

Regulations for the Use of the Archive of the Fritz Bauer Institute

Archival User Regulations (ArchivBO) of 10.07.2017

§ 1

Use

- (1) The archive of the Fritz Bauer Institute is dedicated primarily to research. The archival materials contained therein may also be used by the general public insofar as this use does not contravene any laws or the regulations of the Fritz Bauer Institute and its User Regulations (ArchivBO).

§ 2

Forms of Use

- (1) The archive may be used
- (a) in the context of work conducted at the Fritz Bauer Institute,
 - (b) for research, or
 - (c) for other purposes.
- (2) Original archival documents are presented to users at the Fritz Bauer Institute. In justified cases, the archive may instead of originals present
- (a) copies, reproductions, or digitisations of archival materials, in full or in part, or
 - (b) written, oral, or telephonic information about the archival materials.
- (3) Users will receive professional archival advice but have no right to further assistance, for example in reading handwritten texts.

§ 3

User Application

- (1) Users must submit a written application for permission to use the archive. This should include information on the purpose of the archival visit and the materials requested. If third parties are used as assistants or contractors, they must each submit an individual application.
- (2) Users must simultaneously submit a written declaration that they will respect any applicable copyrights and personal protection rights and that they will be held personally accountable towards the rights holders for any infractions.

- (3) The data collected in the user application will be stored and evaluated for professional purposes.
- (4) Users are obligated to submit a sample of any publications that emerge from substantial use of the archival materials in the archive of the Fritz Bauer Institute.

§ 4

User Approval

- (1) Users will receive approval from the administration of the archive of the Fritz Bauer Institute following submission of a written application. User approval is limited to the purpose stated in the user application and is valid for the duration of the current as well as the following calendar year.
- (2) Approval may be limited or rejected in the event that
- (a) there are serious concerns regarding use or if issues worthy of protection pertaining to the Federal Republic of Germany, the federal state of Hesse, or the interests of individual persons might be endangered or if legal provisions regarding confidentiality might be harmed,
 - (b) the archival materials are required by the Fritz Bauer Institute,
 - (c) the use of archival materials would damage their condition – other forms of use are to be made possible in this event (see Art. 2 Para. 2) –,
 - (c) the purpose of use could be met through other means, especially through the use of printed works, or
 - (d) the requested use would pose an unusual and untenable effort to the archive.
- (3) Especially in the event of use of materials falling under Art. 5 Para. 1, approval might be connected to certain conditions, e.g. requiring certain information to be treated confidentially or a resulting manuscript to be submitted for review before publication.
- (4) Approval shall be withdrawn if circumstances arise that would have led to a limitation or rejection in accordance with Para. 2 or if users infringe upon these regulations.
- (5) Approval shall also be withdrawn if users steal, mistreat, damage, or change the archival materials or interfere with their inner arrangement. The archive reserves the right to inform other archives and libraries of users' permanent exclusion in serious cases.

§ 5

Use of Archival Materials

- (1) The archival materials held in the archive of the Fritz Bauer Institute are subject to protection periods and other regulations of the Hessische Archivgesetz (Hessian Archive Law, HArchivG) in its current form. Decisions concerning the reduction or extension of protection periods are made by the management of the Fritz Bauer Institute in consultation with the

management of the archive of the Fritz Bauer Institute. The management of the Fritz Bauer Institute may decree additional protection measures.

(2) When utilising the insights gained from archival materials, the rights of affected parties and third parties are to be respected, as are their interests worthy of protection. Users are liable for any infractions of these rights and interests.

(3) Users are liable for any damage they cause to archival materials. Markings and annotations also count as damage. Any damages noticed when receiving archival materials are to be reported immediately to the attendant staff members.

§ 6

Use of Private Archival Materials

(1) The use of archival materials of private providence stored in the archive of the Fritz Bauer Institute is governed in accordance with Art. 5, insofar as no other agreements have been made regarding the right of use of these materials.

§ 7

Use in the Reading Rooms

(1) Archival materials are in principle to be used in the reading rooms of the archive of the Fritz Bauer Institute, unless an exception can be made in accordance with Art. 2, Para. 2. The Reading Room Regulations of the archive (LeSaO) applies here in its current form.

(2) Opening times and other regulations designed to protect the archival materials and to ensure an orderly procedure of use will be determined by the management of the archive whilst taking into account the house rules of the Goethe University Frankfurt. Instructions by on-site staff members must be obeyed.

(3) The use of facilities and equipment, e.g. reading devices, is at the user's own risk. Users release the Fritz Bauer Institute from any liability.

§ 8

Reproductions and Use

(1) The archival materials may be copied or reproduced to a limited extent and at the expense of the user insofar as the condition of the materials allows. The archive of the Fritz Bauer Institute is not liable for any potential deficits arising from the quality of the reproduced materials.

(2) The reproduction of archival materials in publications is only possible with special permission and, where applicable, payment of a publication fee. Both the source and the archive must be named in such instances.

(3) The sharing of reproductions of archival materials with third parties requires written permission from the archive.

§ 9

Cost of Use

- (1) The archive of the Fritz Bauer Institute may be used free of charge.
- (2) Any material expenses (such as for reproductions), special services, or publication fees as stipulated in Para. 8 will be calculated according to the Archive Fees Structure (GebO) in its current form.