

## 1.1-6.1

### Regulations for the Use of the Municipal Archives

of 6 April 2023 (current as of 1 May 2023)

*The Municipal Archives,*

considering Article 22 of the Ordinance of 18 August 2021 on Records Management and Archiving (O GEVER)<sup>[1]</sup>,

*establishes the following:*

#### **Art. 1**

Subject matter

1

These regulations govern the use of the archives and the facilities of the Municipal Archives, supplementing the provisions of the Cantonal Law on Archiving of 31 March 2009<sup>[2]</sup> and the Ordinance on Records Management and Archiving (O GEVER).

#### **Art. 2**

Access and consultation

1

The collections and facilities of the Municipal Archives are accessible to the public under the terms of superordinate legislation<sup>[4]</sup> and in accordance with the arrangements set out hereunder.

2

The consultation of archival records is free. Special rules under superordinate legislation may apply. Fees may also be due as per municipal policies on reprographics, information requests and other such services<sup>[5]</sup>.

3

For reasons of preservation (condition, age of the material, etc.), the staff of the Municipal Archives may refuse access to certain archival records. Wherever possible, reproductions (e.g. digitised documents or microfilms) will be made available in place of the originals.

4

The staff of the Municipal Archives have the right to refuse access to archival records if this implies a disproportionate workload (e.g. excessive amount of material or poorly indexed material).

5

Non-digital archives may only be consulted in the reading room. Loans of such material to private individuals are not permitted.

### **Art. 3**

Use of the reading room

1

The reading room is accessible by appointment only. Exceptional closures are announced in good time through appropriate channels.

2

Individuals who wish to consult the records must complete a registration form once per calendar year, giving their personal details.

3

Coats, briefcases, bags and other such items must be left in the cloakroom or in the lockers provided. The Municipal Archives cannot be held liable in the event of loss or theft.

4

Eating, drinking, telephone conversations or any other disruptive behaviour are not permitted in the reading room. Talking must be kept to a minimum.

5

Smoking is forbidden anywhere in the Municipal Archives building. Neither are animals permitted, with the exception of assistance dogs.

6

Users must leave their place in the reading room clean and tidy and personally return any records they have consulted to staff. Books from the reference library must be put back in place after use.

7

Users should follow the instructions given by staff. Individuals repeatedly breaking the rules may be expelled from the reading room.

### **Art. 4**

Ordering and handling archive material

1

The archival records to be consulted must be ordered in advance either by email ([stadtarchiv@biel-bienne.ch](mailto:stadtarchiv@biel-bienne.ch) or [archives.municipales@biel-bienne.ch](mailto:archives.municipales@biel-bienne.ch)) or by using the order form available in the reading room, giving contact details and the reasons for consulting the material. No more than five units may be ordered at a time.

2

Archive material must be handled with care and attention, in accordance with staff instructions.

3

It is forbidden to rearrange the archive material within its storage system (boxes, files, folders, etc.).

4

Staff should be informed of any damage to archive material straight away. Those using the archives are liable for the damage they cause and will bear the costs thereof.

## **Art. 5**

Provision of information

1

It is the user's responsibility to trace, locate, read and comprehend the archive material. The staff of the Municipal Archives can provide advice and other assistance as far as the workload is justifiable. Point 2 remains reserved.

2

A fee may be charged under the terms of Annexe 1 of the Ordinance on Fees<sup>[6]</sup> for services involving high-volume tasks such as research requests or transcripts.

## **Art. 6**

Use of archival records and reproductions

1

Archival records may only be photographed for personal use and with the permission of the Municipal Archives staff, without the use of flash and with the user's own appropriate equipment.

2

The use of reproductions for commercial purposes is only permitted with the written consent of the Municipal Archives. If permission is granted, the Municipal Archives will then decide on the amount of the commission, if any, to which it is entitled under Article 24 of the Cantonal Law on Archiving<sup>[7]</sup>.

3

Upon request<sup>[8]</sup>, the staff of the Municipal Archives can make reproductions for a fee (photocopies, scans, etc.) of archival records that are in good condition. Users are not permitted to scan or photocopy the archival records themselves.

Upon request, the Municipal Archives will decide whether it is possible to reproduce large documents or archival records in poor condition. Where this is possible, they will submit a price quotation to the requestor to cover the reproduction costs.

#### **Art. 7**

Copyright, acknowledgements and specimen copies

1

Whenever archival records from the holdings of the Municipal Archives are used for research, publications and other such activities, these sources must always be acknowledged correctly and in full (Biel/Bienne Municipal Archives with the precise reference code, title and date). Third-party copyright must be noted by indicating the author's full name. It is the user's responsibility to acknowledge the full copyright of third parties.

2

A specimen copy of any work or publication based in whole or in part on the holdings of the Municipal Archives must be provided to the Municipal Archives without being requested to do so.

#### **Art. 8**

Sanctions and complaints

1

Access to the Municipal Archives may be refused to anyone who does not comply with the rules contained herein.

2

Any complaints should be submitted to the Municipal Archivist.

#### **Art. 9**

Repeal of earlier provisions

1

The Regulations for the Use of the Municipal Archives of 29 January 2016 are hereby repealed.

#### **Art. 10**

Effective date

1

These regulations come into force on 1 May 2023.

1. [\[1\]](#) RDCo 1.5.2-4.4
2. [\[2\]](#) RSB 108.1
3. [\[3\]](#) RDCo 1.5.2-4.4

4. [\[4\]](#) Cantonal Law on Archival Storage; Cantonal Ordinance on Archival Storage of 4 November 2009 (RSB 108.111); Law on Public Information of 2 November 1993 (RSB 107.1)
5. [\[5\]](#) Fees Policy of 17 December 2014 (RDCo 6.7-1) and Ordinance on Fees of 29 October 2014 (RDCo 6.7-1.1)
6. [\[6\]](#) RDCo 6.7-1.1
7. [\[7\]](#) RSB 108.1
8. [\[8\]](#) Annexe 1 of the Ordinance on Fees (RDCo 6.7-1.1)