

RESEARCH RULES OF THE NATIONAL ARCHIVES

issued in accordance with Decree No. 645/2004 Coll., as amended, and in the context of provision 36 (a) of the Act No. 499/2004 Coll., on archives and records management and on the amendment to some other acts, as amended

Section 1 General Provisions

(1) Access to archival records shall be subject to conditions laid down in the Act and be given in the premises designated for this purpose (hereinafter referred to as the "research room"). Applicants for access to archival records (hereinafter referred to as the "researcher") shall not be granted access to the premises where archival records are deposited.

(2) Upon entering the research room, a researcher shall register in the guestbook of the research room indicating the date and purpose of the visit and his/her name or names and surname. Unclean persons, persons under the influence of alcohol, drugs, or other psychotropic substances (intoxicated persons), or armed persons shall not be granted access to the research room.

(3) In the research room of the National Archives, a researcher shall truthfully fill in a research sheet which is also a request for access to archival records. A researcher shall prove his/her identity by submission of a valid identity card, passport, or another similar proof of identity to an employee authorised to supervise the research room (hereinafter referred to as the "research room supervisor") which shall check the correctness of the data provided in the research sheet. In the case of electronic research sheet, the research sheet shall be completed by the research room supervisor with the full participation of the researcher who, after printing the research sheet, shall check all data and sign it. A researcher shall fill in a new research sheet for every calendar year in which he/she shall access archival records, at every change of the purpose of consulting the archival records, and at every change of the topic of study.

(4) If a researcher is not able to prove his/her identity to the research room supervisor by his/her valid identity card, passport, or any other similar proof of identity, he/she shall be denied access to archival records.

(5) Archival records shall be issued to a researcher based on his/her explicit request that may also be preliminarily sent to Archives via post licence holder or sent or announced by means of electronic communication (internet, fax or phone), namely to the contact addresses published on the official board of the Archives, if established, and on their website. If the request sent in written form does not contain all the particulars specified in paragraph 6, or if the formulation of the request for submission of archival records is unclear, imprecise, or unspecific, such request shall be considered as informative. On its basis, only such archival records may be prepared for the researcher that should no doubt be subject of consulting.

(6) In the research room, a researcher shall fill in the application form for gaining access to archival records stating his/her name or names, surname, topic of study, the name of the archival group, number of box or a book, or inventory number or reference number or number of folio which the researcher requests for studying, and shall provide the application with his/her signature and the date of processing. The form shall be attached to the research sheet. If the researcher used the procedure for requesting archival records pursuant to paragraph 5 and his/her claim met the requirements of the form pursuant to this paragraph, the document delivered by the researcher to the Archives shall be attached to the research sheet. If an incomplete or inaccurate request has been delivered to the Archives, the

researcher shall fill in the application form for gaining access to archival records in the research room. In case the researcher acted under paragraph 5 and requires submission of further archival records other than requested tentatively, he/she shall fill in the application form only to the extent of newly required archival records.

(7) Before entering the research room a researcher shall take off his/her coat and leave the hand luggage and other similar items at a place designated for that purpose. A researcher shall be permitted to enter the research room only with a pen, pencil, his/her own loose sheets of paper without a folder, and with a recording device such as a camera, video camera, portable scanner, or a laptop without any case. After termination of the research, a researcher shall submit his/her belongings to be searched in order to determine whether the researcher carries away any archival records from the research room (in particular, the researcher shall open the laptop, scanner, produce brought sheets of paper). At request, belongings brought to the research room by the researcher shall be submitted to examination also prior to commencement of the research in the research room.

(8) In the research room it is necessary to keep quiet and to respect the study environment which can not be disturbed by noise, loud communication with other researchers, excessive movement around the research room, and similar disturbing activities that do not conform to the purpose of the visit of the research room. Smoking, eating, drinking and telephoning shall be prohibited. A researcher shall switch off all audio signals on devices brought with the consent of the research room supervisor to the research room.

Section 2

(1) When consulting archival records, a researcher shall follow the instructions of the research room supervisor. Supervisor of the research room may require researchers to use only pencils of medium hardness when excerpting and taking notes from certain types of archival records. The research room supervisor shall not be obliged to provide assistance to researchers with reading text of archival records, its translation into other languages, interpretation of historical facts related to the archival records, etc.

(2) When consulting archival records, a researcher shall handle them with utmost care. Archival records can not be used as a writing pad or to be copied directly using carbon paper or tracing. It shall be prohibited to underline, cross out, or write any text in archival records or use them in any other manner or for any purpose other than consulting. Physical damage to archival records by a researcher shall result in immediate termination of researcher's permission to consult archival records.

In the research rooms of the National Archives, a researcher studying archival records shall be obliged to use clean, white cotton gloves that he/she shall obtain prior to the study of archival records. Consulting archival records without using this prescribed equipment for protection of archival records shall not be permissible.

(3) Researchers shall be prohibited from taking archival records out of the research room. Taking any archival record out of the research room shall result in immediate termination of researcher's permission to consult archival records.

(4) One person only may consult archival records requested by a researcher, namely the researcher in whose research sheet the submitted archival records were recorded. In justified

cases (e.g. didactic purposes, during excursions) the research room supervisor may permit more persons to consult archival records at the same time.

(5) Archival records shall be submitted to a researcher within the time period, in the total quantity, and in the quantity per one visiting day according to operating conditions and technical possibilities of the Archives with regard to the importance and purpose of consulting. Only such amount of archival records shall be submitted, whose number and condition may be easily checked by the research room supervisor upon returning.

Staff of the research rooms of the National Archives prepares archival records for researchers to study within 1 to 5 days from the date of order, usually in a total quantity of 5 boxes or 5 single items per day.

Issue of new research sheets and issue of archival records for study shall end 30 minutes before closing time of the research rooms.

(6) Archives shall not reserve archival records for a researcher in the research room if the researcher does not commence consulting archival records within thirty calendar days of the agreed date for their submission or interrupts the consulting for a period exceeding thirty days. Archival records are reserved for a researcher in the research room for the time necessary for consulting. Unless the researcher consults the reserved archival records continuously or periodically and returns the reserved archival records himself/herself, the archival records shall be deemed to be reserved for a period of three months from the date of order. After this period, in justified cases, the reservation can be extended for another period, usually for the period until the end of the calendar year. When extending, the fact whether there are other applicants for consulting archival records in question shall also be taken into consideration.

(7) Archives shall allow consulting archival records to a researcher other than that which requested these archival records for consulting as the first if the initial researcher gives consent to such consulting to another researcher or if each of these researchers provably consults these archival materials for different purpose or is studying a different topic. In the case of simultaneous consulting by two or more researchers, the Archives shall allow consulting these archival records only to the researcher, for whom the archival records were reserved as the first. In disputable cases, the Director of the Archives shall decide the matter.

Section 3

(1) Under the conditions set by the research room supervisor (such as maintaining quiet in the research room) and only at the discretion of the research room supervisor, researchers may be allowed to use their own reproduction devices for making copies of archival records for personal study purposes. Consent shall be expressed by signing an application filled in by the researcher. The sample of this application is an appendix to these Research Rules. Protection of proprietary rights, copyrights, and associated rights shall not be compromised.

Researcher shall submit the application for use of own reproduction device to the research room supervisor for approval prior to commencement of the research. After termination of the research, the researcher shall complement the data on the number of reproductions taken and their identification.

In the research rooms of the National Archives cameras with flash equipment of all types and also the use of all types of scanners with document feeder shall be prohibited from using. The research room supervisor shall notify a researcher of the unsuitability of these and other reproduction devices and shall prohibit their use. A failure to observe this prohibition by a researcher shall result in immediate termination of researcher's permission to consult archival records.

(2) After finishing consulting archival records, a researcher shall tidy up his/her place in the research room. A researcher shall not leave excerpts, notes and other aids or items in the research room, but shall take them away with him/her.

(3) Upon any termination of consulting archival records, a researcher shall be obliged to return the archival records in the number, sequence and state in which he/she was issued with. Violation of this rule shall result in immediate termination of researcher's permission to consult archival records.

(4) A research room supervisor shall be obliged to check the quantity and condition of archival records returned by a researcher and confirm their proper return by signing the research sheet before the researcher leaves a research room.

(5) A researcher shall use information acquired from archival records only for the purpose stated in the research sheet. When using such information in scientific or other works or when being published, the researcher shall specify at least the name of the Archives and archival groups used and further indication (citation) of the archival records from which information was drawn.

(6) If a researcher has published a work that was based on information found in archival records deposited in the Archives, he/she shall send one copy (e.g. edition of archival records) to the Archives. If the researcher drew on the archival records deposited in several archives, he/she shall send the published work only to the archives of whose archival records he/she used the most; the researcher shall notify other archives of bibliographic data on his/her published work, or send the work electronically in PDF format.

Section 4 Using Finding Aids

(1) Archives shall enable researchers to use finding aids.

(2) Finding aids submitted for consulting, unless they are official works and if they fulfill the characteristics of a work subject to protection under the Copyright Act, shall be treated as literary works.

Section 5 Making and Consent to Single Use of Reproductions of Archival Records

(1) The Archives shall provide reproductions of archival records which a researcher studies or needs for official purposes or for the purpose of his/her work stated in the research sheet, subject to the prior consent of the owner of the archival records, where required, or protection of the copyright and related rights, where applicable. Reproductions of archival records are provided depending on the operating conditions and technical possibilities of the Archives.

Where the physical condition of archival records prevents their reproduction, reproductions shall not be provided.

(2) The Archives shall issue Consent to single use of a reproduction of an archival record upon request of a researcher submitted via the registry of the Archives in written form (paper or electronic). The application shall include references of archival records (i.e. at least the name of the archival group, inventory number, reference number, or number of a storage unit, place of storage) that are to be used and the name of particular project for which they are intended. In the case of using reproductions of archival records, the applicant is obliged to indicate their references next to the reproductions of these archival records or state them as a comprehensive list in a colophon or in an annex, for instance, including the place of storage of the original archival records, i.e. the National Archives. If the National Archives has a license agreement on the use of reproduction of an archival record or is aware of the copyright holder, such information shall be included in the given Consent. Consent to single use of a reproduction of an archival record shall be issued free of charge.

Section 6

Lending of Archival Records for Study Purposes outside the Archives

(1) In exceptional cases, lending of original archival records for consulting in archives other than they are deposited can be permitted by the Director of the Archives, taking into account the sense, purpose, and circumstances of their use, safety of the transport, ensuring the protection of archival records in place of their temporary deposit, and taking into consideration the costs involved. Archival records shall not be sent by post, but they shall be always transported by an authorized employee, designated by the Director of the National Archives, under conditions agreed in advance.

(2) Lending of original archival records outside the Archives shall be permitted by the Director of the Archives exceptionally and under the conditions provided for in paragraph 1 only to the owner or originator of archival records and to state authorities, cultural scientific institutions for their exhibitions or other public presentations, and to territorial government bodies and persons who are under a special legal regulation entitled to consult documents, where the purpose of consultation is required for exercise of official authority. Lending of original archival records may not be refused to the originator of archival records if the archival records are deposited in the Archives based on the agreement on custody or on the basis of a donation or purchase contract and the originator has reserved the right to borrow archival records in such a contract.

(3) Unless an archival record deposited in the Archives is owned by the Czech Republic, legal persons established by law, or a territorial government body, written consent of its owner to lend such archival record shall be required.

(4) When lending of archival records, the Archives shall be obliged to issue to the borrower a document containing following:

- (a) A precise list of archival records being lent;
- (b) The purpose of lending;
- (c) The date of lending and the time limit for returning the archival records;

(d) The name, surname, date of birth, and address of permanent residence in the Czech Republic, or address of the borrower in a foreign country according to a proof of identity, if the borrower is a natural person; or

(e) Company registration number, business address of the borrower, and the name and surname of their authorized representative in case of legal person;

(f) A handwritten signature of the borrower or a person authorized by him/her in the case of a natural person; in the case of the authorized person, his/her name or names, surname, and address of residence in the Czech Republic, or home address abroad according to a proof of identity, and date of issue of the submitted power of attorney shall be stated at the same time;

(g) A handwritten signature of the statutory body of the borrower or their authorized person attached to the name or business name of a legal person that is the borrower; if a specimen signature of persons acting on behalf of a legal person contains an imprint of a stamp, an imprint of the stamp of a legal person shall be attached to the signature also.

(5) Lent archival records shall be entered in a special book of borrowings and lendings.

(6) If the borrower fails to return borrowed archival records within the agreed time limit and has not negotiated an extension of the period, further requested archival records shall not be lent until returning borrowed archival records.

Section 7 Use of the Archives Library

(1) A researcher may use books, magazines, and newspapers from the Archives Library in connection and within the scope of his/her subject of study. The use of books, magazines, and newspapers from the Archives Library shall be governed by the Lending Rules of the Archives Library.

Every researcher may also use publications from the reference library in the research room which are accessible on shelves. A researcher shall treat books gently and save their physical state. After finishing his/her studies, a researcher shall return the books at the same place where it was borrowed. If the researcher intends to use only the reference library, he/she shall announce his/her name and surname to the research room supervisor upon arrival in the research room and record in the guestbook.

Section 8 Excursions to the Archives

During an excursion to the Archives, visitors shall enter their names in the book of visitors to the research room. Entry to other premises than the research room of the Archives shall be permitted by the Director of the Archives and shall proceed only when accompanied by authorized employee.

Section 9
Payment for Services Provided by the Archives

The amount of costs related to the making an extract, transcript, or copy of an archival record in analog form, or making a replica of an archival record in digital form, costs related to searching archival records and their further processing, and costs related to making a research from archival records shall be governed by the Price List of Services.

Section 10
Final Provisions

If a researcher violates any of the basic duties imposed by the Research Rules, further consulting archival records may be refused to him/her, or the already given approval may be revoked.

Section 11
Entry into Effect

(1) This instruction cancels and replaces the Instruction No. 9/2012.

(2) This instruction comes into effect on 1 September 2015.

Prague 21 July 2015

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Director of the National Archives

Appendix 1 ó Research Sheet

Appendix 2 ó Document on Submitted and Returned Archival Records

Appendix 3 ó Application for Consent to the Use of Own Reproduction Device