

Terms and conditions for donating sound material

1. The Archive

The National Screen and Sound Archive of Wales at The National Library of Wales is a charitable, non-profit making organisation. Its key objectives include the preservation and promotion of Wales' unique sound heritage, which it achieves through the rescue and restoration, documentation and promotion of this immensely important part of Wales' cultural legacy. In practice this means

- acquiring sound which reflect aspects of Welsh life, society, industry, history and art
- preserving the collection for the benefit of future generations
- cataloguing the collection in order to facilitate access to the collection
- promoting the collection to a broad range of audiences and educational and other users, and making it widely accessible for public study and enjoyment.

NSSAW is a member of the IASA Group and British and Irish Sound Archives (BISA).

2. The collection

NSSAW's sound collection comprises thousands of sound materials. It covers a broad range of formats, types and genres.

3. Copyright

NSSAW observes and respects all copyright which exists in donated material, whether or not it is owned by the donor. Where the copyright status is uncertain staff will make every effort to research and clarify the situation. In the UK, copyright in sound generally expires 70 years after the death of the composer.

4. Donation

With a donation, NSSAW acquires the right to store the material permanently and to copy it as deemed necessary for preservation, restoration and access.

NSSAW accepts donations of material from individuals and organisations who do not hold the copyright. In such cases the copyright status will always be recognised and appropriate permission sought for any third party or commercial use.

5. Documentation

NSSAW staff will catalogue the material, entering information on its provenance, physical/technical features and content, into a database. Information about the content of the material will be made publicly accessible online. To comply with the Data Protection Act and GDPR no sensitive data will be released to the public unless permission has been granted by the relevant parties. In particular circumstances, confidentiality or other conditions pertaining to the content of the material may apply, and NSSAW should be notified of these as the material (or relevant part) may be made exempt under the Freedom of Information Act.

6. Access

6.1. Use of the material by NSSAW

NSSAW may itself (under its own jurisdiction) use copies of the material to promote public awareness of Wales's sound heritage and of NSSAW's aims and activities. This includes making copies of the material available to bona fide researchers on NSSAW premises, listening to the material (for example at community events, and to school and student groups). Such information may be delivered through both traditional and electronic (online) methods. Information about the material's content will be recorded in NSSAW's publicly accessible online catalogue.

If the donor does not hold the copyright in the material, NSSAW will make every effort to contact the copyright holder before any use is made of the material for the above purposes.

6.2. Use of the material by third parties

The material may also be of interest to third parties who may request to use it in commercial and non-commercial projects. An example of a commercial project would be a radio production, where a producer is seeking sound to enhance radio / television programmes. An example of a non-commercial project would be a not-for-profit educational CD, or a free or non-profit event at a museum, gallery or community venue. This type of use greatly widens the accessibility of the collection and draws public attention to NSSAW's aims and objectives. However, NSSAW will only make a copy of the material available to third party users with the copyright owner's consent.

NSSAW will charge commercial users of the material a fee to recover some of the costs of preservation and access provision. Some categories of non-commercial users may also be charged but at a reduced fee.

6.3. Reading Rooms

Readers can consult sound recordings within premises controlled by the National Library. 24-72 hours notice is needed before visiting, and items can only be accessed by one person, on one machine, at any time. Notice is required as

many of the Archive's materials are kept in special conditions, and will need to be prepared before a visit.

7. Withdrawal

If a donor wishes to withdraw the material permanently from the collection, NSSAW will, in exceptional circumstances, return the material. In consideration of public money spent on the storage and preservation of the material to be withdrawn, the donor may be required to pay NSSAW a fee to cover some of the cost so incurred. In addition, NSSAW may make a copy or copies of the material for retention, and will require sufficient notice of withdrawal to enable such copies to be made. Any such copies of withdrawn material will be subject to the copyright conditions described above.

8. Disposal

NSSAW may decide in time that it does not wish to retain some of the material donated under this Agreement. If this happens staff will contact the donor to discuss alternative options, which may include sending the unwanted material to a more appropriate repository or returning it to the donor.

The containers and packaging in which the material arrives at NSSAW (boxes, tins, cans etc) may either be disposed of or kept for display or reused as appropriate. In all cases, relevant information which may appear on such packaging will be documented.