to investigate the matter thoroughly and inform the Executive Committee of
its conclusions by correspondence, or to take a postal vote on the matter.
Mr Ledoux however refused to be part of this committee because he said he
was already suspected of being against the project and he did not want to
be put in a position where he might perhaps have to vote against the other
delegates' decision.

Mr Stenklev proposed that some responsible member of the Executive Committee
should go to London to investigate the matter but Mr Ledoux feared that,
even so, we would still be unsuitably informed of all the implications
of such a move because, as we had learned at great costs when we first moved
the P.I.F. to London, the British laws and habits were too different from
ours and Frances Thorpe was no more an expert in these matters than any member
of the Executive Committee.

Finally, it was decided that the President, the Treasurer, Mrs Bowser and
Mrs van der Elst would, after as much inquiry as possible on the conditions
of the move, make a decision on the matter and inform the other members of
the Executive Committee.

As for the other problems of the Documentation Commission, Mrs Bowser said
she had prepared a written report which would be distributed at the General
Meeting.

c) Report of the Legal and Copyright Commission

Mr Kuiper reported that there had been no meeting of the Commission this
year but that, as regarded contacts with the producers' associations (FIAPF),
Mr Ledoux and himself were preparing to have another meeting, just after
this Congress, with Mr Gronich and Mr Brison at their insistent request.
Since the delegation of FIAPF would include also their lawyer, Mr Ferrara,
it was hoped that Mr Pogacic could participate in this meeting to equilibrate
FIAPF's side.

Mr Ledoux suggested to have a thorough discussion among the Executive Committee
to prepare this meeting because he felt very unsure about the arguments that
could or should be used. He said that he personally had always been opposed
to renewing the contacts with FIAPF because it would inevitably lead to
detailed discussions and perhaps endanger the advantages already acquired
by some archives, but they were now forced to hold this meeting.
He thought one should, if possible, avoid to discuss the FIAPF "agreement"
point by point but rather propose to establish a general declaration of
principles. On the other hand, if FIAPF had asked its legal adviser to
participate in this meeting, it was most probably with the intention of
raising some specific points!
Mr. Pogacic agreed not to discuss the "agreement" point by point but he felt that some principal points—which he knew to be of great interest to the producers—should be evoked here. For instance:

1) the physical property of the films
2) the premises of an archive (number and size of projection halls)
3) the diffusion of the archive's holdings outside its premises
4) the responsibility of FIAF for its members, in the frame of its Statutes and Rules. Could FIAF control its members in that respect?

The answer to this last point was 'Yes' in principle, although Mr. Ledoux said it was not FIAF's role to play policeman for the producers.

Following Mr. Pogacic, the third point was of greater importance for the producers and he wanted to know the members' opinion on this question. He thought that FIAF could accept, on behalf of its members, to prevent the diffusion of the archives' collections outside their premises without the copyright holders' prior consent. Mr. Ledoux also said that, with certain limitations, he could accept this point, but Mr. Yelin and Mr. Daudelin were against it mainly because they were against signing any agreement with FIAPF and also because this clause would be resisted by several archives who had already made other arrangements with producers not belonging to FIAPF. Mr. Daudelin added that, in his opinion, FIAPF had lost much of its representativeness and authority among filmmakers and he did not see why we should take so much precautions with them.

Mr. de Veal thought much preferable that each archive made its own arrangements with its national producers' association rather than have an agreement between FIAF and FIAPF.

Mr. Kleue also was against the signature by FIAF of any agreement with FIAPF. He said we could anyway never reach more than a common declaration of principles and, as regards FIAF, these principles were clearly defined in art. 155 of our Rules, (new art. 116). He added that every archive must also take into account the national laws of its country, that not two archives in FIAF worked under the same conditions, they all had different ways of acquiring their films, different arrangements or contracts with their local distributors or producers and therefore, it would be impossible to come to a detailed agreement.

Mr. Stenklev supported this argument and proposed rather to ask the delegates of FIAPF for a declaration on what they expected from the film archives, how they saw their role, their duties and their rights.

Mr. Borde reported that, in France, the Centre National de la Cinématographie was precisely preparing a kind of agreement to present to the producers or distributors; a set of rules for the showings made in the cinémathèques (mainly Cinémathèque de Toulouse and Cinémathèque Française) in order to try to fill in the judicial gap until now so much resented by the French producers.
Mr Ledoux and Mr Pogacic, although agreeing that a statement of principles was all that FIAF could accept to undersign, said that probably FIAPF would not be content with that. We had to look at the problem from the point of view of the producers who, until now, were more powerful than us since they could threaten to stop giving us films. FIAF had to be careful in its discussions with their delegates.

Mr Kuiper then summarized the arguments which had been raised until now:
- the great diversity of FIAF members which made it impossible to find a common solution to all their problems and, consequently, the danger to see the Federation split if an "agreement" with FIAPF was forced upon its members;
- the fact that FIAF was more international than FIAPF;
- the fact that socialist countries were not interested in signing a contract with FIAPF (although this argument was more or less questioned by Mr Pogacic and Mr Klaue).

Mr Pogacic repeated that the key problem for the producers was that some archives allowed their films to be shown outside their premises without the copyright holders' prior authorization and he suggested to discuss, at the General Meeting, whether FIAF could or not, undertake to limit the diffusion of their collections, on behalf of its members.

Mr Daudelin was against even discussing this point with the General Meeting. He feared it would create a panic because such an undertaking was clearly an intervention in the internal affairs of some archives for whom FIAPF producers represented only a small percentage of the companies with whom they usually dealt.

Mr Ledoux underlined that this undertaking was already implied in FIAF's Rules since, in Lyon, paragr. c) of art. 141 had been suppressed. The article read as follows:
"Membership of the Federation shall imply willingness on the part of the member to supply on request a copy of any film in its collection, in its best and most complete form, to any other member unless it is specifically prohibited from doing so by undertakings given to the copyright owners, and provided always that he receives satisfactory assurance from the requesting member that the use to be made of the film will not be contrary to the interests of the copyright owners, it being understood that any film so supplied may be used for one or more of the following purposes:
- preservation within the member archive
- showing on the member's own premises;
- showing privately and non commercially to non paying audiences."

On the other hand, if FIAPF really insisted on this specific point, Mr Ledoux thought we might accept it but with certain limitations, e.g. that it be:
- only for the producers members of FIAPF
- only for the future and not for the past
- only for the producers who have asked to sign this agreement
- with some facilities for film schools, etc....
After Mr. Klaus had repeated that the archives could not go beyond what was foreseen in their national laws as regarded the protection of rights (and he explained that in D.D.R. only public showings were protected and that showings in film schools or film clubs were not considered as public showings), and after Mr. Yelin had insisted that FIAF should not sign any agreement whatsoever with FIAPF because their interests and ours could never meet, the President concluded as follows: the three FIAF delegates at their Paris meeting with FIAPF would try to keep the discussion on very general lines. If FIAPF asked very specific questions, the delegates would say they could only answer in a personal capacity and offer to refer the question to the next FIAF General Meeting. This was unanimously agreed.

d) Report of the Preservation Commission

Mr. Volkman reported briefly on the current work of the Preservation Commission which was proceeding with the manual on the preservation of colour films and magnetic records. He also asked for the approval of the Executive Committee on the appointment of two new members in the Commission: Mr. Polischko (Gosfilmofond) and Mr. Schmitt (Service des Archives du Film / Bois d’Arcy). This was agreed.

e) Relations with other international organizations

It was decided to suppress this item from the agenda of the General Meeting since the relations with FIAPF would be dealt with under "Report of the Copyright Commission", and there was nothing new to report about FIAF’s relations with I.C.A. and ICOM.

On this occasion, the agenda of the General Meeting was somewhat modified and it was decided to retype it and redistribute it at the start of the General Meeting.

f) Report of the Treasurer

Mr. Stenklev first commented on the accounts of the Federation for 1974, accounts which had already been discussed at the Amsterdam E.C. meeting but which were now presented under the form of a "Balance" and a "Profit & Loss Account". This made it easier to understand the true financial situation of the Federation and showed that the expenses for 1974 had exceeded the income by 294,309,- Belgian francs. This excess of expenses had been covered easily because of the excess of income carried forward from previous years but it was clear that such a situation could not be repeated every year. Mr. Stenklev explained that the excess of expenses was mainly due to an unforeseen increase in the cost of the Periodical Indexing Project and the move of the P.I.P. office to London. However, it was now almost certain that the grant from the National Endowment for the Arts would restore the P.I.P.’s fortunes for at least one or two years.