

HEINRICH BÖLL FOUNDATION

Green Memory Archive

Terms of use

Version: January 4, 2010

Section 1 Use

The full collection of archive materials (documents, publications, images, motion picture and sound files, data carriers and other information media) and finding aids of the *Archiv Grünes Gedächtnis* shall be made available on application to anyone with a legitimate interest, subject to compliance with legal provisions including, but not limited to, data and privacy protection, and provided there are no contrary agreements with the donating institutions or persons. Legitimate interests include research and publishing interests, the safeguarding of personal interests and use by the donor institutions.

Section 2 Application for use

As a rule, application for the use of the archive must be made in writing. The application must include details on the user and purpose and describe the subject of investigation as precisely as possible; in case of a commissioned work, the client must also be specified. The application is subject to approval by *Archiv Grünes Gedächtnis*. Use of the archive may be refused if the prerequisites stated in Section 1 are not fulfilled or if serious concerns arise regarding the intended use, including but not limited to, uses that may endanger the order and state of preservation of archive materials. Permission to use the archive may be revoked in case of violations of these Terms of Use.

Section 3 Restrictions on use

Archive materials that primarily relate to a natural person may be made available to third parties only with the consent of the person concerned. After the death of the person concerned, the use of the archive materials is subject to the consent of the person's relatives for a period of 30 years. If the date of death of the person concerned is not known to the archive, the protection period ends 110 years after the person's birth. If the date of birth of the person concerned is not known to the archive either, the protection period ends 60 years after the final addition to the archive unit.

During the protection period, the archive materials may only be used by the concerned persons and their legal successors. For use by third parties, the *Archiv Grünes Gedächtnis*

can only shorten the protection period on presentation of the consent of the concerned persons or their legal successors.

The use of archive materials shall be denied if it is precluded by statutory provisions, including, but not limited to, confidentiality rules or agreements with the donating institutions or persons. Reproductions of archive materials subject to restrictions on use shall be treated as originals.

Section 4 Legal protection provisions

The user undertakes to respect copyright and personal rights as well as legitimate interests of third parties in the exploitation of knowledge gained from the archive material. The user shall be liable to the rights holder if such rights or interests are violated.

Approval for the use or publication of archive materials in which the rights and legitimate interests of third parties are affected can be made dependent on the consent of the concerned person(s) or their legal successors, which shall be obtained by the user. These regulations also apply to reproductions of any kind.

Section 5 Utilization

The printing of archive materials and reproductions from the *Archiv Grünes Gedächtnis* requires prior written permission from the archive. The user is obliged to provide the archive a free specimen copy of all printed and unprinted publications for which materials from the *Archiv Grünes Gedächtnis* were used.

Section 6 Work in the reading room

Archive materials may only be used in the designated reading room of the *Archiv Grünes Gedächtnis*. The reading room is generally open on Mondays, Tuesdays and Thursdays from 9:00 am to 5:00 pm, Wednesdays from 12:00 noon to 8:00 pm and Fridays from 9:00 am to 4:00 pm.

Neither coats and bags, nor food and drinks may be taken into the reading room. Mobile phones must be turned off before entering the reading room.

Users must enter themselves in the use logbook on a daily basis. Order forms available in the reading room must be used when ordering archive materials. Archive units are only made available individually without exception.

Section 7 Use of archive materials

Archive materials must be treated with the utmost care. In particular, marking or attaching notes to the materials is prohibited. The internal organization of the archive materials and the order within the archive unit must not be changed. Users are requested to report any discrepancies, damage or losses of materials to *Archiv Grünes Gedächtnis*. When leaving the archive, all materials used must be returned to the supervisor.

Section 8 Making reproductions

Copies of archive materials may be made by *Archiv Grünes Gedächtnis* staff only. Users do not have a right to copies or to have larger copy jobs realized. The choice of copy process shall be at the discretion of the archive. The pages to be copied must be indicated by bookmarks in the archive unit and a precise description on the order form. The copies provided to the user shall be marked by a stamp or other suitable means to identify the *Archiv Grünes Gedächtnis* as the storage location of the materials. The provision of copies to third parties is prohibited.

Section 9 Reimbursement and charges

Viewing archive materials is free of charge. Costs incurred for copies and reproductions shall be borne by the user. An appropriate fee may be charged for the commercial use of archive materials.

Section 10 Citation

When publishing archive material, the citation must include *Archiv Grünes Gedächtnis* as the material's location, the stock designation and the archive signature of the original.

Section 11 Applicability

The present Terms of Use replace the previously applicable terms as of January 1, 2010.