

RULES OF USE FOR THE MIGUEL FISAC ARCHIVE

STATEMENT OF PURPOSE

The Miguel Fisac Foundation is a cultural institution and a non-profit making organization constituted in Ciudad Real on 22nd November, the legal documents were signed in front of Mrs Luisa de Blas Valentin-Fernandez, notary public. The foundation is the owner of the Miguel Fisac archive, having acquired it through agreements signed with the architect himself on the of This legacy is part of the initial capital of the Foundation which was provided by the Architects Association of Ciudad Real. It is deposited at the Foundation Headquarters, located on Calle Carlos Lopez Bustos nº 3 in Ciudad Real.

The Foundation, as an institution, must guarantee the preservation and the unity of the documents, and also public access for research to the files of Miguel Fisac's archive. The Foundation will put at the disposal of anyone interested all the means within its reach to make this possible.

One of the purposes of the Foundation is to promote study and research into Miguel Fisac's works and, with this aim, the Foundation intends to make available all the documents in the archive, including plans, sketches, photographs, books, magazines, catalogues, dossiers, etc. from Miguel Fisac's legacy to public and private institutions as well as to individuals with the sole and exclusive intention of encouraging the research and promotion of Miguel Fisac's works. The use of this material for commercial gain is expressly prohibited.

Rights of Consultation and Use

The Executive Commission of the Miguel Fisac Foundation is responsible for regulating the rights to use these materials for the purposes above mentioned in the Statement of Purpose, as well as following-up and managing the activities directly related to this objective.

Types of Use

In general, there are three types of use for the materials in the current archive:

a) Consultations through the Foundation's web page.

Free availability, without any other limitation apart from those legally established which are related to the compliance of laws included in the current legislation as well as the rights belonging to the Miguel Fisac Foundation.

b) Consultation and Use of archive materials.

The direct copying of digitalized material such as plans, sketches, photographs, and so on, can be arranged by the interested individual or institution through the documentation department, for use in publications, thesis, exhibitions, etc, the necessary form must be submitted to the Foundation and be given approval by the Executive Commission.

c) Consultation and Use of original archive materials.

Personal access and use of the original materials of Miguel Fisac's archive will be of an exceptional nature and this will only be permitted in duly justified cases which are related to the fulfillment of the Foundation's objectives. In any case, access and use will require the explicit approval of the Foundation's Executive Commission.

Procedure for accreditation and application approval.

The individuals and organisms interested in having access to Miguel Fisac's archive, or their representatives, will be required to prove their status as researcher, publisher or any other circumstance which justifies the relevance of their request, specifying precisely the purpose of their request and the use of the requested material. In order to do this, they must submit a written explanation of reasons to the Miguel Fisac Foundation, providing all the necessary information requested in the sample application form shown below:

APPLICATION FORM FOR ACCESS AND USE OF MIGUEL FISAC'S ARCHIVE

NAME
POSITION
DNI/PASSPORT
DATE
REQUESTED MATERIAL
STATEMENT OF REASONS

1.- Including the exact information of what material is being requested, the Executive Commission must approve the application, giving its consent to the petition.

2.- If the applicant should wish for copies of the consulted documents after the consultation, the Foundation will provide digitalized literal copies by scanning the document in JPG format, at 300 ppp. In the case of publications, the applicant must always explicitly cite the original source of the requested materials.

The expenses incurred by copying the plans and any other documents will be entirely paid by the assignee according to the fees established each year by the Foundation.

In the case of architects registered in the Association of Castilla-La Mancha, there will be a 30% discount on the established fees. The same discount will also be applicable to any person endorsed by one of the Trustees of the Foundation.

If the applicants can verify their situation as students, researchers or Ph.D. candidates, and they also confirm that the requested documents will only be used for educational purposes, they will be entitled to a 30% discount on the established fees but they should obtain the prior authorization of the Foundation to publish them.

In the case that the applicant requires low resolution documents which have already been scanned, the Foundation will provide the copies in Din A-4 sheet format at 72 ppp. In this case, up to ten copies will be provided per project without any charge being made. If there is any need for more than 10 documents per project, the Foundation will provide them in high resolution and with a 30% discount on the established fees.

The Foundation will provide the requested documents after receiving the payment for the expenses incurred in the copying of requested documents.

3.- In exceptional circumstances, the Executive Commission can agree to the release of original documents, in such cases, the assignee must provide evidence of having the appropriate security arrangements as well as the corresponding insurance necessary to preserve the integrity of the documents. The materials will be released from the archive for the period stipulated in the release contract. This contract will not be renewable if there has been no specific agreement between the parts to that effect. The assignee will not be allowed to use the documents in any way that might result in their being damaged.

The assignee will be responsible for the expenses for transport, insurance and display if the requested material is for an exhibition.

The assignee, individual or corporate entity, must state the origin of the released materials by including with them the corporate image corresponding to the Miguel Fisac Foundation, which is the sole, and exclusive, holder of the rights of exploitation.

The release of the requested documents will be undertaken without prejudice to the stipulations included in particular contracts and agreements subscribed by the applicants and always in compliance

with the laws included in the current legislation relating to intellectual property as well as the rights of exploitation, reproduction and publication belonging to the Foundation.

4.- The economic exploitation rights derived from the intellectual property of the archive, transferred by Miguel Fisac through contract signed on 26.09.05 and 27.09.05, belong to the Miguel Fisac Foundation and, in particular, the rights to public communication or exhibition, reproduction and distribution. Consequently, if the assignee makes improper use of the materials requested in this sense, he/she will be held responsible by the Foundation for any damages or loss that may be caused.

Any incidence derived from the present document will be submitted by the parts to the Foundation's Executive Commission for its ruling.