

## **Rule of Usage of National Archival fonds Documents preserved in LEPL - National Archives of Georgia**

### **Article 1. General Provisions (Regulations)**

1.1 Admission to the National Archival Fonds Documents (hereinafter - the Document) is available for free, except for the cases envisaged by the Law of Georgia on "National Archival Fonds and National Archives" (hereinafter- Law) and Georgian legislation.

1.2 Rules for using the National Archival Fonds Documents (hereinafter - the rule), preserved in the National Archives, apply to any interested person.

1.3 Social-legal and thematic informations are delivered to legal and physical persons by means of electronic service of citizens. Responses to the other formalities are provided by the program of electronic management system.

1.4 Interested person can find and access the document through the information-searching system and get acquainted with the document or its copy, make the extract from the document and use the Information services of the National Archives.

1.5 The access to the descriptions of the National Archival Fonds is free of charge, except for the documents including state secret and personal information, court documents and other exceptions. The descriptions belong to the National Archival Fonds and are kept permanently.

1.6 In order to get acquainted with the National Archival Fonds, it is possible to hold various events (excursions, lectures and seminars) at the National Archives on the base of written request beforehand.

### **Section 2. Terms usage of the Documents**

2.1 The copy or the original of the document is delivered in the reading room of the National Archives.

2.2 The researcher is able to use the copies or the originals of the document at the National Archives reading room on the base of the written request, with the permission of the General Director of the National Archives; in case of the Central Archives of Kutaisi and the Territorial Organs - with the permission of the director of the relevant archive. Written request is valid for during 3 months. In case of expiration of the term, new permit will be issued on the base of the researcher's new written request.

2.3 Written request should include: the name, surname, scientific degree (if any), working place or place of study (if any), topic of the work, chronological frameworks, contact information - address, phone number, e-mail address. A copy of the identity document should be added to a written request. Written request should including researcher's justification of the need for access to National Archives Fond's documents due to work or study purpose. In exceptional cases, one can access to the National Archival fonds documents without reference to work or study purposes, if circumstances indicated in the written request confirms the need to get acquainted the documents of the National Archival Fond or/and to make an extract from the documents based on scientific-research or other purposes of the interested person.

2.4 If the working topic, written in the request, envisaged by the paragraph 2.3, is specified in general wording, that it is difficult or impossible to identify and search relevant documents, or requires significant volume of searching and processing of unrelated documents, the National Archives may require the interested person to specify the working topic.

2.5 In case of changing the topic, the researcher must present a new written request.

2.6 The researcher's access to the reading room is issued within 5 (five) working days after providing the written request (including e-mail - [info@archives.gov.ge](mailto:info@archives.gov.ge)).

2.7 The researcher is obliged to get acquainted and follow the rules of the behavior of researchers / readers of the National Archives.

2.8 Personal information of the researcher is opened in the reading room, which consists of the following documents:

- a) A copy of the written application (the original is kept in the chancellery);
- b) Researcher's Card (Appendix 1);
- c) The order sheet of the document (original or electronic copy) (Appendix 2, 5);
- d) Delivery sheet of files in the reading room of the National Archives (Appendix 3);
- e) Order and delivery sheet (Annex 4, 6) for making the copy of the document in the reading room of the National Archives.

2.9 The personal information of the researchers is recorded in the registration journal, which is regulated by the person responsible for the reading room. Personal information and registration journal are kept in the reading room for a period of one year and then are transferred to the relevant archive for permanent store.

2.10 Based on a written request the researcher is allowed to work together with the translator in the reading room.

2.11 Access to the following documents of the National Archival Fonds or its copies is restricted:

- a) Documents containing the state secret - for the period defined by the Law of Georgia on "State Secret";
- b) Access to the National Archival Fond's documents and to its electronic versions, which including citizens' personal information, except for documents that substitute property rights
- c) Documents containing personal data of citizens (personal information - data, which allows the identification of a person), except for the documents containing ownership of citizens, also, the materials of the Criminal Procedure – during 75 years after their creation, unless according to the agreement between the National Archives and the persons who are directly related to these documents, shorter period is not established (the Law of Georgia on the National Archival Fonds and the National Archives, Article 22).

2.12 The service fees and terms of services for scholars are determined by the Government decree N506 of December 29, 2011 „On the terms and conditions of payment for the service provided by the Legal Entity of Public Law - National Archives of Georgia, under the supervision of the Ministry of Justice of Georgia”.

2.13 The reading room is open Monday to Friday, 09:30 am to 17:00 pm, except for the weekends (Saturday and Sunday and the holidays provided by Article 20 of the Labor Code):

- a) January 1 and 2 - celebration of the New Year;
- b) January 7 - the day of the birth of our Lord Jesus Christ;
- c) January 19 - Epiphany - Baptism Day of our Lord Jesus Christ;
- d) March 3 - Mother's day;
- e) March 8 - International Women's Day;
- f) April 9 - Day of adoption of the Act of Restoration of State Independence of Georgia, Memorandum of Memorial of National Unity, Civil Consent and memorial of victims defending homeland;
- g) Easter Days – Eastern Orthodox Good Friday, Great Saturday, Easter Sunday and Easter Monday of Bright Week (dates are transitional);
- h) May 9 – Day of Victory over Fascism, Europe Day;
- i) May 12 – Saint Andrew the First – Called Dey;
- j) May 26 - Independence Day of Georgia;
- k) August 28 – Saint Mary’s Day;
- l) October 14 – Mtskhetoba, holiday of Svetitskhoveli;
- m) 23 November – Saint George’s Day.

2.14 The reading room is closed from August 1 till September 1, annually.

2.15 The researchers are not allowed to use duplicating and other technical means (including mobile phones) in the reading room.

### **Article 3. Terms of Delivery of Document**

3.1 The National Archives provides the researcher with the original of the document or its electronic copy, as well as the scientific-reference guide and / or description and / or thematic list and / or catalog and / or electronic database.

3.2 Terms for delivery of electronic copies:

- a) In case the electronic copy is not created yet, it should be delivered in the reading room after three working days since completing the order sheet;

b) The timeframe set forth in subparagraph "a" of the same paragraph begins on the next working day after receiving the order. Depending on the volume of the file, it is possible to reduce or increase the term.

c) In case the National Archives is not able to provide the researcher with the electronic copy of the document within the period defined by subparagraph "a", the original document will be delivered to the researcher for free on the next working day from the date of filling the order sheet.

3.3 The researcher has the right to simultaneously subscribe the original of the document or its electronic copy - 10 files (storage unit) and simultaneously use 10 files (storage unit).

3.4 The electronic copy or the original document is delivered for no more than a period of one month. If necessary, it is possible to extend the term.

3.5 If the researcher does not appear during two weeks, the original document will be returned to the archive, and the access of the researcher to the electronic documents will be restricted.

3.6 A written document will be delivered in the reading room as an electronic copy. Design, construction and technical documents (in the absence of an electronic copy) will be delivered as an original document.

3.7 Audio-visual document is delivered in the reading room in the form of an electronic copy and / or in case of the absence of an electronic copy:

a) Film document only as a positive;

b) Photo document only as a positive;

c) Audio document can be listened using the equipment available in the phonology, with the supervision of the specialist of the department.

3.8 The original value of the document can be delivered for no more than one day. The supervision of the person responsible for the document is possible, if necessary, the extension of the term.

3.9 The original or electronic copy of a document is delivered with the accordance of the terms of the contract concluded with the respective person (in case of existence).

3.10 It is not permitted to deliver the original or electronic copy of a physically-harmful and scientific-technically treated document.

#### **Article 4. Terms of Making a Copy of a Document (in case of acquisition)**

4.1 The researcher has the right to order a copy of the document (Annex 4, 6).

4.2 In case of absence of the equipment, required in the National Archives, a copy of the document can be taken out from the National Archives based on the relevant act (Annex 9), the researcher will cover the fee for the creation of the copy. The document and the copy returns to the National Archives. All pages are checked by stamp stated as following - "National Archives of Georgia - Copy".

4.3 The electronic copies of the documents, preserved in the archive, are delivered with the water marks. The water marks are used according to the following parameters:

a) In the case of written document - the electronic copy is added two inscriptions set diagonally: „საქართველოს ეროვნული არქივი“ and "NATIONAL ARCHIVES OF GEORGIA"; The logo of the National Archives of Georgia is placed in the lower right corner;

b) In case of photo document - the logo of the National Archives of Georgia with the inscription „საქართველოს ეროვნული არქივი“ and "NATIONAL ARCHIVES OF GEORGIA" is placed in the lower right corner of the electronic document;

c) In case of the film document - the inscription "National Archives of Georgia" is placed to the lower right corner of the electronic copy.

4.4 The researcher can order copies of up to 100 pages to the National Archives and receive it after presenting the payment receipt

4.5 In case of using the document for publication, the researcher is obliged to indicate the place and / or owner of the document in accordance to the Article 25 of the “Law of Georgia on National Archival Fonds and National Archives”.

4.6 The terms and fees for making a copy of a document is determined by the Decree N506 of December 29, 2011 of the Government of Georgia "On the terms and conditions of the payment for the services provided by the National Archives of Georgia - Legal Entity of Public Law operated under the Ministry of Justice of Georgia".

## **Section 5. Conditions for using a document containing state secret**

5.1 The use of a document containing state secret and restrictions on its dissemination are regulated by the Law of Georgia on State Secret.

5.2 A document containing a state secret can be used by a Georgian citizen who has attained the age of 18, who needs to receive information about state secret for his / her work or scientific research activities.

5.3 The decision is made by the Director General of the National Archives on the use of a document containing the secret information.

5.4 To use the document containing the state secret, the researcher should submit:

a) written request (indicating the subject and the purpose of research);

b) document confirming the authority to access the document containing the state secret.

5.5 Foreign citizen or stateless person will be permitted to work on a document containing a state secret or an agreement with the international treaty or / and agreement of the Government of Georgia.

5.6 The personal information of the person, authorized to work on the document containing the state secret and the extracts made by him are kept in the specially assigned room with the person responsible for the secret proceedings of the National Archives.

5.7 In the process of working on documents containing state secret, the researcher should work in the presence of an archivist in a specially assigned room.

5.8 In the process of working on documents containing state secret, it is not permitted to use multiplication and other technical means (including mobile phones).

#### **Article 6. Conditions of Delivery of Documents in Temporary Use**

6.1 The temporary use of documents is free of charge for:

- a) authors of the document and their successors;
- b) fonds creators who have transferred their documents to the National Archives for permanent storage;
- c) As well as Court and investigative bodies.

6.2 The file will be delivered in temporary use by a written application or a court-issued draft, not more than one month period (Appendix 7,8). If necessary, it is possible to extend the term. The document copy remains on place that has the force of the original before the document is returned.

6.3 It is unacceptable to deliver physically damaged and / or scientific-technically unprocessed document in a temporary use.

6.4 It is not permitted to deliver photo and film negatives, photo positive, phonograph, contratype for a temporary use. In special cases, the Act of Delivery and Acceptance is issued.

6.5 It is inadmissible to handover the document received in temporary use to a third party and / or to issue an extract from the documents.

#### **Article 7. Responsibility**

7.1 It is unacceptable to amend the form and content, including the information contained in the text of the document of the National Archival Fonds, as well as document falsification and physical injury (Law of Georgia on National Archival Fonds and National Archives, Article 24).

7.2 When publishing the National Archival Fonds Document it is mandatory to indicate the place and/or owner of the document (Law of Georgia on National Archival Fonds and National Archives, Article 25).

## **Article 8. Transitional and Final Provisions**

8.1 Upon enacting the present rule, “The Rule for Using the Documents of the National Archival Fonds preserved in LEPL - National Archives of Georgia”, permits approved in accordance with second article determined by the General Director’s Decree N9 of 23 august 2017, shall be considered invalid.

8.2 Within 1 month after the enactment of this decree, the National Archives should provide permission for the use of the documents of the National Archives within 20 working days after the request of the interested person.