

SCREEN ARCHIVE SOUTH EAST

(Formerly: The South East Film & Video Archive)

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TERMS & CONDITIONS

FOR DONATING AND DEPOSITING SCREEN MATERIAL WITH THE SCREEN ARCHIVE SOUTH EAST (2005)

In May 2006, the South East Film & Video Archive changed its name to Screen Archive South East. This document describes the terms and conditions whereby moving image / screen material enters the SASE collection and is used by the Archive.

1. THE ARCHIVE

The Screen Archive South East (SASE) was established in 1992 at the University of Brighton. Its collection is housed within our Conservation Centre at the West Sussex Record Office in Chichester and our office is located at the University. The function of this regional screen archive is to locate, collect, preserve and promote screen material (magic lantern, film, videotape, digital formats and associated screen hardware and documentation) either made in or relating to the local authorities of Brighton & Hove, Kent, Medway, Surrey, East Sussex and West Sussex. (Since 2004, SASE has widened its remit to incorporate materials related to the history of the magic lantern and its use within the region.)

SASE is a not-for-profit organisation in the public sector. All of its income is devoted to its preservation, digitisation and access activities. SASE is a member of the UK Film Archive Forum (www.buafc.ac.uk/faf/), the organisation for the UK's public sector film archives, and subscribes to the international principles for the preservation and ethical use of the moving image material in its care.

SASE is the product of public sector partnerships. It could not exist without the primary collaboration between the University of Brighton and the West Sussex Record Office and the support of local authorities, regional museums, record offices and libraries and the regional screen agency - Screen South.

1.1 The collection

There are now over 6000 films in the archive's collection, over 10000 magic lantern slides and a sizable collection of apparatus and related artefacts. The collection contains a diverse range of film material including, family collections, newsreels, documentaries, amateur productions and corporate films depicting various aspects of life and work in the region in the 20th Century.

SASE is involved actively in the educational uses of its collection through presentations in public venues, contributions to the University of Brighton's undergraduate and postgraduate programmes, museum exhibitions, the production of DVDs, and its annual film festival – CINECITY. SASE's online catalogue (available from Summer 2006 and funded by the Arts & Humanities Research Council) will become the primary access point for collection information.

1.2 Acquiring material

SASE is always interested in acquiring material and invites people to contact the archive without hesitation if they have items or collections they would like to discuss.

1.3 Supporting SASE

SASE's preservation and access activities are very expensive. Donors and Depositors are invited to support SASE by making donations that will support this valuable and essential work.

2. COPYRIGHT

The Archive observes all applicable copyright and respects the wishes of donors and depositors for all of the material which enters the SASE collection. The copyright owner of a film is usually either the maker of the film or its commissioner/producer or their descendants. Generally, copyright expires 70 years after the death of the maker. Copyright may or may not be held by either the donor or the depositor and SASE will make every reasonable effort to ascertain the legal status of the material and gain the appropriate permissions.

3. ACQUISITION AND LICENSING

3.1 Donations

As a gift/donation, the donor gives the material to the Archive and signs over any copyright ownership they may have in the film to the Archive. In legal terms, the donor assigns to the Archive, with full title guarantee, all copyright and other intellectual property rights they may own in the original / master material.

With this, Screen Archive South East acquires the right to:

- 3.1.1 store the master and make from it, when funding permits, new film negatives & prints for preservation, archival digital masters and video/digital surrogates for access use (eg VHS, DVD, hard disk and other digital modes)
- 3.1.2 make the new access copies available for research and non-profit public use and may be incorporated into publicly accessible online resources where appropriate (see 3.3 below).
- 3.1.3 use the material in commercial projects, subject to the permission of the copyright holder (when different from the donor), and devote any income to the archive's preservation and access work

In return, viewing copies of donated/deposited material will be made available by SASE to donors and depositors. SASE gratefully accepts donations towards the costs of providing these copies.

SASE will accept donations of material from individuals who do not hold the copyright but will always recognise the material's legal status.

Both Donors and Depositors are invited to complete and sign the related "**Acquisition Agreement**", document which establishes the basis for custody and public use of the material.

3.2 Deposits

Material may be accepted as a deposit at the discretion of the Archivist. SASE may only accept material on deposit, if it is placed with the archive on a long-term basis. As a deposit, the owner/depositor retains the ownership of the master material and any copyright ownership they may have, and licenses usage of the material to SASE.

As a deposit, SASE is given permission by the depositor to undertake the same activities as listed in 3.1 above.

However, depositors and copyright holders may:

- 3.2.1 apply particular conditions to the use of the material, as stated on the 'Acquisition Agreement'

3.2.2 retain the right to withdraw all or part of the collection deposited, either temporarily or permanently. This requires at least two month's notice in writing and should only be withdrawn *in exceptional circumstances*.

3.3 Online Use

Permission will be acquired from donors, and be sought by SASE from depositors, copyright holders and all other affected parties for digital surrogates and related information to be incorporated into publicly accessible online resources for any private, research or educational use. For copyright holders, this is addressed by the "**Licence Agreement**, between the Copyright Holder of Moving Image Material and the University of Brighton for the use of this Material by SASE within Publicly Accessible Online Resources and Related Digital Resources".

4. COLLECTION CARE

4.1 Assessment

All items and collections donated/deposited with SASE will be inspected on designated machines and any necessary repair and cleaning work carried out as required. Where appropriate all 'original' materials will be transferred to archival approved storage cans/boxes.

4.2 Documentation

All items entering the SASE collection are labelled and catalogued. All information is entered into SASE's database and the data relevant to the material's study is made available for public consultation. To comply with the Data Protection Act, no sensitive data will be released to the public unless permission has been granted by the relevant parties. In particular circumstances, confidentiality may apply and SASE should be notified of these conditions.

4.2 Disposal

SASE acquires the right to dispose of those items that have deteriorated and are beyond conservation. In such circumstances, where possible, SASE will make efforts to contact depositors and keep them informed.

The original carriers and their packaging (cans, spools, cores, boxes etc) may either be disposed of or kept for display or reuse as appropriate. If the original carriers are not retained by the archive, all of the relevant information on this material will be documented.

5. PRESERVATION

Donated/deposited items are considered 'originals' and these will not be made publicly accessible.

5.1 Storage

The donated/deposited items are kept in environmentally controlled strong-room facilities at the Conservation Centre housed within the West Sussex Record Office at Chichester, and at a designated store at the University of Brighton. All reasonable precautions will be taken to prevent damage to the material. However, should damage or loss occur, SASE cannot be held liable for compensation.

5.2 Duplication

When funding permits, a duplicate copy of donated/deposited film material will be made for preservation purposes. Such film materials will be duplicated onto new film stock at specialised laboratories and facilities houses. These preservation masters will be owned by SASE but may only be used under the terms of this agreement.

6. DIGITISATION

6.1 Transfer & Restoration

All selected 'originals' (see SASE Collection Criteria) are scanned in-house to a digital format. High definition formats are made at external facilities houses when funding permits. When appropriate these digital masters are restored using specialised software. Selected restored items/collections will be stored on SASE's Moving Image Bank. All digital masters and surrogate materials processed in these ways are owned by SASE but can only be used under the terms of this agreement.

7. ACCESS

Whenever possible, viewing copies will be made available for public consultation, cultural events and educational purposes. As funding permits, SASE will also make material available online for public use and produce products, such as DVDs, for use in homes and public institutions such as schools and libraries. Any income from the sale of such products will be devoted to the archive's preservation, digitisation and access work.

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South East Film & Video Archive