

APPENDIX 3 – THE BRITISH LIBRARY ENDANGERED ARCHIVES PROGRAMME

ACCESS, PERMISSION AND COPYRIGHT FORM

The Endangered Archives Programme (EAP) funds projects to survey and digitise archives at risk. We operate with the following principles:

- The original archive should remain in its country of origin.
- Digital files created by EAP projects are placed in a suitable institution in the country of origin. Secondary copies of the digital material are archived by the British Library.
- Lower-resolution images and sound recordings will be made available free of charge on the British Library website for research, inspiration and enjoyment.
- Neither EAP nor the British Library will use the digital material created by EAP projects for commercial gain. Requests to use images or recordings for commercial purposes will be referred back to the owners or archival partners for permission.

The person responsible for the archive is asked to allow the Principal Applicant access to the archive and to give permission for any digital materials to be made available on the EAP website <https://eap.bl.uk/> (see PART A). If the materials are subject to copyright, a copyright agreement must also be signed (see PART B). Once signed, this form should be returned to the Principal Applicant.

PART A – ACCESS AND PERMISSION

The Endangered Archive Programme recognises the rights and interests in intangible cultural heritage, including traditional knowledge and other creative expressions embodied in the archive materials. Therefore, before the digital material is made available on the EAP website, we ask for the permission of those who own or are responsible for the archive¹.

- ☐ I agree to allow the Principal Applicant _____ to have access to the archive.
- ☐ I give permission for copies of digital materials produced by the project (reference number above) to be made available on the website of the Endangered Archives Programme.

Signed Date

Name [please print]

Institution if applicable [please print]

Email & Postal Address.....

PART B – COPYRIGHT

Does copyright apply to the original materials in the country in which they reside?

If the original material is in copyright in the country in which it resides, the EAP requires applicants / Project Leads to ask the owner of the archive (**the Licensor**) to grant us permission (**a Licence**) to digitise the material and make the digital files available under a Creative Commons Attribution-Non Commercial (CC BY-NC) licence. Under this licence, the owner of the original material retains the copyright in the digital material, while granting the British Library permission to make it available for non-commercial purposes. This licence also ensures that the owner of the original material is acknowledged as the copyright owner. Further information can be found here: <http://creativecommons.org/licenses/by-nc/4.0/>

Is any of the digitised material subject to copyright?

YES ☐

NO ☐

If YES, please complete and sign page 2 of this form

For and on behalf of the owner of the Copyright Works:

This is to warrant that the Licensor (Institution / Individual) is the owner (or authorised representative of the owner) of all the necessary rights in the material listed in Schedule A (**the Copyright Works**) to be licensed, and the Licensor is fully entitled to grant the British Library permission to use the Copyright Works as set out below. The Licensor further warrants that the Library's use of the Copyright Work(s) in this way, shall in no way infringe the rights of any other party.

The Licensor grants the British Library a non-exclusive, royalty-free, worldwide licence for the full duration of the copyright term to use and reproduce the Works under the terms of a **Creative Commons CC BY-NC license**. This Agreement (Licence) will be governed by and construed in accordance with English law and the jurisdiction of the English Courts.

Signed Date

Name [please print]

Institution if applicable [please print]

Email & Postal Address.....

Unless you specify otherwise, the Library will credit the Work in the following manner:

"Title/description of the Work © Institution name, date of creation. This work has been made available under a CC BY-NC license. Please credit the copyright holder when reusing this work."

I agree to the Work being credited in the standard way, as above

YES ☐ **NO** ☐

If **NO**, I would like the Work to be credited as follows:

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SCHEDULE A - Material covered under the Licence (the Copyright Works)

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ⁱ **Personal Data** Where the British Library uses your personal data to process this form we will do so only in accordance with UK Data Protection Legislation for the purposes of administering the funding request and handling the archives. For the purposes of personal data contained within the Archives directly, the Library processes this data as part of its public task to preserve, archive and make available cultural heritage content. This is in line with our Transparency Notice that can be found online at <https://www.bl.uk/about-us/privacy-policy/transparency-notice-collection-materials>