

Internal Regulations on the Use of Historical Materials Held in the Osaka University Archives

(Purpose)

Article 1:

The purpose of these Internal Regulations is to stipulate matters necessary for the use of historical and cultural materials and materials for academic research (“Historical Materials”) kept under special custody at the Osaka University Archives (“University Archives”) pursuant to the provisions of Item 3 of Paragraph 5 of Article 2 of the Public Records and Archives Management Act (Act No. 66 of 2009) (“Act”), under Article 10 of Osaka University Archives Regulations.

(General Use)

Article 2:

The Historical Materials shall be offered for general use, except in the cases stated in Article 3 hereof.

(Restriction of Use)

Article 3:

1. The University Archives may restrict the general use of the Historical Materials as stipulated below.

(1) If any of the information stated below is included in a Historical Material, the University Archives may restrict the general use of the part of the Historical Material that contains said information. This applies only when less than thirty (30) years have passed since the preparation or acquisition of the Historical Material, reckoned from April 1 of the academic year following the year of the preparation or acquisition thereof.

(a) Personal Information (excluding the information concerning business activities of an individual business operator) which contains identifiers such as name, date of birth or any other description that can be traced to a specific individual, including information which enables the specific individual to be identified by reference to other information, and information that cannot identify a specific individual but that may threaten rights and interests of an individual when disclosed, excluding:

(aa) Information that is made public or scheduled to be made public under provisions of applicable laws and regulations or by custom

(bb) Information whose disclosure is deemed necessary for the protection of the life, health, livelihood or property of an individual

(cc) Information pertaining to official duties of public officers and performance thereof.

For the purpose of these Internal Regulations, “public officers” shall mean: national public officers defined in Paragraph 1 of Article 2 of the National Public Service Act

(Act No. 120 of 1947), excluding board and staff members of specified incorporated administrative agencies defined in Paragraph 2 of Article 2 of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999); board and staff members of independent administrative agencies defined in Paragraph 1 of Article 2 of the Act on Access to Information Held by Independent Administrative Agencies (Act No. 140 of 2001); local public officers defined in Article 2 of the Local Public Service Act (Act No. 261 of 1950); and board and staff members of local independent administrative agencies defined in paragraph 1 of Article 2 of the Local Independent Administrative Agency Act (Act No. 118 of 2003).

(b) Information concerning Corporations or other groups excluding the national government, independent administrative agencies, local public agencies and local independent administrative agencies (“Corporations”) or business activities of individual business operators, which falls under either of the following categories. However, this shall not include information whose disclosure is deemed necessary for the protection of the life, health, livelihood or property of an individual.

(aa) Information whose disclosure is likely to threaten the rights, competitive positions or other legitimate interests of a Corporation or individual

(bb) Information submitted voluntarily by a Corporation or individual business operator upon request of the University, on condition that it shall not be made public. This applies if said information is customarily kept undisclosed by the Corporation or the individual business operator, or attaching said condition is deemed reasonable in light of the nature of said information and the circumstances prevailing at the time of submission of the information.

(2) If a Historical Material is donated to or deposited with the University Archives on condition that it shall not be made public in whole or in part for a certain period of time, then the University Archives shall restrict the use thereof in whole or in part, as appropriate, for said period of time.

(3) In case where the use of the original of Historical Material may cause damage to or deface said original, or the original is currently in use at the University Archives (including the case where the original is being treated for preservation or prepared for public use at the University Archives), the University Archives shall restrict the method for general use of the original or period therefor.

2. If any of the information stated in (a) in Item (1) of the preceding Paragraph is included in a Historical Material, the University Archives may restrict the general use of the part of said Historical Material in which said information is included, to the extent stated in Attachment 1. For the purpose of this Article, Historical Materials shall not include those aged thirty (30) years

or less, reckoned from April 1 of the academic year following the year of the preparation or acquisition thereof.

3. If any of the information stated in (b) in Item 1 of Paragraph 1 of this Article is included in a Historical Material and said information is deemed to fall under either of the following categories, then the University Archives may restrict the general use of said Historical Material.
 - (1) Information whose disclosure is likely to threaten the rights of the Corporation or individual to whom said information relates
 - (2) Information that constitutes a trade secret defined in Paragraph 6 of Article 2 of the Unfair Competition Prevention Act (Act No. 47 of 1993) and whose disclosure is likely to unreasonably impede the interests of the Corporation or individual to whom said information relates. This applies when less than eighty (80) years have passed since the Historical Material that contains said information was prepared or acquired, reckoned from April 1 of the academic year following the year of the preparation or acquisition thereof.

(Complaint)

Article 4:

1. Anyone who disagrees with the restriction of general use of Historical Materials stated in Article 3 above may file a complaint with the University Archives.
2. If a complaint is filed pursuant to the preceding Paragraph, the University Archives shall decide how to deal with the complaint and notify the person filing the complaint of the decision without delay.

(Measures to Prevent Leakage of Personal Information)

Article 5:

If a Historical Material contains Personal Information, the University Archives shall take the following measures to prevent leakage thereof. The term “Personal Information” as used herein shall mean information about a living individual which contains identifiers such as name and date of birth, including information that allows easy reference to other information and thereby enables the specific individual to be identified:

- (1) Locking the storeroom or otherwise restricting physical access to the Historical Material
- (2) Taking measures necessary to prevent unauthorized computer access, as defined in Paragraph 4 of Article 2 of the Act on Prohibition of Unauthorized Computer Access (Act No. 128 of 1999), to the Personal Information contained in the Historical Material
- (3) Providing education and training for staff of the University Archives
- (4) Taking other measures as necessary

(Open Days and Open Hours)

Article 6:

1. The University Archives shall be open every day to offer services relating to the use of Historical Materials except the following days:
 - (1) Sundays and Saturdays
 - (2) Holidays stipulated in the Act on National Holidays (Act No. 178 of 1948)
 - (3) New Year holidays from December 29 to January 3 of the following year
2. Notwithstanding the provision of the preceding Paragraph, the University Archives may open or close temporarily when necessary. In this case, the University Archives shall make public the scheduled temporary open or closed days at least two (2) weeks in advance in principle.
3. The University Archives shall be open from 9:30 a.m. to 4:30 p.m., and requests for inspection of Historical Materials shall be accepted from 9:30 a.m. to noon and from 1:00 p.m. to 4:00 p.m.
4. Notwithstanding the provision of the preceding Paragraph, the University Archives may temporarily change the open hours when necessary. In this case, the University Archives shall make public the change of open hours in advance.

(Inspection of Historical Materials)

Article 7:

To inspect a Historical Material, a Request for Inspection Form shall be presented to the reception in the reading room (“Reception”).

Article 8:

Historical Materials shall be inspected in the reading room.

Article 9:

1. Any person applying to use the reading room (“Applicant”) shall present an Application Form for Use of the Reading Room in the University Archives to the Reception and shall be issued with a User Card for the Reading Room in the University Archives (“User Card”), provided, however, that the University Archives may omit issuing a User Card if the Applicant uses the reading room on the day of application only.
2. Holders of a User Card shall leave the card at the Reception when entering the reading room for the second and subsequent times and have the card returned to them when leaving.
3. User Cards shall be valid for a period of up to one (1) year.

Article 10:

1. Historical Materials shall be hand-delivered and returned at the Reception upon inspection by the staff of the University Archives.
2. Anyone who wishes to inspect the same Historical Materials continuously on the following day

or subsequent days shall notify the staff at the Reception when returning said Historical Materials.

3. Up to thirty (30) Historical Materials, including Specified Historical Public Records defined in Paragraph 7 of Article 2 of the Act (“Specified Historical Public Records”) in up to five (5) categories may be offered to an Applicant for inspection in the reading room at one time.

(Copying of Historical Materials)

Article 11:

Anyone who wishes to copy a Historical Material (“Applicants for Copying”) shall submit a Request Form for Copying to the Reception in advance.

Article 12:

1. Historical Materials shall be copied by the person designated by the University Archives.
2. Notwithstanding the provision of the preceding Paragraph, the Applicant for Copying may copy the Historical Material if deemed necessary by the University Archives.

Article 13:

1. The expense required for copying Historical Materials or taking photographs thereof shall be borne by the Applicant for Copying.
2. The expense required for copying Historical Materials or taking photographs thereof shall be calculated based on Attachment 2.

(Photographing of Historical Materials)

Article 14:

1. The Applicant for inspection of Historical Materials may take photographs thereof using his or her own camera and other device.
2. To take photographs of Historical Materials pursuant to the preceding Paragraph, the Applicant shall submit a Request Form for Photographing Permission to the Reception in advance and obtain permission of the University Archives.

(Use of Historical Materials in Publications)

Article 15:

1. The user of Historical Materials shall submit an Application Form for Use of Copies to the University Archives in advance if he or she is to publish, broadcast, exhibit or post on websites (“Publish” for the purpose of this Article) the Copies of Historical Materials or photographs thereof taken by him or her (“Copies”).

2. If the University Archives approves the use of Copies for Publishing Purpose, the University Archives shall notify the applying person by issuing a Permission to Use Copies for Publishing Purpose.
3. The person permitted to use Copies of Historical Materials for Publishing Purpose (“Permitted Person” for the purpose of this Article) shall publicly state that the Historical Materials are held in the University Archives when using Copies for said purpose.
4. When using Copies for Publishing Purpose, the Permitted Person shall submit the following items to the University Archives:
 - (1) If Copies are used in a publication, the publication or a copy thereof shall be submitted.
 - (2) If Copies are used for exhibition, some material that shows how the Copies are exhibited shall be submitted.
 - (3) If Copies are used in a TV program, a video that shows how the Copies are used shall be submitted.
 - (4) If Copies are used on the Internet, e.g. in a website, a printout of the page in which the Copies are used or other material showing how the Copies are used shall be submitted.
5. Responsibility for copyright and other legal obligations arising from the use of Copies shall be borne by the Permitted Person.

(Reference Service)

Article 16:

1. The University Archives may offer the reference information listed below. However, this provision does not obligate the University Archives to offer information for purposes beyond the scope of the responsibilities thereof, including, but not limited to, appraising, deciphering, and translating Historical Materials.
 - (1) Information concerning use of Historical Materials
 - (2) Information concerning catalogs of Historical Materials
 - (3) Information concerning methods of searching Historical Materials
 - (4) Information concerning reference documents of Historical Materials and other archives
2. Requests for reference service may be made to the University Archives orally, by phone, in writing or by other methods from time to time during the open hours thereof stated in Paragraph 3 of Article 6.

(Exhibition)

Article 17:

The University Archives may exhibit Historical Materials for public viewing at the University Archives or other locations.

(Lending of Historical Materials)

Article 18:

1. Lending of Historical Materials shall be permitted only when said materials are used for exhibitions or other events held for public interest purposes by the national government, local public agencies, universities, social education bodies, or the like.
2. Notwithstanding the provision of the preceding Paragraph, lending of Historical Materials shall not be permitted in the following cases:
 - (1) The Historical Material contains information whose use shall be restricted pursuant to Article 3 above.
 - (2) The Historical Material has been damaged or suffered so much wear and tear that it cannot be made available for lending in the opinion of the University Archives.
3. Persons who borrow a Historical Material (“Borrowers”) shall comply with the following conditions:
 - (1) The space where the Borrowers use Historical Materials shall meet the following requirements:
 - (a) Fire protection and crime prevention measures are in place at the organization to which the Borrowers belong.
 - (b) Fire-fighting equipment specified in Article 17 of the Fire Service Act (Act No. 186 of 1948) is installed.
 - (c) Crime prevention measures are taken to ensure the safety of the Historical Materials even in the absence of Borrowers, including providing security for the entire premises and keeping the Historical Materials in a safe.
 - (d) When Historical Materials are to be displayed for an exhibition, a lockable showcase and non-ultraviolet lighting designed specifically for works of art shall be used.
 - (e) The space shall be in a clean environment free from damage by dust and mold, where the temperature and humidity can be properly controlled.
 - (2) When transporting Historical Materials, appropriate measures shall be taken to prevent damage and defacement thereto and loss thereof at the expense of the Borrowers.
 - (3) Historical Materials shall be handled with care and the use thereof shall be suspended whenever there is a risk of damage or defacement thereto.
 - (4) When exhibiting Historical Materials, it shall be publicly stated that said materials are held in the University Archives.
 - (5) Copying or photographing of borrowed Historical Materials is permitted only after obtaining permission therefor given under separate regulations.
4. The lending procedures shall be as shown below:
 - (1) Any person applying to lend a Historical Material shall submit a Lending Request Form to the University Archives in principle one (1) month prior to the scheduled date of the borrowing.

- (2) If it decides to accept the request, the University Archives shall notify the applying person of the decision by sending a Lending Permission Form.
 - (3) The Historical Material shall be hand-delivered directly to the Borrower at the University Archives by a staff member thereof.
 - (4) The Borrower shall submit a Borrowing Form to the University Archives upon receipt of the Historical Material.
 - (5) When returning the Historical Material to the University Archives, the Borrower shall hand-deliver it directly to a staff member thereof.
 - (6) When a Historical Material is returned, the University Archives shall inspect the material for damage and defacement and, upon confirming no damage and defacement thereto, issue a receipt to the Borrower.
5. In principle, up to ten (10) Historical Materials, including Specified Historical Public Records, shall be available for lending at one time.
 6. In principle, the lending period, including the time required for transportation if any, shall not exceed one (1) month, provided, however, that the University Archives may extend said period up to two (2) months or so, if deemed necessary.
 7. In the event of finding a conflict with any of the information shown in the Lending Request Form, the University Archives shall request the Borrower to promptly take corrective measures, and if the Borrower fails to do so, order the Borrower to immediately return the Historical Material even before expiration of the lending period.

(Special Permission to Use Original)

Article 19:

1. Any person applying for special permission to use the Original of a Historical Material shall submit a Request Form for Special Permission for Using an Original to the University Archives, in principle one (1) month prior to the scheduled date of use thereof. For the purpose of this Article, the term "Original" shall mean an original of a Historical Material offered for restricted use only for the reason that the use thereof is likely to adversely affect its preservation condition.
2. If it decides to accept the request, the University Archives shall notify the applying person of the decision by sending a Special Permission Form for Using an Original.
3. The Original shall be offered for special use at the reading room on the date and time designated by the University Archives in the presence of a staff member thereof.
4. Any person granted special permission to use an Original shall follow the instructions given by a staff member of the University Archives without fail.

(Access Control)

Article 20:

1. The University Archives may order a person who has caused trouble to others or who has lost, damaged or defaced any Historical Materials to leave the reading room or prohibit such person from entering the reading room.
2. The provision of the preceding Paragraph shall apply also to a person who is likely to cause trouble to others or to lose, damage or deface any Historical Materials.
3. The University Archives may withdraw the permission to use Historical Materials by a person who does not comply with these Internal Regulations or other applicable regulations, or who does not follow instructions of staff of the University Archives.

(Responsibilities)

Article 21:

Any person who uses Historical Materials shall bear the following responsibilities:

- (1) Responsibility for the infringement of the rights or interests of third parties including, but not limited to, copyrights and privacy rights, by using information contained in any of the Historical Materials
- (2) Responsibility for loss of, or damage or defacement to, any of the facilities or properties of the University Archives or Historical Materials for a reason attributable to said person

(Availability of Regulations)

Article 22:

The University Archives shall make catalogs of Historical Materials and these Internal Regulations available at the reading room at all times, and accessible on the Internet.

(Miscellaneous Provision)

Article 23:

Matters necessary for the use of Historical Materials not specified herein shall be set forth by the University Archives.

Supplementary Provision

These Internal Regulations shall come into effect on April 1, 2013.

Attachment 1 (Paragraph 2 of Article 3)

Information contained in Historical Materials	Period of time (rough estimate)	Type of information
Personal Information whose disclosure is likely to threaten the rights and interests of the individual to whom said information relates for a certain period of time	50 years	(a) Academic background or professional experience (b) Property or income (c) Employment, screening or appointment/dismissal (d) Performance rating or duty (e) Personnel record
Material Personal Information whose disclosure is likely to threaten the rights and interests of the individual to whom said information relates for a certain period of time	80 years	(a) Nationality, race or ethnic group (b) Family, relative or marital status (c) Religious faith (d) Ideology (e) Infectious disease, physical disability, other health condition (f) Criminal record under the Penal Code (fine or lighter penalty)
Material Personal Information whose disclosure is likely to threaten the rights and interests of the individual to whom said information relates or his or her bereaved family for a certain period of time	110 years plus a reasonable period of time	(a) Criminal record under the Penal Code (imprisonment or heavier penalty) (b) Serious genetic disease, mental disorder or other health condition

Notes:

1. “Period of time” in the above table is a rough estimate of the period of time for which disclosure of the information is likely to remain a threat to the rights and interests of the individual

concerned. The period shall be reckoned from April 1 of the academic year following the year when the Historical Material containing the Personal Information was prepared or acquired.

2. “Type of information” means the types of information that can be generally categorized as “Personal Information” or “material Personal Information” shown in the left column of the above table. However, the applicability of specific information contained in a Historical Material to either of the categories shall be decided on a case-by-case basis, taking into consideration the nature of the information and the circumstances under which the information was included in the Historical Material.
3. “Criminal record under the Penal Code” includes the record of being a victim of a crime.
4. For “Criminal record under the Penal Code (imprisonment or heavier penalty),” the period of time for which disclosure of the information is likely to remain a threat to the rights and interests of the individual concerned is estimated at roughly 110 years, and for “serious genetic disease, mental disorder or other health condition,” said period shall be estimated at roughly 140 years, which shall be decided in consideration of the severity of the disease, progress of medical science, and public attitude towards the disease.

Attachment 2 (Article 13)

Type of Historical Material	Method of delivery of copies	Handling fee charged for the delivery of copies
1. Document or drawing (including copies thereof)	(a) Delivery of a copy on paper	(1) Black and white copy: ¥10 per sheet (B5, A4, B4 and A3 sized sheet only)
		(2) Color copy: ¥20 per sheet (B5, A4, B4 and A3 sized sheet only)
	(b) Delivery of negative film of black and white microfilm	A3-sized or smaller document/drawing: ¥90 per frame (or ¥100 if a slip sheet is used)
		A2-sized document/drawing: ¥120 per frame (or ¥130 if a slip sheet is used)
	(c) Delivery of a printout of a scanned copy (Only a document or drawing sized A3 or smaller when spread out can be scanned.)	(1) Black and white printout: ¥120 per sheet (B5, A4, B4 and A3 sized sheet only)
		(2) Color printout:

		¥230 per sheet (B5, A4, B4 and A3 sized sheet only)
(d) Delivery of a scanned copy of the document or drawing, copied onto an optical disc (Only a document or drawing sized A3 or smaller when spread out can be scanned.)	(1) Optical disc that can be played on a device compatible with JIS X0606- and X6281-compliant optical discs with a diameter of 120 mm: ¥100 per optical disc plus ¥80 per sheet of the document or drawing	
	(2) Optical disc that can be played on a device compatible with JIS X6241-compliant optical discs with a diameter of 120 mm: ¥120 per optical disc plus ¥80 per sheet of the document or drawing	
(e) Delivery of a printout of the image captured by digital camera, etc.	(1) Black and white printout: ¥120 per B5 or A4 sized sheet (or ¥130 if a slip sheet is used) ¥140 per B4 or A3 sized sheet (or ¥150 if a slip sheet is used)	
	(2) Color printout: ¥230 per B5 or A4 sized sheet (or ¥240 if a slip sheet is used) ¥380 per B4 or A3 sized sheet (or ¥390 if a slip sheet is used)	
(f) Delivery of the image captured by digital camera, etc. copied onto an optical disc	(1) Optical disc that can be played on a device compatible with JIS X0606- and X6281-compliant optical discs with a diameter of 120 mm: ¥100 per optical disc plus ¥80 per sheet of the document or drawing (or ¥90 if a slip sheet is used)	
	(2) Optical disc that can be played on a device compatible with JIS	

		X6241-compliant optical discs with a diameter of 120 mm: ¥120 per optical disc plus ¥80 per sheet of the document or drawing (or ¥90 if a slip sheet is used)
2. Electromagnetic Record (including copies thereof)	(a) Delivery of a printout	(1) Black and white printout: ¥10 per sheet (B5, A4, B4 and A3 sized sheet only)
		(2) Color printout: ¥20 per sheet (B5, A4, B4 and A3 sized sheet only)
	(b) Delivery of a copy in an optical disc	(1) Optical disc that can be played on a device compatible with JIS X0606- and X6281-compliant optical discs with a diameter of 120 mm: ¥100 per optical disc plus ¥210 per file
		(2) Optical disc that can be played on a device compatible with JIS X6241-compliant optical discs with a diameter of 120 mm: ¥120 per optical disc plus ¥210 per file

Notes:

- (1) If the copy/printout is double-sided, each side counts as one sheet in the cases stated in (a), (c), and (e) of Item 1 and (a) of Item 2.
- (2) “Optical disc that can be played on a device compatible with JIS X0606- and X6281-compliant optical discs with a diameter of 120 mm” shown in the above table means CD-R and “Optical disc that can be played on a device compatible with JIS X6241-compliant optical discs with a diameter of 120 mm” shown therein means DVD-R.