



Bailiúchán Béaloidis Árann

Guidance for Reproduction Requests for Images, Audio, and Audiovisual Recordings

Introduction

When referring to rights in respect of material that is to be published or broadcast, the creator of the original material holds rights in respect of that material for a certain number of years. The duration of the period of protection differs in different countries. It also differs in respect of the item in question, whether an image, an audio recording, or video or film material. In any case, when the period of protection has passed, the item is said to have entered the public domain where it can be used widely.

Material created in the twentieth century is frequently regarded as belonging to such periods of protection, as is material created in the twenty-first century. In such cases, both creators and custodians are responsible for a variety of rights associated with the material. This responsibility is best understood in terms of custodianship rather than ownership.

Guidance from BBÁ

Where a physical item — that is, an image captured in a photograph, drawing, or artistic work — is under the custodianship of BBÁ, then BBÁ is responsible for that physical item. BBÁ's responsibility in this regard does not infringe on the rights of the creator(s): the photographer or artist. Their rights as creator(s) are independent of BBÁ.

In regards to digital images and scanned images created for BBÁ, the rights of BBÁ relate to the *digital files*.

Where the original image took the form of a digital image created by a photographer, and the photographer deposited a digital copy in BBÁ, the rights of BBÁ relate to *the digital file deposited in BBÁ* that is now in its care. This digital copy will have a different imprint from the original digital file held by the photographer.

The collection contains digital images — photographs — created especially *on behalf of BBÁ*. In this case, the rights rest with BBÁ alone and credit is given to the identified photographer.

Below is guidance for reproduction requests relating to items held by BBÁ:

Photographs attributed to BBÁ or to an unidentified photographer

BBÁ exercises its responsibilities with regard to their rights and responds to requests relating to such work.

When reproducing BBÁ material, please cite BBÁ alone:

[“Bailiúchán Béaloidis Árann, BBAG.00703”](#) © Bailiúchán Béaloidis Árann licensed under CC BY-NC 4.0.

Identified photographer

BBÁ advises requestors to contact the photographer or their next-of-kin. BBÁ can provide its own response to requests to use the digital image(s) in question.

When reproducing BBÁ material, please cite the photographer and BBÁ:

“Photograph by Heinz Papst; [Bailiúchán Béaloidis Árann, BBAG.01128](#)” © Bailiúchán Béaloidis Árann licensed under CC BY-NC 4.0.

Replace the name of the photographer (Heinz Papst in the preceding example) with the name of the appropriate person.

BBÁ audio recordings

With regard to audio recordings created on behalf of BBÁ: the creators of those recordings were operating under the auspices of BBÁ at the time, and used BBÁ equipment. As such, the rights of the creator rest entirely with BBÁ. For instance, RTÉ Raidió na Gaeltachta holds the rights to each of the recordings created by Máirtín Jaimsie Ó Flaithbheartaigh for them and, as such, the radio station can use them as they wish whether for rebroadcast or podcasts. With regard to performers or contributors, when they granted permission for their speech or music to be recorded for BBÁ, they released those specific recordings to BBÁ.

Audio recordings deposited in BBÁ

In the event that duplicates of audio recordings from other archives were deposited in BBÁ, then BBÁ holds rights in relation to *the original material deposited in BBÁ* and also in relation to *the digital files* it has yielded. In practical terms, where someone encounters in BBÁ a recording produced by an external producer — for instance, a broadcaster with RTÉ Raidió na Gaeltachta — a requestor would sooner approach the organisation holding the original material in order to submit a reproduction request as close as possible to the original source.

Metadata

The rights in respect of the metadata pertaining to the collection rest with BBÁ alone. The data can be used non-commercially. If data from Bailiúchán Béaloidis Árann is used, it must be attributed as follows including hyperlinks (the title between double quotation marks to be changed as appropriate):

“[Bailiúchán Béaloidis Árann, BBAF.00013](#)” © Bailiúchán Béaloidis Árann licensed under CC BY-NC 4.0.

Reproduction requests

Every reproduction request is unique. Neither the material being sought nor the intended use are ever the same. As such, the information provided here is simply a guide. Each request is assessed on its own merit, depending on the intended re-use. Requests can be submitted to eolas@duchas.ie.