

TO: Joint Steering Committee for Development of RDA

FROM: Barbara B. Tillett, LC Representative

SUBJECT: Date of signing a treaty (6.29.1.33, 6.29.3.3)

Although 6JSC/CILIP/2 is not actually a proposal, LC does recommend resolving the discrepancies involving the date of signing a treaty. There are several inconsistencies in RDA for this element.

- the discrepancy between 6.4.1.3 (only a year) and 6.20.3.3 (year, month, and day);
- the discrepancies in the core statements at 6.4, 6.20, 6.20.2, and 6.20.3 when compared to each other and to the instruction in 6.20.3.3 to record the date;
- the discrepancy in the instruction at 6.29.1.33 for one category of treaty to record only the year and the instruction at 6.20.3.3 to record the year, month, and day;
- the difference within 6.29.3.3 to record year or year, month, and day.

Below are some proposed revisions to resolve those discrepancies to make RDA internally consistent. However, LC notes that there is still an inconsistency in the form of date added to access points for treaties: if the treaty or compilation of treaties has a collective title, only the year is added; see the LC comment added at the 3rd and 6th paragraphs of RDA 6.29.1.33 included at the end of this response. In order to resolve that inconsistency, perhaps the American Association of Law Libraries (AALL) via ALA (or equivalent organization in Canada, UK, or Australia) could consider changing the instructions to make the same addition to all treaties. It would be helpful for the Law Library community to initiate such a proposal.

Proposed revisions:

- 6.4 Date of Work
CORE ELEMENT
Date of work is a core element to identify a treaty. Date of work is a core element when needed to differentiate a work from another work with the same title or from the name of a person, family, or corporate body
- 6.4.1 Basic Instructions on Recording Date of Work
- 6.4.1.1 Scope
Date of work ▼ is the earliest date associated with a work.
Date of work may be the date the work was created or the date the work was first published or released.
For instructions on date of promulgation of a law, etc., see 6.20.2.
For instructions on date of signing of a treaty, etc., see 6.20.3.
- 6.4.1.2 Sources of Information
Take information on date of work from any source.
- 6.4.1.3 Recording Date of Work

Record dates in terms of the calendar preferred by the agency creating the data.

For works other than treaties, rRecord the date of the work by giving the year or years alone. For treaties, generally record the date of the work by giving the year, month, and day (see 6.20.3.3).

For details on recording dates according to the Christian calendar, see appendix H.

[Examples]

Indicate the source from which the date was derived applying the instructions given under 5.8.

- 6.20 Date of a Legal Work
CORE ELEMENT
Date of work is a core element to identify a treaty. Date of work also is a core element when needed to differentiate a legal work from another work with the same title or from the name of a person, family, or corporate body
- 6.20.1 Basic Instructions on Recording Date of a Legal Work
 - 6.20.1.1 Scope
Date of a legal work is the earliest date associated with a legal work.
 - 6.20.1.2 Sources of Information
Take information on date of a legal work from any source.
 - 6.20.1.3 Recording Date of a Legal Work
Record dates in terms of the calendar preferred by the agency creating the data. For details on recording dates according to the Christian calendar, see appendix H.
- 6.20.2 Date of Promulgation of a Law, Etc.
CORE ELEMENT
Date of work is a core element when needed to differentiate a work from another work with the same title or from the name of a person, family, or corporate body.
 - 6.20.2.1 Scope
Date of promulgation of a law, etc. ▼ is the year a law, etc., was promulgated or brought into force.
 - 6.20.2.2 Sources of Information
Take information on date of promulgation of a law, etc., from any source.
 - 6.20.2.3 Recording Date of Promulgation of a Law, Etc.
Record the year in which a law, etc., was promulgated applying the basic instructions given under 6.20.1.

[Examples]

Indicate the source from which the date was derived applying the instructions given under 5.8.

6.20.3 Date of Signing a Treaty

CORE ELEMENT

~~Date of work is a core element when needed to differentiate a work from another work with the same title or from the name of a person, family, or corporate body.~~

6.20.3.1 Scope

Date of signing of a treaty, etc. ▼ is the date a treaty, etc., or a protocol to a treaty, etc., was formally signed.

6.20.3.2 Sources of Information

Take information on date of signing of a treaty, etc., from any source.

6.20.3.3 Recording Date of Signing of a Treaty, Etc.

Record the date a treaty, etc., or a protocol to a treaty, etc., was signed applying the basic instructions given under 6.20.1. Except for single treaties or compilations of treaties identified by a collective name, rRecord the date in the form: year, name of the month, number of the day. For single treaties or compilations of treaties identified by a collective name (see 6.29.1.33), record the year.

[Examples]

Indicate the source from which the date was derived applying the instructions given under 5.8.

6.29.1.33 Additions to Access Points Representing Treaties, Etc.

If the access point representing a compilation of treaties and/or other agreements between two parties is constructed using the authorized access point representing one of the parties, add the name of the other party to the treaties (see 6.22).

[Examples]

For a compilation of treaties between one party and two or more other parties do not add the names of the other parties.

[Examples]

If the access point representing a compilation of treaties, etc., is constructed using the collective name for the treaties, etc., (see 6.19.2.8), and the compilation contains all the treaties, etc., add the year, earlier year, or earliest year of signing (see 6.20). **[LC comment: Consider changing to year+month+day]**

EXAMPLE

Treaty of Utrecht (1713)

If the access point representing a single treaty is constructed using the authorized access point representing one of the parties, and if there is only one party on the other side, add (in this order):

- a) the name of the other party (see 6.22)
- b) the date, earlier date, or earliest date of signing (see 6.20.3).

EXAMPLE

United States. Treaties, etc. Kyrgyzstan, 1993 January 19

Resource described: Investment treaty with the Republic of Kyrgyzstan : message from the President of the United States transmitting the Treaty between the United States of America and the Republic of Kyrgyzstan concerning the Encouragement and Reciprocal Protection of Investment, signed at Washington on January 19, 1993

[other examples not included]

If there is more than one party on the other side, add only the date, earlier date, or earliest date of signing.

EXAMPLE

United States. Treaties, etc. 1952 May 9

Resource described: International Convention for the High Seas Fisheries of the North Pacific Ocean with a protocol relating thereto : message from the President of the United States transmitting an International Convention for the High Seas Fisheries of the North Pacific Ocean, together with a protocol relating thereto, signed at Tokyo, May 9, 1952, on behalf of the United States, Canada, and Japan

If the access point representing a single treaty is constructed using the name by which the treaty is known, add the year, earlier year, or earliest year of signing (see 6.20.3). **[LC comment: consider changing to year+ month+ day]**

EXAMPLE

Agreement Establishing the World Trade Organization (1994)

Resource described: Uruguay Round of Multilateral Trade Negotiations / General Agreement on Tariffs and Trade. — Spine title: Final texts of the GATT Uruguay Round agreements including the Agreement Establishing the World Trade Organization as signed on April 15, 1994, Marrakesh, Morocco. Signatories not listed in text nor found in reference sources consulted

For a separately described protocol, amendment, extension, or other agreement ancillary to a treaty, etc., add Protocols, etc. to the authorized access point representing the original agreement, followed by the date of signing or, if more than one protocol, etc., is involved, the inclusive dates.

EXAMPLE

Ireland. Treaties, etc. Portugal, 1993 June 1. Protocols, etc., 2005 November 11

Resource described: Protocol between Ireland and the Portuguese Republic Amending the Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Dublin on 1st June, 1993 : done at Lisbon on 11th November, 2005

6.29.3.3 Variant Access Points Representing Treaties, Etc.

Use the title for the treaty, etc., as the basis for a variant access point. Add to the title the year of signing of the treaty, etc. (see 6.20.3). [LC comment: note that the first example below lacks month and date even though 6.20.3 says to include month and date. Examples at the end of this instruction include month and date.]

EXAMPLE

Protocol Amending the International Convention for the High Seas Fisheries of the North Pacific Ocean (1978)

Resource described: Protocol Amending the International Convention for the High Seas Fisheries of the North Pacific Ocean : message from the President of the United States transmitting the Protocol Amending the International Convention for the High Seas Fisheries of the North Pacific Ocean, together with related agreed minutes and two memoranda of understanding, signed at Tokyo, April 25, 1978. Signatories are the United States, Canada, and Japan. Authorized access point for the work: United States. Treaties, etc., 1952 May 9. Protocols, etc., 1978 April 25

For a treaty or other agreement between two or more of the following:

- a) national governments
- b) international intergovernmental bodies
- c) the Holy See
- d) jurisdictions now below the national level but retaining treaty-making powers

construct additional variant access points using the authorized access points representing each of the signatories to the treaty, etc. (other than the one used to construct the authorized access point). Make additions to the variant access points, if considered to be important for identification, applying the instructions given under 6.29.1.33.

EXAMPLE

World Intellectual Property Organization. Treaties, etc. United Nations, 1975 January 21

Authorized access point for the work: United Nations. Treaties, etc. World Intellectual Property Organization, 1975 January 21

Portugal. Treaties, etc. Ireland, 1993 June 1. Protocols, etc., 2005 November 11

Authorized access point for the work: Ireland. Treaties, etc. Portugal, 1993 June 1. Protocols, etc., 2005 November 11