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Additional remarks as result of the diskussion on the recommendations
and proposals presented on September 24th, 1975

1. It should be made clear, that the term "negative material" always has to be understood to include the complete work in its original form; therefore it might have been better to formulate "original material" instead of "negative material".

This clarification is necessary to clarify in the first place, that all television material of moving images regardless of form should be included.

2. There should be an additional recommendation to the effect, that the national legislation may foresee a legal deposit in the form, that a positive copy has to be given to the archive or the institution in charge of preserving the moving images immediately upon completing of same; in this case it should be provided, however, that the negative material, if there is any, has to be kept in a form making preservation possible and be given to the institution free of copyright obligations the moment the Copyright Owner does not need it any more.

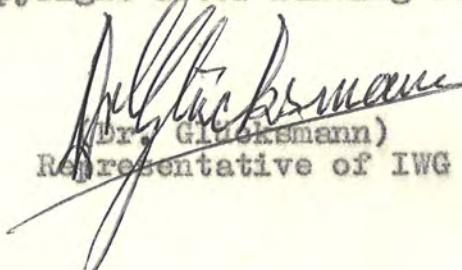
Of course the legal deposit in form of positives like the copies of books given to a national library is the easiest way, but for a permanent preservation or one of long duration it is essential, that in the end a usable negative material should be preserved.

3. The main question is not the length of time after finishing the production, but that the negative material should be handed over as soon as the Copyright Owner has had time to have the necessary copies drawn; on the other hand national legislation would have to insure, that the negative material is still in a usable condition worth preserving when turned over. If the Copyright owner needs more copies at the start than can be made leaving the negative usable he should be obliged to have a double negative made in order to be able to hand the negative over in usable condition.

The national legislation must insure, that really original material in a technical state worth preserving is turned over under the legal deposit.

4. The national legislation should make it quite clear, that the Copyright Owner must be enabled to make full use of the negative material for the purposes of exercising his Copyright, when it is in the hands of the archive or institution. ~~Similar~~

This remark should only clarify, that the proposal of six months time does in no way impede the Copyright Owner from having copies drawn or making other use of his copyright after handing over the negative material.


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Representative of IWG