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1.04 Professional article

1.04 Strokovni članek

ACCREDITATION/LICENSING OF SUPPLY SERVICE PROVIDERS – EXPERIENCES OF THE ARCHIVES OF THE REPUBLIC OF SRPSKA

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Abstract:

The authors present the process of granting accreditation or licence to providers of records management services, such as: the custody of public records in an equipped repository, managing digital and conventional records, digitization, microfilming records, arranging and disposing of records, and other services that are in any way related to the provision of access, usability, authenticity and integrity of records.

Key words:

accreditation/licencing, records, service provider, licencing process, digitization

Izvleček:

Akreditacija ponudnikov storitev - izkušnje Arhiva Republike Srbske

Avtorja predstavljata postopek pridobivanja akreditacije oz. licence za opravljanje storitev na področju upravljanja z dokumenti, kot so: hramba javnih dokumentov v primernih prostorih, upravljanje z elektronskimi in papirnimi dokumenti, digitalizacija, mikrofilmanje, urejanje in uničevanje dokumentacije ter ostale storitve, ki so povezane z dostopom, uporabo, avtentičnostjo in celovitostjo dokumentov.

Ključne besede:

akreditacija, licence, dokumentacija, ponudnik storitev, postopek akreditacije, digitalizacija

1. ACCREDITATION/LICENCING IN ARCHIVAL LEGISLATION

At the time of increasing digitization and the introduction of e-business, arising problems of limited storage capacities for records at their creators/custodians, as well as the inability of competent archival institutions to acquire records, a marketing niche for providing services of this kind opened.

The Archives of the Republic of Srpska provides protection, preservation, storage, arranging, scheduling, publishing and the acquisition policy of public records/archival material, publishing and providing access to public records, and supervising the records at the creators. At the same time, a need for providing services for the capture and storage of records in conventional (paper) and digital form arose and the Archives of the Republic of Srpska alone could not respond to this challenges. Therefore, in 2012, the Archives started with accreditation or licensing of service providers in order to establish supervision over the companies involved in the provision of these services. By licensing registered providers, the Archives of the Republic of Srpska gets the best provision of these services through the intermediaries it supervises and sets the conditions that they must fulfil.

The licencing of registered providers and equipment for the supply of services is regulated by the "Regulations on conditions to be met by hardware and software equipment"¹, "Regulations on general conditions for providing support services and specific conditions for specific services related to the records of specific areas"² and the "Regulations on general conditions for the preservation of digital records and special conditions for the preservation of specific records"³. Accreditation is a procedure in which the Archives confirms the compliance of digital records storage services and related services with the law, regulations, general technological requirements and rules of the profession.

The Law on Archives⁴ defines providers and prescribes general conditions for hardware and software equipment in articles 78 to 88, but by publishing the "Regulations on conditions to be met by hardware and software equipment" in the Official Gazette of the Republic of Srpska no. 120/12, the Archives of the Republic of Srpska became actively engaged in the accreditation of providers. It prescribes the general conditions that must be met by hardware and software equipment for managing digital records, the procedure for registering hardware and software equipment providers, the process of licensing of hardware and software equipment for managing digital records and a manner of keeping the register of licensed equipment.

"Regulations on general conditions for providing support services and specific conditions for specific services related to the records of specific areas ", published in the Official Gazette of the Republic of Srpska, no. 92/13, prescribe the general conditions to be met by the providers of supply services for public digital records and how to arrange a register for them.

"Regulations on general conditions for the preservation of digital records and special conditions for the preservation of specific records" regulate the general conditions for the acquisition, capturing and preservation of digital records, as well as the content of general acts for natural and legal persons that capture, convert and preserve digital records or archival material.

¹ Published in the Official Gazette of the Republic of Srpska, no. 120/12.

² Published in the Official Gazette of the Republic of Srpska, no. 92/13.

³ Published in the Official Gazette of the Republic of Srpska, no. 64/12.

⁴ Published in the Official Gazette of the Republic of Srpska, no. 119/08.

With these Regulations, the Archives of the Republic of Srpska set the standards that must be fulfilled by all natural or legal persons who want to deal with one of the above activities.

Accreditation/licencing granted by the Archives of the Republic of Srpska relates to one of the following services: the custody of public records in equipped repositories, managing digital and conventional records, digitizing records, microfilming records, arrangement and disposal of records and the supply of other services that are in any way related to the provision of access, usability, authenticity and integrity of the record.

2. GENERAL CONDITIONS FOR PROVIDING SERVICES

The providers, that is, legal or natural persons who offer services on the acquisition and storage of public records and accompanying services on the market to other legal and natural persons, must be accredited by the Archives of the Republic of Srpska. The provider must submit a request for accreditation/licencing. Accreditation is a procedure in which the Archives confirms the compliance of the service provider with the law, bylaws and general technological requirements.

The general terms and conditions for the supply of a services are prescribed in Article 3 of the "Regulations on general conditions for providing support services and specific conditions for specific services related to the records of specific areas", according to which the provider must be registered for the provision of services for managing public digital records and accompanying services at the competent court in the Republic of Srpska. In addition, the provider must be economically and financially capable for providing services and employ at least two persons with a high degree in IT or related profession who have at least one year of work experience in the same or similar jobs (Regulations, 2013, art. 15).

The "Regulations on general conditions for providing support services and specific conditions for specific services related to the records of specific areas" define the concept of supporting services as: the capturing of records and digital records, the converting of records to digital form, the converting of digital records to a form for long-term storage (microfilming), destroying of records and digital records in a way prescribed by the law and bylaws and providing storage.

In order to fulfil the general conditions for the provision of record storage services (repositories), the provider must provide adequate premises with requested infrastructure in which it plans to perform the activity, or an adequate information system for the storage of digital records, consisting of hardware and software that contains protection against data misuse (Regulations, 2013, art. 5). This in fact means that the provider should provide physical protection of its equipment and information system, access to premises or information system only if at least two authorized persons are present and records it, to provide data of significance for the safety of their business, perform regular control of their infrastructure, besides the main one, provide storage at two more geographically distant locations, and keep records.

When talking about the conditions for supply services, the provider must, as first thing, fulfil the general conditions that must be met by hardware and software equipment for capturing and storing digital records, than have accreditation for the equipment itself, and prescribe regulations that regulate procedures and all activities related to digitization, microfilming,... The Archives of the Republic of Srpska gives consent to the application of regulations, so it is granted by the Archives of the Republic of Srpska.

3. PROCEDURE FOR THE PROVIDERS

A provider of hardware or software equipment for the capturing and storage of records and the storage of digital records is a legal or natural entity that offers the service of using hardware or software equipment to capture or store records to custodians or creators of records (Law on Archives, 2008, art. 80).

We defined the accreditation/licencing as a process in which the Archives confirms the compliance of hardware and software equipment. In order for the provider to get a decision on granting accreditation, it is necessary to take a few steps. The provider of a certain supply service submits a request to the Archives of the Republic of Srpska and, in order to submit the application, he must meet the following conditions: is registered for performing activities in the competent court of Republic of Srpska, meets the requirements in accordance with the law and bylaws, respects the rules of the profession and has no open obligations to the competent Archives (Regulations, 2013, art. 20). The application itself must contain certain prescribed information: the name of the legal person or name and surname of the natural person submitting the application, the address or the place of residence, the unique identification/registration number of the applicant/ provider, e-mail address, web address, phone number, name and description of each individual supply service.

After receiving the request, the Archives of the Republic of Srpska appoints a three-member board, consisting of the secretary of the board and two members, who verify the request and the attached documentation. In case of incomplete documentation, the applicant has a deadline of 15 days to complete the documentation. When the documentation is complete, a contract between the service provider and the Archives is drawn up, containing the exact names of the contracting parties, the subject of the contract, the amount of the accreditation fee, the time limit for the procedure and the deadline for the contract (Regulations, 2013, art. 24). Depending on the request for accreditation of the service, the authorized employee of the Archives, or a member of the board for checking the fulfilment of the conditions for accreditation/licencing of the supply service, checks the premises, equipment and resources for the work of the offeror, checks the material and equipment, and checks, photographs and records the equipment and premises. These documents are then presented to the Director of the Archives, who decides on the granting of the licence/accreditation.

Accreditation related to a particular supply service is granted for one year, after which there is a possibility of an extension, with a mandatory re-checking of the fulfilment of conditions. In order to obtain an extension of the accreditation, the provider of supply services must submit a request to the Archives at least three months before the expiration of the valid accreditation (Regulations, 2013, art. 31). The Archives can also perform an extra check during the duration of the accreditation, and take away the accreditation in case of non-fulfilment of the conditions.

The Archives of the Republic of Srpska keeps a Register of supply services providers and the providers submit a request for registration (Regulations on conditions, 2012, art. 4). The Register is kept permanently and contains the following information: the name of the legal entity or natural person - the provider, the head office of the provider, the court register entry, e-mail address and website, telephone number, a list of equipment being offered, date and number of the accreditation/licence, accreditation expiration date.

If the provider fails to fulfil some of the above conditions or its business terminates, the accreditation ceases to be valid (Regulations on conditions, 2012, art. 20).

Six legal entities underwent the procedure of accreditation/licencing of service providers in the Archives of the Republic of Srpska, between the beginning of 2015 and the end of 2018, two of which regularly extend their supply services accreditation.

4. THE RESULTS

There are multiple benefits of accrediting/licencing of supply services provider. Large corporations and institutions of state importance are increasingly choosing to digitalize records, understanding the importance of digitalization, e-business security and saving space in repositories. Digitalization thus achieves additional space savings, as the law permits the destroying of records that are stored for a short-term (5-10 years) in physical form, while the digitalized copy is kept until the expiration of the deadline according to the valid Records schedule.

In this way, the Archives of the Republic of Srpska are relieved of the obligation to take over and preserve records, because the offerors keep the records of the custodians/creators who do not have problems with archives depots/repositories.

The most important is that the Archives of the Republic of Srpska have and exercise full control over accredited provider for supply services, providing security to the custodians/creators of the records, and giving them a guarantee by giving accreditation that the service will be provided in the highest quality, and records protected according to the regulations.

AKREDITACIJA PONUDNIKOV STORITEV - IZKUŠNJE ARHIVA REPUBLIKE SRBSKE

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Z Zakonom o arhivih in podzakonskimi akti je definiran proces akreditacije oz. licenciranja, pri katerem arhiv potrdi skladnost strojne in programske opreme z zahtevami arhivske zakonodaje. Ponudniki storitev so lahko pravne ali fizične osebe, ki na trgu pravnim in fizičnim osebam ponujajo storitve prevzemanja in hrambe javne dokumentacije ter sorodne storitve. Ti morajo biti akreditirani s strani Arhiva Republike Srbske.

Akreditacija se nanaša na naslednje storitve: hrambo javne dokumentacije v opremljenih skladiščih, upravljanje z digitalnimi in tradicionalnimi zapisi, digitalizacijo in mikrofilmanje dokumentov, urejanje in izločanje dokumentacije ter druge storitve, ki so kakorkoli povezane z dostopom, uporabo, avtentičnostjo in celovitostjo dokumentov.

Ponudnik storitev hrambe mora podati vlogo za akreditacijo, strojna in programska oprema za zajem in hrambo digitalnega gradiva morata biti posebej akreditirani, hkrati

pa mora ponudnik sprejeti akte, ki urejajo procese, povezane z digitalizacijo in mikrofilmanjem.

Vloga mora biti podana Arhivu Republike Srbske, ki v ta namen imenuje tričlanski odbor. Le-ta pregleda vlogo in pripadajočo dokumentacijo. Ko je dokumentacija popolna, je med arhivom in ponudnikom sklenjena pogodba. Arhiv glede na vlogo ponudnika preveri izpolnjevanje pogojev za akreditacijo ter pregleda prostore in opremo ponudnika. Izsledke predstavi direktorju arhiva, ki odloči o podelitvi akreditacije. Akreditacija se podeljuje za eno leto z možnostjo podaljšanja ter obveznim ponovnim pregledom izpolnjevanja pogojev. Arhiv Republike Srbske vodi register ponudnikov hrambe.

Akreditacija ponudnikov storitev hrambe prinaša mnogo prednosti, predvsem pa to, da ima Arhiv Republike Srbske pregled in nadzor nad ponudniki in tako zagotavlja ustvarjalcem dokumentov izbor primernih ponudnikov, ki delo opravijo najbolj kvalitetno, dokumenti pa so hranjeni v skladu z zakonodajo.

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