

# MUNICIPAL ARCHIVE SYSTEM REGULATIONS



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## ***Preamble***

Following approval of Barcelona City Council's Archive Planning Project (1988) the current Municipal Archive System (SMA) was implemented, creating new centres and taking on new functions, including the gradual intervention in document management over its entire life cycle and the provision of any support required. Given how much the SMA has developed and based on the experience gained from the different institutes and centres, we now need to adapt the regulations in force to the current reality and needs.

These Regulations define and establish the functions of the Municipal Archive System, as well as those specific to the bodies and centres which comprise the SMA. They also give a legal basis to document archiving in these centres and to implementation of the Integrated Document and Archive Administration System (AIDA system), which guarantees adequate handling over a document's entire life cycle. They therefore govern different aspects that must be comprehensively looked at if coherent policies are to be applied and contradictory actions avoided. They cover active document management by administrative units, as well as the receipt of documents by SMA centres and their subsequent handling by these centres, including preservation and communication.

Any Regulations regarding municipal government document management must include those in paper format as well as those in electronic format. This comprehensive view of documents, regardless of their format, is one of the core aspects of this text and one of the main concepts it introduces.

In this sense, these Regulations are framed within electronic document policies and programmes arising from the e-Government Regulatory Byelaw.

The Regulations thereby guarantee access to records by city residents, along with promoting the duty of public authorities to offer transparency and services to citizens, promoting the creation of resources to allow people to exercise their right to access. They detail different formal aspects of exercising the right to access and list exceptions to the general principle of free consultation that result in reservation levels and periods having to be applied.

They also enhance the cultural function of SMA centres, particularly the preservation and dissemination of municipal document heritage, consolidating communication between the municipal government and society in this field.

Finally, and within the cultural function of archives, these Regulations establish the need for a policy relating to communication and dissemination of municipal document heritage, in accordance with the research and participation initiatives emerging from society itself and from Barcelona's other cultural heritage managers.



## SECTION I - General provisions

### **Article 1. Purpose**

1. The aim of these Regulations is to govern the comprehensive management of records by Barcelona City Council and determine the responsibilities and functions of the different bodies, services and centres that make up the Municipal Archive System.
2. The provisions of these Regulations are to be applied to the management of documents in any format and medium, produced or received by the municipal government, private documents that form part of the municipal document heritage and any other fonds stored in Municipal Archive System centres.

### **Article 2. Scope of application**

These Regulations will be applied to the Municipal Government, understood to be:

1. The administration bodies that make up Barcelona City Council.
2. Government bodies.
3. People who perform political representation roles.
4. Independent organisations and corporate public bodies created by Barcelona City Council.
5. Other associated bodies or those dependent on Barcelona City Council and consortia in which Barcelona City Council has direct or indirect majority representation, when such bodies or consortia exercise administrative powers.
6. Companies with capital wholly or mostly provided by the City Council.
7. Companies and entities that provide municipal public services, provided they are licence holders or approved by their governing bodies, in their relations with Barcelona City Council and with city residents, within the framework of the provision of public municipal services and when exercising administrative powers within their competence, and in all aspects that relate or derive from provision of the aforementioned services.

### **Article 3. Definitions**

For the purposes of these Regulations, the following is understood by:

- *Document appraisal*: Function that determines the cultural, informative or legal value of documents, deciding whether they should be conserved or disposed of.
- *Document*: Any information, independently of its type or format or the medium on which it is found, created or received by the municipal government whilst performing its functions, and referring or related to its functions, measures, services and competences, that may be identified and handled as a unit.



- *Electronic document*: Information of any type in electronic form, archived electronically according to a set format and able to be identified and handled separately.
- *Active document*: Government documentation processed or used frequently in a unit's activities.
- *Semi-active document*: Government documentation that, once ordinary processing is completed, is not used regularly by the unit that produced it during its activity.
- *Inactive or historic document*: Government documentation that, once the immediate administrative validity is completed, is primarily of cultural or informative value.
- *File*: Ordered set of documents that reflect an administrative procedure.
- *Electronic file*: Set of electronic documents corresponding to an administrative procedure, independently of the type of information they contain.
- *Document Management System*: Set of operations and techniques, incorporated into the general administrative management, based on analysing the production, processing and value of documents, for the purpose of planning, control, use, storage and disposal or transfer of documents to an archive centre, with the aim of rationalising and unifying how they are handled and achieving efficient and profitable management of documents.
- *Transfer*: Process of physically and legally transferring storage of files and documents from the various units to the corresponding archive centres, in accordance with the established terms.

## SECTION II - Municipal Archive System

### ***Chapter I - Functions and areas of application***

#### **Article 4. Municipal Archive System Functions**

1. Barcelona City Council's Municipal Archive System (SMA) consists of a conceptually and functionally united set of criteria and guidelines, procedures, bodies, services and archive centres, that guarantee compliance with the legal requirements in terms of document management, archiving, storage, confidentiality and communication, from their production or receipt to their disposal, where required, or permanent conservation.
2. The Municipal Archive System must guarantee:
  - a. Document management pursuant to Article 7 of these Regulations.
  - b. Document archiving once they have been received by archive centres.
  - c. Protection of municipal document heritage.
  - d. Access to documents while respecting the right to privacy and other legally protected rights, and the dissemination of document heritage for the purpose of cultural sharing, research and teaching support.



e. All other functions and responsibilities entrusted to it by the City Council's governing bodies.

3. The Municipal Archive System will provide sufficient human resources with the appropriate professional profiles to take on the direction, organisation and management of the system itself and of documents at all stages and in all formats. It must also be assigned the technical and financial resources required to perform its functions.

## **Article 5. Municipal Archive System Structure**

1. The following are Municipal Archive System bodies:
  - a. The Municipal Archive System Management.
  - b. The Management Committee.
  - c. The Municipal Commission on Records Access and Appraisal (CMAAD).
  
2. The following are Municipal Archive System centres:
  - a. The Historic Archives of the City of Barcelona (AHCB).
  - b. Barcelona Contemporary Municipal Archives (AMCB).
  - c. Photographic Archive of Barcelona (AFB).
  - d. The district municipal archives.
  - e. The central archives.

## **Article 6. Municipal Archive System Regulations**

The instructions, work protocols and document management and archiving procedure manuals will be applied across the entire municipal government.

## **Article 7. Document management**

The Municipal Archive System is responsible for the following in relation to document management:

- a. Creating and promoting document management policies to the municipal government, and coordinating application thereof.
- b. Preparing, administering and facilitating the application of the classification matrix, the conservation schedule and access tables, as well as document planning and identification criteria.
- c. Establishing criteria on the transfer of documents to archive centres.
- d. Preparing and proposing the approval of document conservation and disposal rules in accordance with reference regulations.
- e. Promoting the preparation of suitable description instruments to guarantee the identification, control and availability of documents.
- f. Preparing and proposing the approval of guidelines and measures for safe storage of documents and guaranteeing their conservation and availability.
- g. Advising the municipal administration on all aspects related to document management.

## **Article 8. Management archives**



1. All units and bodies will have access to a reference management archive in order to guarantee compliance with these Regulations in relation to documents being processed or those used frequently.
2. The management archive comprises all documents received or generated by activity conducted by the body itself or by subsidiary bodies, during administrative procedures and in accordance with the Conservation Schedule and, in any case, for a maximum of five years. The management archive also comprises all resources allocated to management of the aforementioned documents.
3. Handling, storage, use and consultation of documents in the management archives will be conducted by applying document management system criteria and under the supervision of SMA technical staff. The head of the corresponding government unit is responsible.
4. The head of the unit will assign a person to the management archive.
5. The personnel in each government unit are responsible for the documents they process or those in their safekeeping and must apply document management system criteria and rules.

#### **Article 9. Document archiving**

Municipal Archive System bodies and centres are responsible for guaranteeing that documents received by archive centres are archived. They must ensure they are organised, classified, described, audited and implemented in order to guarantee their conservation, availability and, where required, reservation.

#### **Article 10. Protection of document heritage**

Municipal Archive System bodies and centres must:

1. Safeguard the heritage of documents generated by the municipal government over the course of its history.
2. Ensure the protection of the heritage of documents generated by private people, organisations or institutes linked to Barcelona city.
3. Allow the safeguarding of public sources generated in the municipality by promoting the signing of agreements with their holders when appropriate so as to allow them to be conserved and fulfil their social function.
4. Collaborate with other public administrations in safeguarding municipal document heritage.
5. Encourage citizens to participate in the preservation and dissemination of municipal document heritage.

#### **Article 11. Accessing documents and disseminating document heritage**

Municipal Archive System bodies and centres must:





1. Promote and facilitate access to documents by citizens, in accordance with the applicable regulations on the right to access government information.
2. Facilitate the consultation of documents by municipal government bodies and units, whether in an archive centre or through issuing copies or granting temporary loans.
3. Respond to the information or documentation needs within the scope of each archive centre.
4. Promote research about Barcelona's history and encourage knowledge of this history.
5. Raise awareness of the document heritage of the municipality, especially through measures that disseminate the legacy of documents held by archive centres.
6. Carry out dissemination activity programmes predominantly aimed at sharing Barcelona's history.

## ***Chapter II - Municipal Archive System Bodies***

### **Article 12. Municipal Archive System Management**

1. Management of the Municipal Archive System falls to the chief archivist, who is assigned the following functions:
  - a. Exercising senior management over the services and bodies that make up the Municipal Archive System.
  - b. Planning, directing, coordinating and supervising the actions and programmes involved in local authority document management and the archiving of documents.
  - c. Preparing the rules and regulations that govern organisation of the Municipal Archive System, as well as the guidelines, procedures and methodologies for document management and archiving. Promoting their approval and checking that they are being applied.
  - d. Establishing the criteria for managing the facilities and amenities of the archive centres and services. Supervising the quality of archive centre infrastructure and facilities, as well as the services they offer. Notifying about any shortcomings observed and preparing proposals for their correction.
  - e. Coordinating personnel management and financial administration of the centres they manage, as well as any other task involved in administrative management.
  - f. Proposing the setting up of consultative bodies, committees and interdepartmental working groups to deal with matters that fall within their responsibility. Directing their work.
  - g. Providing technical guidelines and advice on building works projects and the procurement of goods and services that have a direct impact on a functional level.
  - h. Preparing proposals for the dissemination and communication of document heritage. Ensuring coordination of the different programmes that are carried out by the archive centres and providing the technical support required to carry them out.
  - i. Taking part in drawing up and coordinating the quality and innovation policies of the Municipal Archive System.
  - j. Formulating the guidelines for managing e-documents.



- k. Preparing the Municipal Archive System's annual reports.
- l. Promoting and coordinating SMA external relations, which may be managed by means of protocols, agreements, projects and conventions on a national and international level.

2. The chief archivist directs and coordinates the provision of services into which the Municipal Archive System Management is structured.

### **Article 13. Management Committee**

1. The chief archivist will be technically assisted by the Municipal Archive System Management Committee. The Committee will comprise the archive centre directors and service directors chosen by the chief archivist. The Committee will be convened by the chief archivist. The programmes, rules, instructions and reports of measures must be submitted to the Management Committee before proposing their approval.

2. The Management Committee is responsible for the following functions:
- a. Informing about document management and archiving programmes for document sources, as well as about communication and document heritage dissemination proposals.
  - b. Advising on the rules, criteria and guidelines regarding Municipal Archive System archive centres.
  - c. Proposing improvements regarding technical criteria and archiving services.

### **Article 14. Municipal Records Access and Appraisal Committee (CMAAD)**

1. The CMAAD is the technical collegiate governing body responsible for determining the value of documents and analysing their content, for the purposes of proposing the conservation period and system for accessing them.

2. The following are CMAAD functions:
- a. Determining the conservation schedule for documents.
  - b. Advising on the application of document access and reservation regulations.
  - c. Defining the administrative procedure for processing appraisal proposals, as well as disposal protocol.
  - d. Preparing the requisite regulations and instructions, which municipal offices must follow, with regard to Committee competences.
  - e. Preparing procedural manuals on document access, disposal and conservation.
  - f. Advising and informing municipal bodies and services on document access, removal and appraisal issues.
  - g. Informing about claims, complaints or suggestions in terms of document access.
  - h. Collaborating with the City Council Ombudsman's Office in responding to and proposing solutions to complaints or claims submitted by individuals regarding document access.
  - i. Issuing the report governed by Article 37.1 of these Regulations in a timely manner.

3. The CMAAD will meet at least once every six months and their decisions and proposals on document conservation and disposal will be transferred to Generalitat (Catalan government) bodies for their knowledge and, if applicable, ratification.

4. Once the CMAAD decisions have been definitively approved they will be incorporated into the Conservation Schedule.



**Article 15. Composition of the CMAAD**

1. The CMAAD is chaired by the manager of the area from which document management and archiving competences are performed. The chief archivist is the deputy chair of the CMAAD and will run sessions in the absence of the chair.
2. The following are CMAAD members:
  - a. Barcelona City Council general secretary, or a person delegated by them.
  - b. The director of legal services, or a person delegated by them.
  - c. The director of information and technology services, or a person delegated by them.
  - d. The director of the Historical Archive of the City of Barcelona.
  - e. The director of the Barcelona Contemporary Municipal Archives.
  - f. The head of the Municipal Archive System Management's Centre Coordination Service.
  - g. The head of the Municipal Archive System Management's Document Service, which will also perform the role of CMAAD secretary.
  - h. A specialist historian in contemporary municipal records, appointed by the mayor.
  - i. A specialist university professor in contemporary history, appointed by the mayor.
3. Representatives of the unit that produced the document to be appraised will be able to attend CMAAD sessions, as well as specialists in the topics that appear on the agenda. They will have a voice but no vote.
4. Within the framework of these Regulations, the CMAAD will determine its operating procedures.

**Chapter III - System Centres****Article 16. Historical Archives of the City of Barcelona (AHCB)**

1. The Historical Archives of the City of Barcelona (AHCB) receive, manage, store and disseminate the documentation generated or received by the municipal government from the creation of the Barcelona municipal system up until the first third of the 21st century, and any documentary fonds of interest to the city's history.
2. The AHCB receives, manages, stores and disseminates sound, bibliographical, cartographic, newspaper and iconographic collections of interest for Barcelona's research and history.
3. The AHCB guarantees appropriate handling, organisation and storage of its sources and collections and promotes their consultation and dissemination.

**Article 17. Barcelona Contemporary Municipal Archives (AMCB)**

1. Barcelona Contemporary Municipal Archives (AMCB) receive, manage, store and disseminate documentation created or received by the municipal government from the first third of the 21st century onwards. They receive the documents from functionally



central and peripheral government bodies once the storage period at the central archives has passed, and any other institutional document fonds from the same period that is considered of interest for the contemporary history of the city of Barcelona.

2. The AMCB guarantees the handling, organisation and safekeeping of documents at the intermediate archiving stage, when they still need to be appraised and selected. It also guarantees the handling, organisation and safekeeping of documents during the historical archiving stage, when permanent conservation has been decided upon due to historical heritage for the city.

### **Article 18. Photographic Archives of Barcelona (AFB)**

1. The AFB receives, manages, stores and disseminates the municipal government's photographic sources, and photographic sources and collections from other origins that are of interest for the city's history.

2. AFB acts as a reference centre for the municipal government in relation to the requisite handling of images.

3. The AFB handles and organises its fonds and collections and promotes their consultation and dissemination.

### **Article 19. District municipal archives**

1. The district municipal archives receive, manage, store and disseminate documents generated by the municipal government in the districts or any other municipal body in the district, as well as those deriving from transferring competences to the districts, historical sources from the old municipalities in the Barcelona Plain and any sources considered of interest for the territory's history.

2. The district municipal archives assume the functions of the central and historical archives for district bodies. In exceptional circumstances, when the nature of the documents, their type or their state of conservation dictates, they will be moved to the Municipal Archive System centre deemed most appropriate.

3. The district municipal archives promote and coordinate application of the document management system to district administration.

### **Article 20. Central archives**

1. The central archives receive, manage, store and make accessible semi-active documents deriving from the offices they serve.

2. The municipal government's central sectors or areas, independent bodies, companies and other municipal members with their own legal personality will have access to a central archive where semi-active documents deriving from their offices will be sent, in accordance with the terms established in the conservation schedule. Unless



expressly instructed otherwise, documents will remain in the central archive for fifteen years after they were generated or received by the relevant administrative unit.

3. The central archives will implement a document management system in the administration of their functional scope.

### **Article 21. Archive centre provision**

1. Archive centres will have access to the necessary infrastructure for correct archiving of documents and proper services to users.

2. Each centre will have the areas and media necessary and proportional to the services they are required to offer, the volume of the documentation stored, the population they serve and future requirements.

3. The basic areas that archive centres will have are as follows:

- a. Deposits for the conservation and storage of documents, with sufficient capacity and environmental conditions and appropriate security.
- b. A reading room.
- c. Offices and work and technical handling areas for documents where identification, classification, planning, conservation, description, appraisal and all other necessary tasks are carried out.
- d. A reception and initial document handling area.

4. Archive centres will have a multi-use area or will have access to the infrastructure required to perform cultural acts and dissemination activities.

## SECTION III - Document management and archiving

### ***Chapter I - The AIDA system***

#### **Article 22. AIDA system aims**

1. The Integrated Document and Archive Administration (AIDA) system brings together the methodological, technical and archiving criteria for document management and archiving of Barcelona City Council's document heritage.

2. The AIDA system incorporates and unifies the document management of all Barcelona City Council's bodies in order to audit documents in each and every one of their life cycle stages, until they are conserved or disposed of, based on criteria of efficiency, profitability and rapid recovery of information.

#### **Article 23. AIDA system tools**

The AIDA system comprises the following tools: the Fonds Organisation Table, classification matrices, the Document Description Method, and the Conservation and Access Schedule. These tools are to be applied to each and every body and member mentioned in Article 2 of these Regulations.



#### **Article 24. Fonds Organisation Table**

The Fonds Organisation Table identifies and organises document fonds that are different in nature and origin and fall within the responsibility of the Municipal Archive System.

#### **Article 25. Classification matrices**

1. All documents must be classified.
2. The Uniform Document Classification Matrix is a tool that functionally, logically and hierarchically structures the activities and transactions performed by the different bodies and people in the municipal government. It should be applied to contemporary municipal fonds and allows documents therein to be identified and recovered.
3. Other sources featuring in the Fonds Organisation Table have a corresponding classification matrix. The SMA Management is responsible for establishing the criteria for preparing classification matrices.

#### **Article 26. Document description method**

The Document Description Method establishes the rules, guidelines and criteria to follow in order to describe documents.

#### **Article 27. Conservation and Access Schedule**

1. The Conservation and Access Schedule decides the value of documents, governs their conservation and transfer periods and the system for accessing them.
2. Local authority bodies are responsible for the preservation and safekeeping of documents. No document may be totally or partially disposed of without following the established regulatory procedure, instructions from the Records Access and Appraisal Committee and that which is established in the Conservation and Access Schedule.
3. Archive centres will periodically dispose of documents in accordance with the Conservation and Access Schedule and the established procedures.



## ***Chapter II - AIDA system implementation***

### **Article 28. Responsibility for implementation**

All organs, units and personnel rendering services to the municipal government must facilitate implementation of the AIDA system. Archivists will coordinate, promote and advise implementation work and will check that the system is being effectively applied.

### **Article 29. Resources**

1. Municipal government bodies must allocate the resources required to organise documentation and implement the system.
2. Any of the document handling operations or tasks listed in Article 9 of these Regulations that must be performed outside of archive centres will require the supervision of an archivist and will be completed in accordance with the AIDA system criteria.
3. The Municipal Archive System Management is responsible for organising a continuous training programme for AIDA system users, within the framework of the Barcelona City Council Training Plan.

### **Article 30. Information systems**

1. Archive centres must use document management and archiving programmes approved by the Municipal Archive System Management.
2. Municipal government electronic document management and information systems must comply with the requirements of the AIDA system and all the elements thereof.
3. The development of information systems that affect document management will require intervention from and a report by the Municipal Archive System Management from the moment the project is defined.

## ***Chapter III - Transfers and entry of documents to archive centres***

### **Article 31. Transfer procedure**

1. Management archives will transfer documents that they have generated or received in the course of performing their competences and functions to the relevant archive centres, within the deadlines established in the Conservation and Access Schedule.
2. During the course of these transfers the Municipal Archive System Management instructions will be followed relating to document preparation, handling and description and the procedure to follow.





3. Transfers from management archives will be performed frequently and will be recorded using regulated forms. Documents to be transferred must be identified, classified and described in accordance with AIDA system criteria.
4. Transfers from one archive centre to another will follow the same procedures as those coming from management archives.
5. The body transferring the documents will be responsible for any expenses.

### **Article 32. Entering institutional and private fonds**

Documents from natural and legal persons outside of the municipal government will be received following the Municipal Archive System Management instructions, will be recorded in writing and will require the approval of the relevant municipal body.

## ***Chapter IV - Preservation and restoration of documents***

### **Article 33. Preservation policies**

The Municipal Archive System Management will prepare document prevention, conservation and restoration policies and protocols in order to guarantee their conservation and permanent availability.

### **Article 34. Environmental and safety conditions of archive centres**

1. Archive centres will ensure the conservation and protection of documents in the most appropriate environmental and security conditions. They will have the appropriate resources and facilities for this purpose.
2. Cleaning and control of pests and infestations and micro-organisms that may affect document conservation will periodically be carried out.
3. All archive centres will have anti-theft and fire detection and extinction measures in place.

### **Article 35. Document restoration**

1. Document restoration will aim to recover the physical and functional integrity of the document, correcting any alterations or damage that may affect it.
2. Any intervention, internal or external, will be entrusted to qualified professionals, must guarantee respect for the original, the reversibility of the materials used and the easy identification of any elements added. The restoration process must be appropriately documented.
3. In the event of restoration having to be performed off-site, documents will be equipped with the appropriate security measures.

## SECTION IV - Accessing documentation





## **Chapter I - General document access system**

### **Article 36. General principles**

The bodies and members mentioned in Article 2 of these Regulations must make it possible for all citizens to exercise their right to access public documents, pursuant to Article 37 of Act 30/1992 RJPAC (Legal Regime of the Public Administrations and of the Common Government Procedure). They will adopt behaviour that favours and promotes exercising this right. Citizens may only have their right to access denied in accordance with the legally established limitations. A decision to deny the right to access public documents must be accompanied by the reason.

### **Article 37. Access system exceptions**

1. Access to documents not open for public consultation may be allowed in exceptional circumstances, a legally required report having been submitted in advance, in the case of access requests in the interests of science or culture, in accordance with legal provisions.

2. Access to documents not open for public consultation that are not expressly classified as accessible by law may be denied, provided that, with reason, it is considered, in accordance with the law, that they may harm the general or public interest.

3. Access to documents may be denied temporarily if they have not yet been classified or prior to their restoration, provided using them for reference might damage their integrity and safety, without prejudice to the provisions of Article 41 of these Regulations, unless duly motivated urgent cause should exist.

### **Article 38. Duration of reservations**

In general, the legally established exclusions regarding consulting public documents will no longer have effect after thirty years from document production, unless specific legislation provides otherwise. Also in general, if the documents contain personal data that may affect the safety, honour, privacy or image of people, as a general rule and unless specific legislation provides otherwise, they may be consulted by the public with the consent of the affected parties or twenty-five years after their death or, if the date is not known, fifty years after the document was produced.

### **Article 39. Accessing private records**

All citizens may access private records incorporated into the municipal document heritage under the conditions agreed between the holder and the municipal government, pursuant to the general legally established limitations on the right to access. If the archived file does not contain indications regarding access, private records may be accessed under the general conditions applicable to public documentation.



**Article 40. Documents containing protected data**

In general, partial access to documents or information that contain protected data will be granted, provided that the confidentiality and anonymity of this data can be guaranteed through the application of the relevant technical processes, in accordance with the applicable regulatory rules on the right to access administrative information.

**Article 41. Consultation support**

1. Access to documents must be provided in the material format that the applicant has chosen from those available. In the event that exercising the right to access might pose a threat to the correct conservation of a document, a copy will be made accessible.
2. In order to guarantee their preservation, the documents requested most often or of the greatest historical value may only be consulted as copies, unless consultation of the original is essential.

**Chapter II — Access procedures****Article 42. Type of consultation**

1. Internal consultations are those conducted on documents at archive centres, by bodies and members of the municipal government in the course of their duties. These consultations must be requested in writing and, where necessary, the department in question may obtain a loan of the document requested in accordance with the provisions of Articles 49 to 52 of these Regulations.
2. External consultations are those carried out by natural or legal persons that do not belong to the municipal government. The applicant must make their request by showing an ID document or certificate.

**Article 43. Minimum age for accessing consultation service**

Access to the external consultation service is restricted to people over sixteen years old. Access and consultation may, however, be authorised for people under sixteen years old within the framework of teaching programmes and in accordance with the criteria established at any time by the relevant centre management.

**Article 44. Consultation tools**

Archive centres will provide users with the description instruments they have. Archive centre personnel will provide users with information they may find useful, without implying under any circumstances an obligation to perform specific research tasks on behalf of the applicant.

**Article 45. Maximum number of documents consulted**

Centre management for each archive can establish a maximum number of document units that users may consult and reserve in the same session.



### **Article 46. Copies**

1. Archive centres will provide users who request it with copies of the documents in their safekeeping, following procedures and applying the approved public charges and fees.
2. Only technical personnel authorised by archive centres may copy documents. In exceptional circumstances, however, the centre's management may authorise copies to be made by the applicant using their own means.
4. Orders that involve mass use or an intensive drain on archive centre documents will be governed by means of a specific agreement or contract.
5. Internal requests will be governed by the same rules as external consultations, except in relation to financial costs and the extent of rights to use.

### **Article 47. Using copies**

1. In the case of documents in relation to which intellectual property rights exist, the person requesting copies will be obliged to respect these rights.
2. When copies are used for commercial purposes the user will be informed of the conditions of use.
3. The user will be told about any identifying references of documents that have been copied, and must incorporate these references into their disclosure by any means.

### **Article 48. True and certified copies**

Archive centres may provide true copies of documents in their safekeeping and certify their content.

## ***Chapter III - Document loans***

### **Article 49. Loan system**

At the request of the bodies and members mentioned in Article 42.1, documents entrusted to the safekeeping of archive centres may temporarily leave as part of the government loan system, in accordance with the procedure established by the Municipal Archive System Management.

### **Article 50. Loan duration**

A document may be loaned for no longer than one month. The applicant may, however, request an extension of the loan period before it ends.

### **Article 51. Loan limitations**

In order to guarantee their preservation and safety, photographic, graphic and audiovisual materials may not be borrowed, nor documents older than 30 years and those in a poor state of conservation. The centre's management may prevent other documents from being borrowed based on their type or their informative or heritage value.



**Article 52. Responsibilities**

Bodies or entities obtaining documents through the loan system are directly responsible for their safekeeping, conservation, integrity and, where appropriate, the reservation of documents obtained. At all times, full compliance with the provisions of data protection legislation will be ensured. Documents may not be handed to other offices, unless done so in application of a legally established procedure. In this case, the archive centre will be informed of this transfer. Likewise, the order and content of borrowed files may not be altered.

**Article 53. Loans to other authorities**

The communication of documents to other public administrations will be governed by the principles of coordination, collaboration and mutual inter-governmental assistance. As a general rule, a true copy of the file or document requested will be made. Original documents will only be issued due to a legal mandate or if required by inspection authorities. At all times, full compliance with the provisions of data protection legislation will be ensured.

**Article 54. Loans for dissemination activities**

Authorisation may be given for records to be temporarily borrowed for exhibitions or cultural dissemination activities, in accordance with the procedure established by the Municipal Archive System Management and with prior agreement from the relevant municipal body.

**Single repealing provision**

1. The following regulations are repealed:
  - Regulatory rules on the organisation and operation of the municipal archiving system, approved by Mayoral Decree on 10 December 1990.
  - Instructions relating to district municipal archives, approved by Mayoral Decree on 2 July 1991.
  - Regulations on operation of district municipal archive advisory boards, approved by Mayoral Decree on 6 October 1993.
  - Barcelona City Council Integrated Document and Archive Administration (AIDA) system instructions, approved by Mayoral Decree on 15 December 1997.
2. All and any other provisions that contradict or oppose what is stipulated in these Regulations are repealed.



## **Final provisions**

### **First. Implementation and execution of these Regulations**

In accordance with Article 26(d) of the Barcelona Municipal Charter, the Mayor's Office is the competent authority to dictate the implementation and execution provisions required by these Regulations, without prejudice to its own attribution on the matter of organisation of the executive municipal government.

### **Second. Entry into force**

These Regulations will come into force the day after their publication date.

