



## EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Media and Data  
Converging Media and Content

### **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: the Recommendation)**

#### **Notes:**

- The replies to this questionnaire shall cover all the film heritage institutions in the Member State, including those of local or regional character.
- The structure of the questionnaire follows Annex I of the Third implementation report, in order to facilitate your reporting. In case that the situation has not changed since your 2011 report, please indicate "NO CHANGE".

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#### **Questions:**

##### **(1) TABLE 1 – FILM HERITAGE INSTITUTIONS**

1.1 What appropriate bodies have you designated to carry out the public interest tasks described in point 2 of the Film Heritage Recommendation, ensuring that they are provided with the best available financial and technical resources? NO CHANGE

1.2 What is their budget for 2013?

*The amount allocated to the Slovenian Film Archives (SFA) from the budget of the Archives of the Republic of Slovenia for activities related to film archives was*

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<sup>1</sup> OJ L 323, 9.12.2005.

[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)

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EUR 238 463.55. *The budget of the Slovenian Cinemathèque for 2013 was EUR 828 599.*

1.3 What is their workforce for 2013 (staff directly related to film heritage)?

*Seven civil servants work in the SFA department at the Archives of the Republic of Slovenia. There were 10 civil servants working in the Slovenian Cinemathèque.*

1.4 Please list of all the Film Heritage Institutions, including also those of regional or local character, as well as their websites. NO CHANGE

1.5 Is there any change to report in relation to 2011? No change.

**(2) TABLE 2 – LEGISLATIVE MEASURES / DEFINITION OF NATIONAL FILM HERITAGE**

2.1 List the legislative/administrative measures promoting the objectives of the 2005 Film Heritage Recommendation

*The Parliament approved the Resolution on the National Programme for Culture 2014–2017, which includes all the measures aimed at promoting the objectives of the 2005 Film Heritage Recommendation.*

2.2 What is the definition of cinematographic works forming part of your national film heritage? NO CHANGE

2.3 Is there any change to report in relation to 2011? NO CHANGE

**(3) TABLE 3 – DEPOSIT OF CINEMATOGRAPHIC WORKS FORMING PART OF YOUR NATIONAL AUDIOVISUAL HERITAGE**

3.1 How do you define the type of deposit in your Member State?

a) Legal deposit – NO CHANGE

b) Compulsory deposit of cinematographic works that have received public funding (contractual deposit) – NO CHANGE

c) Voluntary deposit – NO CHANGE

3.2 Are film on digital support covered by the obligations of deposit?

*Yes.*

3.3 What material has to be deposited?

*This question is answered under point 2.2.*

3.4 What is the deadline for deposit? NO CHANGE

3.5 Is there a compliance checking of the obligation of deposit?

*Yes.*

3.6 Is there a check of the quality of the deposited material?

*The Archives of the Republic of Slovenia/SFA check the quality of the deposited material.*

3.7 Do you have any problem or best practice to report in relation to collection of cinematographic works?

*In 2014 the Archives of the Republic of Slovenia/SFA will begin acquiring, on a regular basis, cinematographic works shot and distributed in digital format. We therefore cannot yet report any problems or good practices.*

3.8 Is there any change to report in relation to 2011?

*No.*

**(4) TABLE 4 – COLLECTION OF MATERIAL OTHER THAN CINEMATOGRAPHIC WORKS FORMING PART OF YOUR NATIONAL AUDIOVISUAL HERITAGE**

4.1 Is there any provision/practice in your Member State concerning the collection of cinematographic works not forming part of the national audiovisual heritage?

*Whenever cinematographic works which do not form part of the national audiovisual heritage are discovered by the Archives of the Republic of Slovenia/SFA, they are classified accordingly. The Slovenian Cinemathèque also includes in its restoration programme individual works which meet its programme requirements, and acquires screening rights for this purpose (e.g. experimental films).*

4.2 And about moving-image material other than cinematographic works?

*The Archives of the Republic of Slovenia/SFA also collect moving images which are not cinematographic works but constitute film archive material (amateur, archive and other audiovisual footage), archive files on film production (documents concerning public calls, competitions and contracts, screenplays, shooting scripts) and photographs. The Slovenian Cinemathèque collects items that are considered movable film heritage (e.g. technical equipment, photographs, etc.)*

4.3 Is there any change to report in relation to 2011?

*No.*

**(5) TABLE 5 - CATALOGUING AND DATABASES**

5.1 Can you describe your cataloguing practices?

*The Archives of the Republic of Slovenia/SFA have a centralised database of film archive material in an electronic format (scopeArchive), which complies with good practices and FIAF recommendations. The database includes information about the donor (acquisition), title, time of creation, content, creators, technical details and*

*accessibility. The cataloguing practices used by the Slovenian Cinemathèque, which rely on computer tools (Excel), comply with FIAF cataloguing rules.*

5.2 Can you describe your filmographic databases?

*Film and audiovisual archive material in the Archives of the Republic of Slovenia is classified in the following databases: SI AS 1086 – Film collection, SI AS 1278 – Videotape collection, SI AS 1280 – Collection of photographs from documentaries and fictional films by Triglav and Viba Film.*

5.3 How do you ensure the interoperability of your databases with other databases in your Member State or with other Member States?

*The scopeArchive programme used in the Archives of the Republic of Slovenia/SFA is a commonly used application within the EU.*

5.4 Have you implemented or do you plan to implement the European Standard EN 15744:2009 "Film Identification – Minimum metadata set for cinematographic works" and/or standard EN 15907:2010 "Film Identification – Enhancing interoperability of metadata – Element sets and structures"?

*Yes.*

5.5 Do you have any problem or best practice to report in relation to cataloguing and databases?

*Cataloguing of film archive material in the Archives of the Republic of Slovenia/SFA is done on a continuous basis and has been managed in an exemplary way for over 45 years. It comprises traditional catalogue records as well as e-records in scopeArchive.*

5.6 Is there any change to report in relation to 2011?

*No.*

**(6) TABLE 6 – PRESERVATION AND RESTORATION**

6.1 What measures/programmes have been adopted in order to ensure preservation of deposited cinematographic works?

*One of the basic tasks of the Archives of the Republic of Slovenia/SFA has always been physical protection of film archive materials under the Protection of Documents and Archives and Archival Institutions Act (ZVDAGA) and the Decree on the protection of documentary and archival material (UVDAG). Such protection entails secure and suitable storage under right micro-climatic conditions (temperature, humidity), and includes backup copies (on traditional and digital media) and restoration when needed.*

6.2 List the measures or programmes in place for restoration.

*Please see point 6.1.*

6.3 Does the national copyright law implement the exception 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 society<sup>2</sup>? 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. If the exception is implemented, are all the film heritage institutions on your Member State authorised to make use of this exception? Is the exception implemented in a way that allow format-shifting for digital material? NO CHANGE

6.4 Do you have any problem or best practice to report in relation to preservation and restoration?

*In recent years, the Archives of the Republic of Slovenia have faced an increasing shortage of funds that can be used for this purpose.*

6.5 Is there any change to report in relation to 2011?

No.

#### **(7) TABLE 7 – ACCESSIBILITY, PROFESSIONAL TRAINING AND EDUCATION**

7.1 Does the national copyright law implement the exception 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? This exception allows Member States to authorise "in situ" consultation for researchers. Does this exception is implemented to cover consultation in a "closed network"?

No.

7.2 Does the national copyright law implement the exception 5(3)(a) 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? This is an exception that allows illustration for teaching or scientific research. If so, are cinematographic works also covered by the exception?

*Exceptions listed in the national copyright law for the purpose of instruction include: public performance of published works in direct teaching; public performance of published works at school events with free admittance, provided that the performers are not remunerated; secondary radio broadcasts of radio and television school programmes (the source and the author of the work must be indicated). This, however, has proved difficult in practice. The Article setting out the free use of quotations does not explicitly relate to cinematography but rather photography. It is permissible to do the following without transferring the corresponding material copyright, provided that suitable compensation is paid: reproduce in readers and textbooks intended for study parts of copyright works and individual works in the areas of photography, the fine arts, architecture, applied art, industrial design and*

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<sup>2</sup> OJ L 167, 22.6.2001, p. 10.

*cartography if the works concerned are by several authors and have already been published.*

- 7.3 Have the Directive on certain permitted uses of orphan works been implemented in your Member State?

*The Directive on certain permitted uses of orphan works is currently being implemented.*

- 7.4 Is there any licencing practice that facilitates that cinematographic works are accessible for educational, cultural, research or other non-commercial uses of a similar nature? Please give details of the measures taken.

*Such works can be accessed at the Archives of the Republic of Slovenia/SFA in accordance with ZVDAG and the Copyright and Related Rights Act (ZASP).*

- 7.5 Have you taken any 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.

*Given the architecture of the Archives building such measures have not been taken; people with disabilities can, however, access these records by appointment.*

- 7.6 What steps have been taken to promote professional training in all fields related to film heritage?

*Employees of the Archives of the Republic of Slovenia/SFA regularly attend training events (seminars, symposia, workshops, festivals) in Slovenia and abroad. The Slovenian Cinemathèque organises educational events for children and adults, carries out research activities and collaborates with similar institutions in Slovenia and abroad.*

- 7.7 What steps have been taken to foster and promote film literacy? Do Film Heritage Institutions provide free online footage to allow the public to learn to manipulate images through mash up?

*We have not had cases like this yet.*

- 7.8 Do you have any problem or best practice to report in relation to accessibility, professional training or education?

*Yes. An inter-departmental group tasked with recasting the national copyright law has been established in order to make a number of film heritage works available for cultural and educational purposes in the public interest.*

- 7.9 Is there any change to report in relation to 2011?

*No.*

## **(8) TABLE 8 – EUROPEAN AND INTERNATIONAL ACTIVITIES**

- 8.1 Do you cooperate with other Film Heritage Institutions, broadcaster archives or other cultural institution in your Member State?

*The cooperation circle includes the Archives of the Republic of Slovenia/SFA, the Slovenian Cinematèque, the Slovenian national broadcaster (RTV), the Slovenian Film Centre (a public agency), the Academy of Theatre, Radio, Film and Television, film producers and museums/audiovisual departments.*

- 8.2 Have you established bi-lateral cooperation with Film Heritage Institutions in other Member States?

*The Archives of the Republic of Slovenia/SFA have been cooperating with both FIAF and ACE, and with many of their members, particularly the Yugoslav Film Archive, the Croatian Film Archives, the Cinematheque of Macedonia and the Central Film Archive of Austria. The Slovenian Cinematèque is involved in the Enumerate project, it took part in MIDAS, and is hoping to take part in the EFG.*

- 8.3 Do you participate in European projects? If so, please list them.

*No.*

- 8.4 Are you active in international activities?

*Yes, within FIAF and ACE.*

#### **(9) TABLE 9 – FOLLOW-UP OF PRIORITIES**

What has been done in your Member State, in order to address the following fields of action since 2011? Please mention also if you envisage tackling each field of action in 2014/2015.

##### **Collection**

- 9.1 Have you foreseen enforcement mechanisms for the legal or contractual deposit?

*Yes. Please see point 3.1.*

- 9.2 Have you introduced systematic quality checks on deposited material? Has the concept of "good quality" been defined in the legal instruments which create the legal or compulsory deposit, if this is not yet the case?

*Film materials are checked upon deposit into the Archives of the Republic of Slovenia/SFA.*

- 9.3 Have you actively promoted voluntary deposit of cinematographic works and related film material? Have you ensured that all deposits are accompanied by contracts? Have you used the model contract for voluntary deposit signed by ACE and FIAPF?

*The Archives of the Republic of Slovenia/SFA promote the voluntary deposit of cinematographic works; each deposit is accompanied by a contract conforming to the national legal requirements regarding archives and copyright.*

## **Cataloguing and creation of databases**

9.4 Are your databases completely available and searchable on the Internet?

*Archives of the Republic of Slovenia/SFA – yes. Slovenian Cinemathèque – no.*

9.5 Have your institutions participated in the coaching financed by the EU for the implementation of European standards EN 15744:2009 and EN 15907:2010 on interoperability of film databases? Have you implemented or plan to implement those standards?

*No.*

## **Preservation**

9.6 Have you established a long-term strategy for you national film heritage, as well as "national preservation plans"?

*Yes.*

## **Restoration**

9.7 Have you created restoration plans, including prioritisation systems in line with budget available?

*Yes.*

9.8 Have you intensified your efforts to attract financial resources other than State funds for restoration projects, for instance from right-holders and from philanthropic or cultural institutions?

*No.*

9.9 Have you established partnerships with other film heritage institutions for European restoration projects?

*The Archives of the Republic of Slovenia/SFA – no. The Slovenian Cinemathèque carries out joint projects which meet its programme objectives.*

9.10 Have you pursued agreements with right-holders for non-commercial exploitation of restored works?

*Yes. Unless otherwise arranged, the Slovenian Cinemathèque will henceforth conclude agreements in accordance with recommendations in the Stakeholder Dialogue Licenses for Europe (WG 3) Statement.*

## **Accessibility**

9.11 Have you established agreements with right-holders, in order to obtain the rights for cultural use of films and film related material?

*Yes.*



## **Education / Media literacy**

- 9.12 Have your Film Heritage Institutions and schools sought to establish agreements with right-holders, in order to obtain the rights for educational use of films?

*Yes.*

- 9.13 Have you developed national strategies for film and young people?

*Yes.*

## **Professional training**

- 9.14 Have you considered or put in place temporary exchange of professionals between European film heritage institutions as a way of improving professional training?

*Ongoing.*

## **(10) TABLE 10 – MEASURES FACING THE CHALLENGES OF THE DIGITAL ERA**

What has been done since 2011 or is planned to be done in order to face the challenges of the digital era?

- 10.1 Collection/acquisition of digital material (distributed in cinemas or via new channels): Have you updated the legal instruments establishing legal or compulsory deposit of films in order to cover films produced in all media and distributed through all channels? Have you established standards specifying the conditions for the submission of digital films to archives and the conditions for their preservation? Would it be useful to develop European standards in these fields?

*The Archives of the Republic of Slovenia are authorised under law (ZVDAGA and UVDOG) to collect film archive material on various types of media. An implementing regulation on common technological requirements (v. 2.0) has been adopted laying down conditions for the submission and long-term preservation of film archive material in a digital format. It would be useful to introduce European standards in this area.*

- 10.2 Storage, preservation and long-term accessibility of digital material, which could require regular migration to new formats or support: Have you established a policy on digital preservation? Are Film Heritage Institutions benchmarking with other sectors which are confronted with same challenges? Are you investing in research on the long-term preservation of digital film? Have you invested in equipment and professional training needed to be put in place in order to ensure the long-term survival of cinema in digital format? Have you established or considered the possibility of common digital archives in order to pull expertise and reduce scale costs?

*The Archives of the Republic of Slovenia have a strategy ('E-archive') that covers the collection, preservation, processing and accessibility of digital data in accordance with OAIS. The Archives of the Republic of Slovenia are investing in hardware and software required for permanent storage, and also act as the regulatory body for e-archiving in Slovenia.*

- 10.4 Digitisation/Integration in Europeana: Have you established strategies and plans for digitisation of film heritage? What efforts have you made to digitise films and make them available to Europeana, in particular through sector or national "aggregators"? Can you provide the percentage of your film and non-film collections that have been digitised, and the definition of the digitisation? Have you used or plan to use structural funds for digitisation projects? What is the budget allocated to digitisation of film heritage since 2010?

*We are in the process of collecting information about technical standards, legal conditions and possible criteria to have a film heritage fund for digitisation established as a priority. No structural funds have been used for digitisation of film heritage. As of 2010, the Slovenian Cinemathèque spent EUR 168 873 and the Archives/SFA spent EUR 119 584 for digitisation of film heritage.*

*The Archives of the Republic of Slovenia and the Slovenian Cinemathèque are not integrated in Europeana.*

- 10.5 Online access to collections: What have you done to exploit all the different ways of providing access to film heritage thanks to new technologies? If so, what kind of channels are you using (website, dedicated YouTube channel, Wikipedia, VoD , etc.)? Can you provide the percentage of your film and non-film collections that are freely available for citizens online?

*Because of the current copyright law, the Archives' web site contains only a negligible part of film archive material. The Slovenian Cinemathèque plans to provide such content in the near future.*

- 10.6 Digital projection and film heritage: Have you included cinemathèques in your strategy for equipping European cinemas with digital projectors? Have you seek agreements with film distributors or cinema theatres in order to foster digital projection of heritage films?

*In 2013 the Slovenian Cinemathèque received funding from the Ministry of Culture to buy and install a digital cinema projection system.*

#### **(11) TABLE 11 – FILM POLICY AND FILM HERITAGE**

Is film heritage fully included in the film policy of your Member State? Is there a link between the funding film production and film heritage, for enforcing the contractual deposit or for allowing cultural and educational uses of funded films? No change.

Is there any change to report in relation to 2011?

*No.*

#### **(12) TABLE 12 – PROGRESS IN RELATION TO PROBLEMS ENCOUNTERED IN THE FIRST IMPLEMENTATION REPORT**

What has been done to address the problems encountered or weak areas identified in table 12? No change.

**(13) TABLE 13 – BEST PRACTICES**

Is there any specific good practice in the area of film heritage in your Member States that you would like to report?

*Producers whom law requires to deposit their film archive material with the Archives of the Republic of Slovenia/SFA comply with the requirement on a relatively regular basis. Voluntary deposits of film archive material from private individuals and various institutions, particularly museums, are on the increase.*

**(14) TABLE 14 – NEED FOR FURTHER EU ACTION?**

Could you please comment on the suggestions for further action of the EU in any of the areas related to film heritage, proposed by Member States in Table 13? Which of those would you be willing to support? Do you have other suggestions for further EU action? No change.

**(15) TABLE 15 – FOLLOW-UP OF COUNCIL CONCLUSIONS ON EUROPEAN FILM HERITAGE, INCLUDING THE CHALLENGES OF THE DIGITAL ERA**

Have you introduced any policy change in relation to film heritage following the invitations made by the Council Conclusions on European Film Heritage, including the challenges of the digital era of 18–19 November<sup>3</sup>2010?

*No.*

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<sup>3</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/educ/117799.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/educ/117799.pdf)