

REGULATION OF THE GENERAL ARCHIVE OF THE CATHOLIC ASSOCIATION OF PROPAGANDISTS AND CEU

STATEMENT OF PURPOSES

In 2013, the Archives of the Catholic Association of Propagandists (ACdP) and Fundación Universidad San Pablo-CEU were merged. The latter comprised the documentary holdings of Universidad San Pablo-CEU, the extinct San Pablo, Luis Vives and Polytechnic University Colleges, Postgraduate and some Colleges, as well as the holdings of the Foundation's own administration. The personal archives from private donations were also reunited, as well as the photographic collection of the *Diario Ya* newspaper.

The development and increase in the activity of our Institution in the different areas it covers—teaching, research, pastoral and management—, has highlighted the need to tackle various projects aimed at organising and developing the administrative organisation of the Catholic Association of Propagandists, Fundación Universitaria San Pablo CEU and the Universitat Abat Oliba CEU Private Foundation.

One of these projects aims to organise the General Archive of the same, bearing in mind articles 49.3 of Law 16/1985, of 25 June 1985, on Spanish Historical Heritage, as well as regional legislation on archives.

In this sense, the purpose of this Regulation is to regulate the ACdP and CEU General Archive and its basic functioning, techniques for the treatment of administrative documents and other collections from donation as well as the conditions for their access.

The organisation of the Archive is proposed from the perspective of the most advanced archival technique, which proposes its organisation, based on the configuration of the Archive in a double aspect: on the one hand, as the last link in the legal-administrative organisation of the administrative processes in which the Institution intervenes, and on the other, as a source of information and documentation at the disposal of the Institution, its members, as well as researchers, scholars and interested third parties.

TITLE I

GENERAL ARCHIVE

CHAPTER I: General provisions

Article 1.- The ACdP-CEU General Archive is the unit responsible for guaranteeing the organisation, accessibility, processing, and dissemination of the Institution's documentary heritage.

Article 2.- The objectives of the General Archive are:

- a) To organise and conserve the documentary heritage of the ACdP and CEU, in any format (paper or electronic), or format in which it is found, as well as to foresee and satisfy the needs for information and documentation for proper administrative management.

- b) To attend to the rights of natural or legal persons, public or private, in their need for access to the documentation of the ACdP and CEU.

c) To provide the information and documentation ultimately necessary for historical research, in accordance, in all cases, with the existing legal and regulatory framework.

The General Archive of the ACdP-CEU is responsible for:

- 1) To organise, collect, evaluate, manage, and disseminate the documentary heritage of the ACdP and CEU, regardless of its physical location.
- 2) To receive, order, technically process and make documentation accessible.
- 3) To develop the appropriate description and control instruments for a correct communication of the documentation and optimum accessibility to it.
- 4) To collaborate in achieving greater efficiency and improvement in the functioning of the administration of the Institution, by establishing guidelines for the development of administrative procedures and facilitating, in turn, the documentation necessary for the resolution of administrative procedures and decision-making.
- 5) To facilitate access to and consultation of documentation for the ACdP-CEU community and, likewise, for researchers, scholars, and citizens in general, under the terms established in the existing legal and regulatory framework.
- 6) To establish regulations and criteria for the ordering, classification, transfer, selection and elimination of documents, document management, and those relating to other aspects of the automated processing of documentation and information.
- 7) To formulate guidelines for the correct conservation of documentation, establishing the ideal conditions that the facilities necessary for its use and security must meet.
- 8) To promote, draw up and propose to the competent bodies training actions for users in the organisation and technical processing of documentation.
- 9) To develop and participate in activities to disseminate the documentary heritage of the ACdP-CEU.
- 10) Likewise, all other functions that involve the organisation and treatment of the documentation that constitutes the documentary heritage of the ACdP-CEU.

Article 3.- An administrative document of the ACdP-CEU is understood to be any textual, graphic, sound or image information, fixed on any type of support (paper or electronic), generated, or received by the different administrative units and persons assigned to them in the development of their own functions, and as a testimony of the different activities of the ACdP-CEU community.

This definition includes:

- All those documents essential for the development of a continuous activity by an administrative or teaching unit.
- The documents that accredit an administrative value and that are part of a procedure.
- The budget documents.
- The documents that provide legal or juridical value to the actions of the ACdP-CEU.
- The documents that reflect the ACdP and CEU's history or the history of any of their services or teaching centres, from its inception to the present day.

The definition excludes:

- All documents or books received and kept for reference or consultation material.
- All documents generated due to the exercise of the private activity of any person affiliated to the ACdP-CEU.
- The copies of the originals, except for those obtained from documents of which, for various reasons, only copies are available.

Article 4.- The ACdP-CEU documentary patrimony consists of a group of documents, as defined in the previous section, which have been generated, received, or gathered by:

- 1) Collegiate Governing Bodies of the ACdP and CEU, whose custody corresponds to the Secretary's Office of the corresponding body, and whose access will always be subject to the applicable civil and commercial legislation.
- 2) Departments, Centres, and Institutes part of the ACdP and CEU, as well as other Centres that are legally created, linked or attached to it, according to what's be established by the Organisation and Functioning Rules or some similar others.
- 3) Individuals at the service of the ACdP and CEU, in the exercise of their academic or management activity.
- 4) Individuals or legal entities outside the ACdP and CEU, in the development of activities delegated or contracted by the latter.
- 5) Individuals or legal entities outside the ACdP and CEU, who make a donation or express transfer of their documents to the ACdP and CEU, once it has been accepted.

CHAPTER II: Organisation and functioning of the ACdP-CEU General Archive

Article 5.- In order to best achieve its objectives, the General Archive is constituted as an Archival System, being the structure over which the documentary heritage of the Institution flows through the stages of its life cycle, with different regulations for its organisation, conservation, processing and dissemination in each one of them.

Section 1: Structure of the Archive General

Article 6.- At the head of this archival system of the ACdP-CEU will be the Director of Archives and Libraries who, as the person immediately responsible for the General Archive, will develop it through the exercise of the following duties:

- 1) He/she shall be responsible for the design, configuration, and implementation of the current and future services of the Archive, in line with the strategic guidelines and quality of service.
- 2) He/she shall issue guidelines for the organisation of the management archives and supervise their operation.
- 3) He/she shall design the archival system as a whole and shall regulate and plan archival activity.
- 4) He/she shall propose to the organs of government the establishment of advisory committees and working groups on matters relating to the activities of the General Archives.

5) He/she shall be responsible for the planning, management, supervision, and control of the resources associated with the ACdP- CEU Archive and its Centres.

Article 7.- The Technical Coordinator of the General Archive shall have the following duties:

- 1) He/she shall establish, supervise, and coordinate the operating procedures of the Central Archives.
- 2) He/she shall promote personnel training in terms of organisation and technical processing of documents.
- 3) He/she shall develop the functioning rules and will coordinate their application.
- 4) He/she shall have custody of and manage the documentation deposited in its premises and shall coordinate that of the Central Archives' premises.

Section 2: Central Archives

Article 8.- The creation of the Central Archives of Valencia and Barcelona, functionally dependent on the General Archive, will be promoted. The Central Archives will be responsible for the institutional documentation of their respective Territorial Areas. All of them will form the archival system of the ACdP-CEU.

Section 3: Management archives

Article 9.- The documentary collections existing in the archives of the Governing Bodies, Departments, Centres and Services of the ACdP and CEU will be called management archives and will be considered as part of the Archival System in the initial or active stage of the life cycle of the documents.

Article 10.- The management archives shall keep all documents received or generated by the activity of the Unit itself for the duration of the processing of the matters to which they refer, and once this has been completed, for the period determined in each case.

Article 11.- The conservation and custody of the documents existing in the management archives, as well as their organised and systematic transfer to the deposits of the General Archive and the Central Archives, is the obligation of those responsible for the Units in which they are integrated. They must designate one or more coordinators, where appropriate, who assume the general functions of document management, in accordance with the general guidelines and the specific prescriptions that, when necessary, are established by the Director of Archives and Libraries, who, at all times, may supervise their compliance.

Section 4: Custody

Article 12.- The custody of all the documentation from the Institution of the Management Archives, once the period of permanence in these archives has elapsed, shall be carried out in the repositories of the General Archive and the Central Archives.

Article 13.- In the exercise of the custodial function by the General Archive and the Central Archives, as far as the process of document management is concerned, two phases will be distinguished: the first, in which they will act as intermediate archives; and the second, in which they will have the status of historical archives.

Article 14.- As an intermediate archive, the documentation will be treated, from an archival point of view, with the aim of supporting the administrative management of the Institution in the most efficient way, as well as for the information of persons with a legitimate interest. In this phase, the documents that have completely lost their value and administrative usefulness will be expunged and eliminated.

Article 15.- As a historical archive, it will conserve the documentation whose permanent conservation has been determined, in accordance with its historical value. The General Archive and the Central Archives will also include the documentation of the former University Colleges, as well as all documentation of private origin that the ACdP and CEU acquire or agree to conserve in accordance with their interests. The General Archive and the Central Archives will facilitate the consultation of the funds in their repositories by members of the ACdP-CEU community, researchers, and scholars, with the precaution that access does not endanger the physical integrity of the documents, nor the legislation in force in relation to the protection of personal data.

Artículo 16.- The General Archives will be responsible for the intermediate and historical documentation of the Centres -living or extinct- of their particular geographical areas, as well as personal archives from private donations.

Section 5: General Documentary Qualification Commission

Article 17.- The General Documentary Qualification Commission, of an interdisciplinary nature and chaired by the Director General of Fundación Universitaria San Pablo CEU and the Fundació Privada Universitat Abat Oliba CEU (hereinafter FUSP/FPUAO), or the person he/she delegates, is entrusted with the following functions:

- 1) To identify and analyse all the documentary series and typologies generated by the Governing Bodies, Departments, Centres and Services of the ACdP and CEU.
- 2) To regulate document flows at the document production stage, in accordance with the administrative procedure, under criteria of legality and efficiency.
- 3) To establish under administrative, legal, and historical criteria the retention periods of documents throughout their life cycle, and to determine their accessibility.
- 4) To normalise the process of expurgation and elimination of documents, ruling on the form of final disposal, in order to identify and differentiate those typologies that must be preserved for the future, in view of their informative and testimonial value, or that must be preserved by law, from those that can be destroyed once their administrative value has been exhausted.
- 5) To classify essential documents resulting from the performance of the Institution's functions and activities considered to be of singular relevance.
- 6) To inform the Board of Trustees of the Foundation of proposals to modify this Regulation.

Article 18.- The General Documentary Qualification Commission will consist of the following members:

- El General Director of FUSP/FPUAO, or the person who in the future replaces him or her in his or her functions, or to whom he or she delegates, who shall act as the President.
- The Director of Archives and Libraries, who shall act as the Vice-President.
- The General Secretary of the ACdP.
- The General Secretary of FUSP/FPUAO.
- The Director of the Documentation Centre of the ACdP (CEDINFOR).
- Two Professors, in the subjects of Administrative Law and History, respectively.
- A data protection expert.
- Up to three technicians from any CEU Archive, appointed by the Director General of the FUSP/FPUAO, at the proposal of the Director of Archives and Libraries.

- The Technical Coordinator of the Archive, who will act as secretary.

Article 19.- The Technical Coordinator of the General Archive shall submit to the General Commission for the Classification of Documents, for its agreement, proposals regarding the standardisation of administrative procedures, conservation periods, accessibility, and form of final disposal of each of the documentary series generated by the Institution.

Article 20.- Once the agreement of the General Commission for the Classification of Documents has been issued, it shall be of a normative nature and its application shall be of a general nature for all members of the archival system. To this end, the agreements of the Commission shall be public.

Article 21.- The Director of Archives and Libraries may propose to the Director General of the FUSP/FPUAO the creation of other advisory committees and working groups in relation to the management of the documentary heritage of the ACdP and CEU.

Section 6: The Qualification Commissions of the Central Archives Documents

Article 22.- The Central Archives will be able to have their own Commission, which will have a similar composition to the General Documentary Qualification Commission of the General Archive. At no time may the determinations of the two Commissions contradict each other.

Section 7: The relationship with the Documentation Centre of the ACdP

Article 23.- Given the existence of a Documentation Centre of the ACdP (CEDINFOR-ACdP), which has as one of its main objectives the collection of personal archives and documentation related to the ACdP or its Works and historical members, we will try to establish a fluid collaboration with this Centre and will take into consideration its criteria in what could affect its tasks, fundamentally through its executive committee or management.

TITLE II ACCESS TO AND TECHNICAL PROCESSING OF DOCUMENTATION

CHAPTER I: Access to documentation

Section 1: General principles

Article 24.- The ACdP-CEU community and those who can prove sufficient interest have the right to access and consult the documents that make up the Institution's documentary heritage, in accordance with current legislation.

Article 25.- Consultation of documents containing personal data of a police, procedural, clinical or any other nature that may affect the security of persons, their honour, the privacy of their private and family life and their own image shall not be permitted, except with the express consent of the administrative unit producing such documents, or with the express consent of the persons concerned, or after twenty-five years have elapsed since their death, if the date of death is known, or fifty years from the date of the documents, if it is not.

Article 26.- It is the responsibility of the General Documentary Qualification Commission to establish the criteria for free accessibility or restriction for each of the series that make up the documentary heritage of the ACdP and CEU, in accordance with current legislation. The way to access the private collections held in the General Archives shall be governed, where appropriate, by the conditions agreed by the parties in the acquisition documents.

Article 27.- Access to the original documentation is subject to the condition that its preservation is not endangered. Consequently, the Technical Coordinator of the General Archive will establish the criteria for access, by means of the consultation of digital copies, when the consultation of the originals involves risks for their conservation.

Section 2: Format and procedure

Article 28.- Access to documents may be granted by means of free consultation in the facilities available for this purpose in the General Archives or by providing copies at the applicant's expense. In any case, the right of access shall be subject to compliance with the formalities and administrative and personality controls established for this purpose by the General Archives.

Article 29.- Only those consultations made by the Departments, Centres and Services of the ACdP-CEU in the exercise of their functions will be considered internal consultations, as well as those made by researchers belonging to the Institution who request historical funds from the ACdP, CEU and personal archives. The rest will be considered as external consultations. The consultation of historical collections by external researchers must have the authorisation of the Secretaries General of the ACdP or CEU, as appropriate, and in the case of the personal archives must be in accordance with the terms of the donation agreement.

Article 30.- As a general rule, consultation shall be carried out in the facilities set aside for this purpose in the Archives. The interested units may obtain the documentation on loan in the event that the requested documentation is necessary for the processing or resolution of cases.

Article 31.- Both internal and external users, are responsible for the integrity of the documentary collections while consulting them. It is forbidden to move documents out of the consultation area, unless specifically authorised, by means of a loan, to internal users.

Article 32.- Direct access to the repositories is reserved for Archive personnel only.

Article 33.- In the event of extraordinary circumstances (organisation or restoration of documents, works, transfers or other technical or maintenance operations), restrictions or special conditions may be imposed temporarily on the consultation of the collections.

Section 3: Reprography, certified copies and certifications

Article 34.- Only General Archive personnel are authorised to make reproductions of documents. Only in exceptional cases, and for certain media, may the Technical Coordinator of the General Archive authorise the release of documents for reproduction, which is controlled at all times by the General Archive.

Article 35.- Requests for reproductions of restricted access documents shall require the prior express authorisation of the Authority that established the restriction, which must be submitted to the General Archive at the time of the request. In the case of documents of administrative value, the applicant shall address the request directly to the administrative unit responsible for the procedure.

Article 36.- In addition to the service of reproduction by means of simple copies, and as far as the Central Services are concerned, the General Archives will provide, in relation to those documents with permanent value, copies stamped by the Technical Coordinator of the General Archives, under the formula 'matches the original', and certifications signed by the Director of Archives and Libraries. Requests for certified copies of such documents must be made in writing and addressed to the General Archives.

Article 37.- In the case of active Centres, the certificates shall be signed by the Secretary (General or Academic) of each of them.

Article 38.- For the Centres, Areas or Departments that are not part of the FUSP/FPUAO, the certifications will be carried out according to the provisions, in each case, of the General Secretary's Office of the FUSP/FPUAO or of the ACdP.

Article 39.- If the requested documentation cannot be found in the collections of the General Archive or the Central Archives, negative certification with the formula 'does not exist in the Archive' may be provided at the request of the interested party.

Section 4: Loan

Article 40.- The Archives will lend documentation to the Departments, Centres and Services of the Institution, in order to facilitate consultation and speed up administrative procedures and decision-making. For the duration of the loan, and until the acknowledgement of receipt is received, the requesting unit is responsible for the integrity of the loaned document.

Article 41.- The Archives may, ex officio, make a claim for documents not returned within the prescribed period of time. In such a case, the claim shall be made in writing, with a list of the documents to be returned.

Article 42.- When the destination of the document or file requested is the Administration of Justice or another public body, the unit will transfer the request to the Director General of the FUSP/FPUAO (or, where appropriate, to the Secretary General of the ACdP), in order to proceed with its processing by the Archive.

Article 43.- The Archives may authorise, in exceptional cases, the temporary loan of documents as a complement to teaching training or dissemination activities of the Institution's Centres when so requested. In the case of requests to participate in cultural dissemination activities outside CEU or the ACdP, especially exhibitions, authorisation must be requested from the General Secretary's Office of FUSP/FPUAO or the ACdP in accordance with the established procedure.

CHAPTER II: Technical processing of documents

Section 1: Classification, transfer, and expurgation of documentation

Article 44.- The documentary heritage of the ACdP and CEU will be organised from the management archives in accordance with a generally applicable Classification Table, of a functional nature, which allows for a global retrieval of information throughout the Institution, throughout the life cycle of the documents.

Article 45.- The transfer of documents to the Archives will be carried out by the Departments, Centres and Services in accordance with a calendar and respecting the conservation periods indicated by the General Commission for the Classification of Documents. The documents to be transferred must be originals or single copies and organised in accordance with that established in the ACdP-CEU's Classification Table for documents.

Article 46.- Ordinary transfers from the Departments, Centres and Services shall be made on an annual basis and shall be formalised in accordance with the rules stipulated for this purpose.

Article 47.- In the case of extraordinary income of documentation (donation, bequest, deposit), the act of acquisition will be formalised by means of an agreement with the prior authorisation of the General Secretary's Office of the FUSP or of the ACdP, according to the established procedure.

Article 48.- The agreements of the General Commission for the Classification of Documents, for the purposes of documentary control, shall be systematically included in the calendar for the conservation of institutional documentation drawn up by the General Archive.

Section 2: Preservation and conservation of documents

Article 49.- The Technical Coordinator of the General Archive shall promote the necessary preventive measures to avoid the degradation of the documentation, maintain it in optimal conditions and ensure its preservation. The documentation deposited both in the General Archive and in the Central Archives shall be conserved in accordance with the environmental, confidentiality and security conditions suitable for the durability of the different types of media.

Article 50.- Likewise, the Technical Coordinator of the General Archive shall draw up and keep up to date a programme of Essential Documents that guarantees security in the event of possible incidents that could endanger the preservation of documentation classified as being of singular relevance.

CHAPTER III: Infractions and sanctions

Article 51.- Liability actions that may arise from non-compliance with the provisions of this Regulation, due to inappropriate or negligent use of the Institution's documentary heritage, which causes damage to it, shall give rise to the exercise of the appropriate actions (in labour, civil and any other matters).

TRANSITORY PROVISION

Only: The total or partial elimination of the documents that form part of the documentary heritage of the ACdP and CEU is prohibited, as long as there is no agreement from the General Document Qualification Commission.

FINAL PROVISIONS

First: The development and application of the provisions of this Regulation shall comply with current legislation on the protection of personal data.

Second: All the personnel of the ACdP-CEU General Archive and the Central Archives will ensure respect for the ownership of the ACdP-CEU documentary collections and the information they contain, in order to protect the rights of the Institution and its community, especially in the use made of the reproductions provided.

Third: The Director of Archives and Libraries shall issue and keep up to date the specific regulations implementing the provisions of this Regulation.

Fourth: This Regulation will entry into force once approved by the Board of Trustees of the Foundation and by the National Council of the ACdP.