

**Special Fee Ordinance
of the Federal Government Commissioner for Culture and the
Media (Special Fee Ordinance BKM - BKMBGebV)**

of 31 August 2021

On the basis of section 22 (4) sentence 1 in conjunction with section 22 (1) sentences 2 and 3 of the Federal Fees Act (BGebG) of 7 August 2013 (Federal Law Gazette (BGBl.) I p. 3154) and in conjunction with the Organisational Decree of 27 October 1998 (BGBl. I p. 3288), the Federal Chancellor hereby decrees:

Section 1

Charging of fees and expenses

(1) Within the remit of the Federal Government Commissioner for Culture and the Media, fees and expenses shall be charged for individually attributable public services provided on the basis of the following provisions:

1. Federal Archives Act (BArchG),
2. Stasi Records Act (StUG),
3. Act on the Protection of Cultural Property (KGSG),
4. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of 4.5.2016, p. 1; L 314 of 22.11.2016, p. 72; L 127 of 23.5.2018, p. 2; L 74 of 4.3.2021, p. 35), as amended.

(2) Decisions regarding the authorisation of payments as well as any processing measures and controls required in this context shall not be subject to any fees or expenses.

Section 2

Amount of fees and expenses

(1) The amount of the fees and expenses shall be governed by the Schedule of Fees and Expenses in the

Annex. In addition, the Schedule of Fees and Expenses shall regulate the circumstances under which exemptions from fees and expenses may be granted.

(2) The fees and expenses to be charged in accordance with the Schedule of Fees and Expenses shall also include the costs for imposing the fees and expenses.

(3) Expenses not listed in the Schedule of Fees and Expenses shall be covered by the fee.

(4) Expenses shall also be charged, without prejudice to section 1 (2), if

1. the individually attributable public service is free of charge or
2. no fee is to be charged.

In these cases, expenses shall only be charged from an amount of 3 euros.

Section 3

Time-based fee

Unless otherwise provided for in the Schedule of Fees and Expenses, the general flat hourly rates for administrative employees in the Federal Administration as specified in Annex 1, Part A, of the General Ordinance – in the version applicable on 18 February 2021 – shall apply to the time expended.

Section 4

Entry into force

This Ordinance shall enter into force on 1 October 2021.

Berlin, 31 August 2021

The Federal Chancellor
Dr Angela Merkel

Schedule of Fees and Expenses

Table of Contents

Part 1

Federal Archives Act

Part 2

Stasi Records Act

Part 3

Act on the Protection
of Cultural Property

Part 4

Regulation (EU) 2016/679

Part 1**Federal Archives Act**

Number	Chargeable act	Fees/expenses in euros
1	Use of federal archive material pursuant to section 10 BArchG	
1.1	Processing of inquiries	
1.1.1	Use of archive and library material in the reading room without any specific overhead	no fee
1.1.2	Written information, provision of archive and library material	20 per hour
1.1.3	Written information, provision of archive and library material for academic purposes in the public interest, provided that no more than one hour in total of working time is required per usage	no fee
1.1.4	Rights clearance	30 per hour
1.1.5	Processing of enquiries according to number 1.1, if the use is indispensable for the exercise of legitimate personal interests for the assertion of pension, maintenance, inheritance or other legal claims, in particular in the area of reparations or rehabilitation of state injustices, and no professional, economic or commercial purposes are pursued.	no fee
1.2	Special overhead for provision	
1.2.1	Making archive material presentable	40 per hour
1.2.2	Making archive material presentable for academic purposes in the public interest, provided that no more than one hour in total of working time is required per usage	no fee
1.2.3	Provision of digital and analogue reproductions	24 per hour
1.2.4	Provision of digital and analogue reproductions for academic purposes in the public interest, provided that no more than one hour in total of working time is required per usage	no fee
1.2.5	Provision of original digital data	20 per hour
1.2.6	Provision of original digital data for academic purposes in the public interest, provided that no more than one hour in total of working time is needed per usage	no fee
1.2.7	Provision of films or sound recordings from the Federal Archives if no digital representations are available	20 per hour
1.2.8	Provision of films or sound recordings from the Federal Archives if digital representations are available	no fee

Number	Chargeable act	Fees/expenses in euros
1.2.9	Provision of copy templates for films	
1.2.9.1	Viewing and clip selection on site with subsequent dispatch to the copying facility	20 per hour
1.2.9.2	External viewing of available digital files with subsequent dispatch of analogue material to the copying facility	40 per hour
1.2.9.3	External viewing and clip selection of DVD/VHS with subsequent dispatch to the copying facility	40 per hour
1.2.10	Provision of usage copies of films for loan	40 per hour
1.2.11	Provision of originals for exhibition purposes	70 per hour
2	Use of images and posters as well as film and video material	
2.1	Use per image or poster	Fee according to the Charge Schedule for Images and Posters ¹
2.2	Use of images or posters for non-commercial purposes	no fee
2.3	Use of film and video material	Fee according to the Charge Schedule for Film and Video Material ²
2.4	Use of film and video material for non-commercial purposes	no fee
3	Personal exemption from fees	
3.1	The relinquishing bodies and their legal or functional successors as well as owners of archive material of private origin shall have free access to the federal archive material relinquished by them and stored in the Federal Archives.	no fee
3.2	The exercise of the rights of the data subjects pursuant to section 14 (1) BArchG shall be free of charge if the information can be provided with acceptable administrative effort.	no fee
3.3	In the case of clearly unfounded applications or in the case of frequent repeated requests by a data subject pursuant to 3.2, a processing fee may be charged in accordance with the Schedule of Fees or processing of the application may be denied altogether.	based on the time expended
4	Expenses	
4.1	In addition to the fees for the use of federal archive material, the following costs for the use of material resources and special services shall be charged as expenses:	
4.1.1	Services provided by other authorities and third parties (e.g. execution of reprographic work, preparation of usage copies of film and video material)	in full
4.1.2	Reproductions and hard copies made on special request, per unit	0.03
4.1.3	Paper print-outs from a micro-scanner per unit	0.03
4.1.4	Data carriers; storage media	in full
4.1.5	Other special services, e.g. packaging and shipping	in full

¹ Official notice: Accessible on the Internet at <https://www.bundesarchiv.de/DE/Navigation/Meta/Ueber-uns/Rechtsgrundlagen/Kostenverordnung/kostenverordnung.html>

² Official notice: Accessible on the Internet at: <https://www.bundesarchiv.de/DE/Navigation/Meta/Ueber-uns/Rechtsgrundlagen/Kostenverordnung/kostenverordnung.html>