

RULES OF THE HISTORICAL ARCHIVES
OF THE ITALIAN CHAMBER OF DEPUTIES

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PART ONE
REGULATORY FRAMEWORK AND FUNCTIONS

Rule 1

(Historical Archives)

1. Pursuant to Rule 39 of the Regulations for Administration and Staff, the Chamber of Deputies preserves its documents in the Historical Archives of the Chamber of Deputies.

Rule 2

(Functions of the Historical Archives)

1. The Historical Archives preserve documents of the Chamber of Deputies that are transferred thereto in accordance with Rule 8, as well as other documents acquired pursuant to these Rules.
2. It sees to the preparation of catalogues and other reference tools; it publishes documents of particular importance; and it collaborates with other Chamber of Deputies' documentation departments for research purposes and publications.
3. It conserves the photographic material of the Chamber of Deputies and may acquire audiovisual works relating to political and parliamentary history.

Rule 3

(Superintendent)

1. The Historical Archives shall be under the direction of a Superintendent, appointed pursuant to Rule 9 of the Regulations for Administration and Staff.
2. The Superintendent shall operate according to guidelines set out, in accordance with their respective powers, by the Documentation Activities Oversight Committee and by the Secretary-General of the Chamber of Deputies.
3. The Superintendent shall be responsible for the running of the Historical Archives and perform the other functions that the Regulations for Administration and Staff assign to Heads of Department. Specifically, he or she shall:
 - a) attend meetings of the Documentation Activities Oversight Committee;
 - b) propose the staffing plan of the Historic Archives to the Secretary-General;
 - c) manage relations with cultural institutions regarding the activities of the Historical Archives;
 - d) propose to the Documentation Activities Oversight Committee the schedule of publications of the Historical Archives, within the framework of the Chamber of Deputies' publishing programme;

- e) verify the extent of the documentary holdings, including those provisionally located with the Departments and Offices of the Chamber of Deputies.

Rule 4

(Staff)

1. The Historical Archives shall be staffed by employees of the Chamber of Deputies in accordance with the staffing plan referred to in the previous rule.

Rule 5

(Outlays)

1. Outlays for the activities of the Historical Archives are authorised in the manner prescribed by the Regulations on Administration and Accounting of the Chamber of Deputies.

PART TWO

ACQUISITION AND PROTECTION OF DOCUMENTS

Rule 6

(Documents of the Chamber of Deputies)

1. For the purposes of these Rules, “documents of the Chamber of Deputies” shall mean any expression or record of the activities carried out by any person who works in the Chamber as a member of staff or as a service provider, irrespective of the quality of the media on which it is recorded.

Rule 7

(Non-disposable property)

1. The documents referred to in the preceding rule are non-disposable property of the Chamber of Deputies, with the exception of those designated as documents to be discarded pursuant to these Rules.

Rule 8

(Transfer)

1. Within six months of the end of each Parliament, the persons referred to in Rule 6 shall transfer to the Historical Archives documents relating to finished business.
2. Upon transferring records, the person in charge shall indicate in a specific list the documents which are subject to the restrictions specified in Rule 16 as a result of a decision taken by a parliamentary body, the Secretary-General or, in the case of documents received from the outside, the competent authority. The list may be changed later by the Secretary-General, who shall inform the Documentation Activities Oversight Committee of the fact.
3. The competent department shall see to the transfer to the Archives of the documents of Bicameral Committees, Parliamentary Committees of Inquiry, the Parliamentary Committee for the Authorisation of Prosecution and Committees of Investigation established by law, upon completion of their work in the Chamber of Deputies.

Rule 9*(Archives Committee)*

1. An Archives Committee shall be established and consist of at least three parliamentary officials with experience in several fields of activity of the Chamber of Deputies, and of the Superintendent of the Historical Archives who shall chair the Committee.
2. The Committee shall:
 - a) organise the conservation and organisation of current archives;
 - b) propose records disposition schedules, which shall be approved by the Documentation Activities Oversight Committee;
 - c) express its opinion on a proposal by the officials responsible for archives to discard documents in accordance with the records disposition schedules mentioned in point b). In case of a favourable opinion, the discarding of documents shall be approved. In case of disagreement, the Documentation Activities Oversight Committee shall decide on the matter;
 - d) make arrangements for the transferring of documents to the Historical Archives at the end of each Parliament;
 - e) lay down rules for the conservation of documents in electronic or non-paper format.
3. The Committee shall be appointed by decree of the President of the Chamber at the beginning of each Parliament at the proposal of the Secretary-General.

Rule 10

(Documents of Parliamentary Groups)

1. For the purpose of ensuring an effective conservation of their own archival holdings, Parliamentary Groups may apply to the Committee referred to in Rule 9, which may be complemented by members appointed by the Chair of the Parliamentary Group.
2. At the end of each Parliament, Parliamentary Groups may request to donate or transfer their holdings or part thereof to the Historical Archives.
3. Parliamentary Groups may request the temporary relocation of donated or transferred documents, in which case, the President of the Chamber of Deputies shall set a time limit.

Rule 11

(Private Documents)

1. The Historical Archives may acquire archives or documents of current or former Members of Parliament, former officials of the Chamber of Deputies or from private collections.

Rule 12

(Guarantees and benefits for document owners)

1. Those who entrust documents to the Historical Archives pursuant to Rule 11 may stipulate that certain of those documents be subject to one of the restrictions indicated in Rule 16.
2. With regard to the tax benefits provided by Law 512 of 2 August 1982 for the donation of collections to the Historical Archives, the Secretary-General, following a request from the interested parties to the Superintendent and the approval by the Documentation Activities Oversight Committee, shall issue a declaration attesting to the interest of the Chamber of Deputies in acquiring the collection in question.

PART THREE

RELATIONS WITH VISITORS

Rule 13

(Opening to the public)

1. Public admission to the Historical Archives is regulated by specific rules proposed by the Superintendent and approved by the Documentation Activities Oversight Committee.

Rule 14

(Use of documents)

1. Use of the documents of the Historical Archives shall be restricted to rooms reserved for that purpose.
2. Loans for the purpose of consultation are forbidden.
3. Authorisation for the temporary transfer of documents for cultural events of particular importance may be granted by the President of the Chamber of Deputies acting on the advice of the Documentation Activities Oversight Committee.

Rule 15*(Reproduction of archival documents)*

1. The reproduction of archival documents may be authorised by the Superintendent, who shall always assure their safe conservation. Reproduction shall entail no cost for the Administration of the Chamber of Deputies.

Rule 16*(Rules on Accessibility)*

1. Documents transferred to the Archives pursuant to Rule 8 are freely available for reference, except as hereinafter provided.
2. Documents that the persons referred to in Rule 6 have acquired from government or administrative authorities shall retain the classification of confidentiality or secrecy originally assigned to them by the issuing party. The documents may be made available for consultation once the classification has been lawfully removed, or after they have been published by other sources that were legally entitled to disclose them.
3. The documents that the persons referred to in Rule 6 have acquired from judicial authorities shall be subject to the disclosure rules established either by law or by the judicial authority in question in accordance with the law.
4. The persons referred to in Rule 6 may restrict, for any given period up to 20 years, the accessibility of documents created directly by them or under their instructions, documents acquired from private parties and anonymous texts.
5. The bodies of the Chamber of Deputies and the bicameral committees can impose secrecy restrictions for a given duration on documents created directly by them or under their instructions, and on texts originally transmitted to them.

6. Documents of the former Parliamentary Committee on Impeachment Procedures¹ that were classified as confidential at the moment of their transfer to the Archives shall become available for consultation after 40 years.
7. Documents relating to the purely private affairs of an individual may not be accessed for 70 years without the written consent of the person concerned or his or her heirs.
8. The periods referred to in this article shall begin from the date of creation of the document or, if not available, from the date the document is acquired by one of the persons referred to in Rule 6.

Rule 17

(Authorisations)

1. Pursuant to current legislation, the Superintendent of the Historical Archives shall authorise access to the documents referred to in paragraphs 2 and 3 of Rule 16.
2. The President of the Chamber of Deputies, after hearing the opinion of the Chairperson of the Documentation Activities Oversight Committee, may authorise access to documents referred to in paragraph 4 of Rule 16 before the expiry of the non-accessibility period for reasons of research or legal defence.
3. In relations with the judiciary and the parliamentary committees of inquiry, the President of the Chamber of Deputies, for the purpose of authorising, for reasons relating to their respective functions, access to classified documents, shall comply with the statutory principles and rules governing the invocation of different forms of secrecy against judicial authorities.

Where secrecy status as per paragraph 5 of Rule 16 has been claimed, the President of the Chamber of Deputies, without prejudice to his or her power to declassify documents in the manner envisaged in Rule 18 below, may, on an exceptional basis, authorise individual members of Parliamentary Committees of Inquiry, upon the request of the Committee, or else members of the Judiciary, upon their own request, to access the classified documents after hearing the opinion of the body that imposed the secrecy, or, in the event that the body no longer exists, the Bureau of the Chamber of Deputies. At the request of a Parliamentary Committee of Inquiry or its Bureau, the President of the Chamber of Deputies may extend the foregoing authorisation to specifically named officials and advisors working for the Committee.

¹ The Parliamentary Committee on Impeachment Procedures (*Commissione Inquirente*) was established by Rule 12 of the Constitutional Law 11 March 1953, n. 1 (*Supplementary Rules of the Constitution concerning the Constitutional Court*) to report on the impeachment of the President of the Republic, of the President of the Council of Ministers and of individual Ministers, to be deliberated by Parliament in joint session. The Committee remained in charge up to 1988, when the whole procedure was amended by the Constitutional Law 16 January 1989, n. 1, as a result of the popular referendum of 8-9 November 1987.

4. The power of the President of the Chamber of Deputies to authorise access as envisaged in this Rule extends to the right to authorise the making of copies of the documents, and, in accordance with the law, to set limits and conditions on the usability of the copies and the results of the consultation.

Rule 18

(Declassification)

1. When the body that imposed the secrecy restrictions as referred to in paragraph 4 of Rule 16 ceases to exist, the President of the Chamber of Deputies, after hearing the Bureau, may remove the restrictions or reduce their duration.
 2. If the restrictions referred to in paragraph 4 of Rule 16 have been imposed by an administrative office of the Chamber of Deputies, the Secretary-General may at any time propose to the President of the Chamber of Deputies to lift the restrictions or change their duration.
 3. When the body that imposed the classification as referred to in paragraph 5 of Rule 16 ceases to exist, the President of the Chamber of Deputies, after hearing the Bureau, may declassify the documents, change the duration of the classification or transform the classification into a restriction of non-accessibility for a set period of time.
- 3bis.* If the papers or documents sent to the Historical Archive as classified pursuant to article 16, paragraph 5, have been acquired in copy by a Commission of inquiry, the Commission itself will proceed with their declassification, subject to authorization from the President of the Chamber. If the same papers or documents have been acquired, in the same legislature, also by other Commissions of inquiry, the President of the Chamber expresses his opinion after hearing these ones.

Rule 19

(Oath)

1. Staff of the Chamber of Deputies with access to classified documents shall take an oath before the Secretary-General not to disclose knowledge to anyone of information that has come into their possession by virtue of their office, nor make private use thereof.

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