

**Annex: Questionnaire on the implementation of the recommendation<sup>1</sup> of the European Parliament and the Council of 16 November 2005 on film heritage and the competitiveness of related industrial industries (hereafter referred to as 'The Recommendation')**

1. What steps have been taken to foster an enhanced exploitation of the industrial and cultural potential of European film heritage through systematic conservation and restoration measures, notably by encouraging policies of innovation, research and technological development in the field of conservation and restoration of cinematographic works?
2. What legislative, administrative or other appropriate measures have you adopted to ensure that cinematographic works forming part of your audiovisual heritage are systematically collected, catalogued, preserved, restored and made accessible for educational, cultural, research or other non-commercial uses of a similar nature, in all cases in compliance with copyright and related rights? How do you define the notion of cinematographic works forming part of your audiovisual heritage?
3. What appropriate bodies have you designated (if any) to carry out the public interest tasks described in point 2 with independence and professionalism, ensuring that they are provided with the best available financial and technical resources? What is their budget for 2007? What is their workforce for 2007 (please describe the data related to the relevant activities if other activities are carried out).
4. Have you encouraged the designated bodies to specify, in agreement or by contract with rights-holders, the conditions under which deposited cinematographic works may be made available to the public?
5. Have you established or supported national film academies or similar bodies with a view to promoting film heritage?
6. Which measures have you taken to increase the use of digital and new technologies in the collection, for the purposes of cataloguing, preservation and restoration of cinematographic works?

More specifically, regarding the following items:

*1. Collection*

What steps have been taken to systematically collect cinematographic works forming part of your audiovisual heritage through a mandatory legal or contractual deposit of at least one high quality copy of such cinematographic works with designated bodies?

- Do they cover all productions, including those which did not receive any public funding? If not, how does the selection process operate?

- Which measures have been taken to ensure good technical quality of the deposited cinematographic works (with accompanying metadata as appropriate)?

- How do you ensure that deposit takes place when the film is made available to the public and in any case not more than two years later?

*2. Cataloguing and creation of databases*

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<sup>1</sup> OJ L 323, 09.12.2005

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l\\_323/l\\_32320051209en00570061.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l_323/l_32320051209en00570061.pdf)

- What measures have been taken (e.g. an archiving code of film production) to promote the cataloguing and indexing of deposited cinematographic works and to encourage the creation of databases containing information about the films, making use of European and international standards?

- What measures have you taken to promote European standardization and interoperability of databases of filmography and their availability to the public, for instance through the internet, especially through the active involvement of designated bodies?

- Have you contributed to the setting-up of a network of databases encompassing the European audiovisual heritage together with the relevant organizations, in particular the Council of Europe (Eurimages and the European Audiovisual Observatory)?

- Have you invited archiving bodies to add value to stocks by organizing them in collections at EU level, for instance, by theme, author and period?

### 3. *Preservation*

- Which measures have been taken (legislation or others) in order to ensure preservation of deposited cinematographic works? Preservation measures should include in particular:

- The reproduction of films on new storage media;
- The preservation of equipment for showing cinematographic works on different legacy storage media.

### 4. *Restoration*

- What measures have been adopted in order to permit, within your legislation, the reproduction of deposited cinematographic works for the purpose of restoration while allowing rights-holders to benefit from the improved industrial potential of their works resulting from that restoration on the basis of an agreement between all interested parties?

- How have you encouraged projects for the restoration of old films or films with high cultural or historical value?

### 5. *Making deposited cinematographic works accessible for educational, cultural, research or other non-commercial uses of similar nature*

- Have you adopted legislative or administrative measures to allow designated bodies to make deposited cinematographic works accessible for educational, cultural, research or other non-commercial uses of a similar nature, in compliance with copyright and related rights? Please give details of the measures taken.

- Have you taken measures to ensure access for people with disabilities to deposited cinematographic works, in compliance with copyright and related rights? Please give details of the measures taken.

### 6. *Professional training and media literacy*

- What steps have been taken to promote professional training in all fields related to film heritage in order to foster an enhanced exploitation of the industrial potential of film heritage?

- What steps have been taken to promote the use of film heritage as a way of strengthening the European dimension in education and promoting cultural diversity?

- What steps have been taken to foster and promote visual education, film studies and media literacy in education at all levels, in particular in professional training programmes or European programmes, as stipulated by the recommendation<sup>2</sup> of the European Parliament and the Council of 16 November 2005 on film heritage and the competitiveness of related industrial industries (hereafter referred to as 'The Recommendation')?
- What steps have been taken to promote close cooperation between producers, distributors, broadcasters and film institutes for educational purposes?

#### 7. *Deposit*

- Have you put in place a system of voluntary or mandatory deposit of:
  - Ancillary and publicity material related to cinematographic works forming part of the national audiovisual heritage;
  - Cinematographic works forming part of national audiovisual heritages from other countries;
  - Moving-image material other than cinematographic works;
  - Cinematographic works of the past.

#### 8. *Cooperation between designated bodies*

- How are you encouraging and supporting designated bodies for the purpose of exchanging information and coordinating their activities at national and European levels in order for example to:
  - (a) ensure the coherence of collection and conservation methods and the interoperability of databases
  - (b) release, for example on DVDs, archival material with subtitles in as many European Union languages as possible, in compliance with copyright and related rights
  - (c) compile a European filmography
  - (d) develop a common standard for electronic information exchange
  - (e) produce common research and educational projects, while promoting the development of European networks of cinema schools and museums

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<sup>2</sup> OJ L 323, 09.12.2005