

RESEARCH RULES OF THE NATIONAL ARCHIVE

Research Rules of the National archive in Prague issued on the basis of Section 36 (a) of Act No. 499/2004 Coll., on archives and the filing service and amending certain laws, as amended, and other related Acts:

Article 1 General Provisions

(1) Archive materials may be perused solely subject to the terms and conditions stipulated in the law, and only in the premises designated for this purpose (hereinafter the “research premises”). Persons requesting peruse of archive materials (hereinafter a “researcher”) shall not be granted access to the premises where the archive materials are deposited.

(2) Upon entering the building, a researcher shall record its name in the list of visitors of the research premises, specifying the date of the visit, its name and surname and the purpose of the visit, and he shall sign the list of visitors.

(3) In the research premises of the archive, a researcher shall specify accurate information in the research sheet, which sheet also represents a request for peruse of the archive materials. A researcher shall prove its identity by submission of a valid identity card, passport or other similar document to an employee responsible for providing services and supervision in the research premises (hereinafter the “research premises supervisor”), who shall check the accuracy of the information specified in the research sheet. Where electronic research sheet is used, the research sheet shall be filled in by the research premises supervisor in the presence of the researcher, who, after printing the research form, shall check all information and sign the research form. A researcher shall fill in a new research sheet for each calendar year and in each case of a change in the subject of study.

(4) If a researcher cannot prove its identity to the research premises supervisor by a valid identity card, passport or other similar document, he shall not be allowed to peruse the archive materials.

(5) A researcher shall fill in an application form for submission of archive materials, specifying its name and surname, name of the book fund, the folder, book or inventory number, call number or folio of the archive materials which the researcher requests for studying and the date, and he shall sign the application form. A researcher may send its request to the archive in advance, also by means of remote access (the Internet, fax or telephone). Where an application form sent by means of remote access does not contain all required information or if the wording of the request for submission of archive materials is unclear, inaccurate or unspecific, the thus-sent request shall be deemed to be informative and non-binding. Such application may be accepted within a reasonable time-period after clarifying of the contents thereof during a visit of the researcher in the archive. During a visit to the research premises, a researcher shall additionally fill in the application form, specify the date and sign the application form. Subsequently, the application form shall be attached to and become part of the research sheet.

(6) Upon entering the research premises, a researcher shall store his coat, hand luggage and other similar thing at a place designated for that purpose. A researcher may enter the research premises carrying only a pen, pencil, his own loose sheets of paper without cover and a recording device, such as camera, video camera, portable scanner or portable computer without bag. After termination of the research, a researcher shall submit his things for control for the purpose of verifying that he is not removing any archive materials from the research premises (in particular, the researcher shall open the portable computer, scanner, submit the sheets of paper he has brought with him). At request, a researcher shall submit the things

brought by him to the research premises also prior to commencement of the research in the research premises. Dirty or intoxicated persons or persons carrying weapons shall be denied access to the research premises.

(7) Silence must be kept in the research premises; smoking, eating, drinking and telephoning shall be prohibited in the research premises. Researchers shall switch off any sound signals of the equipment brought by them to the research premises.

Article 2

(1) A researcher shall comply with the instructions of the research premises supervisor in perusing the archive materials. The research premises supervisor may request that a researcher use only medium-grade pencils when taking extracts and notes from certain archive materials. The research premises supervisor shall not be obliged to provide a researcher with any assistance in reading the texts of the archive materials, their translation to other languages, explanation of historical background related to the archive materials, etc.

(2) In perusing the archive materials, a researcher shall treat the materials with utmost care. Archive materials must not be used as writing pads or for direct copying through carbon paper, the text of the archive materials must not be underlined and the archive materials may not be used for any purpose other than perusal thereof. In case of a physical damage to the archive materials, the researcher's authorization to peruse archive materials shall be terminated with immediate effect.

In the research premises of the archive, a researcher perusing archive materials shall be obliged to use clean, white, cotton gloves that has to obtain at its own expense prior to commencement of the research. Perusing of archive materials without specified protective gloves is prohibited.

(3) Researchers are prohibited from removing archive materials from the research premises without the consent of the research premises supervisor. In case of removal of any archive materials from the research premises, the researcher's authorization to peruse archive materials shall be terminated with immediate effect.

(4) Only one person at a time may peruse archive materials requested by a researcher, namely the researcher in whose research sheet the submitted archive materials have been recorded. In justified cases (e.g. educational, during excursions, etc.), the research premises supervisor may authorise simultaneous perusal of archive materials by several persons.

(5) Archive materials shall be submitted to a researcher within the time-period and in the total quantity and the quantity per opening day according to the operation terms and conditions and technical capacity of the archive, having regard to the importance and purpose of the perusal. Only such a quantity of archive materials shall be submitted whose number and state upon returning can be easily checked by the research premises supervisor.

Archive materials requested by researcher shall be prepared for perusal in the time limit of 1 to 5 days from the day of application, in the total quantity of 5 boxes or 5 items per opening day as a rule.

New research sheets shall not be issued and archive materials shall not be submitted to a researcher 30 minutes before the end of running hours of the research premises.

(6) The archive shall not reserve archive materials for a researcher in the research premises if the researcher fails to commence perusal of the archive materials within thirty calendar days of the agreed date of submission thereof or if the researcher suspends perusal of the archive materials for a period exceeding thirty days. Archive materials shall be reserved for a researcher in the research premises for a period required for the perusal. Unless a researcher peruses archive materials consistently or regularly and returns the archive materials himself, the archive materials shall be deemed to be reserved for a period of three months

from the date of request. After expiry of this period, the reservation may be extended in justified cases, as a rule for a period until the end of the relevant calendar year at the latest. In making a decision on an extension, account shall be taken to the question as to whether or not other researchers have requested perusal of the relevant archive materials.

(7) The archive shall allow perusal of archive materials to a researcher other than that who was the first to request perusal thereof if the researcher, for whom the archive materials have been reserved first, grants its consent to perusal of the archive materials by the other researcher or if each of the researchers concerned demonstrably peruses the archive materials for a different purpose or conducts research of a different theme. In case of simultaneous perusal of archive materials by two or more researchers, the archive shall allow perusal of the archive materials only to the researcher for whom the materials have been reserved as the first by the archive. Any disputes shall be resolved by the director (head) of the archive.

Article 3

(1) Subject to fulfilment of the conditions set by the research premises supervisor (such as keeping silence in the research premises), an own copy device may be used for making copies of the archive materials for a researcher's own research needs, but only with the consent of the research premises supervisor. The consent shall be expressed by execution of an application filled-in by the researcher, in the form attached as an annex to this Research Rules. This shall in no way prejudice the protection of proprietary rights and copyrights and associated rights, if any.

A researcher shall submit an application for approval to use its own reproduction equipment to the research premises supervisor for approval prior to commencement of the research. After the termination of each research, a researcher shall complete information on the quantity of snapped reproductions and shall identify them in the application.

In the research premises of the National Archive, using cameras with flash equipment and using of continuous scanners of any type are prohibited. The research premises supervisor is entitled to give notice of above-mentioned or any other undue facilities and is entitled to disallow its usage. In case of violation of this prohibition, the researcher's authorization to peruse archive materials shall be terminated with immediate effect.

(2) After termination of perusal of archive materials, a researcher shall leave his place in due state. No extracts, notes and other supporting materials or things shall be left in the research premises and they shall be removed by the researcher.

(3) After termination of each perusal of archive materials, a researcher shall be obliged to return the archive materials in the quantity, order and state in which they have been submitted to him. In case of violation of this duty, the researcher's authorization to peruse archive materials shall be terminated with immediate effect.

(4) The research premises supervisor shall be obliged to check the quantity and state of archive materials returned by a researcher and to confirm due returning of the archive materials by execution of the research sheet prior to departure of the researcher from the research premises.

(5) The information ascertained on the basis of the archive materials shall be used by a researcher solely for the purpose specified in the research sheet. Where the information is used in scientific or other publications, the researcher shall specify the name of the archive and the used archive files and call numbers or inventory numbers of the archive materials (citation of archive materials) from which the information was derived.

(6) Where a researcher publishes a work created on the basis perusal of archive materials deposited in the archive, he shall send one copy to the archive (e.g. editions of archive materials). If the researcher ascertained information from archive materials deposited in

several archives, he shall send his published work only to the archive whose archive materials he used within the greatest scope; he shall notify the other archives of the bibliographic data of the published work, or send the work in electronic form in the PDF format to the other archives.

Article 4 **Use of archive supporting materials**

(1) The archive shall allow researchers to peruse archive supporting materials.

(2) Archive supporting materials (such as introductory parts of inventory lists) shall be treated as literary work, unless they are official work, and provided that they correspond to the elements of the subject of protection under the Copyright Act.

Article 5 **Making of copies of archive materials**

Copies of archive materials shall be provided by the archive from the archive materials that the researcher studies or needs for official purposes or for the purposes of his own work specified in the research sheet, subject to the prior consent of the owner of the archive materials, where required, or the protection of the copyright and related rights, where applicable. Copies of archive materials shall be provided according to the operation terms and conditions and technical capacity of the archive. Where the physical state of archive materials prevents copying, copies of such archive materials shall not be provided.

Article 6 **Lending of archive materials for study purposes outside the archive**

(1) Lending of archive materials for perusal to some other archive than that where they are deposited shall be authorized by the director of the archive in exceptional cases, having regard to the sense, purpose and circumstances of their use, secure transport and ensuring protection of the archive materials at the place of temporary location, and taking into account the associated costs. Archive materials may not be sent by post; in each case, archive materials shall be transported, under the terms and conditions agreed in advance, by an authorized employee appointed by the director of the archive that lends the archive materials.

(2) Lending of original archive materials outside an archive shall be authorized by the director (head) of the archive, in exceptional cases and under the terms and conditions specified in paragraph 1, solely to the owner or creator of the archive materials and to governmental authorities, local government authorities or persons authorized to peruse documents under a special legal regulation, if this is required by the purpose of perusal of the archive materials on the grounds of performance of official duties. Lending of original archive materials may not be refused to the originator of the archive materials if the archive materials have been deposited in the archive on the basis of a custody contract, donation deed or purchase contract and the originator has expressly reserved lending of the archive materials in the relevant contract or deed.

(3) Unless archive materials deposited in a public archive are owned by the Czech Republic, a legal person established by the law or a territorial administrative unit, written consent of the owner of the archive materials shall be required for lending thereof.

(4) Upon lending archive materials, the archive shall be obliged to issue a confirmation to the borrower, containing

a) an exact list of the lent archive materials,

- b) the purpose of the borrowing,
- c) the date of the borrowing and the time of returning of the archive materials,
- d) the borrower's name, surname and address of permanent residence according to the identity card, where the borrower is a natural person
- e) the borrower's registered office and the name and surname of its authorized representative, where the borrower is a legal person, and
- f) the own signature of the borrower or its authorized representative and the official stamp of the borrower, if the borrower is a legal person.

(5) Lent archive materials shall be registered in a special book of borrowings and lendings kept in the archive.

(6) If a borrower fails to return the lent archive materials within the agreed deadline and no extension of the deadline has been agreed, no other archive materials shall be lent to the borrower until the lent archive materials are returned.

Article 7

Use of the archive's library

A researcher may use books, magazines and newspapers from the archive's library in connection with and within the scope of the theme of his research. The use of books, magazines and newspapers from the archive's library for study purposes shall be governed by the library regulations issued by the director (head) of the archive.

A researcher may use publications from the reference library in the research premises that are available in free access to shelves. A researcher shall use all books with care and shall conserve their physical state. After the termination of a research, a researcher shall be obliged to return the book in the same place, from where it was withdrawn. A researcher with only intention to use the reference library shall notify the research premises supervisor of its name and surname and shall record them in the list of visitors of the research premises immediately upon entering.

Article 8

Excursions in the archive

In case of an excursion in the archive, visitors shall record their names in the book of visitors to the research premises. Entry to premises other than the research premises shall be authorized by the director (head) of the archive and it shall take place only in the presence of an employee appointed by the director (head).

Article 9

Fees for services provided to researchers and fees for copying

(1) The fees for the services provided by the archive at request of researchers and payment of fees for copying are set out in the List of Service and Copying Fess Applicable in Public Archives.

(2) The List of Service and Copying Fess Applicable in Public Archives is available to researchers for perusal in the research premises of the archive and by means of remote access.

Article 10

Concluding provisions

If a researcher violates any of the basic duties imposed on him in the Research Rules, he may be refused further perusal of archive materials or his authorization to peruse archive materials may be revoked, as appropriate.

In on Signature

Name of the archive

Year, Ref. No.

Serial No.

RESEARCH SHEET
(to be filled in by a researcher)

Name (names) and surname Maiden name.....

Date, month, year and place of birth

Address of the place of permanent residence telephone (optional).....

e-mail (optional).....

Delivery address telephone (optional).....

e-mail (optional).....

Nationality Identity card, passport or other similar document No.....

Exact specification of the subject of research, specifying the relevant time-periods:

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- | | | |
|--------------------------------|---|--------------------------|
| Purpose of the perusal:*) | Official (service) | <input type="checkbox"/> |
| | Private | <input type="checkbox"/> |
| Aim of the perusal:*) | Scientific (studies, monographies, thesis, graduation thesis or dissertation, etc.) | <input type="checkbox"/> |
| | scientific editions of documents | <input type="checkbox"/> |
| | genealogy purposes | <input type="checkbox"/> |
| | private extracurricular education | <input type="checkbox"/> |
| | collector interests and the associated research | <input type="checkbox"/> |
| | publication purposes | <input type="checkbox"/> |
| | exhibition purposes | <input type="checkbox"/> |
| | for the needs of public authorities | <input type="checkbox"/> |
| for the purposes of chronicles | <input type="checkbox"/> | |

*) *check the applicable variant in the square*

In case of perusal for official (service) purposes:

Name and seat of the legal person for which the researcher studies the relevant theme

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I hereby declare that I am fully aware of my personal responsibility for treatment of the information obtained during perusal of archive materials, in accordance with the applicable legal regulations.

I hereby declare that I have been acquainted with the provisions of the Research Rules and I acknowledge that, in case of violation of any of the basic duties, I may be refused further perusal of archive materials or my authorization to peruse archive materials may be revoked, as appropriate.

I also acknowledge that if I state inaccurate information in the research sheet, I may be subject to criminal prosecution and I will be refused further perusal of archive materials or my authorization to peruse archive materials will be revoked, as appropriate.

Information for a researcher:

Personal data contained in the research sheet are collected and processed pursuant to Act No. 499/2004 Coll., on archives and the filing service and amending certain laws, as amended, and pursuant to Act No. 101/2000 Coll., on personal data protection and amending certain laws, as amended. The personal data specified in the research sheet are processed for the purpose of the protection of archive materials and they serve exclusively for the archive's internal needs and they are not disclosed to third persons.

In on

Signature.....

(To be filled in by the research premises supervisor:)

The information was verified by on

Signature of the appointed employee responsible for supervision in the research premises:

Perusal of unprocessed archive materials authorized..... on

Perusal of archive materials of less than thirty years of age authorized on

Perusal of archive materials containing personal data pursuant to Act No. 101/2000 Coll. authorized..... on.....

Perusal of other archive materials authorized on.....

