

DEPOSIT AGREEMENT

FOR FILM MATERIAL DEPOSITED WITH THE NATIONAL FILM ARCHIVE OF INDIA, PUNE

Whereas the Government of India have started the 'National Film Archive of India',

Whereas the Govt. desire to preserve in the Archive the film entitled,

Title (Language / Year)

Produced by _____, and have accordingly made an offer to _____ the present copyright owner, and whereas the said copyright owner has also agreed to deposit the following material of the aforesaid film :

Base	Safety
Gauge	Length -
B&W / Color	Reels -

With the National Film Archive of India, both parties agreed to the following terms and conditions :

- (1) The copyright owner will not be entitled to ask for compensation in any manner for depositing the material for permanent preservation with the NFAI.
- (2) The National Film Archive of India will be entitled to exercise the following archive rights in respect of all the films deposited with the Archive :
 - (a) To retain the film material deposited free of charge as long as the Archive deems it fit and to destroy decomposed material since it is likely to pose problems for other preservation material.

In respect of colour films, it may be noted that the Archive is not fully equipped with necessary infrastructure for preservation of colour films. Therefore, till such time that the facilities are available, the colour material will be kept in the existing preservation system.

- (b) To prepare as many further prints or extracts in any format without payment of any royalty as may be required for archival use.

- (c) To exhibit the film on a non-commercial basis to selected groups for study purpose within the country and abroad in accordance with the relevant Rules for Film Archives laid down by the International Federation of Film Archives (FIAF).
 - (d) To subtitle or dub the print in any Indian / Foreign language.
 - (e) To exchange the prints or extracts of the films with any other foreign archive or organisation having the educational objective of promoting the study of cinema provided the said prints or extracts are not exploited commercially by the NFAI or Foreign Archive or organisation to which they have been exchanged.
- (3) In the event of copyright owner's Original Negatives or Master Positive getting damaged the copyright owner will be entitled to obtain at his cost a duplicating negative or positive for his own use from the film material deposited with the Archive. The material will be supplied direct to one of the laboratories approved by the Archive. But original picture negative or master positive shall not be loaned for video copying or any other purpose other than the purpose stated above.
- (4) The release positive film material copied with the copyright owners permission can be loaned to the copyright owner for making video - copies at a unit approved by the Archive. However, the right to loan the film rests with the Archive.
- (5) If the copyright owner wants to remove the film material deposited with the Archive for permanent preservation, he can do so only payment of the storage and maintenance charges for the period the material was taken care of by the Archive. The amount of storage and maintenance charges payable will be decided by the Archive in accordance with the prevailing rates and will be binding on the copyright owner. In the event of the Archive introducing storage charges at a later date, copyright owner will have to pay the charges from the date such charges are introduced.
- (6) Even if the copyright owner removes the film material deposited for permanent preservation after paying the necessary charges indicated in the previous clause, the archive rights specified in clause 2 will continue to rest with the Archive in respect of the copy prepared by the Archive.
- (7) In the event of transfer of rights, the depositor / copyright owner will send an authenticated document for the record of NFAI.

The condition of the film is as follows :

In witness whereof, both parties hereto set their hands and seal on this the _____ day of _____ 200 .

Signature and
seal of Depositor

Director
National Film Archive of India