



## **PERMISSION FORM FOR ARCHIVES CONTAINING SENSITIVE PERSONAL DATA**

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### **Access to archives containing sensitive personal data for the purpose of scientific or historical research or statistical ends.**

Article 9 (j) of the General Data Protection Regulation (GDPR) in conjunction with article 24 of the GDPR Implementation Law states that under certain conditions an exception to the prohibition of processing sensitive personal data can be made for scientific or historical research or research serving statistical purposes. This may enable researchers with the RKD to access documents containing sensitive personal data without those involved being deceased, or without them having granted access permission. However, as a researcher you are responsible for any further processing of data pertaining to living persons mentioned in the archives.

If you wish to conduct scientific, historical or statistical research into documents of persons whom you believe to be deceased, then you are required to submit a death certificate of these persons. In order to conduct research into archives of possibly living persons, your research should meet all of the following criteria:

- Processing the data in question is necessary in view of scientific or historical research or for statistical purposes;
- The research serves the public interest;
- Obtaining explicit permission and/or producing proof of death (if born less than 100 years ago) is impossible or would require a disproportionate effort;
- The way in which the research is carried out sufficiently safeguards that the privacy of those involved is not disproportionately damaged.
- Privacy-sensitive information is adequately secured.

## Research design

In order to be able to check whether your research meets the criteria above, a research design has to be included with your access application. This information will provide us with a better understanding of what your research entails and may enable us to assist you by contributing suggestions on other archives that might possibly be relevant. Should any of your questions have remained unanswered, then you can indicate this.

### Requested archive documents:

Name archive:

Archive inventory:

Inventory number:

**The context of your research can be made clear by answering the following questions:**

**a)** What is the reason this research is being done?

**b)** What is the research question?

**c)** What is the intended result of the research? (for example, book, article, promotion)

d) Which archives from the RKD are necessary in answering the research question?

e) Why is the processing of personal data in these archives necessary for the research?

f) Why is it not possible to obtain written permission of the person(s) involved, or proof of death?

**The question whether or not the privacy of the persons mentioned in the archives is sufficiently warranted will be judged on the basis of your answers to the following questions.**

g) How will you prevent damaging the privacy of those involved (by, for example, rendering individuals anonymous or by exclusively processing information statistically)?

h) How will the privacy-sensitive information copied from the archives be safeguarded? (for example, on a secure USB flash drive or secure computer).

## Access

The request and the research design will be examined by an RKD staff member of the Department Collections for compatibility with the disclosure restrictions pertaining to the requested documents in conjunction with the GDPR and the GDPR Implementation Law. If all conditions have been met access permission will be granted by way of a formal decision. This decision will state that you have been granted permission to access these particular documents. The decision will always fully name the documents in question: name of the archive, archive inventory, inventory number. When no access is granted a formal decision to this effect will also be provided. This decision is valid for one year. Thereafter you will again have to submit a request. Archive requests must be submitted at least 2 working days ahead of your visit, using [archieven@rkd.nl](mailto:archieven@rkd.nl).

The completed and signed form can be downloaded from our website and sent digitally to [archieven@rkd.nl](mailto:archieven@rkd.nl), or by post to the following address: Prins Willem Alexanderhof 5, 2595 BE Den Haag, attn Dr. Anna Rademakers, Head of Department Collections. The form can also be collected and handed in at the RKD reading room desk.

## Photographing archival documents

The following conditions apply to photographing archival documents:

- An archive may not be photographed in its entirety
- No professional photographic equipment, i.e. tripods etc., may be used.
- Flash photography is not allowed
- For limited/partially public archives, permission must be granted in advance (apply in advance at [archieven@rkd.nl](mailto:archieven@rkd.nl))
- Public archives may only be photographed for personal use for research purposes. This means that the photos may not be distributed or published, neither on paper nor digitally, e.g. via social media or the Internet.

**When documents are made available to you, you are personally responsible for the observance of any legal conditions with regard to the further processing of personal data. The RKD disclaims any and all liability pertaining to the further processing of data of any living persons mentioned in the archives.**

**You accept full liability, both under criminal and civil law, for (the consequences of) the careless use of photographs of archive documents taken by you, and indemnify the RKD against the consequences of any claim that might arise from the dissemination or publication of the photographs.**

**Decision:** There will be/ will not be authorized access to the requested records referred to on p. 2.

Place and date

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On behalf of the General Director,

Full name and signature applicant

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