

The Implementation Regulation for the Management of Electronic Storage of Records

1. Promulgated on December 12, 2001
2. Amendment to 22 articles in all and promulgated on February 10, 2004.
3. Amendment to Article 17 of Implementation Regulations for Archives on Electronic Storage per the National Archives Administration Decree No. Tang-Dian 09400029461 dated July 8, 2005.
4. Amendment to Article 5 of Implementation Regulations for Archives on Electronic Storage per the National Archives Administration Decree No. Tang-Dian 10100141543 dated September 25, 2012.

Article 1

This Regulation is prescribed in accordance with paragraph 1 of Article 9 of the Archives Act (hereinafter referred to as the Act).

Article 2

The terms used in this Regulation are defined as follows:

1. Electronic storage: refers to the records processed by electronic equipment such as computers or automated machines and stored in digital format.
2. Original files: refers to original records processed and stored in electronic format.
3. Electronic media: refers to the media used for the electronic storage, including tapes, floppy disks and CD-ROMs.
4. Electronic audio-visual files: refers to original files that are digitized into image or sound data and stored in electronic media.
5. Original electronic audio and video files: refers to the image or sound data which are directly digitized from the original file and stored in electronic media for preservation.
6. Electronic audio and video file duplicates: refers to the original version of the electronic audio and video file which are duplicated by software and stored in electronic media for retrieval or access of the image or sound data.
7. Certification: refers to the process by which the records management agency certifies that the contents of electronic audio and video file and their copies are identical to the contents of the original files.
8. Encryption: refers to the use of mathematical algorithms or other methods to

process electronic audio and video files in a garbled manner.

9. Backup: refers to copying the file contents to another storage medium under the original technical environment.
10. Migration: refers to the operation procedure in which the software and hardware of the information system are outdated or invalid, and the software and hardware formats need to be converted so that they can be read in the future.

Article 3

The process of the electronic storage shall be conducted by the agency that manages the records; when necessary, it may be outsourced.

The electronic storage of files outsourced in the preceding paragraph shall be carried out within the organization that manages the records or at its designated location.

Article 4

Permanent records and temporary records shall be stored in separate electronic media.

Article 5

When processing the electronic storage of records, the records manager shall comply with the regulations relevant to government document and records management information system and use appropriate electronic media and storage formats, and shall store them in read-only mode.

Article 6

Before paper records are processed for the electronic storage, they shall be organized first and their fastener may be removed when necessary. If they are damaged, they shall be restored immediately. Attention shall be paid to the order and the original state shall be restored after the completion of the electronic storage.

During the process under the preceding paragraph, image distortion and page skipping shall be avoided.

Article 7

Before the process of the electronic storage for photographic records, the preservation status of the photographs, microfilms, positives, negatives or films shall first be examined. If they are damaged, they shall be restored immediately.

During the process of the electronic storage for photographic records, cotton or

nylon gloves shall be worn to avoid leaving fingerprints or scratches.

Article 8

Before the process of the electronic storage for videotapes/tapes records, they shall be examined. If they are damaged, they shall be restored immediately.

During the process of the electronic storage under the preceding paragraph, write protection tab on the videotapes/tapes shall be turned off and the videotapes/tapes shall be rewinded to the beginning to avoid damaging the content.

Article 9

During the process of the electronic storage of records, the following matters shall be noted:

1. Maintain the completion and clarity of the images and sounds.
2. Prevent damage to the original records resulting from repeated procedures.
3. Any errors or omissions shall be corrected immediately.

Article 10

During the process of the electronic storage of records, the agency preserving the records shall check and ensure that the content shall be exactly the same as on the original records. When necessary, they may be managed with electronic signature or stored with encryption.

Article 11

After completion of the electronic storage of records, the records manager shall specify the electronic media number and the condition of the original records on the records catalogs or provide search function.

Article 12

After completion of the electronic storage of records, the electronic media shall provide a statement file to show “the same as the originals” and record the following matters:

1. The agency preserving the records.
2. Number of the electronic media.
3. Completion date.
4. A list of image/sound files.

Duplicated image/sound file shall show “deemed authentic”.

Article 13

The cover package for electronic media shall show the following matters:

1. The agency preserving the records.
2. Number of the electronic media.
3. Completion date.

If the content of the electronic media belongs to classified records, the cover package shall show the items according to the relevant laws and regulations.

Article 14

Original image/sound files shall be made in backup and preserved in separate places.

Article 15

The agency processing the electronic storage of records shall review the efficiency of relevant software and hardware periodically and carry out migration when necessary.

During the process of migration stated in the preceding paragraph, attention shall be paid to the completion and security of file contents, and any improper additions, deletions, and replacements shall be avoided.

Article 16

Before the government agencies change the software or hardware for the electronic storage, they shall make backup to prevent loss of data. The same rule also applies to migration.

Article 17

The agency processing the electronic storage of records shall inspect the electronic media periodically. If there is any damage, the material shall be restored immediately. If it cannot be restored, it shall be discarded and be reproduced. If it cannot be reproduced, this situation shall be specified on the records catalogs.

The destruction of the discarded media under the preceding paragraph *mutatis mutandis* Article 13 of the Regulation on the Retention Periods and Destruction of Agency Records prescribed by the central archives competent authority.

Article 18

The storage places for electronic media shall have proper measures for

environmental control and security control in order to prevent damage and loss.

The measures under the preceding paragraph shall comply with the Standards for Records Repositories and other relevant requirements prescribed by the central archives competent authority.

Article 19

Electronic media shall be stored separately according to their types. They shall be stored in sequence of electronic media number. A record shall be made for checking.

Article 20

To certify the authenticity of image/sound files and their duplicates, the agency preserving the records shall first examine and confirm the content as being exactly the same as those in the original records and then they may be deemed as equivalent to the originals or deemed authentic.

Article 21

If it is necessary to reproduce the original image/sound file, it shall comply with this Regulation.

Article 22

This Regulation shall come into force from the date of the Act coming into force.

Amendments to this Regulation shall come into force from the date of promulgation.