



## 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 referred to as '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".

Name, phone and e-mail of the contact people that can provide further information:

James Butler, Department for Culture, Media and Sport, London

tel: +44 (0)207 211 6307, [james.butler@culture.gsi.gov.uk](mailto:james.butler@culture.gsi.gov.uk)

#### **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?

BFI National Archive

Imperial War Museum

National Media Museum

National Library of Scotland

Welsh National Library

---

<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)

1.2 What is their budget for 2013

BFI - £5.9 million

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

138 for Grant in Aid supported BFI activity

An additional 22 are employed at the BFI on the lottery funded Unlocking Film Heritage project

1.4 Please list of all the Film Heritage Institutions, including also those of regional or local character, as well as their websites.

Regional Film Archives in England:

Screen Archive South East

London Film Archive Network

Wessex Film Archive

South West Film and TV Archive

East Anglia Film Archive

Media Archive of Central England

North West Film Archive

Yorkshire Film Archive

Northern Regional Film and Television Archive

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

No change

2.2 What is the definition of cinematographic works forming part of your national film heritage?

‘The art, history and impact of film – where “film” signifies moving image works crafted to express an idea or tell a story – fictional, factual or artistic – regardless of production process, recording medium or distribution channel.

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

Adoption and publication of new BFI Collection Policy (November 2011)

**(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

b) Compulsory deposit of cinematographic works that have received public funding (contractual deposit)

Films in receipt of funding for production from the BFI Lottery fund (and previously the UK Film Council Lottery Fund)

c) Voluntary deposit

All films deposited which are not covered by 3.1 c. This includes both other films certified as British and in receipt of tax breaks, other British films and occasionally key materials from other territories deemed important to British film culture

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

Yes, in case of films deposited under 3.1 b

3.3 What material has to be deposited?

One 35mm showprint

1 uncompressed and unencrypted clone of the DCDM on a portable hard drive

1 unencrypted and uncompressed DCP (final version as used for UK theatrical release)

1 ProRes 422 (HQ) file on a portable hard drive

2 PAL DVD copies of the show print

1 MPEG-4 encode

Publicity materials

Shooting script

3.4 What is the deadline for deposit?

Within 3 months of delivery date

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?

Yes

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

No

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?

The BFI has a longstanding commitment to the collection of materials which relate to film: books, journals, photographs, audio recordings, scripts, designs, press books, posters and personal and company papers

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

The BFI's Charter was amended to include television in 1964. Television is collected and the BFI is designated as the National Television Archive and funded under the terms of Section 185 of the 1990 Broadcasting Act as amended in Section 297 of the 2003 Communications Act

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

None

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

5.1 Can you describe your cataloguing practices?

In line with rules of FIAF

5.2 Can you describe your filmographic databases?

BFI Collections Information Database (<http://collections-search.bfi.org.uk>)

A union catalogue for the English regional archives and the BFI is available at <http://unionsearch.bfi.org.uk>

:

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

BFI's database has implemented CEN standards and is working with EIDR to add unique identifiers to records to ensure interoperability with other databases

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?

The BFI CID is the first major collection to implement the European standards for filmographic records

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

5.7 Launch of BFI Collections Database, CID, in 2013.

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

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

The BFI's Master Store for its nitrate and acetate collections at Gaydon was completed and all preservations collections transferred in 2012. Digitally produced cinematographic works are preserved in both DCDM and DCP format, with 2 copies of the master data held in separate vault locations on LTO-5 data tape.

6.2 List the measures or programmes in place for restoration.

A programme of restoration is carried out on a selection of titles through close cooperation between the BFI National Archive's conservation and curatorial teams. All conservation work, high resolution (up to 4k) scanning and digital sound restoration is performed at the conservation centre in Berkhamsted with aspects of digital image restoration contracted out to commercial service providers within a chosen framework.

6.3 Does the national copy-right 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

---

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

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?

It is expected that this will be incorporated in UK law during the current Parliamentary session and will allow all public UK film archives to use the exception including format-shifting

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

Techniques have been developed to reduce the effects of mould and other deterioration when scanning affected colour film materials.

A digital workflow has been implemented to acquire, document, quality check and preserve cinema works delivered as digital cinema distribution masters (DCDM) and digital cinema packages (DCP),

Requirements have been defined for a long-term preservation infrastructure to ingest, manage, preserve and make accessible all types of digital content. A competitive dialogue procurement procedure will analyse and discuss these requirements to arrive at a commercially provided solution.

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

See above

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

7.1 Does the national copy-right 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. Is the exception implemented to cover consultation in a "closed network"?

This will be implemented during the current Parliamentary session. We have requested a change to the draft statutory instrument to enable consultation to be available from mobile devices within BFI premises and await publication of this in its final form

7.2 Does the national copy-right 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?

Yes

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

This will be implemented through a Statutory Instrument under the Single European Act and is expected to happen in October 2014. In addition

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.

Under the Copyright Designs and Patents Act 1988 rightsholders of material broadcast in the UK were empowered to set up a licensing scheme to override the copyright exception for use of television programmes (including cinematographic works) in the course of education. This scheme is run by the Educational Recording Agency. At present cinematographic works sourced in other ways are not covered by the scheme

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.

Works deposited in the BFI National Archive which have been in receipt of lottery funding must deliver a subtitle file (to include dialogue and sound effects of the Film suitable for use for captioning/subtitling purposes for the hearing impaired) and audio description track (for the visually impaired) in appropriate format for use in theatrical distribution (that is in reels at 24 (twenty-four) fps). In addition a HOH subtitle file conversion appropriate for DVD use at 25 (twenty-five) fps and an audio-description track fully mixed with the Feature Stereo Lt/Rt at 25 (twenty-five) fps and conformed to the DVD picture and supplied as a .wav file must be delivered

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

Creative Skillset, the sector skills council, have a small amount of funding set aside to support archive skills and are working to get further funding.

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?

The BFI has committed £26 million of lottery funding over 4 years to a new organisation, Film Nation UK, to develop film education for students between the ages of 5 and 19. .

The BFI's experiment with the Creative Archive - allowing public to download and mash up footage - was suspended in 2009 although material from this pilot is still available online

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

The establishment of Film Nation UK and the BFI National Youth Film Academy will enable a step change in both film education and the engagement of young people aspiring to seek careers in filmmaking'

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

Yes. See above

#### **(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 BFI has set up the Sound and Vision Group to ensure full cooperation between all film and television heritage organisations in the UK

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

Yes

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

We participated in the development of the CEN standards for cataloguing cinematographic works.

8.4 Are you active in international activities?

The BFI facilitates access to material from its Archive internationally in collaboration with other members of FIAF. For example, in 2012 the BFI restored the silent British Hitchcock films which have now been screened around the globe

The BFI is a member of the FIAF Cataloguing and Documentation Commission, and actively participates in the working group for the revision of the FIAF cataloguing rules.

The FIAF Technical Group is chaired by David Walsh from the Imperial War Museum and the BFI is a member

#### **(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?

These are in place



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

No

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 BFI actively promotes voluntary deposit for film and related material in the absence of legal deposit legislation. All deposits are accompanied by a deposit agreement.

The BFI does not use the ACE/FIAPF model contract

### **Cataloguing and creation of databases**

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

Yes (<http://collections-search.bfi.org.uk>)

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?

Standards have been fully implemented in BFI's Collections Information Database

### **Preservation**

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

Yes. The BFI opened its new Master Film Store in 2012. It is investing in storage infrastructure to facilitate digital preservation.

### **Restoration**

9.7 Have you created restoration plans, including prioritization 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?

Yes

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

No

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

Yes

### **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, this has been a longstanding practice

### **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, these exist for BFI Screenonline ([www.screenonline.org.uk](http://www.screenonline.org.uk)) and the BFI Mediatheques

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

Yes, this is the central objective of Film Nation UK which now receives lottery funding from the BFI

### **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?

The BFI regularly hosts visits from staff members from other European Film Archives, as part of professional development and knowledge exchange, for example.

## **(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?

Yes

Have you established standards specifying the conditions for the submission of digital films to archives and the conditions for their preservation?

Yes

Would it be useful to develop European standards in these fields?

Yes

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?

Yes

Are Film Heritage Institutions benchmarking with other sectors which are confronted with same challenges?

Yes

Are you investing in research on the long-term preservation of digital film?

Yes

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?

Yes

Have you established or considered the possibility of common digital archives in order to pull expertise and reduce scale costs?

This is a concern that is being addressed through the UK Sound and Vision Group

10.4 Digitisation / Integration in Europeana: Have you established strategies and plans for digitisation of film heritage?

Yes, there is an allocation of £3 million per annum to invest in the digitisation of 10,000 titles from the UK archives in the BFI's 5 year plan, Film Forever.

What efforts have you made to digitise films and make them available to Europeana, in particular through sector or national "aggregators"?

This has not yet been considered in the wider European context but in the UK the BFI-Player will be utilised to make much of this material available

Can you provide the percentage of your film and non-film collections that have been digitised, and the definition of the digitisation?

Moving image collections:

Total collection: 1,341,849

Of that, total number of digital files: 50,983

Therefore, percentage of collection which is digital: **3.8%**

Definition: MP4 / 50I, Prores 422, WAV, some other moving image file formats

**Library:**

Total collection: 1,459,984 (includes books, serials and articles)

Of that, total number of digital files (Press cuttings 100% digital: 173,100)

Therefore, percentage of collection which is digital: **11.9%**

Definition: PDF / TIFF

**Stills:**

Estimated total collection (prints and transparencies): 1,300,000

Digitised: 90,311

Therefore, percentage of collection which is digital: **6.9%**

Definition: JPG

**Definition:**

**Posters / designs:**

Total collection: 24,589

Digitised: 10,705

Therefore, percentage of collection which is digital: **45.5%**

Definition: JPG

Have you used or plan to use structural funds for digitisation projects?

This has been considered by some of the UK's regional film archives

What is the budget allocated to digitisation of film heritage since 2010?

From 2013/4 £3 million per annum of lottery funding has been allocated to the digitisation of film heritage

10.5 Access via internet to the collections: What have you done to exploit all the different ways of providing access to film heritage thanks to new technologies?

The BFI has been making digitised elements of its collections available online to educational institutions since 2003 through Screenonline ([www.screenonline.org.uk](http://www.screenonline.org.uk)). It launched its YouTube channel ([www.youtube.com/user/BFIfilms](http://www.youtube.com/user/BFIfilms)) in 2007.

The BFI is currently rolling out a consumer platform, BFI-Player, which provides free access to some films as well as access to paid material.

Can you provide the percentage of your film and non-film collections that are freely available for citizens online?

Currently a very limited proportion but this will grow significantly in the next three years.

10.6 Digital projection and film heritage: Have you included cinematheques in your strategy for equipping European cinemas with digital projectors?

Yes

Have you seek agreements with film distributors or cinema theatres in order to foster digital projection of heritage films?

#### **(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?

Yes

Is there any change to report in relation to 2011?

Compliance level is now very high

#### **(12) TABLE 12 - PROGRESS IN RELATION TO PROBLEMS ENCOUNTERED IN THE LAST IMPLEMENTATION REPORT**

What has been done to address the problems encountered or weak areas identified in table 12?

Not applicable

#### **(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?

Opening of Master Store at Gaydon

Launch of Collections Information database

Development of BFI-Player as critical element in making archive material available to all citizens.

**(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 14? Which of those would you be willing to support?

We welcome the Commission's initiative through Working Group 3 of the Licensing for Europe project to take forward key issues to ensure improved access to the audiovisual heritage and the encouragement of widespread adoption of unique identifiers for all films. The BFI has been working closely with EIDR to take this work forward for its own collections

Do you have other suggestions for further EU action?

In the last survey the UK requested that the next MEDIA Programme (Creative Europe), should address the specific needs of Europe's film heritage organisations, needs which have been woefully overlooked in the current Programme. We hope that the forthcoming announcements will meet these expectations

**(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 2010<sup>3</sup>?

Implementation of a major 5 year investment programme from lottery funding for the digitisation of film heritage

Contact; Mari Sol Pérez Guevara, Telephone: +32 229-54381, marisol.perez-guevara@ec.europa.eu
--

<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)