

Content

Title :	Directions for Trusteeship or Purchase by the National Archives Administration, National Development Council of Precious Documents Belonging to Private Individuals or Legal Entities Ch
Date :	2014.03.31
Legislative :	Adopted and issued per Letter No. Dang-Mi-Zi 0002066 dated December 12 2001; for implementation from 1 January 2002 Amented Name, and provisions of Point 1, per Letter No. Dang-Zheng-Zi 1030009054 dated March 31 2014

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1. These Directions are specially adopted by the National Archives Administration (NAA) of the National Development Council to guide its trusteeship or purchase of precious documents belonging to private individuals or legal entities, as referred to in Article 14, paragraph 1 of the Archives Act.
2. The term "precious documents" as used in these Directions means "documents or records with permanent preservation value" as referred to in Article 14, paragraph 1 of the Archives Act.
3. Precious documents taken into trusteeship or purchased shall in principle be originals.
4. A private individual or legal entity that wishes to place precious documents under trusteeship or to request their purchase may express its wish to the NAA in writing or orally; where the wish is expressed orally, the NAA shall make a record of the communication.
5. A citizen of the Republic of China who lives abroad and wishes to request that precious documents be taken into trusteeship or purchased may express this wish to the NAA in writing via an ROC embassy, consulate, representative office, or other entity authorized by the Ministry of Foreign Affairs or recognized as an overseas community group by the Overseas Community Affairs Council; where the wish is expressed orally, a record of the request shall be made before it is forwarded. The same applies to any request from a foreign private individual or legal entity.
6. When a foreign private individual or legal entity requests that precious documents be taken into trusteeship or purchased, the NAA may collaborate with the Ministry of Foreign Affairs to handle the matter in accordance with these Directions and related legislation.
7. When the NAA processes a request from a private individual or a legal entity to take precious documents into trusteeship or purchase them, it shall not take the documents into trusteeship or purchase them until after it has examined them in accordance with Archives Appraisal Direction issued by NAA and confirmed that the documents have permanent preservation value. The process and result of the examination referred to in the preceding paragraph shall be disclosed to that individual or legal entity. The NAA may have its trusteeship or purchase of precious documents notarized or authenticated.
8. A written contract shall be executed when precious documents are placed in trusteeship; the period of trusteeship shall in principle be for at least five years.
9. During the period of trusteeship, when the trustor needs to make use of precious documents that he or she has placed in trusteeship, he or she may retrieve them temporarily after the NAA has consented; the period of retrieval shall not exceed six months.
10. A party who places precious documents in trusteeship shall not demand or receive any reward or fee.
11. Access to precious documents placed in trusteeship shall not be restricted unless otherwise stipulated by contract.
12. With respect to the purchase of precious documents, after they have been examined and their value confirmed in accordance with Point 7, the purchase price shall be decided based on the result of a price estimate process; where it is difficult to determine a price, an appraisal meeting shall be convened to estimate it. Scholars and experts shall be invited to participate in the appraisal meeting of the preceding paragraph.
13. A written contract shall be executed when precious documents are purchased.

Attachments : Directions for Trusteeship or Purchase by the National Archives
Administration, National Development Council of Precious Documents
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Data Source : National Development Council Laws and Regulations Retrieving System