

Subject: Reply to your note of 11 February 2008 concerning the questionnaire on the application of the Recommendation of the European Parliament on the conservation of film heritage

In respect of the abovementioned note, please note the following.

1 Since 1949 Italy has established a legal deposit at the National Film Archive (Cineteca Nazionale, CN) of the Experimental Cinematography Centre, by adopting a legal act – the first in Europe – authorising the CN to disseminate films for cultural purposes. In addition, the CN conserves and restores films, granting free access to right-holders to master them for their commercial distribution on all channels. This constitutes a virtuous circle whereby the activities for the conservation of the historical heritage make up the actual basis for a new commercial use of classic Italian films.

2 The law (in particular, Article 24 of Legislative Decree No 28 of 2004 and subsequent amendments), which provides for the compulsory deposit at the National Film Archive of the Experimental Cinematography Centre of cinematographic works produced or co-produced in Italy, ensures the collection, cataloguing, preservation and restoration of the Italian film heritage and its dissemination in Italy and abroad for cultural and educational purposes. Indeed, Italian authorities regard cinema films as a primary means of artistic expression, cultural education and social communication and consider cinematographic activities of considerable general interest, including on account of their economic and industrial significance.

Furthermore, the Italian Republic fosters and supports initiatives aimed at exploiting and disseminating by any means national films, in particular those of cultural interest, safeguards intellectual property and copyrights against any form of illegal exploitation and promotes study and research activities in the cinematographic industry.

The notion of "cinematographic work" has been defined as follows:

The Italian Republic acknowledges cinematographic works as "cultural goods" to be protected. According to the law on copyright (No 633/1941 and subsequent amendments), the following must be protected:

cinematographic works: mainly intended for use in cinemas;

cinematographic documentaries: mainly intended for use in cinemas;

assimilated works, e.g. television fiction films (the only difference being the broadcasting medium, in this case television);

audiovisual works: synchronised images and sound on only one storage media for use other than cinemas (e.g. videogames, video art, music videos);

sequences of moving images (to be established on a case-to-case basis).

3 The financial resources allocated in 2007 through the Single Entertainment Fund (FUS) to the Experimental Cinematographic Centre, which includes the National Film Archive and the

National Cinema School, are detailed below.

11 484 0140 [sic] euros. In 2007 the Experimental Cinematographic Centre had the following human resources: 157 employees, 7 executives for a total of 169 staff, distributed as follows:

Rome office: 146 employees and 5 executives;

Piedmont sub-office: 9 employees (5 for the Animation School and 4 for the Business Film Archives), 1 executive; Lombardy sub-office: 2 employees and 1 executive.

4 The relationship between the CN and right-holders is governed, since the adoption of the relevant legislation, by a series of best practices established over the course of decades, based on the following understanding: in exchange for undertaking to conserve the film heritage through the CN, the State reserves the right to use its films for cultural projections. This enables it to organise film retrospectives in Italy and abroad to keep the memory of classic Italian films alive.

5. The Experimental Cinematography Centre, with its National Cinema School established in 1935 to train cinema professionals, and the National Film Archive, established in 1949 for the conservation and exploitation of the film heritage.

6. The National Film Archive has adopted digital technology to manage its database and for specially challenging restoration work, such as – in recent years – the following films: *Roma Città aperta* (Rome, Open City) by R. Rossellini; *Matrimonio all'italiana* (Marriage Italian-Style) by V. De Sica; *Per un pugno di dollari* (A Fistful of Dollars) by S. Leone; a number of classic silent films. Digital filming requires the support of specialised laboratories in Rome (Cinecittà Studios, Technicolor, Studio Cine, Eurolab, Fotocinema, which constitute a veritable "film restoration district"), Bologna (*L'immagine ritrovata*) and elsewhere in Europe (Hage Film, Amsterdam; Digital Film Lab, Copenhagen; Prestech, London).

### 1. Collection

The systematic collection of films is governed by Legislative Decree No 28 of 2004 and subsequent amendments (compulsory deposit at the National Film Archive), in particular its Article 24.

The collection of the National Film Archive, whose core material and is deposited pursuant to Law No 958 of 29 December 1949 and subsequent amendments, has grown in size over the years partly thanks to films acquired through film donations, exchanges and purchases.

In addition, a substantial part of the collection consists of voluntary deposits by producers and private distributors, who conclude agreements with the CN to conserve material in safe conditions and equipped storage rooms.

- The collection may include productions having benefited from public aid.
- Under the abovementioned Decree (Article 24(1) and (2)), a new positive copy, corresponding to the film negative and that has not been used in cinemas, must be

deposited at the National Film Archive. For films considered of cultural interest, the producing company must deliver a negative copy of the film.

- Payment of aid is subject to the deposit of a negative copy of the film at the National Film Archive.

## *2. Cataloguing and creation of databases*

- As regards the policy followed by National Film Archive for cataloguing its films, it should be noted that a computer database project has been concluded based on a search engine and data access in XML, i.e. in compliance with existing international rules and, looking ahead, with what might be developed in the near future. The database includes a specific field for the international ISAN code (International Standard Audiovisual Number), which identifies clearly the audiovisual work at international level.
- The CN's list of films available for institutional lending, study and research activities may be accessed through the Internet.
- The CN participates in the "Treasures from Film Archives" international database project launched by the International Federation of Film Archives (FIAF). The project is based on the sharing of information on silent films provided by participating film archives, including the European institutions.
- As regards the European standardisation and interoperability project, the National Film Archive takes part in the activities of the CEN BT/TF 179 Task Force (Cinematographic Works) and informs the corresponding Italian GL6 working group (Opere Cinematografiche) of the decisions adopted in the framework of UNI's DIAM Committee.

## *3. Preservation*

All the various tasks for which the National Film Archive is legally responsible in compliance with current legislation and by virtue of the Internal Rules of the Experimental Cinematographic Centre relate to the fundamental mission of conserving and exploiting the national film heritage.

The core business of the National Film Archive is made up of the archives (film archives and photo/poster library), whose collection increases constantly in application of the legislation in force (legal deposit of films produced or co-produced in Italy, deposit of the films winning the quality award, etc.) and following targeted strategies to acquire funds and collections, making it the richest national assortment of films and related documentary material and, thus, the reference body for cinematographic culture.

The conservation and preservation of the national film heritage is mostly ensured by the National Film Archive, responsible for the protection of cinematographic works. The preservation of material is ensured in accordance with international temperature and humidity criteria in suitable premises with specific characteristics in compliance with international standards, i.e. temperature between 0° and 12°C and controlled humidity of 30% rh. This provides the quality standards

needed for the long-term conservation of all films. In addition to conservation, the CN is responsible for the inventory, cataloguing and checking of material, ensuring proper identification of film and non-film documents as well as a continuous monitoring of conservation conditions and preservation and restoration strategies.

With a view to conserving material on storage media other than film, the CN has launched a systematic project to master films on digital support, partly to facilitate consultation by experts and researchers as well as a project to safeguard, exploit and restore films on nitrate storage media to prevent their otherwise inevitable and irreversible degradation.

#### *4. Restoration*

The restoration of film material is the main institutional task entrusted to the National Film Archive by current legislation. This activity has developed considerably, marking a significant increase in terms of quantity and quality, following technological progress (including the use of digital techniques in more recent years) and the evolution in restoration methods developed at international level in the framework of the International Federation of Film Archives and other professional circles.

In the last few years a significant number of films has been preserved and/or restored. These were not only films by the most prominent Italian authors but also silent cinema milestones. Similarly, there is a growing trend to enter into agreements with right-holders with a view not only to conserving cinematographic works and making them available for cultural purposes, but also to opening them to the commercial right-holders so as to gradually increase the range of Italian films available on new national and international networks.

Thanks to the variety of periods, techniques and genres covered by the numerous restoration projects, it has been possible to develop various ad-hoc restoration methods and systems, including in cooperation with development and printing laboratories.

Digital restoration techniques are increasingly used. Employed since the 1990s for restoring film soundtracks, they are frequently used also for the restoration of images. Because of continuous progress in digital technology and falling costs, processes considered impossible until recently owing to the inadequacy of normal photo-chemical or manual restoration techniques are now viable.

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

Under current legislation, the National Film Archive may – three years following deposit and for non-profit purposes – use the copies contained in its archives for cultural or educational projections, organised either directly or in collaboration with cinematographic clubs or other cultural bodies. The Directorate-General for Cinema may use the copies acquired by the National Film Archive for international and national non-commercial cinematographic projections

and events in Italy and abroad.

Beside lending the copies contained in its archives for cultural purposes, the National Film Archive shows its films on a permanent basis and has workstations at its video library for consultation by experts and researchers.

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

This task is carried out by the National Cinema School of the Experimental Cinematographic Centre, which is now in charge of the publication of all competition notices for regular courses. At present, there are 160 students, plus 48 at the Piedmont office and 28 at the Lombardy office. In recent years, the students of the Experimental Cinematographic Centre produced over 50 feature films, short films and demonstration work, in some cases using new technology, and winning prizes and awards in many international and Italian festivals and events. The Centre has established its own casting agency in order to assist students with the difficult task of finding a job.

The regional decentralisation of the Centre's activities has been a positive reality for a few years; the Animation School in Chieri and that for fiction and business films in Milan work at unrivalled levels of excellence, and graduate students find work immediately in Italy and abroad.

Its regional offices are completely self-financed and autonomous vis-à-vis the central office.

- The National Cinematographic School of the Experimental Cinematographic Centre responds to all requests for cultural dissemination and guidance for cinema and audiovisual industry professional by liaising with the individual schools, in particular secondary and artistic schools and the training programmes funded by the European Social Funds, universities and high-level music and art training institutes. Throughout the years there has been a mutual collaboration with the Ministry of Education and the Regions with respect to cultural activities and exchanges promoted with the international cinema schools that are CILECT affiliates.
- The training and guidance activities provided under the training scheme are aimed at promoting the knowledge of film as a cultural good in the broader context of the exploitation of the European cinematographic heritage, as envisaged by the EU after the first two Cined@ya pilots, including by defining specific areas of relevance in secondary school curricula by drafting a specific audiovisual, multimedia and scenography curriculum at the request of the Ministry of Education (2004) under the Law reforming the Secondary Arts School (*Liceo Artistico*) (2005).
- Thanks to the organisation of post-diploma courses such as the first version of the International Master of Film Music (July 2005-January 2007) and two advanced training courses (*Assembly vs. screenplay*, November 2006, and *Film sound recording: direct filming*, September-October 2007), the latter promoted at international level in collaboration with Unione Latina, a new model of interaction and synergy could be tested

between the competences and metacompetences taught at the National Cinema School and the production and post-production world. This created more opportunities for collaboration and exchange with cinematographic institutes in the European Union (e.g. the FilmMuseum in Frankfurt) and radio and television broadcasters (Arte, ZDF) for the purpose of improving the quality and quantity of possible interactions between dissemination and exploitation of the European film heritage potential, in particular the use of digital-related technology.

### 7. *Deposit*

According to Article 20(3)(3) of Legislative Decree No 28 of 2004, the deposit at the National Film Archive is required for the following:

- The plot and screenplay scripts and all the documentation regarding the preparation of films, including in a computer-readable form. This provision also applies to films that have been recognised as being Italian under previous legislation.
- Acquisition of EEC films (from 1973 to 1991).

Law No 106 of 2004 provides for the mandatory legal deposit at the Central National Libraries of Rome and Florence of the following documents: sound and video documents, artistic videos, documents on computer file disseminated on a computer network.

### 8. *Cooperation between designated bodies*

The National Film Archive

- collaborates with the international and national FIAF archives and public and private archives and cultural institutes (Venice Biennale, Istituto Luce, Cinecittà Holding); Istituti Italiani di Cultura; all the most important international and national festivals, cineclubs and local bodies; for these activities, the CN distributes approximately 1 000 films in Italy and 500 abroad each year;
- took part in the working group sponsored by ANAI (Italian national archive association) on the description standards of film documents and for the development of a film fact sheet in view of future public access to the Italian audiovisual heritage;
- has published a book entitled "*Da La presa di Roma a Il piccolo garibaldino*" (From *The capture of Rome* to *The young Garibaldi. Risorgimento, free-masonry and institutions: the image of the Nation in silent cinema (1905-1909)*), ed. By Mario Musumeci and Sergio Tuffetti, Gangemi, 2007), an bilingual Italian/English publication, including a DVD with the restored editions of the two films *The capture of Rome* and *The Young Garibaldi* with subtitles in both languages;
- as regards the compilation of a European filmography, it participates in the European project for the standardisation of cataloguing and indexing techniques for cinematographic works launched in 2005 by the European Commission and entrusted to

CEN (European Committee for Standardisation, see point 2 of the questionnaire). The European project provides for the development of a description standard made of a number of basic points of information about the cinematographic work based on the adoption of a common terminology and geared to interoperability between computerised archives;

- has promoted a course on multimedia archiving to train professionals involved in the conservation and processing of audiovisual documents and film archive documentation.

(Complimentary close)

Signed: Gaetano Blandini, Director-General