey 2016.....	31
3.5. The case of municipalities and municipal archiving	37
4. Identifying the problem	41
4.1 Culture	42
4.1.1. Archive or museum? The effects of language on the perception of archives in Iceland	42
4.1.2. Why do we have to keep this? The attitudes of government employees and institution leaders toward archiving.	44
4.2. Administration	45
4.3. Technical competencies	49
5. Discussion	52
5.1. General observations.....	52
5.2 Municipal archiving	54
6. Conclusion	58
Bibliography	61
Appendix A – The National Archives’ quality criteria	63
The scoring system.....	63
Ranking	65
Appendix B – An English translation of the Public Archives Act.....	67

Appendix C – Interview details	89
--------------------------------------	----

Introduction

On the sixteenth of February 2006 spirits were running high in the National Archives of Iceland. The date marked the very first time in history that a database was accessioned by the National Archives, thus becoming the very first unit retained in the Icelandic digital archive repository (Þjóðskjalasafn Íslands & Ríkisskattstjóri, 2007). The database was part of a trial project between the directorate of internal revenue and the National Archives, which was meant to act as a blueprint for accessioning further public databases. The project was the culmination of years of research and policy making, aiming to make government recordkeeping and archiving strictly digital, starting all the way back to 1997 (P. Ásgeirsson et al., 1998). The trial project was considered to be a rousing success, meeting all of its goals while staying considerably below the allotted budget, even though it exceeded the original time schedule (Þjóðskjalasafn Íslands & Ríkisskattstjóri, 2007). The future certainly seemed bright. Armed with both experience and technical know-how, the rest should be but a question of implementing these same methods on a grander scale. Looking back in the year 2018, this optimism seems largely unjustified. The vast majority of state institutions, still do not transfer databases and EDRMSs and none of the municipal archives has to this day acquired any digital holdings.

In today's world we are faced with the reality that traditional paper recordkeeping is on the wane. Independent businesses operate almost solely on a digital level, private archives are no longer only collections of handwritten letters and ledgers, but rather files stored on hard drives and published on webpages. Public authorities are creating more digitally born records than ever before and in the last few years there has been an increasing demand from the public for transparent government and increased public access to government records. Indeed, ever since 1996 the official policy of the Icelandic government has been to be at the forefront internationally when it comes to digital governance (K. Kristjánsson, 1996). It is therefore safe to say that there is a general consensus in Iceland regarding the benefits and necessity of digital governance. By pinpointing the issues facing digital archiving and recordkeeping in

Iceland, this project will benefit The National Archives of Iceland and lawmakers in their policy making and will ultimately benefit all those who care about Iceland's digital cultural heritage.

Table of Contents

1. Problem Definition

This chapter starts with listing the aim and objectives of the research followed by an outline of the research questions. Finally, a discussion on the researcher's reasons for choosing the subject is presented.

1.1. The aim and Objectives of the Research

The aim of this project is to provide an analysis of the implementation of digital archiving in Iceland. The history of its implementation will be examined as will the legal framework surrounding archiving and records management in Iceland in general. The theme of digital archiving on a grand scale, in Iceland, is relatively unexplored from an academic standpoint. There have been several studies written about related subjects, such as EDRMS implementations within Icelandic institutions¹, staff attitudes toward record keeping and archiving² and digital registration of cultural heritage³. The National Archives of Iceland has also released several reports and surveys on the state of recordkeeping in public institutions. But an analysis of the current results of the National Archives' digital archiving strategy, has not yet been conducted. There is also next to no research on digital recordkeeping and archiving on the municipal level in Iceland. Finally, what research there is on the subject, has been written from the perspective of

¹ See for instance: Gunnlaugsdóttir, J. (2006). *The implementation and use of ERMS: A study in Icelandic organizations* (Master's thesis, Tampereen yliopisto, 2006) Tampereen: Juvenes Print. And Gunnlaugsdóttir, J., Dr. (2007). *Svo uppsker sem sáir. Stjórnmal Og Stjórnsýsla. Vefimarit*, 2(3), 179-209.

² Sigurjónsdóttir, J. (2010). *"Maður þarf að sjá tilganginn."* *Viðhorf og þarfir ríkisstarfsmanna gagnvart skjalamálum* (MLIS dissertation). Háskóli Íslands

³ Ámundadóttir, J. K., Gunnlaugsdóttir, J., & Heijstra, T. M. (n.d.). Skráning menningarminja í stafrænu umhverfi. Samvinna, samþætting og framtíðarþróun (H. Ólafs, Ed.). In *Þjóðarspegillinn. Ráðstefna í félagsvísindum XVI* (Vol. XVI). Reykjavík, 2015: Félags og Mannvísindadeild.

the National Archives⁴. Less is ultimately known of the viewpoints of records managers and municipal archivists. Therefore, one of the main focuses of this project will be to interview representatives from the municipal archive world and records managers from the public sector to provide a new perspective on the issue. The data gained from the interviews will be used to analyse the impact of three separate factors on digital archiving in Iceland.

Culture; problems stemming from the attitudes and customs within workplaces and between archival entities.

Administration; problems stemming from administrative hierarchy and structure.

Technical competencies; the existence or lack thereof, of qualified professionals and technical know-how within the field.

1.2. Problem formulation

The following research questions were formulated based on the objectives stated above:

- What is the status of digital archiving in Iceland?
- Which factors have contributed to its development?
- Is there a noticeable difference between the issues faced by municipal archives and those faced by the National Archives?
- Is there any way to improve on the current methods?

2. Methods and relevant background information

This project relies mainly on qualitative research methods. The data collected is however both of qualitative and quantitative nature. The majority of data collected on the subject of digital archiving in Iceland has been obtained through quantitative

⁴ See chapter 2.2.2. Secondary data for details.

research conducted by the National Archives of Iceland.⁵ As such, the quantitative data that their research produced provides a useful analytical tool and a necessary inclusion for this project. However, it also paints a rather one-sided view of the development of digital archiving in Iceland. In order to uncover new information from a wider perspective, this study focused on uncovering the views of various members of the Icelandic archive world that operate outside of the National Archives. This was accomplished by conducting qualitative interviews. to provide a representation of the perspective of records managers and the municipal archives. This chapter will cover the theoretical background of the project, with special attention paid to the *Performance Model* and the fundamental nature of digital records. There will also be a brief summary of primary and secondary data used for the purposes of this project, followed by a short briefing on Icelandic archive legislature. Finally, there will be a short subchapter outlining the limitations of writing in English about Icelandic legal and archival concepts, followed by a description of how data was analysed for this project.

2.1. Theoretical background and source references

Digital archiving is, in the grand scheme of things, a very recent phenomenon that challenges many classical rules and archiving traditions, that formerly were considered sacred. E.g. the concept of record uniqueness, which, while absolutely crucial to traditional paper archiving, is simply not applicable to digital records. A digital record is, after all, only a stream of bits on a screen that is recreated every time a record is opened, and destroyed every time it is closed. This fundamental change in the way archivists, assess and treat records lead to a proverbial explosion of theoretical writing on the subject. Much like with traditional paper archives, national traditions and approaches soon began to form and new schools of thought continue to emerge on the subject.⁶ This is a direct result of the fact that nations have very different approaches to

⁵ See chapter 2.2.2. Secondary data.

⁶ For instance, the Canadian method of macro appraisal which, to paraphrase Cook, Terry, Postmodernism and the Practice of Archives. *Archivaria* 51 (Spring 2001), p. 14–35., finds sanction for archival appraisal value of determining what to keep and what to destroy, not in the dictates of the state, as traditionally, nor in following the latest trends of historical research, as more recently, but in trying to reflect society's values through a functional analysis of the interaction of citizen with the state

their archival administrative structure, which is often a direct result of their own native archival traditions and the structure of public authorities.

On the digital front, national approaches have mainly been focused on how to face the issue of digital obsolescence. A digital record will always be subject to the media environment it's preserved in. Computer technology is advancing at such a rapid rate that new advances in the field are routinely made obsolete within the span of a few years. Since 1969 storage media has evolved from 8 – inch floppy disks, to 5.25 – inch floppys, to 3.5 – inch floppys, to optical disks, to flash drives and SSDs. Today we are at a point where technology is steadily abandoning physical storage media altogether, opting instead for solutions like cloud storage and data lakes(Foote, 2017). In the same period, storage methods for paper records haven't changed at all. Digital obsolescence also affects other factors when it comes to preserving digital records. The software used to read and display data and even the data formats themselves improve and change at a similarly rapid rate as storage media. Then there is the issue with data corruption and the volatility of digital storage. Even if technological advances were to completely cease and humanity could hypothetically store its data on a single type of technology, safe in the knowledge that it would never become obsolete, then that data would still disappear within a few years. Physical storage methods, such as optical disks and floppy disks, were not designed with long term storage in mind and will in time become unreadable. Non-physical storage media, like clouds and SSDs, still rely on some sort of physical, mechanical component to function and given time, these components will simply wear out. This means that digital records cannot be preserved using the same methods as traditional analogue records(Heslop, Davis, & Wilson, 2002).

Digital archiving in Iceland, however, is a largely unploughed field of research. Fairly early on, Icelandic authorities decided to adopt the same methods as were being used in Denmark, which were based around the process of records migration.⁷ There generally was not much theoretical debate surrounding the matter in Iceland and the decision-making process in the end came down to the fact that Icelandic recordkeeping

⁷ The adoption process is covered in more detail in the chapter 3 Implementing digital governance.

traditions are largely based on Danish traditions and therefore it would be sensible to continue to follow their lead regarding digital archiving.

In the years since, not much has been researched or written on the subject of digital archiving in Iceland. The most extensive research on the matter is a series of surveys conducted by the National Archives of Iceland and two trial projects, undertaken by the National Archives of Iceland and the Office of Internal revenue and the ministry of education, respectively. All of these sources were qualitative, result-driven projects, written from the perspective of the same entity, the National Archives.⁸ Very few scholars have attempted to research digital recordkeeping and archiving practices in Iceland, through a different lens. That is not to say that the subject is completely unexplored though. Doctor Jóhanna Gunnlaugsdóttir wrote her doctoral thesis on the subject of EDRMS implementation in Iceland. While that particular text was invaluable as an analytical tool for this project, it has the disadvantage of being published in 2006, meaning that the archive environment⁹ and legislation have both changed substantially since then.

2.1.1. The Performance model

When writing this project, I approached the definitions of digital archiving as laid out by the *performance model*, developed by the National Archive of Australia. The reason why that particular theoretical model was chosen, is because it provides a universal explanation of the fundamental nature of digital records, while remaining open and flexible enough to be applied to a multitude of preservation strategies. The authors of the model advocate for a system where data is not subject to migration, but rather stored in a range of open data formats in XML, a process they refer to as normalisation (Heslop et al., 2002). This dissertation revolves around digital archiving in Iceland, a country that uses the OAIS model, which is dependent on data migration. This project does not argue for the adaptation of normalisation over the current OAIS reference model, therefore the process of normalisation will not be covered in any detail.

⁸ See chapter 2.2.2.

⁹ Meaning the scope of content, technological advancement and staff competencies.

However, the terminology explaining the fundamental nature of records as used in the performance model is just as valid when applied to a different end result. It also has the advantage, compared to the OAIS reference system, of not being dependent on the theory of a records life cycle, making it more malleable to different approaches such as a records continuum¹⁰. For the purposes of this project, the use of the model will be limited to providing a theoretical platform to describe the unique qualities of a digital record.

The performance model holds that a digital record is by definition, without form and constantly being restructured. Analogue records, such as letters written on paper, can be experienced directly by the researcher, simply by viewing them¹¹. They exist physically as unique artefacts that can only be experienced at a single place in time. Digital records on the other hand rely on a combination of different factors to translate meaning, have no physical form and can be experienced by multiple people irrespective of place. A digital record is the result of the mediation of data, hardware and software. The experience of the object only lasts for as long as the technology and data interact. As a result, each viewing of a record is a new 'original copy' of itself – two people can view the same record on their computers at the same time and will experience equivalent 'performances' of that record. The performance model breaks down the concept of a digital record into components that help explain their fundamental nature. The *source* of a record is a fixed message that interacts with technology. This message provides the record's unique meaning, but by itself is meaningless to researchers since it needs to be combined with technology to be rendered as its creator intended. In the case of digitally-born content, the source is the datafile. The *process* is the technology required to render meaning from the source. Typically, a combination of different software such as various programs and an operating system and some sort of hardware with which to run the software. When a source is combined with a process, a *performance* is created and it is this performance that provides meaning to a researcher. When the combination of source and process ends, so does its

¹⁰ An OAIS model is based around creating specific archive versions at the end of a records life cycle.

¹¹ That is, if the researcher knows the language the record is written in.

performance, only to be created anew the next time the source and process are combined. A source may be mediated by many different software platforms and each combination of source and specific process platform may produce a slightly different performance(Heslop et al., 2002).

2.2 Data collection

Both primary and secondary data were collected and employed in this project. The primary data was collected through the application of semi-structured interviews. Kvale & Brinkmann (2009) propose that a qualitative research interview attempts to understand the world from the subjects' points of view, to uncover their lived world prior to scientific explanations and to unfold the meaning of their experiences(Kvale & Brinkmann, 2009). A semi-structured interview is a qualitative interview technique that allows for open ended free-flowing conversation, while still maintaining some form and structure. A semi-structured interview will typically have an interview guide prepared in advance, but is not constrained by the questions in the same rigid manner as a structured interview would be. This freedom not only helps interviewers tailor questions to new information, but also allows those interviewed to express their meaning more thoroughly(Bryman, 2012). I decided on a semi-structured interview technique because, while there were certain themes that I wanted to discuss, I also wanted to give the interviewees as much space to express their viewpoints as possible.

The secondary data collected, consisted mainly of surveys and reports conducted by The National Archives of Iceland, various statutes, laws and regulations concerning archiving as well as records management by public authorities in Iceland. A detailed list of secondary data sources will be outlined in the following chapter.

2.2.1 Primary data

The primary data was collected through semi structured interviews with five persons operating within the Icelandic archive world.

The participants were selected with the aim in mind to uncover perspectives of people employed in the archiving field in Iceland outside of the National Archives. The interviewees were chosen from both the municipal and state level. On the municipal level, it was necessary to get opinions from both municipal archivists and records managers, as both parties interact with not only each other, but also with the National Archives, whilst having separate needs and viewpoints. On a state level, interviewing records managers was sufficient, as the viewpoints and general stance of the National Archives is already well known and documented. In the interests of diversity, one records manager in an institution that scores highly according to the National Archives' ranking system¹² was selected and one representing an institution with a low score. Below is a detailed description of the five interviewees.

Interview 1: Ingveldur Tryggvadóttir. Akureyri Hospital

Ingveldur is the head of Akureyri Hospital's medical sciences library. While not officially hired as a records manager, she is currently spearheading the hospital's recordkeeping overhaul. She's also an experienced records manager and worked previously as a records manager for both the municipality of Akureyri and the University of Akureyri. Ingveldur was chosen as a representative of an entity subject to obligation of transfer with a low score on the National Archives' recordkeeping development standard.

Interview 2: Aðalbjörg Sigmarsdóttir. The Regional Archives in Akureyri.

Aðalbjörg is the Regional Archivist of Akureyri. The Regional Archives in Akureyri are some of the largest regional archives in Iceland, outside Reykjavík. The jurisdiction of the archives spans all districts in Eyjafjörður, with the exception of the district of Dalvíkurbyggð and Fjallabyggð. The archives contain chiefly documents from the municipality of Akureyri and its institutions and also from other municipalities in the district.

Interview 3: Elín Dögg Guðjónsdóttir. Akureyri town hall

¹² See Appendix A – "The National Archives' quality criteria" for details

Elín Dögg is the records manager for the municipality of Akureyri. As such, she oversees not only recordkeeping within the confines of Akureyri city hall, but also manages every independent record creating entity operating in the municipality. Such as primary schools and Akureyri's cultural and marketing office. Elín Dögg was chosen to represent the viewpoint of records managers of entities subject to an obligation of transfer to a regional archive.

Interview 4: Alma Sigurðardóttir. The Directorate of fisheries

Alma is the records manager of *Fiskistofa*, the Icelandic directorate of fisheries. Fiskistofa is one of the highest-ranking institutions according to the National Archives' record keeping developmental standard. Fiskistofa is also fairly unique among Icelandic institutions, in that it has multiple offices different towns and cities in Iceland.

Interview 5: Halla María Árnadóttir. Reykjavík City Hall.

Halla María is the head of the Reykjavík city hall department of records, within the division of service and business. Her department handles the recordkeeping of Reykjavík's executive branch and central government departments located in Borgartún 12-14. Institutions reporting to these departments are treated as separate record creators. Halla María is interviewed as a representative of records managers of entities subject to an obligation of transfer to a regional archive.

Interview 6: Svanhildur Bogadóttir. Reykjavík Municipal Archives

Svanhildur is the City Archivist of Reykjavík. The Municipal Archives of Reykjavík are, by far, the largest and most substantial municipal archive in Iceland reflecting the relative size of Reykjavík to the rest of the country. A part of her duties as City Archivist involves taking part in several committees on archiving in Iceland. As such, she is one of the foremost authorities on Municipal Archiving in Iceland today.

2.2.2 Secondary data

The secondary data that was collected for analytical purposes consists of the following:

<p>Nefnd um varðveislu tölvugagna sem verða til í stjórnsýslunni. Skýrsla.</p>	<p>A report written in 1998 by a committee formed by the Icelandic ministry of education with the explicit goal of gauging the best method of preserving digital records created by public authorities.</p>
<p>Tilraunaverkefni Þjóðskjalasafns Íslands og Ríkisskattstjóra um skil á rafrænum gögnum til langtímavörslu í Þjóðskjalasafni.</p>	<p>A report written in 2007 on behalf of the National Archives of Iceland and the office of internal revenue on the first trial project involving transferring a single database from the office of internal revenue to the National Archives for permanent preservation, based on methods developed in collaboration with the Danish National Archives.</p>
<p>Tilraunaverkefni Þjóðskjalasafns Íslands og Menntamálaráðuneytisins um skil á rafrænum gögnum til langtímavörslu í Þjóðskjalasafni.</p>	<p>A report written in 2008 on behalf of the National Archives of Iceland and the Ministry of Education on the second Icelandic trial project regarding digital transfer. This project was focused on transferring an EDRMS system from an institution to an archive for permanent preservation and used methods developed in collaboration with the Danish National Archives.</p>

<p>Héraðsskjalasöfn í nútíð og framtíð. Úttekt þjóðskjalasafns á starfsemi héraðsskjalasafna haustið 2008</p>	<p>A report from a quantitative 2008 survey conducted by the National Archives of Iceland, concerning regional archives in Iceland. The report recognises that recent legal changes permitting the National Archives to accept digital record transfers, could also affect the operations of regional archives. The purpose of the report was to gather data on all aspects of the regional archives' operation and to serve as a foundation for further discussion concerning their role in Icelandic archive administration.</p>
<p>Skjalavarsla sviða, stofnana og fyrirtækja Reykjavíkurborgar 2013. Könnun Borgarskjalasafns Reykjavíkur.</p>	<p>A report written in 2014 on a quantitative survey conducted by the Reykjavík Municipal Archives in 2013. The Survey was conducted as part of the Municipal Archives' legal obligation to monitor public recordkeeping within their jurisdiction. It is the most recent survey of its kind, with earlier surveys having been conducted in 2006 and 1998.</p>
<p>Könnun Þjóðskjalasafns Íslands á skjalavörslu ríkisins 2012</p>	<p>A 2013 report on a quantitative survey conducted by the National Archives of Iceland in 2012. Its purpose was to monitor the recordkeeping activities of public authorities following the recent legal changes permitting the National</p>

	<p>Archives to accept data transfers, with the aim of providing the National Archives with more information to better perform its role as an advisory and monitoring agency. A similar survey had been conducted in 2004 in conjunction with the trial projects mentioned earlier. This meant that the survey could also be used to gauge changes in public recordkeeping from 2004 to 2012. The survey was sent to all state institutions and businesses where government owns more than 50% of company shares. Of the 207 parties who received the survey, 173 answered, resulting in a 83.6% response rate.</p>
<p>Skjalavarsla og skjalastjórn ríkisins 2016. Niðurstöður eftirlitskönnunar Þjóðskjalasafns Íslands.</p>	<p>A 2017 report on a quantitative survey conducted by the National Archives of Iceland in 2016. The survey was a direct continuation of the one conducted in 2012 and shared the same objectives and parameters. Of the 200 parties that received the survey, 160 answered, resulting in a 80% response rate.</p>

2.3 Introduction to case- legal framework for archiving in Iceland

The highest archival authority in Iceland is the National Archives of Iceland (I. *Þjóðskjalasafnið*). It has a dual role as both the main curator of statel records in the

country as well as being solely responsible for writing archival regulations and ensuring archival quality control on a national level. The legal roles of the National Archives, are further defined in the Icelandic archival legislature “lög um opinber skjalasöfn 77/2014”. The laws are largely modelled after the corresponding Danish archival legislature, with the National Archives filling a similar role as the Danish *Rigsarkiv*. Namely in that the institution functions both as a public archive and as the sole executive party within the public archival sector. Technically speaking, the National Archives is directly under the direct supervision of the minister of education. In practice however, the ministers only direct input is ratifying decrees and appointing a National Archivist (I. Þjóðskjalavörður), who is in turn responsible for the National Archives (Lög um opinber skjalasöfn 77/2014, 2014). The National Archivist serves on a five-year term. Additionally, a board of directors is appointed on a four-year basis, to advise and assist the National Archivist. The board is made up of six members. One is appointed directly by the minister of education, one is nominated by the University of Iceland’s department of history, one is nominated by the department of social sciences, one is nominated by the staff of the National Archives and the final two are nominated by the Icelandic Association of Local Authorities, of which one must be employed as a municipal archivist (Lög um opinber skjalasöfn 77/2014, 2014).

According to the archive legislature, nearly every part of the Icelandic public sector and civil administration is subject to the national Archives’ mandate. The Act specifically names:

The office of the President of Iceland, The supreme court, municipal courts and other legally ratified courts, the government offices of Iceland, including all committees that are party to the administration as well as the national state church. Municipalities, along with all institutions, committees and other parties tasked by them in an official administrative capacity. Institutions and funds created in an official capacity. Private parties that have a mandate to make official, administrative, decisions on behalf of stately or municipal authorities and private parties that for any reason retain official records and finally, private parties that have accepted a business contract from the authorities and companies with 51% or more, publicly owned shares.

Interestingly, the laws do not apply to Iceland's parliament, Alþingi, nor do they apply to Alþingi's ombudsman(Lög um opinber skjalasöfn 77/2014, 2014).

The Icelandic Archival legislature is only concerned with the responsibility for creating and maintaining public records. Access to public records is governed by the Icelandic freedom of information act " Upplýsingalög 140/2012". The laws were drafted in the spirit of earlier Scandinavian FOI acts and follow the same basic principles. A citizen has the right to view any records and/or data that the authorities have gathered, concerning his or her person. As a general rule, the public also has unrestricted access to all official records 30 years after their creation. There are, of course, numerous restrictions and exceptions to that rule, which are listed in chapter II, subsections 6-10. Certain record groups, for example, are not open to the public on grounds of public safety. Such as matters of defence or matters concerning the state's economic interests. Others are restricted on the grounds of containing personal information, in which case the records are only open to those that are party to them.

The National Archives' main role is making and publishing archival regulations and acting in an advisory role for institutions and parties that are legally required to accession records to a repository for long term storage.

These regulations include recordkeeping instructions for entities and parties within both the Municipal and State administrations. They also include rules governing the secure destruction and disposition of records as well as regulations governing the appraisal, acquisition and accession of records.

All regulations made by the National Archives must be ratified by the minister of education before coming into force.

The National Archives are also responsible for overseeing the various municipal archives.

A new municipal archive can only be founded through a cooperative effort by both the municipality in question and the National Archives. The National Archives are

responsible for issuing licences for municipal archives, pending the Minister's approval and is also responsible for monitoring their archival capabilities. As part of this monitoring process, municipal archives must file an annual report to the National Archives and may be subject to impromptu investigations if there is any suspicion of malpractice (Lög um opinber skjalasöfn 77/2014, 2014).

If a municipal archive cannot uphold the professional standards set by the National Archives, the municipal authorities are contacted and the informed of any breach of conduct. If a municipal archive continues to repeatedly violate the National Archives' warnings, its licence will be revoked and all of the archives in its possession will be accessioned by the National Archives at the cost of the municipality (Lög um opinber skjalasöfn 77/2014, 2014).

2.4. Concepts and language

One of the most persistent problems facing archivists when discussing or presenting archival and records-management related research, is the lack of a unified international terminology, coupled with the existence of regional traditions and approaches. This is especially problematic when discussing phenomena that only exist within an Icelandic context, in English. For instance, several key concepts that are routinely used whilst discussing Icelandic archiving, simply do not exist as such in English. Thus, some liberties must be taken in the interest of clarity and conciseness. One of the key phrases used in Icelandic literature and legal texts regarding archiving is *Skilaskildir aðilar*. This is an Icelandic legal term used to refer to all government entities that are compelled by law to transfer their records to a public archive. For the purposes of this project I use the rather unwieldy translation given in the English translation of the Public Archives Act of 2014; entities subject to obligations of transfer.

Another fairly difficult to translate term is *Héraðsskjalasafn*. This word refers to public archives tasked with the preservation of municipal and regional records. While the English translation of the Public Archives Act refers to them as regional archives, their own websites and publications have various different translations. For instance,

Borgarskjalasafn, the archives overseeing the municipal records of the city of Reykjavík, is referred to as The Reykjavík Municipal Archives on their own website. To make matters even more complicated, the Reykjavík Municipal Archives are the only regional archives not to have the word *Héraðsskjalasafn* in their Icelandic title, even though they by legal definition are one. I therefore, opted to use the terms regional archive and municipal archive interchangeably when referring to a *Héraðsskjalasafn*. The same goes for the titles of the archivists supervising the regional/municipal archive. *Héraðsskjalavörður* thus becomes either municipal archivist or regional archivist depending on context. Regarding the head of the Reykjavík Municipal Archives, *Borgarskjalavörður*, I decided to use city archivist which is the translation provided on the archives' website.

The concept of *records appraisal*, does not exist in the Icelandic language. As in Danish, the wording used in Iceland is focused on the destruction of records, rather than the selection of records for preservation. In Icelandic, the word for the organised and legal destruction of government records is *Grisjun*, comparable to the Danish *Kassation*. This means that Icelandic legal texts and circulations use variations of the word *Grisjun* to refer to appraisal. In this project I use appraisal, when applicable, to describe the process of choosing which records are permanently preserved. However, in some cases, this is not possible. One example is the concept *Grisjunarbeiðni*. Which is a formal request sent from an entity subject to an obligation of transfer, to an archive requesting permission to destroy records. In these cases, the wording *records destruction* will be used to refer to *grisjun*.

2.5 Data analysis

Both the primary and secondary data were analysed with the method of thematic analysis. The method is well suited when the aim is to analyse qualitative data and can be applied in different types of inquiries and can address most types of qualitative research questions. It is furthermore very commonly used to detect and develop themes out of qualitative interviews (Braun, Clarke & Kerry, 2015). Bryman (2016) states that thematic analysis can help construct a theoretical understanding of the data in question

and can therefore facilitate a theoretical contribution to the research literature in question (Bryman, 2016). While there is no one universally accepted method of conducting thematic analysis, Braun and Clarke (2006) present a useful six step procedure which provided a useful framework for this project. Although the procedure was originally designed for thematic analysis within the field of psychology, it can be applied just as effectively to other fields of study. The steps are as follows:

Familiarisation with the data: The initial idea for the project was a very broad coverage of digital archiving in Iceland. With that in mind the familiarisation with the data begun. The initial steps featured searching for peer reviewed case studies on the subject, reading up on the legal framework governing archiving in Iceland and becoming familiar with all the reports and surveys the National Archives of Iceland have published on the subject.

Generating initial codes: Having confined the research parameters to the implementation of digital archiving on both a municipal and state level, based on familiarisation with the data, codes begun to emerge. There were large observable differences between the output of record creators and the capabilities of archives. It also became apparent that there was no one root cause for the problems faced by archives and record creators, but rather a multifaceted net of interlinked problems.

Searching for themes: The immense scope of the project meant that it would be all but impossible to dissect every single aspect of digital archiving on both a municipal and state level. It was therefore necessary to narrow the focus of the project down to a few select themes. Two of the themes, culture and technical competencies, were chosen based on their prevalence in the secondary data examined, while the third theme was chosen, due to not having been previously considered as a root cause in the reports from the National Archives.

Reviewing themes: The three themes: Culture, Administration and technical competencies formed the basis of the questions used in the interviews and were

routinely reviewed throughout the data collection process, based on the information gathered from the interviews.

Defining and naming themes: While the three themes were named and defined before the interviews took place, the interviews themselves influenced further definition and naming. A theme like Culture is very broad after all. Therefore, the interviews helped shape the definitions of sub-themes. In some cases, translated phrases from the interviews were used to name the corresponding sub-chapter.

Producing the report: The data gathered from the interviews was compared to the secondary data, whilst accounting for how different agents prioritise and define issues¹³, in order answer the problem statement.

3. Implementing digital governance

In this chapter describes the main landmarks of digital archiving in Iceland, so far. Starting with the work of the committee on public data management in 1997, before moving on to the first trial projects undertaken by the National Archives of Iceland and a brief recount of the surveys conducted by the National Archives in 2012 and 2016 respectively. Finally, the issue of municipal archiving will be covered separately, as the municipal archives are faced with fundamentally different problems than the National Archives.

3.1 First steps

Historically speaking, digital archiving is a relatively recent problem. It wasn't until the nineties that digitally born content became ubiquitous enough to be given any real thought by the authorities. While digitally born content had existed as a part of Icelandic governance for years, it had just been treated the same as analogue records, with no

¹³ I.e. municipal archivists, municipal records managers and state records managers all have different, unique experiences and issues resulting in a different perspective.

real thought given to the special qualities of digital content or more commonly, disregarded altogether. Eventually though, it became apparent that digital records would soon outnumber and eventually completely eclipse analogue records. In 1997, in anticipation of this, the Ministry of education formed a committee to make suggestions about forming a cohesive preservation policy regarding digital records created by the government on both a national and municipal level. The work of the committee included sending questionnaires to thirty-five different government institutions, inquiring about the preservation of data, the amount of preserved data, external storage media, access etc. What they found out, was that there was no apparent standardisation or conformity within government record makers. Files were stored in different formats, from institution to institution. Storage media ranged from magnetic tapes, to CDs and floppy disks and while most of the government's largest information systems, which were managed by the privately-owned information technology company Skýrr,¹⁴ could be accounted for. Smaller systems operated entirely within institutions, for instance financial and salary systems, had no overview of their contents. Overall, the level of participation was deemed too low to draw any concrete conclusions, with only a 67% response rate. However, the responses they got seemed to indicate that the majority of digital records within the public sector also had physical copies and that metadata was generally not preserved. Nor were there typically any retention schedules for digital records. Lastly, the committee found out that the most common answer to access questions, was that the public was not granted access to records, despite what was stated in the recent FOI laws (P. Ásgeirsson et al., 1998).

The committee also researched how other countries had tackled the problem of digital preservation, with a special focus on the status of digital archiving in the US, the UK and the Nordic countries. Incidentally, Denmark had recently passed a law allowing institutions to hand over data exclusively in digital form, effectively giving digital records the same administrative status as analogue records. This coincided with a massive campaign to boost digital archiving in Denmark, including founding what was, at the time, the largest digital archive unit in the Nordic area. Seeing as Icelandic archival

¹⁴ Skýrr was originally a publicly owned company, but was privatised in 1995.

tradition is largely based on Danish traditions, it seemed only natural to follow suit with the Danes when it came to digital archiving as well. Thus, an official visit to the Danish state archives was planned, which wound up influencing later policy recommendations to a very large extent. In fact, the committee was so impressed by what they saw during the visit that they decided to model the National Archives' digital preservation methods as closely after the Danish methods as possible. The committee also requested technical standards, regulations and instructional materials that they could translate into Icelandic (P. Ásgeirsson et al., 1998).

In the years immediately following the committee's research, a cohesive digital archiving policy was formed and changes were made to the Icelandic archive laws to include digital records. The policy centred around three rulesets based on recommendations from *Statens Arkiver* (P. Ásgeirsson et al., 1998). These were:

- 1) Rules regarding the duty to notify the National Archives of any databases and electronic records created by entities subject to obligation of transfer. First published 2010.
- 2) Rules obliging state authorities to notify the National Archives of their digital record systems before they are implemented. First published 2010.
- 3) Rules regarding archive versions of data from databases and systems belonging to entities subject to obligation of transfer. First published 2014.

3.2 Trial projects and the start of digital transfers

A substantial part of the policymaking process revolved around two trial projects, launched in 2007 and 2009 respectively. The former project was concerned with selecting and transferring a single database from the office of internal revenue to the National Archives, for long-term preservation, using methods adapted by *Statens Arkiver*. There were a few bumps on the road, that the trial project team encountered. Chiefly, the fact that the database that they had selected, VSK2000, turned out to be a non-relational database, while the preservation methods were designed with relational databases in mind. This meant that the team had to deviate slightly from the original

preservation plan. However, in the end the project turned out to be a rousing success, while staying well below projected costs. The team was successful in migrating the data and in ensuring that the database was both searchable and accessible. Thus, VSK2000 became the very first database to be preserved in the National Archives of Iceland. The project had the added benefit of alerting the National Archives of the importance of designing and building databases in accordance with their own transfer regulations. This, they believed, would allow entities subject to obligation of transfer to transfer databases to the National Archives without encountering too many problems (Þjóðskjalasafn Íslands & Ríkisskattstjóri, 2007).

The second trial project concerned transferring data from an EDRMS operated by entities subject to obligation of transfer to the National Archives. The institution chosen for this project was the Ministry of Education. Transferring an entire EDRMS proved to be a more daunting task than simply migrating a single database. Not only did the project turn out to be far more costly and time consuming than, the earlier project involving migrating the VSK2000 database. There were also unforeseen complications involving the migration process. At the start of the project, not much was known about the contents of the EDRMS. During the migration process it became apparent that files were being stored in a variety of different formats, some of which proved to be unsupported by the Javascript used to migrate the files. This caused the script to abruptly stop running whenever it encountered unsupported filetypes. This meant that the migration process had to be supervised manually and that support for additional file types had to be added in on the fly. Additionally, some of the older records were completely unreadable in their original format which prevented them from being migrated to .TIFF format. As a result, the original scope of the project was deemed too extensive.¹⁵ Even though the project both exceeded its initial budget and timeframe, while not meeting its initial scope, the project was nonetheless successful, in that it showcased how an EDRMS could be migrated to an archive version and transferred to the National Archives. It also provided some valuable information for future endeavours.

¹⁵ The earliest conversion tests attempted to migrate more than 90.000 records simultaneously. The final result included just 823 records.

Namely, the inherent value of migrating files to an archive format as soon as they are created, rather than doing so retroactively (*Tilraunaverkefni Þjóðskjalasafns Íslands og menntamálaráðuneytisins um skil á rafrænu skjalavörslukerfi til langtíma vörslu í Þjóðskjalasafni*, 2009).

In 2008, parliament changed the public archive laws to allow the National Archives to accept data transfers as well as paper records (Þjóðskjalasafn Íslands, 2013). The first data transfer, outside the trial projects, was completed in 2010, shortly after the ruleset regarding the transfer of digital holdings was first published. But this only meant that the National Archives were prepared to receive data transfers. Less was ultimately known about the capability of entities subject to obligatory transfer, to follow the rules set forth by the National Archives.

3.4. Performance survey 2012

Thus, the National Archives elected to send out a survey to over two hundred institutions, in order to gauge the effectiveness and over-all capability of their record management process, both digital and analogue, as well as to properly measure what changes, if any had happened in the Icelandic public recordkeeping scene since 2004.

The survey had five distinct goals (Þjóðskjalasafn Íslands, 2013).

1. To inquire on the general state of recordkeeping within the public sector
2. To assess the amount of paper records still being retained within institutions
3. To assess the scope and amount of digital systems within institutions
4. To provide a summary of how recordkeeping within individual institutions is practised.
5. To provide information on how well the rules and circulations, made by the National Archives, were getting across to institutions.

The feedback they got was negative to say the least. Overall, there seemed to be a great deal of misconceptions regarding basic recordkeeping terms and a lot of confusion as to what institutions thought they had authorisation to do and what they

actually had been authorised to do. Some Institutions thought they had the authority to destroy records, when no authorisation had been given, others were using file plans that they thought had been approved by the National Archives, but hadn't. A great number of institutions were using storage cabinets for paper records that they thought had been ratified by the National Archives, but hadn't. Overall, the answers pointed toward a massive lack of knowledge of basic recordkeeping and archival concepts. Of all the institutions to partake in the survey, only 42% employed a staff member solely dedicated to records management. These institutions tended to score a lot higher than those that had no staff dedicated to recordkeeping (Þjóðskjalasafn Íslands, 2013).

Not only did the survey make it painfully clear that basic recordkeeping fundamentals were being completely disregarded, it also exposed the fact that a large number of institutions weren't systematically organising their records and case-files using file plans. Only 60% of the institutions that took part in the survey reported using file plans to organise their records. On top of that, 18 institutions that reported working with a file plan authorised by the National Archives, had never received any authorisation (Þjóðskjalasafn Íslands, 2013 pg. 9-10).

66% of institutions that took part in the survey claimed to use EDRMS, databases or both as part of their recordkeeping practices. 29 institutions claimed to have reported these systems to the National Archives. In reality, only 5 institutions had reported the use of systems and only 3 had been granted approval by the National Archives (Þjóðskjalasafn Íslands, 2013 pg.10).

Only 55% of institutions recognised that they used any sort of database at all. That number was deemed to be suspiciously low, considering that most government institutions at the time used a shared human resources database called *Orri*. The general assumption being that the survey takers might not necessarily realised what constituted a database. Of all the databases that were mentioned in the survey, only a handful had been reported to the National Archives (Þjóðskjalasafn Íslands, 2013 pg. 10).

According to the survey, 58% of institutions preserved their records on paper, while 42% answered that records were only available electronically. According to the Public Archive Act, institutions are obliged to preserve their records in analogue form unless they have an EDRMS authorised by the National Archives. Normally, this would not be a cause for great concern, however considering the other answers in the survey, it became apparent that the majority of the data that was solely being preserved electronically, had not been reported to the National Archives, at all. Furthermore, a large amount of digital public records were not being stored systematically in any database or EDRMS, but on personal and shared drives. Another vital part that was, for the most part, missing, was retention schedules. At the time of the survey only one retention schedule had been submitted to the National Archives, while thirteen institutions erroneously claimed to have submitted retention schedules (Þjóðskjalasafn Íslands, 2013).

Perhaps the most distressing news learned from the survey was the amount of unlicensed destruction of records. 32% of surveyed institutions admitted to destroying records. Of those, only 47%(26 institutions) claimed to have authorisation to do so. However, only 16 of those institutions had actually sent a request for authorisation, while the rest were quite simply, illegally destroying records without realising it (Þjóðskjalasafn Íslands, 2013 pg. 11-12).

On the paper front, it turned out that a vast majority of institutions had retained paper records far beyond the 30 year period specified in the Public Archives Act.

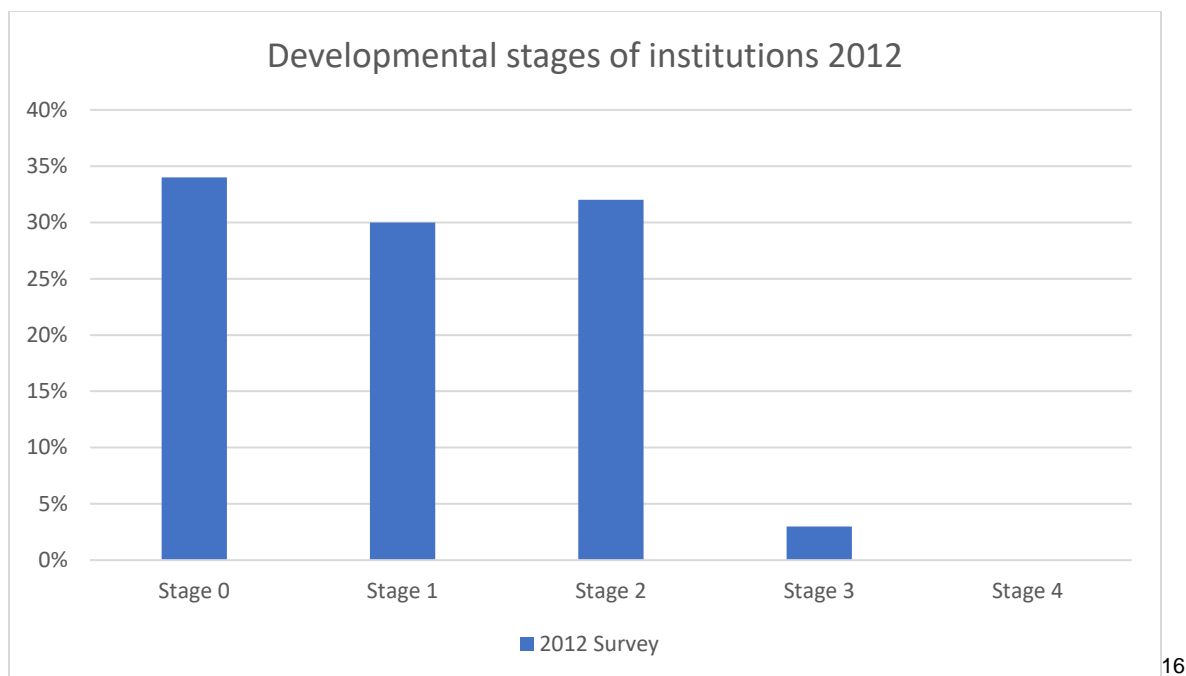
As a direct consequence of the lacklustre results from the survey, the National Archives decided to engage in some direct actions intended to remedy the situation.(Þjóðskjalasafn Íslands, 2013) These included:

Courses – The National Archives had been holding regular courses on recordkeeping for entities subject to obligatory transfer. In light of the survey results, the National Archives resolved to reassess the emphasis and content in these courses.

Monitoring and advising – To ensure that records created by entities subject to obligation of transfer are preserved and accessible, it is necessary for the National Archives to act as an advisory entity for entities subject to obligation of transfer and to monitor that their recordkeeping meets legal standards. It was apparent from the survey results that, this was not being accomplished.

Collaboration with record creators – In order to remedy this, the National Archives planned to create several task forces in collaboration with record creators who have similar roles and functions, e.g. schools, health care institutions and heads of local government.

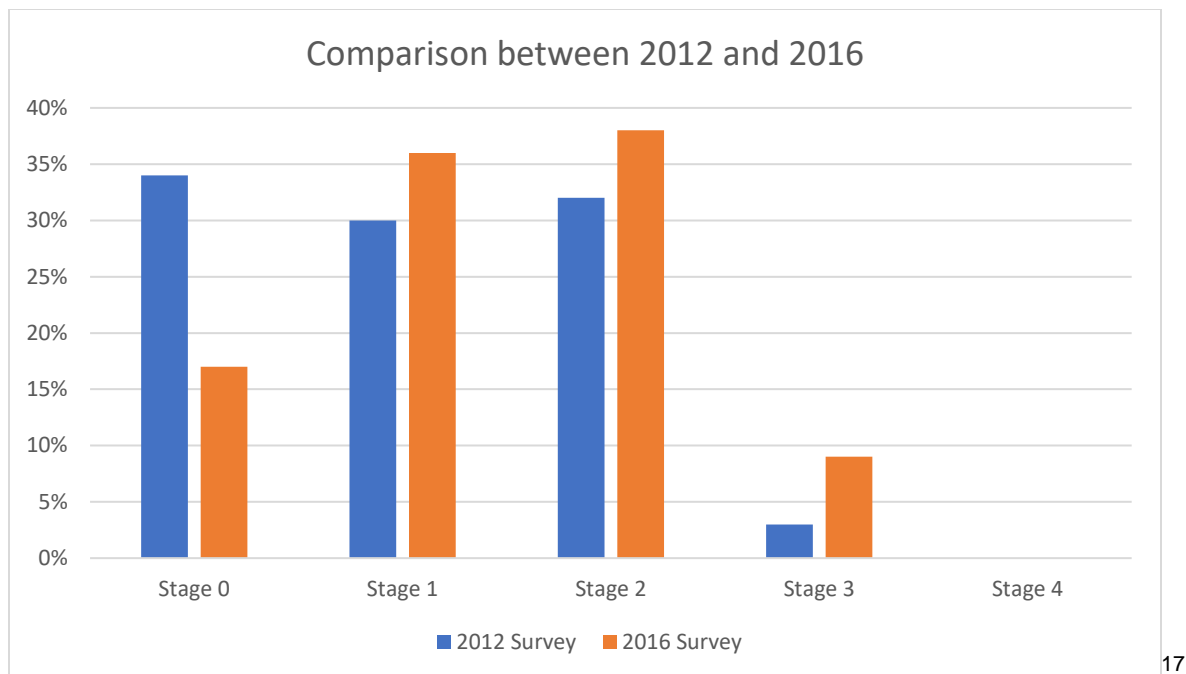
The paper problem – The survey showed that a massive amount (over 2500 linear metres) of records older than 30 years were currently being stored in institutions. Not only that, but in the next thirty years, the National Archives could expect to receive around 50 linear kilometres of records. This meant that the National Archives would have to devote considerable funds toward expanding its storage space and towards hiring new personnel.



3.3. Performance survey 2016

The 2012 survey was followed up on in 2016, where the same questions were posed and again, institutions were ranked on the merits of their archival development. The findings of the 2016 survey showed noticeable improvement across the board, most notably in the drop of stage 0 institutions. But alas the situation was still far from optimal. 17% of institutions were still ranked at stage 0, while stage 1 rose from 30% to 36%, stage 2 rose from 32% to 38%, stage 3 from 3% to 9%, while no institution managed to break into stage 4 (Jóhannsson & Sigurðsson, 2017).

¹⁶ Graph made by me, based on data from the National Archive's 2012 survey.



According to the writers of the performance report, ideally, no institution should be below stage 2. While the survey showed that things were moving in the right direction, it was happening at a rather slow rate. The 2016 survey also identified six key issues that needed to be addressed (Jóhannsson & Sigurðsson, 2017).

1. It is necessary that institutions employ a records manager. Only roughly half of surveyed institutions reported employing designated staff for records management (Jóhannsson & Sigurðsson, 2017 pg. 14).
2. Institutions must be incentivized to invest in EDRMSs. In 2016, 33% of institutions had no electronic recordkeeping systems. The survey writers believed that without a proper EDRMS it would prove difficult for institutions to fulfil their legal obligation to register cases. Additionally, the survey found out that 26% of institutions did not register any information concerning cases in their care, meaning that there could be a correlation between the lack of EDRMSs and improper registration (Jóhannsson & Sigurðsson, 2017 pg. 14).
3. Institutions must be enabled to transfer digital data for permanent preservation. A dedicated campaign is needed to ensure that electronic systems are reported to

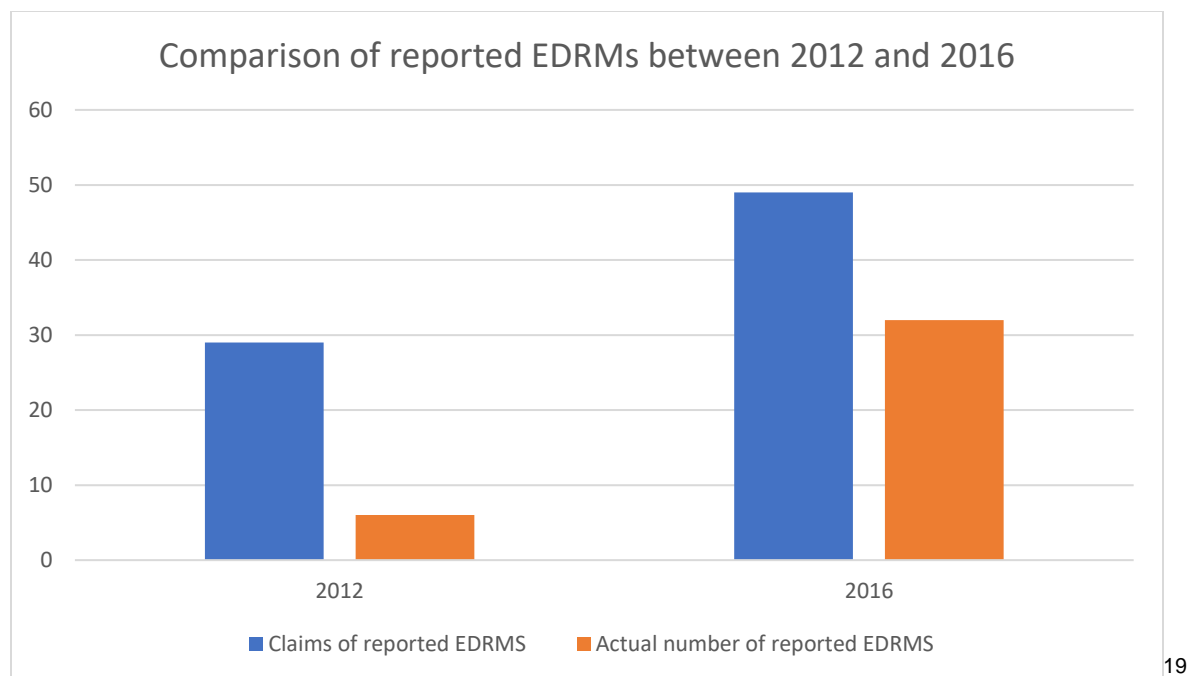
¹⁷ Graph made by me, based on data from the National Archives' 2012 and 2016 survey reports.

the National Archives. It is equally important that authorities grant institutions the necessary finances to prioritise record transfers. It is also vital that institutions prioritise transferring obsolete and antiquated systems before permanent data loss occurs (Jóhannsson & Sigurðsson, 2017 pg. 14).

4. There is a dire need for improvement within a certain section of the public sector. The survey showed that certain groups tended to perform more poorly, from a record keeping standpoint, than others. On average, health care institutions and secondary schools¹⁸ tend to lag behind other institutions and there is thus a dire need for a dedicated campaign to improve them specifically (Jóhannsson & Sigurðsson, 2017 pg. 14).
5. Records older than 30 years must be transferred to the National Archives. At the time of the 2016 survey, roughly 4000 meters of documents, older than 30 years, were still in the possession of entities subject to obligation of transfer (Jóhannsson & Sigurðsson, 2017 pg. 14).
6. Entities subject to obligation of transfer have to be mindful of record storage facilities. Not much had changed since 2012, regarding storage facilities. Very few entities subject to obligatory record transfer had obtained an approval from the National Archives regarding their storage facilities (Jóhannsson & Sigurðsson, 2017 pg. 14).

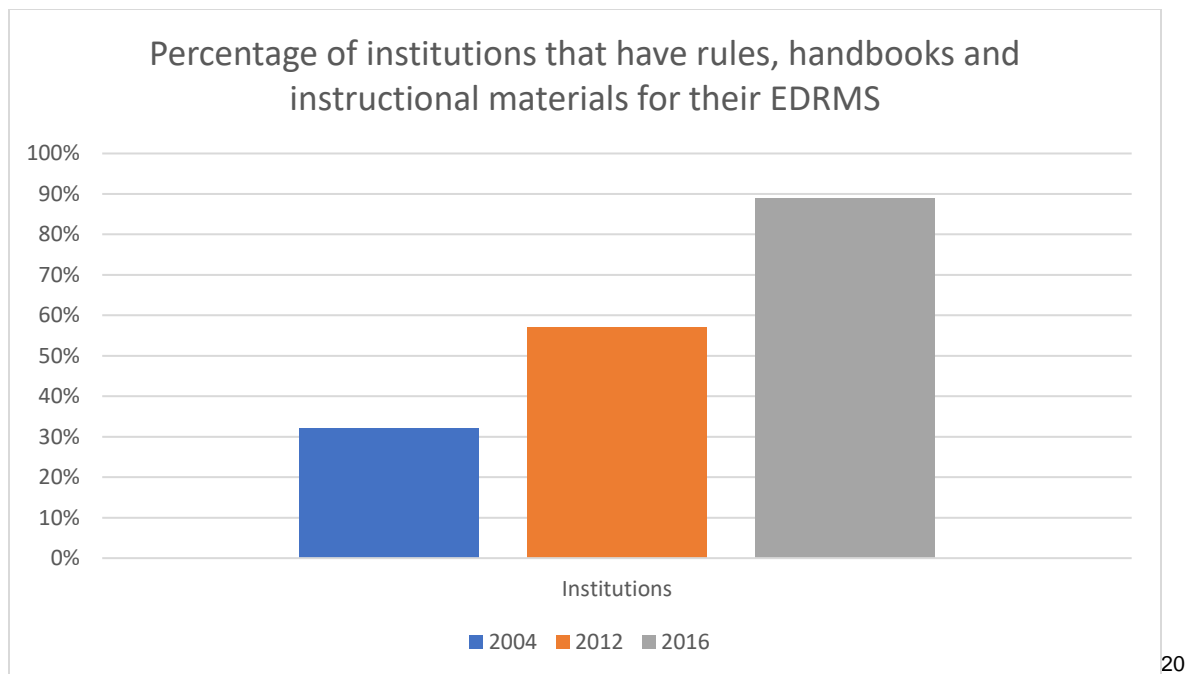
The chapter concerned with digital recordkeeping also provided some unique insights into the state of digital recordkeeping in the Icelandic public sector. On the positive side, institutions within the public sector were generally using modern EDRMSs, for the most part no more than a decade old. Another big positive, was that more institutions were using EDRMSs at all and more were reporting their systems to the National Archives for approval. There also seemed to be a greater sense of understanding pertaining to the meaning of the questions asked, compared to the 2012 survey. E.g. in 2012 79% of institutions claiming to have reported an EDRMS to the National Archives, had done no such thing. In 2016 that number had dropped to 35% (Jóhannsson & Sigurðsson, 2017).

¹⁸ Specifically, *Menntaskóli*. The highest level of learning in the Icelandic education system outside universities. Comparable to the Danish *Gymnasium*, or the American *high school*.



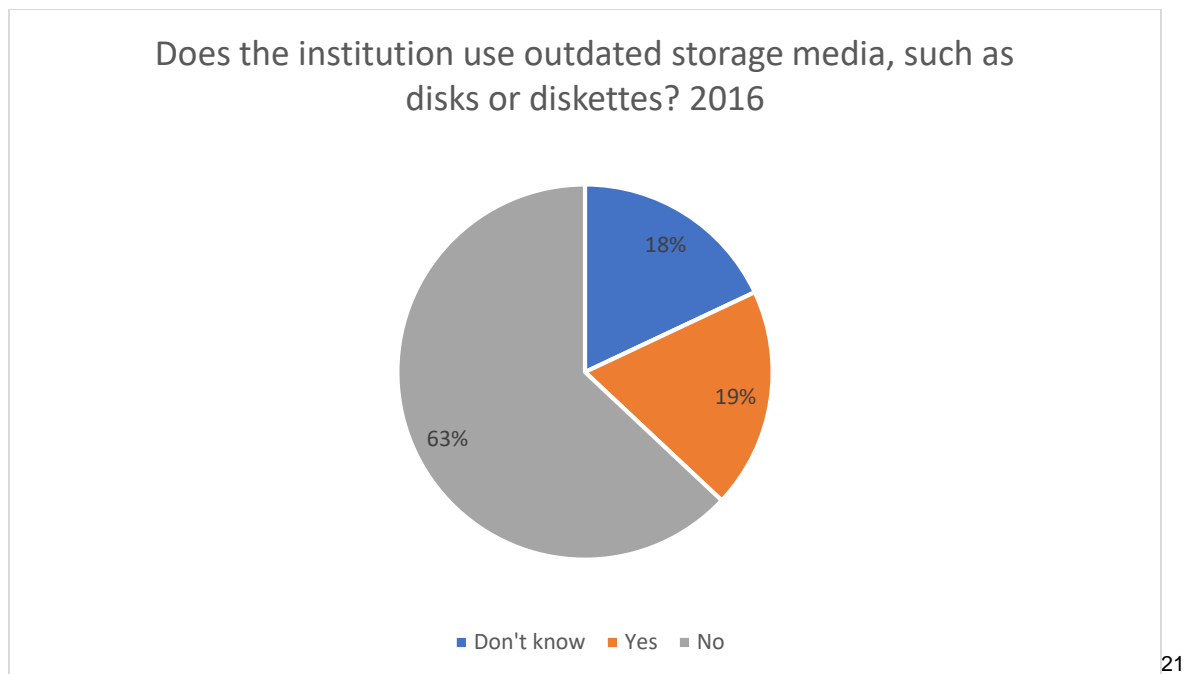
There was also a substantial increase in the availability of rules, handbooks and instructional materials regarding the use of an institution's EDRMS. This is a crucial part of getting approval for an EDRMS, as it ensures that all employees are using the system in a uniform fashion (Jóhannsson & Sigurðsson, 2017).

¹⁹ Graph made by me, based on data from the National Archives' 2012 and 2016 survey reports



The use of outdated storage media seems to be on the vane, especially compared to 2012 when the majority of institutions surveyed admitted to storing data on various outdated mediums (Jóhannsson & Sigurðsson, 2017).

²⁰ Graph made by me based on data from the National Archive's survey reports.



According to the writers of the report, there still seemed to be some confusion regarding certain topics. For instance, when asked whether the institution's EDRMS had been reported to the National Archives, 20% could not provide any answer and as has been previously mentioned, a substantial amount of those who thought that they were working with an approved EDRMS were incorrect in their assumption. Of those institutions without an approved EDRMS, more than half were not printing out documents for preservation. Also according to the report, 59% of the 49 institutions that claimed to have an approved EDRMS had no plans to transfer an archive version to the National Archives in the next two years (Jóhannsson & Sigurðsson, 2017).

While there definitely have been some slow and steady improvements in the time-period since 2004, when the National Archives started actively monitoring institutional recordkeeping, according to the report, there is still a long way to go. The survey report identified several factors for necessary for improvement, but the most pressing concern from a digital preservation perspective is to make sure that (Jóhannsson & Sigurðsson, 2017):

²¹ Graph made by me based on the National Archives' survey reports.

- a. Institutions adopt digital record keeping using an EDRMS
- b. All systems are reported and approved by the National Archives
- c. Archive versions are created and transferred to the National Archives on a regular basis.

3.5. The case of municipalities and municipal archiving

When this is being written, no municipal archive in Iceland is equipped to accept data transfers. In 2017 the mayor of Reykjavík formed a task force, composed of members from the city's records office, the city's IT team, the department of schools and recreation and the Municipal Archives of Reykjavík, to implement digital archiving and secure the long-term preservation of the municipality's digital records. The task forces objectives involved (Eggertson, 2017):

- Making a list of every system, both operational and defunct.
- Writing a proposal for the preparation of data transfers to the Reykjavík Municipal Archives. Including, necessary changes to the archive's housing facilities.
- Evaluating the need for further housing, for archival storage.
- Choosing both hard-ware and software for the retention of data for long term preservation.
- Educating the municipality's departments and offices about the long-term preservation of data and the requirements of new systems.
- Implementing a protocol to monitor the quality of new information systems, so that they fulfil regulations on digital archiving.
- Writing the job description for a specialist in digital archiving.

The task force is still working on these assignments and is yet to deliver their report.

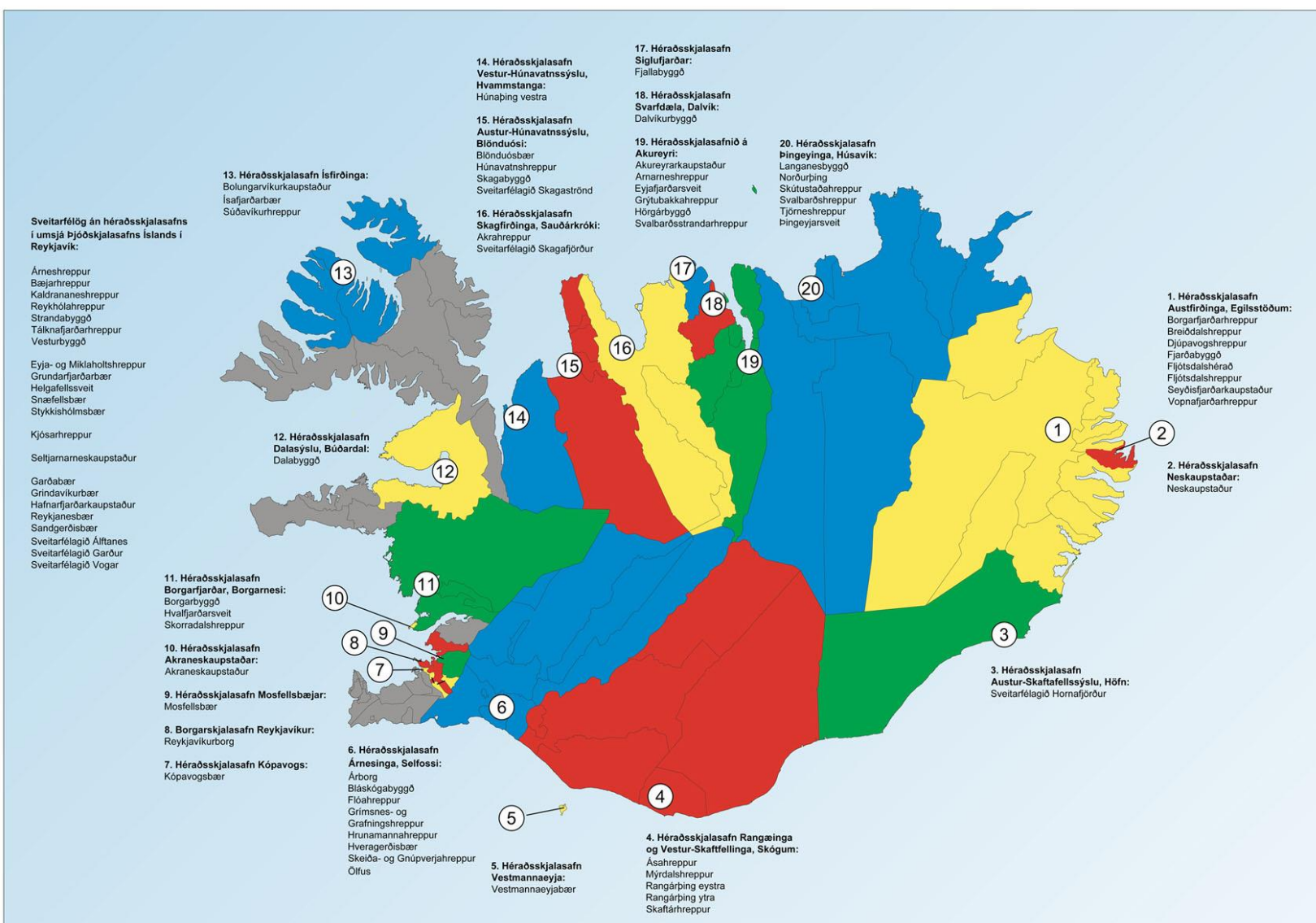
Outside the capitol area, there currently exist no plans concerning the implementation of a transfer model. Generally, this can be attributed to the fact that most of the municipal archives service a relatively small populace/region, so constructing and maintaining a datacentre could never be cost effective. In larger municipalities such as Reykjavík and

Akureyri, there could feasibly be grounds for establishing a digital archive, but smaller regional archives, such as those found in Fjallabyggð and Dalvík quite simply don't have the infrastructure to justify it (Interview 2: 00:05:00-00:05:22) (Interview 3: 00:21:07-00:12:13).

The complete lack of digital archiving, does not mean that the municipal archives in Iceland don't have a digital presence. Many of the larger municipal archives have dedicated websites, where they list opening hours and events. Some of them even host scanned copies of records, such as Héraðsskjalasafn Austfirðinga's extensive photography gallery or the Reykjavík Municipal Archive's scanned versions of their oldest archives. There is also a constant ongoing effort to make file plans and lists over archival holdings readily available online.²²

There is also the issue of the nature of the municipal structure in Iceland. Iceland's municipalities and regions are in no way static entities. Throughout Iceland's history, populations in municipalities have fluctuated wildly and as a result, smaller municipalities are regularly merged, while larger ones are split up. This, coupled with the fact that many regional archives service multiple municipalities, means that a regional archive will likely contain records from a vast number of different units of government. For example, since its founding year in 1958 *Héraðsskjalasafn Þingeyinga* has acquisitioned records from 23 different municipal units. The fluctuating nature of the Icelandic municipal setup directly impacts regional archives in the form of funding. Rather than having to convince a single regional authority of the necessity of digital preservation, a regional archive must convince a multitude of different entities of their case. Then the municipalities have to agree to co-fund the project, knowing full-well that there is no guarantee that the municipal lines won't be redrawn in the near future.

²² The Reykjavík Municipal archives' scanned records: http://www.borgarskjalasafn.is/desktopdefault.aspx/tabid-3920/6630_view-5847/
list of file plan accessible from the website of the regional archives in Akureyri: <https://www.herak.is/page/skjalaskrar>
Héraðsskjalasafn Austfirðinga's online photography archive: <https://myndir.heraust.is/fotoweb/>



A map of Iceland, displaying the jurisdictions of municipal archives. The areas coloured grey are not serviced by a regional archive. Courtesy of the website of the Association of Regional Archivists. http://heradsskjalasafn.is/?page_id=10

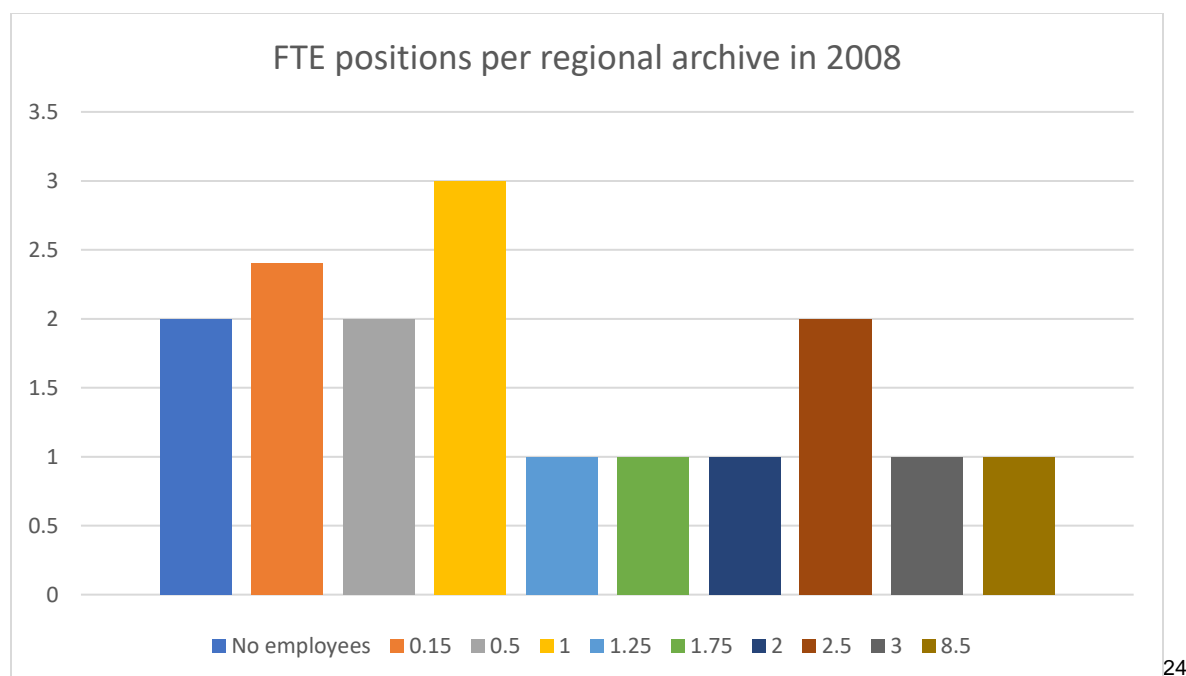
The Reykjavík Municipal Archives are also the only municipal archive to conduct and publish reports on recordkeeping within their jurisdiction, comparable to the ones conducted by the National Archives.²³ The latest report, published in 2013, mirrored the results of the corresponding national performance report, covered in chapter 3.4.

²³ Note that several municipal archives release yearly reports including financial plans, archive acquisitions and their efforts to monitor recordkeeping, but not on the scale of Reykjavík’s municipal archive.

According to the survey, the majority of entities subject to an obligation of transfer to the Reykjavík Municipal Archives were not conducting satisfactory recordkeeping. Only 22.9% of the entities surveyed reported organising their records using a file plan and the same number reported having approved retention schedules. Another factor deemed a major concern in the report, was that over 80% of the surveyed entities reported not preserving all incoming messages and inquires (G. J. Kristjánsson & Bogadóttir, 2014).

In 2008 the National Archives conducted a separate survey to gauge the efficacy and working conditions of the municipal archives. The survey revealed that eleven of the twenty regional archives operating in Iceland operated independently. I.e. had their own separate finances and were not operated in conjunction with another institution. The rest operated as a part of museums and libraries (Ó. Ásgeirsson, 2008).

Five archives had two or more employees, although that number drops down to two when accounting only for full-time employees. Two archives had no employees at all. The report stated that these numbers had not changed since 2004 (Ó. Ásgeirsson, 2008).



The report stated that understaffing was a cause for concern, as it would be difficult for an archive to perform its legal role as a monitoring and advisory agency, while simultaneously providing access and performing registration without adequate staffing (Ó. Ásgeirsson, 2008).

4. Identifying the problem

In this chapter there will be an analysis of the issues facing Icelandic record creators and archivists on both a municipal and state level based on the data gathered from interviews and secondary sources. The issues are divided into three subchapters: Culture, Administration and technical competencies. The Culture subchapter discusses the discourse surrounding archives and recordkeeping and the attitudes of both civil servants and institutional leadership towards archiving and recordkeeping. The Administration subchapter focuses on the impact that legislation has on archival practice and explores the relationship between the National Archives, regional archives and records managers of entities subject to an obligation of transfer. The technical

²⁴ Original graph made with data from the National Archives' regional archive evaluation report 2008.

competencies subchapter explores the roles of fundamental archival knowledge, trained staff and the necessary, technical infrastructure for digital archiving.

4.1 Culture

This chapter is divided into two subchapters. The first one concerns the general discourse surrounding archives and recordkeeping in Iceland, with special attention paid to the effects of language on the perception of archives. The second concerns the attitudes of Icelandic staff and institution leaders toward archiving and records management.

4.1.1. Archive or museum? The effects of language on the perception of archives in Iceland

Before heading deeper into the subject of archival and record keeping culture on an institutional basis, I'd like to preface that with an explanation on just how culturally ingrained certain aspects of the record keeping profession are on a linguistic level. The Icelandic word for archive is *Skjalasafn*, a compound word of *skjal*, the Icelandic word for record and *safn*, the word for collection or a museum. Interestingly, the word *safn* is used as a suffix for a host of different institutions. A library, for example, is called *bókasafn*, an art museum is called *listasafn* and a historic museum is called *minjasafn*. The reason why I bring up the etymology of the Icelandic word for archive is not just for semantics sake. It also directly impacts how an institution is viewed both by the populace and by the administration itself. For instance, the National Archives routinely participate in collaborations with other cultural institutions on the basis of the *-safn* moniker. One such event is *Safnanótt*, which roughly translates to museum night, is held every year as a part of the Reykjavík winter lights festival. On it museums, art galleries and libraries stay open until one hour before midnight, with free admittance and sometimes put on a special exhibition. The National Archives have been a participant since 2010 and has in that time put on numerous exhibitions and events (Þjóðskjalasafn Íslands, n.d.-a).

Participating in cultural events is just one aspect of the National Archives' role as an institution of heritage and culture. Indeed, on their own website the Archives are

described as the largest collection of primary sources concerning the history of the Icelandic nation and the development of settlements and culture in the country.(Þjóðskjalasafn Íslands, n.d.-b) This reflects the fact that the original function of the National Archives was to preserve cultural heritage. The National Archives was also a focal point for one of the most important milestones in the history of Icelandic self-governance and later independence from Denmark, namely the transfer of most records concerning Icelandic history from Danish authorities to the National Archives of Iceland. Indeed, almost every single archive in Iceland, be it municipal or national, can trace its origins to some attempt to preserve Icelandic history and heritage. In the case of the Reykjavík municipal archives, for instance, they were originally founded in 1954 as *Skjala- og minjasafn Reykjavíkur*²⁵, functioning as a sort of museum/archive hybrid. It wasn't until 1967 that the archive started existing as a separate entity. In Akureyri, the municipal Archive shares its housing with the municipal library and regularly hosts archive exhibitions in a shared space. Several smaller, regional archives still operate as a part of a local library or museum.

While the National Archives still embraces its role as a cultural heritage institution, its primary function has changed considerably over the years. Not only does it preserve historical documents, but also records that can be considered active in the sense that they can still hold value for individuals and groups. While the records kept in the National Archives can no longer be considered a part of the active administration, they can still have legal value, e.g. in the case of land disputes.

This means that the National Archives' primary role is to secure the rights of the populace and holding government accountable to the governed by preserving important records, whether their value is administrative, legal or historical.

²⁵ Meaning the Archive- and Museum of Reykjavík.

4.1.2. Why do we have to keep this? The attitudes of government employees and institution leaders toward archiving.

This is probably the field that has been written about the most, both in Iceland and abroad²⁶. One thing that most interviewees agreed on was that archiving and records management is severely underfunded on an institutional, municipal and state level²⁷ (Interview 3, Elín Dögg Guðjónsdóttir: 00:14:21-00:14:34). This observation is also backed up by the surveys conducted by the National Archives and the Reykjavík Municipal Archives. The reason why archiving and records management is not receiving proper funding, is ultimately down to the fact that the people in charge of financing these projects are ultimately restricted to a fixed budget and have to prioritise. Even though several interviewees expressed the belief that their concerns were being taken seriously and that higher-ups within their respective institutions and municipalities were generally open to archival improvements, there were always other projects that ultimately were deemed to be more pressing or worthy of financing.

Akureyri's regional archivist Aðalbjörg Sigmarsdóttir gave an example concerning an outreach event she hosted recently.

The department above this archive is *Akureyrarstofa*. I held a presentation for them last spring and everyone was very positive. Then, once I sent in my yearly request for additional employees, which *Akureyrarstofa* actually remained supportive of... so the outreach was actually getting through, but the request

²⁶ For examples of Icelandic research, see for instance: Gunnlaugsdóttir, Jóhanna. "Svo Uppsker Sem Sáir. Innleiðing Og Notkun Rafrænna Skjalastjórnarkerfa." *Stjórnmal Og Stjórnarsýsla. Vef tímarit*, vol. 2, no. 7, 2007, pp. 179–209 and Gunnlaugsdóttir, J. (2006). *The implementation and use of ERMS: A study in Icelandic organizations* (Doctoral dissertation, Tampereen yliopisto, 2006). Tampere: Tampere University press.

For international examples, see for instance: Nguyen, L. T., Swatman, P., Fraunholz, B., & Salzman, S. (2009, January). EDRMS implementation in the Australian public sector. In *ACIS 2009: Evolving Boundaries and New Frontiers: Defining the IS Discipline: Proceedings of the 20th Australasian Conference on Information Systems* (pp. 915-928). ACIS.

See also: Penha-Lopes, J. (2016). EDRM implementation: A surprisingly bumpy road. *IQ: The RIM Quarterly*, 32(1), 42.

See also: Carnie, A. (2015). An investigation into the barriers and issues experienced by trainers when establishing and undertaking information management training programmes.

²⁷ While some interviewees did not say it outloud, they made statements based on that fundamental presupposition.

eventually stopped once it came to the town council (Interview 2, Aðalbjörg Sigmarsdóttir: 00:14:00-00:14:32).

Akureyri Hospital's Ingveldur Tryggvadóttir also stated that the main reason why the institution's recordkeeping was relatively non-existent, was because recordkeeping was seen as a low priority function.

It's always been known that this [records management] is something that needs to be addressed. It's necessary and they [management] realise this and know that it needs to be fixed. But because it costs money, it's been one of those projects that has, unfortunately, been pushed to the side when prioritising. But, it is rising on the list of priorities (Interview 1, Ingveldur Tryggvadóttir: 00:24:39-00:25:13).

4.2. Administration

When probed about their relationship with the National Archives of Iceland, the responses of the records managers interviewed were generally positive. Both records managers representing state institutions had nothing negative to say about their relations with representatives from the National Archives. Alma Sigurðardóttir, the records manager of the directorate of fisheries praised the level of assistance she had received from the National Archives and wondered whether records managers were perhaps not aware of the degree of help that the National Archives could provide. Akureyri Hospital's records manager, Ingveldur Tryggvadóttir, admitted that since the institution's recordkeeping was still in its infancy there hadn't really been enough communication with the National Archives to properly gauge their performance. She did conclude, however, that what little contact there had been, was generally very positive and that in her experience, the National Archives were very accommodating to special circumstances (Interview 1, Ingveldur Tryggvadóttir: 00:18:10-00:19:15) .

This positive image of the National Archives' role in the record keeping process was somewhat subverted when interviewing parties on the municipal side of the administration. Akureyri's town hall archivist, Elín Dögg Guðjónsdóttir, felt that the

administrative structure of municipal archiving was needlessly complex, especially concerning record destruction. In order to legally destroy records, a municipal entity subject to obligation of transfer must submit a formal request for records destruction. This request is first sent to the municipal/regional archivist for approval. However, the municipal archive does not have the authority to approve destruction requests (interview 3, Elín Dögg Guðjónsdóttir: 00:07:11-00:07:34). So, the request is ultimately sent to the National Archives with comments from the municipal archivist, where it is processed by a committee called *Grisjunarráð*²⁸. There are however, some record groups that are exempt from these rules and can be destroyed without submitting a formal application.²⁹ In these cases, the destruction must be documented and the document must be signed by the head of the recordkeeping entity. The signed document then becomes a part of the record creators archive and is ultimately preserved indefinitely at the appropriate regional archive or the National Archives in cases where no regional archive exists (Ó. Ásgeirsson, 2010).

Svanhildur Bogadóttir, Reykjavík's city archivist, defended the practice of keeping appraisal decisions separate from other functions and outside the jurisdiction of the regional archives on the basis of safeguarding against corruption.

It can be seen a positive, to have a central authority in charge of records destruction. So long as regional archivists are not operating autonomously, i.e. operating as subordinates of the town council, there can be a certain pressure to accept requests for records destruction. (Interview 6, Svanhildur Bogadóttir: 00:19:04-00:19:26)

When asked about the level of cooperation between her and the National Archives regarding appraisal policy and records destruction, Elín Dögg replied: "At the National Archives, there is no willingness to listen to public records managers regarding

²⁸ *Grisjunarráð* is also responsible for reviewing any and all records destruction requests from state institutions subject to obligation of transfer. It's members, at the time of writing are The National Archivist, Head of Records and acquisitions and the City Archivist of Reykjavík.

²⁹ Such as bookkeeping metadata, published material from other record creators and copies of certain records preserved in other archives.

appraisal policy or the framework surrounding appraisal. But that is perhaps a part of a different, larger debate” (Interview 3, Elín Dögg Guðjónsdóttir: 00:07:38-00:07:52).

When prompted further she revealed that:

The records destruction requests are a whole chapter unto themselves. The National Archives have a list of a few record groups for record destruction; Bookkeeping metadata, changes of address...that sort of thing. And they're not willing to reconsider these based on recommendations from the municipalities. I, Of course, represent the only municipality that is currently submitting requests for records destruction, so my views on the subject are maybe a bit one sided. They don't want to take into consideration, just the things I submit, but rather examine the larger context. They want *Lykill*, the association of municipal records managers, of which I am a member, to send them suggestions which they will take into consideration when they eventually re-evaluate their appraisal policy. I suppose, In some ways that's normal. On the other hand, that protocol is far too rigid, because what I'm submitting could be seen as a fair reflection of the needs of municipal recordkeepers (Interview 3: 00:08:57-00:09:48).

Apart from accepting and declining pleas for record destruction, the responsibility for municipal archiving rests squarely with the regional archivist. Everything from approving file plans and retention schedules to overseeing acquisition and transfer is done entirely within the confines of the municipality/region. It does seem a bit strange that a regional archivist has the authority to appraise records by approving file plans, while being effectively powerless when it comes to granting the permission to dispose of records (Interview 3, Elín Dögg Guðjónsdóttir: 00:08:34-00:10:10).

Regional Archivist Aðalbjörg Sigmarsdóttir, was also of the opinion that the regional archives were not granted the appropriate placement within the towns administrative structure:

Us regional archivists believe that we've been misplaced within the system, or rather the archives themselves. They shouldn't be a part of cultural committees

and departments, but rather directly reporting to the mayor. We are in a position where we report to *Akureyrarstofa*, while simultaneously having to approve their file plans and monitor their recordkeeping. In a sense, sitting on both ends of the table (Interview 2 Aðalbjörg Sigmarsdóttir: 00:15:06-00:15:47).

Elín Dögg believes that this is just one of many examples of how the legal framework for archiving in Iceland was custom fitted for stately institutions, while the concerns of municipalities were introduced as something of an afterthought. Another concern of hers, is how the National Archives understand the concept of record creator. A municipality is essentially an administrative melting pot. Departments and divisions have sub-divisions who in turn manage or oversee quasi-independent entities. Take for instance public schools in Akureyri. All public schools are funded by the municipality and Akureyri's department of education runs their staff and business affairs. Yet, public schools are treated as a separate record creating entity by the National Archives. From a practical standpoint this means that public schools cannot be included in the municipalities EDRMS and that its recordkeeping will be in the hands of the headmaster, rather than the municipalities records manager (Interview 3 Elín Dögg Guðjónsdóttir: 00:10:41-00:11:38).

Elín Dögg also stated that the main impediment to the permanent preservation of municipal records, was that municipalities were being forced by law to transfer their data to regional archives, which weren't capable of accepting data transfers (Interview 3, Elín Dögg Guðjónsdóttir: 00:21:35-00:21:45).

"We even tried, years ago when the digital archive initiative was just starting, to transfer a database to the National Archives. They rejected to even read over the application, because our jurisdiction was with the regional archives in Akureyri (Interview 3, Elín Dögg Guðjónsdóttir: 00:21:50-.00:22:07)."

Elín Dögg maintained that the most logical solution would be to shift the responsibility for digital archiving entirely onto the National Archives, which already have the necessary infrastructure to accept data transfers, while leaving the regional archives

with the paper records and local history (Interview 3, Elín Dögg Guðjónsdóttir: 00:23:33-00:24:04)

Halla María, Reykjavík's record manager disagreed with that statement and emphasised the importance of keeping the custody of records local, regardless of form (Interview 5, Halla María Árnadóttir: 00:22:22-00:22:49)

Svanhildur Bogadóttir, Reykjavík's city archivist, agreed in principle that where data was stored was essentially immaterial. However, she believes that the issue is more nuanced than just data storage and that there are a multitude of other factors that must be taken into consideration. According to her, the most difficult part is centred around monitoring the systems that are reported to the archive before the eventual transfer, followed by testing the archive versions and eventually making them accessible to the public (Interview 6, Svanhildur Bogadóttir: 00:14:37-00:14:58). But these are steps that, she believes, can eventually be outsourced:

In the future, there could be a possibility for the regional archives to outsource that work to a third party, like they do in Denmark. But, access to records would remain the responsibility of the archives. The reason why you cannot use the internet to provide access, is because many records contain confidential information, which are subject to access control. (Interview 6, Svanhildur Bogadóttir: 00:14:58-00:15:28)

She went on to state that while she could envisage the regional archives preserving and providing access to data, whilst outsourcing the rest of the archival process to third parties, it would be all but impossible for smaller regional archives with two or fewer employees to handle the workload (Interview 6, Svanhildur Bogadóttir: 00:16:30-00:16:31).

4.3. Technical competencies

Digital archiving within the model proposed by the National Archives is only feasible when certain basic recordkeeping principles are met. Before an entity subject to an

obligation of transfer can start transmitting data for permanent preservation there must be safeguards in place to ensure that data is not lost or corrupted. This essentially means that if the fundamentals of the traditional analogue recordkeeping practices of an institution are not satisfactory, then there is little to indicate that there will be any noticeable improvement once that institution makes the jump to digital recordkeeping.

A very common theme expressed throughout the interviews conducted for the purposes of this project, was the importance of trained professionals. When asked about her relationships with entities subject to obligation of transfer, regional archivist Aðalbjörg Sigmarsdóttir stated that there was a great variance between individual entities in terms of understanding and willingness to cooperate. The most substantial factor when communicating with entities subject to obligation of transfer was, in her opinion, whether that entity had a trained records manager in its employ or not.

The big difference is whether there is a records manager or no records manager. Where you have a records manager, take for instance Akureyri. I don't have any direct communications with record creators, only the records manager...and our communications have been very good. So, she has been tackling these problems. I, of course, have to approve her actions, file plans, retention schedules etc. Where there is no records manager you tend to keep your guard up and be a little surprised. You get questions like "do you want this?" or "what can I throw away?". They also seem oblivious to the fact that the general rule is to preserve everything (Interview 2, Aðalbjörg Sigmarsdóttir: 00:10:51-00:11:46).

"In general, people aren't informed enough and require help (Interview 2, Aðalbjörg Sigmarsdóttir: 00:12:09-00:12:18)."

"Many record creators might think that the solution lies in buying a new system, start using that and then everything will be fine. But the knowledge of archiving has to exist within the workplace. It's not enough to simply get some outsider to come in, set up a system and tidy up for a day, the knowledge has to be there

from the start, with the record creator (Interview 2, Aðalbjörg Sigmarsdóttir: 00:16:20-00:16:57).”

The general sentiment of the two records managers operating within the jurisdiction of the National Archives echoed Aðalbjörg’s words. Ingveldur Tryggvadóttir, the head of recordkeeping at Akureyri Hospital, stated that one of the hardest parts of preparing any sort of recordkeeping paradigm was making sure that the staff was on board with any changes that were made and emphasised the importance of making sure that employees were fully aware of the legal obligation to preserve the institution’s records.

It’s easier said than done to implement a centralised, systematic recordkeeping paradigm in an institution. When Akureyri implemented their own system, I was a part of the team and later with the University of Akureyri and...you have to be careful to get people on your side. When you create a new paradigm for people to organise their data, you can be met with attitudes like: “Hold on! Are you going to tell me where and how to save my data? I’ve always done it like this and don’t intend to change!” (Interview 1, Ingveldur Tryggvadóttir: 00:21:53-00:23:14).

In short, what you need is: Preparation, education and a very clear message from the head of the institution stating in no uncertain terms that there is a new procedure and that this is the way things will be done from now on (Interview 1, Ingveldur Tryggvadóttir: 00:23:22-00:23:49).

Alma Sigurðardóttir, the records manager of the directorate of fisheries had similar comments while coming from a quite different place. The directorate of fisheries ranks as one of the most accomplished entities subject to obligatory transfer, according to the National Archives. It is one of very few institutions to have already transferred databases and an archive version of an EDRMS to the National Archives and is currently pending approval from the National Archives to make their recordkeeping fully digital (Interview 4, Alma Sigurðardóttir: 00:12:00-00:12:26).³⁰

³⁰ With the caveat that some records, such as contracts, still need to be preserved in analogue form.

When asked about office culture regarding recordkeeping in the directorate of fisheries she replied:

It's exceptionally good, especially after we implemented the new system. There's been a clear, objective focus to make sure that everybody is registered into the system, that everyone understands the purpose of it all and that absolutely everything gets registered into the system (Interview 4, Alma Sigurðardóttir: 00:05:23-00:05:41).

In her opinion, the positive staff experiences with the EDRMS are a direct result of constant educational efforts.

I've always held recordkeeping courses for new staff members and I also offer a refresher course once a year. I've been doing this for years. So, we've made sure that everyone is properly educated. And when there is a new arrival, I'll have a sit down with them and explain...I've been doing this ever since I started working here, eight years ago (Interview 4, Alma Sigurðardóttir: 00:06:57-00:07:35).

5. Discussion

In this chapter, there will be a discussion of the data analyses presented above. The chapter is divided into general observations and a specific discussion on the issues facing municipal archiving in Iceland.

5.1. General observations

While the Government's mission statement from 1996, of making Iceland one of the countries at the forefront of the digital governance revolution, has not yet come to fruition, it would perhaps be a bit harsh to say that the efforts to implement digital archiving have been a total failure. Within state institutions, there is still a lot of work to be done and progress is being made extremely slowly. But it is also Important to keep in mind that progress is being made. The survey reports from the National Archives clearly

show that more and more institutions are making strides to establish fundamental recordkeeping practices. At the same time, very few institutions that already had established basic recordkeeping seem to be making significant improvements, based on the criteria set forth by the National Archives, resulting in a relatively low amount of digital archive transfers.

This is supported by data gathered from the interviews. Those interviewed generally believed that things were slowly getting better. Public perception, staff awareness and an increase in the priority of recordkeeping relative to other fields of operation were mentioned by several of the interviewees. Another red thread running through the interviews was the necessity of funding. Although the importance of funding was downplayed by some of the interviewees, that can easily be explained by the fact that their own archival unit was comparatively well funded. A lack of funds means that qualified personnel will not be hired to oversee recordkeeping protocols within institutions. It also leads to other projects being prioritised over recordkeeping. The interviews taken with representatives from state institutions support this claim. In Akureyri Hospital, where recordkeeping was given low priority by management, systems and recordkeeping protocols were in their infancy and staff was not adequately trained and lacked a basic understanding of the necessity of proper recordkeeping and the institution's legal obligations. In the directorate of fisheries, where recordkeeping was given high priority, systems and recordkeeping protocols were well established and staff was well trained in the use of an EDRMS and were made fully aware of the importance of registering official records.

Both of the interviewed parties were generally satisfied with their communications with the National Archives and the administrative structure of state archiving in general.

For institutions subject to an obligation of transfer to the National Archives, it is therefore recommended that the digital recordkeeping initiative start from the top down, based on the experiences of the records managers interviewed. With the full support of management, it is possible to introduce the necessary recordkeeping systems, supplemented by the appropriate staff education. Furthermore, with the full support of

management, the records manager is capable of not only installing a new recordkeeping protocol, but also of enforcing it.

Another theme that was seemingly shared by all participants, was the need for fundamental recordkeeping principles. In short, if the traditional archiving protocols of an institution are insufficient, merely introducing digital archiving will not make the old problems disappear.

5.2 Municipal archiving

The most problematic administrative aspect facing municipal archiving in Iceland today, is perhaps the wording of the Public Archives Act. The legal framework regarding public archives has been changed dramatically in the last few years, particularly regarding clauses on access and changing the wording of the act to include digital, as well as analogue records. The legal framework regarding municipalities has, thus far, not been altered to reflect these changes. In fact, the only mention of the regional archives in the Public Archives Act is in sections 9 to 12, which concern the founding, authorisation and operation of regional archives. Otherwise they are treated exactly the same as the National Archives under the umbrella term Public Archives.

Section 2. of the Public Archives Act defines Public Archives as:

“The National Archives of Iceland and any regional archives operating in accordance with an operating authorisation.”

While section 3 of the Act defines the National Archives role thusly:

“The role of the National Archives of Iceland is to implement public policy on archiving and records management. In addition, it serves a role as a public archive.”

So, in essence, the law treats regional archives as archival depositories with their own predefined set of entities subject to an obligation of transfer, only without policy implementation.

The regional archives' role is further elaborated in regulation 283/1994 on regional archives. The regulation was the very first update on municipal archive laws since 1951 (Reglugerð um Héraðsskjalasöfn nr. 283/1994). That text, however, remains unchanged since 1994, meaning that municipal archive regulations don't take digital archiving into account. This means that in praxis the only written law concerning digital archiving on the municipal level is the Public Archives Act.

The original concept behind having regional archives separate from the National Archives was to preserve documents and records that had significance to a region within that region. As I already covered in a previous chapter, many of the regional archives were originally founded, not out of a legal obligation, but in order to preserve the cultural heritage of the region. There were also concerns regarding keeping every single record of the country's history in a single place, in case there was a fire or some other form of accident. Once the role of the National Archives changed from being a passive repository of records to an active administrative and regulatory agency, tasked with ensuring government transparency as well as the preservation of cultural heritage, the regional archives also legally assumed some of those responsibilities.

Considering the above, Halla María's idea of preserving records within the municipality regardless of form, certainly has its merits. Until the arrival of digital recordkeeping, this approach was largely without major flaws. There were concerns that some of the smaller regional archives were to under-funded and under-staffed to fulfil their role as a monitoring agency (Ó. Ásgeirsson, 2008). But this problem was not necessarily due to the administrative structure and was something that could potentially be solved by injecting more money into the existing administrative structure.

The rise of digital recordkeeping, within Icelandic municipalities calls this approach into question. In order to comply with the existing legal structure and keep the records in their home region, each regional archive has to invest separately in extremely expensive digital archiving infrastructure and then continuously maintain that infrastructure, resulting in increased costs. The nature of digital records, however, makes the emphasis on preserving records locally, obsolete.

A digital record, by definition, has no physical form. Rather, it is a series of ones and zeroes that is interpreted using software. This is what fundamentally separates them from traditional analogue records and what makes them simultaneously easier to access and trickier to preserve. Every time a digital record is accessed by a user, a new performance is created and that performance is what constitutes the essence of the record (Heslop et al., 2002). The storage location of a digital record's source, has no bearing on its accessibility. A computer with an internet connection can render datafiles stored in a datacentre in the next room just as easily as those stored in another part of the country. There is still a very valid case to be made for keeping analogue records within the physical space it was created in, but imposing the same restrictions on digital records is ultimately pointless.

There is even an existing precedence for municipalities transferring digital records to the National Archives. One municipality has been granted permission by the National Archives to transfer digital records to the National Archives for permanent preservation. That municipality is Sandgerði, a small community of roughly 1500 people. The reason why Sandgerði is permitted to transfer records to the National Archives, rather than a regional archive, is because Sandgerði is not a part of any regional archive and therefore subject to an obligation of transfer to the National Archives (Hannesson, 2015). This shows, fairly clearly that the only thing that is keeping municipalities, as a whole, from transmitting data for permanent preservation is outdated municipal archive legislature.

Svanhildur Bogadóttir's suggestion of adopting a model where third parties handle data migration, archive version testing and data transfers, while regional archives retain data and provide access, is an interesting one. But she admitted that smaller archives might struggle with this method and that it would be all but impossible for archives with two or fewer employees. This is especially interesting considering that according to the latest evaluation of regional archives, only two out of twenty regional archives had three or more full time employees (Ó. Ásgeirsson, 2008). This means that outside Reykjavík, only one regional archive fulfils the minimum requirements to adopt the method and due to the rural nature of many of the municipalities serviced by regional archives, it's highly

unlikely that the archives will be expanding any time soon. Therefore, the only way to accomplish the method proposed by Svanhildur, would be to lower the number of regional archives exponentially by merging several regional archives together, thus allowing them to pool their resources into one united front.

This is something that can certainly be achieved. Many regional archives are already preserving records from several municipalities.³¹ A better question would be: Is this something that should be done? It's already been established that the purpose of having regional archives is to keep local records within that particular region as part of its cultural heritage. If archives are merged into a single administrative unit, that purpose is lost. After all, a record creator in Neskaupsstaður would probably feel the same about transferring records to the National Archives as he would about transferring records to another public archive outside his immediate domain. Neither option would constitute preserving records locally, even though one of the archives would technically be titled as a regional archive. Merging small regional archives would also mean transferring old analogue archives into the new, larger archive. Ergo, records that previously were being preserved locally, would be transferred out of the region.

Regarding access to records. There is no reason why that particular role couldn't be fulfilled just as professionally by the National Archives, as it would by a regional archive conglomerate. It didn't seem to be a hindrance in the case of Sandgerði.

These kinds of massive administrative changes would also doubtless be very costly. Especially, considering that simply giving municipalities the chance to transfer data to the National Archives would essentially solve the problem whilst retaining local analogue records.

The Reykjavík Municipal Archives are obviously in a rather unique spot compared to the rest of the regional archives. They have considerably more staff, service the largest municipality in Iceland and most importantly, have the financial and executive backing of the municipality to conduct digital archiving locally. But as has been demonstrated, the

³¹ See figure 1 in chapter 3.5. for details.

Reykjavík experience is not applicable to the rest of the country and simply wouldn't work. It's already been established that a large number of regional archives lack the necessary funding and manpower to fulfil their legal obligation as monitoring agencies. Setting up the proper infrastructure to accept data transfers and conduct data migration would therefore be a fiscal impossibility, especially for the smaller regional archives. It has also been established that the municipal archives lack the mandate to impact appraisal policy, whilst retaining the mandate to approve file plans and retention schedules, which can have a negative effect on municipal record keepers. Finally, it has been established that the fundamental nature of digital records makes it unnecessary to preserve regional documents physically, within a region.

It is therefore recommended that municipal legislature be amended to allow entities subject to an obligation of transfer to a regional archive the choice of transferring their digital records and databases to the National Archives instead. Furthermore, it is recommended that the legal roles of regional archives be re-examined to:

Either remove their monitoring obligations, transferring those responsibilities to the National Archives, thus transforming the regional archives into passive cultural heritage repositories.

Or increase their mandate and autonomy. To grant them full control over appraisal decisions within their jurisdiction and remove any administrative barriers preventing regional archives from fulfilling their role. This would mean changing the administrative hierarchy so that regional archives would report directly to the mayor as an independent institution, rather than as a part of another division or department.

6. Conclusion

This project aimed to answer four research questions.

- What is the status of digital archiving in Iceland?
- Which factors have contributed to its development?

- Is there a noticeable difference between the issues faced by municipal archives and those faced by the National Archives?
- Is there any way to improve on the current methods?

The status of digital archiving in Iceland remains elusive. Data from the National Archives shows that the majority of state institutions are still not conducting satisfactory recordkeeping, while none of the municipal archives have acquired the necessary infrastructure to accept data transfers. However, there are positive signs. A clear progress can be observed when comparing the reports from 2012 and 2016, respectively and the Reykjavík Municipal Archives are currently preparing to implement digital archiving.

One of the main factors contributing to the development of digital archiving in Iceland is a positive cultural shift in the perception of the importance of recordkeeping and archiving. This has resulted in recordkeeping being valued higher and thus given increased priority. This in turn, has led to an increased funding of recordkeeping initiatives.

In addition to the problems faced by the National Archives regional archives have to cope with the fact that municipal archival legislature has not been updated in tandem with national law. Regional archives have jurisdiction over entities subject to an obligation of transfer who create unprecedented amounts of digital records, whilst being unable to preserve them digitally, due to a lack of digital archiving infrastructure.

Entities subject to an obligation of transfer to the National Archives seem to be heading, slowly, in the right direction. For those institutions still lagging behind, it is important that digital archive initiatives are based on a strong fundament of general recordkeeping knowledge. It is also important to have the full backing of management when installing a new work protocol.

The legal framework surrounding regional archives needs to be updated to meet the challenges of digital archiving. It has been argued that the best way to do this would be to grant entities subject to an obligation of transfer to a regional archive, the option of

transferring their digital records to the National Archives instead. Furthermore, the role of regional archives needs to be reconsidered. This project has proposed two options: Either remove their monitoring obligations, transferring those responsibilities to the National Archives or increase their mandate and autonomy granting them full control over appraisal decisions within their jurisdiction and removing any administrative barriers preventing regional archives from fulfilling their role.

Bibliography

- Ásgeirsson, Ó. (2008). *Úttekt Þjóðskjalasafns á starfsemi héraðsskjalasafna haustið 2008*. Reykjavík.
- Ásgeirsson, Ó. (2010). Reglur Þjóðskjalasafns Íslands um grisjun í skjalasöfnum sveitarfélaga og stofnana þeirra. Reykjavík. Retrieved from <https://skjalasafn.is/files/docs/reglur-627.pdf>
- Ásgeirsson, P., Þórðarsson, B., Gunnarsson, J., Kristinsdóttir, K., Bogadóttir, S., & Gylfadóttir, Þ. (1998). *Nefnd um varðveislu tölvugagna sem verða til í stjórnsýslunni*. Reykjavík. Retrieved from <https://www.stjornarradid.is/media/menntamalaraduneyti-media/media/ritogskyrslur/tolvuskyrsla.pdf>
- Braun, V., Clarke, V & Terry, G. (2015). Thematic Analysis in Rholeder. P & Lyons, A.C. (Eds.) *Qualitative research in clinical and health psychology*. Palgrave Macmillan: New York & London
- Bryman, A. (2012). *Social Research Methods. Social Research* (Vol. 2nd). <https://doi.org/10.4135/9781849209939>
- Eggertsson, D. B. (2017). *Erindisbréf. Starfshópur um rafræna langtímavarðveislu skjala hjá Reykjavíkurborg*. Reykjavík City Hall 13.01.2017.
- Foote, K. D. (2017). A Brief History of Data Storage. Retrieved May 25, 2018, from <http://www.dataversity.net/brief-history-data-storage/>
- Hannesson, M. K. (Ed.). (2015). Sandgerðisbær fyrsta sveitarfélagið í rafræna skjalavörslu. *Tíðindi*, 7, 3rd ser., 15-15. Retrieved May 24, 2018, from http://www.samband.is/media/tidindi-07-2015/Tidindi_6_2015.pdf
- Heslop, H., Davis, S., & Wilson, A. (2002). An Approach to the Preservation of Digital Records - Green Paper. Retrieved from

https://www.ltu.se/cms_fs/1.83844!/file/An_approach_Preservation_dig_records.pdf

Héraðsskjalasöfn á Íslandi. Skjalavefurinn>Skjalasöfnin. Retrieved from

http://heradsskjalasafn.is/?page_id=10 29.05.2018

Jóhannsson, Á., & Sigurðsson, N. (2017). *Skjalavarsla og skjalastjórn ríkisins 2016 Niðurstöður eftirlitskönnunar Þjóðskjalasafns Íslands*. Reykjavík. Retrieved from <https://skjalasafn.is/files/docs/Skjalavarsla-skjalastjorn-rikisins-2016.pdf>

Kristjánsson, G. J., & Bogadóttir, S. (2014). *Skjalavarsla sviða, stofnana og fyrirtækja Reykjavíkurborgar 2013. Könnun Borgarskjalasafns Reykjavíkur*. Reykjavík. Retrieved from https://rafhladan.is/bitstream/handle/10802/10440/Skjalavarsla_svida_stofnana_og_fyrirt_kja_Reykjav_kurborgar_2013_Koennun_....pdf?sequence=1

Kristjánsson, K. (1996). Stjórnarráðið | Framtíðarsýn ríkisstjórnar Íslands um upplýsingasamfélagið frá 1996. *Ríkisstjórn Íslands*. Reykjavík: Auglýsingastofan Hvíta húsið. Retrieved from <https://www.stjornarradid.is/efst-a-baugi/frettir/stok-frett/1996/10/01/Framtidarsyn-rikisstjornar-Islands-um-upplysingasamfelagid-fra-1996/>

Kvale, S., & Brinkmann, S. (2009). Interview: Learning the craft of qualitative research interviewing. In *Det kvalitative forskningsintervju. Oslo: Gyldendal akademisk* (pp. 1–20). <https://doi.org/interviews>

Lög um opinber skjalasöfn 77/2014, 77 § (2014). Reykjavík: Alþingi. Retrieved from <https://www.althingi.is/lagasafn/pdf/147/2014077.pdf>

Reglugerð um Héraðsskjalasöfn nr. 283/1994

Tilraunaverkefni Þjóðskjalasafns Íslands og menntamálaráðuneytisins um skil á rafrænu skjalavörslukerfi til langtíma vörslu í Þjóðskjalasafni. (2009). Reykjavík. Retrieved from https://skjalasafn.is/files/docs/skyrsla_mrn_light.pdf

- Þjóðskjalasafn Íslands. (n.d.-a). Sýningar/kynningar | Þjóðskjalasafn Íslands | The National Archives of Iceland. Retrieved May 6, 2018, from <https://skjalasafn.is/syningarkynningar>
- Þjóðskjalasafn Íslands. (n.d.-b). Um safnið | Þjóðskjalasafn Íslands | The National Archives of Iceland. Retrieved May 6, 2018, from <https://skjalasafn.is/um-safnid>
- Þjóðskjalasafn Íslands. (n.d.-c). Þroskastigin | Þjóðskjalasafn Íslands | The National Archives of Iceland. Retrieved May 6, 2018, from <https://skjalasafn.is/throskastigin>
- Þjóðskjalasafn Íslands. (2013). *Könnun Þjóðskjalasafns Íslands á skjalavörslu ríkisins 2012*. Reykjavík. Retrieved from https://skjalasafn.is/files/docs/2012_skjalavarsla_rikis_konnun.pdf
- Þjóðskjalasafn Íslands, & Ríkisskattstjóri. (2007). *Tilraunaverkefni Þjóðskjalasafns Íslands og Ríkisskattstjóra um skil á rafrænum gögnum til langtíma vörslu í Þjóðskjalasafni Skýrsla*. Reykjavík. Retrieved from <https://skjalasafn.is/files/docs/lokaskýrsla-vsk-2000.pdf>

Appendix A – The National Archives’ quality criteria

The scoring system

Following the disappointing survey results in 2012 the National Archive devised a new system to measure the recordkeeping competence of entities subject to obligatory transfer. This would also allow the National Archive to measure any changes in recordkeeping proficiency over any given period. This measurement system was called *Þroskastigin*, or *Stages of development*.³²

The ranking system works in such a way that institutions score points for having certain features as part of their recordkeeping process or for having completed a set of

³² My own translation.

predefined goals. These are then formed into questions, with each question granting one point. The scoring system is as follows(Þjóðskjalasafn Íslands, n.d.-c).

File plan

Does the institution use a file plan to systematically arrange its records?

Has that file plan been approved by the National Archive?

Registry

Does the institution register information about case files and records?

Is the information logged in a registry?

Is the information logged in an EDRMS?

EDRMS

Does the institution use an EDRMS?

Has the National Archive been notified of the EDRMS?

Has the EDRMS been approved by the National Archive?

Are there any regulations or manuals concerning the use of the EDRMS?

Databases

Has the institution notified the National Archive about databases?

Bonus – Have all databases been reported to the National Archive?

Obsolete computer systems

Has the institution reported an obsolete computer system to the National Archive?

Bonus – Have all obsolete computer systems been reported to the National Archive?

Preservation

Are digital records, which should be preserved in paper form, being printed out?

Is the recordkeeping digital (i.e. Has an EDRMS been approved)?

Does the institution use paper that conforms to standards?

Retention plan

Does the institution follow a retention plan?

Is said retention plan approved by the National Archive?

Destruction

Has the institution destroyed records with the approval of the National Archive?

Storage

Does the institution use a specific storage space for its records?

Has the storage space been approved by the National Archive?

Transfer

Has the institution transferred all records older than 30 years to the National Archive?

Study Courses

Has an employee/records manager been to one of the National Archive's study courses?

Has an employee/records manager been to all available study courses?

Are the regulations and instructions published by the National Archive being adhered to?

Institution

Is there a records manager in the institution's employ?

Ranking

Based on the amount of points that institutions got from the survey, they were then divided into five categories. (Þjóðskjalasafn Íslands, n.d.-c)

Developmental stage 0: 0-4 points (No conscious recordkeeping)

An institution at developmental stage 0 will have no records manager, nor will it have an employee tasked with recordkeeping. Very little to no communication with the National Archive staff. E.g. no databases or EDRMS have been reported to the National archive, there is no approved file plan, storage facilities have not been approved and there have been no applications for record destruction. All in all, the institution does not seem to archive or manage their records in any conscious way.

Developmental stage 1: 5-9 points (insufficient recordkeeping and records management)

The institution employs either a records manager or an employee tasked with recordkeeping. At least some communications with the National Archive staff. The institution is aware of recordkeeping and records management and uses proper conduct for the most part. Employees register case files according to a file plan. No electronic systems have been reported and recordkeeping is for the most part limited to analogue records.

Developmental stage 2: 10-14 points. (Traditional recordkeeping)

Recordkeeping is managed by a records manager. Said records manager has sat through courses in the National Archive and is generally aware of laws and regulations regarding recordkeeping. Quite some contact has been had with the National Archive staff. Electrical systems and databases are being used and have been reported to the National Archive. The institution has an approved file plan and has applied for record destruction.

Developmental stage 3: 15-19 points. (Professional recordkeeping)

Recordkeeping and records management is exemplary. The institution employs a records manager which has been to classes taught at the National Archive. The institution has an approved file plan and registers case files into an EDRMS which has

been approved by the National Archive. Obsolete databases and computer systems have been reported to the National Archive and an appraisal decision has been made. The institution has mostly adapted to a fully digital recordkeeping scheme and is working in accordance with an approved retention plan. The institution has applied for and subsequently carried out record destruction. All records thirty years or older have been transferred over to the National Archive.

Developmental stage 4: 20-25 points. (Exemplary recordkeeping)

Essentially the same description as with developmental stage 3. Only more impressive.

In 2012 34% of Icelandic institutions fell under developmental stage 0, 30% were classified at stage 1, 32% at stage 2 and only 3% at stage 3. No institution managed to score high enough to qualify for stage 4. (Þjóðskjalasafn Íslands, 2013)

Appendix B – An English translation of the Public Archives Act

Legislation in force Icelandic legislation 1 January 2015 — Edition No 144a

Public Archives Act

2014 No 77, 28 May

Entry into force 12 June 2014

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the Minister of Education, Science and Culture or to the Ministry of Education, Science and Culture as responsible for the implementation of this Act.

Section I General provisions

☐ Article 1 Objective

☐ The objective of this Act is to safeguard the creation, conservation and safe handling of public records with a view to protecting the rights of the citizens and the interests of the administration, and ensuring the preservation of the Icelandic people’s history.

☐ Article 2 Definitions

☐ For the purposes of this Act, and any Regulation issued pursuant to it, the following definitions shall apply:

1. Public archives means the National Archives of Iceland and any regional archives operating in accordance with an operating authorisation.
2. Record means any type of recorded information, written or otherwise, which has been created, received or maintained through the activities of an organisation or individual.
3. Records management means the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including the processes and compliance with rules for capturing and maintaining evidence of and information about business activities and transactions in the form of records.
4. Archiving means any aspect of the creation and preservation of and access to records and

☐ Article 3 Role of the National Archives of Iceland

The role of the National Archives of Iceland is to implement public policy on archiving and records management. In addition, it serves a role as a public archive.

Section II Administration

☐ Article 4 Management of public policy on archiving and records management

☐ The Minister shall assume responsibility for the general administration of public policy on archiving and records management pursuant to this Act. The National Archives of Iceland shall be responsible for the implementation of that policy.

☐ Article 5 National Archives of Iceland

☐ The National Archives of Iceland shall operate as a separate government entity under the authority of the Minister.

☐ The running costs of the National Archives shall be borne by the Treasury as further stipulated in the annual Budget Act

☐ Article 6 National Archivist

☐ The Minister shall appoint the director of the National Archives of Iceland, the National Archivist, for a five-year term. The National Archivist must have completed a degree from a higher education institution, and must possess sound knowledge of the National Archives' field of activity.

☐ The National Archivist shall administer the activities and financial operations of the

National Archives of Iceland. The National Archivist shall hire the personnel of the National Archives and act as its representative.

□ Article 7 Advisory Board

□ The Minister shall appoint six members to the Advisory Board of the National Archives of Iceland for a four-year term. One member shall be nominated by the Institute of History at the University of Iceland; two by the Association of Local Authorities in Iceland, one of which must belong to the staff of a regional archive; one by the permanent staff of the National Archives; one by the School of Social Sciences of the University of Iceland; and one member shall be appointed without nomination. Alternate members shall be appointed in the same manner. The same person may not be appointed as a principal member of the Advisory Board for more than two consecutive terms.

□ The Chair and the Vice Chair of the Advisory Board shall be appointed by the Minister from among the Board's members.

□ The National Archives' Advisory Board shall advise its director—the National Archivist— on policy and other issues related to its operation. The Advisory Board shall submit comments to the National Archivist on the National Archives' annual operating plan and budget and on its organisation.

□ The National Archivist shall attend the meetings of the Advisory Board with the right to speak and propose motions.

□ Article 8 Implementation of public policy on archiving and records management

□ The role of the National Archives of Iceland in the implementation of public policy on archiving and records management includes the following tasks:

1. Laying down rules and issuing guidance on the arrangements to be used for records management and archiving by administrative entities of central and local government, as well as by other entities subject to an obligation of transfer and referred to in Article 14, first and second paragraphs; such rules shall be submitted to the Minister for approval;

2. Laying down rules on the preparation and transfer of records and data archives from entities subject to an obligation of transfer to public archives; such rules shall be submitted to the Minister for approval;

3. Laying down rules on the preservation and disposal of records; such rules shall be submitted to the Minister for approval;

4. Submitting proposals to the Minister to issue authorisations to municipal councils or

inter-municipal cooperative societies to set up regional archives having the responsibilities of a public archive as described in Article 13, and granting authorisations to operate such regional archives subject to the Minister's approval; regional archives shall be active within the boundaries of the municipality or municipalities operating the regional archive in question according to its founding documents;

5. Supervising the operations of regional archives in accordance with the provisions of Articles 9 to 12.

☐ Article 9 Regional archives

☐ Regional archives are public archives which operate independently under the expert supervision of the National Archives of Iceland. The municipality or municipalities having set up a regional archive shall be responsible for its operation. Regional archives shall receive funding from the Treasury as further stipulated in the annual Budget Act.

☐ Loans of records to a municipality shall be governed by Article 19.

☐ Each regional archive shall supervise the archiving activities of entities subject to an obligation of transfer of their records and other materials to that archive, see further Article 8, point 4, Article 13, point 4, and Article 14, first paragraph, point 4.

☐ The Minister shall issue a Regulation containing more detailed provisions with regard to regional archives.

☐ Article 10 Competence to operate a regional archive and withdrawal of an operating authorisation

☐ A regional archive may only be operated by municipal councils and inter-municipal cooperative societies which have received an authorisation to operate such archives.

☐ Where a regional archive is no longer properly maintained, or where the professional basis for granting an operating authorisation for the archive no longer exists, the National Archives of Iceland shall alert the relevant municipal council or inter-municipal cooperative society to the shortcomings identified, and request that appropriate remedies be implemented by a specified deadline. If repeated warnings are not heeded, the National Archives shall withdraw the operating authorisation of the regional archive concerned and order the transfer of its holdings to the National Archives of Iceland at the expense of the relevant municipality or inter-municipal cooperative society.

☐ Where an inter-municipal cooperative society ceases the operation of a regional archive, its holdings shall be transferred to the National Archives of Iceland at the expense of the municipalities which funded it, in accordance with the latest applicable division of costs related to the operation of the inter-municipal cooperative society.

☐ Article 11 Authorisation to operate a regional archive

□ Municipal councils may apply to the National Archives of Iceland for an authorisation to operate a regional archive for the purpose of preserving municipal records and carrying out the tasks referred to in Article 13 on the role of public archives.

Municipalities may set up inter-municipal cooperation societies for the operation of regional archives in accordance with Section IX of the Local Government Act. In addition to an application as referred to in the second paragraph below, applications for such authorisations shall be accompanied by a copy of the statutes of the inter-municipal cooperation society.

□ Applications for an authorisation to operate a regional archive shall include projections for the running costs, and for the premises, equipment and personnel required to operate the archive. Subject to the Minister's approval, the National Archives of Iceland shall issue authorisations to operate regional archives where it is clear from the application that financial and professional operating conditions are in place. Each authorisation shall indicate the professional basis for granting it.

□ The Minister shall issue a Regulation containing more detailed provisions regarding authorisations to operate regional archives.

□ Article 12 Supervision by the National Archives of the operation of regional archives

□ The National Archives of Iceland shall monitor the compliance of regional archives with applicable provisions of law and with the conditions of their operating authorisations.

□ The operators of regional archives shall submit annual reports on their activities to the National Archives and provide it with any other information or written clarifications requested by it and which are necessary for its monitoring of compliance with the conditions of the operating authorisation. Statutory confidentiality provisions shall not prevent such information from being provided.

□ Regional archives must grant access to their premises for the purposes of monitoring by the National Archives of Iceland. The personnel of regional archives must provide the National Archives, at its request, with any assistance required in that context.

Section III Tasks and role of public archives

□ Article 13 Role of public archives

□ The role of public archives includes the following tasks:

1. Receiving and acquiring records, and preserving records and other materials received from entities subject to an obligation of transfer and containing information of importance for administrative purposes or for the interests and rights of the citizens, or of historical significance;

2. Making available records and other materials from the archive's holdings, as well as indices and information on those records, to those wanting to use the archive, and providing the necessary working environment, including for scientific research and academic work;
3. Providing guidance on the use of records held by the archive, and facilitating research into those documents to the extent possible;
4. Monitoring the implementation of this Act, of any Regulation issued by the Minister on the basis thereof, or of rules laid down pursuant to Article 8, by entities subject to an obligation of transfer; such entities must grant access to their premises for the purposes of inspections carried out as part of the monitoring of public archives;
5. Taking the initiative for research related to archival holdings as referred to in point 1, within budget restraints as applicable at each particular time;
6. Seeking to obtain information from other sources than the entities subject to an obligation of transfer in order to ensure the preservation of sources of information concerning the nation's history.

☐ Article 14 Entities subject to an obligation of transfer

☐ An obligation of transfer pursuant to this Act shall apply to:

1. the Office of the President of Iceland;
2. the Supreme Court of Iceland, regional courts and other lawfully established courts;
3. the Government Offices of Iceland, including every administrative committee and institution constitutionally subordinate thereto, as well as the Church of Iceland;
4. municipalities as well as every institution and committee carrying out administrative duties on their behalf; the same shall apply to inter-municipal cooperation societies and any other entity responsible for the implementation of individual administrative tasks in relation to inter-municipal cooperation;
5. funds and foundations established by law or on the basis of an authorisation provided by law for the purpose of carrying out principally official tasks;
6. such administrative civil law entities as have been mandated by law to make administrative decisions on behalf of central or local government in regard to records created by those entities or received by them in connection with cases related to such decisions;
7. such civil law entities as have signed contracts to perform operating tasks pursuant to

either Article 30 of the Government Financial Reporting Act or Articles 100 and 101 of the Local Government Act in regard to records created by those entities or received by them in the performance of such tasks.

□ An obligation of transfer shall also apply to any legal entity in which a stake of at least 51 per cent is in public ownership. The beneficiary of the obligation of transfer shall be a regional archive in cases where the entities in question are owned by municipalities which operate or are partners in a regional archive. Any dispute concerning the obligation of transfer incumbent upon legal entities shall be settled by the National Archives of Iceland.

□ This Act shall not apply to the Althing or to the Parliamentary Ombudsman.

□ All parties referred to in the first or second paragraph above shall be obliged to transfer their records to a public archive in accordance with the provisions of this Act. Entities subject to an obligation of transfer which are under central government authority may only transfer their records to the National Archives of Iceland. Entities subject to an obligation of transfer which are under local government authority shall transfer their records to the National Archives of Iceland where the relevant municipality does not operate its own regional archive or does not participate in the operation of such an archive. Municipalities which transfer their records to the National Archives of Iceland for preservation shall pay a storage fee in accordance with a tariff issued by the Minister.

□ Furthermore, the registers of registered religious organisations which are dissolved, or which cease to operate as registered religious organisations for other reasons, must be transferred to the National Archives of Iceland. In addition, trustees in bankruptcy and testamentary executors must transfer to the National Archives of Iceland any record which has not been presented in court or submitted to the office of a District Commissioner by the end of a public settlement procedure, but which may be of significance for that procedure.

□ Any person who is in possession of records having their origin in the archive of a public authority or legal entity referred to in the first, second or fifth paragraph above, without being legally entitled to those documents, must transfer them to a public archive in accordance with the division of tasks between public archives laid down in the fourth paragraph.

□ The right of a public archive to receive records covered by an obligation of transfer shall not expire by reason of negligence or habit.

□ Article 15 On the transfer of records covered by an obligation of transfer, and the right to information

□ Records covered by an obligation of transfer must be transferred to a public archive when they have reached an age of 30 years. However, electronic records and other

materials in electronic form shall, as a general rule, be transferred no later than when they are five years old. In both cases, the date of reference shall be that of the last entry made or the last correspondence registered in a closed case. As regards indices, the deadline shall be counted from the end of the year in which the last entry was made in the relevant index. Entities subject to an obligation of transfer shall retain responsibility for handling and granting access to information from electronic records until the records are 30 years old.

- ☐ The director of a public archive may, in individual cases, extend or reduce the deadline for the transfer of records pursuant to the first paragraph where this is called for by special circumstances.
- ☐ The National Archives of Iceland shall in its rules and specifications lay down more detailed provisions for the transfer of records covered by an obligation of transfer, as well as for different deadlines for the transfer of certain categories of records than those stipulated in the first paragraph above, where this is called for by particularly compelling circumstances.
- ☐ Where the deadline to transfer records is extended, the relevant public authority shall decide on the access to be granted to the records in question on the basis of Sections V to VII, while they are still in its possession. Where the deadline to transfer records is reduced, the director of the relevant public archive shall decide on the access to be granted to the records in question on the basis of the rules that will apply to the right of access to the records after they have been transferred.
- ☐ Where an entity subject to an obligation of transfer and referred to in the first or second paragraph of Article 14 suspends or dissolves its operations, such of its records as are covered by an obligation of transfer shall be transferred to a public archive as soon as the operations are terminated. Where appropriate, the public archive receiving the records shall decide which of those records are to be transferred to the entity taking over the tasks of the relevant entity. Compensation may be claimed for costs incurred in receiving, preparing and transporting the records of an entity subject to an obligation of transfer which suspends its operations or is dissolved.
- ☐ Access to records which have reached an age of 30 years shall be governed by the provisions of this Act irrespective of the point at which they were transferred to a public archive.
- ☐ The right of access to records pursuant to this Act shall not affect copyright protection where the documents in question enjoy such protection under the Copyright Act.
- ☐ Where records are transferred to a public archive before they are 30 years old, the archive may charge a storage fee for such records until they have reached that age.
- ☐ Bankruptcy estates must pay a fee to the National Archives of Iceland for the preservation of bankruptcy documents during a period of seven years and for their

subsequent destruction, depending on their nature and quantity; the fee shall count toward the costs of the bankruptcy proceedings under the Act on Bankruptcy, etc.

□ The Minister shall issue a Regulation stipulating the fees to be charged pursuant to the fifth, eighth and ninth paragraphs on a proposal elaborated by public archives and based on the costs incurred by the archives in preserving the records, considering their nature and quantity.

□ Article 16 Private archives

□ Public archives may accept the transfer, for purposes of preservation and ownership, of records not emanating from entities subject to an obligation of transfer, provided that they are considered of importance for the archive in question in the performance of its role as referred to in Article 13. However, a public archive may, in special circumstances, accept the transfer of such records on the condition that they should not be made publicly accessible for a specified length of time; that period of time may not exceed 80 years and may be decided differently as regards the access of the general public on the one hand and that of researchers within the meaning of Article 37, eighth paragraph, on the other. In other respects, access to such document archives shall be governed by the provisions of this Act, as appropriate.

□ Where the property of a person reverts to the Treasury pursuant to Article 55 of the Inheritance Act, any records having belonged to that person shall be transferred to the National Archives of Iceland. The National Archivist may delegate to a regional archive the task of preserving records received by the National Archives pursuant to this provision.

□ A person who is in the possession of a private archive to which no one can claim ownership must transfer the archive to the National Archives of Iceland. The National Archivist may delegate to another archive the task of preserving records received by the National Archives pursuant to this provision.

□ The National Archivist shall take the initiative for the conclusion of an agreement between public archives and other entities concerned by this matter on the best approach for preserving private archives in the public sphere.

□ Article 17 Reproductions of important records in private ownership

□ The provisions of the Cultural Heritage Act concerning the movement of cultural objects from Iceland and of the Act on the return of cultural objects to other countries shall apply to the movement from Iceland of any document archive more than 50 years old.

□ Prior to the movement from Iceland of a privately-owned archive with cultural or historical significance, the National Archives of Iceland must be given the opportunity to reproduce the documents.

☐ Article 18 Preservation of important records

☐ Public archives shall ensure that records for which they are responsible, irrespective of their form, are preserved securely. The most important records kept by each archive must exist on film, as electronic copies, or on other storage media, and all such reproductions must be stored at a secure location away from the institution's main premises.

☐ Article 19 Lending of records

☐ Entities subject to an obligation of transfer shall be entitled to the loan, or the obtention of a copy, of any record which they have transferred to a public archive whenever they need access to such records in the exercise of their duties.

☐ Public archives may lend records for use in other public archives, in the Manuscript

Department of the National and University Library of Iceland, or in other libraries, archives or research institutions, provided that they have the necessary facilities for the secure storage of records. Such loans can be made subject to conditions with regard to adequate safety precautions to be taken to guarantee the preservation of the records.

☐ Lending of records other than as referred to in the first and second paragraphs is normally prohibited.

☐ Any person who receives a record on loan is responsible for its preservation and prompt return.

☐ Article 20 General dissemination of information about the nation's history

☐ Public archives shall work toward making important records accessible to the public, for example on their websites or in other ways, and provide information about the history of the Icelandic nation or of individual regions on the basis of records in its holdings.

☐ Article 21 Duty of employees to maintain confidentiality

☐ Employees of public archives must observe strict confidentiality with regard to any information relating to the financial or private affairs of individual persons, the professional, manufacturing or business secrets of natural and legal persons, and matters of important public interest, to which the general public may not be granted access, as well as to information to which access is denied pursuant to Article 29. Where access is granted to records exempted from the right to information established in Section V, the duty to maintain confidentiality as laid down in Article 33 shall extend to the employees of public archives. The duty to maintain confidentiality shall continue to apply after the termination of employment.

Section IV Records management and archiving activities of entities subject to an obligation of transfer

- ☐ Article 22 Responsibility for the records management and archiving activities of entities subject to an obligation of transfer
- ☐ The provisions of this Section shall apply to entities subject to an obligation of transfer pursuant to Article 14, first and second paragraphs.
- ☐ The director of an entity subject to an obligation of transfer is responsible for the records management and archiving activities of the entity, including for ensuring compliance with the relevant legislative and regulatory provisions. The same shall apply to the Chairs of Administrative Boards and to municipal administrators, as well as to the directors of funds, foundations and other entities falling under this Act pursuant to Article 14.
- ☐ Entities subject to an obligation of transfer must use arrangements for records management and archiving which are consistent with the rules laid down on the basis of Article 23, and must preserve case files in a manner that allows them to be accessed in accordance with those rules.
- ☐ The person responsible for records management and archiving shall implement appropriate measures to protect the records of entities subject to an obligation of transfer against unlawful destruction, modification and unauthorised access.
- ☐ When records are transferred to a public archive, the responsibility for preserving the records is taken over by that archive.
- ☐ Article 23 Records management and archiving
- ☐ The National Archives of Iceland shall lay down rules as referred to in Article 8, Point 1, on the arrangements to be used for records management and archiving by administrative entities of central and local government, and by entities subject to an obligation of transfer, as well as on the cataloguing, classification and preparation of records to be transferred to public archives, including the requirements as regards standards for document filing systems and the approval of such systems.
- ☐ Entities subject to an obligation of transfer pursuant to Article 14 must systematically register cases received for processing, and preserve case files in a manner that allows them to be accessed in accordance with rules laid down pursuant to the first paragraph.
- ☐ Article 24 Duty of preservation and disposal rules
- ☐ No record belonging to the archives of entities referred to in Article 14, first or second paragraphs may be destroyed or disposed of except on the basis of a decision by the

National Archivist, rules laid down pursuant to either Article 23 or the second paragraph of this Article, or a special provision of law.

☐ The National Archives of Iceland shall, as far as feasible, lay down special rules in accordance with Article 8, Point 3, on the disposal of records by entities subject to an obligation of transfer.

Section V Access by the general public to records held by public archives

☐ Article 25 Public's right to information

☐ Where a request to this effect is submitted, public archives must grant public access to records as soon as 30 years have elapsed since their date of creation, provided that the relevant record is not subject to restrictions as provided in this Act. In this respect, the date of reference shall be that of the last entry made or the last correspondence registered in a closed case. The date of creation of the record may also be used as the date of reference in cases where the handling of the case by a public authority has been delayed, or where this is called for by compelling reasons.

☐ Where restrictions provided for in this Act only apply to part of a record, access shall be granted to any other content of the record provided that excepted information can be separated from information to which access may be granted.

☐ Article 26 Information on the financial or private affairs of individual persons

☐ Public access may not be granted to material concerning individuals' financial or private affairs which should reasonably and appropriately be kept confidential, except with the consent of the person concerned.

☐ Where a request to this effect is submitted, public archives must grant public access to records as soon as 80 years have elapsed since their date of creation, even when they contain information about the financial or private affairs of individual persons, including personal information deemed sensitive within the meaning of Article 2, Point 8, of the Data Protection Act, as well as information concerning the protection of witnesses, victims and other persons contained in records from the police, prosecutors, courts or public authorities having the power to impose administrative sanctions.

☐ Notwithstanding the second paragraph, access may not be granted to health records or other records containing health information about named persons until 100 years after the date of the last entry in the record.

☐ Notwithstanding the second paragraph, access may be granted to general censuses, parish records and parish censuses as soon as 50 years have elapsed from the date of entry of the information.

☐ Article 27 Information about professional, manufacturing or business secrets

☐ Access may not be granted to records containing information relating to the active and important interests of an individual or a company as regards professional, manufacturing or business secrets.

☐ Article 28 Information concerning important public interests

☐ On the transfer of records, and after having consulted with the transferor concerned, the relevant public archive may decide not to grant access to a record until up to 40 years after the date of creation where this is considered necessary in order to protect active public interests, provided that the document contains information about:

1. national security or defence issues;

2. relations with other States or international organisations;

3. correspondence with experts for use in a court case or when assessing whether to file such a case;

4. economically significant State interests;

5. the economic affairs of publicly-owned institutions or companies insofar as they are engaged in competition in the market;

6. environmental matters, where the disclosure of the record is liable to seriously affect the protection of those parts of the environment to which the information relates, such as the habitats of rare species of organisms or the location of rare minerals, fossils or rock formations.

☐ Access to records falling under the first paragraph, Point 6, shall be granted when there is no longer reason to believe that disseminating the information could lead to environmental damage.

☐ Article 29 Special circumstances

☐ Public archives may decide to deny access to records less than 110 years old when special circumstances so require, such as when the record contains information about the private affairs of an individual who is still alive, or when public interests are at stake.

Section VI Access by the recorded person to records held by public archives

☐ Article 30 Recorded person's right to information

☐ When requested, public archives must grant a person access to records concerning that person as soon as 30 years have elapsed since their date of creation, provided that the relevant record is not subject to restrictions as provided in Articles 27 or 28.

□ Persons may be denied access to records referred to in the first paragraph if they also contain information concerning the private affairs of other persons, provided that the interests calling for maintenance of secrecy regarding the information are considered more important than the interests of the person requesting access to the records.

□ Where the provisions of Article 27 and of the second paragraph of this Article only apply to part of a record, access shall be granted to any other content of the record, provided that excepted information can be separated from information to which access may be granted.

□ Notwithstanding the first paragraph, the right of patients to access their clinical records shall be governed by the provisions of Article 14 of the Health Records Act. Public archives shall be responsible for granting access to clinical records in their holdings.

Section VII Access to records exempted from the right to information established in Sections V and VI

□ Article 31 Decisions on access to records exempted from the right to information established in Sections V and VI

□ Access may be requested to records exempted from the right to information established in Sections V and VI where such access is necessary for the purpose of conducting scientific research, safeguarding rights, or for other similar reasons.

□ An application to gain access shall detail the purpose for which access to the record is requested.

□ Public archives may grant access to records where it can be presumed that an application to gain access can be granted without infringing on the public and private interests which the provisions of Sections V and VI are intended to protect. Replies to requests for such access must be made in writing.

□ Article 32 Access to records subject to the obtention of approval or the fulfilment of conditions

□ Prior to granting access to a record pursuant to Article 31, the approval of the Data Protection Authority shall be sought if the record was transferred by an entity subject to an obligation of transfer and contains personally identifiable information, and if the processing of the information was governed by the Data Protection Act.

□ The Data Protection Authority may impose conditions for granting its approval. Public archives may also impose conditions for granting access to records and other materials pursuant to this Article. Such conditions shall be based on considerations relating to:

1. the nature of the information to which access is granted;

2. the purpose behind an application submitted pursuant to Article 31.

☐ Entities subject to an obligation of transfer or the Data Protection Authority may impose as a condition that:

1. information about private matters, including financial ones, not be disseminated to third parties;

2. no contact be made with individuals referred to in the record to which access is granted or with their family members;

3. the content of the record not be disclosed in its entirety;

4. no copies be made of the record;

5. the information to which access is granted not be included in research conclusions in a personally identifiable way.

☐ Other conditions than those specified in the third paragraph may be imposed when special circumstances so require.

☐ The Data Protection Authority shall ordinarily dispose of 30 days to reply to public archives as to whether it gives its approval for granting access to a particular record. Where the Authority fails to reply to the public archive within 30 days, the archive shall be informed of the reasons for the delay and of the likely date of decision.

☐ On a proposal by the Data Protection Authority, the Minister may lay down rules on the conditions of use of certain types of record covered by this Section and containing personal information falling under the Data Protection Act. This removes the need to seek the approval of the Data Protection Authority as regards records covered by such rules.

☐ Article 33 Confidentiality

☐ Persons who are granted access to records falling under the provisions of this Section may

not disclose, transfer or make use of any information to which access is gained in that manner, except as stipulated in the authorisation issued by the public archive.

Section VIII National Security Archive and access thereto

☐ Article 34 National Security Archive

☐ The National Archives of Iceland shall operate a specialised archive, the National Security

Archive, for the preservation of all records and written sources previously held by entities subject to an obligation of transfer and relating to Iceland's security, both internal and external, in the period between 1945 and 1991.

☐ Notwithstanding the provisions of Article 15, first paragraph, entities subject to an obligation of transfer must transfer to the National Archives of Iceland all records and written sources in their holdings which relate to Iceland's security, both internal and external, in the period between 1945 and 1991.

☐ A separate index shall be created of all case files and related records belonging to this section of the National Archives.

☐ Article 35 Public access to the National Security Archive

☐ When requested, the National Archives of Iceland must grant public access to records contained in the National Security Archive, provided that they do not contain information covered by the provisions of Article 37, third or fourth paragraphs.

☐ Where the provisions of Article 37, third or fourth paragraphs, only apply to a limited section of a record, that information shall be redacted and public access shall be granted to other content of the record.

☐ Article 36 Access by the recorded person to the National Security Archive

☐ When requested, the National Archives of Iceland must grant a person access to records held in the National Security Archive and containing personally identifiable information about that person.

☐ Where a record also contains personally identifiable information about other individuals covered by Article 37, third or fourth paragraphs, that information must be redacted from the photocopy or reproduction of the record before granting access to it, unless the person concerned has consented to the public disclosure of the information as referred to in Article 37, fifth paragraph.

☐ Where information referred to in the first paragraph relates to an individual who is deceased, that person's spouse, children and grandchildren over 18 years of age may request access to information concerning the person within the meaning of the first paragraph. The same shall apply to the siblings of a deceased individual who has no living spouse, children or grandchildren.

☐ Article 37 Access by researchers to the National Security Archive

□ All records held in the National Security Archive, as well as the index referred to in Article 34, third paragraph, shall be made accessible to researchers in the premises of the National Archives of Iceland, subject to the conditions stipulated in this Article.

□ Persons who are granted access to records held in the National Security Archive must in advance sign a declaration whereby they promise to respect the duty to maintain confidentiality stipulated in the third and fourth paragraphs, as well as other provisions contained in this Article.

□ Researchers shall be prohibited from disclosing or otherwise disseminating personally identifiable information about living persons who have been considered a potential danger to national security according to records contained in the Archive, except with the consent of the person concerned.

□ Disclosing or otherwise disseminating personally identifiable information about the sensitive private affairs of individuals which should reasonably and appropriately be kept confidential, and which is contained in records in the National Security Archive, shall be prohibited except with the consent of the person concerned. This prohibition shall cease to apply 80 years after the date of creation of the material in question.

□ As the registration of case files in the the National Security Archive advances, the National Archives of Iceland shall inform concerned persons who are still alive, or a close relative of a deceased person as referred to in Article 36, by letter in those cases where information about persons falling under the third or fourth paragraphs is discovered in the material of the National Security Archive, and inquire whether they are willing to consent to the public disclosure of information relating to them. The letter shall be accompanied by general guidance on the legal consequences of providing such consent.

□ Consent provided pursuant to the third, fourth or fifth paragraphs must be witnessed by a notary public or by two legally competent witnesses. Clear mention must be made of the consenting person having written his or her signature, or recognised the signature as his or hers, in the presence of the person(s) confirming the signature as witnesses, as well as of the person's legal competence at the moment of signing the consent.

□ Researchers may not remove from the National Archives' premises any photocopy, photograph or digital reproduction of records containing information covered by the third or fourth paragraphs unless the person concerned has consented to the public disclosure of the information as referred to in the fifth paragraph, or given consent specifically for the authorisation to deliver a photocopy of the record to the researcher; any such consent shall be forwarded to the National Archives of Iceland.

□ For the purposes of this Article, 'researchers' shall be understood as persons who have pursued academic research in the fields of the humanities or the social sciences and published their research in recognised fora. Researchers must demonstrate that

materials held in the National Security Archive are of considerable importance for a study which is underway.

☐ Personally identifiable information as referred to in the third and fourth paragraphs shall be defined as information which can be linked, directly or indirectly, to a particular individual, whether deceased or living.

☐ Article 38 Transfer of materials to the National Security Archive by the Ministry for Foreign Affairs

☐ Prior to transfer to the National Security Archive, any materials held by the Ministry for Foreign Affairs and falling under Article 34 must be examined and registered for transfer in accordance with the instructions of the National Archives of Iceland.

☐ Records which the Icelandic government is under an obligation to maintain secret by virtue of its international agreement with the North Atlantic Treaty Organization may not be transferred to the National Security Archive.

☐ Records containing information about active defence and security interests of the Icelandic state may not be transferred to the National Security Archive where:

1. they are less than 30 years old; or

2. special legal provisions relating to confidentiality limit the right of access of the public to the records.

Section IX Records emanating from parliamentary investigation commissions and other projects instigated by the Althing

☐ Article 39 Records emanating from parliamentary investigation commissions and other projects instigated by the Althing

☐ The National Archives of Iceland shall preserve records and databases which have been created in connection with the work of parliamentary investigation commissions and with other projects instigated by the Althing through legislation.

☐ Access to such records and databases shall be governed by the provisions of specially applicable legislation, the Information Act, or this Act, as appropriate.

Section X Procedure, administrative complaints, and responsibility

☐ Article 40 Request for access to records

☐ Those requesting access to records on the basis of Sections V to IX shall identify the records or the information to which access is requested on a form provided by the relevant public archive. Requests for access to records shall concern records held by

the relevant archive, which shall be under no obligation to obtain records from other parties in order to provide access to them.

☐ The processing by a public archive of requests submitted pursuant to Sections V and VI shall, where appropriate, be governed by the provisions of Section IV of the Information Act. Public archives may dismiss requests for access to records where lack of clarity in the identification of the record or information to which access is requested makes it impossible to comply with the request without undue effort. Prior to this, the party concerned shall be informed and given the opportunity to further specify the request.

☐ Article 41 Consultation

☐ Prior to deciding on the granting of access to records, a public archive may invite the entity subject to an obligation of transfer which transferred the record, or the person concerned by the information, to indicate whether the content of the information relates to sensitive interests which are to remain confidential pursuant to this Act. A delay of seven working days shall be given in which to respond to such invitations.

☐ Article 42 Case processing times and procedure

☐ The decisions of a public archive on whether to grant requests for access to records shall be made as quickly as possible.

☐ Where the archive fails to process a request within 25 working days of its receipt, the requesting party shall be informed of the reasons for the delay and of the likely date of decision. Where the request for access to records is based on the provisions of Section VI or Section VII, the above deadline shall be 30 working days, extended by the time expected to be required, as laid down by law, to obtain comments or approval, as appropriate.

☐ In other respects, the procedural rules of the Administrative Procedures Act shall apply.

☐ Article 43 Guidance with respect to copyright

☐ When processing a request for access to records protected by copyright, the name of the rightholder shall be provided where that information is available.

☐ Article 44 Photocopies or reproductions of records, etc.

☐ Public archives shall grant access to records in the form or format in which the documents are preserved, unless they have already been made publicly accessible. Where information is preserved electronically the requesting party may, where practicable, choose between accessing it in that form or as a printout on paper. When

granting access, appropriate safety precautions adapted to the nature of the materials shall be implemented.

☐ Where the number of records is large, public archives may decide to outsource the task of photocopying or reproducing the records. In such cases, the party requesting access to the records in question shall be liable for photocopying and reproduction costs.

☐ Where access is requested to the records of a bankruptcy estate, or to other uncatalogued or uncategorised records, public archives may charge fees for the work and expenses that this entails.

☐ The National Archives of Iceland may charge fees for the photocopying and reproduction of materials to which access is granted pursuant to this Act. Such fees shall be fixed by a tariff which is to be approved by the Minister and published in the B Section of the Law Gazette. The tariff must also be made easily accessible to those using the services of the National Archives.

☐ Regional archives may charge fees for the photocopying and reproduction of materials provided pursuant to this Act. Such fees shall be decided by the archive's board as part of a tariff which must be made easily accessible to the users. Where no board has been appointed for the archive, the relevant Municipal Council shall decide on the fees to be charged.

☐ The fees in question shall not exceed the actual cost incurred by the archive concerned in providing the services, their purpose being to recoup the following cost elements:

a. The salaries of the staff involved in providing the services;

b. The cost of materials specifically linked to the services;

c. The normal depreciation of any equipment used to reproduce materials.

☐ Where the cost of reproducing or photocopying materials is foreseeably higher than ISK 10,000, an advance payment may be required.

☐ Article 45 Reasoning for and notification of decisions to deny access

☐ Decisions by public archives to deny requests for access to records, in part or in whole, must include a justification and must be notified in writing. The same shall apply for denials of requests for photocopies or reproductions of specified records.

☐ Article 46 Right of complaint

☐ The following may be appealed to the Information Committee:

1. Denials of requests for access to records pursuant to this Act;
 2. Denials of requests for photocopies of records or reproductions of other materials;
 3. Decisions to limit access to a particular record for a period of up to 40 years on the basis of Article 28, first paragraph, in cases where the refusal of a public archive to grant access to the record is based on such a decision.
- ☐ The procedure for complaints filed pursuant to the first paragraph is governed by the provisions of Chapter V of the Information Act.
 - ☐ The procedure for decisions made by the National Archives of Iceland pursuant to Article 10, second and third paragraphs, is governed by the provisions of the Administrative Procedures Act.
 - ☐ Decisions by the National Archives of Iceland regarding the obligation of a legal entity to transfer documents to a public archive are subject to appeal to the Minister.
 - ☐ Refusals by the National Archives of Iceland based on Article 37, eighth paragraph, are subject to appeal to the Minister.
 - ☐ Decisions other than those referred to above and made pursuant to this Act are not subject to appeal to the Minister.

Section XI Sanctions and regulatory powers

- ☐ Article 47 Sanctions and compensations
- ☐ A person shall be subject to a fine, or to imprisonment for up to three years, for:
 - a. non-observance of an obligation of transfer pursuant to Article 14, fourth paragraph;
 - b. while being responsible for records management and archiving pursuant to Article 22, using arrangements for the registration of case files or for the classification or preparation of documents that are in non-compliance with rules laid down pursuant to Article 23;
 - c. not taking measures pursuant to Article 22, fourth paragraph;
 - d. violating the provisions of Article 24;
 - e. violating the duty to maintain confidentiality of Article 33;
 - f. violating the provisions of Article 37, third, fourth or seventh paragraphs.

- A person shall be subject to a fine for non-observance of an obligation of transfer pursuant to Article 14, sixth paragraph, or Article 16, third paragraph.
- Violations as referred to in the first paragraph trigger criminal liability where they are the result of wilful or grossly negligent action. Violations as referred to in the second paragraph trigger criminal liability where they are the result of wilful or negligent action.
- Legal entities may be fined for infringements as referred to in the first or second paragraphs irrespective of the liability for the entity's operations of any of the entity's responsible managers, employees or other relevant persons. A legal entity may become liable for penalties even where it cannot be verified which of the above persons is responsible. The criminal liability of public authorities shall be subject to the same conditions provided that an infringement as described in the first or second paragraph has been committed in the context of an operation considered comparable to that of a privately run enterprise.
- Attempted infringements and participation in infringements as described in the first and second paragraphs shall be punishable in accordance with the General Penal Code.
- Where a natural person violates one or more of the provisions referred to in the first paragraph, items e and f, whether through wilful or negligent action, that person may be sentenced to the payment of compensation for financial loss and damages to the person concerned by the information.
- Article 48 Regulatory powers
- The Minister may, by way of regulation, lay down further provisions on the implementation of this Act as a whole, or of individual sections thereof.

Section XII Entry into force etc.

- Article 49 Entry into force
- This Act shall enter into force forthwith. ...
- The provisions of the Act shall apply to all records covered by an obligation of transfer, irrespective of their date of creation or the date on which they were received by the entities subject to an obligation of transfer.
- Article 50 Amendments to other Acts ...
- Transitional provisions Notwithstanding the provisions of Article 10, first paragraph, municipalities and inter-municipal cooperation societies operating regional archives shall be authorised to operate such archives, without having been issued an operating

authorisation, for a period of three years from the date of entry into force of the Minister's regulation on authorisations to operate regional archives.

□ Notwithstanding the provisions of Article 10, second and third paragraphs, municipalities and inter-municipal cooperation societies shall not be required to move or transfer their holdings to the National Archives until three years after the entry into force of the Minister's regulation on authorisations to operate regional archives.

Appendix C – Interview details

All interviews were recorded using a Samsung Galaxy L series mobile device. All participants agreed to having the conversation recorded.

Interview 1: Ingveldur Tryggvadóttir. Akureyri Hospital

26 minutes and 18 seconds. Interviewed in the Akureyri Hospital medical library on May 9. 2018

Interview 2: Aðalbjörg Sigmarsdóttir. The Regional Archives in Akureyri.

17 minutes and 27 seconds. Interviewed in the staff cafeteria of the Regional Archives of Akureyri on May 11. 2018

Interview 3: Elín Dögg Guðjónsdóttir. Akureyri town hall

27 minutes and 16 seconds. Interviewed in her office in Akureyri town hall on May 11. 2018.

Interview 4: Alma Sigurðardóttir. The Directorate of fisheries

13 minutes and 55 seconds. Interviewed over the phone on May 17. 2018

Interview 5: Halla María Árnadóttir. Reykjavík City hall.

25 minutes and 11 seconds. Interviewed over the phone on May 28. 2018.

Interview 6: Svanhildur Bogadóttir. Reykjavík Municipal Archives

23 minutes and 54 second. Interviewed over the phone on May 28. 2018.