



**SLEZSKÁ  
UNIVERZITA  
V OPAVĚ**

# Rector's Directive No. 14/2018

## **Research Regulations of the Archives of the Silesian University in Opava**



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## Research Regulations of the Archives of the Silesian University in Opava

### Article 1

#### Introductory provisions

The Research Rules of the Archives of the Silesian University in Opava (hereinafter referred to as "ASU") set out the basic rules. The Research Regulations are issued on the basis of Section 36 (a) of Act No. 499/2004 Coll, On Archiving and Filing Service and On Amendments to Some Acts, as amended (hereinafter referred to as "the Act") and Decree 645/2004 Coll, which implements some provisions of the Act On Archiving and Filing Service and On Amendments to Some Acts, as amended (hereinafter referred to as "the Decree").

### Article 2

#### Conditions for granting access to archives

- 1) Archival materials may be consulted only after the conditions laid down in the Act have been met and in the premises designated for this purpose (hereinafter referred to as the "research room"). The premises in which the archival materials are stored are not accessible to the applicant (hereinafter referred to as the "researcher") for consultation.
- 2) Upon entering the research room, the researcher enters the research room's visitors' book, where they indicate the date of the visit, name or names, surname, the purpose of the visit and sign their name. The research room shall not be accessible to persons who are dirty, under the influence of alcohol, drugs or other psychotropic substances or armed.
- 3) In the ASU research room, the researcher truthfully fills out a research sheet, which is also a request for viewing of the archival records. The researcher shall prove their identity with a valid ID card, passport or other similar identification to the staff member in charge of the service and supervision in the research room (hereinafter referred to as the "research room supervisor"), who shall check the accuracy of the information provided in the research sheet. In the case of an electronic research sheet, the research sheet shall be completed by the research supervisor in the full presence of the researcher, who shall check all the data after printing the research sheet and sign the research sheet. A new research sheet is filled in by the researcher for each calendar year in which they access the archives, for each change in the purpose of access and for each change in the topic of study.
- 4) If the researcher is unable to prove their identity to the research room supervisor with a valid

- identity card, passport or other similar identification, they shall be denied access to the archives.
- 5) Archival materials are provided to the researcher on the basis of their explicit request, which may also be sent to ASU via a postal licence holder or sent or communicated by means of electronic communication (e-mail, fax, telephone) to the ASU contact addresses published on the website of the Silesian University in Opava. If a request sent in written form does not contain all the information specified in paragraph 6 or if the wording of the request for the provision of archival material is unclear, imprecise or unspecific, the request sent in this way shall be considered informative and only the archival material which is in no doubt to be consulted may be prepared for the researcher on the basis of the request.
  - 6) The researcher fills out a form in the research room requesting the provision of archival materials for consultation, indicating the name, or names, surname, topic of study, name of the archival collection, cardboard number, book number, or inventory number, or signature or folio, which they request for study. They shall affix their signature and the date of processing. Archival provision request form for consultation is attached to the research sheet. If the researcher has used the procedure for requesting archival material for consultation under paragraph 5 and their request has met the requirements of the form under this paragraph, the document delivered by the researcher shall be attached to the ASU research sheet. If an incomplete or inaccurate request has been received by the ASU, the researcher shall fill in a new request form for the provision of archives for consultation in the research room. If the researcher has followed the procedure in paragraph 5 and requests the production of additional archival material beyond that which was initially requested, the researcher shall complete the form for the provision of archives for consultation only to the extent of the newly requested archival material for consultation.

### **Article 3**

#### **Obligations of the researcher and principles of consultation**

- 1) Before entering the research room, the researcher shall leave their coat, hand luggage and other similar items in the designated place. The researcher may only enter the research room with a pencil, their own loose sheets of paper without folders, and recording equipment such as a camera, a video camera, a handheld scanner or a laptop computer without a case. Upon completion of their studies, the researcher shall present their belongings for inspection to ensure that they do not remove archival materials from the research room (in particular, open the laptop, scanner, present the sheets of paper brought with them). Items brought into the research room by the researcher shall also be presented for inspection, on request, before the research room is opened.
- 2) In the research room it is necessary to maintain calm and respect the study environment, which must not be disturbed by noise, loud communication with other researchers, excessive movement around the research room and similar disturbing manifestations that do not correspond to the purpose of the visit in the research room. Smoking, eating, drinking and telephone calls are not allowed in the research room. The researcher shall turn off all audio signals for any devices brought into the research room by the researcher with the consent of the research room supervisor.
- 3) The researcher shall follow the instructions of the research room supervisor. The researcher may be required by the research room supervisor to use only ordinary pencils of medium hardness when taking extracts and notes from certain types of archival material. The research supervisor is not obliged to provide assistance to the researcher in reading the text of the archival material, translating it into other languages, giving explanations about historical realities related to the archival material, etc.
- 4) When consulting, the researcher handles the archival material with the utmost caution and care. Archival materials may not be used as writing pads, copied directly from with tracing paper, underlined in, crossed out in or written in, or used in any other way or for any purpose other than consultation. Physical damage to archival materials by a researcher will result in immediate

termination of the researcher's permission to consult the archival materials.

- 5) Researchers are prohibited from removing archival materials from the research room. Removal of any archival material from the research room shall result in immediate termination of the researcher's permission to consult archival materials.
- 6) The researcher shall leave their place in the research room in a proper condition after finishing consulting the archives. They shall not leave statements, notes and other aids or items in the research room, but shall take them with them.
- 7) At the end of each consultation of the archival materials, the researcher is obliged to return the archival materials in the number, sequence and in the condition in which they were presented to them. Failure to do so shall result in immediate termination of the researcher's permission to consult the archival materials.
- 8) The researcher shall use the information obtained from the archival materials only for the purpose stated in the research sheet. When using it in scientific or other works or publications, at least the name of the ASU and the archival files are used, and a more detailed indication of the archival materials (citations) from which it was drawn are given.
- 9) If the researcher has published a work that was created by consulting archival materials stored in ASU, they send ASU one copy of the work (for example, editing archival materials) or provides bibliographic data about the published work, or sends the work electronically in PDF format.
- 10) If a researcher violates any of the basic obligations imposed by the Research Regulations, further access to the archives may be denied or the consent granted may be withdrawn.

## **Article 4**

### **Rules for consulting archives**

- 1) Only one person may consult the archival material requested by a researcher at a time and it is the researcher in whose researcher sheet has the submitted archival material been entered. In justified cases (e.g. didactic, field trips), the research room supervisor may allow more than one person to consult the materials.
- 2) Archival material shall be submitted for consultation by the researcher within the time limit, in the total quantity and in the amount of per visiting day according to the operating conditions and technical possibilities of the archives taking into account the significance and purpose of the consultation, as a rule in the range of 10 units. Only such quantities of archives shall be produced so as the number and condition of the archives at the time of return can be verified by the research room supervisor without difficulty.
- 3) ASU will not reserve archival materials in the research room for a researcher unless the researcher initiates access to the archival materials within thirty calendar days of the agreed date for their provision, or if they interrupt the consultation for a period longer than thirty days. The archives are reserved for the researcher in the research room for the time necessary for consultation. If the researcher does not consult the reserved archives on a continuous or regular basis and if they do not return the reserved archives themselves, the archives shall be deemed to be reserved for a period of three months from the date of the order. After this period, the reservation may be extended for a further period, normally for a period not exceeding the end of the calendar year, if justified. When extending, account shall also be taken of whether there are other applicants for access to the archival materials in question.
- 4) ASU will allow access to archival materials by a researcher other than the one who requested the archival materials to be consulted first if the researcher to whom they are first reserved gives consent to such consultation by the second researcher, or if each of those researchers has demonstrated that they are consulting the archival materials for a different purpose or studying a different topic. In the case of a simultaneous consultation by two or more researchers, the

archives shall permit consultation of those archival materials only by the researcher to whom the archives were reserved first. In disputed cases, the Head of ASU shall decide.

- 5) In the research room, it is possible, if the conditions set by the supervisor (e.g. maintaining quiet in the research room) are met, and if other researchers are not disturbed, to use own reproduction equipment to make reproductions of archival materials for the researcher's personal study needs only with the permission of the research room supervisor. Consent shall be expressed by a signature on a by the researcher filled out written application attached to the ASU Research Regulations. This is without prejudice to the protection of any proprietary and copyright rights and any related rights. Application for use of own reproduction equipment (as per Annex 3) shall be submitted by the researcher to the research room supervisor for approval before commencing work. On completion of the work, they shall complete the data on the number of reproductions made and their identification. The use of cameras with flash equipment of all types and the use of all types of waveform scanners is prohibited in the ASU research room. The researcher will be advised of the inappropriateness of these and other reproduction devices by the research room supervisor and prohibited from using them. Failure to comply with this prohibition will result in immediate termination of the researcher's permission to consult the archival materials.
- 6) The research room supervisor is obliged to check the number and condition of archival materials returned by the researcher and confirm by their signature that they have been returned properly on the research sheet before the researcher leaves the research room.

#### **Article 5**

#### **Use of archival aids**

- 1) ASU allows researchers to consult archival aids.
- 2) Archival aids submitted for consultation, unless they are official works and if they meet the characteristics of the subject of protection under the Copyright Act, are treated as literary works (e.g. introductions to inventories).

#### **Article 6**

#### **Acquisition of reproductions of archival material**

- 1) Archival reproductions are provided by the archives from archival materials that the researcher is studying or needs for the purposes of official or personal work, as specified in the researcher's sheet, subject to any prior permission granted by the owner of the archival material or to the protection of any copyright and related rights. Reproductions of archival material shall be made subject to the operating conditions and the technical possibilities of the archives. Reproductions of archives whose physical condition does not permit it shall not be provided.

#### **Article 7**

#### **Lending archival material for the purpose of study outside the archives**

- 1) Lending of original archival materials for inspection in an archive other than the one in which they are stored is permitted by the Head of the ASU on an exceptional basis, taking into account

the meaning, purpose and circumstances of their use, the safety of transport and ensuring the protection of archival materials at the place of temporary storage and taking into account the costs involved. Archival material may not be sent by post, but shall always be transported under pre-agreed conditions by an authorised staff member designated by the Head of ASU.

- 2) Lending of original archival materials outside ASU is exceptionally permitted by the Head of ASU and under the conditions referred to in paragraph 1 only to the owner or originator of the archival materials, and to a state authority, a cultural and scientific institution for exhibitions or other public presentations organised by it, a local government authority and persons who are authorised to inspect documents under a special legal regulation if the purpose of the inspection requires so for the performance of an official function. The lending of original archives may not be refused to the originator of the archives if they have deposited the archives in the ASU on the basis of a custody agreement or on the basis of a donation or purchase agreement and have stipulated the right to lending of the archives in the agreement.
- 3) If the archival material stored in the ASU is not owned by the Czech Republic, a legal entity established by law or a local government unit, the written consent of its owner is necessary for the lending of the archival material.
- 4) When lending archival materials, ASU is required to issue a reversal to the borrower containing
  - a) a precise inventory of the archival materials to be loaned,
  - b) the purpose of the loan,
  - c) the date of the loan and the deadline for the return of the archives,
  - d) name, surname and address of the place of residence in the Czech Republic or address of residence in the foreign country of the borrower, according to the identity card, if a natural person, or,
  - e) in the case of a legal entity, the address of the borrower's registered office and the name and surname of the person authorised by the borrower,
  - f) the borrower's handwritten signature or the signature of a person authorised by the borrower, in the case of a natural person; in the case of an authorised person, the name of the borrower, if applicable, and the address of the place of residence in the Czech Republic or the address of residence abroad according to the identity card and the date of the power of attorney submitted,
  - g) a handwritten signature of the borrower's statutory body or a person authorised by the borrower attached to the name or trade name of the legal person who is the borrower; if the specimen signature of the persons acting on behalf of the legal person contains a stamp, the stamp of the legal person shall also be affixed to the signature.
- 5) Lent archival materials are recorded in a special book of loans and borrowings at ASU.
- 6) If the borrower does not return the borrowed archival materials within the agreed time limit and does not agree on an extension of the time limit, no further requested archival materials will be loaned to them until the borrowed archival materials are returned.

## **Article 8**

### **Use of the archive library**

- 1) The researcher may use books, journals and newspapers from the archive's library in connection with their study topic and within the scope of their study. The study use of books, journals and newspapers from the archive library is governed by the borrowing rules issued by the Head of ASU.

## **Article 9**

### **Excursions to the archives**

- 1) Visitors to the archive sign the visitors' book of the research room when they visit the archive. Access to ASU premises other than the ASU research room is authorised by the Head of ASU and is only allowed when accompanied by a member of staff authorised by the Head.

## **Article 10**

### **Payment for services provided by ASU**

- 1) Amount of reimbursement of costs associated with the production of an extract, transcription or copy of archival materials in analogue form or with the production of a replica of an archival material in digital form, costs associated with the costs of retrieving the archival material and its further processing and the costs of carrying out research from the archives shall be governed by the price list of services (Annex 4).

## **Article 11**

### **Final provisions**

1. This Directive of the Rector of the Silesian University in Opava repeals Rector's Directive No. 13/2013 Research Regulations of the Archives of the Silesian University in Opava.
2. This Directive of the Rector of the Silesian University in Opava comes becomes valid and effective on the date of its publication on the intranet.

In Opava on

doc. Ing. Pavel Tuleja, Ph.D.  
Rector

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| Annex 1 | Researcher's sheet with annexes (Instructions for the researcher in terms of the handling of their personal data provided to the data controllers and Request for the provision of archival material for consultation) |
| Annex 2 | Evidence of archival material submitted and returned (to be completed by the research room supervisor)   |
| Annex 3 | Application for consent to use own reproductive equipment  |
| Annex 4 | Price list of services provided by the Archives of the Silesian University in Opava  |