

Guide to

Preparation of microfilm and other microforms that may be required as evidence

Committees responsible for this British Standard

The preparation of this British Standard was entrusted by the Information and Documentation Standards Policy Committee (DOT/-) to Technical Committee DOT/16, upon which the following bodies were represented:

- British Coal Corporation
- British Computer Society
- British Library
- British Office Technology Manufacturers' Alliance
- British Photographic Association
- Her Majesty's Stationery Office
- London Borough of Bromley
- National Centre for Information Media and Technology (Cimtech)
- Standing Conference of National and University Libraries
- United Kingdom Association for Information and Image Management

The following bodies were also represented in the drafting of the standard, through subcommittees and panels:

- Bar Association for Commerce, Finance and Industry
- Civil Aviation Authority
- Crown Office
- Institute of Chartered Secretaries and Administrators
- Law Society
- Public Record Office
- Society of Archivists

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Foreword

This revision of BS 6498 has been prepared under the direction of the Information and Documentation Standards Policy Committee. It supersedes BS 6498:1984, which is withdrawn.

This revision of BS 6498 has been prepared to include information about certain updatable systems, aperture cards and computer output microform (COM). They were excluded from the 1984 edition and erasable microfilms are still excluded. There is now provision for the use of the original film in microfilm jackets and advice on the length of time that certificates should be kept.

The storage of documents on microfilm, or some other microform, is now common practice, and original documents are often destroyed after filming. In legal proceedings it may be necessary to prove that a microform is a true copy of the original. This British Standard gives guidance to organizations that wish to use microforms for record-keeping, or for copying documents, about the procedures that should be followed to ensure, as far as possible, that the microforms will be admissible as evidence.

Many organizations will already have established microform programmes that, although not necessarily following all the recommendations of this guide, adequately meet the needs of the particular organization. This guide should be of particular assistance to organizations that are setting up a microform programme for the first time in ensuring that a properly planned and authorized programme is introduced, so that they may demonstrate that microforms have been produced as part of normal business practice.

There is little legal precedent on the question of admissibility of microforms, and no guarantee can be given that microforms prepared in accordance with this guide will automatically be admissible.

This British Standard amplifies the advice given in DD 199 on the preparation of microforms that may be required in evidence. DD 199 also contains an annex giving information about the legal status of microforms in various other countries.

A British Standard does not purport to include all the necessary provisions of a contract. Users of British Standards are responsible for their correct application.

Compliance with a British Standard does not of itself confer immunity from legal obligations.

Summary of pages

This document comprises a front cover, an inside front cover, pages i and ii, pages 1 to 8, an inside back cover and a back cover.

This standard has been updated (see copyright date) and may have had amendments incorporated. This will be indicated in the amendment table on the inside front cover.

1 Scope

This British Standard gives guidance to organizations that may have to produce microforms in evidence, to enable them to show that the microform has been made in accordance with an established procedure.

It applies to microfilm in roll form, microfiche, microfilm jackets, aperture cards and some updatable microforms, whether the filming and subsequent operations are performed in-house or by a bureau. In general the recommendations apply to computer output microform (COM), apart from the certification procedure, which cannot be used with COM.

The standard does not apply to erasable microform systems, i.e. those capable of having images deleted or replaced without leaving any trace of the original image, because a court could not rely on such documents as a true and accurate record.

Appendix A gives a brief summary of the legal position in the United Kingdom. Appendix B gives information about periods of limitation that may be of assistance in identifying matters that should be taken into account when microforms that may need to be used in evidence are prepared and stored. Appendix C contains examples of certificates.

NOTE The titles of the publications referred to in this standard are listed on the inside back cover.

2 Definitions

For the purposes of this British Standard, the following definitions apply.

2.1 microform

a generic term for any medium, usually film, that contains microimages

2.2 original

a document that is to be microfilmed. It may be the top copy of a typescript, a carbon copy or produced by some other means

2.3 updatable system

a microform system that allows images to be added to an existing microform, either as additional frames or superimposed on existing frames, provided none of the original is erased

3 Establishing a microform programme

3.1 Introduction

A microform programme should incorporate all feasible safeguards to establish that a microform made in accordance with the programme is a true copy of the original and may be admissible in place of the original. Written evidence that the programme has been systematically planned and authorized, and that someone in the organization has been appointed to administer it, may be important in establishing the validity of a microform. It will help to show that the microform has been made as part of normal office routine and has not been specially prepared for court proceedings. If the recommendations in this standard are followed, it should be possible to establish that the microform programme has been systematically planned and operated. The advice of lawyers, auditors, records managers and archivists should be sought when the implementation of a microform programme is proposed.

3.2 Authorizing document

The document that records the policy decision made by or on behalf of an organization to establish a microform programme should be retained permanently.

3.3 Delegation of authority

Written authority within the terms of the authorizing document (see 3.2) should be issued, nominating the members of staff responsible for implementing and operating the programme, signing documents relating to it, and ensuring that standards are maintained, whether the microforms are prepared within the organization or by a bureau.

3.4 Plan

A document that sets out the organization's plan for a microform programme should be prepared. The document should give details of the following:

- a) the categories of original to be microfilmed;
- b) the stage at which the original should be microfilmed;
- c) the procedure for microfilming, including certification, checking and information retrieval methods;
- d) provision for a register to be maintained;
- e) the periods of retention of originals and microforms;
- f) provision for the destruction of originals and for recording their destruction;
- g) provision for review of the microform programme.