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# Archival rules

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The regulation is enacted on the basis of § 13 of the [Archives Act](#).

## Chapter 1 General provisions

### § 1. Scope of application of regulation

(1) The archival rules (hereinafter *rules*) regulate and specify the appraisal of records and preservation of archival records at agencies or persons performing public duties until the transfer thereof to public archives, procedure for transfer of archival records to public archives, preservation and protection of such records in the public archives and organisation of access thereto, including the issue of archival notices by the public archives.

(2) The rules shall apply to:

1) the National Archives;

2) local government archives;

3) an agency or person performing public duties with respect to records created or obtained in the course of performing public duties (hereinafter *agency*).

(3) The rules shall extend to public, state or local government museums and libraries, educational, research and development institutions and foundations which possess a collection of records or information of cultural or historical value to the extent prescribed by the Archives Act in accordance with the law or the statutes or articles of association of the agencies.

### § 2. Definitions

(1) In these rules, the following definitions are used:

1) archive is a comprehensive set of records of an agency or person;

2) public archives is an archival agency within the meaning of the National Archives and local government archives;

3) creator of archival records is an agency whose activities may result in the creation of records.

(2) Records as defined by these rules also include archival records unless otherwise specified.

## **Chapter 2 Establishment of archives**

### **§ 3. Principles for the establishment of archives**

(1) In establishing archives, agencies shall be guided by:

1) the principle of provenance according to which the records of one agency belong together and must not be mixed with records of different origin;

2) the principle of respect for original order according to which the condition of the archives in the course of the agency's activities shall be maintained.

(2) Upon transfer of a function to another agency, active records shall be added to the archive of the other agency. It must be possible to track the initial origin and time of addition of records.

(3) An agency shall deem all of its records incl. information in databases regardless of medium as a whole, i.e. a part of the archives.

(4) An agency shall retain and use records in a manner that does not damage their condition or endanger their authenticity, reliability, integrity or usability.

(5) The possessor of archival records shall ensure the use of archival records in a manner that does not damage the condition of the archival record or endanger its continued preservation.

### **§ 4. Retention of archives**

(1) Records shall be retained until the end of the retention period or transfer to public archives grouped according to series based on the classification scheme. During the retention period or until transfer to public archives, records must be retrievable and accessible.

(2) An agency must have an overview of the composition of archives. An overview of the composition of archives must include at least:

1) function title;

2) identification, title and retention period of the series currently and previously valid;

3) reference to the public archives appraisal decision if records have been appraised;

- 4) quantity, titles, date ranges and locations of files or other units that are part of a series;
- 5) reference to a destruction certificate if records have been destroyed.

## **§ 5. Permanence requirements of archives**

- (1) When archival records are created, arranged and retained, an agency must use materials, products, formats and technologies that ensure that records have maximum permanence.
- (2) An agency shall create archival records in archival format or transform archival records in non-archival format into archival format as soon as possible after the archival record is created or obtained.
- (3) The National Archives issues information concerning archival quality materials, products and technologies. Archival formats are provided in Annex 1 to the rules.

## **Chapter 3 Classification of records**

### **§ 6. Classification scheme**

- (1) An agency shall develop a classification scheme for the classification of its records based on analysis of functions, structure and work processes and related transactions.
- (2) A classification scheme is a structured list of agency functions and series and a framework for capturing and managing its records.
- (3) A classification scheme must contain at least the following:
  - 1) agency name;
  - 2) function title and its identifier;
  - 3) series titles and their identifiers.
- (4) A classification scheme of creators of archival records must also include in respect of key functions:
  - 1) function description (actions or work processes performed to implement the function);
  - 2) authorisation for performing a function or a reference to legislation;
  - 3) series titles and identifications in the previous classification scheme, if different.
- (5) A unified classification scheme may be developed for agencies with similar functions.

## **§ 7. Classification scheme levels**

(1) Classification scheme levels are:

1) function level;

2) series level.

(2) Sub-levels may be created on each level of the classification scheme.

(3) The name of the agency's structural unit may be presented on the function level of the classification scheme.

(4) A series connects records belonging together on the basis of one or several criteria. A series is established based on the following criteria:

1) record class;

2) content or topic;

3) function or work process(es) during which records are created;

4) place in procedural system;

5) retention period;

6) terms for access.

## **§ 8. Classification scheme approval**

(1) A creator of archival records shall submit a draft classification scheme or draft amendment to classification scheme to the public archives for approval.

(2) A draft classification scheme shall be submitted for approval if:

1) a new classification scheme is developed;

2) series created due to change in functions or structure of the creator of archival records are added to the classification scheme;

3) a series or sub-series containing archival records is merged with a series not containing archival records;

4) a series comprising archival records is split into two or more series.

(3) During the approval, the public archives shall:

1) verify if the classification scheme captures all functions of the creator of archival records and documentation of functions;

2) make proposals to optimise the classification scheme.

(4) Upon failure to approve the classification scheme, the public archives shall issue justification.

(5) Public archives may initiate appraisal during the approval of the classification scheme for determining archival records. Public archives shall notify the creator of archival records of any appraisal initiated during the approval of a draft classification scheme or its draft amendment.

## **Chapter 4 Appraisal of records**

### **§ 9. Objectives of appraisal**

(1) Appraisal is an activity of the public archives intended to determine the archival value of records.

(2) Appraisal shall decide which records form part of national cultural heritage and that shall therefore be permanently preserved as records.

### **§ 10. Appraisal criteria**

(1) When appraising records, public archives shall be guided by:

1) the significance and position of an agency or person in society and the public administration hierarchy;

2) functions of an agency or person and other record context;

3) records research potential;

4) uniqueness and authenticity of information contained in records;

5) importance of records in the exercise of public authority and the need to proof the rights and transactions of persons;

6) usability and connections to other records;

7) the time frame that the records originate from or address;

8) tradition of acquisition;

9) materials and formats used in creating records;

10) terms for access;

11) estimate of agency or person or society stakeholders as to the value of the records;

12) resources needed to preserve the records or budgetary resources available to the public archives.

(2) Public archives may select a statistically representative extract for preservation when appraising a set of records of one class.

(3) Public archives may select samples through appraisal.

## **§ 11. Conducting appraisal**

(1) Appraisal shall be conducted:

1) upon determining creators of archival records;

2) upon determining archival records;

3) upon removing archival value from archival records.

(2) It may be requested from public archives to include an agency among creators of archival records.

(3) Upon the separation of records for destruction or transfer to public archives, appraisal shall be conducted if the archival value or lack thereof has not previously been determined.

(4) An agency shall submit at the request of public archives for appraisal to be conducted:

1) a classification scheme;

2) an overview of the composition of archives;

3) links between classification schemes valid in different periods;

4) technical documentation regarding hardware and software used to maintain appraised documents, document storage operations and users;

5) database structure and digital file samples;

6) agency statutes or articles of association;

7) archival inventory or draft destruction certificate;

8) other information necessary for appraisal.

(5) Public archives may conduct appraisal by directly reviewing records.

## **§ 12. Appraisal decision**

(1) Public archives shall document the results of appraisal as an appraisal decision and communicate it to the relevant agencies or persons.

(2) Public archives shall document appraisal results in its appraisal decision in a manner that would render archival records easily identifiable.

(3) An appraisal decision must contain at least the following:

1) appraisal results;

2) name of public archives conducting appraisal;

3) number and date of appraisal decision;

4) names and job titles of appraisers.

(4) Documents justifying the context of documents and the appraisal decision shall be annexed to the appraisal decision.

(5) Appraisal decisions and annexes thereto shall be permanently stored in public archives.

## **Chapter 5 Destruction of records**

### **§ 13. Separation of records for destruction**

(1) An agency may dispose its records for destructions after the end of the retention period. Archival records shall not be destroyed.

(2) A creator of archival records shall apply for permission from the public archives for the disposition of its records for destruction if the archival value or lack thereof has not previously been determined.

(3) An agency may destroy record media if information contained in the record has been transferred to other media. The transfer procedure, person performing it, time, hardware and software used must be documented and verifiable and the authenticity, reliability, integrity and usability of the information must be guaranteed.

### **§ 14. Documentation of destruction**

(1) An agency shall document the destruction of its records with a destruction certificate.

(2) A destruction certificate shall contain at least the following data concerning the records disposed for destruction:

- 1) reference to public archives appraisal decision;
- 2) identifier according to classification scheme or other document listing the composition of archives;
- 3) series title or file title;
- 4) date ranges;
- 5) number of files or other units;
- 6) records retention period;
- 7) reference to legislation regulating the retention or destruction of the record, if available;
- 8) note regarding the method, time, place and person performing the destruction.

## **Chapter 6 Transfer of archival records to public archives**

### **§ 15. Obligation and term for transferring archival records**

(1) Archival records shall be transferred to the public archives with the competence to receive records.

(2) The details of the transferor and transfer of databases to public archives shall be agreed in cooperation with the chief processor of the public archives and the database.

(3) Archival records must be transferred to the public archives if they are no longer needed for performing their duties but no later than 10 years after archival records were created or obtained. Generally, not less than five year's archival records are transferred to public archives and digital archives are transferred more frequently.

(4) A creator of archival records shall submit a request to the State Archivist in order to extend the term of transfer of archival records to the National Archives, which must contain:

- 1) the composition of the relevant archival records;
- 2) justification for an extension to the transfer term;
- 3) a proposed new transfer term that is not longer than 10 years.



## **§ 16. Transfer operations and general requirements**

(1) The transfer of archival records shall be initiated via application for transfer through which at least the following shall be communicated to the public archives:

- 1) reasons for the transfer;
- 2) name of the creator of archival records;
- 3) number of archival records as accurately as possible;
- 4) information about appraisal decision.

(2) Before the transfer of archival records, the transferor shall arrange and describe them according to the requirements set forth in these rules, accounting for the guidelines of the public archives.

(3) Preparation for the transfer and transfer of archival records shall be at the transferor's expense.

(4) For the preparation of archival records for transfer, software approved by the public archives shall be used, which enables archival scheme and inventory to be compiled for paper-based and digital records. Digital archival records shall be transferred to the National Archives by using the said software.

(5) Together with archival records, the transferor shall transfer to the public archives archival descriptions listed in the archival inventory (hereinafter inventory) and user copies of records if these correspond to requirements.

(6) During acceptance of archival records, public archives shall verify:

- 1) the existence of descriptions and adherence to requirements;
- 2) arrangement of archival records;
- 3) inventory checking of archival records;
- 4) physical and/or technical condition of archival records.

(7) Results of inventory checking are documented in an inventory report, which shall contain at least the following data:

- 1) name of the creator of archival records;
- 2) total number of files in inventories and separately by inventory/inventories;

- 3) number of files that actually exist;
- 4) missing file numbers;
- 5) description of physical or technical condition of records.

(8) A transferor of archival records shall eliminate any deficiencies identified during inventory checking at its own expense.

(9) If the technical resources at the public archives' disposal are unable to ensure the usability of archival records of different types, the records shall be copied onto another medium at the transferor's expense according to instructions given by the public archives.

## **§ 17. Transfer of private records to public archives**

(1) Private records may be transferred:

- 1) as a gift under a gratuitous contract together with transfer of ownership right;
- 2) as an inheritance;
- 3) for storage (without transfer of ownership right) under contract;
- 4) under contract of purchase and sale.

(2) Upon transfer of private records, the owner may subject them to access restrictions. Access restrictions shall be set forth in the contract and these cannot exceed 50 years from the record transfer date.

## **§ 18. Documentation of transfer**

(1) Upon transfer of archival records, public archives shall prepare a delivery and receipt form to be signed by the transferor and transferee.

(2) The delivery and receipt form shall contain at least the following data:

- 1) transferor's name;
- 2) name of the receiving public archives;
- 3) reference to reasons of the transfer;
- 4) name of the creator of archival records;
- 5) date ranges of archival records;

6) number of files in total and separately for paper and digital records (number of files, shelf metres, bytes, etc.);

7) transfer of ownership right to archival records;

8) access terms to archival records;

9) physical and/or technical condition of archival records.

(3) Additional data (public archives identification code, existence of user copies, etc.) or documents (inventory report) may be added to the delivery and receipt form.

(4) For special record types, technical documentation is added regarding the content, format and production and context (crew and cast, etc.) which is necessary to ensure the preservation of archival records, access to them and to ensure that they can be used (editing list, summary, technical data, etc.) in accordance with the requirements of public archives.

(5) Ownerless archival records are accepted on the basis of a unilateral instrument of receipt.

## **Chapter 7 Archival arrangement**

### **§ 19. Principles of archival arrangement**

(1) Archival arrangement enables:

1) transfer of archival records to public archives;

2) preservation of archival records in public archives;

3) use of archival records in public archives.

(2) The records of one creator of archival records shall be arranged into one archive regardless of the records type, class or medium.

### **§ 20. Arrangement levels**

(1) Archival arrangement employs a hierarchical structure with the following main arrangement levels:

1) fond level;

2) series level;

3) file level.

(2) On the level of fonds and series, sub-levels can be formed.

(3) The use of arrangement levels and their sub-levels must be optimal and help maintain the links between archival records, the context of their creation and simplify their use.

(4) An archive as an arrangement unit is a comprehensive set of records of the creator of archival records. An archive generally consists of the records of one creator of archival records.

(5) The factors in the creation of archival records are:

1) legal independence of a creator of archival records or organisational separation;

2) independent dealing of a creator of archival records and existence of functions;

3) person and their links to other persons.

(6) In the course of arrangement of archives, an archive may be divided into sub-archives in accordance with the archival scheme. The formation of sub-archives shall be based on the date-based classification, organisational structure and allocation of functions of the activities of the creator of archival records and on the relevant conducting of procedures.

(7) Upon the merger of creators of archival records or transfer of functions, the records of several (defunct) creators of archival records may be joined in one archive, defining each creator as a sub-archive.

(8) A collection is an arrangement unit on the fonds level, formed on the basis of classification, type, subject, author or multiple criteria.

(9) If a creator of a collection is the same as the creator of archival records, a collection shall be arranged as part of the archive of the creator of archival records.

(10) A series is an arrangement unit connecting the records belonging together based on function, classification, content or other criteria. Series may be classified into sub-series upon arrangement.

(11) A file is an arrangement unit for management of archival records. A file can be comprised of:

1) records belonging to one series and grouped together (folder, binder, box, etc.);

2) a single record (letter, photograph, etc.).

## **§ 21. Archival scheme and its approval**

(1) A creator of archival records shall develop or change an archival scheme before the arrangement of the archive or part thereof for transfer. An archival scheme defines the following:

- 1) arrangement units – fond and series with sub-levels;
- 2) hierarchical order, names and codes of arrangement units.

(2) The selection of arrangement units and defining links between them in the archival scheme shall be guided by the following:

- 1) classification scheme;
- 2) functions;
- 3) structure and changes therein;
- 4) archive size and composition.

(3) An archival scheme may call for an arrangement different than the initial arrangement if:

- 1) the initial arrangement cannot be determined;
- 2) the initial arrangement does not enable consistent classification of archival records to be carried out.

(4) An archival scheme shall be as optimal as possible so as to enable its use over a long time period. It must enable a continuous transfer of archives.

(5) An archival scheme and changes thereto shall be approved by public archives.

## **§ 22. Preparation of archival records for permanent preservation**

(1) When archival records on paper are arranged for transfer to public archives:

- 1) archival records shall be removed from enclosures unsuitable for permanent storage;
- 2) non-archival materials and metal fasteners in contact with paper shall be removed;
- 3) archival records shall be placed into chronological order alphabetically or based on other criteria;
- 4) sheets shall be numbered using soft graphite pencil;
- 5) sheets and enclosures shall be dry-cleaned;

6) a protective sheet of archival quality (document) paper shall be added to the front of the file and a confirmation letter (noting the total number of pages, etc.) to the end of the file;

7) sheets shall be placed loosely into archival enclosures or bound with tied string into folders or between covers and placed into archival enclosures.

(2) Files comprised of archival records on paper shall be placed into archival boxes stored horizontally, files and archival boxes shall be labelled according to the requirements of public archives.

(3) In case of damaged paper archival records, public archives shall be consulted regarding further actions.

(4) Digital archival records shall be given to the National Archives:

1) in a format independent of software platform and specific application software or in an open format i.e. archival format pursuant to Annex 1 to the rules;

2) uncompressed or using lossless compression and unencrypted.

3) as a unified envelope in XML format.

(5) An XML-format envelope for transferring digital archival records and their descriptions is created using the XML scheme developed by the National Archives.

(6) For digital records transferred inside digital signature envelope, archival formats specified in Annex 1 to the rules shall be used.

(7) In text files transferred, UTF-8 (Unicode) ISO 10646 encoding shall be used.

(8) Digital archival records in non-archival format shall be converted to archival format before transferring the archive. Formatting and conversion operations shall be decided by public archives in cooperation with the creator of archival records.

## **Chapter 8 Archival descriptions**

### **§ 23. Purpose and basis for archival descriptions**

(1) Archival descriptions shall create an accurate presentation of the archive of the creator of archival records and give an overview of the creation of archival records. Archival description shall enable:

1) to understand the context of creation of the records of the creator of archival records;

2) access to archival records.

(2) Archival descriptions shall be based on general international archival description standards approved by the International Council on Archives:

1) *ISAD(G): General International Standard Archival Description*;

2) *ISAAR(CPF): International Standard Archival Authority Record for Corporate Bodies, Persons and Families*.

## **§ 24. Archival descriptions method and description levels**

(1) Multi-level description shall be used for archival descriptions, according to which:

1) a separate description can be prepared for each archive, series, file or records;

2) descriptions presented on higher levels are more extensive and expansive;

3) on lower levels, if necessary, only detailed information, which cannot be presented on higher levels, shall be added, if necessary.

(2) Archival descriptions comprise description of the creator of archival records and the archive.

(3) An archive shall be described on the following levels:

1) fonds level, at the same level the collection is also described;

2) series level;

3) file level;

4) record level.

## **§ 25. Description elements**

(1) A list of description elements shall be compiled by the National Archives.

(2) When the creator of archival records and archive are described, at least the mandatory description elements presented in the list of description elements shall be used.

## **§ 26. Inventory**

(1) An inventory is a set of archive descriptions. An inventory is the primary tool for searching and accessing records in public archives.

(2) An archive description is generally presented in one inventory. Multiple inventories may be created for a complex and large-scale archive. The basis of adopting multiple inventories is

substantial change in the duties of a creator of archival records, organisation and composition of archive.

(3) An archive description presented in an inventory shall be approved by public archives before the arrangement of the archive is finalised.

## **Chapter 9 Preservation and protection of archival records**

### **§ 27. Principles for preservation of archival records**

(1) The following actions intended to extend record life shall be organised and performed for the preservation of archival records:

1) archival quality materials, products, formats and technologies shall be used in arrangement and preservation;

2) due conditions (interior fittings and environmental conditions) shall be ensured for the preservation of archival records in an archival repository;

3) protection of archival records from mechanical, chemical, physical, biological and human-induced (incl. vandalism, theft) damage;

4) user copies and archival master copies shall be created and records are conserved if necessary.

(2) The selection and application of optimal preservation solutions shall be based on record type, format, constituent materials, formatting method and other characteristics if necessary.

(3) Public archives and the creator of archival records specified in § 1 (3) shall retain archival records in the archival repository built or adapted for their permanent preservation (hereinafter repository).

### **§ 28. Repository requirements**

(1) A repository must have year-round compliant and stable environmental conditions. Requirements as to environmental conditions and air pollution thresholds are specified in Annex 2 to the rules.

(2) Environmental conditions of the repository must be regularly inspected using duly calibrated equipment.

(3) Repositories shall be built without windows. If a repository has windows, these must be adapted in a manner that prevents direct daylight.



- (4) The floor load capacity of a repository must conform to the weight and location of the interior fittings and records in the repository.
- (5) A repository must conform to fire safety requirements ensuring the preservation of archival records.
- (6) Warm air heating must generally be used in a repository. The air of warm air heating, as well as ventilation, must be filtered.
- (7) Electrical, gas and water supply systems must not be located in a repository or nearby, except if these are directly needed for purposes related to the preservation or use of archival records.
- (8) A repository must be secured against theft, breaking and entering, vandalism and terrorism.
- (9) Exit pathways from the repository must be marked visibly in the dark.
- (10) A repository must be fitted in a manner ensuring efficient air ventilation and prevents areas of high humidity from occurring.
- (11) Lighting may be used in a repository only while prescribed activities are taking place there.
- (12) A repository must not contain other furniture or equipment than necessary for the preservation and protection of archival records and it must not damage the records upon contact.
- (13) A repository, its ventilation systems, fittings and files must be cleaned regularly. Cleaning supplies must not damage records.
- (14) The preservation of digital archival records must be guided by the security measures for standard modules specified in the application guide of three-level baseline security approach system for information systems stipulated by the Regulation of the Government of the Republic of 20 December 2007 No. 252 titled "System of security measures for information systems" in accordance with the security level of infrastructure, IT systems, network and application components and information assets used for the preservation of digital archival records.

## **§ 29. Requirements for use of archival records**

- (1) The use of the repository and archival records and the security of records shall be specified by legislation regulating the internal operating procedures of public archives.
- (2) Archival master copies and user copies shall be created of records of particular value, frequent usage or poor physical condition. An archival master copy is created in a manner that ensures its longevity.
- (3) When copies are made, unique aspects of records arising from their format, weight, constituent components, arrangement method or other characteristics must be observed.

(4) When archival records are transported, they shall be packaged in accordance with format, condition and type of medium and protected from damage and theft.

### **§ 30. Disaster planning**

(1) Public archives and the creator of archival records specified in § 1 (3) shall conduct a disaster plan to prevent damage to or destruction of archival records in their possession.

(2) Based on the disaster plan, an action plan is developed to protect, rescue and restore archival records in probable situations of danger.

(3) An action plan shall be enacted as a disaster plan or part of some other document addressing safety and rescue work arising from the law.

### **§ 31. Conservation of archival records**

(1) In case of damage to an archival record, its possessor shall decide over the need to conserve it based on the preservation obligation and usage need.

(2) Archival records may be conserved only by persons with appropriate professional qualification.

(3) Conservation of archival records shall be documented. Conservation documentation shall include at least the name of the conservator, date, description of record condition before and after processing and description of processing.

(4) Conservation documentation shall be retained by the possessor of the record.

## **Chapter 10 Organising access to records**

### **§ 32. Principles for organising access**

(1) Public archives shall grant access to records:

- 1) in the public archives or its online environment;
- 2) by intermediating information as a response to enquiries by persons or agencies.

(2) Information regarding the existence and conditions of use of records with access restrictions shall be public.

### **§ 33. Ensuring use of records**

(1) In order to use records, public archives must contain a reading room or appropriately fitted work room.

(2) Users must be registered to use records and their user copies. Public archives shall be entitled to require a personal identification document.

(3) If a user copy exists, public archives shall issue the copy. Public archives shall decide over the issuance of an original record if a user copy exists.

### **§ 34. Communication of information in response to enquiry**

(1) Public archives shall communicate information regarding the existence of records and information contained in records in response to verbal and written enquiries by agencies and persons.

(2) In response to verbal enquiries, information shall be communicated solely regarding the existence of records either verbally or as a brief written response.

(3) In response to a written enquiry, public archives shall communicate information depending on the requirements of the enquirer.

(4) Public archives shall issue archival notices to communicate information needed to proof rights or transactions.

(5) Public archives shall not resolve an enquiry if:

1) it does not indicate the identity and contact details of the enquirer;

2) it does not indicate factual circumstances that are subject of the enquiry;

3) source data presented therein are insufficient to find records addressing the subject of the enquiry;

4) responding to it requires large-scale research.

(6) Public archives shall notify the enquirer of circumstances due to which an enquiry cannot be processed.

### **§ 35. Archival notice**

(1) A written enquiry shall be required to apply for an archival notice. The inquiry must include at least the following data:

1) name of inquiring person or agency;

2) inquirer's contact details;

3) factual circumstances that are subject of the enquiry.

(2) Mandatory components of an archival notice are:

1) summary of the inquiry;

2) short description of used records which shall indicate at least the name of the public archives and document class and date;

3) summary information based on records regarding the question asked in the inquiry or a notation confirming the issuance of copies if the relevant information is replaced by record copies pursuant to the purpose of the inquiry;

4) reference codes of records used in compiling the archival notice.

(3) If there are any particularities in the record used to compile an archival notice that may be meaningful (gaps, strikethrough, insertions, changes or illegible text, indications of deletion or other circumstances referring to changes in the original content of the document, including the fact that the record forming the basis of the archival notice is a certified or uncertified copy), it shall be documented in the archival notice.

(4) An archival notice shall be drafted in writing in accordance with the legislation regulating the operating procedures of public archives.

(5) An archival notice and copies of records annexed to it shall be signed by an archivist. Copies shall be presented in a manner enabling to verify their conformity with the original.

(6) An archival notice shall be issued within one month from receipt of the inquiry. If it is not possible to issue a notice within the above period, the inquirer shall be notified of an extension to the term at the first opportunity, or if it is not possible to issue an archival notice, the reason therefor shall be provided.

(7) An inquirer shall pay for the issuance of an archival notice pursuant to the State Fees Act.

### **§ 36. Use of records outside public archives**

(1) Records may be issued for use outside public archives for a specified term for the performance of public duties provided by law or on the basis thereof, or with regard to public interest.

(2) For the use of records outside public archives, an inquirer shall submit a request to public archives, which must contain at least the following data:

1) name of inquirer and job title in case of an official;

2) reference codes, titles and dates of records;

3) number of records;

4) purpose of use of records;

5) term of use of records.

(3) Records shall be issued for use under a decision by the head of public archives or their authorised representative on the basis of a document that shall contain the following data in addition to data specified in subsection 2 of this section:

1) return date of records;

2) access restriction, if applicable;

3) usage and preservation requirements of records;

4) name, job title and signature of transferor and transferee of records.

(4) User of records outside public archives:

1) shall ensure the purposeful use of records in accordance with the inquiry;

2) shall ensure the preservation, arrangement and future usability of records;

3) shall prevent third parties from gaining possession of the records.

## **Chapter 11 Implementing provisions**

### **§ 37. Implementation of § 8 of this regulation**

Pursuant to § 8 of this regulation, a classification scheme shall be deemed approved under an opinion issued on a list of documents by public archives before the entry into force of this regulation.

### **§ 38. Implementation of § 15 of this regulation**

The transfer term of 20 years shall apply to records on paper created up to the entry into force of this regulation as of the creation of such records or they shall be transferred upon agreement with public archives together with subsequently created records.

### **§ 39. Implementation of chapter 10 of this regulation**

[Removed]

### **§ 40. Entry into force of the regulation**

The regulation shall enter into force on 1 January 2012.

Andrus Ansip

Prime Minister

Jaak Aaviksoo

Minister of Education and Research

Heiki Loot

Secretary of State

[Annex 1](#) Archival formats

[Annex 2](#) Requirements for environmental conditions of repositories

Annex 1 to the Regulation dated 22 December 2011 of the Government of the Republic  
titled “Archival rules”

(amended wording)

**Archival formats**

<b>Record type</b>	<b>Archival format</b>	<b>Requirements</b>
Text	TXT	Submitted in format UTF-8 (Unicode) ISO 10646 encoding
	PDF (Portable Document Format)	Compatible with PDF/A-1b requirements (ISO 19005-1 Level B Compliance)
	XML (Extensible Markup Language)	XML file is submitted in: – well-formed condition in accordance with XML 1.0 specifications; – linked and validated with a suitable XML schema <sup>1</sup> ; – linked to XML style sheet(s) that are valid in terms of W3C recommendations (W3C Extensible Stylesheet Language (XSL) Version 1.1)
Image	TIFF (Tagged Image File Format)	Compression is only under lossless compression methods, for black and white records in accordance with CCITT Group 4 (Comité Consultatif International de Telegraphique et Telephonique), for grayscale and colour documents in accordance with LZW (Lempel-Ziv-Welch)
	PNG (Public Network Graphic)	For colour and grayscale, lossless compression method LZW (Lempel-Ziv-Welch) must be used
Sound recording	WAV (Waveform Audio File Format)	PCM (Pulse Code Modulation); resolution at least 16 bit; sampling frequency at least 48 kHz
	BWF (The Broadcast Wave Format)	
	AIFF (Audio Interchange File Format)	

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<sup>1</sup> The XML schema that is the basis of the XML file must comply with the requirements of Annex 1 to the instructions of the Ministry of Economic Affairs and Communications titled “Instructions for XML document type data description preparation”. As an exception, internationally widely supported XML schemas may be used.

<b>Record type</b>	<b>Archival format</b>	<b>Requirements</b>
Born-digital film	DCDM (Digital Cinema Distribution Master)	Created based on the Digital Cinema Initiatives (DCI) version 1.2. standard <sup>2</sup> <u>Subtitles standard:</u> CineCanvas rev C or SMPTE 428-7 <sup>3</sup>
Born-digital film Image master	Uncompressed image sequence: TIFF (Tagged Image File Format) sequence or DPX (Digital Picture Exchange) sequence or JPEG2000 (lossless compression) <sup>4</sup>	Linear bit depth of frames 16, 12 or 10 bits; pixel aspect ratio 1:1 (square pixels); resolution according to the DCI standard;  first frame must be the first “active” frame, no film leaders  <u>Colour space standard</u> (four options): rec.709 in RGB full-range, optimized for display gamma of 2.4; 1931 CIE in XYZ, optimized for a display gamma of 2.6; DCI P3 in RGB, optimized for a display gamma of 2.6; sRGB, optimized for a display gamma of 2.2
Born-digital film Soundtrack master	WAV (Waveform Audio File Format) or BWF (Broadcast Wave Format)	PCM (Pulse Code Modulation); resolution 24 bit; sampling frequency 48 kHz or 96 kHz; separate mono audio in each audio channel;  Soundtrack must start from the first frame of film and be synchronised with the film
Born-digital film Subtitles	XML (Extensible Markup Language)	<u>Subtitles standard</u> (options): CineCanvas rev C <sup>5</sup> ; SMPTE 428-7 <sup>6</sup> ;  Subtitles files must be synchronised with the video and audio

<sup>2</sup> <http://dcimovies.com/specification/>. Full description of the DCI specification  
[http://dcimovies.com/specification/DCI\\_DCSS\\_v12\\_with\\_errata\\_2012-1010.pdf](http://dcimovies.com/specification/DCI_DCSS_v12_with_errata_2012-1010.pdf)

<sup>3</sup> Subtitles standard <http://standards.smpte.org/content/978-1-61482-570-8/st-428-7-2007/SEC1>

<sup>4</sup> JPEG2000 ISO/IES 15444-1 standard <http://www.jpeg.org/public/fcd15444-10.pdf>

<sup>5</sup> CineCanvas subtitles standard [http://www.dlp.com/downloads/pdf\\_dlp\\_cinema\\_CineCanvas\\_Rev\\_C.pdf](http://www.dlp.com/downloads/pdf_dlp_cinema_CineCanvas_Rev_C.pdf)

<sup>6</sup> <https://www.smpte.org/sites/default/files/24TB-Captions-Report-IMF-TTML-Features-20121001.pdf>



<b>Record type</b>	<b>Archival format</b>	<b>Requirements</b>
Digitized analogue film Image sequence	Uncompressed image sequence: TIFF (Tagged Image File Format) sequence or DPX (Digital Picture Exchange) sequence	Bit depth of frames 16 or 12 bits; Bit depth of 10 bits is permitted for materials not in need of additional colour correction or restoration; pixel aspect ratio 1:1 (square pixels) <u>Colour space:</u> RGB for colour films; Monochrome for black and white films <u>Colour space standard (options):</u> rec.709 in RGB full-range, optimized for display gamma of 2.4; 1931 CIE in XYZ, optimized for a display gamma of 2.6; DCI P3 in RGB, optimized for a display gamma of 2.6;  Image sequence is digitised with PIP marker (if applicable)
Digitized analogue film Soundtrack	WAV (Waveform Audio File Format) or BWF (Broadcast Wave Format)	PCM (Pulse Code Modulation); audio frame rate 24 fps; audio resolution at least 16 bit; audio sampling frequency at least 48 kHz;  Soundtrack is digitized with PIP marker (if applicable)
Digital video recorded in SD (standard definition) <sup>7</sup>	MXF (Material exchange Format)	Video standard D10 (OP1A, operational pattern); video compression format MPEG-2; profile 422P@ML (main profile at main level); video bit rate 50 Mbit/sec (CBR, constant bitrate); frame rate 25 fps; frame display resolution 720×576
Digital video recorded in HD (high definition) <sup>8</sup>	MXF (Material exchange Format)	Video standard XDCAM HD; video compression format MPEG-2; profile 422P@HL (main profile at high level); video bit rate 50–80 Mbit/sec (CBR, constant bitrate); frame rate corresponds to original
Analogue video Digitization parameters for analogue video corresponding to PAL 576i TV standard <sup>9</sup>	MXF (Material exchange Format)	Video standard D10 (OP1A, operational pattern); video compression format MPEG-2; video bit rate 50 Mbit/sec (CBR, constant bitrate); frame rate 25 fps; frame display resolution 720×576 profile and Level 422P@ML

<sup>7</sup> Formats: DV CAM; DVCAMPRO25; BETACAM SX; IMX50; XDCAM; DVCPRO50; Digital Betacam.

<b>Record type</b>	<b>Archival format</b>	<b>Requirements</b>
Analogue video Digitization parameters for amateur video in analogue format <sup>10</sup>	AVI	Video digitisation standard: DV PAL (.avi container); video compression format MPEG-2; video bit rate 25 Mbit/sec; frame rate 25 fps; frame display resolution 720 × 576 chroma subsampling: at least 4:2:0

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<sup>8</sup> Formats: HDV 25Mbit/sec; AVC-I 50; AVCHD; XDCAM HD 422; DVCPRO HD; HDCAM.

<sup>9</sup> Formats: BETACAM; BETACAM-SP; 1 inch B; 1 inch C; 2 inch.

<sup>10</sup> Formats: VHS; Betamax; S-VHS; Video8; Hi-8; UMATIC.

Annex 2 to the Regulation of  
the Government of the  
Republic titled “Archival rules”

**Requirements for environmental conditions of repositories**  
**Climate conditions for preservation of records**

<b>Material type</b>	<b>Temperature, °C</b>		<b>Relative air humidity, %</b>	
	minimum	maximum	minimum	maximum
Paper, optimal for preservation	2	18	30	45
Paper, in repositories where work is done, files that are in regular use	14	18	35	50
Parchment, leather	2	18	50	60
Photographic film: black-and-white silver gelatin on cellulose acetate base either or or		2 5 7	20 20 20	50 40 30
Photographic film: black-and-white silver gelatin or silver dye-bleach on polyester base		21	20	50
Photographic film: colour (chromogenic) on cellulose acetate base either or or		-10 -3 2	20 20 20	50 40 30
Photographic plates: black-and-white, silver gelatin		18	30	40
Prints: black-and-white silver gelatin or silver dye-bleach or diazo		18	30	50
Prints: colour (chromogenic)		2	30	40
Prints: all other		-3	30	50
Microfilm: m/v silver gelatin on cellulose acetate base either or or		2 5 7	20 20 20	50 40 30
Microfilm: black-and-white silver gelatin on polyester base or thermally processed silver on polyester base or vesicular on polyester base		21	20	50

Gramophone records (acetate, shellac, vinyl)	16	20	30	40
Magnetic tape (data, audio, video) on polyester base either or or	8 8 8	11 17 23	15 15 15	50 30 20
Magnetic media (other)	12	18	30	40
Optical drives	-10	23	20	50
For mixed collections where for example paper and parchment are kept together, compromise values must be determined as to temperature and relative air humidity.				

### Maximum permitted pollutant thresholds in repository air

Pollutant type	Maximum permitted thresholds	
	volume x 10 <sup>-9</sup>	µg/m <sup>3</sup>
Sulfur dioxide (SO <sub>2</sub> )	5–10	–
Nitrogen oxides (NO <sub>x</sub> )	5–10	–
Ozone (O <sub>3</sub> )	5–10	–
Acetic acid (CH <sub>3</sub> COOH)	< 4	–
Formaldehyde (HCHO)	< 4	–
Dust particles, incl. fungal spores	–	50
With the permitted dust particle threshold it is assumed that the air filtration system removes 60-80% of dust particles greater than 0.5 µm in diameter.		