

DIR Archive Regulations WU

Archive Regulations of the WU University Archives

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1. Objectives

These Archive Regulations specify the materials worthy of preservation to be included (materials to be archived or archived materials) in the WU University Archives (the Archives) (item 3), regulates the transfer of materials to be archived to the Archives (item 4), lays down the terms and conditions on which users can obtain information on archived materials and on which archived materials can be inspected, reproduced, used, or borrowed (item 5), and determines the fees that may be due (item 6).

2. Scope

The individual scopes of the collection profile, the transfer rules, the terms and conditions of use, and the guidelines on fees is specified in items 3.1., 4.1., 5.1., and 6.1., respectively.

3. Collection profile

3.1. Scope

3.1.1. The mandatory collection profile applies to all of WU's academic and administrative organizational units.

3.1.2. Further target groups are interest groups at WU, other institutions clearly related to WU, and natural persons (formerly) associated with WU.

3.2. Legal foundations

The collection profile serves to implement the requirements of the Federal Act on Securing, Preserving and Archiving Records of the Federal Government (Federal Archives Act [*Bundesarchivgesetz*], Federal Law Gazette I no 162/1999 as amended) and the Regulation on Labeling, Offering, and Archiving Documents of the Federal Government (Federal Archived Materials Regulation [*Bundesarchivgutverordnung*], Federal Law Gazette II no 367/2002) at WU.

3.3. General provisions on archived materials

3.3.1. The Archives collect written, visual, film, and audio records and museum-quality records of WU and its legal predecessors in digital and non-digital form. The focus is on records relating to the functions and activities of WU, in particular in teaching and research, and to the staff and students of WU.

3.3.2. Collecting activities refer to WU's academic and administrative organizational units, such as the executive governing bodies and officers, the academic units, interest groups at WU as well as other institutions clearly related to WU, and natural persons (formerly) associated with WU.

3.3.3. In general, constitutional documents, minutes, files, and correspondence, special collections relating to WU, as well as contracts, communications, announcements, and self-descriptions of WU or its units are deemed materials worthy of preservation in the Archives.

Regarding publications, the Archives collect printed and digitally accessible sources (source editions) from and relating to WU's history, secondary sources on WU's history and on buildings used by WU as well as selected publications relating to archival studies.

3.3.4. In the following, a difference is made between archived materials that must be preserved pursuant to statutory requirements and rules, for the purpose of legal protection of WU and its units, or in the interest of research concerning the university's history or economic history (category I), and archived materials whose preservation is desirable to permanently document developments and activities of WU beyond statutory requirements (category II).

3.4. Category I archived materials

- Constitutional documents (e.g. by-laws, organizational structure plans and strategic plans, operational agreements), including the related minutes, expert opinions, and recorded statements
- Minutes of meetings of executive governing bodies and officers of WU or committees established by them, working groups or panels, and other bodies and officers required by law
- Minutes of any meetings of WU's advisory bodies (e.g. Full Professors' Association, Council of Department Chairs, Department Committees, and Committees of the Institutes)
- Documents resulting directly from the performance of the functions of the rector, the vice-rectors, the chair of the University Board and chair of the Senate, and the department chairs
- Business allocation schedules, rules of procedure, organizational charts, and any filing plans kept by organizational units
- Contracts (including the related files) that are of significance due to statutory obligations or with regard to the organizational, constructional, or infrastructural development of WU
- Regulatory documents at all levels, such as directives, guidelines, in-house circulars, or other official communications (including bulletins) to all or individual organizational units, or all or part of WU's staff
- Staff files, including teaching assignments, files on selection proceedings, and documents relating to honorary and visiting professorships
- Students' files, including any studies abroad, examination reports of degree examinations, bachelor's examinations, master's examinations, and doctoral degree examinations
- Habilitation files, including the related enclosures
- Course catalogs
- Evaluation records, accreditations,, and research documentation
- Performance agreements and target agreements at all levels, and the related reports
- Documents relating to the buildings used by WU, such as construction files, construction plans, and agreements on the lease of premises
- Files relating to honorary academic distinctions and the award of grants and prizes by WU
- Annual reports and other reports on activities of organizational units of all levels, including intellectual capital reports, equal opportunities reports, etc.
- Other publications by WU and its organizational units relating to their development, activities and fields of work (e.g. anniversary publications and self-descriptions not subject to statutory publication obligations)
- Press photographs and films about WU and WU events
- Posters, brochures, and programs relating to academic and non-academic WU events
- Press releases and press reviews
- WU Blog, wu-memo, and other products of the social media channels operated by WU which are worthy of preservation

3.5. Category II archived materials

- Selected documents and other objects of academic and administrative units which provide an insight into their functioning and the focus of their work
- (Parts of) pre- and post-mortem bequests
- Selected WU merchandising products
- Further documents, data, images, and films, as well as selected lecture notes or museum pieces that have not been explicitly listed above

4. Transfer rules

4.1. Scope

4.1.1. The mandatory transfer rules apply to all of WU's academic and administrative organizational units, such as the executive governing bodies and officers, the administrative units, and the academic units.

4.1.2. Further target groups are interest groups at WU, other institutions clearly related to WU, and natural persons (formerly) associated with WU.

4.2. Details of the rules

4.2.1. WU's organizational units must transfer files, materials, and electronic files worthy of preservation to the Archives as soon as they are no longer needed for ongoing operations. This is the case no later than 30 years after the (electronic) files and materials were last processed. Regarding digital materials, the organizational units shall ensure that such materials are readable until they are transferred to the Archives. Electronically processed documents must be stored in a format that can be archived for a long time (e.g. currently - in 2019 - PDF/A for text documents) and must be provided together with the information required to find the documents (e.g. index, metadata, journal, etc.).

4.2.2. Any materials worthy of preservation in WU's archives are transferred on the basis of prior evaluation performed by the Archives. Archives staff are available to provide advice and to inspect materials, where appropriate, before their transfer.

4.2.3. The relevant units are requested to provide the materials to be archived to the Archives together with a list stating, in particular, the type, scope, and period of the materials transferred; if there are registers, indices, card indices, or other finding aids which are helpful or even necessary to index and register the relevant materials to be archived, please provide them to the Archives.

4.2.4. The Archives decide on whether files and other documentation materials are eligible to be archived and suitable for permanent archiving or preservation (evaluation). Materials to be archived are accepted and archived pursuant to § 2 item 5, § 3 (2) and § 6 (1) of the Federal Archives Act.

4.2.5. The Archives are responsible for discarding or deleting archived materials and deciding on whether or not to accept materials to be archived, in particular materials referred to in item 3.5.

4.2.6. As soon as the materials are transferred, responsibility for the relevant collection passes to the Archives. When accepting materials to be archived or providing archived materials, the

Archives shall comply with legal requirements relating to the rights of individuals and data protection as amended. The Archives shall strive to ensure that units transferring materials have prompt access to collections that previously belonged to their sphere of responsibility upon request.

4.2.7. In exceptional cases, for which reasons must be given, and in agreement with the Archives, organizational units can keep their own archives of files and data which must comply with archive-specific requirements. In that case, an appropriate written statement must be submitted to the Archives, and a list of the relevant collections must be provided; discarding or deleting materials worthy of preservation is only permitted after having consulted the Archives.

5. Terms and conditions of use

5.1. Scope

The terms and conditions of use apply to all WU staff members and organizational units as well as to natural and legal persons outside of WU who express an interest in the collections of the Archives for official, academic, journalistic, as well as justified personal purposes.

5.2. Details of the terms and conditions

5.2.1. Using archived materials

5.2.1.1. Every natural or legal person is entitled to use the collections of the Archives for official, academic, journalistic, and justified personal purposes free of charge and in accordance with the provisions of the Federal Archives Act and these terms and conditions of use.

5.2.1.2. Disclosing data, reproductions, and information to third parties is not permitted.

5.2.2. Usable archived materials

5.2.2.1. A waiting period of 30 years (protection period pursuant to § 8 (1) of the Federal Archives Act) applies with regard to using the collections of the Archives, unless otherwise provided for in the following. The protection period ends 30 years after the contents of the relevant file were last processed (§ 5 (2) of the Federal Archives Act).

5.2.2.2. For the purpose of performing academic research, a reduction of the waiting period to 20 years can be granted to persons who have the relevant specialized knowledge and research experience, but these persons do not have a guaranteed right to such reduction. A reduction can only be granted by the management of the Archives upon written request. The request, which does not have to meet any formal requirements, must contain a presentation of the objectives of the research project and the reasons for the factual necessity of reducing the waiting period. In the case of bachelor's theses and other theses to be written in courses at tertiary-level education institutions or universities or which serve to obtain an academic degree, a statement by the academic thesis supervisor must be submitted in addition.

5.2.2.3. The protection period for archived materials containing personal data deserving protection ends ten years after the demise of the data subject unless the person expressly consented to earlier access during his or her lifetime. If the date of death cannot be established, the protection period ends 110 years after the birth of the data subject.

5.2.2.4. For the purpose of academic research performed by persons who have the relevant specialized knowledge and research experience, the management of the Archives, upon written request, can release the archived materials containing personal data deserving protection for viewing as soon as the data subject has died. The same provisions as referred to in item 5.2.2.2. apply to this request, which does not have to meet any formal requirements.

5.2.2.5. Pursuant to § 11 (1) and (2) of the Federal Archives Act, personal data in works may be published only ten years after the demise of the data subject unless

- a. The data subject expressly consented to earlier publication
- b. There is an overriding public interest in publication due to the position of the data subject in public life or due to other reasons related to public life

If the date of death cannot be established, personal data may be published no earlier than 110 years after the birth of the data subject.

5.2.2.6. Archived materials of private provenance can be used in accordance with a transfer agreement. If the transfer agreement does not contain any provisions on use or if there is no such agreement, the relevant archived materials can be used before the end of the protection period of 30 years only with the consent of the transferor or the transferor's legal successor. If such archived materials contain personal data, items 5.2.2.3. to 5.2.2.5. apply in addition. The above-mentioned periods can be changed only with the consent of the transferor or the transferor's legal successor.

5.2.3. Types of use

Based on § 9 of the Federal Archives Act, the archived materials can be used by

- a. Viewing the archived materials or a reproduction thereof
- b. Submitting a written request
- c. Requesting reproductions of archived materials
- d. Borrowing archived materials or reproductions thereof

The staff of the Archives shall decide on the type of use in each individual case.

5.2.4. Viewing archived materials

5.2.4.1. Every user is obligated to comply with the following rules of use and the instructions by the staff of the Archives.

5.2.4.2. As a rule, archived materials must be ordered in writing. If requests cannot be sufficiently specified, the staff of the Archives provides advice, subject to staff availability. The archived materials are provided promptly, subject to capacity.

5.2.4.3. Use can be limited or denied if

- a. There is a danger that archived materials could be at risk due to the use
- b. The use causes unacceptable administrative time and effort

c. The purpose of use can be adequately achieved in another manner, in particular by viewing printed publications or reproductions

d. There is a risk that the confidentiality interests of third parties worthy of protection may be infringed upon within the meaning of applicable data protection laws

e. The protection period pursuant to items 5.2.2.2. to 5.2.2.4. has not yet expired

5.2.4.4. Archived materials provided can be viewed after prior agreement and exclusively in the appropriate reading room of the Archives.

5.2.4.5. When visiting the Archives, users must show official photo identification to prove their identity.

5.2.4.6. For each calendar year for which the Archives are used and for each working topic, users must complete a separate request for inspection (usage sheet) and personally sign the declaration of compliance. The forms are provided on site by the Archives and can also be downloaded from the Archives' website (<https://www.wu.ac.at/archiv/>). Viewing requests can also be submitted by mail or email to archiv@wu.ac.at; in that case, the signed usage sheet must be enclosed with or attached to the request. Upon request, users receive a copy of the terms and conditions of use, the usage sheet, and the declaration of compliance.

5.2.4.7. It is prohibited to bring outerwear (coats, jackets) and/or any objects that could be used to facilitate theft (e.g. backpacks, laptop bags, large handbags, etc.) into the user area of the Archives. For users of the cloakroom, the WU Cloakroom and Locker Terms of Use apply. To maintain the security of the collections of the Archives, all containers intended for the storage of supplies and information media are to be presented to library staff upon demand before leaving the Archives.

5.2.4.8. Only pencils and laptops or comparable electronic devices are permitted to be used as writing utensils.

5.2.4.9. Archived materials and finding aids must be treated with care and protected from any damage. They must not be removed from the Archives' premises. It is prohibited to mark or write comments on archived materials or use archived materials as a blotting pad. In particular, great care must be taken not to change the order and arrangement of the archived materials and not to intermingle them with other collections. If a user notices any changes in the order and arrangement, other inconsistencies, or damage and losses of the archived materials provided, the user shall immediately report the defects to the staff of the Archives.

5.2.4.10. Smoking and talking on the telephone is prohibited in all rooms of the Archives. Users must be considerate of other users and must not bring food, beverages, or animals (with the exception of seeing-eye dogs and assistance dogs) into the Archives.

5.2.4.11. Users are obligated to exactly and completely cite the origin of quotations or references when referring to the Archives' collections. This includes the name of the relevant document plus "Wirtschaftsuniversität Wien / Universitätsarchiv" ("Vienna University of Economics and Business / WU University Archives," Archives identifier: WUW-AR or AT-WUW-AR) and the relevant shelf mark.

5.2.4.12. Users are requested to provide the results of their research to the Archives as a complimentary copy without further notice and free of charge if a major portion of the results is based on archived materials of the Archives and all or part of the results is published in books, magazines, or newspapers. This also applies to unprinted, approved bachelor's and master's theses, habilitation theses, theses written in courses at tertiary-level education institutions or

universities or which serve to obtain an academic degree, as well as by analogy to publications of reproductions of any kind. In the case of electronic/digital publication, a data storage medium or the relevant web address must be made available to the Archives. Copyrights and personality rights as well as other interests of third parties deserving protection, in particular in accordance with the applicable data protection provisions, must be complied with in publications.

5.2.4.13. The provisions of the Austrian Copyright Act (*Urheberrechtsgesetz, Federal Law Gazette 111/1936*), the Data Protection Act 2000 (*DSG 2000 / Datenschutzgesetz 2000, Federal Law Gazette 165/1999*), and the General Data Protection Regulation (EU Regulation 2016/679 of April 27, 2016) as well as other equivalent legislation, as amended, must be fully adhered to and complied with.

5.2.5. Written requests

5.2.5.1. For each working topic, users must complete a separate request for viewing (usage sheet) and personally sign the declaration of compliance prior to inspection. The forms can also be downloaded from the Archives' website (<https://www.wu.ac.at/archiv/>). Requests are answered only after the usage sheet and the declaration of compliance have been received by the Archives.

5.2.5.2. Fees may be charged for the qualified processing of requests or for expert opinions by the staff of the Archives; the amount of the fees is contained in the guidelines on fees (see item 6.2.). Requests by organizational units of WU are answered free of charge, in principle.

5.2.6. Reproductions of archived materials

5.2.6.1. Digital recordings made by users with their own recording devices are subject to prior approval by the management of the Archives; approval may be contingent on compliance with certain requirements. WU does not charge any fees for digital recordings made by users with their own devices or for approval.

5.2.6.2. Copies and other reproductions of archived materials, with the exception of digital recordings pursuant to item 5.2.6.1., may be made only by the staff of the Archives and require approval by the staff of the Archives. Approval may be limited or denied for reasons of conservation or capacity. Copies and other reproductions must not be forwarded to third parties and are subject to fees (see item 6.3.).

5.2.7. Using archived materials

5.2.7.1. Any use of archived materials, in particular by presenting them in publications or using them for exhibitions, requires the prior approval by the management of the Archives; approval is given upon written request. Approvals for use apply exclusively to the agreed purpose; forwarding archived materials to third parties is not permitted. Reproduction rights remain the property of the Archives.

5.2.7.2. For information on how to cite sources when using archived materials in publications of exhibitions, see item 5.2.4.11.

5.2.7.3. If archived materials are used in publications or exhibitions, a complimentary copy of every printed publication must be sent to the Archives without further notice, free of charge, and without delay; in the case of electronic publication, a data storage medium or the relevant web address must be made available.

5.2.7.4. If archived materials are used commercially, WU reserves the right to charge a fee.

5.2.8. Borrowing archived materials

5.2.8.1. Borrowing archived materials is permitted in the following cases:

- a. For a short period by WU organizational units for the performance of the duties delegated to them
- b. By public entities for exhibition purposes

5.2.8.2. Except in the cases referred to in item 5.2.8.1.a., nobody has a guaranteed right to borrow archived materials. A request to borrow archived materials pursuant to item 5.2.8.1.a. must be submitted in writing, stating the purpose for which the archived materials are needed.

5.2.8.3. Rules for public entities borrowing archived materials for exhibition purposes:

- a. Only archived materials that can be used with regard to any waiting periods pursuant to item 5.2.2., that can be loaned based on their state of preservation, and for which appropriate approvals have been given pursuant to item 5.2.2.6. may be borrowed.
- b. It is the Archives' responsibility to decide, on the basis of archival aspects, whether originals or reproductions are provided; in particular, the condition and value of the archived materials are decisive.
- c. Originals may only be borrowed if effective protection against loss, damage, and unauthorized use is ensured.
- d. A lending agreement on the borrowed archived materials must be made with the Archives. The lending agreement must specify, in particular, that the borrower bears all costs, specifically the costs of packaging, transport, insurance, any security and conservation measures (e.g. backup copy), and framing, if required. In addition, the agreement must stipulate requirements on securing and preserving the borrowed archived materials, at the cost of the borrower.
- e. Using reproductions of borrowed archived materials in a catalog or other accompanying publication, including information and advertising material, requires the consent of the Archives. Provenance must be stated pursuant to item 5.2.4.11.

5.2.9. Liability

Every user shall ensure the intactness of the archived materials used and is liable for any damage to the archived materials caused by the user. WU can demand either that the damage be remedied by third parties at the cost of the person who caused the damage, or directly ask third parties to remedy the damage at the cost of the person who caused the damage, or claim the amount of the damage, to be determined by WU, from the person who caused the damage.

5.3. Consequences of non-compliance

5.3.1. In the case of non-compliance with or failure to meet the terms and conditions of use or refusal to comply with the instructions of the staff of the Archives, the management of the Archives can issue a ban on using the Archives for a limited time or, in repeated cases, a permanent ban.

5.3.2. Appeals against the restriction, refusal, or revocation of the authorization to use the archived materials are decided by the member of the Rector's Council responsible for the Archives after a hearing with the management of the Archives.

6. Fee guidelines

6.1. Scope

The guidelines refer to natural and legal persons outside of WU. WU organizational units are excluded from the scope of the guidelines.

6.2. Basic fee for conducting searches and processing requests

First half hour	free of charge
Every further half hour or part thereof	€ 30.00

6.3. Reproductions of archived materials

6.3.1. Prices for paper copies and scans per page

Paper copies black/white A4	€ 0.40
Paper copies black/white A3	€ 0.80
Paper copies color A4	€ 0.80
Paper copies color A3	€ 1.60
Scans	€ 0.40

6.3.2. A processing fee of € 10.00 is charged for the Archives to create a CD-ROM, DVD, or a data storage medium of a comparable capacity and price. The fee includes the cost of materials of the data storage medium, preparation, and billing. The fee does not include the fees pursuant to item 6.3.1.

6.3.3. When delivery by mail is requested, the costs incurred are charged to the user. The current fees of Österreichische Post AG apply.

6.4. Borrowing archived materials

6.4.1. The basic fee pursuant to item 6.2. is charged for processing a borrowing request.

6.4.2. The borrower shall bear the costs pursuant to item 5.2.8.3.d.

6.5. Loss of the locker card

If a locker card provided by the Archives is lost, the user is charged a fee of € 5.00.

7. Legal basis and other applicable documents

Federal Archives Act (Federal Law Gazette I no 162/1999 as amended)

Federal Archived Materials Regulation (Federal Law Gazette II no 367/2002 as amended)

Additional applicable documents:

- a. WU Rules of Conduct
- b. WU Cloakroom and Locker Terms of Use

8. Quality assurance

The present document will be evaluated by December 31, 2022 to determine if it is up to date.

9. Document details

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¹ Examples of short/long titles:

- Short title = category and keyword, e.g. WUPOL Software
- Long title or subtitle = designation provided by the organizational unit, e.g. "Regulation on the use of WU Software"

² No more than 60 characters; do not use any diacritics, special characters, and spaces