

**Regulations Governing the Use**  
**of the Archives of the Germanisches Nationalmuseum**

**PART I**

**General**

**(1) Scope**

- (1) As a matter of principle, these user regulations shall apply to all archives in the Germanisches Nationalmuseum and the archive and collection material stored therein.
- (2) With regard to the use of archive and collection material made over to the relevant archive by third parties (e.g., family archives, estates), agreements with the owners or persons who made over said material, as well as any stipulations they make, shall take priority over these regulations.
- (3) The provisions made for the use of archive and collection material shall also apply to the use of search aids, other aids, and reproductions.

**PART II**

**Use of the Archives**

**(2) Persons Entitled to Use the Archives**

- (1) In accordance with the Bavarian Archive Act and these regulations, the archive and collection material shall be made available for use by authorities, courts and other public bodies, as well as natural and legal persons.
- (2) Minors shall be allowed to use the archives provided their legal representative has granted permission.

**(3) Purpose of Use of the Archives**

The archive and collection material can be inspected and evaluated provided that a legitimate interest in its use can be made credible. A legitimate interest shall be deemed to exist in particular if use of the archives is for official, academic, local history-related, genealogical, legal, educational or journalistic purposes, or for attending to legitimate personal matters.

#### **(4) Application for Use of the Archives**

- (1) Application shall be made in writing to the relevant archive.
- (2) The family name, given name, and the address of the user, where appropriate the name and address of the client, as well as the exact intended use, the main purpose of the use, and the type of evaluation must be stated in the application. Should the user be a minor, he or she must indicate this.
- (3) An application must be submitted for each intended use.
- (4) The user shall pledge to adhere to these regulations and to submit a written declaration that existing copyright and privacy rights will be respected.
- (5) On request, the user shall provide ID.
- (6) In the case of written or verbal enquiries, no written application for use is required.

#### **(5) Authorization**

- (1) The head of the relevant archive shall grant authorization for its use. Said authorization shall apply only for the intended use and purpose stated in the application.
- (2) Authorization shall be denied, or made subject to conditions if, and to the extent that
  1. there are grounds to assume that interests of the Federal Republic of Germany or one of its federal states would be endangered,
  2. there are grounds to assume that the concerns of affected or third parties conflict with it
  3. the protection of confidential information requires this
  4. the condition of the archive and collection material would be endangered
  5. an unacceptable level of administrative effort would be involved
- (3) Authorization can be denied in full or in part, or made subject to conditions, if
  1. the purpose of the use can be achieved differently, in particular by inspecting printed works or reproductions, and for academic or legal reasons use of the original is not absolutely necessary,
  2. the archive and collection material is needed for official purposes, for cataloging work, or on account of it being used for another purpose at the same time,

3. the user does not guarantee to comply with these regulations
- (4) Should an application be made to use blocked documents in accordance with article 11, para. 4, sentence 3 of the Bavarian Archive Act (protection of privacy), the user shall furnish the consent of the affected party, or prove that the use is intended to benefit said affected party.
- (5) Use can also be restricted to parts of the archive and collection material, to anonymized reproductions, or to the provision of information. As conditions, the following in particular come into question: an obligation to anonymize names in the event of publication, the respect of affected or third parties' concerns that are worth protecting, and a ban of the forwarding of transcripts to third parties.
- (6) Archive material shall be excluded from use as long as it is subject to a statutory period of protection or a blocking period, and said period has not been shortened.
- (7) The authorization can also be revoked should information provided in the application no longer apply, or these regulations cannot be complied with. It can subsequently be made subject to conditions.

#### **(6) Use of the Archive**

- (1) Use takes the form of inspection of search tools, archive and collection material, and reproductions in the archives' rooms envisaged for such purpose. It can also take the form of the answering of written enquiries or the submission of reproductions.
- (2) Verbal or written information can be restricted to references to pertinent archive and collection material.
- (3) The archive and collection material, the reproductions, the search tools and the other aids must be treated with the greatest of care. Any change to order, the removal of individual parts, and the addition or erasure of comments is forbidden.
- (4) The unauthorized removal of archive and collection material from the rooms envisaged for use is not allowed. Staff members of the relevant archive are permitted to conduct checks.
- (5) The relevant archive can restrict the amount of archive and collection material it must simultaneously make available, and it can limit the amount of time the material has to be available for use.
- (6) In order to protect the archive and collection material, smoking, eating and drinking is strictly forbidden in the user room, as is the use of ballpoint pens, markers, indelible pencils and such like. Bags, folders, coats and the like may not be taken into the user room.

- (7) The use of dictating machines, computers and illuminated magnifying glasses is allowed, if neither the archive and collection material is endangered, nor the orderly use of the archive is disturbed. The use of other technical devices requires special authorization. This can only be granted if no conservation or legal matters speak against it.

### **(7) Reproductions**

- (1) Analog or digital reproductions can only be made in accordance with Regulation 5 above. Reproductions shall be made by the Germanisches Nationalmuseum or by a body the latter commissions to do so.
- (2) As a matter of principle the user himself shall select in the archive those documents that are to be reproduced.
- (3) The relevant archive alone shall decide on the reproduction processes that are suitable in each case. With the exception of image media earmarked for direct submission, microfilms and other reproduction templates shall remain in the Germanisches Nationalmuseum.
- (4) The publication, forwarding, and copying of reproductions shall be permissible only with the prior approval of the relevant archive and only for the purpose stated.
- (5) A separate enquiry shall be made for each publication.
- (6) In the event of reproductions being published, mention shall be made of the relevant archive and the shelf mark there that was used.
- (7) Photographs taken in the reading room (without using a flash) by the user himself shall only be permissible with the approval of the archives and exclusively for private, not commercial use, or for use that serves commercial purposes. Such photographs may be neither distributed nor used for public display.

### **(8) Shipment of Archive and Collection Material**

- (1) There shall be no entitlement to the shipment of archive and collection material for use outside the relevant archive. Shipment can be made in justified exceptional cases, in particular if the archive and collection material is needed for exhibition purposes. Shipment can be made subject to conditions being fulfilled.
- (2) Any shipment of archive and collection material shall only be possible if effective protection against loss and damage is assured, and the purpose cannot be fulfilled through reproductions or replicas.

### **(9) Specimen Copy**

A copy of each piece of work (publication or manuscript), a considerable part of which came about using archive and collection material, shall be sent, unsolicited and free of charge, to the relevant archive.

The same shall apply to the publication of reproductions.

In exceptional cases, no specimen copy need be provided.

## **PART III**

### **Usage Fees**

#### **(10) Fees and Expenses**

There are no fees for using the archives, and only the expenses incurred are invoiced.

#### **(11) Expenses**

- (1) Fees shall be charged in accordance with the prices determined by the Germanisches Nationalmuseum for all reproductions required.
- (2) In addition to the fees outlined in (1) above, the following expenses shall be invoiced
  - a. Postal charges, the cost of shipment (e.g., packaging and insurance), and telephone charges for long-haul shipment
  - b. Travel costs in line with the travel cost regulations, and other expenses incurred in the conducting of official business outside the museum
  - c. The payments due to other authorities or other persons for their services.

#### **(12) Payments, Advance Payments**

- (1) Fees and expenses shall be payable when the relevant archive begins work.
- (2) The relevant archive can request appropriate advance payment of the fees and expenses and make its services dependent on such payment.

#### **(13) Validity**

These Regulations Governing the Use replace those dated January 1, 1996, and come into force on January 1, 2008.

Nuremberg, December 6, 2007

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Director General