

**MINISTRY OF TOURISM, CULTURE, YOUTH, AND SPORTS**

**STATUTE OF FILM STATE CENTRAL ARCHIVE**

**APPROVED BY: MINISTER YLLI PANGO**

**Tirana 2007**

**CHAPTER I**

**GENERAL PROVISIONS**

Article 1

The activity of the Central State Film Archive (CSFA) is based on the Constitution of the Republic of Albania, Law No. 8096, dated 21.03.1996 "On cinematography", Law No. 9353, dated 03. 03. 2005 "On some additions and amendments to Law No. 8096, dated 21.03.1996 "On cinematography", Law No. 9048, dated 07.04.2003, "On cultural heritage", as amended, Law no. 9154, dated 6.11.2003, "On archives", Law No 9386, dated 04.05.2005 "On museums", Law No. 9380 dated 28.04.2005 "On copyright and related rights", as well as on other effective legal and sub-legal acts concerning audio and video items (films, phonograms, photography). CSFA is based in Tirana, and it has its own stamp and logo. The stamp of the institution is produced in compliance with requirements specified under Decision No. 474, dated 10.07.2003 of the Council of Ministers. The logo of the institution is approved by the head of the institution.

Article 2

Through its activity, the CSFA implements the policy and strategy of the Ministry of Tourism, Culture, Youth, and Sports for collecting, preserving, maintaining, and the scientific archive processing of films, and any other accompanying materials related to it for research in cinematography, publications, administration and use of archive film materials like artistic, historical, and special films.

The CSFA, which is part of the national archive system, is under the General Directorate of Archives in methodological-professional terms. Its activity also complies with the technical, professional, and methodological norms determined by the General Directorate of Archives (GDA).

**CHAPTER II**

**PRINCIPLES AND FUNCTIONS**

Article 3

According to Article 28 of Law No. 8096, dated 21.03.1996, "On cinematography", as amended, CSFA is a state budget institution, and a public legal entity which enjoys the status of an entity of a special importance, under the Ministry of Tourism, Culture, Youth, and Sports, and it is part

of the national typological archive system pursuant to Law No. 9154, dated 6.11.2003 "On archives", and Law No. 9386, dated 04.05.2005 "On museums".

For purposes of Article 3(1/c) of Law 9386, dated 04.05.2005 "On museums", and for purposes of Article 3(12), of Law 9048, dated 7. 04. 2003 "On cultural heritage", the CSFA is a specialized state institution.

The CSFA is a full member of the International Federation of Film Archives (FIAF).

#### Article 4

Based on Law No 9048, dated 07. 04. 2003, "On cultural heritage", as amended, Law 9154, dated 6.11.2003 "On archives", and Law 9386, dated 04.05.2005 "On museums", the CSFA is responsible for:

- a) Depositing, preserving, maintaining, and restoring all the available Albanian or foreign films.
- b) Collecting all other related film materials such as feature scripts and technical-director scripts, list of film editing, list of dialogues, film stills, set designs, posters, illustrations, film distribution materials, as well as other related materials.
- c) Creating a scientific information tool consisting of basic scientific index cards and file-folders, and their digitalisation, in order to be used for various researches.
- d) Making the films and other film related materials available for the cinematographers, researchers, art students and general public, in order to foster the cinematography culture, in compliance with Article 29 of Law no. 8096, dated 21.03.1996, "On cinematography", as amended.
- e) Creating thematic catalogues.
- f) Signing deposit and promotional use agreements since after the entrusting of the film materials to the CSFA archive, in compliance with Article 29 of Law no. 8096, dated 21.03.1996, "On cinematography", as amended.
- g) Respecting the copyright of all its items, according to Law no. 9380 dated 28.04.2005 "On copyright and other rights related to it".
- h) Collaborating with GDA, as part of the typological archive system, and implement all regulations and directives issued based on Law no. 9154, dated 6.11.2003 "On archives".

#### Article 5

CSFA enriches its fund through:

- a) Legal collection in its fund of any Albanian films, of all genre and format, of any film shootings in Albanian language or collaborations with internationals, which are partly or fully subsidized by the National Cinematography Centre.
- b) Volunteer collection of any audiovisual Albanian film productions – of any genre or format, produced by Albanian or foreign producers, and approved by the CSFA Scientific Council.
- c) CSFA archive film productions, based on a CSFA Scientific Council approved plan; and through film productions provided by third parties.
- d) Reciprocal exchange of archive materials between state and private, local and foreign counterparts, aiming at expanding or enriching the fund, as well as by buying rare materials with unique values for Albania, in compliance with Article 30 of the Law "On cinematography", as amended.

- e) Refreshing, re-coping and restoring the existing fund.
- f) Collecting any materials related to the history of Albanian cinematography, and related studies.

#### Article 6

CSFA collaborates and liaises with counterpart institutions and other bodies worldwide in order to promote Albanian cinematography, to discuss issues of preserving and maintaining film materials, to organise joint activities, and for exchanging relevant film productions and materials. Exchange of archive film materials with state and private, local and foreign counterparts, for the purpose of enriching its inventory and on reciprocity basis, may be done only by approval of the Ministry of Tourism, Culture, Youth and Sports, based on Article 19, 20 of Law No. 9048, dated 07.04.2003, "On cultural heritage", as amended, and Article 30 of Law No. 8096, dated 21.03.1996, "On cinematography", amended.

#### Article 7

CSFA organises promotional activities for cinematographers and cinematography productions. CSFA publishes books, catalogues, guide books and leaflets on cinematography, to be used by cinematographers, scientific researchers and students, both in Albania and abroad. CSFA creates, maintains and updates its website continuously, using state funds or funds from donors and other legal activities.

#### Article 8

Following Article 29, Law no. 8096, dated 21.03.1996, "On cinematography", as amended, and the Statute on the use of archive, CSFA is entitled to:

- a) Provide cinematographers, film producers, researchers, mass-media, scientific institutions, universities, various film shooting teams, etc, with the films and related materials, against service fees approved by the Ministry of Tourism, Culture, Youth and Sports.
- b) Reproduce archive film materials in different formats upon request of third parties – in the cases stipulated in the internal regulation of CSFA, with the approval of the Auditing Committee of the National Cinematography Centre.
- c) Organize various internal auditions of groups, individuals and of thematic and specific shows.

#### Article 9

CSFA establishes connections and organizes joint activities with foreign counterparts, for the preservation, distribution and study of the Albanian national film heritage.

#### Article 10

CSFA enjoys all the rights and obligations arising from its membership in FIAF and other film archive international institutions.

## Article 11

CSFA collaborates with the General Directorate of Archives, National Centre for the Inventorying of Cultural Heritage, and with all other national institutions involved in cultural heritage in all areas.

CSFA provides professional assistance to archives which administer audio and visual items.

## **CHAPTER III**

### **ORGANISATIONAL STRUCTURE**

#### **Steering bodies**

## Article 12

CSFA's organic structure is proposed by the Minister of Tourism, Culture, Youth and Sports, and approved by the Prime Minister in compliance with Law No. 9000, dated 30.01.2003 "On the organisation and functioning of the Council of Ministers".

CSFA's activity is based on the annual plan approved by the Minister of Tourism, Culture, Youth and Sports.

## Article 13

Legal relations of CSFA employees are regulated by Law No. 7961, dated 12.07.1995 "On the Labour Code of the Republic of Albania", amended accordingly.

CSFA's employees are included in sectors headed by the respective supervisors.

Rights and obligations of the managerial staff and their employees are stipulated in the CSFA's internal regulation which is approved by the head of the institution.

## Article 14

The CSFA Director is appointed or released from duty by the Minister of Tourism, Culture, Youth and Sports, according to the procedures set out in the Decision of the Council of Ministers, no. dated 07.03.2003 "On the appointment, release and dismissal from duty of the directors of central institutions under the Prime Minister, Council of Ministers and Ministries". He manages and coordinates the work of all CSFA sectors, and represents the institution with third parties.

The Director of CSFA is also the Chair of the CSFA Scientific Council.

## Article 15

The Director of CSFA, in his position of an employer, recruits and dismisses from duty, based on a work contract, all his employees, in compliance with Law No. 7961, dated 12.07.1995 "On the Labour Code of the Republic of Albania", amended, and with the CSFA's internal regulation.

## Article 16

The Deputy Director of CSFA is in charge of the administrative, managerial and economic activity of the institution. He/she is appointed, released or dismissed from duty by the Minister of Tourism, Culture, Youth and Sports, proposed by the Director of CSFA and the Directorate of Cultural Heritage, based on the respective criteria for this position.

#### Article 17

CSFA includes also the Artistic-Scientific Council, which is a non-functional, decision-making body. The Council consists of eight members:

1. Director of CSFA	Chair
2. D/Director of CSFA	Member
3. Representative of the MTCYS	Member
4. Representative of the MTCYS	Member
5. Personality in the area of cinematography	Member
6. Head of the National Film Centre	Member
7. Jurist	Member

CSFA Scientific Council gathers when there is a quorum of not less than five members. The CSFA Scientific Council takes decision with a majority of votes of the members present in the meeting.

The activity of the CSFA Scientific Council is based on the DCM no. 121, dated 25.02.2005 "On some additions and amendments to Decision no. 540, dated 21.12.1992, of the Council of Ministers "On establishing Culture Councils and their compensation" as amended, and on Instruction No. 1, dated 24.05.2005 of the Minister of Tourism, Culture, Youth and Sports "On the organisation and functioning of the artistic-cultural councils".

The CSFA Scientific Council is proposed by the CSFA Directorate and approved by the Minister of Tourism, Culture, Youth and Sports. The CSFA Scientific Council may substitute one of its member upon proposal of the latter or of the Director of CSFA, who presents a reasoned written motivation for the dismissal to be approved by the Minister of Tourism, Culture, Youth and Sports. Changes to the structure of the CSFA Scientific Council are made according to the same procedure.

#### Article 18

The Artistic-Scientific Council oversees the situation of the archive fund, considers ways of updating it, the annual plan and the projects on the implementation of the state strategy of the film heritage; it contributes in all the CSFA annual reports to the Ministry of Tourism, Culture, Youth and Sports or to the international institutions where CSFA is a member.

### **CHAPTER IV**

#### **FINANCIAL ORGANISATION**

#### Article 19

CSFA is a budgetary institution. CSFA uses the income generated by its activities, or any other legal income generated by local or foreign, state or private foundations, organisations and institutions, or by any private or juridical persons, in compliance with the legal provisions.

#### Article 20

CSFA presents for approval to the Ministry of Tourism, Culture, Youth and Sports, each 30 June, the annual plan for the following year, and the respective investments together with their financial estimates.

### **CHAPTER V**

#### **CHANGES TO THE STATUTE**

#### Article 21

CSFA statute is approved by the Minister of Tourism, Culture, Youth and Sports. Changes and amendments to this Statute are made upon proposal of the CSFA Scientific Council and CSFA Directorate, and of the respective responsible structure at the Ministry of Tourism, Culture, Youth and Sports.

**Tirana, 18 July 2007**