

Request for Use of Image Materials at the German Federal Archives (Bundesarchiv)

(Please complete this form entirely and well readable and send it back by mail or fax: +49 261 505-430)

Family Name of User:	<input type="text"/>	First name:	<input type="text"/>		
Address (Street, Zip/Postal Code, City, Country)	<input type="text"/>				
E-Mail	<input type="text"/>				
Acting on behalf of (Name and address):	<input type="text"/>				
Subject of Use (Title of publication, magazin, etc.):	<input type="text"/>				
Purpose of Use	<input type="radio"/> Science	<input type="radio"/> Journalism	<input type="radio"/> Education	<input type="radio"/> Private (without publication)	
Publication by	<input type="checkbox"/> Book	<input type="checkbox"/> TV/Film	<input type="checkbox"/> Newspaper/Magazine	<input type="checkbox"/> Scientific Periodical	
	<input type="checkbox"/> Exhibition	<input type="checkbox"/> Internet/Online-service	<input type="checkbox"/> Digital Media (DVD,CD etc)		
Name of Publish. House, Magazine etc	<input type="text"/>				
Estimated Date of Publication:	<input type="text"/>				
Print run (Number of Copies)	<input type="radio"/> up to 500	<input type="radio"/> up to 3000	<input type="radio"/> up to 5000	<input type="radio"/> up to 25000	<input type="radio"/> up to 50000
	<input type="radio"/> up to 100.000	<input type="radio"/> up to 150.000	<input type="radio"/> up to 300.000	<input type="radio"/> more than 300.000	
Broadcasting (TV/Film)	<input type="radio"/> Local	<input type="radio"/> Regional	<input type="radio"/> National	<input type="radio"/> Europe-wide	<input type="radio"/> World-wide
Period of Publication (Internet/Online-service)	<input type="radio"/> 1 Week	<input type="radio"/> 1 Month	<input type="radio"/> 3 Month	<input type="radio"/> 6 Month	<input type="radio"/> 1 Year
Invoice Address:	<input type="text"/>				
By my signature I accept the "Regulations Governing the Use of Image Materials at the German Federal Archives" (Bundesarchiv)					
<input type="text"/>	, den	<input type="text"/>	<input type="text"/>		
(Location)		(Date)	(Signature)		

Reg-DBa Gz-DBa Genehmigungsvermerk Bundesarchiv:

Regulations Governing the Use of Image Materials at the German Federal Archives (Bundesarchiv)

1. General Provisions

The use of image materials of the German Federal Archives is permitted under the following conditions. Any different arrangements require previous written agreement.

2. Legal Bases

For the use, the provisions of the Federal Archives Act (Bundesarchivgesetz (BArchG), the Ordinance Governing the Use of Archival Documents at the German Federal Archives (Bundesarchiv-Benutzungsverordnung (BArchBV)) and the Federal Archives Cost Regulations (Bundesarchiv-Kostenverordnung/BArchKostV) shall be applied as amended. They are to be found on the website of the Federal Archives at: www.bundesarchiv.de/bundesarchiv/rechtsgrundlagen/index.html.en

Beyond that, the provisions of copyright law shall be applied as amended.

3. Request for Use

The use of artwork of the Federal Archives requires the granting of a request for use. It is to be filled in completely.

4. Viewing and Reproduction of Artwork

The user can view positives of artwork (on paper or as slides) in the Federal Archives unless conservation or other reasons as defined in § 5 (6) Federal Archives Act are an obstacle to that.

On principle, reproductions of artwork shall be provided only with a picture quality that is not suitable for publication (electric copy, PDF document or low resolution digital image).

For publication purposes, reproducible copies in the form of digital images or positives of pictures shall be made available to the user. Positives of pictures continue to be the property of the Federal Archives and are to be returned by users on their own initiative within the space of three months. The deadline can be extended. Digital copies of pictures are to be erased after being used for the authorized purpose.

If the Federal Archives do not have any reproducible copy of a motive (digital image or positive of a picture), it shall be produced at the expense of the user. The Federal Archives shall be entitled to the ownership.

The image material shall be made available to the user for the authorized purpose only (publication in one work and in one language). Any subsequent use requires the previous written agreement of the Federal Archives. The user is obliged to provide detailed information about the use.

Without the previous written agreement of the Federal Archives, image materials must not be saved, reproduced, filed, duplicated, copied, amended or used in any other way. Passing on to third parties is allowed only with the previous written agreement of the Federal Archives.

Reproductions for video, film and TV productions shall be subject to charges under paras 4.21 to 4.25 even if the reproductions made available are not displayed in the production (film, video etc.).

5. Protection of Copyright and Rights of Third Parties

The Federal Archives shall take care to the best of their abilities and consciences to protect the rights of third parties provided that such rights in artwork kept in the Federal Archives do exist. The origin of a picture, the photographer or graphic designer and the legal situation of a picture shall be documented when making pictures accessible provided that these data can be established by making reasonable efforts. However, the protection of the rights of third parties, especially obtaining publication permissions from the owner of the rights, generally rests with the user.

If third parties' copy rights or rights of use in individual pictures are known, reproducible artwork will be provided only with the provision that the user obtains the permission to publish directly from the owner of the right. If his address is known to the Federal Archives, it shall be provided.

Responsibility for the protection of other rights of third parties (e.g. the right of the protection of services or privacy rights) rests with the user on principle.

6. Caption

The user is obliged to give the complete signature of pictures and – if known – the names of photographers immediately allocated to the picture or in a list of illustrations for any publication of image materials of the Federal Archives. When doing this, the following pattern is to be used: Federal Archives, signature of the picture, photographer.

Example: Bundesarchiv, Bild 183-1989-1109-030 / photo: Thomas Lehmann

or

BArch, Bild 183-1989-1109-030 / Thomas Lehmann

7. Liability

The user shall guarantee the use of the image materials in accordance with these conditions and be liable for any demands resulting from the use. When the positive of a picture is loaned, he also is responsible for its intact return. Damages are to be paid for damaged or lost pictures. The user shall bear the shipment risk.

8. Warranty

Complaints concerning the contents and amount of pictures delivered or the technical quality of reproducible copies are to be put forward within the space of four weeks.

9. Deposit Copy

The user has to provide a deposit copy of any publication in print form or on electronic storage media produced using pictures of the Federal Archives on his own accord and free of charge, stating the number of the pictures used and the size of edition.

10. Costs

For the use and reproduction of image materials of the Federal Archives, fees and expenses to be refunded shall be charged IAW the Federal Archives Cost Regulations as amended. The publication rates shall be charged in accordance with the rates in effect at the time of publication (Federal Archives Cost Regulations, section IV). Exemption from costs can only be granted in so far as it is provided for by the Federal Archives Cost Regulations.

11. Punishment of Violations

Failure to observe these conditions can result in the cancellation of the permission for use. In case of unlawful use or unauthorized transfer, the Federal Archives reserve the right to take further steps, if required, under criminal law..

12. Applicable Law, Place of Performance, Place of Jurisdiction

For any use of images, the law of the Federal Republic of Germany will apply exclusively. The place of performance is the domicile of the activity from which the images are obtained. For purchasers and users who have no domestic general place of jurisdiction, Koblenz will be the place of jurisdiction.