

## Archives départementales de Seine-et-Marne

### ARCHIVES YOUR ARCHIVES

Your records are cultural assets to be preserved and used as a resource.

## Private archives

### What are private archives ?

Private archives cover all documents that do not fall under the scope of public records (Heritage code Art. L211-4 and 5). Private archive collections may be formed by individuals, associations, political parties, foundations, unions, companies etc.

Personal, family and professional archives, correspondence, chart collections, notebooks, old or contemporary documents, collections of postcards, maps, writings, scholarly papers, films, photographs - all these documents are private archives which form a part of the local memory and can enrich the area's history.

### Storage of private archives

#### Why store the archives ?

Personal and family archives bear witness to private history and preserve evidence of the rights and obligations of each individual. They can also enrich the historical, economic, sociological, political and artistic information of the area.

Company archives are needed to preserve the memory of the company, to understand how its strategies and techniques have changed and to communicate the image of the company.

Departmental Archives can help you manage your archives by advising you or storing your archives which are of local historical interest.

➤ [See also, in this website, the private archives service](#)

## Private archives under the law

### What are the legal arrangements for private archives ?

Archives are cultural assets subject to special rules when they are exported. Temporary or permanent export of private archives outside or inside the European Community archives requires the permission of the Inter-ministerial Archives Service of France.

Private archives can be classified as historical archives when they are of significant public interest. They are considered national treasures, become imprescriptible and inalienable and cannot be destroyed or changed.

The owners of private archives have access to their archives. Private archives are movable goods that following the property rules established by the Civil Code. Private archive collections acquired by the Departmental Archives enter the public movable domain and become inalienable, imprescriptible and intangible.

## Using and sharing private archives

### What is the role of the Departmental Archives ?

Departmental Archives also have the role of preserving private archives that may complement public archives and enrich the historical documentation of research. Conservation and disclosure can thus take place in the most secure conditions.

Departmental Archives acquire private archives as part of manual gifts (transfer of property by a simple exchange of letters), bequests and donations inter vivos (transfer of ownership requiring notarial formalization) or as part of payments in kind (exceptional tax mechanism allowing, by decision of the Ministry of Finance, debts related to the solidarity tax on wealth, to be settled by shared gift inter vivos, or transfer duties on donations, in exchange for the receipt of archive collections of high artistic and historical value).

To avoid transfer ownership of the archives, it is possible to make a deposit (deposit agreement). You can also opt for a temporary loan of your archives for reproduction in the departmental archives, to make them accessible to the public while retaining ownership of the originals (loan agreement for reproduction).

## Disclosure of private archives

### How are the archives disclosed ?

When you entrust your archives to the Departmental Archives, the administration sets the disclosure conditions with you and agrees to abide by them. You can therefore opt to allow free access to your archives, subject to the legal provisions, decrees and regulations for public archives or to limit access by submitting your written authorization.

In any case, the disclosure of your records should not infringe the privacy of third parties. Archive collections may contain intellectual works (photographs, manuscripts, etc.). Physical property is different to intangible property and the disclosure of your archives must comply with any copyrights. You must obtain permission from the authors, their heirs or the rights management company to use intellectual works in archives.