[DE] Government Decides to Introduce Compulsory Registration for Cinema Films

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On 31 October 2012, the German government decided to amend the Bundesarchivgesetz (Federal Archive Act) to make it compulsory for producers and co-producers of German cinema films to register them in a Federal Archive database.

The aim of this obligation to register is to safeguard the national film heritage. According to the Federal Government, films are not only economic but also cultural goods and comprehensive registration is accordingly in the overall public interest. Up to now, copies of films funded with public money have had to be deposited with federal and regional (Land) film funding institutions, but the Federal Government believes that this is no longer sufficient and that it is necessary for all German films without exception to be centrally archived.

Registration must take place within twelve months of a film being exhibited for the first time. This is coupled with the obligation to let the Federal Archive know where an archivable copy of a film is located.

A precondition of the obligation to register a film is that it must be intended for public exhibition in a cinema or be shown at an important festival or awards ceremony. Films are considered German if their makers are established in Germany. Cinematographic works in which music predominates will not be registered, as copies of them must already be deposited with the German National Library. The Federal Government estimates the total number of registrations at 5,000 a year.

A fine of up to EUR 10,000 can be imposed for failure to comply with the requirement to register a film. Details of the procedure and the form of the compulsory registration are to be laid down in a statutory order by the Staatsminister für Kultur und Medien (Minister of State for Culture and Media).

The draft law was forwarded to the Bundesrat (Federal Council) for its opinion on 2 November 2012.

Pressemitteilung der Bundesregierung vom 31. Oktober 2012

http://www.bundesregierung.de/Content/DE/Pressemitteilungen/BPA/2012/10/2012-

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10-31-bkm-filmerbe.html

Federal Government's press release of 31 October 2012

Gesetzentwurf der Bundesregierung

http://www.umwelt-online.de/PDFBR/2012/0665_2D12.pdf

Federal Government's draft law

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