

EBNA - European Board of National Archivists

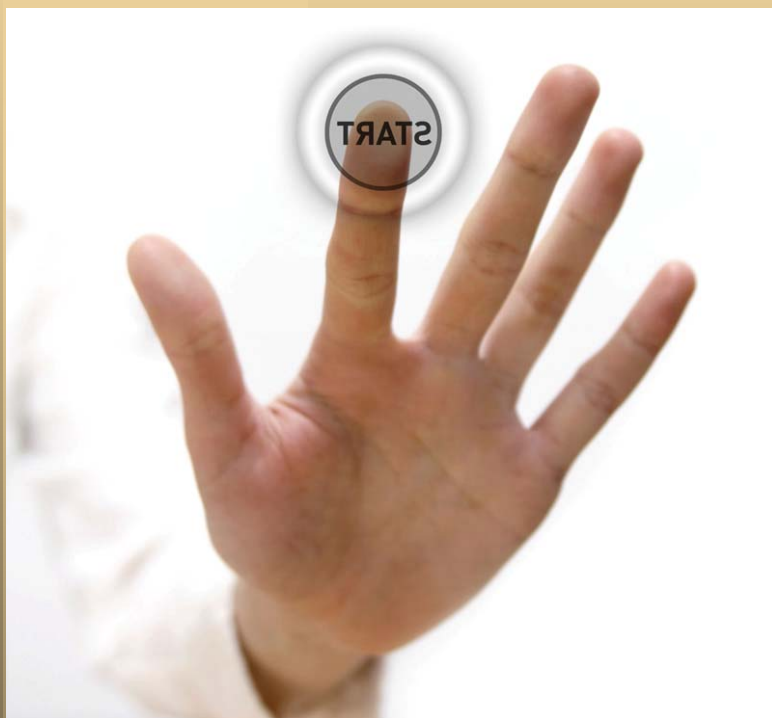
# Digital archives and the new Slovene archival legislation

*Archives of the Republic of Slovenia*

*Tatjana Hajtnik, MA*

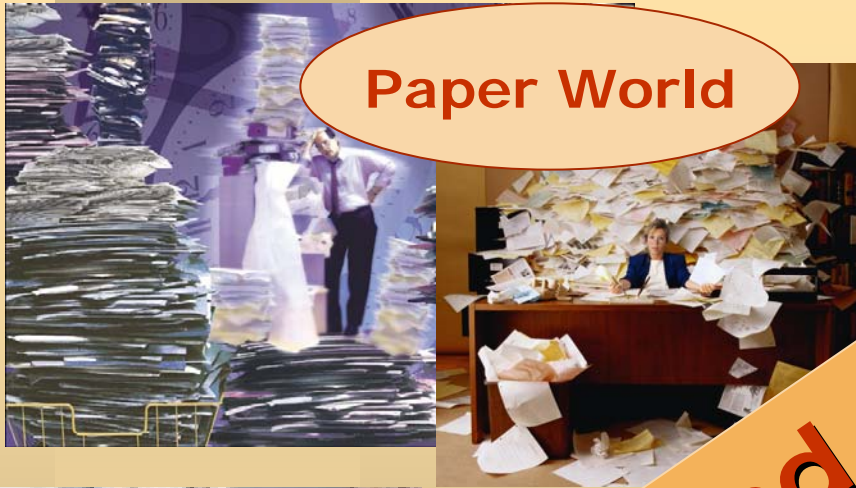
*April 8 and 9, 2008*

## Agenda



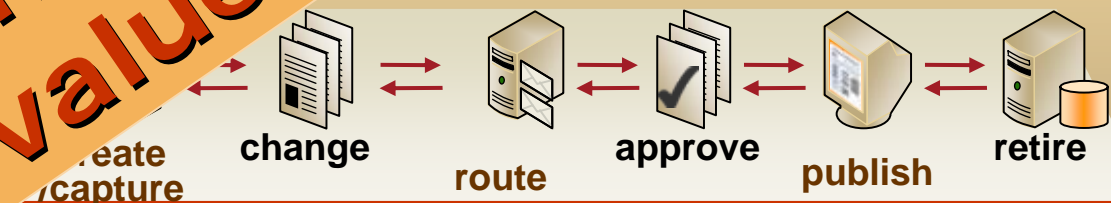
- ❑ Legal and evidential values of documents in a digital form
- ❑ Archival regulations in Slovenia
- ❑ The role of the National Archives

Paper World



Digital World

# Legal and evidential values ?

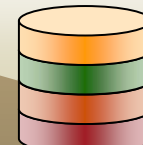


quality of the process

Classification

Business rules

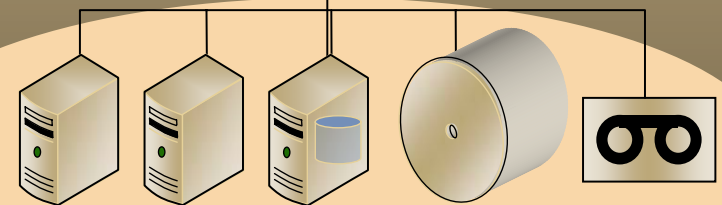
versioning



Unified access

Metadata

Auditing



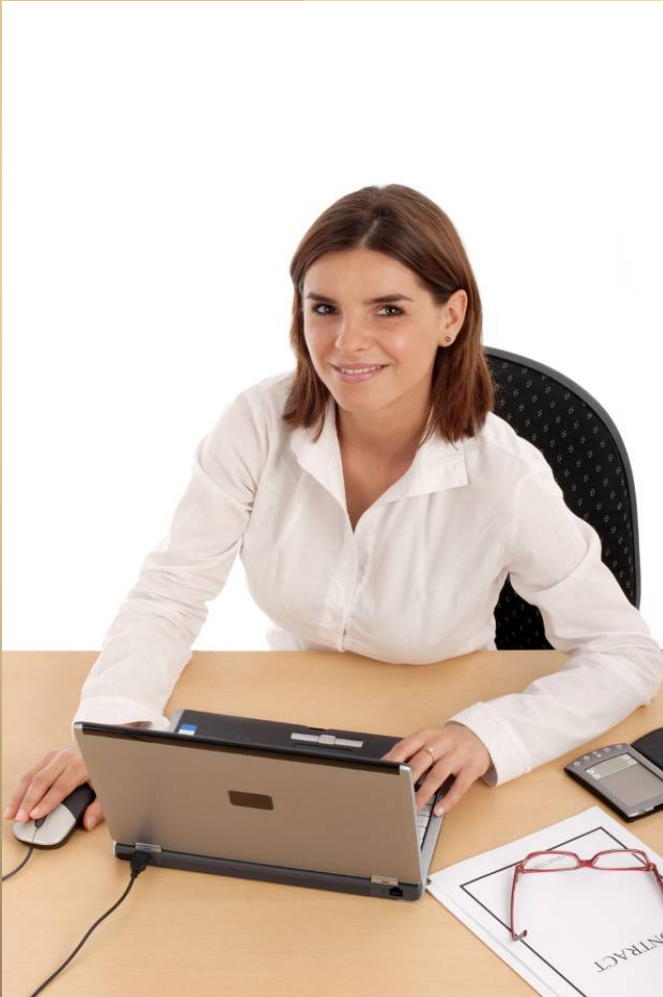
SAN

- Creation
- Change
- Approve
- Route
- Publish
- Storage/retire
- Search
- Security

## Basic requirement of long-term preservation: legal and evidential values of documents in digital form

principle of long-term preservation of documents and/or usability of their contents:

- **accessibility**
- **applicability**
- **authenticity**
- **integrity**
- **protection of cultural monument**





## Legislation, regulation and standards

## Legislation related to PDAAIA\*



- Electronic Commerce and Electronic Signature Act\*\*
  - makes the electronic signature equal to the autographic signature
  - gives legal base as evidence value of smaller part of documentary material – for which a time period of storage is not chosen

\* PDAAIA – Protection of Documents and Archives and Archival Institutions Act 6

\*\* year 2000

# Legislation for long-term preservation in Slovenia



- Protection of Documents and Archives and Archival Institutions Act, PDAAIA - **general disposition on method and organization of storage**
  
- Regulation on Documents and Archives Protection – **detailed disposition**
  - **Unified Technological Requirements (UTR) 1.0** – organizational and technological requests
  
  - **Regulation on professional qualification** of public administration and providers staff, who work with documentary material
  
  - **General Conditions on Accreditation Implementation 2.0**

# Corelated legislation, standards and recommendation

- ❑ Corelated legislation of spheres:
  - operation of environmental
  - protection of personal and classified information
  - social order, health, educational system
  - accounting
  - ...
- ❑ Standards
  - ISO 15489:2005
  - ISO 23081:2006
  - ISO/IEC 27001
  - ...
- ❑ Recommendation
  - MoReq

**Retention period**





# Protection of Documents and Archives and Archival Institutions Act, PDAAIA

general disposition about the method,  
organization, infrastructure and  
implementation of capture and storage of  
documents in physical and electronic form  
(documents and archives)



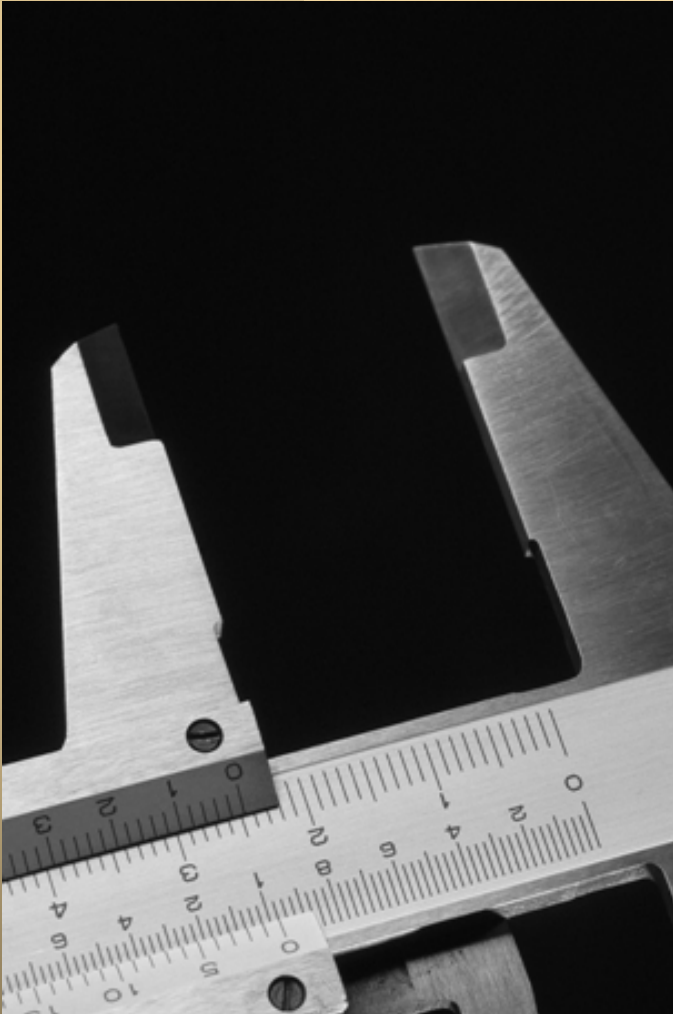
## What PDAAIA brings new

- ❑ **Complete regulation** – arranges possibility and prescribes legal value of long-term preservation of documents in a digital form (documents with defined retention period and archives, irrespective of format (physical or digital)).
- ❑ **Declares demands for equipment and service** connected with capture and storage of documents in a digital form.
- ❑ **Introduce control** over the activities of registered equipment and services providers for capture and storage of documents in a digital form.



# Unified Technological Requirements 1.0 (UTR)

detailed business, organizational and technological conditions





# Unified Technological Requirements

- ❑ **Internal organization** - processes, professional skills and responsibility of employees
- ❑ **Infrastructure of information system for storage**
  - Security room
  - Hardware and software
  - Internal control, which refer in particular to operational implementation and monitoring of events (control of physical access, control of powers, audit trails, back up, reporting on security issues and similar)
- ❑ **Procedure of capture, conversion, control etc.**  
(format for long-term preservation, metadata)
- ❑ **Formats and methods of transfer of archives in a digital form to an archival institution**
- ❑ **media and format for long-term preservation**
- ❑ ...



## The base for Slovene regulations for assuring a digital long-term preservation

- ❑ MoReq
- ❑ ISO standards (27001, 9001, 12207, 90003, 15408, 25051, 20000, 14721, 23081, ..)
- ❑ EU directives (LVD, EMC, RoHS, EC DoC,...)
- ❑ Common Criteria
- ❑ ITIL
- ❑ IEEE standards
- ❑ IS Standards, Guidelines and Procedures for Auditing and Control Professionals (ISACA)
- ❑ COBIT 4.1
- ❑ ...

## The role of the National Archives

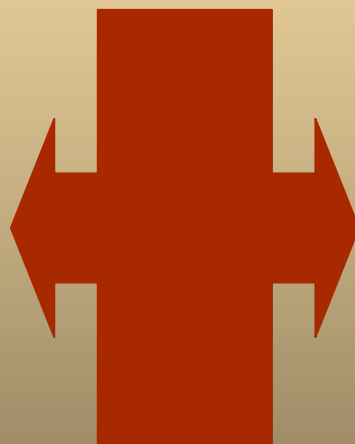


- **Holder of the public faith**
  - **Unified Technological Requirements**
  - **Registration and accreditation**
  - **Internal rules confirmation**



## The basic challenge of long-term preservation

**simplicity  
changing content  
of documents in  
a digital form**



**assuring of  
traceability (audit  
trail) and evidence  
of changes**



## Legal and evidential values of documents in a digital form

- ❑ according to PDAAIA, legal and evidential values of documents in a digital form are correlated to the capture and storage process
- ❑ introduction of
  - Technical measures
  - Organizational measures
- ❑ documentation





## Internal rules

for capture and storage of documents in a digital form



## Internal rules

### Why and who needs the internal rules?

- ❑ any organization, who shall capture or store documents in a digital form, shall adopt internal rules - **obligatory**
- ❑ PDAAIA legal value of documents storage in a digital form bind on existence and execution of confirmed internal rules **(Equality to original material on legal basis!)**



## What are internal rules?

- ❑ usually several mutually connected documents
- ❑ describe the main part of process (e.g. capture of material, conversion, implementation,...)
- ❑ defining responsibility of each employee for performing single procedure
- ❑ defining documentation (e.g. register of captured documents, list of errors, ...)
- ❑ enable of way procedures are performed

## Content of internal rules

- Storage of documents
  - Internal organization, roles and powers, number and professional skills of personnel
  - Infrastructure of information system
- Documents management
  - acquisition
  - classification
  - signing
  - registration of materials
  - capture and conversion
  - selection, conversion and long-term preservation of documents
  - elimination and destruction of documents
  - ...



# Confirmation of internal rules at the Archives of the Republic of Slovenia



## Documentations for checking of internal rules

- ❑ Internal rules (main document)
- ❑ Appendix to internal rules such as regulations, policies, instruction, plans,...), which are viewed as part of it
- ❑ certificates (ISO 9001, ISO 27001,...), audit reports and analogous documents that they refer to internal rules and their owner

Verified compliance with PDAAIA, Regulation, UTR and rule of profession

YES

Entry to register of confirmed internal rules

# Application for confirmation of internal rules

Organization, who capture or storage documents in a digital form

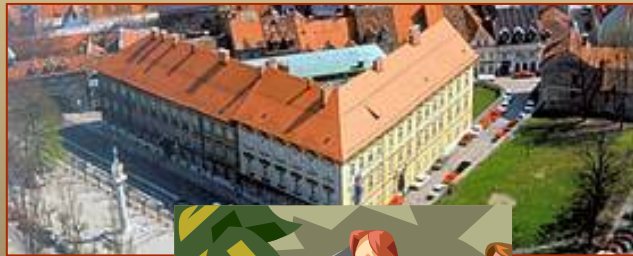


**APPLICATION**



Confirmation of Internal rules

**Archives of the Republic of Slovenia**



**APPLICATION**



Confirmation of model of internal rules



Internal rules confirmation group

- administrative procedure
- cost 17,73 €



register of confirmed internal rules ([www.arhiv.gov.si](http://www.arhiv.gov.si))

## Adopted and confirmed internal rules – How forward ?

- ❑ **Monitoring the implementation of internal rules** (internal, external) – all verification should be properly documented



internal

- Management board shall define the plan for regular periodic assessment at least every two years, in case of important materials or based on professional instructions by the competent archival institution once per year

external

- Certified Information System Auditor (CISA)

- ❑ **Amendments and supplements:** because of the change of valid regulations, technological progress, professional findings and/or required by the Archives of the Republic of Slovenia



## Control mechanisms – providers

- **registration**
    - equipment and services provider
    - obligatory
    - minimal conditions
    - administrative procedure
  - **accreditation**
    - equipment (hardware, software) or services
    - non obligatory/payment
    - stricter conditions
    - contractual relationship
- 
- differentiation of services and equipment
  - easier entrance into the market
  - more efficient control





## **Registration of equipment and services providers**

# Procedure of registration

- administrative procedure
- cost 17,73 €

## Providers



- hardware and software
- Services of capture and storage of documents in a digital form
- accompanying services



APPLICATION



## Archives RS



Verify completeness of the application and order registration of the provider into the register of providers

Administrative decision



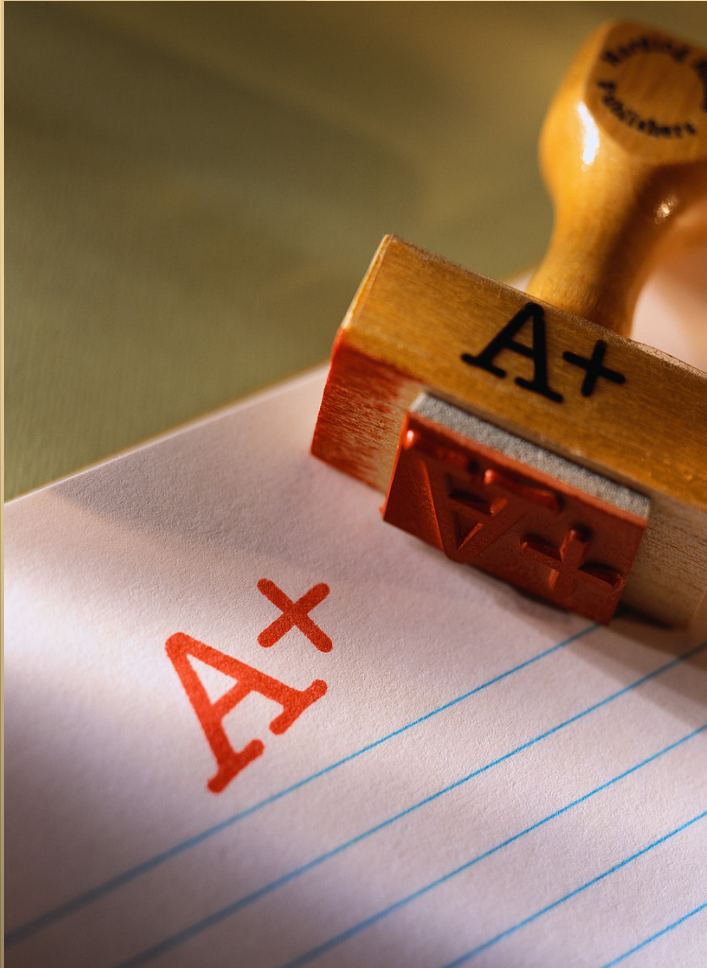
REGISTRATION



**Register of equipment and services providers**

(public accessible on web pages and free of charge)





## ACCREDITATION of equipment and services

higher degree of order and  
reliability



## What is accreditation?

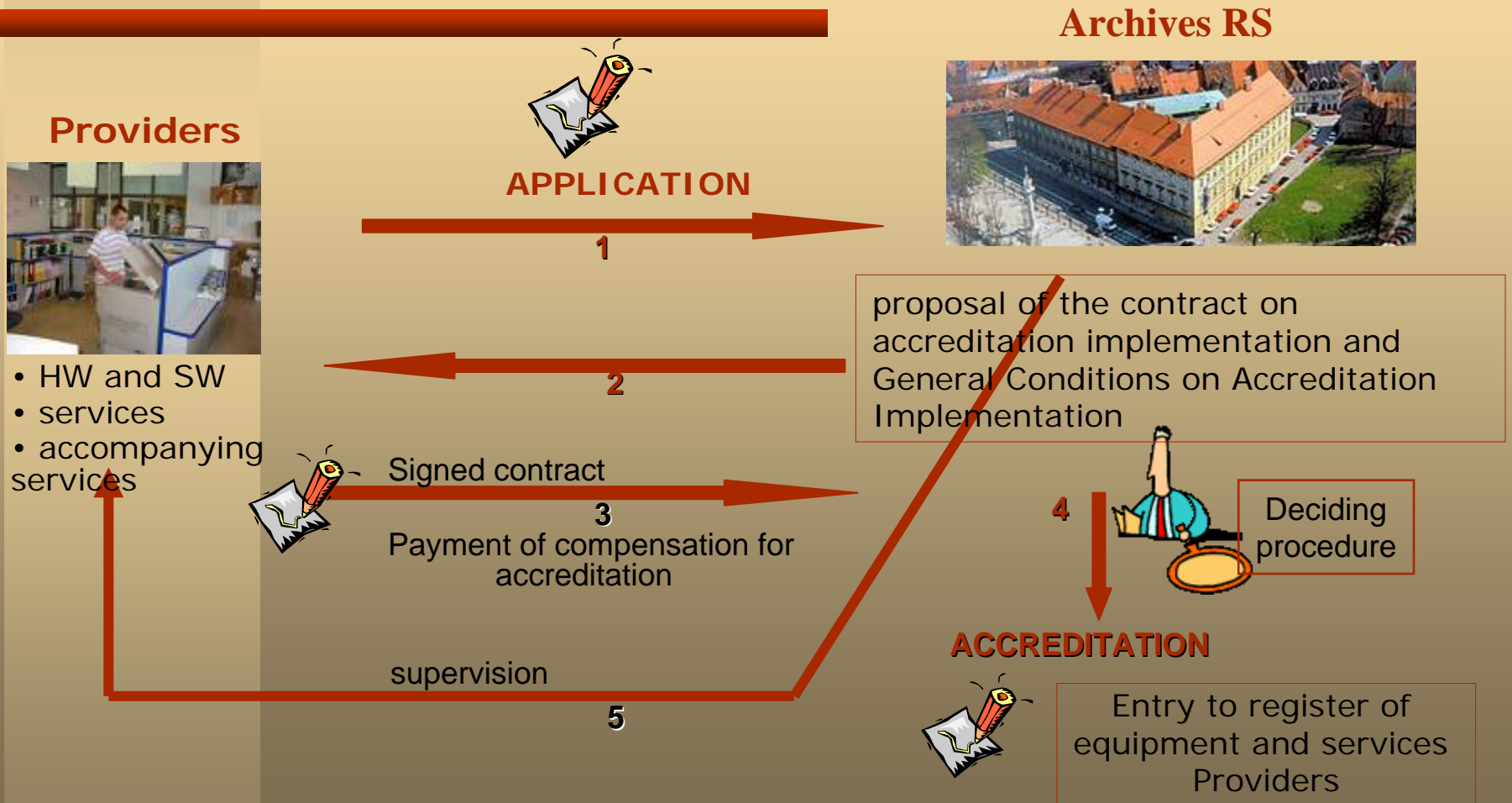
- ❑ National Archives **verifies compliance** of equipment (hardware, software) or services of storage with the legislation requirements and regulatory (PDAAIA, Regulatory, UTR and professional rules)
- ❑ Cooperation with:
  - **Slovenian Institute of Quality and Metrology (SIQ)** – cooperation in the international schemes and agreements for product testing and certification (HW)
  - **Certified Information System Auditor (Slovenian Institute for Audit)** - (SW, services)
- ❑ **voluntary** (contractual attitude between National Archives and depositor of claim for accreditation)
- ❑ Providers can offer to public administration only the accredited equipment and services for storage documents in a digital form
- ❑ **General Conditions on Accreditation Implementation**



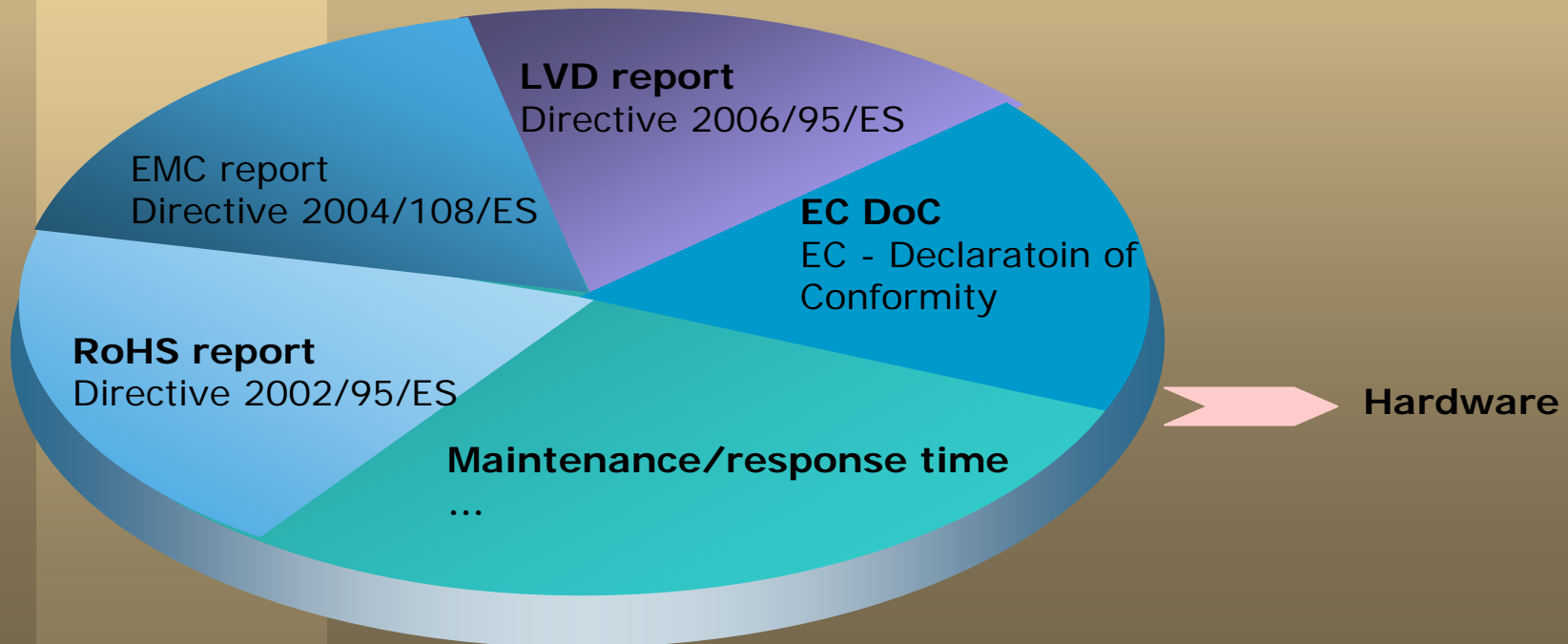
## Preconditions for accreditation

- ❑ **for all kind of accreditation procedures:**
  - Registration of equipment and services providers
  
- ❑ **for accreditation services:**
  - accredited hardware and software
  
  - confirmed internal rules by the National Archives
    - for services providers in case that want to these services accreditation
  
  - suitable qualification of personnel
    - established system of assigning of credit points

# Accreditation procedure



# Control mechanisms for providing the legal and evidential values





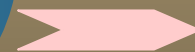
# Control mechanisms for providing the legal and evidential values

**Check list for controlling  
compliance hardware with PDAAIA**

**Slovenian Institute of Quality  
and Metrology (SIQ)**

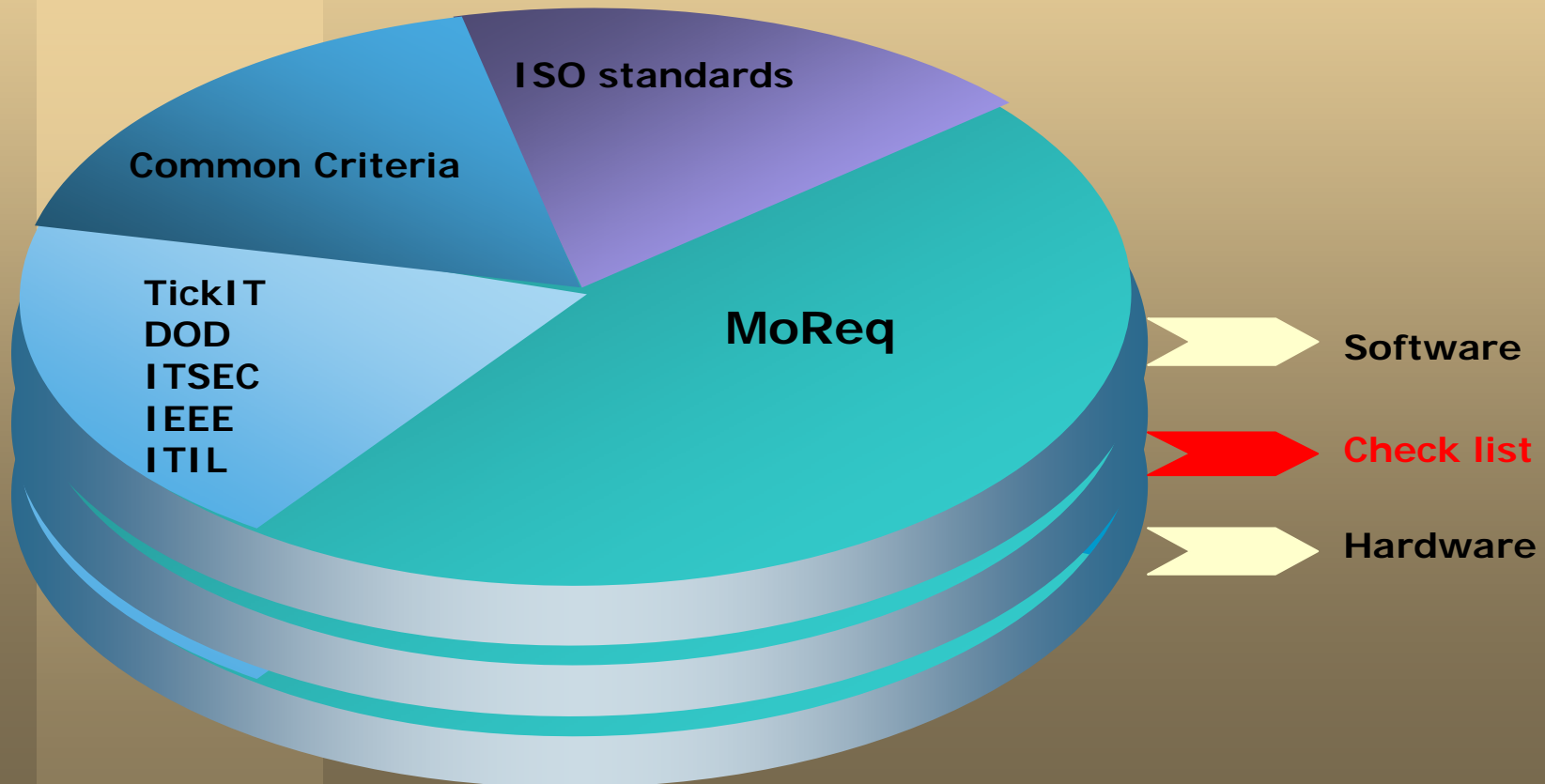


**Check list**



**Hardware**

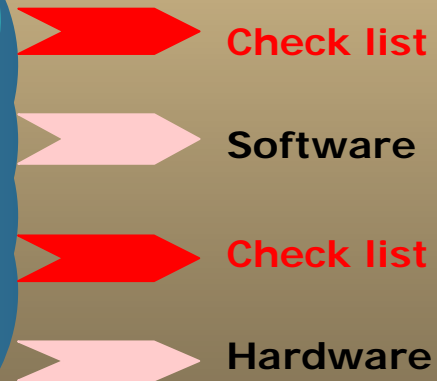
# Control mechanisms for providing the legal and evidential values



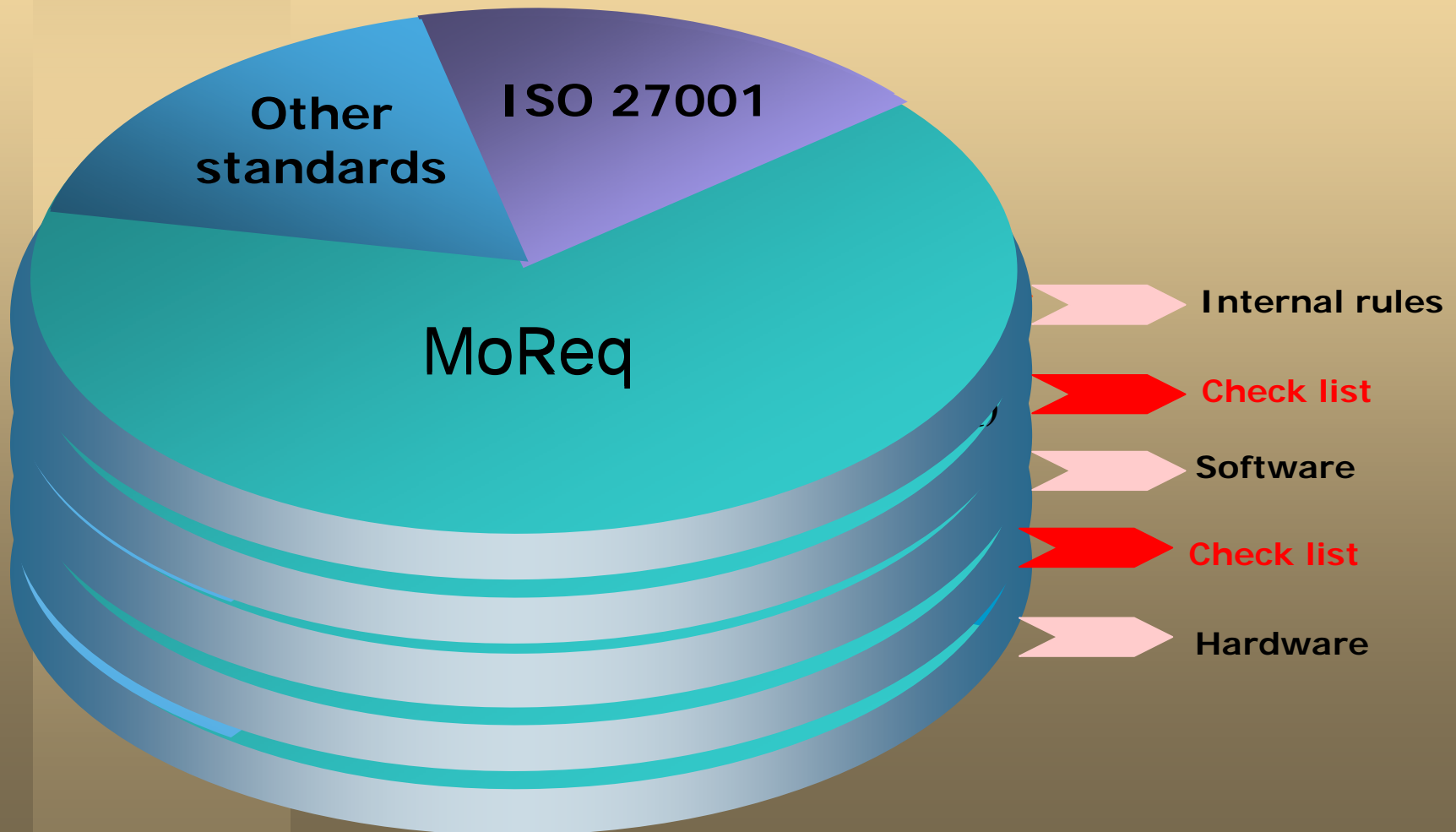
# Control mechanisms for providing the legal and evidential values

**Check list for controlling compliance  
software with PDAAIA**

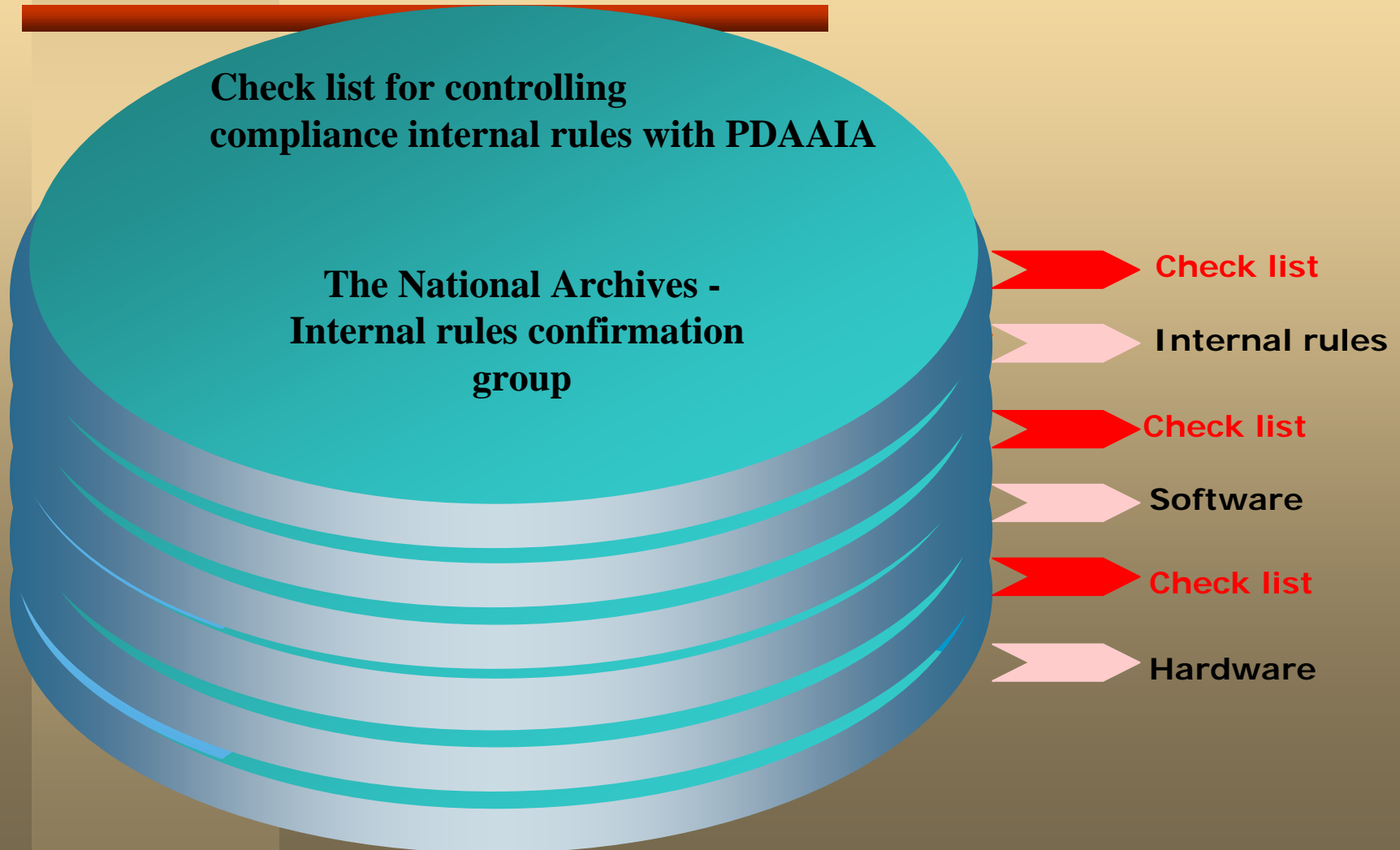
**University of Maribor  
Slovenian Institute of Quality and Metrology (SIQ)  
Interes d.o.o. (Auditors)**



# Control mechanisms for providing the legal and evidential values

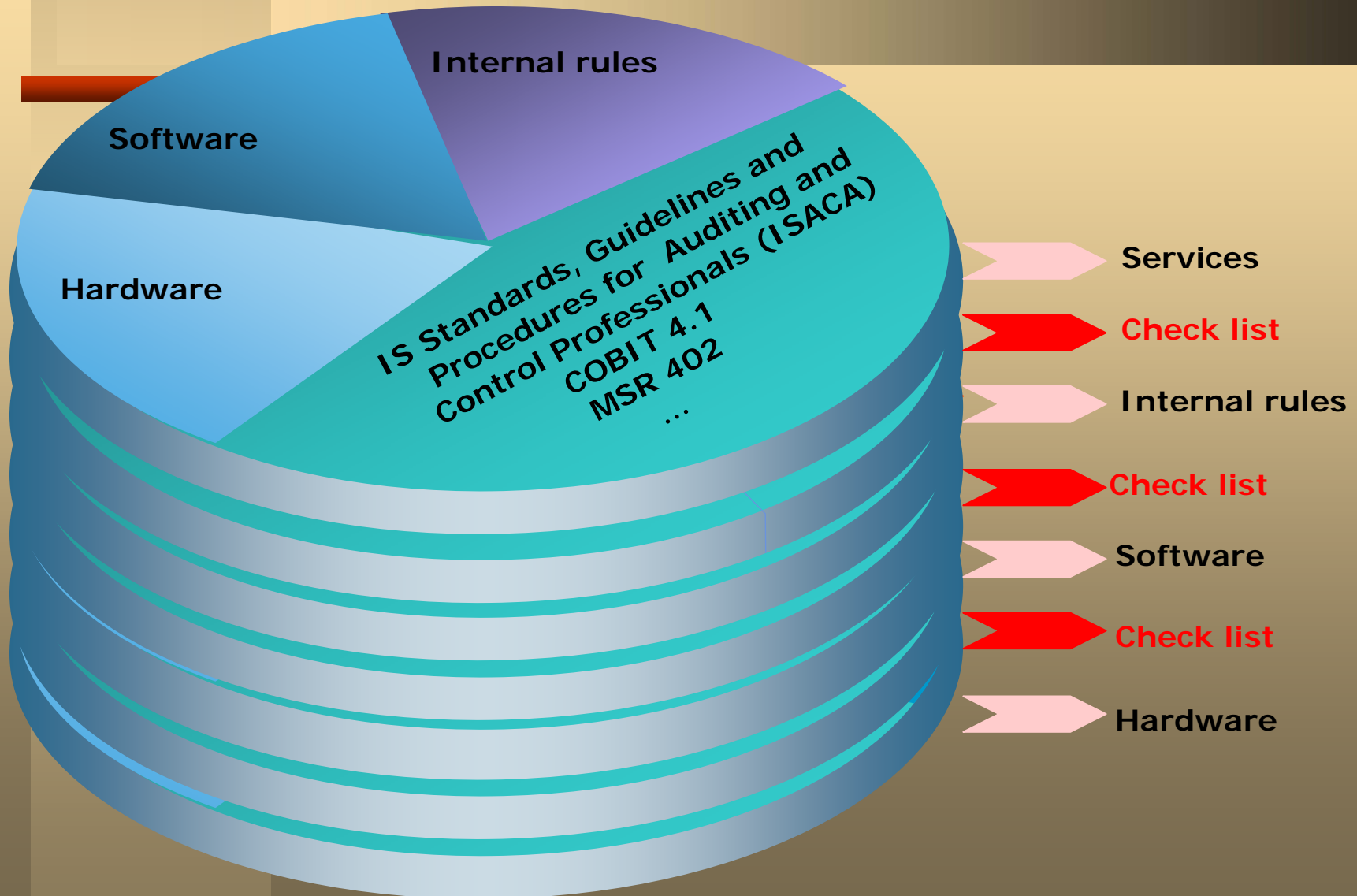


# Control mechanisms for providing the legal and evidential values

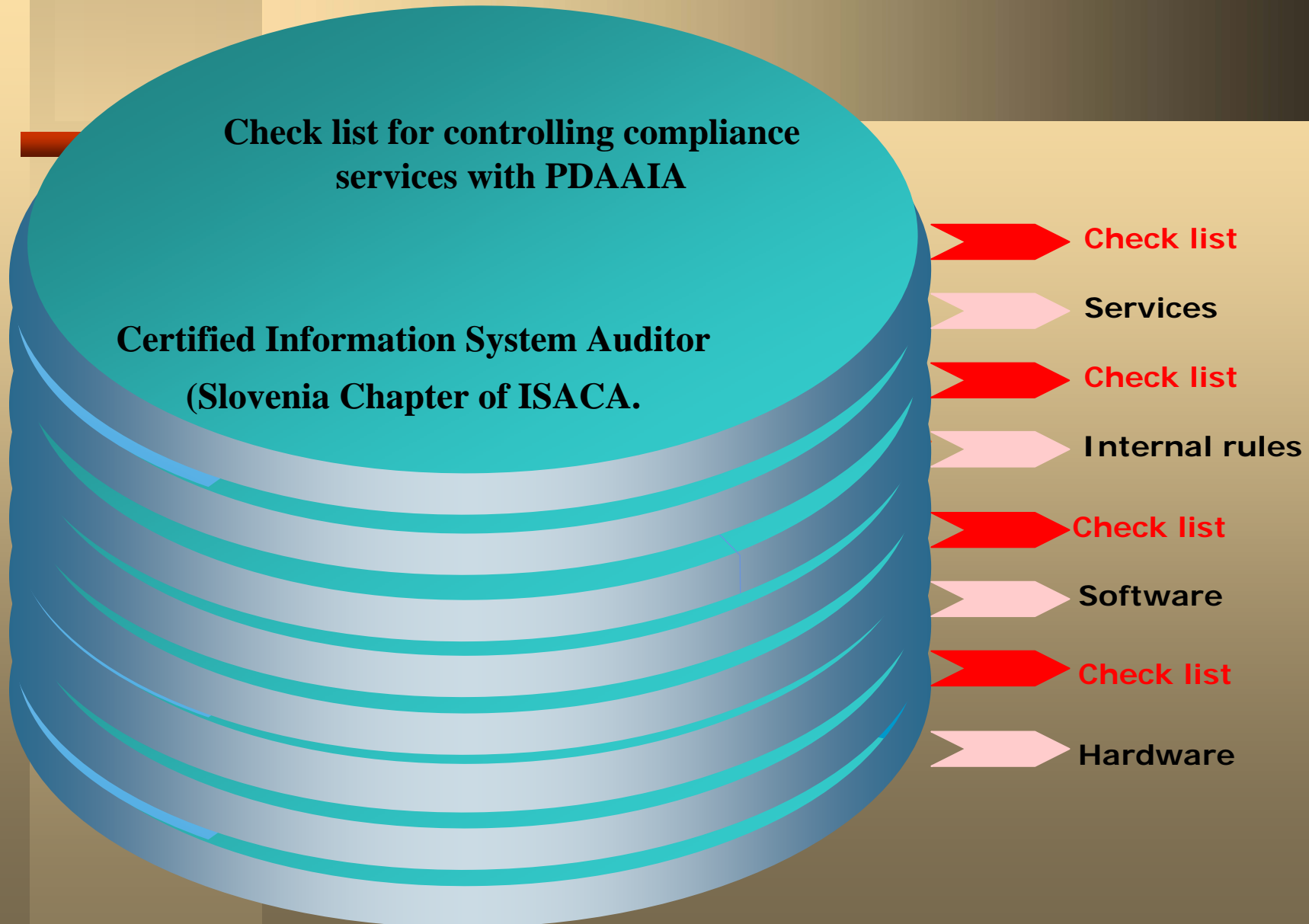




# Control mechanisms for providing the legal and evidential values



# Control mechanisms for providing the legal and evidential values



# PDA AIA Regulations UTR

- Check list
- Services
- Check list
- Internal rules
- Check list
- Software
- Check list
- Hardware



# PDAAIA Regulations UTR



Check list

Services

Check list

Internal rules

Check list

Software

Check list

Hardware



# Public administration & business sector VS. providers

Provider of capture and storage of documents in a digital form

- registration
- confirmed internal rules
- accredited equipment or services

- registration
- confirmed internal rules

## Public administration

- ❑ Internal rules, confirmed at the National Archives - **obligatory**
- ❑ accredited equipment and services for capture and storage of documents in a digital form - **obligatory**

## Business sector

- ❑ Internal rules, confirmed at Archival of the RS – **non obligatory**
- ❑ accredited equipment and services at capture and storage of documents in a digital form – **non obligatory**

## Present situation and near future...



- ❑ 63 registered equipment and services providers
- ❑ 4 confirmed internal rules (4 in progress)
- ❑ 1 accredited SW (5 in progress)
- ❑ 1 accredited HW - system storage
- ❑ in autumn 2008 - services accreditation

## Legislation for long-term preservation in Slovenia



URL:

[http://www.arhiv.gov.si/en/archival\\_regulations\\_and\\_standards/](http://www.arhiv.gov.si/en/archival_regulations_and_standards/)



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**THANK YOU FOR ATTENTION !**



*April 9 and 10, 2008*