

TECHNICAL REPORT

ISO/TR
10200

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AMENDMENT 1
1997-05-01

Legal admissibility of microforms

AMENDMENT 1

Valeur juridique des microformes

AMENDEMENT 1

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Reference number
ISO/TR 10200:1990/Amd.1:1997(E)

ISO/TR 10200:1990/Amd.1:1997(E)**Foreword**

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The main task of technical committees is to prepare International Standards, but in exceptional circumstances a technical committee may propose the publication of a Technical Report of one of the following types:

- type 1, when the required support cannot be obtained for the publication of an International Standard, despite repeated efforts;
- type 2, when the subject is still under technical development or where for any other reason there is the future but not immediate possibility of an agreement on an International Standard;
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Technical Reports of types 1 and 2 are subject to review within three years of publication, to decide whether they can be transformed into International Standards. Technical Reports of type 3 do not necessarily have to be reviewed until the data they provide are considered to be no longer valid or useful.

Amendment 1 to ISO/TR 10200:1990, which is a Technical Report of type 1, was prepared by Technical Committee ISO/TC 171, *Document imaging applications*, Subcommittee SC 3, *General issues*.

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Annex A

France

Amend entry to read:

For further information reference should be made to Normalisation Française (AFNOR) publication Z 43-122 : 1994, *Micrographics - Legal admissibility of microforms (including COM)*.

Germany

Amend entry to read:

Legal admissibility of microfilms under German law.

a) Evidence in civil proceedings:

1) Documentary evidence:

A document, and thus the most reliable evidence in civil proceedings, is an expression of thought reduced to writing and signed by the person making it, § 416 Zivilprozeßordnung (ZPO)(Code of practice).

Thus a document is an original and not a copy generated in the form of a photocopy, photograph or microform.

Microfilm copy has not been treated as equivalent to the original under any statutory regulation, as is the case in England and Wales under the Civil Evidence Act 1968 and in the United States under Uniform Photographic Copies of Business and Public Records as Evidence Act as primary statutory law.

2) Object of judicial inspection:

Under German law, a copy of the original, as is generated by a microfilm copy, is an object of judicial inspection subject to free evaluation by the court, §§ 371, 286 ZPO. The judge is thus permitted to slip into his judgement any doubts he has about the microfilm copy being identical to the original. In order to reduce the risk of losing his case as a result thereof, the user should appoint an organization precluding falsification. Such organization should be provable in court by means of organization directions.