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COMMISSION STAFF WORKING DOCUMENT

**on the implementation of the Recommendation of the European Parliament and Council
of 16 November 2005 on film heritage and the competitiveness of related industrial
activities**

INTRODUCTION

1. Point 23 of the Recommendation of European Parliament and Council Recommendation of 16 November 2005 on film heritage and the competitiveness of related industrial activities¹ (Film Heritage Recommendation) recommended to Member States to inform the Commission every two years of action taken in response to the Recommendation. In point 6, the Commission committed itself to monitor and assess the extent to which the measures set out in the Recommendation were working effectively, and to consider the need for further action.

2. The Commission has drafted the present document on the basis of Member States' reports² received as reply to a questionnaire circulated by the Commission on 4 October 2007³.

The Commission Staff Working Paper is divided in three chapters:

I – Commissions initiatives

II – Member State actions

III- Conclusions

CHAPTER I – COMMISSION INITIATIVES

3. In the Recommendation, the Commission announced its intention to promote European film heritage by a wide range of initiatives. The following actions have been taken since the adoption of the Recommendation:

3.1 Organisation of meetings of the Cinema Expert Group / Subgroup Archives⁴, in order to facilitate exchange of good practices between film heritage institutions, and to inform them of relevant Commission actions. The Group is chaired by the Commission. Participation⁵ includes experts from the following categories: national ministries in charge of film heritage issues, film archives, film museums and other institutions related to film heritage, Permanent Representations, Film institutes and representatives of European professional associations.

3.2 Issuing a standardisation mandate to CEN (European Committee for Standardization) for the adoption of European standards aimed at making possible the interoperability of film databases. The Commission is co-financing the secretariat of the standardization group. As a result of this mandate, CEN is drafting two European standards: prEN 15744 "Film identification – Part 1: minimum metadata set for cinematographic works" and prEN 15745 "Film Identification – Part 2: Enhancing interoperability of metadata – Element sets and structures". The standards will be published in 2009 and 2010 respectively. The CEN group is chaired by the Deutsches Filminstitut (DIF). Experts in the group represent film heritage institutions from Germany, France, UK, Spain and Lithuania.

¹ http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l_323/l_32320051209en00570061.pdf

² Full Member States' reports, for which the Commission has obtained an authorization from Member States, are available at the following website: http://ec.europa.eu/comm/avpolicy/index_en.htm.

³ The report is based on 26 replies. No reply has been received from Luxembourg.

⁴ The Cinema Expert Group was established pursuant to the Cinema Communication (COM(2001)534, OJ C43, 16.2.2002), with the aim of facilitating communication between the Commission and the sector as well as exchange of good practices in all areas of interest. A Subgroup Archives has been created, for dealing in particular with film heritage issues.

⁵ Names of participants are published on http://ec.europa.eu/secretariat_general/regexp/

3.3 Facilitating the negotiation of a framework agreement between the Association of European Film Libraries(ACE) and the International Federation of Film Producers Associations (FIAPF) to establish procedures for voluntary deposit of films with preservation archives. The agreement will regulate the obligations of the archive (responsibility for conservation and preservation, duty to collaborate with the producer, cataloguing), questions related to preservation/restoration (decisions and methods for restoring and preserving the deposited material, possession of the new materials), access, use and withdrawal of the material (both the originally deposited material and the new prints produced by the archive), circulation of works between ACE members for public screening and restoration and, finally, the conditions for permanent withdrawal of deposited material. The signature of the agreement is expected in 2008.

3.4 MEDIA Pilot project MIDAS⁶ (Moving Image Database for Access and Re-use of European Film Collections):

The MIDAS project aims at addressing effectively one of the most important obstacles to the development of an efficient European distribution – for commercial and cultural purposes – of EU archival materials having historical and cultural value. This bottleneck, on which there is a vast consensus of a wide spectrum of stakeholders, consists in the complex, time consuming and costly process of locating archival materials across European collections, and identifying the copyright owners.

The project addresses this issue by establishing technical solutions making possible the search and retrieval of archival materials held in a number of collections across Europe by centralising the process of search and retrieval, and by overcoming the language barrier. Search results will provide available information about existence of the materials, their location, contact information of the collections, and copyright.

The pilot project is designed as a proof of concept and an operating application which will give access to moving images from 18 institutions in 12 countries representing 11 languages.

3.5 MEDIA Video on demand (VOD) project⁷ (Treasures from European Archives):

The project Treasures from European Film Archives, initiated two years ago by Lobster Films, is driven by the wish to give a wide public access to the images that recount our pan-European culture. The aim of the Treasures project is to create a VOD site in five languages, Europa Film Treasures, which will offer streaming of selected films from the prestigious collections of 37 European film archives. The web site will include extensive documentation about each film in the collection, as well as privileged access to the educational sector by means of teaching kits and interactive games aimed at the young audience. To complement the site, a DVD version will be available.

The project will require extensive development before the public launch date to prepare the material and the portal. The launch date was 15 April 2008. The technical operations will be handled by ENKI Technologies and streaming will be used to control copyright issues and prevent technical difficulties for potential users. Lobster will focus upon the acquisition and preparation of the material and the editorial and marketing focus of the portal. The target is to have non-exclusive VOD rights worldwide for the material and thus there will be no geofiltering giving the portal as wide a potential audience as possible. The aim is to present

⁶ <http://www.filmarchives-online.eu/>

⁷ <http://www.europafilmtreasures.eu/>

the platform in 5 languages (English, French, German, Italian and Spanish). Extensive efforts will be made to find sponsorship and to develop the advertising potential of the portal.

3.6 Involvement of the film heritage institutions in the Digital Libraries initiative, together with libraries, archives and museums:

This initiative, launched in 2005, aims at making Europe's diverse cultural and scientific heritage easier and more interesting to use online for work, leisure and/or study. At the same time, it aims at creating a real European Digital Library (EDL) integrating diverse cultural resources and making them accessible through a common multilingual access point. The EDL Foundation was set up in 2007 having as founding members, among others, ACE, FIAT (International Federation of Television Archives) and INA (Institut National de l'Audiovisuel). The launch of the European Digital Library portal is planned for November 2008, with more than 2 million digital objects, including audiovisual material (www.europeana.eu). This is expected to grow rapidly to over 6 million digital objects by 2010.

In 2006 the Commission adopted its Recommendation on the digitisation and online accessibility of cultural material and digital preservation⁸, with complementary provisions to the film heritage Recommendation. The Commission calls on Member States to act in various areas, such as devoting increased resources to digitisation, copyright questions (orphan and out-of-print works) and the systematic preservation of cultural content in digital format (including film heritage), in order to ensure long term access to the material.

A High Level Expert Group on Digital Libraries, chaired by Commissioner Viviane Reding, has been set up as a stakeholder consultation body. Film heritage institutions are represented in this body. The group advises the Commission on how to best address the organisational, legal and technical challenges at European level, and contributes to a shared strategic vision for European digital libraries. The work carried out in the copyright area addresses issues particularly relevant for film heritage, such as digital preservation, orphan and out-of-distribution works. In the area of orphan works, stakeholders from the audiovisual constituency have been working on specific due diligent search guidelines to identify or locate right holders, so that a work can be considered as "orphan". The High Level Group has also developed a simplified model agreement to facilitate the digitisation, accessibility and preservation of out-of-print works which can be adapted to out-of-distribution works for the audiovisual sector.

3.7 Funding of research projects: a relevant project selected for funding under the eContentplus Programme (2004-2008) is the "*European Film Gateway*" (EFG), which is planned to start in Autumn 2008. The project is led by the Deutsches Filminstitut and gathers about 20 partners, most of which are content providers and ACE members, around the task of building a single access point for digital content from Europe's film archives. The system to be built will also serve as an aggregator of content for the European Digital Library. EFG aims at finding and implementing solutions for providing integrated access to the wealth of Europe's cinematographic heritage. To date, digitised collections of moving images and cinema-related material are dispersed, lacking the possibility of domain-specific search and access across the various repositories, institutions and countries. Considerable challenges exist in several fields: the problem of a lack of coherence in digitisation practice and metadata standards across the film archives and cinémathèques has to be tackled in order to provide for

⁸ 2006/585/EC of 24 August 2006, OJ L 236 of 31 August 2006

the basic technical and semantic preconditions for integrated access. Furthermore, the solving of Intellectual Property (IPR) issues is crucial for providing access to both digitised moving images and cinema-related material. Both challenges can only be met in a collaborative way by building a network of film institutions around the actual task of providing integrated access to federated digital repositories. EFG specifically addresses the issues of IPR management, digitisation best practices and technical and semantic interoperability. Best practices and standards will be adapted and promoted in each of these three fields.

3.8 Another relevant research project is PRESTOSPACE (*Preservation towards storage and access. Standardised Practices for audio-visual contents in Europe*). It has been financed with an EU grant of € 9 million in the context of the 6th R&D Framework Programme. Institutions traditionally responsible for preserving audio-visual collections (broadcasters, research institutions, libraries, museums, etc.) face major challenges in taking on the migration to digital formats and the preservation of already digitised holdings. PRESTOSPACE, coordinated by INA and involving 34 other partners, provides technical solutions and integrated systems for digitisation, restoration and preservation of all types of audio-visual collections. PRESTOSPACE has produced guidelines and services for audio, video, and film restoration and for managing migration processes and storage. Technology developments include audio, film and video scanning tools, including a film scanner specifically dedicated to archive films. Documentation and publication platforms support the encoding and retrieval of audiovisual contents and are available as a turnkey system providing a scaled down repository tailored for small archives. This technology set, the 'Preservation Factory' is designed to support both the commercial and non-profit sectors. The integrated semi-automated solution could help reduce costs significantly while maintaining archive quality, and making common standardised services available to any European archive owner, from small to large collections.

3.9 On 3 January 2008, the Commission adopted a Communication on Creative Content Online⁹ which aims to support the development of innovative business models and the deployment of cross-border delivery of diverse online creative content services. Building on the results of the 2006 consultation process, while complementing the initiatives already undertaken in the context of the i2010 strategy, the Commission intends to launch further actions to support the development of innovative business models and the deployment of cross-border delivery of diverse online creative content services. The Commission deems that there are four main, horizontal challenges which merit action at EU-level: Availability of creative content, Multi-territory licensing for creative content, Interoperability and transparency of Digital Rights Management systems (DRMs) and Legal offers and piracy.

3.10 On 20 December 2007, The Commission adopted a communication on media literacy ("A European approach to media literacy in the digital environment"¹⁰) which stresses the importance of media in today's rapidly evolving information society and in citizens' daily life and it adds a further building block to European audiovisual policy. The Communication provides a European definition of media literacy (Media literacy is generally defined as the ability to access the media, to understand and to critically evaluate different aspects of the media and media contents and to create communications in a variety of contexts), which refers to all media and focuses on three main areas: media literacy for commercial communication, media literacy for audiovisual works and media literacy for online content.

⁹ COM(2007) 836 final

¹⁰ COM(2007) 833 final

By means of this policy document, the Commission intends to promote the development and exchange of good practices on media literacy in the digital environment through existing programmes and initiatives and to encourage research into criteria for assessing media literacy. The Commission also calls on Member States to encourage the authorities in charge of audiovisual and electronic communication regulation to get more involved and to cooperate in the improvement of the various levels of media literacy and to develop and implement codes of conduct and co-regulatory frameworks in conjunction with all interested parties at national level. Digital technologies and broadband penetration strongly facilitate access to audiovisual works, creating new distribution channels such as video-on-demand and mobile television. This in turn creates new markets for catalogue/heritage content. In addition, digital technologies lower the entry barrier for creating and distributing audiovisual works and help create an audiovisual market without borders. In this context media literacy means, inter alia, providing, notably to young European audiences, better awareness and knowledge about our film heritage and increasing interest in these films and in recent European films.

CHAPTER II – MEMBER STATE ACTIONS

4. The objective of this chapter is to highlight best practices for each of the areas covered by the Recommendation, as well as to point out the problems encountered by the film heritage institutions.

Designated bodies

5. All Member States have designated appropriate bodies to ensure that cinematographic works forming part of their audiovisual heritage are systematically collected, catalogued, preserved, restored and made accessible. In the case of Greece, it would be advisable to clearly define the tasks of the different institutions involved.

Collection

6. Most Member States ensure the systematic collection of cinematographic works that make up part of their audiovisual heritage. From the 26 Member States that have replied to the questionnaire, 10 Member States have established legal deposit (Bulgaria, Czech Republic, Denmark, Finland, France, Hungary, Italy, Poland, Slovakia and Slovenia), 11 impose a compulsory deposit of cinematographic works that have received public funding (Austria, Germany, Ireland, Latvia, Lithuania, Malta, Portugal, Romania, Spain, The Netherlands and Sweden). 3 Member States (Belgium, Estonia and the UK) operate on the basis of voluntary deposit. Estonia reports that systematic collection is not ensured by the voluntary deposit. The situation in Greece and Cyprus is not reported. Most of the Member States use the voluntary deposit as a complement to the compulsory deposit.

7. A problem for a number of Member States is monitoring the compliance with the obligation to deposit. This is a particular important problem in Bulgaria. Best practices to deal with this problem include:

- for legal deposit: "watchdog units" (for instance, in Finland or France). In the case of France, a dedicated service makes a systematic surveillance of films distributed in cinemas or presented in festivals;
- for compulsory deposit of works that have received public funding: "deposit certificates" (for instance, in Spain). The film archive issues a "deposit certificate" that has to be presented to the funding authority prior to any payment. In Sweden, the film producer is obliged by

agreement to deposit safety material at the film archive in order to receive the full amount of the offered funding.

- for voluntary deposit: certain Member States develop an active policy to building trust with producers. In the case of the UK, a specific agreement is signed with the right holder in order to specify which work and under which conditions may be made available.

8. Portugal points out that it is not only necessary to check the compliance with the obligation of deposit, but that is also essential to put in place a mechanism for checking the technical quality of the deposited material.

9. As mention in point 3.3, the Commission is acting as a facilitator in the negotiation of a framework agreement on procedures for voluntary deposit of films with preservation archives. This agreement would contain a draft contract between film archives and producers, which could be easily adapted for each voluntary deposit done in any European film archive. The contract covers all relevant aspects of the deposit, and ensures the maximum protection of both parties in the interest of the deposited work. The Commission encourages the use of this contract, when available, by those film archives that have not yet their own model contracts for voluntary deposit.

Cataloguing and creation of databases

10. Most of the Member States declare to comply with the cataloguing rules of the International Federation of Film Archives (FIAP).

11. All Member States have electronic databases. Some of them are totally or partially available on the Internet (Denmark, Estonia, Finland, France, Germany, Ireland, Latvia, Romania, Slovenia and Sweden) or will be made available (Lithuania, Slovakia, Poland and The Netherlands). The Commission welcomes all the efforts to make this kind of metadata available and searchable via the Internet, with a view to its future integration into the European Digital Library.

12. A general problem seems to be the lack of interoperability between databases, even within the same country, and a lack of resources to work on this item. As presented in points 3.2, 3.4 and 3.7, the Commission has launched several initiatives in the area. In particular, the future European standards on interoperability of film databases will be an important tool to overcome this problem. A number of Member States (France, Germany, Belgium, Lithuania and Spain) are highly involved in this work. The Commission encourages others to give higher priority to the issue of interoperability of their databases with other European countries.

Preservation

13. Preservation measures fall into two main categories: creation or improvement of depositories for film and reproduction of film into new media, and in particular, digitisation.

14. Some Member States already have (Austria, Denmark, Finland, France, Germany, Sweden) or are in the process of establishing (Czech Republic, The Netherlands, Spain) depositories that ensure or would ensure optimum preservation conditions. In some cases (Bulgaria), the lack of an appropriate depository threatens the preservation of collections.

15. A considerable number of Member States have established a plan for digitising their collections with the aim of preservation. In this context, it is appealing the position of

Sweden, which declares that film material is not preserved digitally in Sweden, as there is no long-term digital means of preservation.

16. It is also worth mentioning as good practices the "Nitrate plans" implemented by France, Finland and Portugal, the establishment of a "National heritage preservation programme" for 2007-2013 by the Czech Republic, as well as the drawing of "annual preservation plans" in Portugal, aimed at setting up a preservation chain for each work produced in Portugal. Some Member States report the problems that preservation of material for showing the cinematographic works in their original format is not foreseen.

17. 23 Member States have reported that their national copy-right legislation has implemented the exception provided by Article 5(2)(c) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society¹¹. This exception allows Member States to authorise acts of reproduction made by publicly accessible libraries or archives which are not for direct or indirect economic commercial advantage. This would include, for instance, the reproduction of film material in new media in order to ensure its preservation. In Portugal, the exception is not implemented. In the case of the UK, the matter is under discussion. The legal situation in the other Member States is not reported.

Restoration

18. There is a big variation between Member States on how to tackle the issue of restoration. While some archives have their own in-house restoration laboratories (Belgium, France, Germany, Czech Republic, Portugal, UK), others outsource restoration to other Member States (Estonia, Ireland, Poland), as they lack they required technology, equipment or know-how. Best practices to highlight are the partnerships with the commercial sector (UK and Ireland) and the cooperation between archives to help those with fewer resources (Bulgaria).

19. Almost all Member States use digital techniques for restoration. Some Member States, such as Portugal, prefer to respect the original technology.

Accessibility, professional training and education

20. Accessibility to film heritage is provided by film heritage institutions in agreement with right-holders. Therefore, it is essential to establish standard contracts with right holders in order to cover all possible uses of the material, while at the same time guaranteeing the respect of the copy right and related rights. There are many different actions to provide access to film heritage: showing of films in a non-commercial context (Belgium, Denmark, France, Germany, Italy, Sweden), distribution of films for educational purposes (Belgium), television broadcasting of classic films (Czech Republic, Romania), film heritage festivals (Portugal), VoD services (Spain, UK), DVD release of restored films in several European languages (Sweden) or in original language (Slovakia), free access to students to the cinematheque (Romania). In Denmark, deposited films subsidised by the Danish Film Institute may be shown to a paying audience, without payment of a fee.

¹¹ OJ L 167, 22.6.2001, p.10.

21. In Belgium (Flemish Community), Bulgaria, France, Germany, Italy, Spain and Sweden, the copy-right law allows the consultation of deposited material by researchers¹². The legal situation in the other Member States is not reported.

22. Professional training in the area of film heritage seems to be a general problem, as generally there is a lack of specialised courses. FIAF (International Federation of Film Archives) offers some specialised training¹³, which is attended by personnel from European film archives. Often, the professional training is done in-house. Some of the limited European professional training available includes a Master Degree on "Preservation and Presentation of the moving image" in The Netherlands, and a four-year course in the history of cinema (Poland). A best practice to communicate is the annual international workshop for film archives organized by the Spanish cinematheque. In conclusion, it would be desirable that more effort was devoted to creating specialised training at University level and to the organisation of seminars by film heritage institutions in order to diffuse their know-how.

23. Almost all European film heritage institutions devote resources to cooperate with the education sector: specific programmes for schools (Austria, Belgium, Bulgaria, France, Germany, Latvia, Lithuania, The Netherlands and Poland), publications to assist with film education in schools (Czech Republic), special film showings for schools teachers and pupils (Denmark and Portugal). A particular good practice to highlight is the "Screen on line" project in the UK. The Commission congratulates the institutions that are running these projects, and encourages those that have not yet included education among their priorities to do so.

CHAPTER III – CONCLUSIONS

24. Member States should continue the application of the Recommendation, and report again to the Commission by November 2009. As a result of the analysis of the current situation, the following points should be considered by Member States in case that they have not yet been tackled:

- establishing a long-term strategy for their national film heritage and annual plans for specific issues (digitisation, restoration, education, etc);
- monitoring compliance with the mandatory forms of deposit (both with the obligation of deposit and the technical quality of the material);
- promoting voluntary deposit as a complement to legal deposit. The use of the framework contract between ACE and FIAPF is recommended as soon as it becomes available. In the absence of signature of this contract, Member States should encourage by all means agreements between film heritage institutions and right-holder associations covering the possible uses of the deposited material by the archive.
- continuing efforts to achieve interoperability of film databases, and to make those databases accessible via the Internet;

¹² Exception provided for by Article 5.3 (n) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society.

¹³ <http://www.immagineritrovata.it/>

- establishing partnerships with the commercial sector and with other film archives for the restoration of cinematographic works, with the objective of sharing know-how and increase resources available;
- seeking agreements with right-holders with a view to promote cultural access to film heritage as broadly as possible.
- creating specialised courses at university level for all areas related to film archives;
- giving higher priority and visibility to educational programmes and activities.

25. Finally, film archives should, as a priority, make the necessary changes to face the challenges of the digital era. It is estimated that within 5 years, most films will be distributed in digital format. This implies that the following issues will have to be addressed:

- collection / acquisition of digital material (distributed in cinemas or via new channels);
- storage / conservation of digital material, which could require regular migration to new formats or supports;
- applying digital technologies for restoration;
- giving access via internet to the collections, while ensuring respect of copyright laws;
- integration in the European digital library¹⁴.

26. The Commission will continue with the execution of its current projects and with the organization of meetings of the Cinema Expert Group / Subgroup Film Archives to facilitate the exchange of good practices in the areas mentioned above.

27. The following tables summarizing the replies received from Member States are annexed to this document:

Table 1: Film Heritage Institutions

Table 2: Deposit of cinematographic works

Table 3: Cataloguing and databases

Table 4: Preservation and restoration

Table 5: Accessibility, professional training and education

Table 6: European and international activities

Table 7: Summary of problems encountered and examples of good practices

Table 8: Legislative measures / Definition of national film heritage

Table 9: Deposit of material other than cinematographic works forming part of the national audiovisual heritage.

¹⁴ www.europeana.eu

ANNEXES

TABLE 1 – FILM HERITAGE INSTITUTIONS

N.A.: Information not provided by the Member State; italics indicate name in the original language

MEMBER STATE	Name of film heritage institution(s)	Annual Budget (directly related to film heritage)¹⁵	Staff (directly related to film heritage)	Website (languages)
Austria	<i>Filmarchiv Austria</i>	N.A.	N.A.	http://www.filmarchiv.at (DE, EN)
	Austrian Film Museum	N.A.	6.5	http://www.filmmuseum.at (DE, EN)
Belgium	<i>Cinémathèque Royale de Belgique</i>	2,6 M €	N.A.	http://www.ledoux.be (FR, NL)
	<i>Cinémathèque de la Communauté française</i>	N.A.	N.A.	http://www.cinematheque.cfwb.be/accueil (FR)
	BAM (Institute for visual, audiovisual and media art)	N.A.	N.A.	http://www.bamart.be/home/index/nl/BAM (NL)
Bulgaria	BNFA (Bulgarian National Film Archive)	154,942 lev + 566,918 lev (≈ 370,000 €)	32	http://bnf.bg (BU, EN)
	Bulgarian National Film Centre	N.A.	N.A.	http://www.nfc.bg (BU, EN)

¹⁵ Domestic currencies have been converted at the average historical exchange rate for 2007.

MEMBER STATE	Name of film heritage institution(s)	Annual Budget (directly related to film heritage)¹⁵	Staff (directly related to film heritage)	Website (languages)
Cyprus	Cyprus Film Archive	130,000 €	N.A.	The Film Archive is placed under the Press and Information Office, whose website is http://www.moi.gov.cy/MOI/pio/pio.nsf/index_en/index_en?opendocument
Czech Rep.	National Film Archive	N.A.	N.A.	http://www.nfa.cz (CZ)
Denmark	The Danish Film Institute	4 M € ¹⁶	N.A.	http://www.dfi.dk (DA, EN)
Estonia	The Estonian Film Archives (structural unit of the National Archives of Estonia)	320,500 €	24	http://filmi.arhiiv.ee (EE, EN)
Finland	National Audiovisual Archive (since 1/01/2008), previously the Finnish Film Archive (SEA)	250,000 €	39	www.kava.fi (FI, EN)
France	<i>Centre National de la Cinématographie</i> (CNC)	N.A.	N.A.	http://www.cnc.fr (FR, EN)
Germany	The Federal Archives (<i>Bundesarchiv</i>) + Länder archive bodies (<i>Stiftung Deutsche</i>	2.85 M €	80 ¹⁷	www.filmportal.de (DE, EN) http://www.filmmuseum-berlin.de (DE, EN) http://www.deutsches-filminstitut.de (DE, EN) http://www.bundesarchiv/aufgaben_organisation/abteilungen/fa/index.html

¹⁶ The allocation of funding to the restoration of films is contractually agreed with the Ministry of Culture and Education.

¹⁷ Germany also employs an additional 40 staff for difficult restoration tasks at an independent service centre.

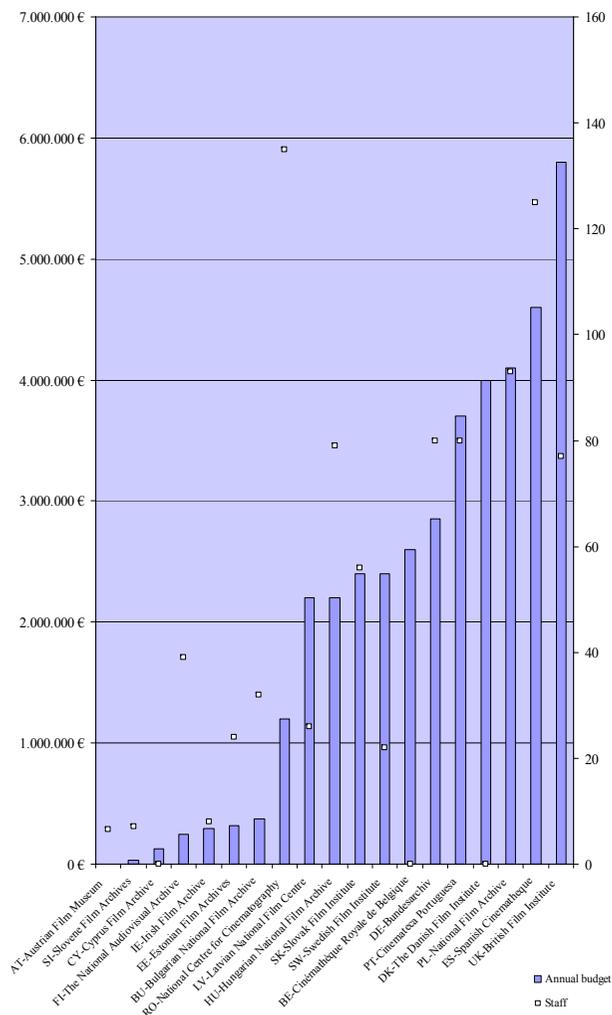
MEMBER STATE	Name of film heritage institution(s)	Annual Budget (directly related to film heritage)¹⁵	Staff (directly related to film heritage)	Website (languages)
	<i>Kinemathek, Deutsches Filminstitut, CineGraph – Hamburgisches Centrum für Filmforschung e.V., Filmmuseum Düsseldorf, Filmmuseum München, Filmmuseum Potsdam, Haus des Dokumentarfilms, Europäisches Medienforum, Friedrich-Wilhelm-Murnau-Stiftung, DEFA-Stiftung)</i>			http://www.cinegraph.de http://www.filmmuseum-duesseldorf.de http://www.stadtmuseum-online.de http://www.filmmuseum-potsdam.de http://www.hdf.de http://www.murnau-stiftung.de http://www.defa-stiftung.de
Greece	Greek Film Centre, Greek Film Library	N.A.	N.A.	http://www.gfc.gr (EL, EN)
Hungary	Hungarian National Film Archive	544,058,000 Florint (≈ 2.2 M €)	79	http://www.filmarchiv.hu (HU, EN)
Ireland	Irish Film Archive (IFA) of the Irish Film Institute (IFI)	295,000 €	8	http://www.irishfilm.ie/archive/

MEMBER STATE	Name of film heritage institution(s)	Annual Budget (directly related to film heritage)¹⁵	Staff (directly related to film heritage)	Website (languages)
Italy	Cineteca Nazionale of the Experimental Cinema Centre (CSC)	N.A.	N.A.	http://www.csc-cinematografia.it/csc/pages/cineteca.php (IT, EN)
Latvia	National Film Centre (NFC)	2.2 M €	26	http://www.latfilma.lv/nfc/ (under construction)
Lithuania	Lithuanian Central State Archive	N.A.	N.A.	http://www.archyvai.lt (LT, EN)
Luxemburg	National Audiovisual Center (CAN)	N.A.	N.A.	http://www.cna.public.lu/cna/index.html
Malta	Superintendence for Cultural Heritage, National Archives ¹⁸	N.A.	N.A.	http://www.culturalheritage.gov.mt
Netherlands	Netherlands Film Museum	N.A.	N.A.	http://www.filmmuseum.nl (NL, EN)
Poland	National Film Archive	4.1 M €	93	http://en.fn.org.pl (PL, EN)
Portugal	<i>Cinemateca Portuguesa / Museu du Cinema</i>	3.7 M €	80	http://www.cinemateca.pt (PT, EN)
Romania	National Centre for Cinematography; National Film Archive	1.2 M €	135	http://www.cncinema.abt.ro (RO)

¹⁸ A proposal to create a Film Heritage Museum is currently being considered.

MEMBER STATE	Name of film heritage institution(s)	Annual Budget (directly related to film heritage)¹⁵	Staff (directly related to film heritage)	Website (languages)
Slovakia	Slovak Film Institute (SFI)	2.4 M €	56	http://www.sfu.sk/english/ (SK, EN)
Slovenia	The Archives of the Republic of Slovenia / Slovene Film Archives; Slovenian Cinematheque	34,000 €	7	http://www.arhiv.gov.si/en/ (SL, EN) http://www.kinoteka.si (SL)
Spain	Spanish Cinematheque, regional cinematheques	4.6 M €	125	http://www.mcu.es/cine/MC/FE/index.html (ES)
Sweden	Swedish Film Institute	22 M SEK (≈ 2.4 M €)	22	http://www.sfi.se/sfi/ (SV, EN)
United Kingdom	British Film Institute (BFI): National and Regional Collections	4 M £ (≈ 5.8 M €)	77	http://www.bfi.org.uk (EN)
	Other public collections, e.g. Imperial War Museum	N.A.	N.A.	
	Regional institutions, e.g., Regional Screen Agencies and Regional Film Archives	N.A.	N.A.	

Funding and staff resources of Member State film heritage institutions
(EU-27; €, no. of full-time staff)



Note: This chart only includes information for those institutions where data on at least one of the two dimensions depicted was supplied. The figures reported are specific to the film heritage-related activities of the institutions referred to, even where their overall remit may be wider.

TABLE 2 – DEPOSIT OF CINEMATOGRAPHIC WORKS FORMING PART OF NATIONAL AUDIOVISUAL HERITAGE

LD all: Legal deposit for all cinematographic works.

CD funded: Compulsory deposit of cinematographic works that have received public funding.

VD: Voluntary deposit.

	Type of deposit			Material to be deposited ¹⁹	Deadline for deposit	Compliance checking?		Other comments Problems/Best practices
	LD all	CD funded	VD			Deposit obligation	Quality of deposited material	
Austria		X		High quality film copy	Subject to contractual specification, at the latest 1 year after production		X	
Belgium : federal institutions			X					BP: Active involvement in the negotiation of a European framework contract on VD
Belgium : French Community		X						Heritage preservation and exploitation plan provides for decree introducing mandatory deposit
Belgium : Flemish Community		X		Audiovisual creations 'in as original form as possible' with Royal Film Archive, except where that institution is not responsible. Ready-to-use-copy must		X		

¹⁹ Where a deposit obligation extends to materials other than the cinematographic work itself, this is reflected in Table 9.

	Type of deposit			Material to be deposited ¹⁹	Deadline for deposit	Compliance checking?		Other comments Problems/Best practices
	LD all	CD funded	VD			Deposit obligation	Quality of deposited material	
				be deposited with the Ministry of the Flemish Community.				
Bulgaria	X			Twelve copies of edition used for public showing				P: Lack of compliance with the LD
Cyprus								P: Lack of statutory basis for LD
Czech Rep.	X			2 new, unused, high quality copies or intermediary element.	6 months after first public screening		X	Mandatory deposit of past cinematographic works.
Denmark	X			2 used prints. For funded films also a master, separate sound track and a new print. Deposit of digital film materials comprises the digital base material as well as two copies intended for screening (1 used, 1 unused).	6 months after theatrical release for material that has received DFI funding; a used copy has to be deposited within two years from the release date. For films that are not theatrically released, materials have to be deposited within six months of completion of the filmic work.		X	BP: A voluntary deposit agreement exists for foreign films (by virtue of this scheme, the majority of all films shown in Danish theatres are being submitted for deposit).

	Type of deposit			Material to be deposited ¹⁹	Deadline for deposit	Compliance checking?		Other comments Problems/Best practices
	LD all	CD funded	VD			Deposit obligation	Quality of deposited material	
Estonia			X					P: Systematic collection is not yet established; rights negotiation occurs on a case-by-case basis.
Finland	X			Original negatives and a print.	5 years	X		BP: Watchdog Unit
France	X			Positive, new copy of perfect technical quality, or of an intermediary element allowing the production of a positive copy or of a negative matrix. ²⁰		X	X	BP: Special Unit for checking compliance
Germany		X		Perfect copy				BP: Voluntary deposit at the Federal Film Archive possible for other national productions; voluntary deposit of foreign productions is possible at other institutions of the German Kinemathek.
Greece								Information not included

²⁰ This deposit copy must correspond to the one submitted to the classification board. In exceptional circumstances, deposit of used materials will be accepted if the work is of less than one hour duration and the copy is in perfect technical condition.

	Type of deposit			Material to be deposited ¹⁹	Deadline for deposit	Compliance checking?		Other comments Problems/Best practices
	LD all	CD funded	VD			Deposit obligation	Quality of deposited material	
								in the report
Hungary	X				1 month			
Ireland		X ²¹		One preservation and one access copy comprising film materials and metadata.			X	
Italy	X			For films in receipt of public funding support and for films recognized as being of cultural interest, a copy of the negatives has to be deposited. For all other films, a new positive copy of the original negatives is required.				
Latvia		X		Video copy in Betacam and DVD format.	1 year			
Lithuania		X		Original film copy	1 year	X ²²		VD for non-funded films
Luxemburg								N.A. (no reply)
Malta		X						

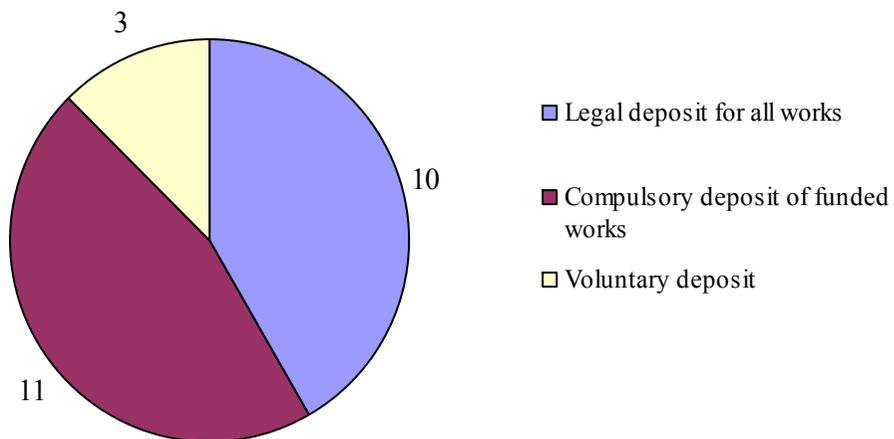
²¹ By way of cooperation agreement with funding bodies (Irish Film Board and Broadcasting Commission of Ireland). Current negotiations seek to expand the cooperation to include the Arts Council of Ireland.

²² Funded films have to submit to the Ministry of Culture a certificate from the Lithuanian Archive Department confirming that original film media have been supplied for storage

	Type of deposit			Material to be deposited ¹⁹	Deadline for deposit	Compliance checking?		Other comments Problems/Best practices
	LD all	CD funded	VD			Deposit obligation	Quality of deposited material	
Netherlands								
Poland	X			Film copy and documentary material				P: No obligation to deposit negatives
Portugal		X		2 copies or a broadcast-quality video copy	2 years	Could be improved		BP: Proactive in promoting voluntary deposit
Romania		X		High-quality print	day of premiere			
Slovakia	X			Original, copy, ancillary material and metadata	30 days			
Slovenia	X			2 perfect copies	6 months	X		Original material has to be deposited within 3 years
Spain		X		1 perfect copy		X		- Financial support for preservation given to producers - Active policy to promote VD
Sweden		X		Inter-positive or LC print and original negatives. Digibeta for digital works.			X	BP: Voluntary deposit for non-cinema releases (incl. productions by private individuals and associations) and foreign movies distributed in Sweden
United Kingdom			X					

Deposit of cinematographic works by Member States

(type of deposit scheme, based on reported information from 24 Member States)



Note: This chart does not include Cyprus, Greece and Luxembourg for which information has not been supplied.

TABLE 3 – CATALOGUING AND DATABASES

MEMBER STATE	Cataloguing practices	Description of databases	Interoperability of these systems with other (in the same country or at EU level)	Comments Best practices/problems
Austria	N.A.	Prospectively to be made available online.	No.	P: Lack of resources for working on interoperability or European-level organisation of stocks.
Belgium : federal institutions	In compliance with FIAF standards	Inventory in a computerised database.	N.A.	
Belgium : French Community	In progress (currently no systematic inventory exists)	Database based on Access software.	N.A.	
Belgium : Flemish Community	Maintains database of all works deposited with the Royal Film Archive.		N.A.	
Bulgaria	In	Online database 'A to Z of Bulgarian cinema'.	N.A.	

MEMBER STATE	Cataloguing practices	Description of databases	Interoperability of these systems with other (in the same country or at EU level)	Comments Best practices/problems
	compliance with FIAF standards			
Cyprus	N.A.		N.A.	
Czech Rep.	In compliance with FIAF standards		N.A.	
Denmark	In compliance with FIAF standards	Oracle-based, but tailored to the specific needs of archival and filmographic use (searchable by year, director and country in addition to other criteria; contains references to stills, poster and other collections maintained by the DFI) Available at: www.dfi.dk/filmografi	N.A.	
Estonia	In compliance with FIAF standards	The FIS database is publicly available on the internet: www.filmi.arhiiv.ee/fis/index.php?lang=en	N.A.	
Finland		- Tenho database includes also technical data on copies. - Elonet internet database: www.elonet.fi	N.A.	BP: www.elonet.fi
France		LISE database, partially available online: http://www.cnc.fr/Site/Template/A2.aspx?SELECTID=18&id=19&t=2	Yes. LISE covers all French collections.	
Germany	In	Central database for the German films: www.filmportal.de	Yes.	

MEMBER STATE	Cataloguing practices	Description of databases	Interoperability of these systems with other (in the same country or at EU level)	Comments Best practices/problems
	compliance with FIAF standards			
Greece	N.A.	Available at: www.gfc.gr/en/movies/index.asp	No.	
Hungary	N.A.	MNFA database	N.A.	
Ireland	In compliance with FIAF and Library of Congress standards	Available at: www.tcd.ie/irishfilm/	No, but IFA plans to achieve this in the context of the MIDAS project.	BP: Database available in internet
Italy	In compliance with FIAF standards	XML-based cataloguing solution. Data can be searched by title, director and year of release at: http://www.csc-cinematografia.it/csc/pages/catalogo_film.php	International compatibility via ISAN identification.	
Latvia		Available at: http://www.latfilma.lv/00film.html	No.	
Lithuania		Database and search facility will be made available online.	Active involvement in CEN	
Luxemburg				N.A. (no reply)
Malta		Cultural Heritage Information Management system.	N.A.	
Netherlands	International standards (unspecified)	Open or will be open to the public.	Yes.	

MEMBER STATE	Cataloguing practices	Description of databases	Interoperability of these systems with other (in the same country or at EU level)	Comments Best practices/problems
Poland	In compliance with FIAF standards	Electronic database since 2005. Works in progress to make it available online.	No.	
Portugal		ANIM database can be consulted <i>in situ</i> .	Yes.	BP: inventory of Portuguese-produced films (planned online version)
Romania	National standard	Available online.	N.A.	
Slovakia	In compliance with FIAF standards	SK CINEMA information system, prospectively to be made available online	Yes.	BP: Planned internet access to their film database
Slovenia	In compliance with FIAF standards	Available online, covering 2338 films.	N.A.	
Spain		'Soul' database.	Active involvement in CEN.	P: database not available in internet due to copy-right issues not yet solved.
Sweden	In compliance with FIAF	Available at: http://www.svenskfilmdatabas.se/ 60.000 films (searchable by year and director)	No.	BP: Metadata and filmographic information available

MEMBER STATE	Cataloguing practices	Description of databases	Interoperability of these systems with other (in the same country or at EU level)	Comments Best practices/problems
	standards			in internet
United Kingdom		BFI Film & TV database: http://www.bfi.org.uk/filmtvinfo/ftvdb/ (searchable by title, names of people, music groups and organisations and events)	N.A.	

TABLE 4 - PRESERVATION AND RESTORATION

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
Austria	Preservation is a legally mandated task of the institutions responsible. Additionally, an air conditioned security film depot was set up in 2004. Film projection equipment is also preserved.	Restoration activities are generally conducted under the remit of the relevant institutions; on a case-by-case basis, the federal level may provide additional funding for specific projects. The Krems Film Gallery is procuring digital film restoration equipment, in cooperation with other national institutions.	Yes	
Belgium : federal institutions	Reproduction of films on analogical and/or digital medium and preservation of material to be projected.	Royal Film Archive carries out black/white-restoration in own laboratory.	Yes	BP: Royal Film Archive frequently involved in dissemination of knowledge on digital preservation at the European level.
Belgium : French Community	Operates a heritage preservation and exploitation plan. Films are progressively digitised on DVC Pro50 and DVDRam media. Conservation conditions comply with standards of the International		Yes	

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
	Federation of Film Archives			
Belgium : Flemish Community	Research project on preserving and unlocking multimedia data in Flanders to lead to a general preservation and access strategy for audiovisual material. Subsidy for digitising films part of the Flemish film heritage		Yes	BP: Research-based preparation of general preservation and access strategy.
Bulgaria	800,000 lev (\approx 410,000 €) allocated for the restoration and conservation of nitrate stock. A machine has been acquired for transferring 35mm film to modern storage media. Lack of integrated and technologically appropriate depository (planned).	Bi-lateral cooperation with European partners to build expertise in restoration issues.		P: Lack of resources to acquire necessary technologies for restoration and to inspect, inventorise and catalogue unchecked archives. Holdings are spread over several locations, need to build central depository Shortage of funding also means that cooperation in European restoration projects is difficult where national co-funding is required. BP: Cooperation with French CNC, German Bundesarchiv and Hungarian Film Archive.

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
				restoration. 'Gold at 24 Frames a Second' project to promote awareness of and expertise in restoration issues by documenting the restoration of a nationally important animated film and producing accompanying DVDs.
Cyprus	More than 85 percent of holdings have been digitized.		Yes	
Czech Rep.	National heritage preservation programme for 2007-2013; Planned extension of archives to support colour films; Archives also preserve film project equipment. Awaiting for new depository	Two teams working in-house on restoration of both archive films and ancillary materials.	Yes	BP: National heritage preservation programme. Restoration efforts include ancillary materials.
Denmark	WG on digitalisation (priorities, copy-right) Optimum facilities for conservation Legal Deposit Act prohibits the destruction of negatives of Danish films unless they have been offered to the DFI and it has declined to receive	Restoration takes place according to a Restoration plan, and is financed by an annual restoration budget, ensured by law on the basis of a parliamentary agreement for a four-year period.	Yes	Pr: keep technical equipment required for showing the many different storage formats (international problem)

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
	these	International cooperation on restoration on a case-by-case basis.		
Estonia	Limited reproduction of films in new storage media (digibeta, HD) especially in connection with restoration. Priority to works without right-holders.	For lack of adequate technology, restoration is done in Finland.	Yes	P: Lacks funding and technology for film restoration. BP: cooperation with other countries in restoration.
Finland	- Nitrate plan (1972-2006) - Excellent storage facilities - No funds available for a systematic transfer of the full collection to digital form.	- partnerships with a commercial laboratory and companies for digital restoration	Yes	- partnerships with private sector for digital restoration
France	- Nitrate plan (1991-2006; 80 M €) - Excellent storage facilities - Digitalisation initiative of films originating between 1977 and 1987 that had never been televised or released in an edited version on video.	Yes	Yes	BP: Excellent storage facilities; storage of materials systematized according to both type of support and type of materials (negatives, positives, intermediaries, magtape)
Germany	- Excellent storage facilities	Yes	Yes	
Greece	EU-funded project 'Digital Archive of Greek Film' (80% funded by the		Yes	BP: EU programme: "Digital Archive of Greek Film"

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
	ERDF) focuses on digitisation of films which have been co-produced by the GFC or for which the institution holds distribution or royalty rights.			
Hungary	Digitisation programme: 100 Hungarian films have been digitised.	Yes	N.A.	
Ireland	Films are preserved on digibeta and access copies created on mini DV. The aim is to provide a digibeta access copy of each title in the collection.	<p>- Pilot projects in digital film restoration in cooperation with private sector http://www.mee.tcd.ie/~sigmedia/Research/RoryOMore</p> <p>- Where possible restoration is undertaken with partners like the Heritage Council and production companies. In the alternative, material is sent for restoration to the UK.</p>	Yes	<p>BP: co-operation with UK BP: Digital film restoration in cooperation with private sector P: Lack of funding to expand digital restoration activities. P: Does not have film laboratories suitably equipped for carrying out restoration work.</p>
Italy	<ul style="list-style-type: none"> - Excellent storage facilities - Nitrate holdings are transferred to digital format in order to prevent destruction and enhance accessibility - Emphasis on silent films alongside the works of Italian directors. 	<p>Digital technology used for restoration purposes with an emphasis on silent films alongside the works of Italian directors.</p> <p>Public-private cooperation in</p>	Yes	BP: Depository in Cineteca del Friuli, inaugurated in March 2008, with capacity for 50.000 films. It will also house collections of other regions.

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
		restoration.		
Latvia	Medium-term programme for restoration, digitalization and providing access.		Yes	Establishment of a medium-term programme for restoration, digitalization and providing access.
Lithuania	New storage facilities (built in 2007) 500 films have been digitised.		Yes	
Luxemburg				N.A. (no reply)
Malta			Yes	
Netherlands	Project 'Images for the Future' dedicated to the preservation of national audiovisual heritage, including cinematographic heritage by way of digitisation. Once digitised, the material is to be made available online. Storage conditions regulated by law New facilities for the Filmmuseum in 2010 with state-of-art technology		Yes	BP: Development of laboratory for re-use of cinematographic heritage
Poland	Digitalisation project	Outsourced	Yes	
Portugal	Policy: respect the original technology Annual preservation plans. Objective: preservation chain for each	Yes	For legal deposit: Copy-right holders must authorise a duplicate copy	Establishment of annual preservation plans

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
	work produced in Portugal			
Romania	Reproduction in new media (Digital Beta and High Definition media); preservation of equipment	Standard procedures available		
Slovakia	Large-scale digitalization planned for 2008	In agreement with copy-right holders	Yes	BP: Large-scale digitalization planned for 2008 P: No measures for preservation of equipment
Slovenia	Storage according to FIAF standards Material copied onto new storage media	It is synchronised with the copying process	Yes	
Spain	Almost all material has been transferred to digital media. New storage facilities under construction.	Use of digital techniques	Yes	BP: Financial support for preservation given to producers
Sweden	Optimum preservation conditions. Film material is not preserved digitally as there is no long-term digital means of preservation	Photochemical techniques, complemented by digital means. International cooperation on restoration on a case-by-case basis.	Yes	
United Kingdom	'Strategy for UK Screen Heritage': five-pronged multi-annual implementation plan, including focus	In partnership with the commercial sector to guarantee access to newest restoration	Under discussion	BP: Film restoration in partnership with the commercial sector.

MEMBER STATE	Measures / programmes to ensure preservation	Measures / programmes for restoration	Does the national copy-right implements the exception of Article 5(2)(c) of Directive 2001/29/EC	Comments Best practice / problems
	<p>on preservation of national collection. Allotments of £ 25M by government and £ 3M by the UK Film Council support this initiative.</p> <p>Voluntary cooperation with stakeholders facilitates maintenance of legacy formats and technologies.</p>	technology		BP: 'Strategy for UK Screen Heritage'

TABLE 5 - ACCESSIBILITY, PROFESSIONAL TRAINING AND EDUCATION

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
Austria	<p>Agreements with the right-holders on case-by-case basis, access for scientific use is guaranteed. Institutions furthermore negotiate access for general educational and cultural purposes with rights-holders.</p> <p>Austrian filmography available.</p>	Facilities suitable for people with disabilities.	In-house training	The Austrian Film Museum offers programmes for schools ('Kino macht Schule' and 'filmABC'). The institution also seeks to promote an integrated approach to films and school.	BP: the popular collection "Wochenschau" has been made available on DVD to the public. The Austrian Film Museum devises research and educational projects and cooperates with other museums.
Belgium : federal institutions	Shows films in a non-commercial context (cultural, educational and scientific), in agreement with rights- holders.		In-house training, in particular on digitalisation	Film Archive organises courses and other educational initiatives to promote knowledge of cinematographic heritage locally.	BP: Courses and other educational initiatives to promote knowledge of cinematographic heritage locally.
Belgium : French Community	Standard contracts with rights holders authorise distribution of films for educational purposes.			Campaigns addressed to pupils (e.g., 'Secondary school pupils' prize', 'Films on file', 'Big screen on a blackboard'). Media Literacy Council to be established. Support for cinema schools.	BP: Standard contracts for pedagogical use of films. Campaigns addressed to pupils.

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
Belgium : Flemish Community	Access is possible for researches ²³			CANON initiative under the Department for Education incorporates projects to promote media education (e.g., 'Ingebeeld' aimed at primary and first-grade secondary education). In-school screenings of films from the 'Arts & Essai' circuit.	BP: Initiatives to promote media literacy, especially in early phases of school education, including film heritage component. Funding of purchase of the Vrielynck collection containing material on historical development of film of international relevance.
Bulgaria	Public access by way of rental and non-commercial film showing in agreement with right holders. Access is possible for researches	Building access measures for special needs members of the public planned, but not yet implemented.	Kliment Ohridski University and Institute for Librarianship offer specialisation as film archivist. National Film Archive provides in-house training	Education programmes since 1959	P: Funding not yet allocated to meet accessibility targets for special needs users. BP: Publication of additional volumes of the filmography of Bulgarian feature films, and of a bilingual yearbook 'Cinema and Time'.

²³ Exception of Article 5.3 (n) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society.

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
			to staff.		
Cyprus	N.A.	N.A.	N.A.	(not part of the Film Archive's responsibilities)	
Czech Rep.	<p>In agreement with right-holders, for educational and cultural purposes.</p> <p>Czech TV shows classic European films. Publication of bilingual</p> <p>Film Yearbook (CZ, EN) and three-yearly filmographies of Czech feature films; also edits a monthly revue presenting films released for distribution in the Czech Republic.</p> <p>Cooperation on DVD releases in a minimum of three European languages.</p>	The law allows reproduction of works to be disseminated for the requirements of handicapped people.		<p>Organizes a film history course for secondary school. Preparing a publication to assist with film education in schools.</p>	<p>BP: Partnership with schools.</p> <p>BP: Cooperation on DVD releases in a minimum of three European languages.</p>
Denmark	Deposited material must be accessible at the DFI, and for individuals. It may		University-level education available	- Strives to incorporate film into general school education through film screenings and by	BP: link between State aid to film production and showing of films in the film heritage

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
	<p>also be shown in the DFI's in-house cinema. Deposit films subsidised by the DFI may be shown to a paying audience, without payment of a fee to the production company.</p> <p>The DFI releases DVDs featuring titles forming part of the Danish film heritage. These include English subtitling.</p>			<p>offering courses for teachers and pupils ("Film i skolen");</p> <ul style="list-style-type: none"> - Collaboration with the Film School and the University on screenings of archival films; - "Filmstriben": short films and documentaries from DFI can be shown by school and libraries. Ongoing negotiations to allow materials to be made available to private individuals online. 	<p>institution</p> <p>BP: "Film i skolen ", "Filmstriben"</p>
Estonia	<p>Project 'Estonian Film 100' to celebrate the 100th anniversary of film making in Estonia.</p> <p>Subject to legal and technical limitations, deposited material is available in the Archives' research hall.</p>	Archives are accessible to wheelchair users.	Baltic Audiovisual Archival Council	<p>EF100 affords opportunities for film history research and promotes events to popularize knowledge of Estonian film heritage.</p> <p>Partnership with the University of Art and Design</p>	<p>BP: Partnership with Universities.</p> <p>BP: EF100 project.</p>
Finland	"The National Library Project" 2007-2011	Access for people to disabilities to		<p>Cinema School</p> <p>www.koulukino.fi</p>	

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
		the facilities			
France	<ul style="list-style-type: none"> - Collections can be consulted by researchers (by law) - Voluntarily deposited materials can be made accessible in the film heritage institutions of other FIAF members or in the course of events organized by the Ministry of Culture and Communication. - Collections can be consulted by researchers (by law) 		<p>CNC offers training in cataloguing and digital restoration techniques</p> <p>Participation in Archimédia and the FIAF summer school</p>	<p>Various initiatives targeted at young people to promote awareness of national film heritage ('Ecole et Cinéma', 'Collège au cinéma', 'Lycée au cinéma').</p>	
Germany	<ul style="list-style-type: none"> - Collections can be consulted by researchers, journalists, public bodies and private individuals (by law) - Screenings organized at collecting institutions - deposited duplicates can be accessed license-free at the Federal Film Archive; 	<p>Buildings where collections are held usually facilitate physical access by people with disabilities</p>		<p>www.filmportal.de</p> <p>Vision Kino uses film heritage to promote media literacy in schools among children and youth</p>	<p>Filmportal.de provides comprehensive information in German and partially in English on 60,000 feature films free of charge</p> <p>Annual Schulkinowochen promote youth media literacy by bringing the classrooms into the cinema</p>

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
	rental for public screening or copying requires the consent the of the rights holder - organisations participate in the release of DVDs reflecting German film history and culture				
Greece	www.shortfilm.gr charts history of Greek short film	International Documentary Festival on Disability – Emotion pictures			BP: International Documentary Festival on Disability
Hungary	Access is possible for researches	No specific measures foreseen.	N.A.	Arts (including cinema) is part of the National Core Curriculum. No specific education activities carried out by the MNFA.	
Ireland	In negotiation with right holders	IFA requests subtitled versions of deposited material where	IFA staff are trained via FIAF. IFA itself offers training to other		P: IFI's collections do not benefit from the exemptions granted for education and research purposes. P: Terms on which deposited materials may be made available to

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
		available.	organisations, nationally and internationally.		the public remain to be settled.
Italy	Online access to film heritage holdings of the CN for institutional lending, study and research, as well as for cultural and educational screenings organized by the CN itself or in collaboration with cultural circles and other cultural entities; In-house screenings at the <i>Cinema Trevi</i> ; Materials accessible via in-house videotheque to students and researchers.	N.A.	Supported a course on Multimedia Archiving.	Special emphasis on measures of secondary education designed to promote awareness of national film heritage and provide a general introduction to audiovisual, multimedia and scenography. Cooperation with institutions of artistic and professional development.	
Latvia			Plans to develop specialised courses	Regular educational events.	
Lithuania	In agreement with right holders		No specific courses available	Increasing number of visitors, students and researchers Educational projects	

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
	Project 'Lithuanian documentary cinema on the internet' (planned to start mid-2009)				
Luxemburg					N.A. (no reply)
Malta	Promotion of film heritage through the TV Education Channel		Film Heritage courses at the University of Malta		
Netherlands	'Images for the future' project: 600 hours of film material to be contextualized for the general public		Collaborates with University of Amsterdam in establishing a Master Degree on 'Preservation and Presentation of the Moving Image'	'Images for the future' project: 63 hours of film material to be contextualized specifically for educational purposes.	BP: 'Images for the future' project
Poland	In agreement with right holders "Silent Movie Days"	Yes. For example: audio description devices	"Professional Development" scheme run by the PFI ; 4-year course on the history of	Project "School Film Archives"	BP: Project "School Film Archives"

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
			cinema		
Portugal	"Deposit agreements" in case of voluntary deposit	Yes	No specific courses available	"Cinematheca junior" for primary and secondary students	BP: "Cinematheca junior"
Romania	In agreement with right holders		Specific training in-house	Free access to students to the cinematheque	
Slovakia	Project of producing DVDs with heritage films		No specific courses available	Education and awareness events	
Slovenia		No	University-level training available		
Spain	<ul style="list-style-type: none"> - Collections can be consulted by researches (by law) - Other uses in agreement with right holders - VoD: http://www.filmotech.com/ 	Yes	<ul style="list-style-type: none"> - Participation in internal and external trainings. - International annual workshop on film archives 		International annual workshop on film archives
Sweden	<ul style="list-style-type: none"> - Collections are available for researchers and the general public (by law) - DVD releases of restored films, in agreement with 	No		Support of local school cinemas	BP: Cinémathèque screenings specially aimed at younger audiences will be launched in 2008.

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
	right holders. - in-house screenings at the cinema of the national film institute (Cinémathèque) www.svenskfilmdatabas.se contains information on Swedish film heritage				
United Kingdom	'Strategy for UK Screen Heritage': focus on enhanced access to regional audiovisual heritage and digital access. Educational and non-commercial research of BFI collections on-site and through specific access initiatives such as exhibition and digital distribution projects. Significant access for		Skillset ²⁵ is looking at specific needs of the sector BFI Education and Regional Collections support skills development in film heritage.	Archive Shorts Initiative: national screening of selected archive titles. Key titles have undergone national distribution (e.g., 'Dracula', 'Great Expectations'). http://www.screenonline.org.uk/ - online resource for British television and film history.	BP: http://www.screenonline.org.uk/ BP: Agreements with right holders specify which works may be made available

²⁴

¹⁷ http://www.hm-treasury.gov.uk/independent_reviews/gowers_review_intellectual_property/gowersreview_index.cfm.

²⁵

¹⁸ Sector Skills Council for the audiovisual industries in the UK: <http://www.skillset.org/>.

MEMBER STATE	Making film heritage available / Promotion	Specific accessibility measures for people with disabilities	Professional training	Education	Comments Problems / Best practices
	<p>education and cultural use based on right holders' consent: Mediatheque (with regional satellite operations), DVD releases (to be purchased on-line).</p> <p>Gowers review²⁴ made recommendations on the legitimate copying of cinematographic works for preservation purposes.</p>				

TABLE 6 - EUROPEAN AND INTERNATIONAL ACTIVITIES

MEMBER STATE	Bilateral co-operation	European	International
Austria		Participation in EU Research projects on the digital retrieval of archive material (FAETON and COLLATE)	International Federation of Film Archives (FIAP)
Belgium : federal institutions		Presidency of the Association des Cinémathèques européennes (ACE). Working on a negotiation with films producers to create a common contract for voluntary deposit. EU programmes: Archimedia, FIRST, MIDAS, EDCine	FIAP
Belgium : French Community			
Belgium : Flemish Community		Editorial contributions to the European Audiovisual Observatory (EAO) European Digital Library	
Bulgaria	France, Germany, Hungary	EAO, Euroimages	FIAP Withdrew from FIAP's Technical Commission in 1992 due to lack of financial resources.
Cyprus			
Czech Rep.		EU programmes: MIDAS, e-Content. co-founder of ACE, board of ACE.	FIAP, UNESCO
Denmark		Board of ACE Follows the European standardization on interoperability of film databases in	Member of FIAP, heads FIAP's Technical Commission

		CEN European programmes: EFG, leader of work package on content enrichment	DFI, together with ACE and FIAF, provides advice and guidance on the establishment of film museums or archives.
Estonia		EU programmes: Pretospace	FIAF, IASA, BAAC
Finland		Creation of a Finnish Digital Library, that would be interoperable with the European Digital Library (EDL)	
France		ACE, Actively involved in European standardization on interoperability of film databases in CEN	FIAF
Germany		ACE, Actively involved in European standardization on interoperability of film databases in CEN (leading role in the CEN Task Force) Leading role in MIDAS and EFG. Actively involved in EDL-Foundation, EDLnet, DL advisory board.	FIAF
Greece		European projects: Digitisation and Promotion of Greek Film Archive's Cultural Depository, MIDAS, EFG, Europeana.	
Hungary		European projects: MIDAS.	FIAF
Ireland		MEDIA projects: Treasures from European Archives, MIDAS	FIAF
Italy	Cooperation in educational activities with the Deutsches Filmmuseum.	Participates in European standardization on interoperability of film databases in CEN	FIAF (e.g. 'Treasures from Film Archives' project)
Latvia		Input to the EAO	

Lithuania		Participates in European standardization on interoperability of film databases in CEN European projects: Actively involved in MIDAS and in EFG from 2010.	2 films have gained the certification of UNESCO "Memory of the World"
Luxemburg			N.A. (no reply)
Malta			
Netherlands	Spanish VoD platform 'Filmotech'	ACE EU projects: eContentPlus Programme, Pretospace	
Poland			FIAF
Portugal		Co-founder of ACE Partner in launching the Archimedia training initiative (1997-2004) EU projects: EFG	
Romania		EU projects: EFG	
Slovakia			
Slovenia		EU projects: MIDAS	FIAF
Spain	Specific restoration projects in partnership with Portugal	ACE, Actively involved in European standardization on interoperability of film databases in CEN	FIAF
Sweden		ACE, Europa Film Treasures	FIAF
United Kingdom		ACE Actively involved in European standardization on interoperability of film databases in CEN European projects: MIDAS, EFG (to lead subgroup on standards and practices for digital preservation)	FIAF

Organisations:

ACE: European Federation of Film Archives: <http://www.ace-film.eu/>

FIAF: International Federation of Film Archives: <http://www.fiafnet.org/>

EAO: European Audiovisual Observatory

CEN: European Committee for Standardization

EU projects:

MIDAS: <http://www.filmarchives-online.eu/>

EFG: eContentplus project "European Film Gateway"

PRETOSPACE: <http://prestospace.org/>

Europa Film Treasures: <http://www.europa-film-treasures.eu/home.htm>

EDL: European Digital Library

FIRST: Film Restoration and Conservation strategies

EDCine: www.edcine.org

TABLE 7 – SUMMARY OF PROBLEMS ENCOUNTERED AND EXAMPLES OF BEST PRACTICES

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
Austria	- Database networking and EU level organisation of collections are not possible for budgetary reasons.	- Making popular collections available on DVD that can be purchased on-line. - The popular collection 'Wochenschau' has been made available on DVD to the public. The Austrian Film Museum devises research and educational projects and cooperates with other museums.
Belgium : federal institutions		- Active involvement in the negotiation of a European framework contract on voluntary deposit - Participation in dissemination of knowledge on digital preservation at the European level. - Courses and other educational initiatives to promote local knowledge of cinematographic heritage.
Belgium : French Community	- Database networking is not possible for budgetary reasons.	- Heritage preservation and exploitation plan. - Standard contracts for pedagogical use of films. - Campaigns addressed to pupils.
Belgium : Flemish Community		- Initiatives to promote media literacy, especially in early phases of school education, including film heritage component. - Research-based preparation of general preservation and access strategy for audiovisual material. - Funding of purchase of collection containing material on historical development of film of international relevance (<i>Vrielynck</i> collection)
Bulgaria	- The procedure for obliging producers to promptly deposit their productions with the BNFA is exceptionally difficult. - The technological development of the restoration	- Database available online - Cooperation with other countries in restoration - 'Gold at 24 Frames a Second' project to promote awareness of and expertise in restoration issues by documenting the

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
	<p>process has yet to reach the required level owing to a lack of resources.</p> <ul style="list-style-type: none"> - The good technical quality of the deposited work can be guaranteed only by the depositing party. Since the privatisation of the Boyana cinema a large part of the materials are on the new owner's land. The BNFA can use the premises free of charge for another 2 years. Afterwards all films and archives will have to be removed. - Holdings are spread over several locations, need to build central depository - Shortage of funding prevents cooperation in European restoration projects - Funding not yet allocated to meet accessibility targets for special needs users. 	<p>restoration of a nationally important animated film and producing accompanying DVDs.</p> <ul style="list-style-type: none"> - Publication of additional volumes of the filmography of Bulgarian feature films, and of a bilingual yearbook 'Cinema and Time'.
Cyprus	Lack of statutory basis for legal deposit	
Czech Rep.		<ul style="list-style-type: none"> - National heritage preservation programme. - Restoration efforts include ancillary materials. - Partnership with schools. - Cooperation on DVD releases in a minimum of three European languages. - Bilingual Yearbook on films - Course of Film History for High School students - Packages of films for students and teachers on Internet (in preparation)

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
Denmark	- Availability of technical equipment to ensure accessibility of the preserved material is a problem.	- Voluntary deposit agreement for foreign films - Database available online - Link between State aid to film production and showing of films in the film heritage institution - Education projects Film i skolen www.filmstriben.dk - Release of classics of Danish silent film on DVD with Danish and English inter-titling
Estonia	- Systematic collection is not yet established; rights negotiation occurs on a case-by-case basis. - Lacks funding and technology for restoration of film heritage. - No insurance that deposit takes place when the film is made available to the public and in any case not more than 2 years later.	- Database available online - Cooperation with other countries in restoration. - Partnership with universities. - EF100 project: preparations of the 100 th anniversary of Estonian Filmmaking in 2012
Finland		- Watchdog Unit for checking compliance with legal deposit obligation - Database available online - Partnerships with private sector for digital restoration
France		- Special Unit for checking compliance with legal deposit obligation - Database available online - Excellent storage facilities; storage of materials systematized according to both type of support and type of materials
Germany	- Long time digital deposit is difficult to provide	- Voluntary deposit schemes in operation for national films

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
	for at this point due to the short product lifespan of digital products.	not covered by deposit obligation and for foreign films - Database available online; provides comprehensive information in German and partially in English on 60,000 feature films free of charge - Annual Schulkinowochen promote youth media literacy by bringing the classrooms into the cinema
Greece	- It does not seem to be a clear mandate to an Institution to be in charge of film heritage	- Database available online - EU programme: 'Digital Archive of Greek Film' - International Documentary Festival on Disability
Hungary	- No specific education activities	- Hungarian Film History Photo Collection.
Ireland	- Lack of funding to expand digital restoration activities. - Does not have film laboratories suitably equipped for carrying out restoration work. - Media literacy and education would need to be developed. - IFI's collections do not benefit from the exemptions granted for education and research purposes. - Terms on which deposited materials may be made available to the public remain to be settled.	- Database available online - Co-operation with UK - Digital film restoration in cooperation with private sector
Italy		- Database available online - Support for course on Multimedia Archiving - Educational initiatives aimed at secondary school - Depository in Cineteca del Friuli, inaugurated in March 2008, with capacity for 50.000 films. It will also house collections of other regions.

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
Latvia	- Due to the small number of film screening places and because of the inaccessibility of film copies and the low profitability of Latvian films, most of the Latvian population does not have access to an integral part of the Latvian film culture.	- Database available online - Establishment of a medium-term programme for restoration, digitalization and providing access to film heritage. The implementation of the Film Heritage Recommendation is one of the driving forces.
Lithuania	- Nitrate films with no safety copies; - Lacks of the technology for restoration of film heritage; - Limited access to some part of film heritage because of poor physical conditions of film tapes	- Voluntary deposit for films that have not received public funding - Planned project 'Lithuanian documentaries on the Internet'
Luxemburg	N.A. (no reply)	N.A. (no reply)
Malta		
Netherlands		- Development of laboratory for re-use of cinematographic heritage - 'Images for the future': long-term project involving 6 Dutch audiovisual heritage institutions: 22.510 hours of film will be digitised and made available for the public. Includes contextualization for general adult audiences and educational use.
Poland	- No obligation to deposit negatives	- Project 'School Film Archives': providing educational packages on film for students and teachers.
Portugal		- Proactive in promoting voluntary deposit - Systematically proactive in promoting voluntary deposit - inventory of Portuguese-produced films - Establishment of annual preservation plans - Inventory of Portuguese-produced films (planned online version)

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
		- 'Cinematheca junior' for primary and secondary students
Romania		- Database available online - Free access to students to the cinematheque - "Dictionary of Romanina Fiction Film" and "Cinematographic Dictionary of the Romanian Arts"
Slovakia	- No measures for preservation of showing equipment	- Large-scale digitalization planned for 2008 - Planned internet access to their film database
Slovenia		- Database available online
Spain	- Database not available online due to unresolved copyright issues	- Financial support for preservation given to producers - Active policy to promote voluntary deposit - Joint Spanish-Portuguese project for restoring the 'Sagarmina Collection' (120 films from 1896 to 1906) - Financial support for preservation given to producers - International annual workshop on film archives - Regular meetings with copy-right holders associations
Sweden	- Preservation of digital film material is currently not undertaken because no suitable storage medium is available.	- Voluntary deposit for non-cinema releases (incl. productions by private individuals and associations) and foreign movies distributed in Sweden - Metadata and filmographic information available online - Cinémathèque screenings specially aimed at younger audiences will be launched in 2008. - In 2007: DVD on silent Swedish classics with subtitles in 6 languages
United Kingdom		- Database available online - Film restoration in partnership with the commercial sector. - Strategy for UK Screen Heritage - Educational project: http://www.screenonline.org.uk/

MEMBER STATE	Problems encountered / Weak areas	Examples of best practices
		- Agreements with right holders specify which works may be made available

TABLE 8 – LEGISLATIVE MEASURES / DEFINITION OF NATIONAL FILM HERITAGE

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
Austria	Film Promotion Act (Filmförderungsgesetz), notably Art. 12 (2) (f).	Cinematographic works may be defined as any film suitable for distribution in cinemas. In concrete terms, this means films that are produced by Austrian producers and/or co-produced films, and films that have a historical or cultural context of relevance to Austria.
Belgium : federal institutions	N.A.	Cinematographic works produced in Belgium and distributed on Belgian territory.
Belgium : French Community	N.A.	Cinematographic works created by film-makers from Belgium's French Community or resulting from coproductions involving artists from Belgium's French Community.
Belgium : Flemish Community	N.A.	An audiovisual creation is recognised as a Flemish production or coproduction on the basis of the following criteria: the Dutch-language original version, the Dutch-language text, the Dutch-language underlying work, the cultural connection with Flanders, the creative input from the Flemish cultural community and/or subject matter expressing Flemish culture.
Bulgaria	N.A.	No definition provided.
Cyprus	N.A.	No definition provided.
Czech Rep.	Act on Some Conditions of Production, Dissemination and Filing of Audio-Visual Works, on Changes and Amendments of Acts and Other Legislation (Act No. 273/1993 Coll. of 15.10.1993)	No definition provided.
Denmark	Legal Deposit Act	Comprises Danish films, which are defined as any movie

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
	Film Act	made by a Danish producer, and recorded in the Danish language or comprising special artistic or technical features which contribute to the promotion of film art and film culture in Denmark.
Estonia	Archives Act of 25.3.1998	Moving images shall be taken to mean any series of images recorded on a support with or without accompanying sound, which when projected impart an impression of motion and which are intended for communication or distribution to the public or are made for documentation purposes. ²⁶ Materials to be included are those: ²⁷ documenting nationhood, reflecting important institutions, personalities, places and events; The authenticity of the documents, their age and authors are also taken considered for purposes of this assessment.
Finland	Act on the deposit and preservation of cultural material (Act 1433/2007 of 28.12.2007), in particular Section 2.	Films covered by the provisions on deposit (Ch. 5 of the Act) include: films produced by domestic producers, which are intended for public screening; films produced by foreign producers, which are intended for public screening, if deposit has been agreed to. Publicity and ancillary materials are included in the above definition.
France	National Heritage Act (Act 92/546 of 20.6.1992), in	All audiovisual material is subject to a legal deposit

²⁶ Definition adopted from the UNESCO Recommendation for the Safeguarding and Preservation of Moving Images.

²⁷ The selection is modelled on the evaluation criteria of the Estonian National Archive.

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
	particular Section L1 i.c.w. Sections L131-2, L132-2 subparagraph e).	obligation from the moment that it is made publicly available in France. This obligation extends to producers of cinematographic works as well as distributors, editors and importers of foreign cinematographic works. The latter are included in the national audiovisual heritage unless they: originate in countries with which France has concluded a reciprocity agreement on the scope and modalities of the legal deposit of imported video films; enter the national territory temporarily for a number of screenings that does not meet the threshold laid down by the minister responsible for cinema; are circulated within the national territory in less than six copies.
Germany	Federal Archives Act	All films of German production or co-production, which have been produced with a view to theatrical release and have actually been screened
Greece	Presidential Decree 113/1998	No definition provided.
Hungary	<p>Deposit Decree: Government Decree No. 60/1998 (III. 27.) on the Provision of Mandatory Deposit Copies and Utilization of Publications and Media Works.</p> <p>Copyright Act: Act LXXVI of 1999 on Copyright</p> <p>Government Decree No. 203/2002 (X. 5.) on the Detailed Provisions of the Distribution of Cinematographic Works Constituting Part of the National Film Assets</p>	Mandatory deposit covers copies of cinematographic works made in Hungary, or made abroad but published domestically, or made abroad and distributed domestically.

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
	Motion Picture Act: Act II of 2004 on Motion Picture	
Ireland	Irish Film Board Act 1980	Films made in Ireland, with an Irish theme or that are of Irish interest.
Italy	Act on the Reform of the Regulatory Framework on Cinematographic Matters (Act 28/2004 of 22.1.2004), in particular Articles 5, 24. Copyright Act (Act 633/1941 of 22.4.1941) Cinematography Act (Act 958/1949 of 29.12.1949) Act on the Legal Deposit of Documents of Cultural Interest Destined for Public Use (Act 106/2004 of 15.4.2004)	The notion of film heritage ('patrimonio filmico nazionale') is referred to in applicable legislation, but not defined. Cinematographic works are defined as works intended for screenings in cinemas. Producers can furthermore apply for their works to be recognized as being of Italian nationality (Art. 5), and, where such status is granted, as being of cultural interest (Art. 7).
Latvia	Regulations of the Cabinet of Ministers Nr. 558 (S/A National Film Centre By-Law)	Cinematographic works are comprised of moving picture material intended for screening in film theatres, regardless of duration. The cinematographic works considered to form part of the audiovisual heritage are film productions, which on the basis of objective, clear and non-discriminatory criteria are assigned this status. Latvia has not laid down any such criteria.
Lithuania	Cinema Act (Official Gazette 2002, No 31-1107) Documents and Archives Act (Official Gazette 1995, No 107-2389)	N.A.
Luxemburg	N.A.(No reply)	N.A. (No reply)
Malta	Cultural Heritage Act (Cap. 445)	Audiovisual, including film heritage, forms part of national

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
	National Archives Act (Cap. 477)	cultural heritage, which includes 'movable or immovable objects of artistic, architectural, historical, archaeological, ethnographic, palaeontological and geological importance, as well as information or data relative to cultural heritage pertaining to Malta or to any other country.'
Netherlands	N.A.	National and international cinematographic material is deemed to comprise films and related items such as equipment, posters, stills, books, publicity material, personal archives. For inclusion in the collection of the National Film Museum, an evaluation of the cinematographic, historical and cultural value of the material concerned is undertaken. Cinematographic value is based on artistic quality, direction and the oeuvre of the director.
Poland	Cinematography Act of 30 June 2005 (Official Journal no. 132, item 1111) Act on Copyright and Neighbouring Rights (Official Journal no. 24, item 83 and no. 43, item 170)	'Cinematographic works forming part of the national audiovisual heritage' are films which are works of any length, including documentary or animated works, made up of a series of successive images, with or without sound, recorded on any kind of medium whatsoever which allows them to be replayed, creating the impression of movement and forming an original whole, expressing action (content) in individual form, and also, with the exception of documentary and animated works, of which the first intended operating field as defined in the Act on Copyright and Related Rights is screening in a cinema, and this includes co-productions of which the producer or co-producer is an undertaking established on the territory of the Republic of Poland, and provided that at least one of the following conditions is

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
		<p>fulfilled:</p> <p>the author of the script or adapted literary work, director and creator of one of the main roles are Polish citizens, the percentage of the production costs covered by funds of a producer established on the territory of the Republic of Poland is 100%, provided those funds, for up to 80% of the production costs of the film, are spent on the territory of the Republic of Poland, and the master copy is made in the Polish language,</p> <p>the author of the script or adapted literary work, or director or creator of one of the main roles are Polish citizens, the percentage of the production costs covered by funds of a co-producer established on the territory of the Republic of Poland is 20% or more in the case of a film which is a bilateral co-production, and 10% or more in the case of a film which is a multilateral co-production, provided those funds, for up to 80% of the production costs of the film, are spent on the territory of the Republic of Poland, and also the predominant language used in the film is the Polish language.</p>
Portugal	Law of Cinematographic and Audiovisual Arts (Law No 42/2004), in particular Article 11	<p>Cinematographic and audiovisual works shall be deemed as “national works” where they meet the following requirements:</p> <p>At the least 50% of the authors shall be Portuguese nationals or nationals of any EU Member State;</p> <p>At the least 50% of the technical staff shall comprise Portuguese nationals or nationals of any EU Member State;</p>

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
		<p>At the least 50% of the leading roles and of the main and supporting roles shall be played by Portuguese actors or by nationals of any EU Member State;</p> <p>At the least 50% of the time of the making-of or of the production shall be spent in Portuguese territory, except where the script does not allow so;</p> <p>The original version shall be in Portuguese, except where the scrip does not allow so.</p> <p>Furthermore, national works also include works with a Portuguese production or co-production, under the terms of international agreements that bind the Portuguese State, bilateral agreements for cinematographic co-production and the European Convention on Cinematographic Co-production, and further applicable Community legislation.</p>
Romania	<p>Government Ordinance No 39 of 14 July 2005 on cinematography, approved by Law No 328/2006</p> <p>Law No 8/1996 on copyright and related rights as amended by Law No 329/2006, as amended by Government Ordinance No 97/2006</p>	<p>The notion of cinematographic works forming part of Romanian audiovisual heritage refers to cinematographic fiction, animated and documentary works by Romanian producers with wholly Romanian involvement or in the form of international co-productions, of any duration and in any format, which are initially made use of by means of screen projection in indoor and open-air cinemas or other sites intended for this purpose.</p>
Slovakia	<p>Audiovisual Act (Act 343/2007 on conditions for the registration, public distribution and preservation of audiovisual works, multimedia works and sound recordings of artistic performances and amending certain laws), in particular Sections 2 (2), 31 (2).</p>	<p>A cinematographic work is a feature film, animated film, documentary film or other audiovisual work originally intended for public release by means of audiovisual presentation (Section 2 (2)).</p>

MEMBER STATE	LEGISLATIVE MEASURES PROMOTING THE OBJECTIVES OF / IN LINE WITH THE FILM HERITAGE RECOMMENDATION	DEFINITION OF CINEMATOGRAPHIC WORKS AND/OR FORMING PART OF THE NATIONAL FILM HERITAGE
	Act No 618/2003 on copyright and related rights (Copyright Act)	Audiovisual heritage is a set of audiovisual materials and other components of the fund of audiovisual heritage documenting the history of the Slovak Republic, and the emergence and development of Slovak audiovisual works and cinematography (Section 31 (2)).
Slovenia	Act on the protection of documents and archives and archival institutions Slovenian Official Gazette No 30/2006), in particular Art. 43. Decree on the protection of documentary and archive material (Slovenian Official Gazette No 86/2006), in particular Art. 93-97.	No definition provided.
Spain	Spanish International Property Law (Law 1/1996, amended by Law 5/1998 and Law 23/2006), in particular Article 37 Spanish Cinema Law (55/2007), in particular Articles 6 and 30.	Cinematographic works that are linked (through production, subject or authorship) to the Spanish territory or culture.
Sweden	N.A.	All films shown in Swedish movie theatres.
United Kingdom	N.A.	No definition provided.

TABLE 9 – DEPOSIT OF MATERIAL OTHER THAN CINEMATOGRAPHIC WORKS FORMING PART OF THE NATIONAL AUDIOVISUAL HERITAGE

MEMBER STATE	
Austria	The compulsory film deposit requirement also covers ancillary and publicity material. Video and digital productions are also deposited. For funded films, the film script and advertising materials need to be deposited as well.
Belgium : federal institutions	The Royal Film Archive keeps advertising and ancillary material deposited on a voluntary basis.
Belgium : French Community	N.A.
Belgium : Flemish Community	N.A.
Bulgaria	The Bulgarian National Film Archive stores non-film holdings deposited on a voluntary basis, including books, posters, magazines, press cuttings, dialogue lists, photos, leaflets, documents and publications. Moving image materials which are not cinematographic works but part of the national heritage (private collections and family archives, for example) are also collected by the BNFA on a voluntary basis.
Cyprus	N.A.
Czech Rep.	A system for the mandatory deposit of moving-image material other than cinematographic works has been introduced. Furthermore, an amendment of the legal deposit to include ancillary materials is planned.
Denmark	For all films that are comprised by the legal deposit obligation, accompanying advertising materials shall be submitted.
Estonia	Voluntary deposit for ancillary and publicity material related to cinematographic works forming part of the national audiovisual heritage, as well as moving-image material other than cinematographic works.
Finland	Publicity and ancillary materials are covered by in the legal deposit obligation.
France	All audiovisual material is subject to a legal deposit obligation from the moment that it is made publicly available. For films specifically, the deposit obligation includes publicity and ancillary materials.
Germany	The online film database www.filmportal.de offers its users access to ancillary materials in addition to filmographic data. These may be deposited voluntarily with the Federal Archives. For film videos as published media works and for music films generally, deposit with the Deutsche Nationalbibliothek (German National Library) is mandatory.

MEMBER STATE	
	All moving picture stock and older cinematographic works may be deposited voluntarily with the Federal Archives, but also with other qualified archives in so far as they are German productions or German co-productions. Foreign cinema films, including those which have been shown in German cinemas, are not deposited with the Federal Archives but may be deposited with other bodies such as the SDK.
Greece	N.A.
Hungary	Mandatory deposit copies must be submitted of posters containing text and programme booklets of films and movie theatres – provided that these materials were produced by the producer or the distributor, thus in practice mandatory deposit copies of subsidiary material for cinematographic works must be submitted as well.
Ireland	Collects advertisements, music videos and artistic works, but not video games or web sites.
Italy	Ancillary materials are comprised by the legal deposit obligation for films produced in Italy. Furthermore, a legal deposit obligation exists for sound and video documents, artistic videos and documents disseminated via computer networks, which is administered by the Central National Libraries at Rome and Florence.
Latvia	Publicity photos in high resolution and film dialogue sheets (in LT/EN) in electronic format have to be deposited for films that receive public funding.
Lithuania	All of the auxiliary and advertising-related media forming part of the national audio-visual heritage are stored at the Lithuanian Literary and Artistic Archive, the music and cinema museum and in other museums.
Luxemburg	N.A. (no reply)
Malta	N.A.
Netherlands	Ancillary and other non-cinematographic aspects of the national audiovisual heritage may be deposited on a voluntary basis with the relevant institutions, which apply their own selection criteria to determine whether or not to integrate the materials into their collections.
Poland	Producers are legally obliged to supply documentary material concerning the production of the film, in particular the script, editing and dialogue list, stills, posters, credits, and promotional materials. Equally, producers of films made for television must provide the National Film Archive with a deposit copy. Legal measures ensure that film stocks held by other institutions are transferred to the Archive, if these are privatised or go into liquidation.
Portugal	Cinamateca Portuguesa safeguards all cinematographic heritage, including audiovisual heritage which is not specifically television-related.
Romania	No.

MEMBER STATE	
Slovakia	<ul style="list-style-type: none"> <li data-bbox="510 252 2004 403">• Ancillary and publicity materials are subject to a legal deposit obligation. Also collects Slovak audiovisual works, including television programmes, and all other works and sound-image recordings that are of audiovisual value (based on the opinion of the SFI Commission on Audiovisual Heritage). Collection activity does not extend to foreign cinematographic works.
Slovenia	The Slovenian Film Archive also keeps screenplays, contracts, posters and leaflets of Slovenian films as well as moving-image material other than cinematographic works. Cinematographic works forming part of national audiovisual heritages from other countries are kept by the Slovenian Cinematheque.
Spain	Voluntary deposit of ancillary and publicity materials related to films. It is a common practice that distribution companies make a voluntary deposit of exhibition copies of foreign films.
Sweden	Producers in receipt of production subsidies must deposit metadata and ancillary materials, including pictures, manuscripts, posters. For other productions voluntary deposit with the national institute is possible. In addition to the activities of the Swedish Film Institute, the Swedish National Archive of Recorded Sound and Moving Images preserves on video tape or in digital formats (i.e. not in original format) all films shown in cinema theatres in Sweden.
United Kingdom	Ancillary and publicity materials of current and past cinematographic works are collected on the basis of a voluntary deposit.