

SAMPLE RESEARCH RULES

Research rules.... of the archive in.... issued based on Section 36(a) of Act No. Coll., on archives and records management and on amendments to certain laws, as amended, and related laws:

Article 1

General provisions

- (1) Viewing archival documents is possible only upon fulfilling the terms and conditions set out in the Act and inside premises designated for such purposes (the “research room”). An applicant wishing to view archival documents (the “researcher”) does not have access to the premises where the archival documents are stored.
- (2) The researcher shall register in the visitors’ book upon entering the research room. He or she shall indicate the date of the visit, his or her name or names and surname and purpose of the visit. Anyone who is unclean, under the influence of alcohol, drugs or other psychotropic substances or carrying weapons shall not be admitted to the research room.
- (3) The researcher shall fill in the research form, which is also the application for viewing archival documents, truthfully in the research room. The researcher shall present a valid personal identification card or passport or other similar identification to the on-duty supervising employee in the research room (the “research room supervisor”), who shall check the correctness of the data stated on the research form. If the research form is in electronic form, the research form shall be filled in by the research room supervisor with the full cooperation of the researcher, who shall check all of the data on the research form once printed and then sign it. The researcher shall fill in a new research sheet for each calendar year in which he or she does research in the archival documents, upon every change of purposes of viewing and upon each change of topic of study.
- (4) If the researcher is unable to prove his or her identity with a valid personal identification card, passport or other similar piece of identification, he or shall be refused access to the archival documents.
- (5) The archival documents shall be provided to the researcher based on his or her express request, which may be sent to the archive in advance also via post or via means of electronic communication (e-mail, fax, telephone) to the archive’s contact address published on the official notice board, if one is set up, and on its website. If a request that is sent in writing does not contain all of the data stipulated in paragraph 6 or if the wording of the request for access to archival documents is unclear, unspecific or inexact, such request shall be deemed informative and only archival documents where there is no doubt about their being the subject of viewing will be prepared for the researcher.
- (6) The researcher shall fill in archival document request form in the research room with his or her name or names, surname, subject of study, name of archival set, carton number, book number, or inventory number or press mark or folio which he or she is requesting for study and shall sign it and indicate the processing date. The archival document request form forms an annex to the research form. If the researcher has made use of the procedure for requesting archival documents under paragraph 5 and his or her request fulfils the requirements of the

form under such paragraph, the document dispatched by the researcher shall be appended to the research sheet. If the archive has received an incomplete or inexact request, the researcher shall fill in the archival document request form in the research room. If the researcher has followed the procedure under paragraph 5 and requests archival documents other than those requested in advance, he or she shall fill in the archival document request form only in the scope of the newly requested archival documents.

(7) Prior to entering into the research room, the researcher shall remove his or her coat or jacket, any hand-held luggage and other personal belongings at the designated location. The researcher may enter the research room only with a pen, pencil, own sheets of blank paper without boards, and recording equipment, such as a camera, video camera, handheld scanner or mobile laptop without cover. After completing his or studies, the researcher shall present his or her items for examination to ensure no archival documents are being taken out of the research room (in particular, he or she shall open up the mobile computer, scanner, present the sheets of paper brought in). The items brought in by the researcher shall be presented by the researcher for examination upon request even prior to commencing studies in the research room.

(8) Everyone must keep quiet in the research room and respect the study environment, which must not be disturbed by noise, loud communication with other researchers, excessive movement around the research room and similar disturbances that do not correspond to the purpose of the visit to the research room. Smoking, eating, drinking and telephoning are not allowed in the research room. The researcher shall turn off all sound on equipment that he or she was allowed to bring into the research room.

Article 2

(1) When viewing, the researcher shall follow the instructions of the research room supervisor. The research room supervisor may ask the researcher to use only ordinary pencils of medium hardness when making extracts and notes from certain types of archival documents. The research room supervisor is not obliged to help the researcher to read text in the archival documents, translate into different languages, interpret historical events related to the archival documents, etc.

(2) The researcher shall take maximum care when handling the archival documents. The archival documents may not be used as support for making notes; they may not be copied directly from using carbon paper; text may not be underlined or crossed out in them; notes may not be made in them; and they may not be used for any other purpose or in any other way than for viewing. Archival documents physically damaged by the researcher will result in the immediate revocation of the researcher's permission to view the archival documents.

(3) It is forbidden for researchers to take archival documents out of the research room. Taking out any archival documents from the research room shall result in the immediate revocation of the researcher's permission to view the archival documents.

(4) Only one person, the researcher, may view the archival documents at one time, and such archival documents had to have been listed in the respective researcher's research form. In justified cases (e.g., didactic, during excursions), the research room supervisor may allow viewing by more than one person.

(5) Archival documents shall be presented to the researcher for viewing in the period and in the total number requested or in the number allowed by the operating conditions and technical possibilities of the archive on any given visiting day, with account taken of the importance and purpose of the research. Only the number of archival documents that can be easily checked by the research room supervisory upon their return shall be provided.

(6) The archive shall not reserve archival documents in the research room if the researcher does not commence viewing the archival documents within thirty calendar days of the agreed day of provision or if the researcher suspends research for a period of more than thirty days. The archival documents in the research room are reserved for the researcher for a period necessary for viewing. If the researcher does not view the archival documents systematically or regularly and if he or she fails to return the reserved archival document him or herself, the archival documents are deemed reserved for three months from the order date. At the end of such period, it is possible in justified cases to extend the reservation for a longer period of time, as a rule no longer than one calendar year. When deciding on extension, other applications for viewing the archival documents shall be taken into account.

(7) The archive shall allow the archival documents to be viewed by a different researcher than the one for whom the archival documents have been reserved first if the researcher for whom the documents have been reserved first gives consent to such viewing by another researcher or if each such researcher demonstrably views these archival documents for a different purpose and studies a different topic. In case of such concurrent viewing by two or more researchers, the archive shall allow the archival documents to be viewed by the researcher for whom the archival documents were reserved first. In case of dispute, the person heading the archive shall be the one to make the final decision.

Article 3

(1) In the research room, it is possible, upon fulfilling the terms and conditions stipulated by the research room supervisor (e.g., maintaining silence in the research room) and if the other researchers in the research are not disturbed, use one's own recording equipment to produce a copy of the archival documents for the personal study needs of the researcher only with the consent of the research room supervisor. The research room supervisor shall express consent by signing the request form filled in by the researcher. A sample form is appended to the sample research rules. Any proprietary rights or copyrights and other related rights shall not be affected thereby.

(2) Upon finishing viewing of the archival documents, the researcher shall leave his or her spot in good order. Extracts, notes and other aids or items shall not be left in the research room, but taken with the researcher.

(3) Upon ending viewing of the archival documents, the researcher shall return the archival documents in the number, order and state in which they were provided. Breach of this obligation shall result in the immediate revocation of the researcher's permission to view the archival documents.

(4) The research room supervisor shall check the number and state of the archival documents returned by the researcher, and shall confirm their due return by signing the research form still prior to the researcher leaving the research room.

(5) Information obtained from the archival documents shall be used by the researcher only for the purpose set out in the research form. If the information is used in scientific or other work or published, at least the name of the archive and the archival sets used and a more detailed designation of the archival documents (citations) from which the information was drawn shall be indicated.

(6) If the researcher published a paper which was created based on viewing the archival documents stored in the archive, he or she shall send one copy thereof (e.g., archival edition) to the appropriate archive. If the researcher drew information from archival documents located in more than one archive, he or she shall send the published paper only to the archive from which he or she drew the most information; the researcher shall share bibliographical data about the published paper with the other archives or shall send the paper to them electronically in PDF format.

Article 4

(1) The archive shall allow the researcher to view archival aids.

(2) Archival aids presented for viewing, provided they are not official works and provided they fulfil the attributes of protection under the Copyright Act, shall be handled as if they were literary works.

Article 5

Procuring copies archival documents

Copies of archival documents are provided by the archive from the archival documents that the researcher is studying or needs for the purposes of official or own work listed in the research form depending on any approval provided in advance by the owner of the archival documents or on the protection of any copyrights or related rights. Copying of archival documents shall be provided depending on the operating conditions and technical possibilities of the archive. Copies are not made of archival documents if their physical state does not allow for it.

Article 6

Lending archival documents for the purpose of studying outside the archive

(1) Lending of originals of archival documents for viewing to a different archive than in which they are stored may be permitted by the person heading the archive in exception cases with account taken of the purpose and circumstances of their use, safety of transport and security provided at the location of their temporary storage and with regard to the costs associated therewith. The archival document may not be sent by post; they shall always be transported by an employee authorised by the person heading the archive lending the archival documents.

(2) Lending of originals outside the archive may be permitted by the person heading the archive in exceptional cases and under the conditions set out in paragraph 1 above only to the owner or originator of the archival documents and to public authorities, cultural and or scientific institutions for exhibitions or other public presentations organised by them, to local

governments and to persons who are authorised under a special legal regulation to view documents where the viewing of the documents is required for the discharge of their office. Lending of originals of archival documents may not be refused to the originator of the archival documents if the archive stored the archival documents based on a storage agreement or based on a gift of deed or purchase agreement and lending of the archival documents is a condition in such contractual documentation.

(3) If archival documents stored in a public archive are not owned by the Czech Republic, by a legal person established by law or by a local government, the lending of such documents shall required the consent of the owner thereof.

(4) Upon lending the archival documents, the archive shall issue to the borrower a bond containing:

- a) an exact description of the archival documents being lent
- b) the purpose of the loan
- c) date of the loan and the deadline for returning the archival documents
- d) the borrower's name, surname and address of residence in the Czech Republic or address of residence abroad based on an identity card if the borrower is a natural person
- e) if the borrower is a legal person, the address of the registered office and the name and surname of the person authorised to act on its behalf
- f) the borrower's own-hand signature or that of the authorised person if the borrower is a natural person; in case of an authorised person, the name or names, surname and address of residence in the Czech Republic or address of the place of residence abroad according to an identity card, and the date of the presented power of attorney.
- g) the own-hand signature of the borrower's statutory body or that of the person authorised thereby attached to the name or business firm of the legal person that is the borrower; if the signature card of the person acting on behalf of the legal persons contains a stamp, the stamp of the legal person shall also be attached to the signature.

(5) The lent archival documents shall be recorded by the archive in a special logbook used to record all archival documents lent and borrowed.

(6) If the borrower fails to return the archival document lent by the archive by the agreed deadline and no extension of the deadline has been agreed, no more archival documents will be lent to such borrower until the archival documents are return.

Article 7

Use of the archive library

The researcher may use books, magazines and newspapers from the archive library in connection with his or her study topic and scope thereof. The use of books, magazines and newspapers from the archive library for study purposes shall be governed by the borrowing rules issued by the person heading the archive.

Article 8

Excursions to the archive

When visiting the archive with an excursion, visitors shall sign in. Access to other archive premises other than the research room may be permitted by the person heading the archive and shall take place only in the company of an authorised employee.

Article 9

The costs associated with procuring extracts, transcriptions or copies of archival documents in analogue form or procuring copies thereof in digital form, the costs associated with looking for archival documents and the further processing thereof, and the costs associated with procuring research from the archival documents shall be governed by the pricelist for services.

Article 10

Final provisions

If the researcher breaches any of the basic obligations imposed on him or her by the research rules, he or she may be barred from further access to archival documents or may have his or her permission revoked.

....., Signature:.....
(place) (date)

56. Annex No. 4 is worded as follows:

“Annex No. 4 to Decree No. 645 Coll.

Pricelist of maximum compensation of costs associated with provision of services by public archives

A.

Procurement of extract or transcript of archival documents including notification of negative finding and verification of copies obtained by public archives

1. Procurement of extract or transcript of archival document

CZK 50 per each commenced page of the extract or transcript processed by archive

2. Confirmation of compliance of copy of archival document with original stored in the archive and acquired by archive under letter B.1.

CZK 30 per each commenced page to be confirmed

B.

Copying of archival documents

1. Electrographic copying (CZK/1 page of reproduction)

Black and white, single-sided:

	A4	A3
1.1.1.1. loose-leaf	CZK 5	CZK 8
1.1.1.2 bound	CZK 7	CZK 12

Black and white, double-sided:

	A4	A3
1.1.2.1. loose-leaf	CZK 8	CZK 12
1.1.2.2 bound	CZK 17	CZK 22

Colour single-sided:

	A4	A3
1.2.1.1. loose-leaf	CZK 25	CZK 38
1.2.1.2 bound	CZK 33	CZK 46

Colour double-sided:

	A4	A3
1.2.2.1. loose-leaf	CZK 40	CZK 60
1.2.2.2 bound	CZK 53	CZK 80

2. Micrographic work

Procurement of microrecording

1 frame of 35 mm microfilm 45 x 35 mm	CZK 32
1 frame of 35 mm microfilm 24 x 35 mm	CZK 20

Copying of microrecording

1 frame regardless of size	CZK 15
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Enlargement from 35 mm microrecording to regular office paper A4 or A3 format

CZK 20

3. Digital reproduction

Digital reproduction of two-dimensional original

3.1.1. scanning of original into A4 format inclusive	CZK 25
3.1.2. scanning of original into A3 format inclusive	CZK 60
3.1.3 scanning of large formats to A0+ format inclusive	CZK 300
3.1.4. photograph of original into A3 format inclusive using a digital camera	CZK 200
3.1.5 photograph of original into a format larger than A3 using a digital camera	CZK 300
3.1.6. scanning or archival document on transparent background (e.g., microfilm, board) per field	
- scanning from roll of film	CZK 20
- scanning of physically separate film frame	CZK 50
3.1.7. joining together of a number of digital photographs from a large-scale original into 1 photo	CZK 500/1 hr of work
Increasing resolution by each commenced dpi over 300 dpi	CZK 20

Digital reproduction of a three-dimensional original

3.2.1. 1 documentation photograph (general view) of small and medium dimensions using a digital camera	CZK 350
3.2.2. 1 studio photograph (for print) of small and medium dimensions using a digital camera	CZK 1 500
3.3. Provision of digital reproduction of already digitalised original (1 picture)	CZK 25
3.4. Access to digital reproduction of archival document in analogue form, archival documents in analogue form and replicas of archival documents in a way allowing remote access is not charged.	
3.5. Recording of data	
3.5.1. CB including recording of data	CZK 40

3.5.2. DVD including recording of data

CZK 60

The maximum payment for newly obtained digital reproductions or replicas of archival documents in digital form is determined in cases where these are provided in colour of a colour density of 24 bits or higher, with a basic resolution of 300 dpi, in JPG, PDF/A, TIFF, PNG or RAW format, without graphic editing.

C.
Confirmation of compliance of

1. copies of archival document in analogue form or its digital reproduction with archival documents in analogue form stored in archive
 - 1.1. for processing confirmation clause CZK 50
 - 1.2. for searching archival documents and making copy of archival documents in analogue form or a digital replica thereof CZK 100/hour

2. replicas of archival documents in digital form with archival documents in digital form or with replica of archival documents in digital form stored in archive
 - 2.1. for processing confirmation clause CZK 50
 - 2.2. for searching archival documents and making copy of archival document in digital form CZK 100/hour

3. Confirmation of compliance of a copy of an archival document in analogue form or its digital replica with an archival document in analogue form stored in the archive or of a replica of an archival document in digital form or with a replica of an archival document in digital form stored in the archive is carried out against copies and replicas of archival documents obtained by the archive. If compliance is being confirmed against copies of archival documents in analogue form, digital reproductions of archival documents in digital form or replicas of archival documents presented by the party requesting the confirmation of compliance, the archive is entitled to payment for processing the confirmation clause and payment for verification of compliance in the amount of CZK 1000

Article II

Force

This decree enters into force on 1 July 2012.

Minister:

Kubice