

TERMS AND CONDITIONS FOR USE OF THE ARCHIVE BY PERSONS NOT EMPLOYED BY WDR

Use of the WDR Archive

1. The WDR company archive can be used by persons who can credibly demonstrate a legitimate interest in making use of this facility. A legitimate interest is deemed to exist in particular if the use being sought is for academic, scientific, journalistic or juridical purposes or for the assertion of legitimate personal interests. There is no automatic entitlement to use.
2. Use of the archive requires the consent of WDR. WDR may make this consent subject to certain conditions and requirements.
3. The use of archive materials that goes beyond personal use is subject to copyright and licensing requirements, which must be clarified and resolved by the users themselves.
4. Closed WDR files in the archive cannot generally be accessed until thirty years have passed since their closure. In justified cases, however, the Director General of WDR can on request lift this embargo. The embargo period does not apply to the use of written material originally produced for publication (such as manuscripts, promotional literature and press releases).
5. Irrespective of the thirty-year embargo rule, WDR may also block or limit use of files on the following grounds:
 - 5.1. The files include content that affects the data protection interests or other interests warranting the protection of natural persons.
 - 5.2. The use of files affects legal confidentiality obligations, in-house confidentiality at WDR or interests of WDR warranting protection.
 - 5.3. The files originate from the Rundfunkrat (Broadcasting Council), the Verwaltungsrat (Management Board), the Personalrat (Staff Council), the Redakteursvertretung (Committee of Editors) or other such bodies in WDR.
 - 5.4. The proposed use would threaten the condition of an item of archive material in terms of its conservation status.
 - 5.5. The administrative workload required to provide an item of source material to the user is considered unreasonably excessive.
6. An embargo on access under point 5.1 above can only be lifted by the respective natural person warranted protection or after at least ten years have passed since that person's death or before expiry of this ten-year term of protection if so authorised by the legal successors or heirs or after at least one hundred years following the birth of the respective person in cases where the date of death is unknown to WDR.

7. An embargo on access to files originating from a WDR body referred to in point 5.3 above can only be lifted with the express permission of the chairperson of the respective body.
8. Files to which access has been blocked under the terms of section 4. and points 5.1 to 5.3 above may be used for academic purposes or for exhibition purposes on condition that the user undertakes to ensure that, in accordance with Article 89 1(4) of the EU General Data Protection Regulation, identification of the person or persons concerned (for example, authors of letters from viewers and listeners) is made impossible.
9. Archived items may generally only be examined on the WDR archive premises provided for this purpose. The borrowing of archive materials, especially for exhibition or reproduction purposes, requires special arrangements agreed with WDR.

In certain cases, such as in the event of improper handling, damage or loss of documents by a user, WDR may withdraw any undertakings already made and deny any further access. WDR may also deny the use of material in order to avert potential damage to WDR.

Use of audio-visual materials including music (AV materials) and WDR photo

10. WDR's own recording service is responsible for recordings and copies of radio and television programmes.
11. The release of AV material and WDR photos is subject to the provisions of the WDR Act (the broadcaster's legal framework enacted by the State of North Rhine-Westphalia) and the relevant copyright and licensing legislation.
12. Programmes may be viewed or listened to by prior arrangement at the viewing and listening stations provided by the Documentation and Archive Department on condition that the user has presented a valid application and received authorisation.
13. As a rule only programmes already broadcast can be viewed or listened to, not production material.
14. There is no entitlement to the use of non-digital AV material and WDR photos kept in the Archive.
15. There is no entitlement to the use of embargoed items of AV material and WDR photos.

Copyright

16. WDR source material (documents, AV materials, WDR photos) may only be transferred to third parties with the express permission of WDR.
17. Publication of documents and AV materials and WDR photos, especially on the internet, requires the approval of WDR and the clearance of rights issues in accordance with point 3.

Declaration of consent

- I have read the above Terms of Use and accept them.

Signature

Location, Date

Please send the signed Terms and Conditions back to:
unternehmensarchiv@wdr.de