

The BECTU Script Registration Service

Ethnic minority film and television professionals who would like to participate in Move on Up, and intend applying to see programme commissioners enclosing a programme proposal, are invited to use the union's Script Registration Service. This is a guide to the service and conditions governing its use. Note that the service is only open to those who are fully paid up members of the union. Use of the service is entirely optional.

Q. **WHAT IS THE BECTU SCRIPT REGISTRATION SERVICE?**

- A. It's a service which enables members to register their scripts and other similar materials with BECTU and its purpose is to provide members with proof that a script was in existence by a given date.

You send the script to BECTU. We log the script, seal it and return it to you for safekeeping. We do not archive your work or keep copies of it.

NOTE: The word script which is used throughout this information sheet and in all other literature associated with the Script Registration Service, covers a wide range of materials intended mainly for use on television, in film and theatre. This includes proposals, concepts, ideas, formats and outlines as long as they are written down in detail. It also includes finished scripts, sketches and storyboards. Your 'script' is a work protected by copyright.

The service is only open to those who are fully paid up members of the union.

Q. **CAN I PROTECT AN IDEA?**

- A. **Ideas** are not protected by copyright.

It is only when the idea is expressed in material form, that is, on paper, on tape or CD, on film or in a photograph or drawing that copyright exists.

Q. **WHAT DOES COPYRIGHT PROTECT?**

- A. Copyright exists in original literary, dramatic, musical and artistic works. Scripts, treatments, concepts for television programmes and films are normally written down in the form of words and so are protected as literary works. Illustrated storyboards, designs for sets, etc., are protected as artistic works.

It is worth noting that UK law does not provide protection for programme formats as such. So a format or concept for a television programme, whether game show, documentary or a drama series or a proposal for a film should include as much detailed information as possible because copyright usually resides less in single details than in the complete patterns of detail through which an idea is expressed. Your work should contain enough detail to make the expression of your idea specific and distinct and thus an original literary work.

Q. **HOW DO I REGISTER COPYRIGHT IN MY WORK?**

- A. There is no system for registering copyright in the UK. Copyright exists in a literary, dramatic, musical or artistic work automatically from the moment it is created and as their author, you are the first owner of the copyright in that work.

Q. **WHAT FORM OF SIGNATURE SHOULD I USE ON MY WORK?**

- A. Although there is no requirement to mark your work with your name under UK copyright law, the Universal Copyright Convention (UCC), provides a formula to indicate copyright ownership by using the word copyright or the copyright symbol © preceding the year of publication (or for unpublished works, the year of creation) and the name of the copyright owner e.g, Copyright 1981 M Smart or © 1981 M Smart.

This makes anyone seeing the notice aware that the work is protected by copyright, as well as making it easier to identify you as the author and to contact you for permission to use the work.

It is also a good idea to include your address and phone number and/or that of your agent. These details should appear on every copy of your work, appearing on the top page or cover sheet and the last page of the work.

In addition, you should assert your moral right to be identified as the author (see BECTU's publication 'Protecting Ideas and Copyright' for more information).

Q. IF I CANNOT REGISTER MY COPYRIGHT, WHAT IS THE PURPOSE OF BECTU'S SCRIPT REGISTRATION SERVICE?

- A. There may be times when you think that another script, or a programme, film or drama made from that script, infringes copyright in your own original work. To show there has been an infringement of copyright you will probably need to demonstrate that: -

- § your work pre-existed the other, and
- § that the other person had access to your original work, and
- § that they copied a substantial part of your work by making another work which is sufficiently similar to your own.

The BECTU script registration service can help you with the first of these by providing a simple means of demonstrating that your work was in existence by a given date.

Q. WHAT IS THE LEGAL STATUS OF BECTU'S SCRIPT REGISTRATION SERVICE?

- A. Registering your script with BECTU provides clear evidence of its existence at the time of registration. It has no legal standing but provides independent evidence that the script existed on a given date in a given format. This could be useful in any later dispute about authorship.

Q. I REGISTERED SCRIPTS WITH BECTU UNDER ITS OLD REGISTRATION SYSTEM. DO I HAVE TO RE-REGISTER THEM?

- A. Under the old registration system operated by BECTU, we kept a copy of your script in our archive. Due to limitations on space, we are no longer able to do this which is why the new system has been designed so the script is returned to you for safekeeping.

The old registration system is still valid for scripts which were registered under it. You will only need to register your script under the new system if the script has been revised or amended since it was originally registered.

Q. IF BECTU HAS SEEN MY SCRIPT AND HOLDS A REGISTER, SHOULD I BOTHER KEEPING RECORDS OF MY OWN?

- A If you use the service regularly you may find it helpful for future identification purposes to keep a list of sealed returned envelopes containing scripts. You could log them by the registration number provided by BECTU and include the date received by BECTU, the title of the script, version number and a brief description, or if it is a revised version, a brief description of the main changes.

Don't forget to keep the original of the script yourself so you have something to submit to potential clients once the copy is registered. However, do not submit this or show it to anyone else until the registration process is complete and the copy is safely back in your files.

You may also find it helpful to keep a record of individuals and organisations to which the script proposal is submitted. Remember, if you have to pursue a case of copyright infringement then you will need to prove that the infringer had access to your original work.

Don't forget to register any revised or altered versions of the script separately with the service.

Q. CAN I USE THE SERVICE IF I WROTE THE SCRIPT WITH ANOTHER PERSON?

- A The UK's copyright law provides for works of joint-authorship.

If you are a joint or co-author, you can use the script registration service. However, each of the other co-authors will need to sign a Permission Form B nominating one of you as the BECTU contact. This does not affect ownership of copyright in any way; it merely makes administration of the scheme simpler for BECTU officials.

If you are a BECTU member but have co-authored a script with someone who is not a BECTU member, the script may be registered with the service but only you, the member, can be the nominated person. Again a completed and signed Permission Form B will be needed. This form is set out below so you can download it if required.

Q. WHAT TYPE OF WORK CAN I REGISTER?

- A. You can send us a copy of the script (which can be drawings, sketches, scripts, outlines, proposals, etc) or you can hand it in at the office. However, remember, this service is intended for scripts (see note on script above). We do not provide a register for novels, poems, artworks, mathematical theories, etc.

The script must be unseen by anyone apart from its author(s). Once it is registered you can then circulate it to production companies. When sending it out, it is advisable to ask for it to be returned within a specified period if it is not going to be considered.

BECTU does not act as an agent nor does it send out scripts to production companies.

Q. WHAT FORM SHOULD I SUBMIT THE SCRIPT IN?

- A. The more professional-looking it is, the more convincing it will be.

As well as paper copies which are hand written, type or computer written, we will also accept work on computer disc, CD and other electronic formats or video tape. Do bear in mind that some formats quickly become obsolete or can be corrupted in storage.

There is also an increased risk of damage in transit. It is your responsibility to ensure your work comes to BECTU in as secure a form as possible and ultimately to ensure that, if necessary, your lawyer or a court can access the registered script.

BECTU cannot accept responsibility for damage to scripts submitted or returned through the service.

Q. WHAT DO I DO?

- A. Download SRS Form A (pre-registration form) below. A completed form must accompany every script.

Make a copy of your script, keeping the original in a safe place, until the registered script is returned to you.

Make sure the package is securely wrapped and use a delivery service which guarantees its arrival e.g. recorded or registered post. BECTU will also accept scripts delivered by hand as long as they are accompanied by all the relevant paperwork.

If the script has been written with another person (including a non-member) then SRS Form B (permission form) must also be completed, to show that permission has been given for the script to be registered in the name of the first person. This form must be completed, signed and received by BECTU before the script can be registered. If there is more than one co-author then a permission form must be completed and signed by every co-author.

This does not affect the copyright status of any of the co-authors, it merely simplifies administration. The names of all co-authors are included in the registration database.

Q. WHAT HAPPENS NEXT?

- A. All scripts will be registered from the date we receive them.

Once the script has been registered we return it to you. (This will be within a maximum of 28 days. Please do not telephone to enquire about the return date during this period). The script comes sealed and inside a sealed envelope, which must not be opened, with a covering letter giving registration details including a number.

A permanent record of the registration details will be kept on our computer.

The sealed envelope is for you to keep with as much other supporting information as possible.

In the event of a dispute over copyright notify BECTU's Script Registration Service. Most importantly the envelope containing the script and the seal on the script should only be opened on the instructions of a solicitor or a court and only in the presence of a witness.

For more information on copyright and moral rights, see BECTU's publication 'Protecting Ideas and Copyright'. For information on the Submission of scripts and programme proposals see 'The Code of Practice for Submission of Programme Proposals' published by the Alliance for the Protection of Copyright. Both publications are available from BECTU free of charge to members.