

RICHARD-WAGNER-MUSEUM
MIT NATIONALARCHIV UND FORSCHUNGSSTÄTTE
DER RICHARD-WAGNER-STIFTUNG BAYREUTH
- HAUS WAHNFRIED -



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**CONDITIONS OF USE FOR THE NATIONAL ARCHIVE OF THE
RICHARD WAGNER FOUNDATION BAYREUTH AND THE RICHARD WAGNER MUSEUM**

§ 1

Objectives

These are the objectives of the Richard Wagner Foundation Bayreuth:

1. to collect and preserve documents, in written and pictorial format, as well as publications and objects pertaining to the life, works and posthumous reception of Richard Wagner;
2. to use a selection of them for the presentation of these and related themes at the Richard Wagner Museum;
3. to make them available for academic research and publications promoting and deepening the understanding of Wagner.

§ 2

Opening hours

The following opening hours apply for the use of the Archive: Mon. - Thu.: 8.30 a.m. - 12.30 p.m. and 2 p.m. - 4.30 p.m., Friday: 8.30 a.m. - 1 p.m. From May to September certain restrictions will apply.

§ 3

Authorized users

Authorized users are persons older than 18 years, who can furnish proof of involvement in academic research for a definite purpose, and who guarantee strict adherence to the conditions of use.

If the research is for the benefit of an institution, a dissertation or an admittance, authorization from the employer or the lecturer needs to be provided.

Persons whose purpose does not relate to Wagner research are not entitled to use either the Archive or the libraries. This particularly applies when the requested research material is available for use in public libraries.

§ 4

Proof of identity

Persons unknown to the Museum / Archive staff must present proof of identity before using the Archive.

§ 5

Requests and orders

Requests to use of Archive / Museum must be made in writing by using the application form. Orders for images must also be made in writing.

The request / order must contain a detailed description of the objective, topic and material of the project. Generally formulated requests to inspect entire archive categories, as well as bulk orders will not be processed.

By signing the request for use and / or the reproduction order form, the signatory recognises and accepts the conditions of use and the charges.

§ 6

Permission for use

The permission for use is made in writing. It may be subject to additional conditions and limitations. Permission for use is valid only for the purpose stated in the request and will be revoked should the conditions subsequently cease to be met.

Permission for use may only be granted once the Museum / Archive director has approved the request with his signature.

§ 7

Provision of archive material, books and other documents

The provision of archive material is effected in accordance with § 1, clause 3. There is no entitlement to provision. The provision of archive material may be refused:

- a) on the grounds of safeguarding copyright and privacy rights,
- b) if prints are available, which can be used instead of the archived material for achieving the intended research purpose,
- c) in special cases, in which the Archive itself is bound by special regulations,
- d) in cases where the archive material is in a delicate state and could be damaged by use.

Users do not have access to the Archive's card index system. Access is limited to those archive categories relating to the respective research theme.

§ 8

Study rooms

The requested material is presented in the study room. Only in exceptional, well-founded cases may authorization be granted to view the archive material, image collections, libraries and card indexes on location.

Archive material must be returned when the user leaves the workplace for a longer period of time, as well as before the term of use expires.

§ 9

Handling of archive material

The archive user must ensure due care in the handling of archive material and books and is personally liable for any damages caused. No notes or underlinings may be made in the books and archive material.

Overclothing, briefcases and folders must be placed in the provided lockable wardrobes before entering the study room.

§ 10

Violations against the conditions of use

Concealing the actual authorized research or publication purpose, or the unauthorized extension thereof, culpably damaging or mixing up archive material as well as grave violations of the conditions of use, especially the successful or attempted removal of archive material, other items, archive aids, books etc. from the study room will result in temporary or permanent exclusion from use of the Archive.

Disregard of the conditions of use or of the contractual agreements derived thereof will furthermore lead to a raise in the fees owed:

- a) 100 % in the case of missing or false mark of origin according to § 16 (Obligation of Reference);
- b) 500 % in the case of misuse or infringement of authorizations granted.

§ 11

Assistance by Archive personnel

Our reference staff will assist research projects merely by identifying and providing archived materials, books or pictorial material. Written information concerning matters of research will generally be restricted to notifications on the availability of archived materials, print items or illustrations. To provide further information is entirely within the Archive's discretion.

§ 12

Photocopies

Photocopies are only made by members of the Archive staff. A list of the documents to be copied and the number of copies to be made must be made in advance. Alternative reproduction techniques will be used for any documents in a state that is too delicate for photocopying. This decision will be made by the Archive administration. The costs involved are as stated in the current price list. Under § 53, paragraph 6 of the German Copyright Act (UrhG), the copies may not be disseminated or used for public presentation.

§ 13

Photographs

Image reproductions are made on behalf of and at the expense of the orderer. The costs involved are as stated in the current price list and must be paid in advance; under certain circumstances the archive administration may decide to accept alternative payment methods. Delivery is carried out at the risk of the orderer with the reservation that the order remains the property of the archive until full payment has been received.

Negatives may not be checked out; colour slides may only be borrowed after paying a lending fee whose rate is laid down in the scale of charges. The loan period is restricted to 3 months. If an item is overdue, additional obstruction fees will be raised which amount to 50% of the lending fee per started month. In case of loss, damaging of or failure to return items within 6 months, the borrower will have to bear the costs of the reacquisition.

Colour photographs intended for publication may - as a matter of principle - only be produced by a contracted photographer of the Richard Wagner Foundation. Exceptions can only be granted after the pre-payment of a special fee. In this case the Archive must be provided with a duplicate each of the negatives or colour slides within four weeks after production - free of charge and under assignment of all rights, especially sole right of use.

Taking pictures within the Museum is subject to authorization and remuneration.

§ 14

Publication of illustrations

Connected with the handing over and posting of reproductions of illustrations or the permission to take pictures is an authorization of publication. This authorization is only valid for a single publication and is restricted to the print or photographic material mentioned in the request for use (Simple Right of Use).

This authorization for publication however does not apply to copyright claims of a third party should it exist and / or be asserted.

When illustrations from its holdings are published, the Archive / Museum are to be exempted from said claims. Copyright compliance is therefore incumbent on the patron / applicant.

Should the user make a contract with a third party (publishing company etc.) about the publication of illustrations, the latter will have to contact the Archive once more on account of the necessary authorizations. User-, curatorial and provision fees comply with the current price list. They contain a compensation for loss of use for archived material and museum items, provision fees for holding of, care for and administrating of the Archive as well as the service rendered by the Archive; they do not, however, contain the right to compensation of copyright claims in accordance with the German Copyright Act (UrhG). Utilization by way of electronic media and digital image storage devices is generally prohibited and requires the Archive's written consent. The sole exceptions hereto are JPEG files acquired from the Archive upon payment of the reproduction fees for publication on the Internet and other networks stated in the current price list. Internet use requires the prior written consent of the Archive. Pictorial information saved in the image file, in particular the credit plus URL, may not be manipulated or removed. Violation of this provision will result in the levying of an extra charge of 100 % of the reproduction fee. Any alteration of an image (colour, section, proportions, etc.) requires prior consent. Permission to publish on the Internet and other networks is given for no more than 1 year; users must reapply for such permission in writing before the end of this term if they desire extended utilization. It is expressly forbidden to post all other images (JPEGs) on the Internet and other networks, except those acquired from the Archive for this purpose.

§ 15

Text publications

In the case of text publications, the applicable laws regarding copyright and protection of privacy must be observed.

§ 16

References

In the case of publications of reproductions and manuscripts of the Archive, the National Archive of the Richard Wagner Foundation Bayreuth must be stated as reference.

§ 17

Specimen copies

Of every publication based on accessing the Museum or the Archive or in which any of the Archive's illustrations were used, a unsolicited specimen copy is to be rendered. This applies in particular to doctoral dissertations and other theses. Of films shot exclusively or in relevant parts on the grounds of the Museum or the Archive, the Archive is to be sent a videotaped VHS copy. The Richard Wagner Museum Bayreuth, respectively the Richard Wagner Foundation Bayreuth are to be mentioned in the film's credits.

§ 18

Lending of archive material and printed matter

Archive material and printed matter may not be taken out of the grounds. Exceptions can only be made in the case of printed matter and then only for applications made by either local residents or institutes with whom a relationship of special trust has been established through continuous and mutual cooperation. The possibility exists for less valuable printings to be forwarded by the open library (Bayreuth University Library). If possible, the interlibrary loans should be limited to existing duplicates. The circulation period should not exceed four weeks. It may be extended upon written application.

§ 19

Loans for exhibitions

Manuscripts and other original collections worth preserving can be made available for nonlocal exhibitions only under exceptional circumstances. In this case, a special application for permission must be supplied to the director of the foundation. Additionally, appropriate insurance coverage is required. Skilled handling, safe storage, reliable supervision and safe return must be guaranteed.

§ 20

Fees

Fees are raised for accessing the Archive / Museum, for the reference staff's time- and work effort connected with this accessing or with answering written requests, as well as for posting and / or publishing of photos or films depicting any of the Archive's / Museum's illustrations or items. These fees are classified and laid down in a price list and will be conveyed on request.

§ 21

Effective date

The conditions of use apply with immediate effect.

§ 22

Court jurisdiction

Bayreuth is the place of jurisdiction.

Authorized by the board of the Richard Wagner Foundation Bayreuth on the 15th of March 2007.