

行政院及所屬各機關出國報告
(出國類別：考察)

捷克檔案管理發展現況考察報告

服務機關：國家發展委員會檔案管理局

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提要

捷克全國檔案管理事務係由內政部主管，採實行集中式的檔案事業管理體制，其檔案管理體系分為1個國家檔案館、7個省檔案館、72個縣檔案館、5個市檔案館、各種專業檔案館以及私人檔案館等。此次考察，期探究捷克檔案管理體系與策略、歷史檔案蒐集、典藏、管理與開放應用等制度設計與運作現況，以作為我國檔案管理完善發展之借鏡。

本次考察捷克內政部檔案行政處、捷克(布拉格)國家檔案館、摩拉維亞省檔案館、布拉格市檔案館、布拉格城堡檔案館、捷克總統府檔案室及捷克外交部檔案室等7個參訪單位，主要結論如次：一、國家檔案事權統一，善用資源、二、檔案與文物結合，豐富館藏資源、三、參與國際合作，異業資源策略合作、四、建立檔案管理制度，標準化作業，提升管理效益、五、重視保存維護，多方籌措資源，推動檔案數位化、六、開創複製品製作，擴增國庫營收。

主要建議說明如次：一、提升檔案管理職權，落實機關檔案分層管理、二、建議成立全國修復中心，資源共享、三、強化產官學合作，提升檔案管理人員專業知能、四、加強徵集各類檔案及相關文物、五、擴大檔案應用平台，持續結合檔案文創行銷、六、籌設首座國家檔案館，推動機關檔案館設置，建立特色檔案館。

第一章 前言

壹、考察緣起

自民國 91 年 1 月 1 日檔案法施行以來，檔案中央主管機關－檔案管理局，積極推動檔案管理制度之建置，並落實檔案開放應用。鑑於國內檔案管理之組織、法制與設施仍未盡完善，隨著檔案媒體類型及內容樣態日趨多元，檔案管理制度與應用等實務作業亟須參考先進國家，以為借鏡；加以本局業進駐行政院新莊聯合辦公大樓，除設置本局行政辦公處所外，亦設置永久性國家檔案典藏場所及國家檔案展覽廳與應用空間，以妥善保存國家檔案及推廣國家檔案應用。是以，汲取歐美先進國家經驗與做法，誠屬必要。

捷克檔案管理事務係由內政部主管，採實行集中式的檔案事業管理體制，其檔案管理體系分為 1 個國家檔案館(National Archives)、7 個省檔案館(State Regional Archives)、72 個縣檔案館(State Distric Archives)、5 個市檔案館(City Archives)、各種專業檔案館(如政府部門檔案館、大學檔案館、主題檔案館等)以及私人檔案館等(如圖 1-1)，從所有權的角度來看，前兩者屬於公有檔案館，後者為非公有檔案館。此次考察，期藉由考察行程及重點(詳附錄 1-1、1-2)，探究捷克檔案管理體系與策略、歷史檔案蒐集、典藏、管理與開放應用等制度設計與運作現況，以作為我國檔案管理完善發展之借鏡。

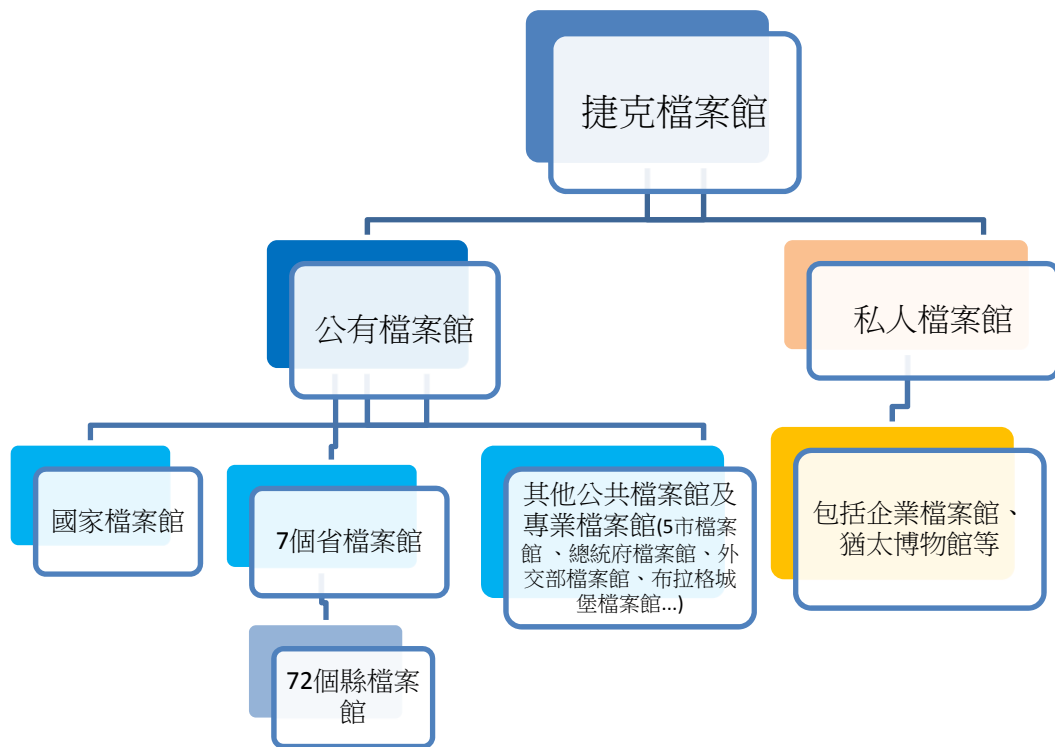


圖 1-1 捷克檔案館類型概述

貳、考察目的

- 一、瞭解捷克檔案管理策略及對於檔案管理專業人才之培育。
- 二、瞭解瞭解捷克檔案徵集策略、鑑選標準及清理機制。
- 三、瞭解捷克檔案典藏策略及保存技術發展。
- 四、瞭解捷克國家檔案開放應用原則。
- 五、瞭解捷克電子檔案長期保存之發展與策略。

參、參訪機關

- 一、捷克內政部檔案行政處。
- 二、捷克國家檔案館(National Archives(Czech republic))。
- 三、摩拉維亞省檔案館(Moravian Provincial Archives)。
- 四、布拉格市檔案館(Prague City Archives)。
- 五、布拉格城堡檔案館(The Archive of the Prague Castle)。
- 六、捷克總統府檔案室。
- 七、捷克外交部檔案室。

第二章 捷克檔案管理體系概述

壹、檔案館體系

捷克於波希米亞州及摩拉維亞洲，設置一個國家檔案館及 7 個省檔案館，其於內政部設置檔案行政處，負責訂定全國檔案管理制度、標準，供所轄檔案館遵循，執行檔案管理工作。其職掌概述如下：

- 一、負責全國檔案行政管理事項。
- 二、檔案管理發展策略規劃。
- 三、國家檔案館與省檔案館相關檔案移轉、銷毀之審核。
- 四、國家檔案館和區域國家檔案館之檔案專業指導事項。
- 五、國內檔案館認證。
- 六、國家檔案保存與登錄，包括檔案文物古蹟和民族瑰寶。
- 七、捷克共和國檔案輸出允許。
- 八、國家檔案遺產價值再審議事項。
- 九、檔案與捷克歷史國外研究組織之國際合作事項。
- 十、國際檔案機構和組織之捷克共和國代表。
- 十一、檔案館、博物館、圖書館、美術館、紀念館、研究機構與大學之文件與檔案保存與管理事項。
- 十二、其他檔案及文件管理事項。
- 十三、兩項檔案科學期刊出版，以及檔案主題相關出版品蒐藏。
- 十四、關於宗教團體、教會等檔案文書返還處置事項。
- 十五、申請國家資助有關檔案修護必要費用之准駁事項。
- 十六、內政部檔案行政及檔案與文件管理工作。
- 十七、內政部檔案登錄事項及相關資訊接收和傳輸。
- 十八、設置科學檔案館委員會作為諮詢機構，以解決檔案管理相關爭議及疑義。

目前全國檔案館藏量 805 公里，其中前述 8 個館目前就有 680 公里之館藏量，15 萬全宗，並設有檢索系統，供各界線上查詢，惟原件借閱，仍須至所管有之館舍借閱。

國家檔案館與省檔案館之預算，係由內政部於每年二次召開之館長研商會議，而確定次年度補助預算，去執行相關業務，預算不足時，因管有檔案及古文書歷史悠久，可透過內政部申請相關歐盟計畫或自籌財源(如向挪威等國申請)補助或與相關教會等合作，申請補助購置相關設備，完成檔案管理作業(如數位化掃描及修護、複製品工作等等)

另，該國除 7 個省檔案館(如圖 2-1、表 2-1)負責管轄其區域之縣檔案館外，亦有法定職權，依檔案與文件管理法(Act on Archiving and Records Management, 詳附錄 2-1) Act No. 499/2004 Coll 第 58 章審核檔案館設置條件，予以許可設立，現設計有 53 個檔案館，含 5 個市檔案館(City Archives)、各種專業檔案館(如政府

部門檔案館、大學檔案館、主題檔案館等)以及私人檔案館等。值得一提的是，每3-4年該處會派鑑定審核官評鑑，現有條件，是否符合?如不符，則要求限期改善。其館的預算以自籌為主。

內政部為表彰對於檔案學卓著貢獻的人士，於西元(以下同)2005年12月設立捷克檔案勳章，頒獎儀式每年於國家檔案館舉行一次，由內政部部长或副部长授獎，外籍專業人士如不克出席，則由該國大使轉贈。2006年10月的首次頒獎典禮，計有21名專家接受內政部長表揚。截至目前為止，計頒發176枚獎章，有23位外籍獲獎者。網路上並公布獲獎者的完整名單。



資料來源:摘自 <http://www.czechfamilytree.com/archives.htm>

圖 2-1 捷克省檔案館分布圖

表 2-1 捷克省檔案館分布及檔案開放情形

區域	檔案館地點	包括以下地區	文獻檔案資料庫 (Online digital records can be found at)	開放時間
中波希米亞州(The Central Bohemian Region)	布拉格 (Prague)	Benešov, Beroun, Kladno, Kolín, Kutná Hora, Mělník, Mladá Boleslav, Nymburk, Prague-east,	http://actapublica.eu/	週一和週三 上午 9:00 至 下午 6:00， 週二和週四 上午 9:00 至 下午 4:00

		Prague-west, Příbram, and Rakovník		
南波希米亞 地區(The Southern Bohemian Region)	崔邦 Třeboň	České Budějovice, Český Krumlov, Jindřichův Hradec, Pelhřimov, Písek, Prachatice, Strakonice, and Tábor Český Krumlov, Jindřichův Hradec, Pelhřimov, Písek, Prachatice, Strakonice, and Tábor Český Krumlov, Jindřichův Hradec, Pelhřimov, Písek, Prachatice, Strakonice, and Tábor Český Krumlov, Jindřichův Hradec, Pelhřimov, Písek, Prachatice, Strakonice, and Tábor	http://digi.ceskearchivy.cz/DA?lang=en	週一，週三，上午 8:00 至下午 5:00; 週二和週四，上午 8:00 至下午 3:00。研究室座位必須提前至少一周預訂。
西波希米亞 地區 (The Western Bohemian Region)	波希米亞 Plzeň	Domažlice, Cheb, Karlovy Vary, Klatovy, Plzeň-north, Plzeň-south, Rokycany, Sokolov, and Tachov	http://actapublica.eu/	週一，週三，上午 8:00 至下午 5:00; 週二和週四，上午 8:00 至下午 4:00
北波希米亞 地區 (The Northern Bohemian Region)	在利托 Litoměřice	Česká Lípa, Děčín, Chomutov, Jablonec nad Nisou, Liberec, Litoměřice, Louny, Most, and Teplice	http://matriky.soalitomerice.cz/	週一，週三，上午 8:00 至下午 5:00; 週二，上午 8:00 至下午 3:00
東波希米亞 地區 (The Eastern Bohemian Region)	詹姆斯克 Zámorsk	Havlíčkův Brod, Hradec Králové, Chrudim, Jičín, Náchod, Pardubice, Rychnov nad Kněžnou, Semily, Svitavy, Trutnov,	Links to scanned parish books can be found in the following PDF: http://www.archivzámorsk.cz/sbirkamatrik/inventar.pdf	週一，週三，上午 8:00 至下午 5:00; 週二和週四，上午 8:00 至下午 3:00

		and Ústí nad Orlicí		
南摩拉維亞 亞地區 (The Southern Moravian Region)	布爾諾 Brno	Blansko, Brno-venkov, Břeclav, Hodonín, Jihlava, Kroměříž, Prostějov, Třebíč, Uherské Hradiště, Vyškov, Zlín, Znojmo, and Žďár nad Sázavou	http://actapublica.eu/	週一，週三- 上午 9 時至 下午 6 時； 週二和週四- 上午 9:00 至 下午 4:00。 週五：關閉 2013年7月1 日至8月31 日，只開在星 期一和星期 三從 9:00 到 18:00
北摩拉維亞 亞地區(The Northern Moravian Region)	奧帕瓦 Opava	Bruntál, Frýdek-Místek, Jeseník, Karviná, Nový Jičín, Olomouc, Opava, Přerov, Šumperk, and Vsetín	http://www.archives.cz/zao/digitalni_archiv/index.html	週一，週 三，上午 8:00 至下午 5:00； 週二 和週四，上 午 8:00 至下 午 3:00。

(參考來源：<http://www.czechfamilytree.com/regarchives.htm>，作者整理)

貳、檔案管理制度

內政部檔案行政處所建構之檔案管理制度，包括法令規章、各式管理標準及準則等，是為各級檔案館依循之規範，檔案與文件管理法(Act on Archiving and Records Management)是為根本大法，歷經多次修正，又以 Act No. 499/2004 Coll 及 Decree 645/2004 Coll 最為重要。

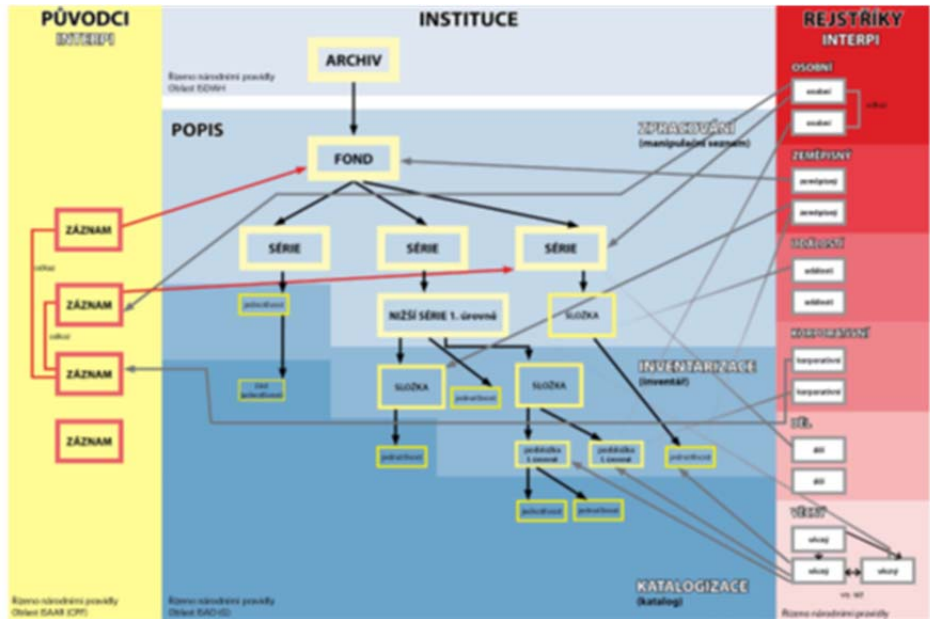
檔案依其內容、產生時間、原始性及外在特質而經擇選，且永久保存於公私立檔案館並經內政部認證者，妥適安全的保存並提供專業及使用，除有特殊法令限制，至遲 30 年開放。而就文件管理，內政部亦訂定相關規範與準則，謹擇摘部分重點如下：

一、法令規範

- (一) 檔案整理基本規範 2013(Basic rules for processing archival 2013)，主要有檔案整理編目指引及電子檢索工具傳輸之 XML 格式等。
- (二) 檔案應用申請相關法令。
- (三) 國家檔案與文化遺產之管理。
- (四) 各類藏品之檔案管理，包括社區、地區性國家委員會、省立或縣級學校、農業合作組織、共產黨、私人等不同主題或類型檔案之管理指引。
- (五) 檔案保存方法論，包括國家檔案數位化及不同保存系統之轉換等。

二、標準

- (一) 電子檔案管理系統之國家標準-軟體應用 DTD and XML 格式指引，如：電子儲存與傳輸標準、資料轉換格式化標準、歐盟電子紀錄管理模式規範 MoReq2。
- (二) 檔案整理與描述:上述檔案整理基本規範係以檔案之整理與描述為主體，說明其相關原則及規範，包括檔案描述政策、多層級描述原則(一般至具體化描述、關聯描述、適當層級、其他描述等)、描述層級(Levels of description)、詳盡內容描述等，檔案整理與描述層級詳如圖 2-2。



資料來源:摘自 ZÁKLADNÍ PRAVIDLA PRO ZPRACOVÁNÍ ARCHIVÁLIÍ (英譯: Basic Rules Processing Archival records ,Department of Archives Administration and Records Service MV Prague 2013)

圖 2-2 捷克檔案整理與描述

三、檔案管理

(一)徵集與鑑定

檔案與文件管理法第 4 章開宗明義提到判定檔案具永久保存價值的 4 大要素：

1. 產生時間：包括：1850 年以前產生之文件，1900 以前之照片，1930 以前之影音資料，1900 以前有關工業或農業、信貸和保險制度、金融財政、採礦業，重要發明專利等相關文件。
2. 內容：具政治、經濟、法律、歷史、文化、科學或資訊等面向賦予其永久保存價值。
3. 原始性：具機關之組織、功能及重要之原始價值。
4. 外在特質：具藝術、語言、書法、材料、創作形式或其他類似特性而具永久價值者。

檔案的擇選須經內外鑑定程序，無論是公務行政部門、私人機構、博物館、美術館，公共研究機構和大學亦如此，其選擇檔案均須依法經鑑定的程序，且必須登錄為國家檔案遺產。被選定的檔案都是經鑑定程序。執行檔案擇選，應兼顧法理。辦理鑑定的機關必須提出其鑑定過程文件(含依法辦理之外部評估)，一般而言，檔案徵集有 2 項基本程序：(1)檔案鑑定、(2)外部評估，參與外部評估對象可能包括：擁有者或購買者、捐贈者、發現者、文件所有人之法定代理人、政府相關資產部門。

即便屬於私人蒐藏，國家檔案資產亦將連結相關資訊以確保檔案之保存狀況，由於相關清單係以電子型式處理，遂能確保於相關系統檢索時可掌握檔案

之移轉歷程。接管者亦會被追蹤，徵集之檔案須依規定妥予歸檔，須載明其取得方式，並妥善的保存，每次查檢均會於其登錄文件記錄其外觀變化，特別是：

1. 原管有者所設定之條件(特別是於當初合約所設之應用限制)。
2. 檔案開放聲明。
3. 檔案發展歷程(流程圖及重要紀事)、管理紀錄等，特別是當初與原管有者之協商計畫與紀錄。
4. 依法不得移轉及銷毀之情形。

接管者應妥適保存檔案置入妥適容具，尤其是接收之關連紀錄及清單應妥予記錄。

檔案鑑定結果會有鑑定協議，如原管有機關及持有者不同意經外部評估之鑑定結果，應於收到鑑定結果協議之 15 日內提出異議，鑑定之行政程序將再啟動，一旦經外部評估程序後被選為檔案之文件，會有正式之鑑定報告載明鑑定之清單，未來管有機關應確保該檔案妥善被保存。

如果擬銷毀檔案非屬國家或地方政府管有之檔案，應擬妥提案計畫，並通知內政部，內政部查核後備妥同意銷毀之報告；如果擬銷毀檔案屬於文化機構或相關機關所管有，亦要通知內政部，並通知相當層級之檔案館，內政部經查核後亦會擬妥檔案銷毀審核意見。

(二)保存年限與清理

有關文件管理，地方政府依據 Act No. 499/2004 Coll 中有關文件處理規範所修訂之檔案管理手冊中，可以看到捷克地方政府對於檔案分類及保存年限之做法，以下以該手冊第 5 部分之地方政府之檔案保存年限及清理表，係由地方自治團體及內政部檔案行政處學者專家共同製訂，提供地方政府檔案整理之標準作業方法，該分類與保存年限表具層級架構，由分類號(Classification code)、層級內容 (classes)、保存特性/保存年限(Retention character / retention period) 等 3 個欄位所組成，用以處理地方機構因公務而產生之文件，所指保存年限是經過與省檔案館研議後之最低基準。

以表 2-2 為例，其第 3 欄保存特性/保存年限，計有 3 個主要的符號分別代表不同的處置，A:具永久保存價值、"S":可銷毀、"V":則表示應再評估，但會利用附註的方式，賦予保存年限起算期、特殊條件及鑑定啟動之時機點等，甚至考量同時賦予不同之清理處理，再最高之清理處置為之，例如同時存在再保存 5 年、10 年後銷毀、10 年後再評估，則該文件於保存 10 後再鑑定。

表 2-2 市政府檔案分類及保存年限表例示

Example of classification and retention schedule for municipalities

Classification code 分類號	classes 層級內容	Retention character / retention period 保存特性/ 保存年限
52	國家當局與其他機構之合作關係	
52.1	行政機關聯繫	V/5
52.2	他機構合作關係	V/5
52.3	城鎮和市政府等協會合作關係	V/5
52.5	小型區域及跨界合作	V/5
53	主管機關之權責與分工	
53.1	系統化辦公室	A/5
53.2	內部管理規章	A/5

(三)檔案館認證

有關檔案館之認證(Accreditation of Archives)，應依循檔案與文件管理法提出申請，文件包括：

1. 館名及地址。
2. 如為法人團體，該檔案館於組織架構中之定位。
3. 成立目的。
4. 管有檔案之國家檔案資產認證或註冊卡影本，包括確認檔案可被妥適保管之資料。
5. 依第 1 篇第 63 章所訂定之檔案管理規則。

根據第 1 篇及第 61 章條所認可之相關申請文件 內政部至遲在 6 個月內做出決定，駁回之理由可能包括：

1. 不符第 61 章規範。
2. 未能維持其國家檔案資產之基礎登錄。
3. 無成立專業檔案館之必要。
4. 其檔案未符第 1 章(檔案管理系統)規範。

此認證於地方自治團體(依法成立或合併之直轄市)亦屬有效。

私人檔案館之創辦者或申請者於認證過程逝世，其繼承者應視相關遺囑認證完成始可繼續本認證程序，檔案館之創辦人有義務通知內政部有關認證申請過程中變更情事，特別是第 61 章(如表 2-3)應遵守者，且創辦人應於認證生效後 3 個月內公布其研究規則。

表 2-3 檔案館認證規範

設置條件	
(1)技術空間安全經濟財政及人力等方面確保檔案可以被妥善保存	
(2)安全結構及技術需求應遵守規定：	<ul style="list-style-type: none"> a)非位於洪水區及飛機起降範圍之禁建區 b)非位於多塵土區 c)庫房應能免於天然災害或人為因素而導致檔案遭破壞（如滲水，蒸汽，雨水渠，污水處理，危險化學品和生物物質或物理現象和含塵量過多等）可能造成損壞或破壞檔案記錄 d)庫房應位於地下水水位以上，並須具有自然通風或空調配備，以保持特定的溫度和相對濕度;並備有可偵測量之設備; e)庫房應能避免受電磁場影響 f)檔案及電子檔案應異地儲存並至少相距 50 公里
(3)設備應符合：	<ul style="list-style-type: none"> a)應用場所與非服務空間應分開，其相關動線不宜交叉 b)檔案整理、清潔、庫房、修護、複製、等空間均應與公共服務空間區隔 c)閱覽中心或應位於公共服務空間 d) 檔案保存紀錄均應載於保存計畫並因應保存狀況隨時更新
(4)保存應符合	<ul style="list-style-type: none"> a)應備安全日誌，避免未經授權之人員任意進出致檔案受損 b)有防火紀錄電子防子警報和手提式滅火器;倉庫應配備乾粉滅火器 c)機械和電子安全裝置應在二樓地面以上，或任何更高的樓;這種設備並應與公共服務空間分離 d) 只要有未經授權者進入相關空間應有警報器監控 e)入出庫房人員應予管制，經授權員工並有義務維護相關進出紀錄，如為電子控管應區分權限 f) 國家級文物應 24 小時監控
(5)典藏場所設備應符合	<ul style="list-style-type: none"> a)應具有複製檔案之設備如有微捲則應有閱讀機 b) 應有適當之檔案架櫃，必要時，並有特殊的儲存設備以妥適存放地圖，計劃，技術文件和大型檔案，攝影、視聽檔案和數位檔案 C)閱讀空間應備有資訊設備
(6) 應有強制預算以因應每年檔案管理之最低平均預算	
(7)人力部分應符合：	<ul style="list-style-type: none"> a)應有高學歷且為檔案學、歷史或其他相近領域之人力 b)一位工作人員至少可負責 2 公里以上之檔案管理工作 c)有足夠的人力可因應每天約 10 位的研究者
(8)定期記錄庫房溫溼度，且監測數據的波動應至少保存十年	
(9)地板承載度應依法規定	

第三章 捷克國家檔案館(National Archives(Czech republic))

壹、機關簡介

捷克國家檔案館(又稱布拉格國家檔案館)之收藏超過 1,724 個檔案全宗，國家檔案館共分為二處，一位於 Chodovci (archive center in Prague 4 - Chodovci)(如圖 3-1)藏約有 16 億延米之紀錄(records)；一在 Milady Horakove in Prague 6(如圖 3-2)典藏超過 13 公里之檔案，依據檔案與文件管理法第 46 章 (Act No. 499/2004 Coll-Act on Archiving and Records Management , Section 46) ，國家檔案館之職掌與功能包括：

- 一、由中央政府預算挹注並掌理全國檔案管理事項之中央主管機關。
- 二、檔案擇選與鑑定事項。
- 三、與相關政治團體、公民協會、商業組織職工組織、專業機構、教會、宗教社團、基金會、公眾協會、自然人或私人等外部鑑定事項。
- 四、捷克共和國受贈及購買檔案相關事項。
- 五、檔案鑑定協議方案之爭議事項處理。
- 六、檔案鑑定協議方案之評估。
- 七、國家檔案館及私人檔案館之檔案應用准駁(包括摘錄、副本、複製品或電子檔案等應用)。
- 八、對於設立專門檔案館或私人檔案館之自然人或法人，於違反本法規定者施以罰責。
- 九、蒐整行政部門和其他中央行政機關，省或地方當局，自然人和法人管有檔案並就其摘錄、副本、複製品或電子檔案進行驗證。
- 十、辦理本法授權委託檔案管理事項。
- 十一、辦理本法相關之檔案登錄維護事項
- 十二、查檢檔案文物及國家文化遺產相關登錄事項。
- 十三、關於檔案管理之國際協定事項。
- 十四、行使其他相關法令明定職權。



圖 3-1 位於 Chodovci 之國家檔案館 1 館(中央檔案館)

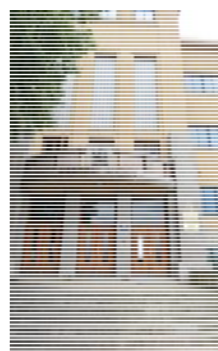
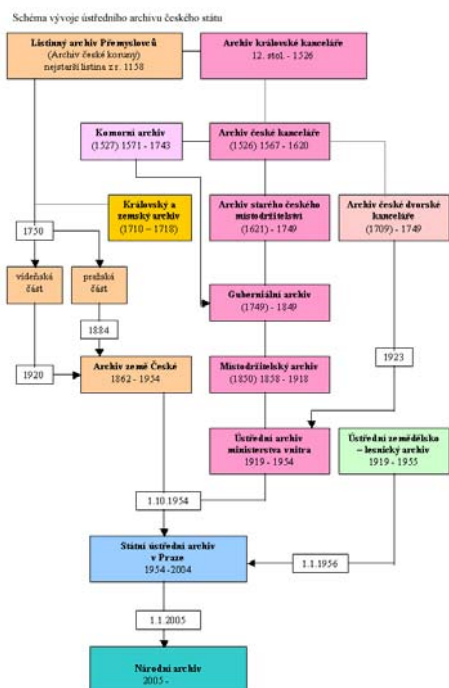


圖 3-2 位於 Milady Horakove 之國家檔案館 2 館

捷克國家檔案館之組織主要以典藏檔案之年代劃分，亦設專責之影音檔案、電子檔案及保存維護部門，其分工如下：

- (一)第一部門典藏 1848 年以前(12 世紀至 19 世紀中期)之省、地方政府及宗教機構檔案。
- (二)第二部門管理 1848-1918 之政府機構檔案。
- (三)第三部門管理 1918-1945 之政府機構檔案。
- (四)第四部門管理 1945-1992 之政府機構檔案。
- (五)第五部門管理 1992 以後之政府機構檔案，以及電子文件。
- (六)第六部門管理非政府部門之檔案及收藏品(私人收藏)。
- (七)第七部門專責影音檔案(特別是照片電影及聲音檔)。
- (八)第八部門為圖書館。
- (九)第九部門檔案保存維護部門。
- (十)第十部門為幕僚單位括檔案館經濟、建築管理電腦技術。

典藏最早的檔案是西元 1158 年弗拉迪斯拉夫二世(King Vladislav II)的文件，其典藏發展係依歷史發展，累積不同年代及王朝之重要文件，詳見圖 3-3。



資料來源:摘自 Nothing and Nobody Should Be Forgotten, On the Anniversary of the Central State Archives of the Czech Republic 1954-2004 (國家檔案館致贈書籍)

圖 3-3 捷克國家檔案之發展系統

值得一提是，其人員之專業檔案素養，係來自大學時所學，工作著重同仁互相經驗傳承學習與成長；另對於檔案之多元性，該國國人亦會提供相關私人文書及文物供該館蒐藏(圖 3-4)。



圖 3-4 國家檔案館私人文物蒐整情形

貳、檔案管理

一、有關檔案保存部分

- (一)接管部分機關檔案以及捷克共和國、捷克斯洛伐克共和國，捷克斯洛伐克社會主義共和國，捷克和斯洛伐克聯邦共和國，捷克社會主義共和國檔案，但不包括原已管存於國家安全局或其他專門檔案館如中央政府部門、參眾議院、總統府、捷克國家銀行、1939 至 1945 年之間的中央機構之檔案。
- (二)代表捷克共和國簽訂有關檔案蒐購之協議事項。
- (三)免費提供檔案原管有者有關檔案管理之專業諮詢及服務。
- (四)審查檔案文物及國家文化遺產局有關檔案保存之硬體設施。
- (五)執行內政部指示之檔案清查管理事項。
- (六)與其他相關檔案館或機構在科學文化教育經濟地方或中央等領域之合作交流事項。
- (七)檔案學、歷史輔助科學及其他相關學門之研究。
- (八)檔案保存與維護中心及研究機構，包括各種媒體型式之檔案保存及設施維護及訓練諮詢。
- (九)建立檔案管理相關專業圖書館。
- (十)檔案學、檔案管理、歷史學及輔助歷史科學等研究出版事項。
- (十一)檔案保存與維護。
- (十二)本法賦予之專業檔案管理事項。

二、有關電子檔案管理部分

- (一)確保各機關管有電子檔案之完整性與可讀性。
- (二)行政管理入口網站。
- (三)電子檔案儲存管理諮詢與指引。
- (四)電子檔案生命週期研究。
- (五)電子檔案登錄及描述服務。
- (六)電子儲存授權申請。

參、檔案應用

一、閱覽服務

國家檔案館提供之應服務事項有：

- (一) 檔案行政及專業的協助。
- (二) 逾保存年限檔案鑑定、諮詢服務及檔案接管等事項。
- (三) 研議檔案之永久保存或定期保存條件。
- (四) 檔案儲存、整理、編排之專業管理。
- (五) 檔案應用服務。
- (六) 檔案優質保存。
- (七) 提供一般大眾用超過 50 萬冊豐富資源之圖書館管理。

國家檔案館為讀者準備的應用指引，載明任何人提具合法正確文件均可以現場應用、書面申請或因展覽講演或教學需要而提出申請，研究規則 (附錄 3-1) 係依據 Regulation No. 645/2004 Coll 辦理，研究者要填列研究單 (附錄 3-2) 並提供身分證明文件等，讀者可先利用檢索工具了解檔案全宗並透過專人協助，必須於現場閱讀，如有需要可利用參考圖書館的資源，複製檔案須付費；國家檔案館會提供省檔案館或縣檔案館的研究資源，但並不提供運送服務。國家檔案館共有 2 個應用服務空間並配置主題參考之圖書館(如圖 3-5)



圖 3-5 國家檔案館閱覽室-1 館(左圖)現代化設備齊全,2 館(右圖)則頗具古意

讀者可透過線上檢索國家檔案及各檔案館之典藏概況 (<http://www.badatelna.eu>)，亦可利用捷克檔案目錄查詢網(www.cesarch.cz)；另有內政部開發之捷克檔案及典藏文件資料庫(Database Archive and collections in the Czech Republic (PEVA) (<http://aplikace.mvcr.cz/archivni-fondy-cr>))可供使用者檢索利用。

檔案產生者及其合法繼承人，以及政府部門申請的檔案複製是免費的，研究諮詢服務的費用約為 350 克朗至 600 克朗(約新臺幣 525 元至 900 元)不等，可在應用服務空間或以郵寄方式提出需求。檔案館特別提示研究申請者，部分較為複雜的申請案可能要花較數個月的時間，因為檔案館必須與其他部門之工作同仁研議或再查檢其他相關研究資料，每年有 4,000 人次申請檔案應用。

有關應用服務，訂有收費標準(附錄 3-3)，該收費標準係規範以下事項：

- (一) 檔案轉錄及副本認證。
- (二) 檔案複製。

- (三)認證。
- (四)研究、行政處理費。
- (五)經許可之攝影。
- (六)複製品單次使用許可。

研究者可提出檔案複製本單次使用許可。申請內容包括檔案參考資料（至少應包括檔案全宗名、架號或參考索引碼）及其未來之相關特別計畫需求。使用者有義務妥為引註，在引用處、版權頁或附錄說明檔案來源。如果國家檔案館是有權同意者或版權持有人，同意單次使用檔案複製，是免費的。

讀者(研究者)可自行攜帶複製工具，如：照相機，掃描機具，攝影機等，在複製檔案時必須切結(附錄 3-4)，聲明依據 Act No. 121/2000 Coll，確知依著作權法相關規定，因個人或公眾目的，將複製品以任何形式傳播，必須讓著作者在不妨害其他人權利下允許複製品的使用並依法獲取報酬。

二、檔案展覽

國家檔案館之展覽政策係以原件展示為主要論述，檔案館的主要任務在妥適保存具永久保存價值之檔案並提供應用，而檔案展覽是其中的一種方式，然而檔案的各種有機材質，在天氣和光線影響下，如處理不當將造成不可逆的損壞。從這個角度來看，展覽存在風險，因此，必須妥適處理所有潛在風險。一般情況，原件僅適合短期展出，若無法確保長期展覽的安全性，應以複製品展示為宜。該政策亦為省檔案館、博物館及美術館所運用，至少在展覽前 6 個月應獲得檔案館館長之核准，檔案展覽經部門主管決策，續以推動專業與組織化之展覽，選件結果、展覽前後之規劃均應知會庫房修護人員，此外，應儘早確定保險及經費支應狀況。

布拉格國家檔案展覽原則(附錄 3-5)說明以下事項，並附有檔案借展之檢核表

- (一)檔案展規劃之一般原則。
- (二)氣候和光照(氣候參數、空氣品質、照度與紫外線)。
- (三)展示時間。
- (四)區分不同類型材料。
- (五)光線與檔案。
- (六)不同類型檔案之包裝方法。

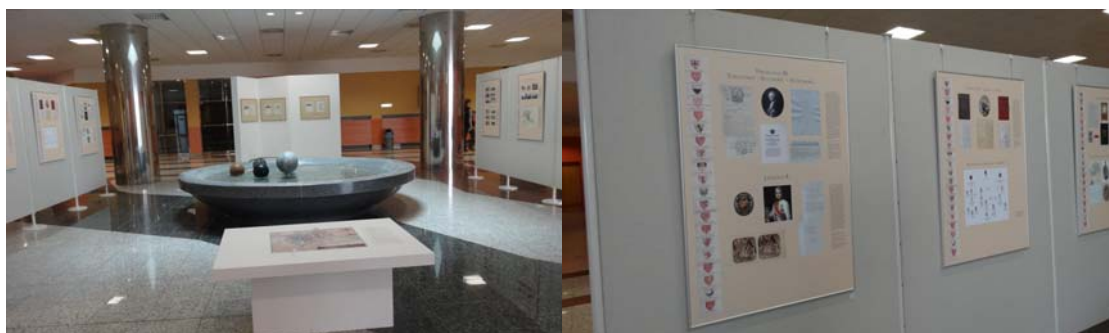


圖 3-6 國家檔案館檔案展覽情形

肆、國家檔案數位典藏

國家檔案數位典藏 (National Digital Archives(以下簡稱 NDA), Project Number: CZ.1.06 / 1.1.00 / 10.06977) 的執行是依據歐盟公共管理數位化第 10 號整合型計畫 (no. 10 " Computerization of public administration - digitization "of the Integrated Operational Programme(IOP)of the European Union.)，旨在長期且安全的保存國家數位檔案，亦為政府知識管理之重要基礎，其計畫內容包括：

- 一、計畫目標與提供的服務。
- 二、數位檔案長期保存。
- 三、檔案應用管理。
- 四、文件的開放。
- 五、檔案鑑定協助。
- 六、檔案數位化協助。
- 七、檔案數位化複製品之安全儲存。

國家檔案館的主要任務提供中世紀至今有關中央政府機構之活動紀錄，而其最終之目的在於提供社會應用，是以 NDA 之目標為：

- 一、電子檔案長期保存—提供電子檔案長期且安全的儲存管理
- 二、因應電子檔案在技術與數量不斷成長，建構其儲存方式
- 三、建構國家檔案數位化模式以支持電子文件之長期管理
- 四、整合現有公共行政部門及圖書館博物館等機構系統，以支持國家檔案的保存與開放應用
- 五、發展電子文件管理之準則



資料來源:摘自:<http://digi.nacr.cz>

圖 3-7 國家檔案數位典藏資訊網

第四章 摩拉維亞省檔案館（Moravian Provincial Archives）

壹、機關簡介

一、組織及人力

摩拉維亞省檔案局（MZA）成立於 1839 年，在布爾諾(如圖 4-1)，它的任務是調查和搜索摩拉維亞洲的歷史來源和徵集移轉。該館位於馬薩里克大學布爾諾大學校地一部分，在捷克共和國屬第二大存放最重要的檔案之地點。

該館於西元 2007 年 10 月 29 日揭牌新館，設有 47 間庫房，110 公里檔案典藏量，其位於南摩拉維亞洲之布爾諾，隸屬內政部，管轄 15 個縣檔案館，在其職權範圍內律定並發布，行使檔案管理的法律和內部規章，進行相關檔案應用及管理專業活動。

(一)人力：

西元 2012 年約 79 人、15 縣檔案館約 200 人，其中每個縣檔案館之專業檔案管理人員有 4 人，所謂檔案專業人員，係指相關科系畢業，在予以實作訓練，並無定期辦理相關培訓課程，係以學校學習加上就業歷練，從行政助理進入職場約 5 年，方可擔任相關主管職缺。故其基礎訓練，係由大學培養，以學歷取得為勝任該工作之基礎，工作後訓練，則無固定培訓計畫，惟可由內政部、國家檔案館、省檔案館召集相關研討會，或辦理國際研討會相關議題互相交流，以增長相關知識及技能。

(二)預算：

其預算除由內政部透過會議予以預算外，並透過一些歐盟計畫爭取相關合作，例 18,000 萬克郎(約新臺幣 2.7 億元)，購置相關數化掃描或修護等設備(如圖 4-2)，此計畫須完成猶太教相關歷史檔案數位掃描工作。值得一提的事，每年使用這些設備，接受製作檔案複製品(如圖 4-3)，歲收達 200 萬克郎(約新臺幣 300 萬元)，並每年繳於內政部國庫。



圖 4-1 摩拉維亞省檔案館外觀



資料來源:作者實地拍攝

圖 4-2 相關數化掃描、修護、複製等相關設備及工作情形



圖 4-3 其中一件承作之複製品

二、 檔案館藏

歸檔保存省級摩拉維亞的歷史，其中包括摩拉維亞地區，摩拉維亞 - 西里西亞省的政治，財政和司法行政，教會資金，包括在 1782 年以來廢除寺廟的檔案，1956 年農林業檔案館，及於 1990 年接手的私有化企業 12 公里檔案(含戰前工業公司、企業從國有化到私有化的企業)，還有貴族裁撤及一些法令書之抄本等歷史重要文件。

現典藏 64 公里，15 個縣檔案館典藏 61 公里，計 125 公里。值得一提的是，1954 年布拉格曾發生大火，原布拉格國家檔案館原件相關法令書付之一炬，保存此館之複製品法令書，則發揮歷史價值，現為唯一查詢事證之稽憑。

貳、 檔案徵集與清理

一、 檔案移轉部分

該館負有所轄各縣檔案館檔案清查之督導機關，各縣檔案館定期清查，並陳省檔案館後，轉陳國家檔案館核備，才能進行銷毀，機關永久的檔案，原則以儲存於該縣檔案館，典藏保存，而縣館藏檔案，省檔案館並有要求請所轄管藏之檔案數位化，放置共同平台，供各界調閱使用。

二、 個人檔案徵集部分

為豐富館藏，該館亦有處理私人文書捐贈，以前多為教會及貴族家族族譜樸等文件，現在面臨較大議題是，處理國家與教會間問題，因為 1948 年以前教會財產國有化，相關重要歷史檔案，存放於此，惟現有收到一些教會要求，希所管有之教會檔案歸還等情事發生。

參、 檔案應用服務

一、 檔案開放應用

(一) 開放時間及閱覽情形：

(1) 開放時間：

服務場所	開放時間
帕拉赫廣場 1 閱覽室	週一：9:00 - 18:00 週二：9:00 - 16:00 週三：9:00 - 18:00 週四：9:00 - 16:00

	週五：關閉 2013年7月1日至8月31日，只開在星期一和星期三 從 9:00 到 18:00
檔案的複製 品製作 2樓	週一：12：00-16：00 週二：9：00-12：00 週三：12：00~16：00 週四：9：00-12：00 週五：關閉
圖書館 2樓	週一：9：00-11：30，12：30-16：00 週二：上午9：00-11：30，12：30-16：00 週三：上午9：00-11：30，12：30-16：00 週四：9：00-11：30，12：30-16：00 週五：關閉

(2) 該館二樓的設有閱覽室(如圖 4-4)，容納有 96 個座位。提供給所有關心族譜免費虛擬存檔。每年 12,000 人次造訪，約有 2,000 研究生至館研究相關檔案。

(3) 相關服務價格放置該館網站(<http://www.mza.cz/cenik-sluzeb>)。



資料來源:摘自: <http://www.mza.cz/mza-v-brne>

圖 4-4 摩拉維亞省檔案館 2 樓閱覽室

(二) 目錄檢調應用：

建置平台(<http://www.mza.cz/a8web>)(如圖 4-5)，供各界查詢相關檔案。



圖 4-5 線上目錄檔案影像查詢平台

(三) 檔案外借展覽：

有 2013 年 6 月間將蒐藏 1512 年之抄本檔案，報准內政部運送至拉多維亞展覽，該國大使為其租借人，並保險 100 萬克朗(約新臺幣 150 萬元)。

(四) 出版發行及展售部分，詳見該館網站

(<http://www.mza.cz/publikace-moravskeho-zemskeho-archivu-v-brne>)。

肆、檔案整理與典藏

於 B1 建置台車升降設備(如圖 4-6)，方便運送縣檔案館之相關檔案，並設置相關整備室(如圖 4-7)，有效清理及修護檔案。

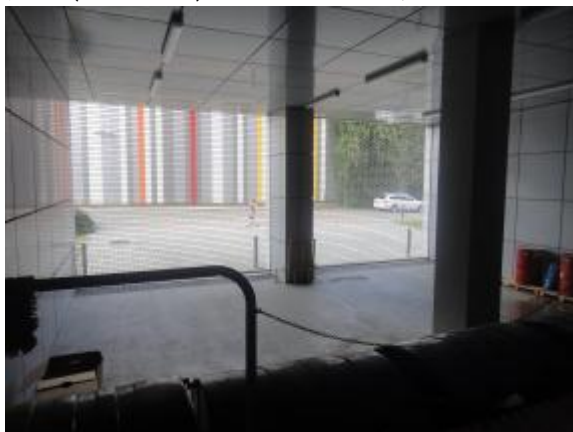


圖 4-6 台車升降設備



圖 4-7 檔案整備室

伍、督導管理

除相關檔案管理事項依內政部所訂規則要求縣檔案館遵循外，每年從內政部分配預算，協助各館相關經費，因該館有完整修復設備，並有協助各館檔案修復作業。另於每年製作檔案管理事項成果年報放置該館網站 (<http://www.mza.cz/vyrocní-zpráva-moravského-zemského-archivu-za-rok-2013>)，供各界參考了解。

第五章 布拉格市檔案館(Prague City Archives)

壹、機關簡介

一、組織與人力

布拉格市起源於 1784 年將四個原本獨立的鎮（老城區，新城區，小城區，和城堡區）整合，擁有豐富的歷史價值，該市的文化和政治的歷史，一直受現代史學研究者感興趣的地方。於是於 1851 年設立的一個獨立的機構，典藏市政府收藏文件、手稿等檔案，奠基為豐富的歷史和法律圖書館。在 1997 年完成布拉格市檔案館建置興建。(如圖 5-1) 成為捷克最古老的檔案機構之一。它的任務是收集和存儲官方和非官方的歷史文檔，提供該城市中世紀開始到現在的發展見證。



圖 5-1 布拉格市檔案館

二、經費

經費來源，主要來自政府預算編列及參與歐盟專案計畫(The Ad Fontes project of mass digitizing)所分配之款項等。值得一提的是，參與 2007 年 4 月 1 日 - 2010 年 9 月 30 日歐盟挪威專案檔案數位化計畫申請計 778,855 歐元(以匯率 40.3，約新臺幣 3,140 萬元)，實際補助金 483,591 歐元(以匯率 40.3，約新臺幣 1,950 萬元)，略可窺知該館檔案所館藏之歷史價值在歐洲地區，頗具其重要性。

貳、檔案徵集及管理

一、檔案館徵集部分

目前布拉格市檔案館蒐藏 1922 年的布拉格市的部分地區、市政廳 24 個地方文件、自治區政府機關和國家行政機關、學校，或其他市立機關，布拉格市政當局（1945 年後併入國家工商行政管理總局）、中小學和某些廢除大學、教區當局、公司、協會、企業和某些國有企業。如戲劇院、法院等等檔案及文件，並依照內政部檔案行政處所訂相關規定執行檔案徵集及管理作業。

二、館舍建築部分

該館近年來對電子檔案及數位典藏工作趨勢，日益重視，除於此容納 46 公里

之典藏量外，政府挹注 6 億克朗(約新臺幣 9 億元)於該館空地(如圖 5-2)103 年 7 月 10 日動工，建置 54 間庫房，預計於 2016 年 12 月底完成數字(資訊)館，以因應該市檔案典藏空間。



圖 5-2 布拉格市檔案館之數字資訊館興建地

三、檔案數位化

布拉格市檔案館之檔案，擁有豐富的歷史價值，爭取相關歐盟計畫之經費，於 2007 年至 2010 年投資建置相關數位化工作設備，於 2010 年至 2015 年完成檔案文件數位化工作，相關工作情形及成果如圖 5-3、5-4，其成果並定期放置該館網頁(<http://www.ahmp.cz/eng/index.html?wstyle=2&catalogue=1&lang=en>)，供各界參考。



圖 5-3 布拉格市檔案館數位化相關設備情形

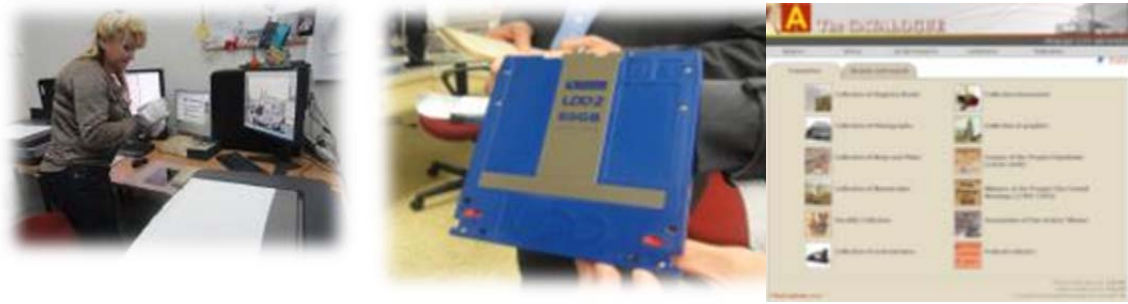


圖 5-4 布拉格市檔案館數位化相關工作情形及成果

參、檔案應用服務

一、檔案開放應用

(一) 開放時間：

服務場所	開放時間
閱覽室	週一 9:00 - 16:00 週二 9:00 - 16:00 週三 9:00 - 16:00 週四 9:00 - 16:00 週五 (除家族及歷史學家) 9:00 - 12:00
註冊申請	週一：8:00 - 17:00 週二：8:00 - 16:00 週三：8:00 - 18:00 週四：8:00 - 16:00 週五：8:00 - 15:00
關閉時間 2013 年 1 月 1 日 2013 年 7 月 5 日 2013 年 4 月 1 日 2013 年 10 月 28 日 2013 年 5 月 1 日， 5 月 8 日， 12 月 24 日至 26 日	

(二) 複印服務

1. 相關檔案複印之索取價格，於網站上 (<http://www.ahmp.cz/eng/index.html?mid=13&wstyle=0&page=>) 公布，供各界參考使用。

2. 申請人必須詳細於申請表單上所想要之檔案目錄資料。
3. 應以書面形式通知，並通知付款的方式，收到匯款，才交貨，最遲在 60 天內提供。
4. 支付和收集方法：
 - (1) 個人親自送件登記：現金支付。
 - (2) 透過電子郵件申請：其付款以銀行匯款，收到款項及交付，惟不接受信用卡或支票。如果從國外付款的，付款人必須解決所有的銀行轉帳費用，並提供一次性檔案借閱及複印文件。
5. 凡使用用於科學目的的檔案文件(如科學和專業期刊、論文、單一的研究、專著、編輯及展覽目錄等)其複製是免費的。
6. 使用作商業用途，檔案文件(圖片出版物、電視節目、電影、明信片、宣傳資料等)的複印本須遵守一定的費用(如發行數量 600 份內，每幅圖像 1,500 捷克克朗；發行數量超過 600 份，每幅圖像 3,000 捷克克朗)。

二、 檔案借調整理室

該館為利檔案借調運送，花 100 多萬克朗(約新臺幣 150 多萬元)建置檔案運送及存放借調檔案電梯(如圖 5-5)，方便檔管工作者處理相關借調服務作業，節省讀者再次重複調閱之工作。



圖 5-5 檔案借調整備室

三、 與學術合作

布拉格市檔案局和尼古拉斯哥白尼公共圖書館等(如圖 5-6)合作檔案研究，擴增該館研究能量，並推廣檔案之館藏。主要方式以研究主題為主，進而出版著作和辦理相關特定主題之歷史文獻相互交流研習會，及互相典藏互展交流。

International cooperation

tel.: +420-226 004 037

e-mail: ahmp@praha.cz



Wojewódzka Biblioteka Publiczna - Książnica Kopernikańska
ul. Słowackiego 8, 87-100 Toruń
www.kszaznica.torun.pl

The Prague City Archives and the Nicolas Copernicus Public Library in Toruń have established cooperation in the areas of scientific research, culture and popularization. The cooperation is focused mainly on mutual exchange of internally produced publications and other specialised literature dealing with urban history. The cooperation of the Archives and the Library includes also exchange of data and information from their own collections and promotion of their activities abroad. According to the existing circumstances, this cooperation may be also extended to organisation of common lectures and conferences presenting the professional activities of both institutions.



Humboldt-Universität zu Berlin, Institut für Geschichtswissenschaften
Unter den Linden 6, 10099 Berlin
www.geschichte.hu-berlin.de

Stadtarchiv Nürnberg
Marienortgraben 8, 90402 Nürnberg
www.stadtarchiv.nuernberg.de

On 7 - 8 October 2008, the Prague City Archives organised in cooperation with the Nuremberg City Archives and the Department for Eastern Central European History of the Department of History of the Humboldt University in Berlin, a scientific conference „Lost Proximity; Prague - Nuremberg in the changing centuries“. The discussions focused on the mutual communication of both cities in Medieval and Early Modern periods and on the comparison of the development of Prague and Nuremberg in 18th - 20th centuries. The papers will be published in the conference proceedings "Documenta Pragensia".



Heinrich-Heine-Universität, Düsseldorf, Institut für Kultur und
Geschichte der Deutschen im östlichen Europa
Universitätsstr. 14, 0225 Düsseldorf

資料來源: <http://www.ahmp.cz/eng/index.html?mid=8&wstyle=0&page=>

圖 5-6 學術合作事項成果

第六章 專業檔案館及其他

該國除設有國家檔案館、省、市、縣等級檔案館外，仍有依檔案與文件管理法第 58 章規定，成立相關專業及特色檔案館，下面就此次訪察布拉格城堡檔案館、總統府檔案室及外交檔案室，所見檔案管理概況介紹如下：

壹、布拉格城堡檔案館

布拉格城堡檔案館(如圖 6-1)主要典藏保存著布拉格聖維特教堂的大主教教士的檔案、圖書以及大量的中世紀手稿和法令等歷史文物，典藏在西元六世紀至今之檔案文物，約有 3 萬本古書(如圖 6-2)，該館設有館長 1 人及職員 3 人管理，依館有世紀檔案分工管理，館長職責除行政之外，係以研究及推廣為主(如圖 6-3)，其相關預算來自以申請歐盟計畫、重要大學及中央博物館等合作以電子化數位檔案作業為主，例 2015 年紀念查理大帝(四世)650 周年展覽，即將展覽其相關文物。除此之外，並於該館走廊牆面(如圖 6-4)，永久展出布拉格城堡故事，並定期蒐整相關主題之私人文書。



圖 6-1 布拉格城堡檔案館外觀



圖 6-2 布拉格城堡檔案館庫房內古書



圖 6-3 布拉格城堡檔案館研究出版品

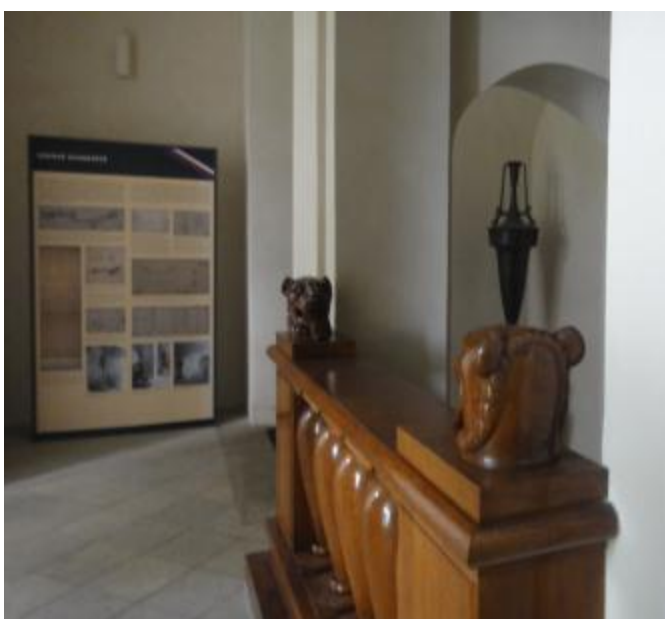


圖 6-4 布拉格城堡檔案館檔案展覽情形

貳、總統府檔案室

以典藏總統文物及政策執行之相關檔案文件為主，設有 5 間庫房，典藏量目前 1.5 公里，設有 5 位檔案人員處理 1918 年後之總統府相關文書及重要文物。

值得一提的是，其檔案庫房係設在原城堡區，係屬古蹟區，為維護古蹟，並座墊高等相關防護措施(如圖 6-5)。該室並設有簡易閱覽及研究室，供研究者借調檔案及文書應用。該室除典藏文書外，亦有將總統對外國際關係或所頒贈授勳獎章或私人捐贈等文物徵集收藏及保管。(如圖 6-6、6-7、6-8)

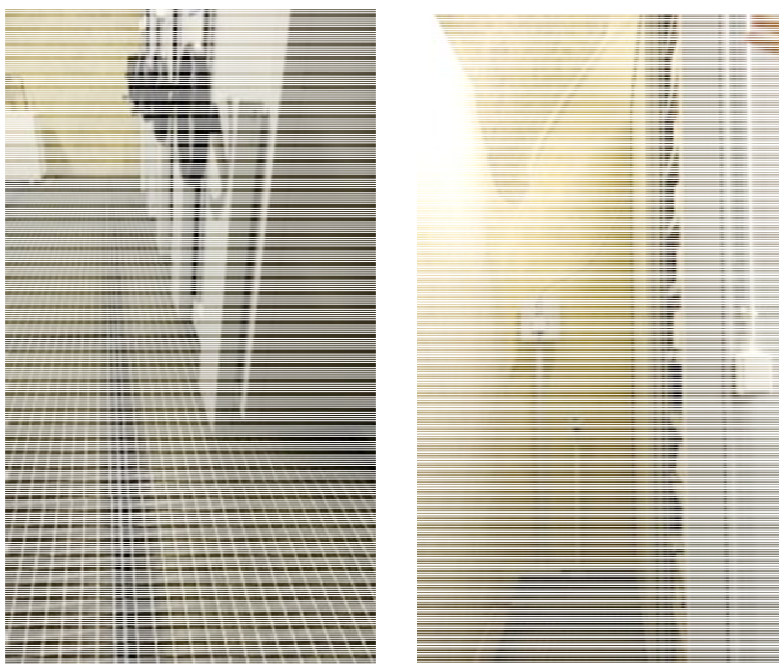


圖 6-5 總統府檔案室 B1 庫房



圖 6-6 總統府檔案室之研究閱覽室及蒐整授勳獎章等文物

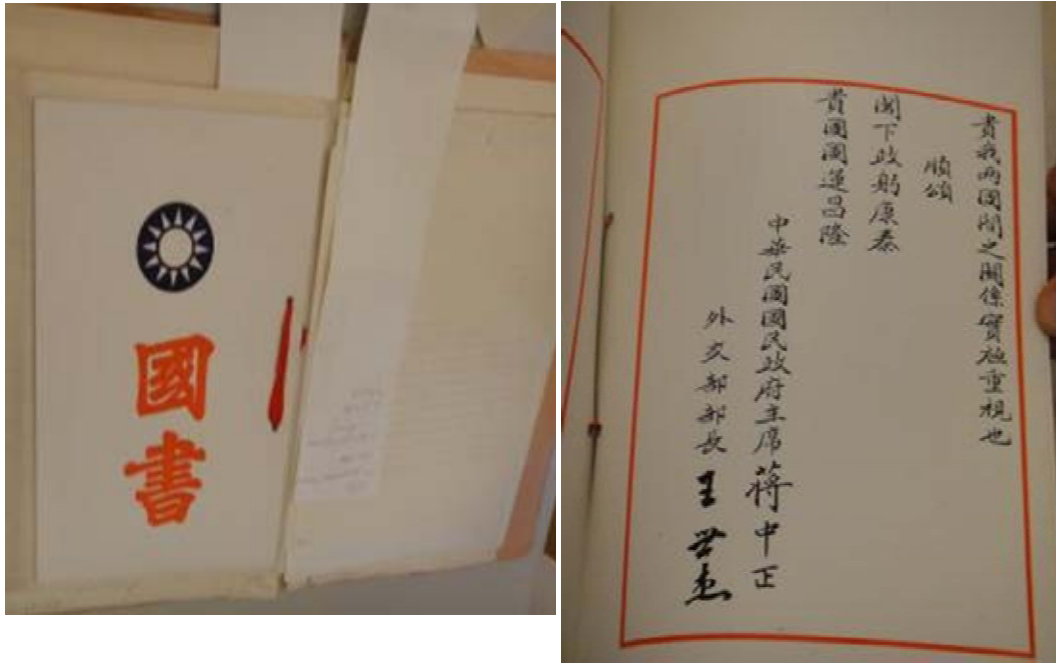


圖 6-7 總統府檔案室典藏於 1946 年捷國與本國之互動情形



圖 6-8 總統府檔案室保管美國尼克森總統餽贈捷克 1969 年登陸月球紀念文物

參、外交部檔案室

前身為於 1910 年 2 月份成立之外交部籌備處，主要收藏第 1 次世界大戰、斯洛伐克族與聯勤隊抗議及與捷方外交協議等來往文件，計蒐藏 234 全宗約 4,460 公尺，計有 10 位檔案管理專業從事人員，其中就有 6 位查理大學學歷；近 5 年來已有近 1,000 人次來此借閱檔案研究，該室除典藏文書外，有針對壁畫視同檔案文物，從事修復及文物之保存及展示(如圖 6-9、6-10)，及定期辦理檔案展覽(如圖 6-11)。

近年來並大力推動線上簽核電子檔案，期能響應環保及存儲空間之不足，惟仍有其電子檔案保存、真偽性等相關技術之問題，以定期保存年限之檔案為主。



圖 6-9 外交部檔案室壁畫修復情形



圖 6-10 捷國外交部文物展示情形



圖 6-11 捷國外交部檔案展覽情形

另，為擴展檔案應用，並有讓參訪人員做相關印泥印信徽章之製作，增加親民及活潑性。(如圖 6-12)



圖 6-12 捷國外交部檔案室提供印泥印信徽章之製作情形

第七章 結論與建議

壹、結論

本次赴捷克考察，囿於經費及時間的限制，原規劃行程希儘可能涵蓋不同層級之檔案館，由於捷方展現前所未有的重視與熱情，不但協助增列行程，上級主管機關—內政部檔案行政處亦派員隨行，使得參訪行程更為豐富多元。我們從檔案中央主管機關、國家檔案館（計 2 館）、省檔案館、市檔案館及專業檔案館（總統府、外交部與城堡檔案館）等參訪行程，瞭解該國的檔案管理體系梗概，可謂馬不停蹄，行囊滿滿。

參訪行程最大的限制還是語言部分，各檔案館資料多以捷克語呈現，考察前資料蒐集僅有 2 篇中國大陸之文章介紹捷克檔案概況及省檔案館建築，其內容較為簡略；再就網頁而言，各館雖有英文版，惟其內容較為精簡，所以我們還是以捷克版為主要瀏覽內容，再利用網路翻譯軟體掌握重點後再詳查內容。雖然翻譯人員為熟悉捷語與中文之捷克人士，惟有關檔案管理事項部分較為專業部分，實需要花費更多時間溝通解讀。

參訪行程中，部分受訪機關表示，鮮有東方國家檔案管理人員前來參訪，對於來自臺灣的我們也有著一些好奇，然接待之部門首長或人員皆熱忱款待，莫不竭盡所能展現專業解說，有時為了完整呈現其準備多時的參訪行程，即使受限時間，接待館員仍堅持走完全程。摩拉維亞省檔案館館長是一位令人畢生難忘的長者，她娓娓敘說摩拉維亞省檔案館的重要性及其歷史與館藏，讓我們充分感受到她對於檔案事業的投入與熱忱。我們到訪時間是週五下午，館員多已準備下班渡假了，但館長不但親自解說，還拎著一大串的鑰匙，打開/關上每個參訪部門的門與燈，其對檔案館的熱愛，讓吾等如沐春風，感動莫名，亦為參訪行程之一大收穫。另外，駐捷代表處佳燕秘書的認真盡職，從交通、住宿、生活細節、訪查行程等均全程協助，而駐捷薛代表美瑜，亦陪同我們參訪國家檔案館，其親切及拓展外交之敬業精神，同令吾等感佩。

本次訪察，在檔案管理與應用層面上，多有值得我國效法借鏡之處，謹分項說明如下：

一、國家檔案事權統一，善用資源

該國相關檔案管理制度及標準統由內政部檔案行政處律定，各檔案館層級分明，分層管理，內政部檔案行政處統籌分配預算，管理及督導各檔案館，並有審核各檔案館設立之權責。另上級機關之資源(如檔案修復中心等)亦支援其所轄所需檔案修復工作，使資源統一運用。

二、 檔案與文物結合，豐富館藏資源

檔案釋述政治及歷史發展，捷克共和國擁有豐富之歷史文化，各檔案館分別依其地域與管轄範圍，典藏不同歷史時期之重要文件/文物，豐富的典藏，使得該國特別著重檔案主題研究，各館亦陸續徵集相關檔案文物，擴增檔案資源，以見證歷史。

三、 參與國際合作，異業資源策略合作

捷克以豐富歷史文物，在歐洲佔有一席之地，因應政府預算逐年遞減，各館為擴增相關數位化檔案管理工作，以提出專案計畫與檔案專業協會、教會或學校合作方式，擴展檔案館數位典藏並解決研究之限制。

四、 建立檔案管理制度，標準化作業，提升管理效益

捷克共和國之檔案管理規範與標準由內政部檔案行政處所制定，從文件的管理到檔案的鑑定徵集、整理描述、移轉銷毀、應用申請及電子檔案管理等，均律定相關作業基本規定及原則，俾各檔案館遵循，其制度化及標準化之管理，提升檔案管理效益。

五、 重視保存維護，多方籌措資源，推動檔案數位化

由於各檔案館多藏有歷史悠久之早期檔案，是保存維護為其重要課題，為因應研究者需求及推廣檔案應用，檔案數位化工作頗受重視，挹注預算或爭取相關歐盟計畫，期能提升館藏數位化量，擴增館際合作，並整合歐洲地區檔案應用之普及性，達到雙贏之局面。

六、 開創複製品製作，擴增國庫營收

為推廣檔案應用或展出相關檔案及文物複製品，該國檔案館或私人企業等，會依需求，向具有專業複製技術之檔案館洽訂複製品，因其技術精湛，頗為神似，每年擴增國庫營收，並回饋至館之營運相關業務預算，增加籌措運算之多元性。

貳、建議

一、提升檔案管理職權，落實機關檔案分層管理

為健全我國政府機關檔案管理，促進檔案開放與運用，發揮檔案功能，檔案法於民國 88 年 12 月 15 日制定公布，並於 91 年 1 月 1 日施行，是為各機關檔案管理事項之根本大法。依檔案法第 3 條規定，關於檔案事項，由行政院所設之專責檔案中央主管機關—國家發展委員會檔案管理局掌理之，惟其僅為中央機關三級機關，層級較低，且無實質編列全國各機關檔案管理作業之預算補助，或人事權等，對推行及提升各機關檔案管理作業，面臨較大困難及挑戰。

此次訪察，捷國內政部檔案行政處除建立檔案管理制度及標準供各檔案館遵循及執行外，每年並編列預算得以分配至各省檔案館，而省檔案館對於轄下之縣檔案館亦有部分支配權，各大型公共檔案館除爭取內政部經費外，亦會透過所轄相關部會(如文化部等)爭取預算挹注，或取得相關歐盟專案計畫預算，提升其檔案管理作業。

未來，為使我國檔案中央主管機關發揮更大職權，建議除提升機關層級外，如能爭取政府編列檔案管理專款，在符合政府主計法令規範之前提下，具有統籌分配檔案管理專款預算之權責，使檔案中央主管機關掌握實質資源，以順遂檔案管理作業之推動，以落實機關檔案縱向及分層管理。

二、建議成立全國修復中心，資源共享

政府預算每年遞減，再加上人事費逐年升高，排擠業務費，為節省政府預算，建議可規劃成立全國性之檔案修復中心，統籌人力培養及技術精進，且由檔案修復費用之營收，納入國庫歲入及營運成本，以國家力量統整檔案修護資源，妥善保存機關檔案及施政紀錄。

三、強化產官學合作，提升檔案管理人員專業知能

為提升各機關檔案管理作業水準，達到考訓用合一，除與相關系所學校合作課程規劃外，並朝建教合作，適時與實務結合，以擴展檔案管理工作人員基礎技能及專業知能。另從業務面來看，各機關為提升檔案管理作業，亦可洽詢或委託民間相關公司(如出版文化業、數位掃描、知識庫平台、文創產業等等)互相合作。

此外，歐盟藉由各式大型計畫模式，協助各國共同推動檔案管理事業，是歐洲國家普遍運用之專業資源，在資源的整合，以及專業能力的提升上助益甚多。國內或可考量以跨域整合之模式，提升檔案中央主管機關之統籌功能，使發揮有效統合資源，並能拓展國際視野，相互成長。

四、加強徵集各類檔案及相關文物

為有效運用預算、人力及典藏空間，國家檔案徵集內容以中央政府機關涉及國家政策與制度、行政決策過程及其與地方政府、民眾互動之檔案為主要內容，另輔以直轄市、縣（市）政府及其所屬機關檔案；至具地方特色或特殊媒體型態之國家檔案（如電影資料等），顧及地區性使用者應用便利及特殊媒體檔案需要特殊之典藏設備，宜協調地方機關或史料典藏單位建立合作關係，以委託代管方式典藏，以達「集中管理、分散典藏」之目標。

另為豐富世人感興趣及生動化，除以實體檔案為主外，應加強徵集檔案之相關文物及私人文書捐贈，以豐富檔案多元性展覽，更生動喚起人民的記憶。

五、擴大檔案應用平台，持續結合檔案文創行銷

目前整合性之檔案檢索系統以機關檔案目錄查詢網、國家檔案查詢網及檔案資源整合查詢平台為主，對於機關重要檔案之影像檢索與綜合查詢之功能系統尚未建立，摩拉維亞省檔案館對於轄下檔案館之重要典藏建置查詢系統，可逕自系統瀏覽相關檔案影像，十分便捷，我國或可在現有基礎下，以分區為概念提供更便捷之檔案應用平台。另，我國致力於檔案結合文創與行銷推廣做法，相較於捷克共和國之推廣做法更為多元活潑，建議可再持續努力再創佳績。

六、籌設首座國家檔案館，推動機關檔案館設置，建立特色檔案館

國家檔案館是展現「國家發展經驗及人民共同記憶」的重要單位，國家檔案典藏及應用為國家發展委員會檔案管理局首要任務，興建國家檔案館係解決檔案典藏空間不足、提供多元應用之關鍵策略，且為民主進步國家之重要表徵，爰設置首座綜合性國家檔案館，以國家檔案為基礎呈現政府施政績效，使珍貴且具有永久保存價值國家檔案，得有安身、展示、應用、研究之所，以妥適保存國家發展智慧與經驗，流傳後代子孫應用，實不刻緩。

另因各機關施政永久保存之紀錄除未審選至國家檔案外，亦有其行政稽評及歷史價值定位等特色，未來應推動機關特色檔案館之設置，妥適典藏機關永久保存之檔案及文物，使國人更有主題系列性了解各機關管有及施政紀錄。

附錄 1-1 考察行程

2014 年國家發展委員會檔案管理局捷克考察行程

2014. 6. 24-27

日期 時間	地點	行程	出席人員
6/24(二) 布拉格 14:00 16:00	捷克內政部檔案管理處 (Archiving Administration and Filing Service Department) *地址：Milady Horákové 133, 166 21 Praha 6	【簡介】捷克檔案管理相關 法規及組織架構、檔案管 理權限與策略、建檔作 業、檔案鑑定等。 【參觀】內政部檔案室(保 存早期文獻)。	處長Dr. Jiří Úlovec、副處 長Dr. Lenka Linhartová、 負責檔案 鑑定業務官員 Dr. Jiřina Prokopová
6/25(三) 布拉格 9:00 12:00	捷克國家檔案館 *地址：Archivní 4, 149 00 Praha 4 - Chodovec	【參觀檔案館】簡介檔案數 位化作業、數位化檔案之 長期保存政策、相規法及 作業標準、檔案取得及費 用規定等。	副館長Dr. Zdenka Kokošková 及 負責檔案數位 化及檔案保存 專業人員
14:00 16:00	布拉格市檔案館 *地址：Archivní 4, 149 00 Praha 4 - Chodovec	【參觀檔案館】簡介檔案數 位化作業、數位化檔案之 長期保存政策、相規法及 作業標準、檔案取得規 定、地方政府檔案管理。	檔案資訊處處 長Doc. Dr. Vaclav Ledvinka
6/26(四) 布拉格 9:00 10:30	捷克總統府檔案室 *地址：Prague Castle, Prague Castle 1, 119 08 Praha 1	【參觀檔案室】參觀檔案研 究室及檔案保管室-依訪團 提問互動。	檔案室負責人 Mr. Jakub Doležal
10:30 12:00	布拉格城堡檔案室 *地址：Prague Castle, Prague Castle 1, 119 08 Praha 1	【參觀檔案室】參觀檔案研 究室及檔案保管室-依訪團 提問互動。	檔案室負責人 Mr. Martina Halate
14:00 16:00	捷克外交部檔案室 *地址：Loretánské nám. 5, 118 00 Praha 1	【拜會】資訊管理科科長 (Administration and Information Processing	檔案室負責人 Mr. Štěpán Gilara

日期 時間	地點	行程	出席人員
		Department) Dr. Josef Boháč 【參觀檔案室】檔案研究室 及檔案保管室-依訪團提問 互動	
6/27(五) 布爾諾 11:00 14:00	摩拉維亞省檔案館 *地址：Palachovo náměstí 1, 625 00 Brno	【參觀檔案室】簡介檔案數 位化作業、檔案取得規 定、摩拉維亞省檔案管理 組織架構；另依訪團提問 互動。	館長Dr. Kateřina Smutná、局方 專業人員 4

※ 捷克內政部將全程派員隨行。

附錄 1-2 考察重點

一、考察重點說明

- (一) 請說明捷克政府機關檔案管理之權責機關為何？其與國家檔案館之關係為何？國家檔案館是否有輔導或評鑑機制？
- (二) 檔案館經費來源為何？不足時，如何因應或籌措？
- (三) 是否有檔案管理人員專業認證的標準(包括檔案管理師、檔案維護師與檔案鑑定師等)？其認證過程為何？有無檔案管理證照制度？
- (四) 是否有部分業務與民間機構合作(或委外)辦理？有無招募志工，或結合民間團體，提供相關聯合服務。
- (五) 有無館際合作？合作項目及運作方式為何？
- (六) 國家檔案徵集策略、審選原則及其操作方式為何？
- (七) 國家檔案移轉政策及程序為何？各層級檔案館間運作方式及區隔？大約移轉後多久才會對外提供申請應用？
- (八) 國家檔案移轉年限為何？是否因檔案媒體型式不同分別訂定移轉年限？檔案移轉前是否針對相關涉應用限制之檔案預作處理？其方式為何？
- (九) 因應組織異動，機關管有之檔案如何承接？如屬裁撤機關之檔案，其處理做法為何？
- (十) 機關辦理屆期銷毀檔案之程序為何？核定銷毀的權責為何？是否有相關授權清理機制？
- (十一) 機關屆保存年限且確定已無行政參考價值之檔案，是否提供其他學術研究單位使用？
- (十二) 是否已辦理電子檔案鑑定及移轉？其程序為何？
- (十三) 有無研訂應用服務策略或方案？涵蓋那些應用服務方式？如有提供非紙質類的特殊媒體檔案應用？其應用方式及空間規劃為何？
- (十四) 檔案應用限制事由之適用由誰認定？由誰設定應用條件？
- (十五) 檔案原件閱覽如依法令規定有遮掩、抽離之必要時，由哪一個部門(或專業人員)執行？還原時，又由誰處理呢？
- (十六) 是否依不同媒體型式，提供檔案應用流通版？流通版文件之製作是由檔案館自辦或委外辦理？其存放地點是否與檔案原件不同？版權問題如何處理？
- (十七) 檔案加值應用做法為何？是否與民間企業結合加值運用國家檔案？有無將檔案應用商品化？如何開發商品市場價值？
- (十八) 檔案應用如何與教育結合？例如是否將國家檔案編撰為學校教材運用於社會教育？
- (十九) 為配合檔案應用推廣需求，有無進行國家檔案的研究？係由館

方專職人員或委請學者專家辦理？研究經費來源及預算比例為何？

(二十) 如何規劃常設展與定期展？

二、相關資料提供

- (一) 檔案館的組織架構及功能職掌相關簡介。
- (二) 檔案管理相關之法令規章、作業手冊或指引。
- (三) 國家檔案館年度施政計畫、中長程發展策略、年報等文件或出版品。
- (四) 國家檔案徵集策略、中程計畫、鑑定審選原則(標準)及作業流程相關文件。
- (五) 檔案移轉作業流程相關文件(如：移轉請求單、檔案運送費用相關規定)。
- (六) 檔案銷毀作業流程相關文件(是否有核准銷毀程序及授權清理相關規定及文件)。
- (七) 檔案複製儲存策略、計畫、法規、標準等作業流程相關文件。
- (八) 非紙質類(特殊媒體)之檔案保存實驗室或相關保存修護方法與標準。
- (九) 請提供檔案應用法規(含限制應用之法令依據)、檔案申請應用、閱覽等相關規定及作業流程。
- (十) 檔案提供應用收費標準(如有依申請人身分、檔案使用目的或者檔案複製精細程度而收取不同數額之情形，併請提供)。
- (十一) 電子檔案長期保存制度、策略與技術相關手冊與規定。

三、實地參訪場所安排

- (一) 閱覽中心、展場及研究間
- (二) 檔案保存修護中心
- (三) 不同媒體型式之檔案庫房
- (四) 檔案複製儲存作業空間
- (五) 檔案編目整理作業空間
- (六) 檔案應用準備作業空間
- (七) 電子檔案長期保存實驗室

I. Visiting focus:

- 1.The collaboration relationship of the National Archives and the authorized agencies of records management. Professional management system certification advisory and project management guidance for authorized agencies of records management.
- 2.The structures of financial resources of the Archives. How does the Archives raise money?
- 3.The specialist credential license system about archivist, appraisal archivist, and conservational archivist. The process of certificate for records managers.
4. Are there business cooperation (or outsourcing) with non-government institutions. Does the Archives recruit volunteer workers? What is the volunteer service?
- 5.Are there inter-archives cooperation projects?What are the scope and performance of the cooperation projects?
- 6.What are the acquisition strategies, selection principles, appraisal procedures for Archives.
- 7.What are the transfer policy and procedures for national archives? Are there different approaches between the National Archives and state archives? How long will it take from transferring archives to public access?
- 8.How long the agency records should be transferred to the National Archives since the record has been created? Will the transferring day be different from the record media type? For records being transferred to the Archives, what are the procedures for a record contains a proportion of exempt information.
- 9.How to deal with the records in reform or defunct government agencies?
- 10.What's the legal procedure or standard should agencies follow when destructing the official records reaching expiration date? Is there any authority-in-charge for the approval of records destruction and what's the range of its approval? Can agencies dispose records under some kind of license without submitting to authority-in-charge in advance?
- 11.Do agencies provide their records, which have been expired and without evident value for substantial national or agency administration, to other institutions for academic or research purposes?
- 12.Does the Archives conduct technical appraisal for electronic records? What are the right time, process and technologies of transferring for

- electronic records?
13. Does the Archives formulate any archives access strategies or programs? What are the kinds of methods, and achievement for various types of archives access, such as maps, photos, multimedia and etc.? How to design the space of various types of archives access for the public?
 14. What is the process of determining whether the records should be retained or access on transfer? Who determines access status and sets the access conditions?
 15. The principle of access restrictions for the public, such as black out or separating the part and replacing the copies of black out part into the originals or other approaches and who is in charge of those jobs. How does the Archives keep the original parts from the public without incurring further arguments?
 16. Does the Archives provide conversion services for outputting various types of archives into different digital formats due to different purposes? (Such as imprint and online browsing) Who conduct the conversion services, by the Archives or outsourcing? Does the National Archives keep the copies with the originals after digitizing? How to deal with the copyright issues?
 17. Does the Archives engage in the value-added works of national archives for public access? Does the National Archives cooperate with any private businesses to create the value-added services of archives? In addition, are there any archival productions of high-market value?
 18. Does the Archives use archives as teaching aid materials for schools or educational sources for the public?
 19. How does the Archives promote the archival research to support the archives access? Who undertakes the research? How is the resources allocated for the research?
 20. How does the Archives hold permanent exhibitions or special exhibitions?

II. Requested Information

1. Introduction of the organization of the Archives, including departmental functions and the relationship among the subordinate archives.
2. The mandates, regulations, guidance, laws and acts are related to the National Archives (Czech Republic) operation.
3. The annual business plans, mid-term or long-term development strategies,

- annual results or other publications, including program for building new repository.
4. The acquisition strategies, selection principles, appraisal procedures of national archives.
 5. The legal procedure or standard of transferring, the guidelines of the delivery of state archives, regulations and standard form of delivery request (or charges of deliveries).
 6. Regulations and standard form of destructing and Authorization requirements.
 7. Archives digitalization: The strategies of storage allocation, plan, laws and standard operating procedures in the Archives.
 8. Please provide the conservation lab, or the methods and standards of conservation for non-textual records.
 9. The related legislative provision for access, including limitation about the application and the guidance or handbook for access service.
 10. The policy and schedule of the fee setting for access to archives, for example, the reproductions of archives or services.
 11. Any Cloud Computing related projects, the long-term preservation systems, strategies and technologies of electronic records for National Archives. Please provide the concerning regulations and guidelines, etc.

III. Requested workplace

1. Archives Access Center(Reading Room), Exhibition Area, Research Room
2. Archives Preservation Center
3. National Archives Repository
4. Digitalization Room
5. Description Room
6. Access Preparation Room
7. Electronic Records Long-term Preservation Lab

附錄 2-1 檔案及文件管理法

(節錄)

THE PRIME MINISTER OF THE CZECH REPUBLIC

hereby approves of the publication of

the final and conclusive text of Act No. 499/2004 Coll.

on Archiving and Records Management and on the Amendment of Selected Acts, as derived from amendments implemented by Act No. 413/2005 Coll., Act No. 444/2005 Coll., Act No. 112/2006 Coll., Act No. 181/2007 Coll., Act No. 296/2007 Coll., Act No. 32/2008 Coll., and Act No. 190/2009 Coll., Act No. 227/2009 Coll., Act No. 424/2010 Coll., and Act No. 167/2012 Coll.

A C T

on Archiving and Records Management

The Parliament has adopted the following Act of the Czech Republic:

PART ONE

ARCHIVING AND RECORDS MANAGEMENT

TITLE I

INTRODUCTORY PROVISIONS

Section 1

Scope of Application

This Act shall regulate the following:

- a) selection and registration of archival records;
- b) protection of archival records;
- c) rights and obligations of owners of archival records;
- d) rights and obligations of holders and administrators of archival records (hereinafter referred to as the “holder of archival records”);
- e) use of archival records,
- f) processing of personal data for the purposes of archival records;
- g) the system of archives;
- h) rights and obligations of archives’ founders;
- i) record management;
- j) competences of the Ministry of the Interior (hereinafter referred to as the “Ministry”) and other administrative authorities responsible for archiving and performance of record management;
- k) administrative offences.

Section 2 Definition of Terms

For the purposes of this Act the following definitions shall apply:

- a) “archiving” shall be understood as a human activity in the field of care for archival records as part of the national cultural heritage performing administrative, information, scientific and cultural functions;
- b) “care for archival records” shall be understood as their selection, recording, protection, arrangement, storage, and access;
- c) “archives” shall be understood as facilities under this Act serving for storage of and care for archival records;
- d) “agency” shall be understood as any entity creating a record; documents submitted or otherwise transferred to such entity shall be also considered created by that entity;
- e) “record” shall be understood as written, picture, audio-video or any other registered information in an analogue or digital form, authored by or submitted to an agency;
- f) “archival record” shall be understood as a record which has been (due to the period of its origination, content, origin, external attributes and permanent value deriving from its political, economic, legal, historical, cultural, scientific or informative importance) selected in the public interest for permanent storage and has been included in the registers of archival records; seal-matrices, stamps or other material objects relating to the archival fonds or archival collections which had been (due to the time of their establishment, content, origin, external attributes and permanent value deriving from their political, economic, legal, historical, cultural, scientific or informative importance) selected in the public interest for permanent storage and included in the registers of archival records;
- g) “selection of archival records” shall be understood as assessment of the value of records and decision upon their selection among archival records and inclusion in the registers of archival records;
- h) “archival fonds” shall be understood as an aggregation of archival records which originate from the same creator;
- i) “archival collection” shall be understood as an aggregation of archival records which have one or more common attributes;
- j) “finding aid” shall be understood as an information system developed during arrangement of archival records and serving the purpose of registering and retrieving the content and time span of the archival fonds, the collection of archival records, or parts thereof;
- k) “arrangement of archival records” shall be understood as classification, breakdown and description of archival records;
- l) “performance of record management” shall be understood as professional management of records created by activities of an agency and/or by activities of their legal ancestors including their due delivery, registering, distribution, circulation, administration, creation, signing, dispatching, storing and setting aside within the appraisal process, including

checks of all activities herein;

m) “registry” shall be understood as a place designated for storing, finding and/or retrieving and submitting records for the requirements of an agency, and for their discarding;

n) “records centre” shall be understood as a unit of the agency designated to supervise the record management performed by the agency and to store, search and/or retrieve and submit records retention period of which exceeds five years;

o) “metadata” shall be understood as data describing coherency, content and structure of records and their management over a period of time;

p) “Record Management Rules ” shall be understood as an internal document stipulating basic rules of the record management and the appraisal process;

q) “classification code” shall be understood as a reference code which allocates records into specific groups for the purposes of their future location, storing and discarding;

r) “disposition mark ” shall be understood as a reference mark under which the record is assessed within the appraisal process;

s) “retention period” shall be understood as a period of time for which the record shall be stored at the agency;

t) “employee” shall be understood as a person having a service contract, employment contract or any other similar job contract with the given entity.

TITLE II

ARCHIVING

Chapter 1

Selection of Archival Records and Their Registration

Selection of Archival Records

Section 3

(1) The following entities shall be obliged to store records and allow for selection of archival records:

a) central public authorities;

b) armed forces;

c) security forces;

d) public organisations receiving contributions from the government budget;

e) publicly owned companies;

f) territorial self-governing units;

g) organisational units of territorial self-governing units should they create records stipulated in Annex 1 or 2 hereto;

h) legal entities established or founded by territorial self-governing units should they create records stipulated in Annex 1 or 2 hereto;

i) institutions of higher learning;

j) schools and education facilities with the exception of kindergartens, institutional care facilities, boarding schools, and school canteens (hereinafter referred to as “schools”);

k) health insurance companies;

l) public research institutions;

m) legal entities established by virtue of law;

(hereinafter referred to as “public agencies”).

(2) The obligation to store records and allow for selection of archival records upon conditions stipulated herein shall apply accordingly to the following:

a) registered companies and cooperatives with the exception of housing societies, should it concern records stipulated in Annex 1 hereto;

b) political parties, political movements, civil associations, trade unions, employers’ organisations, churches and religious societies, professional chambers, foundations, trust funds, and public associations;

c) public notaries, should it concern records stipulated in Annex 1 hereto,

(hereinafter referred to as “private agencies”).

(3) Successors of private as well as public agencies shall be obliged to store and allow for selection of archival records should it concern documents this obligation pertained to with the original private as well as public agencies.

(4) Storage of digital archival records shall also mean verification of the origin of such documents, integrity of their contents and legibility, creation and maintenance of metadata pertaining to such documents in line with this Act and attachment of information proving the existence of such documents in time. The above properties shall be kept until the archival records will have been selected.

(5) Selection of archival records shall be made by competent archives (hereinafter referred to as “competent archives”).

Section 4

Archival records shall be selected with regards to their permanent value deriving from:

a) the date of their creation;

b) their content;

c) their origin;

d) their external attributes.

Section 5

(1) The competent archives shall select the following records with respect to the date of origin:

a) records originated prior to 1850;

b) records pertaining to industrial or agricultural production, credit and insurance systems, the financial sector, and mining, including patents for important inventions originated prior to 1900;

c) photographic documents originated prior to 1900;

d) audio documents originated prior to 1930;

e) film documents originated prior to 1930.

(2) Competent archives shall select, in line with their content, as archival records those records which are of permanent value given by their political, economic, legal, historical, cultural, scientific, or informative importance; records listed in Annex 2 hereto shall always be submitted for selection.

(3) Competent archives shall select, in line with their origin, as archival records those records which are of permanent value given by their importance, function or status of their agency.

(4) Competent archives shall select, in line with their external attributes, as archival records those records which are of permanent value given by their artistic value, language, calligraphy, writing material, production style and/or other similar features.

Section 6

(1) Selection of archival records from among records of an agency shall be made by competent archives either within or outside of the appraisal process.

Selection of Archival Records within the Appraisal Process

Section 7

(1) Selection of archival records within the appraisal process shall be made by competent archives from among records of public agencies, records of their legal ancestors and records of private agencies should such agencies have established private archives.

(2) Selection of archival records within the appraisal process shall be made by competent archives from among records of a private agency should this be so requested by the relevant private agency.

(3) The appraisal process shall be a procedure in the course of which the records, the retention period of which has lapsed and which are not further necessary for activities carried out by the agency, shall be set aside.

(4) Agencies or their legal successors shall bear responsibility for the due execution of the appraisal process. The said entities shall be obliged to allow competent archives to supervise the appraisal process and the selection of archival records within the appraisal process.

Section 8

(1) The appraisal process shall be executed within one calendar year following the lapse of the retention period of the relevant record. The appraisal process may be, after agreement with competent archives, executed later should the entity referred to in Section 7 (4) need such records for its activities.

(2) The appraisal process shall be executed in compliance with a proposal for discarding. The entity referred to in Section 7 (4) shall send an appraisal proposal to the competent archives to be assessed and shall select archival records.

(3) The appraisal process shall be always executed before a public agency will have been dissolved. Should this be impossible, selection of archival records shall be made outside of the appraisal process.

Section 9

(1) An appraisal motion drafted by the entity referred to in Section 7 (4) shall include the following:

- a) the name of the entity referred to in Section 7 (4);
- b) a list of records proposed for the appraisal process and the time of their origin; should the list of records proposed for the appraisal process include documents created by an agency the entity preparing the appraisal proposal is a successor of, such documents should be listed separately and their creator disclosed.

(2) The implementing legal regulation shall lay down details of the appraisal process and the procedure for discarding records.

Section 10

(1) Based on the appraisal process, the competent archive shall determine which agency should care for the documents selected as archival records and draw up a protocol on the appraisal.

(2) The protocol pursuant to Article 1 shall encompass the following:

- a) a list of records or files of records which have been selected as archival records;
- b) the name of the archive determined pursuant to Article 1; and
- c) a list of records which may be destroyed; no list shall be drawn up should there be a possibility to use the list of documents proposed for the appraisal process in line with Section 9, Art. 1, letter b).

(3) Should the entity referred to in Section 7 (4) not agree with the content of the protocol referred to in Article 1, it may challenge it at an administrative authority responsible for archiving and performance of the records' management within 15 days from the date of the protocol delivery. The administrative proceedings shall start upon the filing of the above motion.

(4) The entity referred to in Section 7 (4) may destroy records selected within the appraisal process for destruction and included on the list of records under Article 2 (c) after the time limit for filing of motions under Article 3 has expired, and, should motions had been filed, after the respective administrative proceedings have been completed.

Selection of Archival Records Outside the Appraisal Process

Section 11

(1) Selection of archival records outside the appraisal process shall be made by competent archives from among records:

- a) of a private agency;
- b) of an agency referred to in Section 7 (1) which have not been selected within the appraisal process;
- c) offered by their owner to the Czech Republic or any other establisher of public archives for purchase or to be taken into custody;
- d) owned by Czech Republic as inherited from a deceased donor;

e) found.

(2) Selection of archival records outside of the appraisal process executed pursuant to Article 1, letter a) and c) shall commence on request of the agency or the owner of the documents. The agency or the owner of the documents shall, following the request, agree on the dates in which the selection of archival records outside the appraisal process should be executed; should the agency terminate its activities, enter into a liquidation process, or fall into bankruptcy, it shall request the selection of archival records outside of the appraisal process without any undue delay. The designated archive may request, prior to the execution of the selection of archival records outside the appraisal process, the agency or the owner of the documents to submit a list of documents proposed for the selection of archival records together with the dates of their origination. Should the documents included in the selection of archival records outside the appraisal process originate from the activities of the agency the legal successor of which is the executor of the appraisal proposal pursuant to Article 1, letter a), such documents shall be listed separately and bear the name of their creator; the same process shall apply should the selection of archival records outside the appraisal process include documents pursuant to Article 1, letter c).

(3) Selection of archival records outside the appraisal process pursuant to Article 1 (b) and (d) and in cases when the agency ceases its existence without a legal successor, shall be made *ex officio*.

(4) The selection of archival records outside the appraisal process pursuant to Article 1 (b) shall be made by archives which would have been competent for selection of archival records within the appraisal process.

(5) Records deposited in museums, libraries, galleries, memorials, public research institutions and institutions of higher learning (hereinafter referred to as “cultural and/or scientific institutions”) as a consequence of activities relating to their acquisition and collection satisfying the criteria pursuant to Sections 4 and 5, or those listed under Annex 2 hereto and registered as archival records shall be deemed to be archival records selected outside the appraisal process. Provisions of the first sentence shall not prejudice obligations of cultural and/or scientific institutions pursuant to Section 3, should it concern documents originated from their activities.

Section 12

(1) Following the termination of the selection of archival records outside of the appraisal process, the competent archives shall draft a protocol on the execution of the selection of archival records outside the appraisal process and determine the institution to the care of which to entrust such archival records. In case of a selection of archival records outside the appraisal process upon request of the owner of the document selected as an archival record, such archival records may be entrusted in the care of an archive solely upon consent of such owner and based on such consent accompanied by a decision on whose care the document shall be entrusted in.

(2) Provisions of Section 10, Article 2, letter a) and b) shall be applied accordingly to the contents of the protocol pursuant to Article 1.

3) Should the agency or the owner of the record in question not agree with the contents of the protocol on the selection of archival records outside the appraisal process, they may challenge it at an administrative authority responsible for archiving and performance of archival record management within 15 days from the date of the protocol delivery. The administrative proceedings shall start upon the filing of the above motion.

Joint Provisions for Selection of Archival Records

Section 13

(1) As regards records containing classified information²⁾, only records suggested for discarding and destruction may be proposed for the selection of archival records; with regard to other records the selection of archival records may be executed after the degree of confidentiality has been waived. Selection of archival records the degree of confidentiality of which has not yet been waived or may not be waived shall be made by competent security archives.

(2) As regards records containing commercial³⁾, banking⁴⁾ or similar classified information, only records suggested for discarding and destruction may be proposed for the selection of archival records; selection of other records may be executed solely upon consent of the agency. Should a record be selected as an archival record, the agency shall attach to the selected record a clause containing information about the nature of the classified information concerned. Protection of commercial, banking or similar classified information shall not be prejudiced by the selection of such records to become archival records.

(3) Consent of the natural person to the selection of archival records from among records including personal data, and to their permanent storage, shall not be required under the special legal regulation.⁵⁾

(4) When selecting archival records, the person making such selection of archival records shall be entitled, upon consent of the agency or the owner, to enter premises, property or other facilities should the selection of archival records may not be made otherwise. Should the owner of the record concerned not be the owner of the premises, property or other facility where the record is being stored, the person in charge of the selection may enter such premises solely upon consent of their owner.

(5) An agency nor performing electronic records' management in electronic records' management systems shall transfer the record in the digital form designed for the selection of archival records outside of the appraisal process to a data format stipulated by an implementing bylaw and provide such record with metadata stipulated by an implementing bylaw in line with Section 19, letter g), at the latest in the course of preparing selection of archival records outside of the appraisal process. Should it be impossible, even in cooperation with the competent archive, to transfer the document to the given data format and attach metadata, the agency shall transfer the record to the analogue form.

(6) Records shall be submitted for selection of archival records to the competent archives regardless of storage location.

2) Act No. 412/2005 Coll. on the Protection of Classified Information and Security Clearance

3) Section 17 of the Commercial Trade, as amended

4) Section 38 of Act No. 21/1992 Coll. on Banks, as amended

5) Section 5(2) and Section 9 of Act No. 101/2000 Coll. on the Protection of Personal Data and on the Amendment to Some Other Acts, as amended

Section 14

(1) Employees of administrative authorities responsible for archiving and record management, employees of archives and their founders shall be obliged to refrain from any disclosure of information acquired in the performance of their duties under this Act. They may be released from this obligation only by the relevant administrative authority responsible for archiving and record management; any such release must be in writing and must state the scope and the purpose of the release. The duty of confidentiality stipulated by special legal regulations⁶⁾ shall hold no bias or prejudice.

(2) Should a legal entity be a founder of the archives the duty to refrain from any disclosure of information pursuant to Article 1 shall apply to natural persons who, due to their employment, job or similar position in the legal entity concerned, have come in touch with the classified data.

(3) The persons concerned shall remain bound by the obligation to refrain from any disclosure of information after termination of their service contract, employment contract or any other similar contract.

Section 15

(1) Records selected as archival records and designed to be entrusted in the care of archives shall be delivered to the designated archives by the agency or the owner upon the protocol on execution of the appraisal process, or the protocol on the selection of archival records outside the appraisal process. The delivery shall be recorded in an official report, which shall include a list of documents submitted. Each digital document shall bear data necessary for its search. Details of such list of digital records submitted shall be stipulated in the implementing bylaw.

(2) Archival records in the ownership of the Czech Republic and archival records in the ownership of territorial self-governing units or any other public agencies shall be entrusted in the care of public archives. Archival records obtained by acquisition or collection activities of a cultural and/or scientific institution shall be entrusted in the care of these institutions.

(3) Digital archival records entrusted in the care of the National archives, the Archives of security forces or state regional archives shall be deposited in the National archives. Digital archival records entrusted in the care of other archives shall be deposited in such archives should their founders have the right to store digital archival records. Should the founder of the archive not have the authorisation to store archival records in the digital form, the digital

archival data entrusted in its care shall be, upon a written agreement of the founders of respective archives, deposited in the National archives or archives the founders of which are authorised to store data in the digital form (hereinafter only “digital archives”). Should the founder of the archives in question not conclude an agreement on storage of archival records,

6) For example: Act No. 218/200 Coll. on the Service of Civil Servants in Administrative Authorities and on Remuneration of Such Servants and other Employees in Administrative Authorities (the Civil Service Act), as amended, Act No. 312/2002 Coll. on Officials of Territorial Self-governing Units and on the Amendment to Some Other Acts, as amended, Act No. 531/1990 Coll. on Territorial Financial Authorities, as amended, Act No. 89/1995 Coll. on the State Statistical Service, as amended, and Act No. 361/2003 Coll. on the Service of Members of Security Forces.

the digital archival records entrusted in their care shall be deposited in the National archives. The competence of the archives, the care of which the digital archival records belong to, shall not be prejudiced by the deposition of such archival data in the National archives or archives, the founder of which are authorised to store data in the digital form.

(4) Competent archives may, upon request of the agency, provide a permanent discarding consent applying to specified types of records, which may be destroyed without the selection of archival records. Should the agency fail to comply with conditions set out in the permanent discarding consent, the competent archives may withdraw from such consent *ex officio*. Should the agency be wound up, the aforementioned permanent discarding proposal shall not pass to the legal successor.

Registration of Archival Records

Section 16

Section 17

Section 18

Section 18a

Section 18b

Section 18c

Section 19

Chapter 2

Declaration of an Archival Record to Become a Cultural Archival Relic
or a National Cultural Relic

Section 20

Repealed

Section 21

Chapter 3

Protection of Archival Records, Rights and Obligations of Archival Records' Owners and Holders

Section 23

Rights and Obligations of an Owner and Holder of Archival records

Section 24

Section 25

Section 26

Section 27

Section 28

Transfer of Archival Records

(1) Should any owner of archival records intend to transfer such archival records in his/her possession to any other person, the Czech Republic shall have the right of the first refusal unless the transfer be:

- a) between close relatives, co-owners, religious legal entities of the same church or the same religious society;
- b) to the ownership of a territorial self-governing unit;
- c) to the ownership of a legal entity established by virtue of law; or
- d) to a publicly owned company or a public organization receiving contributions from the government budget.

(2) The owner of the archival record shall be obliged to offer the archival record to the Czech Republic in writing pursuant to Article 1 through the National Archives, the Archives of Security Forces or the relevant regional state archives.

(3) The owner shall be obliged to submit to the check of the archival record in question by an authorised employee of the National Archives, the Archives of Security Forces or the relevant regional state archives for the purpose of describing or making a photocopy of the archival record to comply with the draft purchase agreement. Such a check must be made within 30 days from filing the request. If the check is not made within the stipulated period due to reasons on the owner's side, the time limit for submission of the draft purchase agreement pursuant to Article 4 shall be extended by 30 days and the time limit for carrying out the check of the archival record shall be subsequently reset to run for 30 days more.

(4) Should the Czech Republic exercise its right of the first refusal, the National Archives, the Archives of Security Forces or the relevant regional state archives shall submit, within 180 days from the date on which a written offer to the owner of the archival record was duly delivered, the draft purchase agreement. The draft purchase agreement shall contain the description or a photocopy of the archival record concerned, the proposed price and the time limit for payment. This time limit shall not exceed 30 days from the date of entering into the purchase agreement unless the owner of the archival record concerned proposes a longer time limit.

(5) Should the National Archives, the Archives of Security Forces or the relevant regional state archives fail to submit the draft purchase agreement to the owner of the archival record concerned within the time limit stipulated herein, the right of the first refusal of the Czech Republic with regard to the purchase of the archival record concerned shall become void.

Section 29

Export of Archival Records

- (1) Archival records may be exported from the Czech Republic only on the basis of an approval of the Ministry issued upon the request of the owner or the holder of the archival record to be exported.
- (2) The Ministry may issue a certificate for exporting archival records from the Czech Republic only for a fixed period of time and solely for the following reasons:
- a) exhibition;
 - b) conservation;
 - c) restoration;
 - d) scientific research.
- (3) The owner or the holder of the archival record shall be entitled to export the respective archival record solely for the purposes stipulated in the certificate issued by the Ministry. The owner or the holder of the archival record shall be obliged to import the undamaged archival record back to the Czech Republic within the time limit specified by the Ministry.
- (4) The Ministry may, in its certificate, impose on the owner or the holder of the archival record the obligation to deposit a financial guarantee for meeting the conditions referred to in Article 3. The financial guarantee shall devolve on the Czech Republic should the owner or the holder of the archival record fail to respect the conditions stipulated in the certificate.
- (5) The Ministry shall not issue a certificate if conditions of due care for the archival record and conditions of its protection under this Act have not been satisfied or the export is prevented by the condition of the archival record to be exported.
- (6) An archival record which is subject to the proceedings on declaring the record to become a Cultural Archival Relic or a National Cultural Relic may not be exported from the Czech Republic until the final decision on such a declaration is adopted.
- (7) An archival record declared as a National Cultural Relic may be exported from the Czech Republic only for a fixed period of time and upon previous consent of the Government, and then only to display or to restore it.
- (8) The Ministry shall maintain registers of issued certificates for exports of archival records from the Czech Republic and check whether archival records were or were not damaged and within the specified time limit imported back to the Czech Republic.

Protection of Cultural Archival Relics and National Cultural Relics

Section 30

Section 33

As regards Archival Cultural Relics or National Cultural Relics, provisions of Section 23, Section 24 (1), and Sections 25, 26, 28 and 29 shall apply accordingly.

Chapter 4

Searching Information in Archival Records, Displaying Archival Records and Making

Section 34

- (1) Upon request and whilst satisfying conditions stipulated herein and the Research Rules of the relevant archives, it shall be possible to search for information in archival records entrusted in the care of archives.
- (2) The Research Rules shall be issued by all archives in line with draft Research Rules issued by the Ministry. The Research Rules shall be permanently published on the official notice board of all archives or at any other publicly accessible place in each archive as well as in information systems allowing for an on-line access.
- (3) It shall be possible to search for information only in copies designated for users. Information may be found in original archival records only if copies have not been made. If such copies have been made, originals of archival records may be provided for accessing information only with the consent of the archives such records are entrusted in the care of, if the purpose of looking up information requires it so.
- (4) It shall be possible to find information in archival records trusted in the custody of archives in compliance with an agreement on custody only upon conditions stipulated herein and the relevant Research Rules and upon terms and conditions laid down in the agreement on custody. Rights and arrangements to the benefit of owners of an archival record shall not be prejudiced.
- (5) Originals of National Cultural Relics may be used for looking up information only in archives where they are permanently stored with the previous approval of the Ministry; otherwise only their copies may be used.
- (6) Digital archival records shall be consulted via the national portal or portals allowing access to digital archival records.

Section 35

- (1) For the purpose of protection of archival records, public archives shall be authorized to process personal data of applicants for access to information in the relevant record. The data requested shall be as follows:
 - a) name or names and surname;
 - b) date and place of birth; citizenship
 - c) address and residence of the physical person in the territory of the CR, or an address abroad to which documents are serviced pursuant to relevant bylaw,
 - d) identification document number.
- (2) Public archives shall also be authorized to process data pertaining to business entities or addresses and names of legal entities for which the access in the relevant records is executed, on identification number of a representative, should it be assigned, on the topic of the research, and its objectives and purposes.
- (3) The application to look up information shall be on the research sheet. The applicant shall, to verify information contained in the research sheet, present, upon request of an

employee of a public archive, his/her ID. An ID shall mean, for the purposes of this Act, any identification document which is a public document bearing the name or names, surname, date of birth, and address in the CR, or address abroad and bearing a picture or another identifier allowing recognition or the bearer as the genuine holder of such document.

Section 36

The implementing bylaw shall stipulate the following:

- a) sample Research Rules regulating the procedure for using archival records, the number of archival records to be made available to researchers for one day, the code of conduct at the place designated for work with archival records including manipulation of archival records, principles for using reproduction equipment, and the term for commencing and continuing the work with archival records; such terms shall be at least 30 days;
- b) a sample of a research sheet and a sample of a record on provided and returned archival records.

Section 37

(1) Only archival records older than 30 years and all published records shall be accessible for looking up information directly in archives, unless stipulated otherwise hereunder.

(2) It shall be possible to look up information in archival records encompassing personal data of a living person only if such a person has not raised any objections in writing. Archives shall inform the relevant person in writing on the application for accessing information in the archival record. If at least 30 persons are to be informed, such information may be delivered through a public statement posted on the official notice board of the relevant archives. If the archives do not possess an official notice board then the public statement shall be posted on the official notice board of the relevant superior regional state archives. The public statement shall encompass the data pursuant to Section 35, Art. 1, letters a) to c), personal data of the person who requests access to the archival records, the period for which the person intends to work with the archival records and instruction on legal consequences of filing or not filing appeals within the specified time limit. The person in question may file an appeal against the permit to look up information in the archival records under the first sentence within 30 days from the date of delivery of the information from the archives. The appeal shall explicitly specify the personal data that should not be disclosed. If the person does not file the appeal within the time limit pursuant to the fourth sentence it is assumed that he/she has consented. Delivery and calculation of time limits shall be subject to Part Two of the Code of Administrative Procedure.

(3) It shall be possible to look up information in the archival records encompassing sensitive personal data¹³⁾ of a living natural person only with the previous consent of the person concerned. The archives shall request the consent of the person concerned to providing access to information in such archival records. The request shall encompass the data pursuant

¹³⁾ Section 4 (b) of Act No. 101/2000 Coll., as amended

to Section 35, Art. 1, letters a) to c), sensitive personal data of the persons who intends to look

up information and the period for which the person intends to work with the archival records.

(4) For the purpose of informing the person concerned, the archives may request that the relevant administrative authority supervising archiving and record management retrieve necessary data from the information system of the registry of inhabitants.

(5) Administrative authorities supervising archiving and performance of record management may, upon request of archives pursuant to Article 4 or within the scope of their competence in accordance with this Act, retrieve and use data on the individual concerned, in particular the following:

- a) reference data from the basic register of inhabitants,
- b) data from the information system of the registry of inhabitants;
- c) data from the information system of the registry of foreigners.

The application for data from the information system of the register of inhabitants and the information system of the register of foreigners may be on-line.

(6) Data provided pursuant to Article 5, letter a) are as follows:

- a) surname,
- b) name or names,
- c) address of residence,
- d) date of birth,
- e) date, place and district of death; or, should the subject of the data had deceased abroad, the date, place and country of death; or, should there be a court declaration of death, the date which is declared by the declaration as the date of death or the date which the subject of the data declared to have deceased did not survive, and the date of force of such declaration.

(7) Data provided pursuant to Article 5, letter b) are as follows:

- a) name or names and surname,
- b) date of birth,
- c) address of permanent residence,
- d) the date, place and district of death or, should it concern death outside the territory of the CR, the date of death and the country in the territory of which the person had died,
- e) the date stated in the court decision on the declaration of death of the person concerned as the date of death or the date, the individual declared to have deceased did not survive.

(8) Data provided pursuant to Article 5, letter c) are as follows:

- a) name or names and surname,
- b) date of birth,
- c) address of permanent residence,
- d) the date, place and district of death or, should it concern death outside the territory of the CR, the date of death and the place and country in the territory of which the person had died,
- e) the date stated in the court decision on the declaration of death of the person concerned

as the date of death or the date, the individual declared to have deceased did not survive.

(9) Data listed as reference data in the basic register of inhabitants shall be taken from the information system of the register of inhabitants or the information system of the register of foreigners only should they be in a form preceding the current situation.

(10) Provisions of Article 1 shall not apply to archival records created prior to 1 January 1990 as a result of activities of public authorities.

(11) Provisions of Articles 1 to 3 shall not apply to archival records created prior to 1 January 1990 as a result of activities of military courts and offices of prosecution of all instances, security forces under the Act on the Institute for Studies of Totalitarian Regimes and on the Archives of Security Forces, as well as special public courts, the State court, the National court as well as civil associations and political parties associated in the National Front and on archival records, created result of activities of German occupation authorities in the territory given up to the German Reich and in the territory of the Protected Lands of Bohemia and Moravia in 1938 to 1945; nor shall it apply to archival records which had been publicly accessible before the request for accession was filed, nor to archival records which had been publicly accessible before they were declared to become archival records.¹⁵⁾

(12) Provisions of Articles 1 to 3 shall not apply to archival records containing statistical sets of data acquired from demographic and statistical surveys should it be possible to make personal data contained in such archival records anonymous. The archives shall, upon request and within a reasonable time limit and with regards to archives' capacity and importance of the archival records concerned, make the data anonymous. After the data contained in the requested archival records have been made anonymous the archives shall, should the applicant

had requested so in writing, duly inform the applicant thereof.

(13) Provisions of Articles 1 to 3 shall not apply to the creators of archival records.

Agencies may look up information without any limitations in archival records they created.

¹⁵⁾ For example Act No. 140/1996 Coll. on making publicly accessible files resulting from activities of the former State Security Police, as amended, Section 95 (2) and Section 101 (3) of Act No. 128/2000 Coll. on municipalities (municipal establishment), as amended, Section 43 and Section 58 (3) of Act No. 129/2000 Coll. on Regions (regional establishment), as amended, Section 65, Section 70 (30), Section 87 (2) and Section 94 (1) of Act No. 131/2000 Coll. on the capital city of Prague, as amended.

The provisions of the first sentence shall apply accordingly to attorneys of agencies of the archival records. The provisions of Articles 1 to 4 shall not apply to entities referred to in Section 38 (5). Such entities may look up information without any limitations in archival records originated by the state or territorial self-governing units.

Section 38

(1) Accessing information in the archival records shall be rejected if

- a) the physical condition of archival records does not allow for such work;
- b) the manner in which archival records are processed does not allow for such work;

- c) a natural person has appealed against access of information in the relevant archival records, which contain his/her personal data; this provision shall not apply in the case of archival records referred to in Section 37, Articles 11 and 12;
- d) a natural person does not give his/her consent with looking up information in the archival records the content of which are sensitive personal data;
- e) the special legal regulation excludes the access of information in archival records or the applicant does not satisfy the conditions stipulated by the special legal regulation.²

(2) If the archives deny the request for access to information in the archival records, the final decision shall be adopted upon the request of a researcher by the competent archival authority responsible for the area of archiving and performance of records management.

(3) If accessing information in the archival records was rejected pursuant to Article 1 (b) the archives, upon the request and within the reasonable time limit, with regard to assignments of the archives and considering the importance of the relevant archival records, shall perform arrangement. After arrangement of the requested archival records is completed the archives shall forthwith inform the applicant thereof, if the applicant has requested so in writing.

(4) Accessing information in the archival records may be, in the case stipulated in Article 1 (b), exceptionally permitted for scientific researchers and students upon application supported by a written certificate of a cultural and/or scientific institution, stating the urgency of scientific research or studies that are limited by time.

(5) Public authorities, armed forces, security forces, intelligence services of the CR, territorial self-governing units as well as persons who are, in line with special legal regulations¹⁶⁾, authorized to look up information in records and archival records kept by archives the agency of which is the state or a territorial self-governing unit. Should it be it necessary to look up

¹⁶⁾ E.g. Act No. 141/1961 Coll., on Criminal Procedure (Code of Criminal Procedure), as amended, Act No. 99/1963 Sb., Code of Civil Procedure, as amended, Act No. 120/2001 Coll., on Court Bailiffs and Court Executions (Execution Act) and on amendment of other laws, as amended, Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended.

information in such records outside the archives where they are stored they may be available for lending provided that borrowers undertake in writing to return such archival records complete, undamaged and within the agreed period of time.

Section 38a

(1) In order to inform the applicant pursuant to Section 38, Article 3 on access to archival records, pursuant to Section 38, Article 4, archives may ask the competent administrative authority responsible for archiving and performance of archival records' management to facilitate applicant data from the information system of the register of inhabitants as follows:

- a) name or names, and surname,

b) date, place and district of birth; should the person be born abroad, the date, place and country of birth,

c) permanent residence address, address to which documents are to be serviced pursuant to relevant bylaw.

(2) Administrative authorities responsible for archiving and performance of archival records' management may, upon request made by archives pursuant to Article 1 or to exercise their powers in compliance herewith, gather and use data on individuals, such as:

a) reference data from the basic register of inhabitants,

b) data from the information system of the register of inhabitants,

c) data from the information system of the register of foreigners.

(3) Data provided pursuant to Article 2, letter a) shall be as follows

a) name or names, and surname,

b) permanent residence address, address to which documents are to be serviced pursuant to the relevant bylaw,

c) date of birth,

d) date, place and district of death; or, should the subject of the data deceased abroad, the date, place and country of death; or, should there be a court declaration of death, the date which is declared by the declaration as the date of death or the date which the subject of the data declared to have deceased did not survive, and the date of force of such declaration.

(4) Data provided pursuant to Article 2, letter b) shall be as follows

a) name or names and surname,

b) date of birth,

c) permanent residence address, address to which documents are to be serviced pursuant to relevant bylaw,

d) the date, place and district of death or, should it concern death outside the territory of the CR, the date of death and the country in the territory of which the person had died,

e) the date stated in the court decision on the declaration of death of the person concerned as the date of death or the date, the individual declared to have deceased did not survive.

(5) Data provided pursuant to Article 2, letter c) shall be as follows

a) name or names and surname,

b) date of birth,

c) permanent residence address, address to which documents are to be serviced pursuant to relevant bylaw,

d) the date, place and district of death or, should it concern death outside the territory of the CR, the date of death and the country in the territory of which the person had died,

e) the date stated in the court decision on the declaration of death of the person concerned as the date of death or the date, the individual declared to have deceased did not survive.

(6) Data listed as reference data in the basic register of inhabitants shall be taken from

the information system of the register of inhabitants or the information system of the register

of foreigners only should they be in a form preceding the current situation.

(7) In a particular case, authorities may use only data necessary to inform the individual concerned.

(8) The application for data from the information system of the register of inhabitants and the information system of the register of foreigners may be on-line.

Section 39

(1) Archival records may be displayed only if their physical condition allows so and upon conditions guaranteeing their protection and care under this Act and protection of personal data under the special legal regulation.¹⁷⁾

(2) Archival records which were under the agreement of custody vested in the custody of archives may be displayed upon the conditions referred to in Article 1 and in compliance with the conditions stipulated in the agreement on custody.

¹⁷⁾ Act No. 101/2000 Coll. on the protection of personal data and to the amendment to some other acts, as amended

(3) Archival records in the ownership of the Czech Republic entrusted in the care of archives may be displayed only upon conditions referred to in Article 1 and under the agreement or the registers confirming that these were lent.¹⁸⁾ The founder of the archive shall negotiate in the agreement or the registers, terms and conditions of such a display and the insurance amount under the special legal regulation.¹⁹⁾ An integral part of the agreement or the registers shall be the list of lent archival records, along with a protocol on their physical condition.

(4) A National Cultural Relic may be displayed only upon the approval of the Ministry.

Section 40

(1) Without prejudice to the provisions of the Copyright Act, anyone may request archives, the care of which the archival records have been entrusted in, to make an excerpt, duplicate or copy of the archival records in the analogue form or to make a copy of the archival records in the digital form. Making an excerpt, a duplicate or a copy of an archival record shall mean also to make an excerpt, a duplicate or a copy of parts thereof.

(2) An excerpt, duplicate or copy of the archival records in the analogue form or a copy of the archival records in the digital form shall be denied should conditions for accessing information in archival records not be met. This provision shall not apply should an excerpt, a duplicate or a copy of an archival record in the analogue form or a copy of the archival records in the digital form be made without previous arrangement of the relevant archival record.

(3) Should an archive not approve of an application to make an excerpt, a duplicate or a copy of an archival record in the analogue form or to make a copy of an archival record in the digital form, the administrative authority responsible for archiving and record management shall decide on any appeal on the part of the researcher.

(4) On request, archives shall approve of the match of the copy of an archival record in

the digital form they had made with the copy of the archival record in the analogue form kept in the archives, or, in case of digital archives or the National archives, the match of the copy of an archival record in the digital form they had made with the copy of the archival record in the digital form or with a digital copy kept in the digital archives.

(5) Archives may ask to cover costs of making an excerpt, duplicate or copy of the archival records in the analogue form or to make a copy of the archival records in the digital form, costs related to the search for archival records, and their further management, or research of archival records. Costs of services rendered by archives shall be listed in a price list.

¹⁸⁾ Section 19 of Act 219/200 Coll. on the property of the Czech Republic and its status in legal relations, as amended

¹⁹⁾ Section 70 of Act No. 218/2000 Coll. on budgetary rules and on the amendment to some other acts /the budgetary rules), as amended

(6) Public archives shall not be allowed to ask to cover the costs should they be making excerpts, duplicates or copies of the archival records in the analogue form, making copies of the archival records in the digital form, searching for archival records, and further managing them, or researching archival records, to the benefit of:

a) public authorities,

b) legal entities or physical persons having competences pertaining to public authorities should the above be related to the execution of their public competences,

c) an agency or an owner of an archival record stored in public archives, should the above relate to such archival record or should it be performed in relation to such archival record,

d) a donor of an archival record stored in public archives, should the above relate to such archival record or should it be performed in relation to such archival record.

(7) A relevant bylaw shall stipulate maximum service fees pursuant to Articles 1 and 4, the public archives may ask as well as conditions, under which archives may withdraw such service fees.

Section 41

(1) Archival records, which have not been entrusted in the care of archives, may be consulted, made excerpts, duplicates or copies in an analogue or copies in the digital form of only with the consent of the owner or holder of the relevant archival records upon conditions stipulated herein and in the special legal regulation.^{2) 17)}

(2) Looking up information in archival records, in the care of public archives, with the exception of audio-video archival records, in the care of the National Film Archives as well as entry in the archives' premises designed to access archival records, shall be free-of-charge.

Chapter 5

System of Archives and Public Administration in the Field of Archiving and Performance of Record Management

Section 42

(1) Archives shall be divided as follows:

- a) public archives;
- b) private archives

(2) Public archives shall be divided as follows:

- a) the National Archives;
- b) the Archives of Security Forces;
- c) regional state archives;
- d) specialised archives;
- e) security archives;
- f) archives of territorial self-governing units

(3) Private archives shall be all other archives established by natural or legal persons.

Section 43

Responsibility shall be vested in the following authorities involved in the field of archives and performance of records management:

- a) the Ministry;
- b) the National Archives, the Archives of Security Forces, and regional state archives;
- c) competent ministries and other central government authorities, the Czech National Bank, security forces and intelligence services of the Czech Republic²⁰, if they have established specialised or security archives; the Office of the Chamber of Deputies, the Office of the Senate, and the Office of the President of the Czech Republic shall have the same status.

Section 44

Scope of Competence of the Ministry

In the field of archives and performance of record management the Ministry shall:

- a) manage execution of state administration in the field of archives;
- b) draw up the strategy for development of archives;
- c) examine decisions adopted by the National Archives, the Archives of Security Forces, and regional state archives within administrative proceedings;
- d) manage professional activities of the National Archives, the Archives of Security Forces, and regional state archives and assign them professional archival tasks; provide other guidance to other archives and oblige them to participate in nation-wide inventory-taking of archival records;
- e) release from duty of confidentiality pursuant to Section 14 (1) employees of the Ministry, the National Archives, the Archives of Security Forces, and regional state archives;
- f) decide on accreditation of archives;
- g) decide on granting an exception pursuant to Section 82 (1);
- h) provide protection and registration of the National Archival Heritage, decide on reassessment of the importance of archival records and their discarding from the National

²⁰ Act No. 153/1995 Coll., on Intelligence Services of the Czech Republic, as amended

Archival Heritage;

- i) publish calls for inventory taking of archival records under this Act;
- j) organise nation-wide thematic lists of archival records;
- k) organise international cooperation in the field of archives and organise research of foreign sources concerning Czech history;
- l) represent the Czech Republic in international archival bodies and organisation;
- m) publish archival publications of nation-wide importance;
- n) take decisions on the results of applications from owners of archival records for provision of one-off grants and compensation of necessary costs incurred in the context of the care of archival records;
- o) maintain registers about archives and cultural and/or scientific institutions where archival records are stored;
- p) maintain archival records centre-related registers;
- q) decide on proposals made by archives or agencies that agencies or their organisational parts are obliged to entrust their archival records in the care of other than locally competent archives; the function of the competent archives with regard to an agency or its organisational parts shall be met by the archives stipulated in the decision;
- r) decide, upon the request of archives or their founders, on merging sets of archival records and on depositing such sets of archival records;
- s) decide on discarding of archival fonds, archival collections or archival records from registers of archival records;
- t) decide on declaring or cancelling the status of archival records, archival collections, archival fonds or comprehensive parts thereof as Archival Cultural Relics;
- u) decide on other issues pertaining to the field of archives and performance of archival records' management if these are not covered by the National Archives, the Archives of Security Forces, and regional state archives.

National Archives

Section 45

- (1) The National Archives are a central administrative authority and a central archival authority directly managed by the Ministry.
- (2) The National Archives are a central public authority and an accounting unit; their budget is a part of the budget chapter of the Ministry.
- (3) The National Archives are headed by a director appointed and recalled by the Minister of the Interior. The Ministry shall be a superior authority with respect to the director of the National Archives under the special legal regulation²¹).
- (4) An internal organisation of the National Archives and its management shall be regulated by the Rules of Organisation approved by the Minister of the Interior.
- (5) The National Archives are located in Prague.

Section 46

- (1) The National Archives shall:

- a) supervise the record management executed by central administrative authorities having nation-wide competences; state organisations receiving contributions from the government budget established by the aforementioned central administrative authorities, and legal entities established by virtue of law and having nation-wide competences with the exception of those which have established specialised or security archives and of those which are supervised by the Archives of Security Services;
- b) select archival records within the appraisal process from agencies referred to in letter a) and agencies referred to in letter c) that have established private archives or that request selection of archival records within the appraisal process;
- c) select archival records outside of the appraisal process from among records of managing and similar bodies connected to political parties, political movements, civil associations, trade unions, employers' union, professional chambers, churches and religious societies, foundations and foundation funds, public associations, selected natural persons and selected founders of private archives;
- d) select archival records outside of the appraisal process from among records offered to the Czech Republic as gifts or for purchase and from among records found, or records of owners who apply for such selection;
- e) decide on appeals against protocols on the completed appraisal process and protocols on selection of archival records outside of the appraisal process (Section 10 (3) and Section 12, Article 4) filed by agencies or owners of any records earmarked for selection to become archival records;
- f) assess protocols on completed appraisal process and on archival records selected outside of the appraisal process; such appraisal process are carried by specialised archives of central administrative authorities, which have nation-wide competence, and state organisations receiving contributions from the government budget established by the aforementioned central administrative authorities; such appraisal process are carried out by specialised archives of legal persons established by virtue of law, which have nation-wide competences;
21) Act No. 218/2002 Coll., on the Service of Civil Servants in Administrative Authorities and on Remuneration of Such Servants and Other Employees in Administrative Authorities (the Civil Service Act), as amended
- g) decide on appeals filed by researchers who were not permitted to look up information in archival records or to make excerpts, duplicates or copies of archival records the analogue form or digital copies entrusted in the care of the National Archive or private archives subjects to selection of archival records;
- h) under this Act impose sanctions for administrative offences on natural and legal persons where the National Archives are responsible for checking of the record management and where select archival records, including those who established specialised or private archives;
- i) search in archival records entrusted in their care for those archival records necessary for

the work of administrative authorities and other central administrative authorities, regional and local authorities, natural and legal persons and make authenticated excerpts and duplicates or copies or digital copies of such records;

j) grant permissions, upon conditions stipulated herein, for access to information in the archival records entrusted in their care;

k) maintain relevant registers of archival records under this Act;

l) examine Archival Cultural Relics and National Cultural Relics which are maintained in their registers and which are not entrusted in the care of archives;

m) meet assignments pertaining to the area of archiving and arising from international agreements;

n) exercise other powers stipulated herein or in any other related Act;

(2) In the field of care for archival records, the National Archives shall:

a) take care of archival records taken over from agencies referred to in Article 1 (a) and (c) and of archival records created by supreme authorities of the Czech state, the Czechoslovak Republic, the Czechoslovak Socialist Republic, the Czech and Slovak Federal Republic, the Czech Socialist Republic, and the Czech Republic; excepted are those which are in the care of the Archives of Security Forces or are in specialised archives established by any of the following: ministries, other central government authorities, the Office of the Chamber of Deputies, the Office of the Senate, and the Office of the President of the Czech Republic, the Czech National Bank, security forces and intelligence services of the Czech Republic, other state authorities or regional and local authorities and organisation for the Czech Land in the past, central occupational bodies between 1939 and 1945, the Government of the Czechoslovak Republic in exile between 1939 and 1945. Furthermore, it shall take care of archival records created by supreme authorities of the Habsburg Monarchy and enable researchers to access information in them;

b) accept, on behalf of the Czech Republic, offers for purchase, gifts and custody of archival records and enter into relevant agreements on behalf of the Czech Republic;

c) provide to owners of archival records free professional advisory services and consultancy;

d) review the physical condition of Archival Cultural Relics and National Cultural Relics entrusted in the care of National Archives;

e) perform the inventory of archival records when required by the Ministry;

f) cooperate with other archives and develop contacts with scientific, cultural, educational and other institutions in order to exchange expertise with a view to use archival records in scientific research, culture, education, economy and regional and national studies;

g) perform scientific and research activities in the field of archives, auxiliary historical sciences, and related scientific branches;

h) act as a central scientific and research institute in the area of preventive care for archival

records, their conservation and restoration, maintaining and facilitating access to all types of information media, including digital records; provide guidance and training pertaining to the area in question;

i) establish specialised libraries for the field of archival science and performance of archival records' management;

j) publish publications on archival science and record management, history of administration, auxiliary historical science, and history;

k) perform conservation and restoration archival records;

l) perform other professional archival tasks imposed upon it by virtue of this Act.

(3) In the field of care for archival records in the digital form, the National Archives shall:

a) store archival records in the digital form entrusted in their care as well as archival records in the digital form entrusted in the care of the Archives of the security forces, regional state archives, and archives which are not digital archives and do not store archival records in the digital form, in line with a written agreement, in other digital archives; should it not concern archival records in the digital form entrusted in their care, the National archives shall limit themselves to the maintenance of integrity and readability of such archival records,

b) administer the national portal,

c) provide guidelines and consultancy in the field of pre-archival care for records in the digital form and in the field of digitalisation of archival records, in the analogue form,

d) perform scientific and research activities in the field of the life cycle of records in the digital form,

e) supply archives with data necessary for the registration of archival records in the digital form and provide services related to the gathering and access to the description of archival records in the digital form as well as copies of archival records in the digital form,

f) issue binding positions to applications for authorisation to store archival records in the digital form.

Regional state archives

Section 47

(1) Regional state archives are:

a) Regional state archives in Prague;

b) Regional state archives in Trebon;

c) Regional state archives in Pilsen;

d) Regional state archives in Litomerice;

e) Regional state archives in Zamsrk;

f) Moravian Provincial Archives in Brno;

g) Provincial Archives in Opava

(2) Regional state archives are administrative authorities under direct supervision of the Ministry.

- (3) Regional state archives are central administrative authorities and accounting units; their budgets are drawn down from the budget chapter of the Ministry of the Interior.
- (4) Regional state archives are headed by directors appointed and recalled by the Minister of the Interior. The Ministry shall be a superior authority with respect to the directors of the National Archives under the special legal regulation.²¹⁾
- (5) Regional state archives are located in municipalities, respective regional state archives are named after.
- (6) District state archives are internal organisational units of regional state archives. District state archives are listed in Annex 4 hereto. Further details on the internal organisation structure of regional state archives and their management shall be regulated by rules of internal governance subject to approval of the Minister of the Interior.

Section 48

- (1) Administrative districts of regional state archives are defined by territories of regions as follows:
- a) the Regional state archives in Prague shall cover the territory of the Central Bohemian Region and the Capital City of Prague;
 - b) the Regional state archives in Třeboň shall cover the territory of the South Bohemian Region;
 - c) the Regional state archives in Pilsen shall cover the territory of the Karlovy Vary region and the Pilsen Region;
 - d) the Regional state archives in Litoměřice shall cover the territory of the Liberec Region and the Ústi Region;
 - e) the Regional state archives in Zámorsk shall cover the territory of the Hradec Kralové Region and the Pardubice Region;
 - f) the Moravian Provincial Archives in Brno shall cover the territory of the South Moravian Region, the Vysočina Region and the Zlín Region;
 - g) the Provincial Archives in Opava shall cover the territory of the Moravian-Silesian Region and the Olomouc Region.
- (2) The territorial competence of the regional state archives shall be governed by:
- a) the place of permanent residence, should the agency, owner or holder of archival records be a natural person who is not an entrepreneur;
 - b) the seat of a business, should the agency, owner or holder of archival records be a natural person who is an entrepreneur;
 - c) the registered address of the agency, owner or holder of archival records should not be a legal entity.

Section 49

- (1) Regional state archives shall:
- a) supervise the record management executed by the following organisations: central administrative authorities having the territorial competence defined by the territory of a

region, district or municipality; state organisations receiving contributions from the government budget established by the aforementioned central administrative authorities; state owned companies; legal persons established by virtue of law, with the exception of those which are directly supervised by the National Archives or the Archives of Security Services or those that have established a specialised archives. Further to this, they shall supervise the record management executed by the following organisations: organisational units and legal persons established or founded by a territorial self-governing unit or by organisational units established by territorial self-governing units; higher education institutions, with the exception of those which have established a specialised archives; schools; health insurance companies; public research institutions, with the exception of those which established specialised archives or which fall under the responsibility of the National archives;

b) select archival records within the appraisal process from agencies referred to in letter a) and agencies referred to in letter c) that have established private archives or request selection of archival records within the appraisal process;

c) select archival records outside of the appraisal process from among records of business entities and cooperatives, with the exception of housing societies and from among records of political parties, political movements, civil associations, trade unions, employers' unions, occupational chambers, churches and religious societies, foundations and foundation funds, benevolent societies, and from records of selected natural persons and selected founders of private archives with the exception of their supreme bodies;

d) select archival records outside of the appraisal process from among records offered to the Czech Republic as gifts or for purchase and from records found or records of owners who apply for such selection;

e) release from the duty of confidentiality employees of (pursuant to Section 14, Article 1) or founders of (pursuant to Section 14, Article 2) archives, with the exception of employees stipulated by Section 44, letter e), employees of specialised or security archives established by ministries and other central government authorities, the Office of the Chamber of Deputies, the Office of the Senate, and the Office of the President of the Czech Republic, the Czech National Bank, security forces and intelligence services of the Czech Republic;

f) decide on appeals against protocols on the completed appraisal process and protocols on selection of archival records outside of the appraisal process (Section 10, Article 3 and Section 12, Article 4) filed by agencies or owners of records used for selection of archival records,

g) decide on appeals filed by agencies or holders of a record against the protocols on the completed appraisal process, and protocols on selection of archival records outside of the appraisal process of the Archives of Prague, the Archives of Brno, the Archives of Ostrava, the Archives of Pilsen, and the Archives of Ustí nad Labem, and shall supervise their

protocols on the completed appraisal process and protocols on selection of archival records outside of the appraisal process;

- h) assess those protocols on completed appraisal process and on the selection of archival records outside of the appraisal process, which are carried by specialised archives of central administrative authorities not under the direct supervision of the National Archives;
 - i) decide on placement of archival records at risk in the care of an archive;
 - j) decide on appeals filed by researchers who were not permitted to look up information in archival records or to make excerpts and duplicates or copies of archival records in the analogue form or copies of archival records in the digital form entrusted in their care;
 - k) decide on appeals filed by researchers who were not permitted to look up information in archival records or to make excerpts, duplicates or copies of archival records stored in specialised archives (with the exception of specialised or security archives established by ministries and other central government authorities, the Office of the Chamber of Deputies, the Office of the Senate, and the Office of the President of the Czech Republic, the Czech National Bank, security forces and intelligence services of the Czech Republic);
 - l) decide on appeals filed by researchers who were not permitted to look up information in archival records or to make excerpts, duplicates or copies of archival records in the analogue form or copies of archival records in the digital form entrusted in the care of archives of territorial self-governing units and private archives where archival records are selected;
 - m) impose sanctions under this Act for administrative offences on natural and legal persons not under the direct supervision of the National Archives;
 - n) grant permissions, upon conditions stipulated herein, to access information in archival records entrusted in their care;
 - o) maintain relevant registers of archival records under this Act;
 - p) examine any Archival Cultural Relics registered in its registers that are not entrusted in the care of archives;
 - q) meet assignments pertaining to the area of archives and arising from international agreements;
 - r) express opinions on concessions under the special legal regulation²²⁾ and check construction, technological conditions and security measures adopted to secure premises designated for the performance of the record management for which the concession concerned is to be granted;
 - s) exercise other powers stipulated herein or in any other related Act;
- (2) In the field of caring for archival records regional state archives shall:
- a) care for those archival records taken over from agencies referred to in Article 1 (a) and (c); care for archival records of legal persons maintained in the Companies Register only should their agencies cease to exist without a legal successor; care for archival records in the digital form shall not include maintenance of the integrity of their contents and their

legibility;

- b) accept, on behalf of the Czech Republic, offers for purchase, gifts and custody of archival records and enter into relevant agreements on behalf of the Czech Republic;
 - c) provide owners of archival records with free professional, consultative and advisory services;
 - d) perform tasks of regional and district scientific and research centres in the field of archives, auxiliary historical sciences and regional history, whilst cooperating with other archives, and develop contact with scientific, cultural, educational and other institutions in order to exchange expertise with a view to utilizing archival records in scientific research, culture, education, economy and homeland studies;
- ²²⁾ Act No. 455/1991 Coll. on Trade Licences (the Trade Licensing Act), as amended
- e) search in the archival records entrusted in their care for archival records necessary for the work of administrative authorities and other central administrative authorities, regional and local authorities, natural and legal persons; make excerpts and duplicates or copies or digital copies of such records;
 - f) establish specialised libraries for the field of archives and performance of the record management and regional history;
 - g) publish publications concerning archival science and performance of records management, history of administration, auxiliary historical sciences and history;
 - h) examine the physical condition of Archival Cultural Relics and National Cultural Relics entrusted in their care;
 - i) perform inventory of archival records when required by the Ministry;
 - j) preserve and restore archival records;
 - k) perform other professional archival tasks stipulated herein.

Other Administrative Authorities in the Field of Archiving and Record Management

Section 50

Competent ministries, other central public authorities, the Office of the Chamber of Deputies, the Office of the Senate, and the Office of the President of the Czech Republic, the Czech National Bank, security forces and intelligence services of the Czech Republic which have established specialised or security archives shall:

- a) supervise, via such archives, performance of the record management at units under their competence and at other established or founded organisational units and state organisations receiving contributions from the government budget or other legal entities, and shall supervise activities of their records centre;
- b) decide on appeals against protocols on the completed appraisal process and protocols on selection of archival records outside of the appraisal process (Section 10, Article 3 and Section 12, Article 3) filed by agencies or owners of records with specialised or security archives established by these authorities;
- c) decide on appeals filed by researchers who were not permitted to look up information in

archival records or to make excerpts, duplicates or copies of archival records entrusted in the care of specialised archives or security archives established by these authorities;

d) release from duty of confidentiality the employees (pursuant to Section 14, Article 1) assigned to specialised or security archives established by these authorities;

e) meet other tasks pertaining to the record management stipulated herein.

Specialised Archives

Section 51

(1) Central public authorities, security forces, intelligence services of the Czech Republic, state organisations receiving contributions from the government budget, state enterprises, higher education institutions, the General Health Insurance Company of the Czech Republic, public research institutions, with the exception of those established by the Academy of Sciences of the Czech Republic, and legal entities established by virtue of law may establish specialised archives.

(2) Specialised archives shall care for archival records created by founders of such archives or by their legal ancestors, as well as archival records received as gifts or purchased.

(3) Specialised archives may operate as archives should they have been granted accreditation.

Section 52

Specialised archives shall:

a) supervise, with the exception of the National Film Archives, the performance of the record management of their founders or central administrative authorities established by the founders concerned, and state organisation receiving contributions from the government budget; and shall supervise activities of records centre of their founders, if applicable;

b) select archival records within the appraisal process from among records of those agencies whose performance of the record management they supervise;

c) select archival records outside of the appraisal process from the pool of records offered to founders as gifts, for purchase or into custody, and records of owners who apply for such selection, and, with the exception of the National Film Archive, selection of archival records outside the appraisal process at founders pursuant to letter a);

d) maintain relevant registers of archival records under this Act;

e) search in the archival records entrusted in their care for archival records necessary for the work of administrative authorities and other central administrative authorities, regional and local authorities, natural and legal persons, and make excerpts and duplicates or copies of such records;

f) grant permission, upon the conditions stipulated herein, for access to information in the archival records entrusted in their care;

g) take care of archival records that have been taken over from agencies referred to in letters a) and c); unless they simultaneously acted as digital archives, care for archival records in

the digital form shall not include maintenance of the integrity of their contents and their legibility.

- h) take care of archival records entrusted in their care as of the date of its accreditation, unless the Ministry decrees otherwise in its accreditation certificate;
- i) submit for assessment to the National Archives or the competent regional state archives, upon request, protocols on the completed appraisal process or protocols on selection made outside of the appraisal process;
- j) perform scientific, research-based, publishing and similar activities pertaining to the area of archival science, auxiliary historical sciences and scientific branches that relate to the content of stored archival fonds and collections;
- k) establish specialised libraries in the scope necessary for meeting technical and scientific tasks;
- l) examine the physical condition of Archival Cultural Relics and National Cultural Relics if they are not entrusted in their care;
- m) participate in drawing up nation-wide thematic lists of archival records as organised by the Ministry;
- n) perform inventory of archival records as ordered by the Ministry;
- o) perform other professional archival tasks assigned by founders;
- p) perform conservation and restoration of archival records.

Security Archives

Section 53

(1) The Ministry, the Ministry of Defence, the Ministry of Foreign Affairs, the National Security Authority, security forces and intelligence services of the Czech Republic may establish security archives.

(2) The Security Archives of Security Forces and intelligences services of the Czech Republic shall:

- a) select archival records within the appraisal process from among records of their founders; this provision shall also apply to records whose degree of confidentiality has not yet been cancelled;
- b) maintain, in the basic registers of the National Archival Heritage, all archival fonds and archival collections entrusted in their care; the data on archival records containing classified information shall be forwarded to the central registers of the National Archival Heritage;
- c) meet other tasks of specialised archives pursuant to Section 52 (i).

(3) Security archives, with the exception of archives referred to in Article 2 shall:

- a) select archival records within the appraisal process from among records of their founders; this provision shall also apply to records whose degree of confidentiality has not yet been cancelled;
- b) maintain, in basic registers of the National Archival Heritage all archival fonds and

archival collections entrusted in their care; the data on archival records containing classified information shall be forwarded to the central registers of the National Archival Heritage;

c) take due care of archival records taken over from the relevant founder;

d) take inventory of archival records as ordered by the Ministry;

e) perform other professional archival tasks assigned by their founders;

(4) Should the degree of confidentiality attached to archival records entrusted in the care of security archives be withdrawn, security archives concerned shall, with the exception of security archives established by security forces or the intelligence services of the Czech Republic, transfer entrust such archival records in the care of specialised archives of the same founder, if applicable, otherwise to the care of the National Archives. The security forces or intelligence services of the Czech Republic may deny access to information and/or the making of excerpts, duplicates or copies of archival records the degree of confidentiality of which has been cancelled but which contain information still important for the protection of the constitutional order, major economic interests, security and defence of the Czech Republic. The director of the relevant security forces or intelligence services of the Czech Republic shall decide on the appeal filed by the researcher who was denied permission to access information or to make excerpts, duplicates or copies of the archival records in question.

(5) Security archives shall search in the archival records entrusted in their care for archival records necessary for the work of administrative authorities and other central administrative authorities, regional and local authorities, natural and legal persons, and shall make excerpts, duplicates or copies and digital copies of such records, and shall permit access to information in such archival records.

(6) Security archives may operate as archives should they have received accreditation.

Archives of Territorial Self-governing Units

Section 54

(1) Territorial self-governing units may establish archives of territorial self-governing units.

(2) Territorial self-governing units that established their own archives shall use these archives to provide professional archival services within the scope of competence of territorial self-governing units and shall perform other tasks pertaining to the areas of archives and performance of the record management stipulated herein (Section 55, Article 1).

(3) Archives of a territorial self-governing unit may operate as archives upon accreditation.

Section 55

(1) Unless stipulated otherwise hereunder, archives of territorial self-governing units shall:

a) supervise performance of the record management of the territorial self-governing unit which had established them or organisational units or state organisations receiving

- contributions from the government budget or other legal persons established by the territorial self-governing unit in question;
- b) permit, upon conditions stipulated herein, access to information in archival records entrusted in their care;
 - c) maintain relevant registers concerning archival records under this Act;
 - d) search in the archival records entrusted in their care for archival records necessary for the work of administrative authorities and other central administrative authorities, regional and local authorities, natural and legal persons and make excerpts, duplicates or copies and digital copies of such records;
 - e) submit to the competent regional state archives proposals for discarding and proposals for selection of archival records;
 - f) take due care of archival records created by agencies referred to in letter a); unless they simultaneously acted as digital archives as well as care for archival records in the digital form shall not include maintenance of the integrity of their contents and their legibility.
 - g) examine the physical condition of Archival Cultural Relics and National Cultural Relics entrusted in their care;
 - h) participate in drawing up nation-wide thematic lists of archival records as organised by the Ministry;
 - i) perform conservation and restoration of archival records;
 - j) perform inventory-taking of archival records as ordered by the Ministry;
 - k) perform scientific, research, and/or publishing activities pertaining to archival science, auxiliary historical sciences, history of administration, regional history, history of towns and villages, historical homeland studies, and related fields of study;
 - l) establish a specialised library in the scope necessary for meeting technical and scientific tasks;
 - m) meet other technical tasks in the field of archives and performance of archival records' management specified by the relevant founder.
- (2) With regard to accreditation of the archives of a territorial self-governing unit, its founder shall be entitled to receive free professional assistance provided by the National Archives or the competent regional state archives.

Private Archives

Section 56

- (1) Private archives may be established by a natural person or legal entity which has not established archives under the previous provisions hereof.
- (2) Private archives may operate as archives upon accreditation.
- (3) With regard to accreditation of private archives, their founder shall be entitled to receive free professional assistance provided by the National Archives or the competent regional state archives.
- (4) The founder of private archives who has been granted accreditation shall be entitled

to receive a one-off annual state contribution for operations of the private archives concerned. The implementing legal regulation shall specify the amount of such a contribution, taking into account possible costs for operations of the private archives, care for archival records in the possession of the founder or legal entities established by the founder and for protection of archival records.

(5) An application for a one-off annual state contribution for operations of private archives shall be filed for the first time by the founder within six months from the date on which accreditation of the private archives came into effect, but not later than on 30th November of the year when accreditation was granted. If the accreditation of the private archives comes into effect after 30th April of the calendar year the founder of the archives shall file the application for a one-off annual state contribution for operations of the private archives for the next year simultaneously with the application under the first sentence. In all following years the founder shall be obliged to file the application for this contribution by 30th April of the previous calendar year. The application shall be filed with the Ministry. Should the application not be filed within the specified time limit, the founder shall become ineligible for this contribution for the term of the given calendar year.

Section 57

Private archives shall:

- a) maintain relevant registers of archival records under this Act;
- b) permit, upon conditions stipulated herein, access to information in stored archival records entrusted in their care; as regards private archives established by a registered church or religious society which has been granted concession to exercise special rights^{22a}), permits to search for information shall be governed by this Act and by internal regulations of the registered church or religious society;
- c) submit proposals for assessing, selecting or discarding archival records to the National Archives or the competent regional state archives;
- d) care of archival records of founders and their ancestors if stipulated so by the relevant archives when selecting such archival records; unless they simultaneously acted as digital archives, care for archival records in the digital form shall not include maintenance of the integrity of their contents and their legibility.
- e) care of archival records of other legal and natural persons who have deposited those records in private archives under an agreement on custody, or provided them as gifts to the founder; unless they simultaneously acted as digital archives, care for archival records in the digital form shall not include maintenance of the integrity of their contents and their legibility.
- f) examine the physical condition of Archival Cultural Relics and National Cultural Relics entrusted in their care;
- g) participate in drawing up nation-wide thematic lists of archival records as organised by the Ministry;

h) perform inventory of archival records as ordered by the Ministry.

Chapter 6

Accreditation of Archives and Obligations of Archives' Founders

Section 58

Accreditation of Archives

(1) An application for accreditation shall contain, apart from general principles pursuant to the Code of Administrative Procedure, the following:

- a) name and address of the archives,
- b) in case of a legal entity, the position of the archives in the organisational structure of the founder,
- c) purpose of the archives,
- d) copies of registering cards of the National Archival Heritage including all data on archival records that will be entrusted in the care of the archives,

22a) Section 7 of Act No. 3/2002 Coll.

e) Record Management Rules of the founder, should it be the agency pursuant to Section 63, Article 1.

(2) An application for accreditation pursuant to Article 1 shall contain, among others, documents proving compliance with conditions required from archives pursuant to Section 61.

(3) The Ministry shall issue a decision on accreditation no later than 6 months after the date of application.

The Ministry refuses to grant the accreditation should:

- a) the archives fail to meet conditions pursuant to Section 61;
- b) the archives fail to maintain basic registers of the National Archival Heritage under this Act;
- c) it be deemed unnecessary, in the light of protection of archival records, created by activities of the agency pursuant to Section 51, Article 1, to establish such archives; should they be specialized ones, or
- d) archival records referred to in Article 1 (g) have been selected as archival records contrary to legal regulations.

(4) Accreditation shall remain effective for legal successors only in case of archives of territorial self-governing units should municipalities merge or should a municipality become a part of another municipality under special legal regulation²³).

(5) Should a natural person who is the founder of the accredited private archives passes away, or a person upon whom accreditation was devolved under this passes away, the following persons may continue their operations until the relevant probate proceedings have been completed:

- a) heirs by intestacy if there are no testamentary heirs;
- b) testamentary heirs and a surviving spouse; this provision applies also if the spouse is not

- a heir but he/she is a co-owner of the property used for operations of the archives;
- c) a surviving spouse satisfying the condition pursuant to letter b) if heirs do not continue operation of the archives;
- d) an administrator of the property of the deceased if he/she was authorised to operate the archives by the authority responsible for probate proceedings.

Should the persons referred to in letters a) to c) intend to continue operating the archives they are obliged to notify the Ministry of their intention in writing within three months from the date of the founder's death. The administrator of the property of the deceased shall be obliged to notify the Ministry of this intention in writing within one month from the date on which

²³⁾For example Section 24 of Act No. 128/2000 Coll., as amended, Section 11 (4) and Section 12 of Act No. 131/2000 Coll., as amended

he/she was appointed to perform tasks of the administrator. After the relevant probate proceedings are completed the persons referred to in letters a) to c) may continue operating the archives only if all conditions for operating archives are satisfied.

(6) The founder of archives shall be obliged to notify the Ministry, without undue delay, about all changes involving facts included in the application for accreditation of the archives, in particular any changes concerning the conditions pursuant to Section 61.

(7) The founder shall publish the Research Rules within three months from the date on which accreditation came into effect.

Section 59

Withdrawal of Accreditation

(1) Should the Ministry disclose that the founder of archives has failed to comply with conditions upon which accreditation had been granted, the Ministry shall request the founder to remedy such deficiencies and shall specify the time limit for this rectification. This time limit shall not exceed one year.

(2) Procedure pursuant to Article (1) shall not prejudice provisions of Section 27 (2) and Section 32 (3) to (4).

(3) Should the founder fail to satisfy obligations imposed pursuant to Article (1) within the prescribed time limit, the Ministry shall withdraw the accreditation.

(4) The Ministry may withdraw the accreditation should the founder of any archives repeatedly fail to fulfil obligations, other than those referred to as Article (1), imposed on the founder by the decision of an administrative authority responsible for the area of archives and execution for the record management under this Act.

(5) The Ministry shall withdraw the accreditation upon request of the founder of the archives. The accreditation shall be withdrawn no later than six months after the date of such request.

(6) Should the accreditation be withdrawn, the Ministry shall decide which archive to entrust the archival records to. The archival records may be entrusted in the care of the National archives or the regional state archives. Should the Ministry withdraw accreditation of

private archives, care for archival records, shall be entrusted, based on a written agreement of founders, in the care of another archive, unless the founder of the archive accreditation of which had been withdrawn, decide to keep the archival records, in its care. Founder of the of the archive accreditation of which had been withdrawn shall inform the Ministry of the agreement above no later than 60 days after the decision of the withdrawal of accreditation had come to force. Should the Ministry not receive such notification in this period, it shall use provisions of the first and second sentence above accordingly. Costs incurred by the transport of the archival records, to the archive the care of which such archival records, have been entrusted in or in which they are to be newly stored, shall be borne by their owner.

Section 60

Termination of Accreditation

- (1) Should the legal entity which had founded the archive terminate its activities, such accreditation shall cease to exist and shall not be passed on any legal successors.
- (2) Should a natural person, who is the founder of the archives, pass away, accreditation shall extinguish unless Section 58 (4)-(5) apply.
- (3) In case of termination of accreditation, provision of Section 59, Article 6 shall be used accordingly.

Section 60a

Authorisation to Store Archival Records in the Digital Form

- (1) An application for authorisation to store archival records in the digital form may be filed solely by the founder of an accredited archive, with the exception of cases, where such application becomes a part of an application for accreditation pursuant to Section 58.
- (2) An application for authorisation to store archival records in the digital form shall contain, apart from general provisions pursuant to the Code of Administrative Procedure, the following:
 - a) name and address of the archive's seat and addresses of premises which will host the storages of archival records in the digital form,
 - b) documents necessary to decide whether the respective archive meets conditions pursuant to Section 61, Articles 2 and 4,
 - c) description of the storage of archival records in the digital form,
 - d) a concept of long-term storage and protection of records designed to be transferred to the digital archive,
 - e) identification or the archival records in the digital form to be stored,
 - f) a list of metadata pertaining to the description of the archival records in the digital form, description and registration of archival collections and decryption of agencies,
 - g) draft operational rules of the respective digital archives,
 - h) a confirmation by the National archives of a successful test of a transfer of archival records in the digital form to the National archives.
- (3) The Ministry shall request a binding position of the national archives to the

elements of the application pursuant to Article 2, letters c) to h).

(4) The Ministry shall issue a decision on authorisation to store archival records in the digital form no later than one year after the file date of the application. Authorisation to store archival records in the digital form shall be denied should the National archives issue a negative position to any of the elements of the application pursuant to Article 2, letters c) to h).

(5) By law, founders of security archives receive authorisation to store archival records in the digital form upon accreditation; provision on withdrawal of authorisation to store archival records in the digital form shall not apply to them.

Section 60b

Withdrawal of Authorisation to Store Archival Records in the Digital Form

(1) Should the Ministry realize that the founder has failed to comply with conditions based on which the authorisation to store archival records in the digital form had been granted, it shall request the founder to remedy such deficiency and determine the time limit for this rectification. This time limit shall not exceed one year.

(2) Should the founder fail to meet its obligations pursuant to Article 1, the Ministry shall withdraw the authorisation to store archival records in the digital form.

(3) The authorisation to store archival records in the digital form shall be withdrawn, should the founder of the archive request so and no later than six months after the date of the withdrawal request.

(4) Should the authorisation to store archival records in the digital form be withdrawn, the archival records in the digital form shall be stored, based on a written agreement between the founder of the archive authorisation of which had been withdrawn and the founder of another digital archive, in that respective archive. The founder of the archives authorisation of which had been withdrawn shall inform the Ministry of the agreement above no later than 60 days after the decision of the withdrawal of authorisation to store archival records in the digital form had come to force. Should the Ministry not receive such notification in this period, it shall use decide to store the archival records in the digital form in the National archives.

(5) Competences of the archives, the authorisation of which to store archival records in the digital form had been withdrawn, with regards to the care for archival records,, which had been stored in the digital archives or the National archives shall not be prejudiced by such storage. The digital archives or the National archives shall maintain the integrity and legibility of such archival records.

Section 60c

Termination of authorisation to store archival records in the digital form

(1) The authorisation to store archival records in the digital form shall terminate upon withdrawal or termination of accreditation.

(2) The authorisation to store archival records in the digital form shall not pass onto

the legal successor of the archive's founder.

Section 61

(1) The National Archives, the Archives of Security Forces, regional state archives, founders of other public archives and founders of private archives shall be obliged to fulfil construction and technological, spatial, security, economic, financial and personnel conditions for care for archival records and their protection.

(2) In order to satisfy construction and technological conditions pursuant to Article 1 the following shall be mandatory:

- a) the premises of archives shall not be located in areas at risk of floods and in protective zones of airport runways for taking off and landing of aircrafts;
- b) the premises of archives shall not be situated in dusty areas;
- c) repositories for archival records shall be secured against any damage due to natural forces or human activity, primarily penetration of water, steam, storm drains, sewage, dangerous chemical and biological substances, or physical phenomena and excessive dustiness which may cause damage or destroy the archival records;
- d) repositories for archival records shall be located above the level of underground water and shall have either natural ventilation or shall be equipped with air-conditioning to maintain specified temperature and relative humidity; repositories shall be equipped with devices for measuring specified values;
- e) repositories for archival records shall be equipped with magnetic registers and shall be protected from effects of electromagnetic field;
- f) archives, which are simultaneously digital archives, shall have at least two full size storages of archival records in the digital form which should be at least 50 kilometres apart and located in areas the geographic character of which excludes concurrent or subsequent impact due to natural forces or human activity which could damage or destroy archival records, or render a rescue operation necessary.

(3) In order to meet conditions for repositories pursuant to Article 1 the following requirements shall be met:

- a) The premises of any archives shall be divided into rooms with public access and rooms without public access whilst the routes of the two separated sections shall not intersect.
- b) Premises designed to receive and arrange the archival records, the repositories, the room for cleaning, disinfection, conservation, restoration and reprographic arrangement of archival records and the storing room for archival records booked for research, if applicable, shall at all times be located in the section without public access.
- c) A room for looking up information in archival records (hereinafter referred to as a "reading room") shall be located in the section with public access.
- d) Storing of archival records in repositories shall be registered in the plan for storing of archival records and the plan shall be updated after any change in the storing of archival records.

(4) In order to meet conditions for repositories pursuant to Article 1 the following requirements shall be met:

- a) Archives' premises shall keep security logs containing measures to prevent access of unauthorised persons to storing and other rooms, theft of archival records and terrorist attacks; as regards specialised archives and security archives, measures for security of all premises shall be taken.
- b) Archives' premises shall keep fire logs, shall be furnished with electronic fire alerts and portable fire extinguishers; repositories shall be furnished with powder fire extinguishers.
- c) Mechanical and electronic security devices placed on windows and doors shall be on the exterior shell of the building up to the second floor above ground level, or to any higher floor where it would be possible to enter the building from horizontal elements of the building construction; such devices shall be placed inside the building at all points where rooms with public access border on rooms without public access.
- d) Repositories without public access shall be secured by protective mechanical or electronic alarm systems to prevent access of unauthorised persons and forced entry into the rooms.
- e) Keys to all entrances to repositories shall be placed with an authorised employee of the archives who shall be obliged to maintain registers on when they were taken and when returned. If the entrance to repositories is by electronic access, entry rights for individual employees of the archives shall be specified.
- f) Repositories storing National Cultural Relics shall be under 24-hour surveillance.

(5) In order to meet conditions for repositories pursuant to Article 1 the following requirements shall be met:

- a) Archives shall be equipped with devices for making copies of archival records and if archives have in its possession micrographic records it shall be equipped with viewers for microfilms.
- b) Repositories of archival records shall be furnished with shelves for placing archival records, and if necessary, with special storing appliances for placing maps, plans, technical recordation and large scale archival records, film and photographic archival records, audio and audio-visual archival records and digital archival records.
- c) Reading rooms shall be furnished with information technology allowing transmission.

(6) Satisfying financial conditions pursuant to Article 1 means to earmark mandatory minimal average annual expenditure in the budget of the founder for operations of the archives, calculated as a multiple of the amount of average costs for one linear meter of archival records and the total number of stored archival records calculated in linear meters.

(7) In order to meet personnel requirements pursuant to Article 1 the following requirements shall be met:

- a) Managing positions in the archives shall be filled by employees who are graduates of higher education institutions and graduated in the field of archival science or history or

relevant similar fields of studies.

b) At least one employee shall be responsible for managing 2,000 linear metres of archival records produced as hard copies of written materials.

c) Sufficient number of employees shall work in the reading room so that one employee shall be responsible for ten researchers daily.

(8) Founders of archives shall be obliged to maintain registers of the data about repositories including construction and technological recordation and statistical calculations in compliance with the actual situation. Results of measuring temperature and relative humidity that show fluctuations of monitored data outside the permitted limits shall be stored for at least ten years.

(9) The loading capacity of floors in repositories, temperature and relative air humidity in repositories and the amount of average annual costs for one linear meter of archival records shall be laid down in the implementing legal regulation.

Section 62

Annual Reports on Activities of Archives

(1) The National Archives, the Archives of Security Services, regional state archives, security archives, specialised archives, with the exception of specialised archives established by state organisations receiving contributions from the government budget, state enterprises, higher education institutions and public research institutions, shall be obliged to make an annual report on their activities, submit such report, by the end of February of the given calendar year, to the Ministry, and publish it in a manner allowing for remote access. Within the same time limit, specialised archives established by state organisations receiving contributions from the government budget, state enterprises, higher education institutions and public research institutions as well as archives established by territorial self-governing units and private archives shall be obliged to draw up annual reports on their activities and publish it them a manner allowing for remote access.

(2) Annual reports on activities of archives shall contain the following:

- a) information on human resources of the archives;
- b) the total number of stored archival records;
- c) selection, archival arrangement and use of archival records;
- d) condition of archival records;
- e) conservation and restoration of archival records.

(3) Annual reports of security archives shall contain only the data on archival collections or archival fonds the degree of confidentiality had been cancelled and the data referred to in Article 2 (b) to (e).

TITLE III RECORD MANAGEMENT

Section 63

Section 64

Section 64a

Section 65

Section 66

Section 67

Section 68

Record Storing

(1) All processed files and other records of the designated agency shall be, during the retention period, stored in the registry. Records may be stored also in the records centre, if any. Records shall be deposited in line with the retention and disposition schedules, preferably immediately after arrangement, should the nature of the issue not require that the person, who processed the record, keeps the processed record for a longer period of time. Such fact shall be recorded in the register in line with Section 64 (3).

(2) General provisions stipulating the search for information in records used in proceedings before the administrative authority or court shall apply to the search for information in records stored in registries or in a records centre of an administrative authority or court. This provision shall not apply should the records had been publicly accessible before they were placed to the registry or the records centre. The search for information in records encompassing classified information, making their duplicates or copies or making excerpts from them shall be regulated by the special legal regulation.²⁾

³⁶⁾ E.g. appendix No. 3 to the Regulation No. 385/2006 Coll., on medical records, Section 90 of Act No. 301/2000 Coll., on registers of birth, death, and marriage, on names and surnames, as amended.

²⁶⁾ For example Act No. 99/1963 Coll., the Code of Civil Procedure, as amended; Act No. 141/1961 Coll., as amended, the Code of Administrative Procedure; Act No. 120/2001 Coll., as amended.

(3) Should a designated agency cease to exist, its registry or records' centre shall be taken over by its legal successor, founder, or the entity to which the competence of the ceased designated agency will be devolved. Should there be more than one legal successor and should they fail to come to an agreement, the competent administrative authority responsible for the field of archives and performance of the record management and supervising appraisal process shall decide, who will take the registry or the records centre over. Prior to the date of termination of existence, the designated agency shall inform the competent archives on measures implemented in relation to the above termination of existence in relation to the records centre or administrative archives.

(4) The facility where the registry or the records centre is located shall satisfy the following conditions:

- a) record repositories must be safe from flooding;
- b) the building shall have fire recordation and shall be equipped with portable fire extinguishers; powder fire extinguishers shall be placed in the repositories;
- c) record repositories shall be secured against any damage due to natural forces or human activity, primarily penetration of water, steam, storm drains, sewage, dangerous

chemical and biological substances, or physical phenomena and excessive dustiness which may cause damage or destroy the records;

d) record repositories shall be equipped with shelves for storing records;

e) record repositories shall be secured to prevent access of unauthorised persons.

Section 68a

Separation of Files

(1) Should a designated agency cease to exist, its files will be separated. Prior to the commencement of the file separation, the agency terminating its existence shall draft a file separation plan, containing, among others, a file separation timetable, and submit such plan to the competent archives.

(2) Prior to the termination of the designated agency, the file separation shall be prepared and performed by the agency in liquidation. It shall be completed by the legal successor of the designated agency. Should there be no such successor, it shall be completed by the founder or a liquidator.

(3) Closed and stored files the retention period of which has lapsed shall be included in the appraisal process.

(4) Closed and stored files the retention period of which has not yet lapsed shall be placed in the registry or the records centre of the designated agency which is a legal successor of the ceased designated agency, founder, or a new designated agency replacing the designated one in liquidation. Should there be more legal successors and should they fail to reach consensus, the decision on the placement in a registry or a records centre shall be made by the relevant administrative entity responsible for archives and record keeping which oversees the appraisal process. The files and records transferred shall be registered in a record transfer protocol.

(5) The designated agency in the process of liquidation shall transfer its unclosed files and records not yet stored to the designated agency that will be responsible for arrangement of such files. The designated agency in the process of liquidation shall register the files and records transferred in a record transfer protocol. The designated agency which is a legal successor of the ceased designated agency shall receive and register files and records listed in the protocol pursuant to Section 64.

(6) Designated agencies shall specify the procedure for separation of files in their Record Management Rules.

(7) Provisions of Articles (1) to (6) shall apply accordingly for cessation of organisational units of the designated agencies, for changes in competences of the designated agencies or their organisational units as well as for the purposes of changes in the ownership or holder of the record.

Section 69

(1) Ministries and other central government authorities shall establish records centres. Following the establishment of the record centre they shall inform the Ministry thereof.

(2) Designated agencies other than those referred to in Article 1 may establish their

records centre only upon approval of the Ministry.

(3) A records centre, with the exception of records centres established by founders listed in Section 50 and Section 51 (1), shall:

- a) supervise the record management carried out by units within the scope of competence of their founder;
- b) take over records from ceased agencies in the capacity of their founders and meet tasks of such agencies in selecting archival records;
- c) take over records from the registry with retention periods shorter than five years, register and care for them and permit access to information in them including the making of excerpts, duplicates and copies;
- d) prepare selection of archival records within the appraisal process;

(4) Designated agencies which have established their records centre shall specify in their Record Management Rules the time for which records are to be stored in the registry. After the expiration of this time limit, records retention period of which exceeds the limit for storing shall be transferred to the relevant records centre.

Section 69a

Special Provisions on Digital Records

(1) Conversion of an analogue record into a digital record and vice versa and the change of the data format of a digital record shall be performed by a designated agency in compliance with the procedure guaranteeing credibility of the origin of the record, integrity of its content and legibility of the record, and the security of the conversion process or the change of the data format.

(2) Adding of data created during preparation of the record for keeping pursuant to Section 3 (4) or during conversion or change of the data format of the record pursuant to Article 1 and which are necessary for the maintenance of the record, its conversion or change of the data format, shall not be deemed a failure to provide for the integrity of the record contents.

(3) Before a digital record is converted into an analogue record or before any change of the data format of the digital record, the designated agency shall verify the validity of the advanced electronic signature, accepted digital mark or qualified time stamp should the digital record be furnished with them, and the validity of qualified certificates they are based on. The designated agency shall register the data on the result of such verification and the date of the conversion of the digital record to the analogue record or the date of the change of the data format of the digital record, and shall maintain such registers along with the record created before the conversion or the change of the data format.

(4) The designated agency shall furnish the digital record created by the conversion of an analogue record or by the change of the data form of the digital record with a clause containing information on transfer or modification of the data format, signed with an advanced electronic signature of the person responsible for the conversion of the analogue

record or for the change of the digital format or furnished with an advanced digital mark of the designated agency and furnished with a qualified time stamp. Data concerning conversion of an analogue record or the change of the digital format shall be stipulated by a bylaw.

(5) Unless proven otherwise, a digital record shall be deemed genuine if signed by an advanced electronic signature or furnished with an advanced digital mark of the person who was at the time of signature or marking authorised to do so and, subsequently, if, in the period of validity of an advanced electronic signature and the underlying electronic certificate or an advanced digital mark accompanied by a qualified system certificate, furnished with a qualified time stamp. This provision shall apply equally to records created by agencies that are not recognized as designated agencies.

Section 70

(1) The implementing legal regulation shall lay down all details about performance of records management, namely:

- a) record capturing;
- b) record marking and registration;
- c) keeping of name indexes and the use of data contained herein;
- d) distribution of records;
- e) record circulation;
- f) record processing;
- g) creating records;
- h) record signing and the use of stamps;
- i) dispatching records;
- j) record storing;
- k) details of keeping and structure of the retention and disposition schedules;
- l) discarding records;
- m) output data formats of digital records;
- n) separation of files,
- o) structure of data contained in the report on the verification of the advanced electronic signature, advanced electronic mark, or qualified time stamp;
- p) data concerning conversion or change of the record data format contained in the clause pursuant to Section 69a, Article 4.

(2) The national standard, published by the Ministry in its Journal as well as on-line, shall lay down requirements for electronic records' management systems, namely:

- a) record capturing;
- b) record marking and registration;
- c) searching, retrieval and presentation records;
- d) record storing;
- e) discarding records and selecting archival records;
- f) recording a life cycle of an electronic system of records management;

g) retention and disposition schedule;

h) an audit trail;

i) administrative functions;

j) metadata

(3) The Ministry shall publish, in its Journal as well as on-line, a sample of digital archives' operational rules.

TITLE IV

INSPECTION IN ARCHIVING AND RECORD MANAGEMENT

Section 71

Section 72

TITLE V

ADMINISTRATIVE OFFENCES

Section 73

Minor Offences

Section 74

Section 75

Section 76

Repealed

TITLE VI

COMMON, TRANSITIONAL AND FINAL PROVISIONS

Common Provisions

Section 77

Section 78

Section 78a

Section 78b

Transitional Provisions

Section 79

Section 80

Section 81

Section 82

Section 83

(1) Archives active in keeping with the current law the Research Rules of which do not comply with the provisions of this Act shall be obliged, within six months from the date of effect of this Act, to amend their Research Rules so that they comply with this Act.

³²⁾ For example Act No. 140/1996 Coll., as amended

(2) Designated agencies, Record Management Rules and the list of retention and disposition schedules of which do not comply with the provisions of this Act shall be obliged, within six months from the date of effect of this Act, to amend their Record Management Rules and the list of retention and disposition schedules so that they comply with this Act.

(3) Archival records taken from registers of births, deaths and marriages or from documents pertaining to the issue of nationality of the Czech Republic or elections of members of administrative self-governing authorities, the Parliament of the CR, the Senate

Section 84

Section 85

Final Provisions

(1) As of the date of effect of this Act the name of Central State Archives shall be changed to the National Archives.

(2) The Scientific Archival Council act as the advisory body of the Minister of the Interior for professional and scientific issues concerning archives and performance of record management. Further details on organisation and activities of the Scientific Archival Council shall be stipulated in its statutes and Rules of Procedure, to be issued by the Minister of the Interior.

Section 86

The Ministry shall issue the Decree on implementing the provisions of Section 9 (2), Section 15 (1), Section 19, Section 24 (3), Section 31 (2), Section 36, Section 40 (7), Section 56 (4), Section 61 (9), Section 64 (2), Section 66 (6), Section 69a (4) and Section 70 (1).

Section 87

Repealing Provisions

The following legal provisions are hereby repealed:

1. Act No. 97/1974 Coll. on the Archives.
2. Decree No. 101/1974 Coll. on the recognition of archival records as cultural relics and on the increased protection of archival records as cultural and National Cultural Relics.
3. Decree No. 102/1974 laying down details on transfers of title to archival records.
4. Decree No. 117/1974 Coll. laying down the criteria for assessing written records as archival records and details of the appraisal process.
5. Decree No. 118/1974 Coll. on business archives.
6. Decree No. 225/1988 Coll. on state archives and archives of national committees.

PARTS TWO TO FOURTEEN

Section 88 to Section 102

The provisions of these Sections have amended other acts.

PART FIFTEEN

ENTRY INTO EFFECT

Section 103

附錄 3-1 研究規則

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 Reproductions of Archival Records

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.

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 Tariff 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. 1/2010.

(2) This instruction comes into effect on 1 July 2012.

Prague 1 July 2012

PhDr. Eva Drašarová, CSc.

Director of the National Archives

Appendix 1 – Research Sheet

Appendix 2 – Document on Submitted and Returned Archival Records

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

附錄 3-2 研究單

Appendix 1 to the Instruction No. 9/2012

Name of the archives
Year, Ref. No.
Sequence No.

RESEARCH SHEET

(To be filled in by a researcher)

Name (names) and surname Maiden name
Day, month, year, and place of birth
Address of permanent residence Phone: (optional)
E-mail: (optional)
Delivery address Phone: (optional)
E-mail: (optional)
Nationality ID card, passport, or similar proof of identity No.
Exact specification of the subject of study and its time scope:

.....
.....

Purpose of consulting:*) Official (service, study)
Private

Focus of study:*)

Scientific (studies, monographs, student paper, diploma work, dissertation, etc.)	<input type="checkbox"/>
Scientific editions of documents	<input type="checkbox"/>
Genealogical purposes	<input type="checkbox"/>
Private extracurricular education	<input type="checkbox"/>
Collectors' interests and related research	<input type="checkbox"/>
Journalistic 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"/>

*) Mark applicable with a cross in a box

In the case of official (service or study) purpose of consulting:

Name and seat of the legal person for which the researcher works on the relevant subject

.....
I hereby declare that, in compliance with the relevant legislation, I am fully aware of my personal responsibility for dealing with information that I obtained by consulting the archival records.

I hereby declare that I acquainted myself with the provisions of the Research Rules and I understand that if I violate my basic obligations, I may be refused further consulting archival records, or the already given approval may be revoked.

I also acknowledge that in case of stating untrue data in the research sheet, I may be subject to criminal prosecution and may be refused further consulting archival records, or the already given approval may be revoked.

Information for researchers:

Personal data contained in the research sheet are collected and processed pursuant to the paragraph 35 of the Act No. 499/2004 Coll., on archives and records management and on the amendment of some other acts, and pursuant to the paragraph 3 of the Act No. 101/2000 Coll., on personal data protection and on amendment of some other acts. Personal data stated in the research sheet are processed for the purpose of protection of archival records; they shall serve only for internal needs of the Archives and shall not be disclosed to third parties.

In on Signature

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

The data was verified by on

Signature of an employee authorized to supervise the research room:

Access to unarranged archival records approved on

Access to archival records younger than thirty years approved on

Access to archival records containing personal data

pursuant to the Act No. 101/2000 Coll. approved on

Access to other archival records approved on

附錄 3-3 檔案應用及收費標準

6

INSTRUCTION

Of the Director of the National Archives
Of 1 July 2012

Which lays down the Tariff of the Amount of Reimbursements of Costs Related to Services Provided by the National Archives

Annex 4 to the Decree No. 645/2004 Coll., as amended

Tariff of the Amount of Reimbursements of Costs Related to Services Provided by the National Archives

A.

Extracts and transcriptions of archival records including notification of negative search result, and authentication of copies made by public archives

1. Making an extract or a transcription of an archival record	CZK 50 for each page or part thereof of an extract or a transcription processed by the Archives
2. Authentication of a copy of an archival record with its original stored in the Archives and made by the Archives under section B (1)	CZK 30 for each authenticated page or part thereof

B.

Reproductions of archival records

1. Electrographic copying (in CZK per one photocopy page)		
1.1 Black and white copying, one-sided	A4	A3
1.1.1 Copying from loose sheets	CZK 5	CZK 8
1.1.2 Copying from bound sheets	CZK 7	CZK 12
1.2 Black and white copying, double-sided		
1.2.1 Copying from loose sheets	CZK 8	CZK 12
1.2.2 Copying from bound sheets	CZK 17	CZK 22
1.3 Colour copying, one-sided		
1.3.1 Copying from loose sheets	CZK 25	CZK 38
1.3.2 Copying from bound sheets	CZK 33	CZK 46
1.4 Colour copying, double-sided		
1.4.1 Copying from loose sheets	CZK 40	CZK 60
1.4.2 Copying from bound sheets	CZK 53	CZK 80
2. Micrographic services – making of micro-records		
2.1 One frame (45 x 35 mm) of a 35mm microfilm	CZK 32	Not available in the National Archives
2.2 One frame (24 x 35 mm) of a 35mm microfilm	CZK 20	Not available in the National Archives

2.3 Copying of micro-records – one frame, regardless of its size	CZK 15	Not available in the National Archives
2.4 Reverse enlarging of a frame of 35mm microfilm to a common office paper of A4, A3 formats	CZK 15	

3. Digital reproductions		
3.1 Digital reproduction of a two-dimensional counterpart		
3.1.1 Scanning counterparts up to format A4 included		CZK 25
3.1.2 Scanning counterparts up to format A3 included		CZK 60
3.1.3 Scanning large formats (A0+ included)		CZK 300
3.1.4 Image of a counterpart up to format A3 included (carried out by a digital camera)		CZK 200
3.1.5 Image of a counterpart larger than format A3 (carried out by a digital camera)		CZK 300
3.1.6 Scanning archival records on transparent substrate (e.g. a negative, a plate), price per one image (frame)		
3.1.6.1 Scanning from a photographic film strip (roll)		CZK 20
3.1.6.2 Scanning a separated film frame		CZK 50
Increasing resolution by each 100 dpi (or part thereof) over 300 dpi		CZK 20
Merging of several digital reproductions of a large-format counterpart into one image		CZK 500 per hour of work Not available in the National Archives
3.2 Digital reproduction of a three-dimensional counterpart		
3.2.1 One small- and medium-sized documentary shot (preview) carried out by a digital camera		CZK 350 Not available in the National Archives
3.2.2 One small- and medium-sized studio shot (for printing) carried out by a digital camera		CZK 1,500
3.3. Provision of a digital reproduction of a previously reproduced counterpart (one image)		CZK 25
3.4 Access to digital reproductions of analogue archival records, digital archival records and replicas of archival records through remote access shall be free of charge		
3.5 Data recording		
3.5.1 CD including data recording		CZK 40
3.5.2 DVD including data recording		CZK 60

C.

Authentication

1. Confirmation of accordance of a copy of an archival record in analogue form or its digital reproduction with an archival record in analogue form stored in the Archives		
1.1 Processing the confirmation clause		CZK 50
1.2 Searching for an archival record and making a copy of the archival record in analogue or electronic form		CZK 100 per hour of work

2. Confirmation of accordance of a replica of an archival record in digital form with an archival record in digital form or with a replica of an archival record in digital form stored in the Archives	
2.1 Processing the confirmation clause	CZK 50
2.2. Searching for an archival record and making a replica of the archival record in digital form	CZK 100
3. Confirmation of accordance of a copy of an archival record in analogue form or its digital replica with an archival record in analogue form stored in the Archives, or of a replica of an archival record in digital form with an archival record in digital form or with a replica of an archival record in digital form stored in the Archives is carried out in relation to copies and replicas of archival records created by the Archives. If accordance is confirmed in relation to copies of archival records in analogue form, to digital reproductions of archival records in digital form, or to replicas of archival records submitted by an applicant requesting the confirmation, a reimbursement for processing the confirmation clause and for authentication belongs to the Archives in the amount of CZK 1,000.	

D.

Research, office work, handling fees

1. Research (finding required information and drawing up a comprehensive report based on finding and excerption of relevant archival records, finding aids, and other expert sources)	
1.1. Simple research based on excerption of 1 – 2 archival sources – price per one hour of work	CZK 350
1.2 Complex research based on excerption of 3 – 5 archival sources – price per one hour of work	CZK 500
1.3 Complex combined research based on excerption of 6 and more archival or other than archival sources – price per one hour of work	CZK 600
1.4 Research based on an electronic database	CZK 500
2. Office work	
2.1 Per one hour of work or part thereof	CZK 60
3. Handling fees	
3.1 Packing charges – consignments in envelopes up to 1 kg	CZK 20
3.2 Packing charges – consignments in parcels	CZK 30
4. Postal charges	
4.1 Postage shall be charged according to the valid price list of postal service providers	

E.

Filming in the premises of the National Archives

1. Filming in the premises of the National Archives intended for public screening (TV, cinema, exhibitions, etc.)	
1.1 A basic fee for each hour or part thereof	CZK 700
1.2 Filming for commercial and promotional purposes – for each hour or part thereof	CZK 1,500

F.

Consent to single use of a reproduction of an archival record

Consent to single use of a reproduction of an archival record shall be issued upon request of a researcher. 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) 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.**

This Instruction becomes valid and effective on 1 July 2012.

Prague 1 July 2012

PhDr. Eva Drašarová, CSc.
Director of the National Archives

附錄 3-5 檔案展覽原則

Zásady vystavování archiválií v Národním archivu v Praze

1 Úvod

Hlavními úkoly archivů je shromažďování dokumentů trvalé hodnoty, jejich zpracování, ochrana a zpřístupnění. Jedním ze způsobů zpřístupnění a prezentace archiválií (ale i archivů a archivnictví jako oboru) jsou výstavy.

Archiválie jsou tvořeny různými typy organických ale i anorganických materiálů, které za nevhodných klimatických a světelných podmínek, či nevhodnou manipulací při vystavování mohou být nevratně poškozeny. Z tohoto pohledu představují výstavy vždy riziko, a proto k jejich přípravě a zajištění musí být vždy přistoupeno s maximální pečlivostí, odpovědností a znalostí všech možných rizik. Obecně lze však říci, že archivy **mohou krátkodobě vystavovat originály archiválií**, avšak za podmínky zajištění všestranné bezpečnosti vystavovaných památek. Pokud není možné bezpečnost vystavovaných archiválií zajistit nebo se jedná o dlouhodobé či dokonce stálé expozice, je nezbytné vystavovat kvalitní reprodukce a faksimilie originálů.

Zásady vystavování archiválií v Národním archivu v Praze vznikly na základě výsledků tříletého grantu *“Vliv světla a ultrafialového záření na archivní dokumenty”*, který byl řešen v letech 1998 – 2000. Především otázce osvětlení archiválií při výstavách je věnována značná pozornost a nové přístupy k osvětlování citlivých archiválií jsou těžištěm celkové výstavní strategie. Zásady jsou určeny především pro instituci, ve které vznikly, ale mohly by se stát vzorem pro další státní archivy, případně inspirací pro knihovny, muzea a galerie.

2 Obecné zásady a postupy při vystavování nebo zapůjčování archiválií k výstavám

Souhlas k vystavování archiválií (nebo zapůjčení k výstavě) náleží vždy řediteli archivu. Tento souhlas je však podmíněn souhlasem vedoucího restaurátorského a konzervátorského oddělení. Žádost o vystavování archiválií by měl ředitel archivu obdržet minimálně 6 měsíců

před zahájením výstavy. V opačném případě se žadatel vystavuje nebezpečí, že požadované archiválie, které bude nutné před výstavou restaurovat, nebudou zapůjčeny.

Na základě zasláné žádosti určí ředitel (vedoucí archivního oddělení) pracovníka, který po odborné a organizační stránce bude zajišťovat výstavní akci nebo zápůjčku. Tento pracovník sám nebo ve spolupráci s dalšími odbornými pracovníky vybírá a shromažďuje archiválie požadované k výstavě, které posléze předá restaurátorům. Dále pak v případě potřeby zajišťuje zhotovení reprodukcí, včasné stanovení pojistných částek, připravuje *Smlouvu o výpůjčce*, předává archiválie komisaři výstavy a po ukončení výstavy zajišťuje předání archiválií zpět restaurátorům k závěrečnému posouzení stavu.

V případě, že se archiválie zapůjčují k výstavě mimo budovu Národního archivu v Praze, je vypůjčitel zaslán podrobný *Dotazník pro zapůjčení archiválií k výstavním účelům* (Příloha č.1).

Restaurátoři archivu podrobně posoudí fyzický stav požadované archiválie a na základě znalostí fyzického stavu, typu archiválie a vyhodnoceného dotazníku **rozhodnou**, zda a které z požadovaných archiválií budou vystaveny nebo zapůjčeny pro výstavní účely.

Před zapůjčením u vybraných archiválií pracovníci restaurátorského oddělení vyplní *Protokol o stavu archiválie* před výstavou (Příloha č.2). Protokol může být doplněn nebo nahrazen kvalitní reprodukcí (černobílá nebo barevná fotografie, diapozitiv, digitální fotografie, mikrofilm) a je součástí *Smlouvy o výpůjčce* (Příloha č.3). Vybrané archiválie zabalí a předají odpovědnému pracovníkovi k expedici.

Archiválie by měly být před zapůjčením pojištěny. Při stanovování pojistné částky se přihlíží k historické a umělecko-řemeslné hodnotě archiválie a k nákladům na restaurování v případě jejího poškození a tuto částku stanoví pracovník Národního archivu a je též uvedena ve *Smlouvě o výpůjčce*. Písemný doklad o uzavření pojištění musí být zaslán Národnímu archivu **před** zapůjčením archiválie.

V průběhu výstavy kdykoliv pracovníci Národního archivu v Praze mohou kontrolovat

stav vystavených archiválií a dodržování požadovaných výstavních podmínek. Obdobně tak by měli být při instalaci zapůjčených archiválií a též při likvidaci výstavy.

Po ukončení výstavy odpovědný pracovník zajistí, aby se všechny archiválie vrátily zpět do restaurátorského a konzervátorského oddělení, kde restaurátoři za účasti zástupce vypůjčitele posoudí jejich stav a doplní *Protokol o stavu archiválie*. Teprve potom mohou být archiválie vráceny do depozitářů.

3 Klimatické a světelné podmínky vystavování

3.1 Klimatické parametry

Klimatické parametry ve výstavních prostorách musí být udržovány konstantní, tj. bez velkých výkyvů po celou dobu výstavy. Teplota a relativní vlhkost musí být v průběhu výstavy měřeny a zaznamenávány. **Relativní vlhkost** vzduchu ve výstavních sálech se doporučuje udržovat na hodnotě 50 % s maximálními výkyvy ± 5 %. Obdobně tak teplota by měla být v rozmezí $15 - 20 \pm 2$ °C.

Udržet konstantní relativní vlhkost ve výstavních prostorách je mnohdy velmi obtížné, zvláště v deštivém počasí a při velkém zájmu návštěvníků. V těchto případech je nutné omezit jejich počet ve výstavních sálech a důsledně dbát na odkládání mokrých nebo vlhkých kabátů do šatny.

3.2 Požadavky na čistotu ovzduší

Ochrana exponátů před účinky plynných nečistot, zejména dominujícího oxidu siřičitého a oxidů dusíku, ale i přízemního ozonu, je významná a měla by být minimalizována zvláště v průmyslových a městských aglomeracích.

Obdobně tak veškeré materiály, které jsou použity pro konstrukci výstavních vitrín nebo adjustaci exponátů nesmí uvolňovat žádné škodliviny (např. formaldehyd, kyselinu octovou).

3.3 Doporučené intenzity osvětlení a podílu ultrafialového záření při osvětlování exponátů

Hladiny osvětlení, přesněji řečeno intenzity osvětlení, jsou v archivech, knihovnách, muzeích i galeriích nezbytně věci kompromisu. Světlo poškozují většinu materiálů organického původu, ale zároveň je určitá intenzita osvětlení nezbytná, aby objekty vytvořené z těchto materiálů byly jasně viděny návštěvníky.

Navržená strategie výstav doporučuje intenzitu osvětlení **100 luxů** pro kategorie 2 a 3 a **75 luxů** pro kategorii 1. U nejcitlivějších materiálů kategorie 1 (hladina citlivosti 1 dle ISO 105) se doporučuje intenzita osvětlení **50 lx**. Přirozeně se předpokládá, že případné UV záření světelného zdroje bylo odfiltrováno.

Významné je, že pro úspěšné pozorování při nízké intenzitě osvětlení pozorovatel potřebuje několik minut k adaptaci na nízkou hladinu osvětlení. V případě, že je dočasně vystaven vyšší intenzitě osvětlení (např. při přechodu z jedné výstavní místnosti do druhé intenzivně osvětlenou chodbou), adaptační doba se prodlužuje. Je-li tedy skutečně nutné pracovat s nízkými hladinami osvětlení, je žádoucí, aby nejen výstavní místnosti, ale i chodby, případně další nevýstavní prostory, kterými prochází návštěvník, byly osvětleny stejně.

Je doporučeno, aby v současné době akceptovaný podíl ultrafialového záření **75 $\mu\text{W}\cdot\text{lm}^{-1}$** byl snížen na hodnotu **10 $\mu\text{W}\cdot\text{lm}^{-1}$** .

4 Doporučené doby vystavení

Základem výstavní strategie je skutečnost, že všechna umělecká díla na papíru jsou zařazena dle jejich citlivosti ke světlu do jedné ze tří kategorií. Kategorie jsou založeny na Britském standardu modré vlny BS 1006 (British Blue Wool Standard) nebo na standardu ISO 105 následujícím způsobem:

Kategorie 1: díla s hladinou citlivosti ISO 1, 2 a 3.

Kategorie 2: díla s hladinou citlivosti ISO 4, 5 a 6.

Kategorie 3: díla s hladinou citlivosti ISO 7, 8 a vyšší.

Systém modré vlny se sestává z 8 obarvených proužků vlny, které vlivem světla blednou charakteristickou rychlostí. Proužek s hladinou citlivosti ISO 1 je nejméně stálý a ISO 8 je nejstálejší. Změna barvy zkoumaných materiálů je přirovnávána ke změně barvy vzorku některé ISO hladiny. Pro jednotlivé stupně ISO modré vlny byly experimentálně stanoveny expozice vyvolávající právě **právě rozlišitelné vyblednutí** (just noticeable fade – dále JNF), které jsou uvedeny v následující tabulce.

Tab. 1 Kategorizace citlivosti objektů na světlo dle hladin stupnice modré vlny

ISO hladina (modrá vlna)	1	4	7
	3	6	
Expozice* vyvolávající 1 (Mlx · h)	0,4	10	32
	3,6		300
			900
Kategorie citlivosti	1	2	3
	citlivé	střední	trvalé

* Rozumí se expozice viditelným světlem bez UV záření.

** Právě rozlišitelné vyblednutí bylo stanoveno kolorimetricky pomocí diagramu chromatičnosti jako barevný rozdíl mezi původním a novým barevným bodem po stárnutí. Expozice světlem, které u normálního fotometrického pozorovatele vyvolá právě rozeznatelnou barevnou odchylku, má JNF = 1.

Tabulka shrnuje některé významné základní údaje. Ukazuje přibližnou expozici světlem v Mlx·h nezbytnou pro dosažení JNF = 1 pro každou ISO hladinu. I když materiály děl na papíru pokrývají celý rozsah ISO hladin od 1 do 8, bylo rozhodnuto pracovat pouze se třemi širšími kategoriemi. Aby bylo možné stanovit doporučené doby vystavení pro jednotlivé kategorie, bylo nezbytné se zaměřit na jednu z ISO hladin v každé kategorii a vybrat ji jako standard. U kategorií 2 a 3 byly vybrány vždy nejnižší hladiny citlivosti ISO. Pro kategorii 2 hladina citlivosti ISO 4 a pro kategorii 3 hladina citlivosti ISO 7. V nejcitlivější skupině (kategorie 1)

nebylo možné vybrat hladinu citlivosti ISO 1 jako standard, protože do ní patří materiály s nejvyšší citlivostí na světlo. Vybrání nejcitlivějších materiálů jako standard by pro zbytek kategorie znamenalo velmi omezenou přijatelnou expozici. Proto bylo rozhodnuto zvolit ISO 2 hladinu za všeobecného představitele této kategorie.

V praxi je pro konzervátora nesnadné rozlišit materiály ISO hladiny 1 a nižší. Tyto materiály se často změnilo dávno před tím, než byly zařazeny do sbírek, a měnily se kdykoliv během staletí i za velmi dobrých podmínek vystavení. Konzervátor má často potíže při odhadu jejich přesného zařazení. Ukazuje se proto jako nezbytné považovat všechna díla, u kterých je podezření, že obsahují materiály hladiny citlivosti ISO 1 a nižší, za výjimku ve strategii a v těchto případech je nezbytné vypracovat doporučení pro vystavení na základě individuálního rozhodnutí.

Samotná výstavní strategie je shrnuta v tab. 2. a je založena na poznání přibližného množství světelné dávky v luxhodinách, které mohou vyvolat právě rozlišitelný stupeň vyblednutí $JNF = 1$ nejcitlivějších děl každé kategorie (toto množství luxhodin je uvedeno v druhém sloupci) Na základě těchto hodnot je navržena roční doba vystavení pro každou kategorii (viz třetím sloupci tabulky). V případě, že umělecké dílo je vystaveno podle tohoto doporučení, je možno předpokládat, že dílo určité kategorie znatelně vybledne v počtu let uvedených ve čtvrtém sloupci. Je třeba poznamenat, že se jedná o přibližné údaje. Rychlost blednutí, především pak závislost této rychlosti na čase po dlouhém období existence objektu s neznámou historií osvětlení, je velmi obtížné přesně předpovědět.

Tab. 2 Doporučené doby vystavení exponátů jednotlivých kategorií

	Expozice vyvolá právě rozlišitelné vyblednutí (Mlx·h)	Doporučená doba vy (týdny/rok) nebo celková roční expozice (lx·h)	Doba nezbytná k vy právě rozlišitelné vyblednutí (roky)
Kategorie 1 (citlivé – ISO 1, 2, 3)	1,2 Mlx·h (ISO 2)	4 týdny nebo 12000 lx·h	100
Kategorie 2 (středně citlivé – ISO 4, 5, 6)	10 Mlx·h (ISO 4)	10 týdnů nebo 42000 lx·h	250
Kategorie 3 (trvanlivé – ISO 7, 8 a vyšší)	300 Mlx·h (ISO 7)	20 týdnů nebo 84000 lx·h	3500

Při výpočtu doporučené doby vystavení je uvažován 42 hodinový výstavní týden s intenzitou osvětlení **100 luxů** pro kategorie 2 a 3 a **75 luxů** pro kategorie 1. Předpokládá se, že případné ultrafialové záření světelného zdroje bylo odfiltrováno. Při delší době trvání výstavy se doporučená doba vystavení upravuje následujícím způsobem: 4 týdny za rok, případně 8 týdnů za 2 roky nebo 12 týdnů za 3 roky atp. Doporučuje se však, aby doba vystavení nepřekročila 20 týdnů.

5 Rozdělení materiálů do jednotlivých kategorií

Rozdělení materiálů podle jejich citlivosti ke světlu do jednotlivých kategorií na základě Britském standardu BS 1006 nebo standardu ISO 105 je uvedeno v tabulkách 3 – 5. Nutno podotknout, že tyto tabulky se budou dále průběžně doplňovány o nové materiály.

Tab. 3 Materiály uměleckých děl na papíru zahrnuté do kategorie 1

<p>Definice děl:</p> <p>Všechna díla s barvami, pojivy a podložkami se zařazením světelné stálosti dle ISO st modré vlny 3 a nižší. Následující materiály a techniky byly zařazeny do kategorie 1:</p> <ul style="list-style-type: none">• Pastely, některé citlivé barvy, neznámé a laciné palety• Akvarely, některé citlivé barvy, neznámé a laciné palety• Kvaše, některé citlivé barvy, neznámé a laciné palety• Barevné tiskařské barvy (včetně na bázi oleje), některé citlivé barvy a neznámé p litografie, sítotisk atd.• Mnohobarevné temperové malby s nedefinovanými pigmenty (iluminované r orientální kvaše nebo tempera na papíru a hedvábí)• Většina tónovaných papírů, tj. šedomodré, zelenošedé• Barevné fotografie neznámé kvality, včetně starších barevných fotografií• Polaroidové snímky• Většina historických přírodních barviv na textilu (s výjimkou indiga a mořeny na vln• Kresby provedené popisovačem• Bistr, sépie (citlivost neznámých železitých inkoustů)• Složité černé inkousty• Neznámé žlutě a červeně v japonských blokových tiscích• Neznámé žlutě a červeně v evropských rukopisech• Peří, málo kvalitní obchodní materiály použité v kolážích <p>Specifické pigmenty:</p> <p>Všechny pigmenty citlivosti ISO 1, 2 a 3 jsou klasifikovány jako kategorie 1, následujících:</p> <ul style="list-style-type: none">• Gumiguta• Složité černě• Mořena a indigo na bavlně• Indigo v akvarelu• Tenké lazury a lavírované malby provedené přechodnými pigmenty, tj. většina karm lakových pigmentů (kvercitron, karmín v lavírované malbě na bílém papíru)• Světlice barvířská• Kurkuma• Křížatka (<i>Commelina communis</i>)
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V archivech patří mezi nejcitlivější materiály archiválie se záznamy a razítky z 2. pol. 19. a 20. století, které byly napsány inkousty nejčastěji na bázi arylmetanových barviv. Pro tyto archiválie jsou i nejnižší dávky doporučené pro materiály z kategorie 1 příliš vysoké, a proto by

neměly být prakticky vystavovány.

Tab. 4 Materiály uměleckých děl na papíru zahrnuté do kategorie 2

<p>Definice děl:</p> <p>Všechna díla s barvami, pojivy a podložkami se zařazením světelné stálosti dle ISO st modré vlny 4, 5 nebo 6. Následující materiály a techniky byly zařazeny do kategorie 2:</p> <ul style="list-style-type: none">• Dřevovina a ostatní málo kvalitní papíry a papírové podložky• Barevné diapozitivy, o kterých je známo, že mají značku Kodachrome, Ekta Fujichrome atp.• Cibachromy• Nové barevné fotografie (přibližně do roku 1980) <p>Specifické pigmenty:</p> <p>Všechny pigmenty citlivosti ISO 4, 5 a 6 jsou klasifikovány jako kategorie 2, následujících:</p> <ul style="list-style-type: none">• Některá tradiční barviva na textil• Vermilion (spíše tmavne než bledne)• Indická žluť• Základní brilantní červeně: karmínový, mořenový a alizarinový lak
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Tab. 5 Materiály uměleckých děl na papíru zahrnuté do kategorie 3

<p>Definice děl:</p> <p>Všechna díla s barvami, pojivy a podložkami se zařazením světelné stálosti dle ISO st modré vlny 7, 8 a výše. Následující materiály a techniky byly zařazeny do kategorie 3:</p> <ul style="list-style-type: none">• Hadrový papír dobré kvality• Inkousty na bázi uhlíku• Grafít, dřevěné uhlí• Kresba stříbrným a kovovým hrotem (povlaky pro papír pro techniku kovového hr snad přijatelné v případě, že jsou bílé a nikoliv barevné)• Zemité pigmenty, okry, umbry atp.• Přírodní křídly, krvavě červené, hnědé, černé a bílé (conté crayons)• Černobílé stříbrno/želeťové fotografie• Zlatem nebo selenem tónované nebo jinak trvale zpracované fotografie• Plasty, polyetylén, syntetické pryskyřice <p>Specifické pigmenty:</p> <p>Všechny pigmenty citlivosti ISO 7, 8 a výše jsou klasifikovány jako kategorie 3, následujících:</p> <ul style="list-style-type: none">• Moderní barvy nejvyšší kvality, včetně vodových barev, barev pro kvaše, pastely atp
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- Moderní kadmiové červeně
- Ultramarín, většina modří
- Aureolin (kobaltová žlut)
- Indigo a mořena barvířská na vlně

7 “Světelný” životopis vystavené archiválie

Vzhledem k tomu, že účinek světla má kumulativní charakter a zvláště atraktivní archiválie jsou vystavovány častěji, je nutné znát množství světelné energie, které v minulosti památka již absorbovala. Tyto údaje by pak měly sloužit při rozhodování o jejím dalším vystavení.

Pro tyto účely byl navrhnout formulář, ve kterém jsou zaznamenány základní údaje o vystavených archiváliích, o délce výstavy, intenzitě a kvalitě osvětlení, teplotě a relativní vlhkosti vzduchu ve výstavních sálech (Příloha č.4).

8 Způsoby vystavování některých druhů archiválií a jejich adjustace

Povrch archiválií nesmí být porušen za žádných okolností. Proto je nelze na podložku lepit, špendlit, ani jinak mechanicky upevňovat. Nerovnosti jejich povrchu nesmějí být násilně vyrovnávány.

Knihy se instalují do vitrín ve vodorovné nebo mírně šikmé poloze. Jako podložky lze použít skleněné pultíky, molitanové přířezy nebo speciální stojánky z polymetylmakrylátu (plexisklo). Knihy jsou zavřené nebo pouze mírně rozevřené, aby nedošlo k poškození vazby a hřbetu. Listy vystavené dvoustrany mohou být přichyceny těžítkem z olůvek zašitých do tkaniny nebo pásky z inertní polyethylentereftalátové fólie (např. Melinex, Mylar, Tenolan atd.)

Jednotlivé listy (např. aktový materiál, grafické listy, plány a mapy malých rozměrů) jsou vystavovány ve vodorovné nebo svislé poloze. Jako podložka musí být použit inertní materiál (sklo, nekyselá, dřevoviny prostá lepenka či karton archivní kvality). Archiválie velkých rozměrů (mapy, plány, plakáty) je možné vystavovat svisle sepnuty mezi skly nebo ve vodorovné poloze přichycené na inertní podložku pásky polyethylentereftalátové fólie.

Listiny s pečetěmi je možné vystavovat ve vodorovné poloze nebo na šikmém pultíku. Ve svislé poloze by měly být pergamenové listiny vystavovány pouze v ochranné polyethylenfereftalátové fólii se speciálním odlehčovacím pouzdrém na pečetě. Vystavování tohoto typu archiválií ve svislé poloze by mělo být pouze výjimečné.

Sfragistický materiál (pečetě, buly) – pokud není vystavován společně s listinami – se vystavuje ve vodorovné poloze na inertní podložce. Kovové typáře nevyžadují zvláštní výstavní režim.

Při vystavování *fotografií* je nutné dodržovat spodní hranice požadovaných klimatických i světelných parametrů. Překrytí fotografií účinnými UV filtry je nezbytností. Vystavování barevných fotografických materiálů není doporučeno.

Příloha č. 1

Dotazník pro zapůjčení archiválií k výstavním účelům - česká verze

A. Výstava

1. Název výstavy.
2. Datum zahájení výstavy.
3. Datum ukončení výstavy.
4. Jméno a adresa instituce, která si archiválie vypůjčuje.
5. Jméno, adresa, telefon, fax osoby odpovědné za vypůjčené archiválie.
6. Požadované archiválie pro výpůjčku.

B. Stavebně-technické parametry výstavních prostor

7. Jsou výstavní prostory samostatnou budovou nebo jsou součástí vícefunkční budovy?
8. Stavební materiál budovy (beton, cihla).
9. Ve kterém podlaží jsou výstavní prostory umístěny?
10. Počet metrů čtverečních výstavních prostor.
11. Jsou výstavní prostory členěny a jak.
12. Mají výstavní prostory jeden vstup nebo více, a jaký je jejich režim.
13. Počet oken (na jaké světové strany jsou umístěna)?
14. Klasická ochrana prostor (zámky, mříže).
15. Elektronická bezpečnostní signalizace.
16. Možnost přídavné lokální elektronické signalizace.
17. Je v objektu elektronická protipožární signalizace (EPS)?
18. Hasící přístroje (počet, typ).
19. Počet dozorců ve výstavních prostorách v návštěvní době.

20. Způsob zabezpečení výstavních prostor mimo návštěvní provoz.
21. Kdo má přístup do výstavních prostor během instalace a demontáže výstavy a jak je prováděna kontrola?

C. Klimatické a světelné parametry výstavních prostor

22. Způsob vytápění výstavních prostor.
23. Klimatizace.
24. Přídavné klimatizační přístroje (typ a počet).
25. Přístroje na měření teploty a vlhkosti (typ a počet).
26. Teplota ve výstavních prostorách (je možné ji upravit dle požadavků půjčitele)?
27. Relativní vlhkost ve výstavních prostorách (je možné ji upravit dle požadavků půjčitele)?
28. Způsob osvětlení výstavních prostor.
29. Běžná hladina intenzity osvětlení v luxech (je možné ji upravit dle požadavků půjčitele)?
30. Typ(y) umělého osvětlení.
31. Je možné zcela vyloučit přístup denního světla?
32. Jsou k dispozici uzamykatelné prachotěsné výstavní vitríny (typ)?
33. Jsou tyto vitríny klimatizovány?

Podpis datum

Dotazník pro zapůjčení archiválií k výstavním účelům- anglická verze

Detailed application form for loans of the National Archives materials to outside exhibition

A. The Exhibition

1. Title:
2. Date of opening:
3. Date of closing:
4. Name and address of institution where the exhibition is to be held:

B. Environment

5. Do you keep monitored records of environment within the proposed exhibition area?
 YES
 NO
6. If so, what are the room's guaranteed limits for temperature?..... to°C.
7. What are the room's guaranteed limits for relative humidity?.....to%.
8. Will visitors be asked to leave wet coats, umbrellas, bags, etc. before entering the exhibiton?
 YES
 NO

C. Lighting

9. In which direction do the windows face:

- N**
- S**
- E**
- W**

10. How do you control the intensity of the visible light (e.g. by blinds or curtains at windows, curtains over cases)?

11. Do you have ultra-violet filters on windows and/or lights and/or display cases?

- YES**
- NO**

12. Please describe your means of overall artificial lighting (if spotlights are used, please say so):

13. How much do used artificial lights emit the ultra-violet irradiation ($\mu\text{W}/\text{lumen}$)?

14. Will lights be used inside the display-cases?

- YES**
- NO**

D. Fire Precautions

15. Describe the detector system for fire/heat/smoke within the exhibition area:

16. State the number and type of fire extinguishers:

17. Is smoking allowed within the exhibition area?

- YES**
- NO**

18. Describe any other fire precautions:

E. Security Against Theft

We understand that these questions might be dangerous for you to specify your precise security arrangements in writing, but we should be satisfied if following points are covered:

19. Do you have security precautions (locks, alarms, etc.) built into showcases?

- YES**
- NO**

20. Do you take special precautions (e.g. security guards) during the periods of mouting and dismantling the exhibition?

- YES**
- NO**

21. Will attendants be present when the exhibition is open to visitors?

- YES**
- NO**

22. Are there appropriate safeguards (e.g. alarms) when the exhibition is shut (at night, at weekends, etc.)

- YES**
- NO**

Signed..... Date.....

附錄 4 訪察照片

1. 捷克內政部檔案行政處



入口外觀，捷克內政部檔案行政處與國家檔案館之第 1 部門係合署辦公，位於 Milady Horakove in Prague 6，該址為國家檔案館之第 2 館，建築本身即為古色古香的歷史建築



參觀庫房情形



瑰寶展覽場所



展示珍貴檔案



檔案閱覽室精神標記



檔案閱覽室



5 道厚門之後的檔案庫房



於庫房展示珍貴檔案



多媒體檔案存放櫃



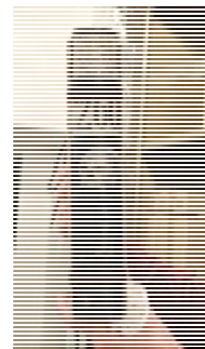
Dr. Jiří Úlovec 處長展示多媒體檔案



檔案庫房



古書書脊



2. 捷克(布拉格)國家檔案館



國家檔案館入口處



該館建築落成碑誌



入口走廊介紹館內服務工作項目



早期裝訂成書本式之檔案



該館國際會議廳



該館人員向我方捷克外交館薛大使美瑜等相關人員說明私人文書捐贈情形



私人文書及文物捐贈



私人文書要求 2050 年才可拆封及公開



國家檔案館之圖書館



檔案進行殺菌情形



檔案修復說明



檔案修復單



解說如何使用羊皮紙進行檔案修復



我方捷克外交館薛大使美瑜向捷方副館長 Dr. Zdeňka Kokošková 及負責檔案數位化人員致謝



我方人員向捷方副館長 Dr. Zdeňka Kokošková 致贈本局紀念品

3. 摩拉維亞省檔案館



館長 Dr. Kateřina Smutná 與我方彭科長麗美、宋科長曉穎等相關人員座談情形



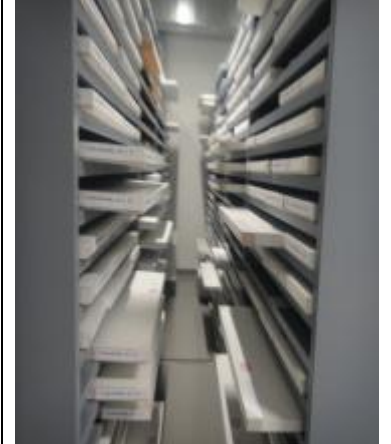
簡報情形



放置走道之檔案封面展示



檔案庫房



卷盒放置方式



檔案庫房情形



地圖檔案保管方式



參觀檔案整備作業



參觀檔案整理作業



參觀檔案復製作業



參觀檔案修復作業



館內綠建築消防設備解說



館長 Dr. Kateřina Smutná 與我方彭科長麗美、宋科長曉穎在其空中花園合影

4. 布拉格市檔案館



業務簡報情形



彭科長麗美、宋科長曉穎、捷克外交館李秘書佳燕與資訊處處長 Doc. Dr. Vaclav Ledvinka 等相關人員座談合影



掃描作業



數位化作業



參觀檔案修復作業



重要檔案展示



圖書閱覽區



檔案庫房情形

5. 布拉格城堡檔案館



致贈該館負責人 Mr. Martina Halate 紀念品



彭科長麗美、宋科長曉穎、捷克外交館李秘書佳燕與館長 Mr. Martina Halate 合影



閱覽室微縮閱讀區



Mr. Martina Halate 館長介紹重要檔案



檔案庫房入口處



檔案庫房收集相關文物區



庫房內地圖展示櫃架



檔案展覽區



主題研究展示

6. 總統府檔案室



檔案室負責人 Mr. Jakub Doležal 介紹檔案閱覽室



總統府檔案室入口處



檔案庫房



庫房除濕機



檔案主題展示



該國總統去過之國家地圖

7. 外交部檔案室



外交部整體外觀



外交部後花園



外交部天花板壁麗輝煌



資訊處科長 Dr. Josef Boháč、檔案室負責人 Mr. Štěpán Gilara 與我方彭科長麗美、宋科長曉穎以及捷克外交館李秘書佳燕等相關人員合影

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