

# Daguerreobase

Collective cataloging tool for daguerreotypes  
and daguerreotype literature



## DELIVERABLE

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### D7.1. Long term sustainability plan

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### ACRONYMS

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- AC: Administrative Coordinator
- API: Application Programming Interface
- AWR: Awareness Raising Meeting
- BPN: Best Practice Network
- CA: Consortium Agreement
- CIP: Competitiveness and innovation framework programme 2007-2013
- CO: Coordinator
- D: Deliverable
- DAG: Daguerreobase
- DEA: Data Exchange Agreement
- DoW: Description of Work
- EC: European Commission
- EDA: European Daguerreobase Association
- GA: Grant Agreement
- ICT-PSP: Information and Communications Technologies -  
Policy Support Programme
- ODF: Open Document Format
- PM: Person Month
- PMB: Project Management Board
- PO: Project Officer of the European Commission
- QA: Quality Assurance
- R: Report
- TC: Technical Coordinator
- TR: Technical Review
- VZW: Vereniging zonder Winstoogmerk (non-profit organization)
- WP: Work Package
- WPL: Work Package Leader

# 1. INTRODUCTION

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This document provides a plan and the conditions for the long term sustainability of the Daguerreobase project. The current project offers a great opportunity to renew the existing Daguerreobase, to enlarge the amount of described daguerreotypes, to improve the accuracy of the descriptions and to add these descriptions to Europeana.

The first goal of this long term sustainability plan is the maintenance and consolidation of the project results. Alternatives have to be found for the project funding and the project structure. A second ambition is broadening the scope of the renewed Daguerreobase. Only maintaining the existing content and metadata of the renewed daguerrebase won't be a viable strategy in the long term. It would be better to enlarge the focus and to broaden the action field of the renewed Daguerreobase. F.i., broadening the scope and to focus to other types of early 19<sup>th</sup> Century types of photography. This will be elaborated more in detail by the European Daguerreobase Association, the successor the project. This deliverable offers a solution for the legal entity and the funding for the association.

The plan for the long term sustainability includes solutions for:

- the long term preservation of the the digitised daguerreotypes, their descriptions and the digitised literature (2. technical sustainability)  
The Technical sustainability is only briefly handled in this deliverable, as deliverable D.7.3 of this project, provides already the necessary handles to make sure that the descriptions and images can be preserved over time. D.7.3 prescribes the following required functionalities for the Daguerreobase:
  - i. The extensive use of existing standards and
  - ii. Efficient export functionalites for the metadata and the images of the daguerreotypes.
- the organisational structure which will manage and extend the contents of the renewed Daguerreobase. The establishment of the European Daguerreobase Association is proposed in the DOW of the project. We explore the options and propose the establishment of a non-profit association according to Belgian law (3. organisational sustainability)
- the funding for the European Daguerreobase Association (4. the financial sustainability). For the financial sustainability , funding is required for
  - i. The maintenance and future improvements of the renewed Daguerreobase and an organizational website
  - ii. The operational costs of the European Daguerreotype Association, and
  - iii. Promotion and others

## **2. TECHNICAL SUSTAINABILITY**

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The digitised daguerreotypes, their descriptions, the literature and the equipments are one of the most important assets of the renewed Daguerreobase. As the contents of the Daguerreobase will be growing over time, a big concern is the long term preservation of the images and the metadata.

Following international best practices, the long term preservation of all these digital materials, is taken into account from the beginning of the project. As a consequence a lot of attention is paid to gathering the necessary documentation, the application of international standards and to provide sufficient export functionalities for the images and their metadata.

Renewing the existing daguerreobase involves a redesign of the datamodel of the database. To make future interpretation of the data possible, it's important to document the way the data are organised in the database. A high level entity model must clearly identify the different entities within the datamodel and document their relationships. A fundamental element of this entity model is a clear separation of the logical entity ('the image') and its representation(s). Each entity has its own metadata. Doing so, the entity model is future proof. F.i. other types of early 19<sup>th</sup> Century photographs with their own metadataschema can easily be added to the model.

Within this entity model as much as existing international standards must be applied or re-used. International standards are well-documented and the project can built on existing experience in the implementation of the standards. Examples of this standards are Dublin Core for the content descriptions, ISAAR(cpf) for the protographers and SKOS for the thesaurus. This will also enhance re-use the descriptions and provide the metadata as open data. This strategy also facilities the exchange of metadata with content aggregators like Europeana is.

Finally, it's best to provide from day one on an exit-strategy for the images and their metadata from the Memorix Maoir system. In case the renewed Daguerreobase gets obsolete, a better technology/system would be available in the future or the European Daguerreobase Association can not provide the necessary budget any more, it must be possible to export the images and their medatata in a meaningful and logical way. This is further elaborated in more detail in the deliverable D.7.3.

This deliverable prescribes the required functionalities for the renewed Daguerreobase. Much attention is paid to the extensive use of existing standards and efficient export functionalites for the metadata and the images of the deaguerreotypes. Both elements compose the building block for an exit-strategy and must avoid a vendor lock-in.

## **3. ORGANISATIONAL SUSTAINABILITY: A LEGAL ENTITY FOR THE EUROPEAN DAGUERREOBASE ASSOCIATION**

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The Daguerreobase project brings a number of project partners together in order to achieve a common goal (creation of a database for the description of daguerrotypes). Ensuring the maintenance and further development of the Daguerreobase – once the project is ended – calls for certain legal arrangements to be made. We explore the option of founding a non-

profit association under Belgian law ('vereniging zonder winstoogmerk'). Some points of comparison with alternative structures will be made, without however exploring these at length.

### **3.1 Alternative: 'zero option'**

The project partners might wish to continue cooperating without creating a new legal entity for this purpose. Certainly, cooperation could continue on the basis of contracts between all parties concerned (which constitutes a 'de facto' association). However any changes of participating parties would require renegotiation of the contracts, which might prove paralysing in practice. Limiting liability of the participants in Daguerreobase may also prove difficult, especially in relation to third parties – who are not bound by any contractual arrangements made between the participants. For the DEA with Europeana and the SLA with Picturae a legal body representing all content providers is almost necessary. As a consequence, the zero option isn't really an option.

### **3.2 Alternative: establishment of a private foundation**

A private foundation is a legal entity established around a fortune which the founders wish to dedicate to a specific non-profit cause.<sup>1</sup> The private foundation has a board of directors, but no members. The law does not prescribe any minimum capital for the establishment of a private foundation, in practice sufficient funds to at least start its activities are needed.

A private foundation appears ill-suited for Daguerreobase on two major counts:

- given the lack of members in a foundation, it is unclear what role the Daguerreobase projects partners could play in the long run.
- given the fact that at present there is no 'fortune' available upon which to build the foundation, nor has any alternative plan of financing for Daguerreobase been decided upon, one of the basic building blocks of a foundation are missing.

Under Belgian law, a private foundation can be established only by a deed executed before a notary. The same is true in the Netherlands. As far as other formalities are concerned, these are comparable to those required of a non-profit association, namely depositing certain documents with the Court of Commerce registry and their publication in the Moniteur Belge.

### **3.3 Proposal: establishment of a non-profit association (under Belgian law)**

#### **3.3.1 Rationale**

A non-profit association is a legal entity founded by a number of persons with the aim of achieving a specific non-profit objective.

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<sup>1</sup> Very similar in nature is the 'foundation of public utility' under Belgian law. Such foundations require - in addition to a notarial deed - recognition by Royal Decree, which is a cumbersome process and are restricted to certain categories of causes. This option is not considered in this memo.

The establishment of a non-profit association is fairly easy and cheap. The association can be established by a minimum of three persons (natural or legal) by way of a private deed ('onderhandse akte') containing the articles of association. The registered office of the association must be in Belgium, but there is no restriction regarding the nationality of its members. No minimum starting capital is required, only the (modest) official publication fees must be paid (161,66 EURO in 2013).

Non-profit means that the association may not distribute direct payments (e.g. a dividend) to its members. The members may receive indirect financial benefits out of their membership. As such, a non-profit association which allows members to pool resources (e.g. create and maintain a common database) and thus allow each of the members to make cost savings is perfectly legal.

Funding of the association is generally achieved by membership fees, fundraising activities and/or donations<sup>2</sup>.

The articles of association of the non-profit association must contain the following information:

- the full name of the organisation, the address of its registered office and the court district in which it is situated;
- the identity of the founders;
- the minimum number of members (no less than three);
- a precise description of the objective of the association;
- the conditions and formalities governing the association and resignation of full - and optionally non-active - members;
- optionally, the rights and duties of non-active members;
- the maximum membership fee;
- the conditions governing the appointment of directors and their powers;
- the destination of any remaining capital in the event of the association being wound up;
- the powers of the general assembly and how a general assembly meeting may be called;
- where applicable, the duration of the association;
- the persons responsible for managing the accounts and budgets

The legal personality is acquired once a number of documents have been deposited with the Court of Commerce registry.<sup>3</sup> Some documents are subject to publication in the *Moniteur Belge*, notably the articles of association and the appointment of directors. It should be noted that certain modifications during the lifetime of the association must be deposited with the Court of Commerce registry and published in the *Moniteur Belge* as well (entailing publication fees), amongst others changes in the board of directors and changes in the articles of association.

The association has legal personality in its own right, meaning that it can conclude contracts

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<sup>2</sup> Under certain circumstances, donations in excess of 100.000 euro may be accepted by an association only upon authorisation from the Ministry of Justice (art. 16 of the law of 27 June 1921 hereafter 'VZW law').

<sup>3</sup> Art. 3 VZW law.

with third parties and that its debts and assets are kept separate from those of its members. An association is not subject to the laws on bankruptcy, however an association that is unable to pay its debts may be resolved by court decision upon the initiative of a creditor.

If so desired, a distinction can be made between full members and associated members. Full members have all the rights granted to them by the law (notably the right to vote in the general assembly meeting and the right to review the accounts of the association). The association must maintain a register of full members.<sup>4</sup>

Non-active members have only those rights granted to them by the articles of association<sup>5</sup>. The distinction might be useful in the context of Daguerreobase if some members are involved in steering the development of the platform, whilst others are strictly users of the platform. This possibility is not explored further in this memo.

The association has two bodies: the general assembly (comprising at least all the full members) and the board of directors. Optionally, one or more managing directors may be appointed.

A number of decisions may be taken only by the general assembly (and not delegated to the board of directors), most notably:

- modification of the articles of association;
- appointment and dismissal of directors;
- approval of the annual report and the budget;
- exclusion of a member;
- resolution of the association;
- any other matter reserved by the articles of association.<sup>6</sup>

In all other matters, the board of directors is competent.

The general assembly meets once every year, and must do so within six months of the end of each book year.<sup>7</sup> The law imposes some rules on when and how the meeting ought to be called. Members must be given at least eight days notice beforehand and must receive the agenda for the meeting at this time<sup>8</sup>. Only matters listed in the agenda may be decided upon, unless the articles of association determine otherwise.<sup>9</sup> In many associations, travel expenses of the members are reimbursed, though this is not required by law.

The board of directors comprises of a minimum of three persons (natural or legal), who need not be members of the association. The number of members must always exceed the number of directors by one person at least.<sup>10</sup> The directors represent the association, which means they can conclude contracts for the association (amongst other actions). Directors may be remunerated or even be employed by the association (whether or not they are also

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<sup>4</sup> Art. 10 VZW law.

<sup>5</sup> Art. 2ter VZW law.

<sup>6</sup> Art. 4 VZW law.

<sup>7</sup> Art. 17 VZW law.

<sup>8</sup> Art. 6 VZW law. The articles of association may impose a longer delay.

<sup>9</sup> Art. 7 VZW law. A modification of the articles of association must be explicitly mentioned in the invitation to the general assembly meeting (art. 8 VZW law), according to the Ministry of Justice, the same holds true for the exclusion of a member, the dismissal of a director and the resolution of the association.

<sup>10</sup> Art. 13 VZW law. In case the association only has three members, the board of director must be limited to two persons.



members).<sup>11</sup>

The association bears liability for the actions of its directors and employees, and well as for decisions of the general assembly.<sup>12</sup> Members of an association cannot be held personally liable for decisions and actions of the association. Members can therefore not be sued for payment of debts of the association. If however, a member acts for the association without disclosing this to the other party correctly (the law requires that the association state its name and details on all correspondence), this member can be held liable together with the association.<sup>13</sup> The same is true if a founder or member acts for an association during its establishment and either legal personality is not obtained within two years or the association does not confirm the concluded agreement within six months of obtaining legal personality.<sup>14</sup>

Members remain responsible of course for their own actions – e.g. damages they might cause to third parties or other members. Directors can be held liable for not properly fulfilling their tasks or for any wrongdoing in the execution of their tasks. Many associations take out insurance covering their directors' liability in these cases.

Large associations must do their bookkeeping according to the law of 17 juli 1975 on bookkeeping and deposit their annual report at the National Bank. Small associations are allowed to do their bookkeeping in simplified form<sup>15</sup>, they must deposit their annual report with the Court of Commerce registry<sup>16</sup>.

Regarding taxes, many non-profit associations are subject to the same tax rules as companies. In some cases exemptions apply, depending on the actual activities in which the associations is engaged. This matter needs to be followed up once a financial plan has been decided upon.

An association may be resolved by decision (in accordance with a special procedure) of the general assembly. In certain case, the courts may order the resolution of an association for non-compliance with certain legal requirements or in case of insolvency. Any funds remaining after payment of all debts may not be distributed amongst the members, but must be donated towards the cause determined in the articles of association, or otherwise the cause determined by the general assembly, or otherwise a cause similar to that of the association.<sup>17</sup>

Very briefly, the option of establishing an association under Dutch law was examined. Comparable to the Belgian non-profit association is the Dutch association with full legal rights (vereniging met volledige rechtsbevoegdheid).<sup>18</sup> Such an association must be established by a deed executed before a notary, thus incurring legal fees.

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<sup>11</sup> Where members are concerned, this is an exception to the rule that members may not receive direct payments from the association, Ministry of Justice, "De VZW", 2013, p. 20-21.

<sup>12</sup> Art. 14-15 VZW law.

<sup>13</sup> Art. 11 VZW law.

<sup>14</sup> Art. 3, § 2 VZW law.

<sup>15</sup> Art. 17 VZW law. Large associations are those who meet two of the following criteria: 1) employ 5 full time equivalents on average per year, 2) generate income (not profit) in excess of 312.500 euro, not counting exceptional income, 3) have assets in excess of 1.249.500 on the balance sheet.

<sup>16</sup> Art. 26novies, §1, 5° VZW law.

<sup>17</sup> Art. 19.

<sup>18</sup> The other type of association under Dutch law is the association with limited legal rights (vereniging met beperkte rechtsbevoegdheid), which can be established by private deed. Directors of such an associations are held personally liable for the associations debts jointly with the latter.

This option is not proposed for practical reasons. If a Belgian project partner will assure the day to day management of the association, the association should be governed by Belgian law as well. Navigating the rules of one's own country is difficult enough, without adding the complication of exploring foreign law.

### ***3.4 Alternative: establishment of a commercial legal entity***

In case the project partners expect there to be a viable market for the services offered by Daguerreobase, the option of establishing a commercial legal entity should be explored further. A viable market means that a steady profit can be made and that the costs for developing Daguerreobase can be recovered over a number of years.

If on the other hand, it is thought unlikely that the costs of developing and maintaining Daguerreobase can be covered through commercial exploitation of the system, the establishment of a non-profit association is more appropriate. There is no point in establishing a company that is destined to go bankrupt.

The reason for making this analysis is the following: commercial entities may engage in all for-profit activities (provided of course they are lawful), whereas non-profit associations are subject to limitations when they engage in for-profit or otherwise commercial activities.

Non profit associations may engage in activities that turn a profit, under the strict condition that any gains are invested only to achieve the goals of the association. Giving a dividend of the profits to the members is not allowed, nor is any other form of direct payment to the members allowed. This rule is rather self-evident, given the non-profit nature of the association, and is not difficult to apply in practice.

The revenue generating activities of non-profit association must, according to jurisprudence, be accessory to their main activities. There is however some uncertainty on how to evaluate this.

Problems tend to arise when non-profit associations enter a market in which commercial entities are also present (or enter later on). In the past, commercial competitors have sued non-profit associations for engaging in unfair competition – thus requiring judges to draw a line between unacceptable and acceptable commercial activities for non-profits.

It should be noted that court cases generally arise when non-profits compete directly with commercial entities with near identical products or services (past cases were for instance candle making and ironing services). Though generic IT services are available on the market, the Daguerreobase platform has – to my knowledge - no competition at present.

The fact that the development of Daguerreobase is financed by EU subsidies is a first indication that no viable market is expected, though this is not decisive in itself. A business model to support maintenance and further development of Daguerreobase is to be developed as part of the project.

The creation of a commercial legal entity with limited liability of the shareholders (hereafter limited company) has financial implications. Under Belgian law, a limited company can be

established only by a deed executed before a notary, thus incurring legal fees. Also, financial capital must be invested at startup to serve as collateral for creditors. Depending on the type of company, the minimum starting capital is 18550 euro (bvba/sprl) or 61500 euro (nv/sa). If the company goes bankrupt within the first three years of its establishment, the founders are personally liable for providing insufficient starting capital.

There are costs involved in running a company as well, notably each company must pay social security contributions – not counting the social security contributions to be paid for the directors in charge and for employees.<sup>19</sup>

## 4. FINANCIAL SUSTAINABILITY

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The maintenance and future improvements of the renewed Daguerreobase, the operational costs of an European Daguerreotype Association, etc. will ask for financial funding.

The potential financial sources are:

- fees of content providers for the use of the renewed Daguerreobase as registration tool
- license fees for private collectors which use the Daguerreobase as registration tool, but without online publication or data exchange with Europeana
- new (European) projects
- activities like workshops, publications which generate revenues
- other.

The European Daguerreotype Association sustainability plan outlines the organization's strategic financial priorities as well as its proposed means for achieving the objectives it has set during its establishment for the next three.

This deliverable addresses the questions regarding the possible resources for running the European Daguerreotype Association, after termination of the project. The example of The Daguerreian Society in the US indicates that associations are sustainable providing an attractive set of activities for its members. It is also clear that there is considerable enthusiasm for EDA, or a system like it, to be available.

### 4.1 *The project concept: Daguerreobase*

In order to collect, exchange, and disclose technical and material information on daguerreotypes a pilot knowledge base was created: [www.daguerreobase.org](http://www.daguerreobase.org). The Daguerreobase is intended as a non-profit project to collect and generate as much knowledge on daguerreotypes as possible, and this to the benefit of a large public and all those interested: institutions, researchers, conservators, collectors, historians, genealogists, traders and owners, both professional and non-professional.

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<sup>19</sup> <http://www.rsvz-inasti.fgov.be/en/index.htm>

Through this web application everyone interested in daguerreotypes is able to search the database for information online. Institutions or individual owners who want add information or objects to the database have to register themselves in order to receive a username and password to enter the database and add the information on their daguerreotypes.

By focusing on the description of daguerreotypes as objects, Daguerreobase remains of interest mainly for a limited set of specialists. The knowledge base could however only function as an efficient and interesting early photographic heritage platform of interest for a large and diverse public by the development of a standard for the description and long term conservation of daguerreotypes.

The information on the surviving daguerreotypes can only be optimized after the entering of a critical amount of enriched records from all over Europe by different institutions and individual owners from different countries. Through the gathering of this enriched information and content, the identification, attribution, provenance and the gathering of further knowledge on the remaining examples of this earliest form of photography will be made possible. Daguerreobase needs the EUROPEANA content and facilities and its wide knowledge on Europe's diverse and rich cultural heritage to optimize and expand its usage, and to guarantee the quality and the quantity of its content in order to serve the target users that search for content through EUROPEANA at item level.

### ***Objectives and Actions***

Daguerreobase is a Best Practice Network (BPN), with the following complementary points of focus:

- To aggregate high quality images and descriptions of mainly European style daguerreotypes and daguerreotype related objects;
- To enable access to at least 75% of the still existing highly significant but scattered institutional and private daguerreotype collections in Europe via EUROPEANA;
- To enhance the quality of both new and existing EUROPEANA content, in terms of its metadata richness, its re-use potential and its uniqueness;
- To enable improved search, retrieval and use of EUROPEANA content, both within the EUROPEANA portal and by third parties via the EUROPEANA API.

The next key issues of the Daguerreobase project addressing EUROPEANA are identified and integrated in the work process:

- Cooperation between the consortium partners and engagement with external organizations, private owners and collectors to or via EUROPEANA;
- Best practice consensus building by adopting community descriptive standards on daguerreotypes and metadata standards to enrich the content and improve the alignment with EUROPEANA;
- Develop multilingual terminology, thesauri/entries lists to improve semantic web-based access and retrieval of cultural and historical information within EUROPEANA;
- Use of linked data to support semantic processing and interoperability within and with EUROPEANA data models.

## ***Project Partners***

Currently 18 partners from 13 different European countries are working together: institutions, private-collectors and photograph conservators.

## ***4.2. European Daguerreotype Association***

The recommendation of WP7: Long term sustainability, of the establishment of the European Daguerreotype Association (EDA) as an international – non-profit –association (vzw) under Belgian law, is since December 2013 in practice. The EDA is a legal body with an interim board, which will represent Daguerreobase.

### ***4.2.1. Aim and activities of the association***

**EDA** will take care for the expansion and maintenance of "Daguerreobase", the only existing database of daguerreotypes as part of the visual European heritage. It will be responsible for aggregation of new information on early history of photography, the enrichment of existing descriptions of daguerreotypes of public and private collections. It will also establish networks with other collections, museums, institutes and collectors, and build an authentic source for 19th century European photography heritage research.

Activities of the Association includes all that will directly or indirectly contribute to the achievement deploying aforementioned aims, non-profit purposes, including incidental commercial and profitable activities within the limits of what is legal and which proceeds entirely for the realization of the ideal, non-profit purposes.

The Association is entitled to all movable and immovable property which they directly or indirectly take ownership or other corporate rights to fulfillment its purposes. The association may also set up departments or publish or republish its content within the legal extent to accomplish its purposes.

The interim board of EDA consists of 4 persons who are responsible for looking after the overall activities of the project for transition period. To continue the work of the project as an independent body after the project end, the association has to form a full-fledged Board of Directors/Governing Body representing all stakeholders. Representation of stakeholders from all related groups (public, private, individual, researchers, student, experts) will help the association to understand and handle all related functionalities of it. For the time, the Board of Directors positions are honorary positions.

To achieve its aim, and continue the growth of the database, the Association has to look for potential members. In the beginning, membership fee is going to be the main source of income for the association. It also has to look for other source of income or income generating task to run the work smoothly.

Due to financial strains there is no regular staff at this the moment. But after the project period ended one full time staff will be recruited to take care of the coordination and communication with partners and also to monitor of the database as well as the website. When a stable income for the association can be guaranteed, more staff can be recruited to accelerate the activities of the association. EDA staff will arrange training program, workshop, and take initiatives to increase the number of members and also the collection in cooperation with board of directors and members. There will be clearly stated job responsibility for the staff. And the recruitment will be made as per Belgian law for bachelor level qualification.

#### **4.2.2. Membership**

The association is still looking for more daguerreotypes to preserve and share them in a secured digital environment. All stakeholders can benefit from this cooperation.

- Museums and private-collectors can show their daguerreotype collection to a wider public
- Anyone can search with a multilingual tool through Europe's finest daguerreotypes
- The main body of still existing European daguerreotypes will be assembled in one user-friendly database
- You can exchange information and raise your level of knowledge

#### **Target members**

This plan targets all the collectors including public and private organization individual researchers and interested students from all over Europe to become member of the Association. The target members can be categorized as below:

- o **Geographic**
  - European: Collectors or owners from all over Europe will be encouraged and cover to be member of this association. Association will take necessary steps to collect as much related information as possible about daguerreotype from European countries.
  - Other than European: There may be daguerreotypes about Europe scattered all over the world. The association will also take responsibilities to encourage those collectors to become member of EDA.
- o **Demographic**
  - Public collectors
  - Members of the EDA will cover all public collectors such as libraries, archives, and museums who have daguerreotypes in there collection.
  - Private collectors such as private organizations, trusts, memorial and even individual collector of daguerreotypes will be encouraged to become member of the Association.
- o **Psychographics**
  - People who have interest in daguerreotypes, Researchers, Students of photography, General people/photographers will also be able to become member of this association.
- o **Behavior**
  - Collectors of other ancient photographs from the above mentioned groups will also be taken into account by the Association as members. After the first 3 year of project ends, this step can be taken to explore other ancient photographic techniques, objects and related information.

Membership fee for different stakeholders is different. It is decided that yearly 300 members should be accepted. The membership fees for institutions, individual collector, and researchers/student are decided 100, 50 and 25 euro respectively. The fees could be revised as 200, 100 and 50 euro respectively.

Though it is decided to accept 300 members yearly, it is not an easy task. It is easier to get 150 members than looking for 300 members. And the amount is not so much comparing to the European economic status.

Besides, the membership could be of two categories:

- Country membership and
- associate membership.

Maybe the present board of director along with the project partners can give a thought to this idea for longer sustainability of the association. The potential European governments could take part in it and provide a yearly amount to the association as membership fee. And the public and private collectors

and contributors, researchers, students can get associate membership. Governing body will be formed with the country members. Usually, international organizations specially research organizations work in this way.

In order to have a consistent member group, loyalty of them is one of the most significant area for our Product and services. To promote customer loyalty, EDA has to:

- Ensure that it is providing a quality product/service
- Provide swift service
- Provide quick support services, if necessary to navigate or use the database.
- Have a feedback system inbuilt within the website or even database interface to gauge users' expectations, desires, concerns, etc.
- Use customer input to improve the database and online services, as well as gear development of new products or services

### **4.3. SWOT Analysis**

#### ***Strength***

Establishment of the European Daguerreotypes Association (EDA) before the end of the project period will definitely play as a strength factor in the business plan. The comprising of a board with delegates from all concern stakeholders will make it more efficient and effective. With clearly stated objectives and goals beforehand, it can start working on membership negotiation with prospective bodies and organizations. With the existing project work EDA can provide a demo demonstration to prospective members about its role and work which will ensure the members about its effectiveness.

The existing consortium agreement among the project partner will represent the richness of the database collections and will definitely play a vital role among the potential members to understand about their benefits lying in becoming the member of the association.

Under the project, searching for more possible collection or contributor is increasing the communication and contacts among organizations and individuals and in a way helping growing the network.

The project partners are willing to be part of the association even after the project ends. They verbally provided their consent to enrich the database collection free of cost from their own collections in future. This dedication of the project partners is definitely going to play an important role in the future workflow of the association.

Throughout the whole Europe there are numbers of collectors and contributors and interested researchers who would like to come under a single platform to conserve their heritage for future and even make them available and accessible to larger audience. EDA will offer this opportunity to these contributors.

Being the official collection holder for daguerreotypes in Europe, EDA will be the central access point to all European daguerreotypes. Any organization or individual can get access to his needed country collection of daguerreotypes via EDA database as a member of the Association. For members, it is economical as well as it will reduce the necessity and hazards of becoming members of the different collections scattered all over Europe. They would rather come under one umbrella and preserve the images and related information.

Being a non-profit organization, EDA itself will encourage the contributor/researchers to become members or would be eager to subscribe the services provided by EDA. Besides, they would like to preserve the European heritage for their own future use and benefits.

Being the part of European heritage? The collections of EDA will make available for users through EUROPEANA. For that, every single contributor members of the association does not need a separate agreement with EUROPEANA for that. EDA agreement with EUROPEANA will cover this. Moreover, the status of the association might instigate donations from funding agency or individuals.

The database will be online and all the images and other related information preserved in the database will be readily accessible by the subscribed members. Besides, it will allow future inclusion of collection by the new members provided necessary training for that.

### ***Weakness***

At this moment, the project is run with European Commission's funding which will end in April 2015. At this moment there is no further assurance of financial support from the funding agency. As a result EDA needs to look for possible financial sources to continue the activities. This financial depending of the association either on membership fee or any other funding agency is going to play a major role on the work culture of the association.

The EDA does not have an organizational infrastructure to provide the necessary services to its members and other users. So, it has to depend on some of its members for providing the services to other members and general users which of course will cost some charges.

The hosting of the present websites, licensing, and maintaining the database is at present taken care by Picture as a project partner. After the project period ends? EDA needs to pay for continuing the hosting and maintenance for the database both image and literature. Picturae has sent an estimate cost to Project coordinator, FoMu Antwerpen, which is around €15000-18000 per annum (did not get a copy of documents). This amount is really high for the association as at this moment it has no guaranteed source of income or finance.

It is not unwise to think about other alternatives to find another partner regarding the IT related task or change to other IT service providers. But in that case the technical sustainability of the database may be compromised.

Export functionality inadequate

### ***Opportunity***

If can manage enough fund, the EDA would be able to run as a full-fledged organization with all types of infrastructural facilities needed for building and maintaining the daguerreotypes.

The association could become the centre of all kinds of ancient photography not only in Europe but also in world if proper measure can be taken into consideration to ensure financial and operational support.

Cooperation with The Daguerreian Society will make it easier for the organization to increase the efficiency of the association. At the same time it will also help the association to face the financial and managerial shortcomings and how to overcome those.

If proper promotional activities can be taken, the association would be able to grow awareness among the collectors or individuals about the importance of daguerreotypes database in a bigger way. This will ultimately help the association to get more and more members and play a vital role in its smooth running.

### ***Threat***

It is indeed a huge threat for EDA that after the project ends in April 2015, there is no more funds from European commission for the project.

Due to economic crisis in Europe, there is always a possibility of budget cut in the organisations. If it happens to the prospective member organization, it will definitely leave an impact on the membership status of the Association and will hinder the smooth running of the association.



Being a non-profit organization, and also re-using other public sector information limits commercial exploitation of the database.

Agreement with EUROPEANA also may impose threat to some extent in future.

## **4.4. Plan & strategies**

### **A. Growth strategy**

#### ***Intensive strategy:***

Digital daguerreotype images from all over Europe should be collected and make those available in the database for members/users. At the same time also collect information and literature about the materials used for making daguerreotypes, how to store them, the frames, the boxes, the camera used, the leaflets people's comments about daguerreotypes. Intensive strategy should be taken to get more member countries in to association. Workshops, trainings on daguerreotypes need to be arranged regularly to promote the service and facilities of the EDA. In addition to this, some promotional activities like brochures, leaflets, post cards or even small daguerreotype replica can be taken depending on budget availability.

#### ***Integrative strategy***

Daguerreotypes about Europe or related to Europe in any means from other part of the world will be included in the database. Then the other types of ancient photographic images will be made part of the database and so of information and related literatures.

The growth strategy of the EDA will be followed in two steps of 3 years each. After first three years, the integrative strategy will be followed.

### **B. Development strategy**

In April 2015, the Daguerreobase project period will end. To make the outcome of the project available to the users and to continue the collection of daguerreotypes for longer times even after the project ends, the European Daguerreotypes Association (EDA) has been established. It has been agreed by the partners that the contents for the database will be provided by them free of cost. In addition, they will subscribe membership every year which will help the EDA to function. This membership fee will be the main financial source for running EDA. Besides it will give the members access to other members collections.

EDA will look for additional funding under EU programs. If additional funding can be managed then a full-fledged infrastructure will be set up to perform all the project related activities in house. It will help EDA to build a larger collection and act as a centre for ancient photography in near future.

### **C. Operational strategy**

#### **C. 1. Products**

##### **Organizational website**

A website will be hosted for EDA. The website will of course be the most visible part of EDA functions and activities. The website will be based on the use of Joomla CMS. The website consists of several sub-products.

The Front End of the website will include information about EDA, its governing body, mission, vision, and membership, product and service information. The present Daguerreobase portal can be integrated within the EDA website or it can remain as a separate entity. In that case, they should be interlinked. The portal's Content Management System (CMS) is a management application for maintaining of the non-collection content of the website, such as literature and documentation, news articles, blog pages, etc. The open source CMS Joomla is deployed to Picturae's hosting infrastructure. It is configured to provide access rights to all current and new partners and content providers. The CMS acts as the partners' communication system to share news items, blog articles or events with the public.

The Record Management System (RMS) is the tool that the participants will use to manage the actual content, such as descriptions of Daguerreotypes. Based on the outcomes of the deliverables of WP3 (Best practice and standards description), the RMS will be configured in such a way that all fields and thesaurus / entries lists alignments are in place. For each partner and content provider, collections is created and access is given by an administrator(s). Data entry is done by Memorix Maior. In this product, tools, such as bulk data entry, search and replace, in- and export, connection of EXIF data to the metadata management, use of SKOS based ontology's, are available to help partners in the most efficient way to ensure easy and fast data entry.

This product also includes the Digital Asset Management System (DAM). Partners are able to manage their digital images and can view them using our web based high resolution image viewer. Content providers are able to edit their collections in it.

#### **Daguerreotypes search, retrieve and display**

The portal has Full Text search engine facilities. It also has multilingual search facilities. At present, in Memorix the amount of entries is more than 6000 which is made available in the website.

Being the most important part of this project, a lot of effort will be put in this part of the website. An attractive user interface will present daguerreotypes and allows visitors to quickly find them, based on user entered queries and/or faceting techniques.

A high resolution image viewer will be used to show the maximum quality available of digital images. This viewer can zoom into digital images without the need to directly download the entire digital image. Even with slow internet connections or on mobile devices, visitors can enjoy Daguerreotypes.

#### **News**

The blog is available for all current and new consortium partners and content providers. They will be able to share Daguerreotypes based information with the public. General content will include information about the project and more detailed information about the consortium partners.

#### **User generated content / Social Media integration**

A system will be created where visitors can comment on Daguerreotypes and other related content. Partners and content providers are able to moderate these comments with the RMS. Visitors are also able to tag Daguerreotypes with their own keywords. Integration with social media (Facebook, Twitter, Google+, etc) will be incorporated to give visitors the opportunity to express their opinion about the content of Daguerreobase.

#### **OAI-PMH interface**

An OAI-PMH (Open Archives Initiative – Protocol for Metadata Harvesting) interface will be developed as a transfer mechanism for a selective transfer of metadata to Europeana. The actual ingestion procedure will be described in WP5, Deliverable D5.1, and is a task for WP5 leader. This OAI-PMH interface will express metadata and links to digital objects in the EUROPEANA ESE v3.4 format.

## **Daguerreotype Journal**

On a regular basis, the online journal “Daguerreotype Journal” will be published via the website. The desire to share passion for the daguerreotype was the main motivation for founding this online publication, which is dedicated to words and images concerning the aesthetics, the science, the history and the art of creating daguerreotype images, in the past as well as now. Earlier it was free. But it can be made available to the users on subscription basis. Subscription can be journal basis or article basis.

## **Workshop/training**

To disseminate the expertise knowledge to interested users or researchers, workshop and training programmes will be hold on regular basis. Members of the association can attend these workshops or training programs for reduced fees other interested group can take part with a higher price.

Daguerreotype experts among the members or project partner or even from other sister organization can be invited as resources person for the workshop and training programs.

Even the daguerreotypes created/made in any such workshop can be used as promotional items for the association.

The workshop could be organized in different member countries to make it easier and economic for both participants and EDA.

## **C.2. Services**

In addition to building and maintaining database about daguerreotypes, some additional but related services can also be performed by the association such as

- Digitization of daguerreotypes
- Providing descriptions
- Preserving in Daguerreobase
- Issuing authenticity certificate
- Print service
- Make your own daguerreotypes

There might be some collectors who have few daguerreotypes but they don't want to be a member or do not want to share their collection with others but they want to have their items digitized and described properly or even to put those in the database but not accessible to others. Sometimes, people could not be sure where the daguerreotypes they have are authentic one or not.

There could be a service for interested people who want to make a daguerreotype of their own. But don't know where to go and make it.

The association can perform these services. But, as the association does not have an infrastructure of its own to perform in the beginning, the members who have the facilities can do these services on behalf of the association. The question is why the members will do this? Because it could be an income generating task for them also. Then the question is why via EDA? Because, the EDA is an authentic body. People would not spend money if they do not feel the confirmation of authenticity. Then what is the benefit of the EDA? EDA will get 10% of the service charge/payment where the performing member will get 90% of it.

There could be a discount in the paid service depending on the quantity of the items. Comparatively less service charge/ payment will be asked for more items.



## ANNEXE 1: QUESTIONS & ANSWERS ON THE ESTABLISHMENT OF A VZW

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1. Why is a legal structure as a non-profit organisation necessary for the renewed Daguerreobase?

*The consortium needs to conclude agreements/contracts with several parties (f.i. a service level agreement with Picturae, data exchange agreement with Europeana, data exchange agreements with content providers, etc.). A legal body is necessary as soon as possible for this purpose.*

2. Which costs are involved in being a member of the board of directors or the general assembly?

*The articles of association must determine which maximum fee can be required of members. The law affords associations much liberty in setting a fee structure for its members. Generally, no fee is required in order to become a member of the board of directors, though the articles of association could decide otherwise. Many associations provide that travel costs (within limits) for participating in the general assembly or in the meetings of the board of directors are reimbursed.*

3. Who can become member of the general assembly?

*The articles of association determine who can become a member, usually by determining certain objective criteria of eligibility. In the present case, membership might be reserved for entities who participated in the Daguerreobase project.*

4. What is the link between the project structure and the organisation of the non-profit organisation?

*There's no formal link. All options are open, but an obvious option is that the PMB-members would compose the board of directors and that all consortium partners would join the general assembly. However, this is a decision that every project partner can make for its own. There's no obligation to join the board of directors or general assembly. F.i. a PMB-member can decide to join the general assembly and not being member of the board.*

5. Is it possible to engage in money-making activities?

*Yes, this is possible. The benefits have to be used for the goals of the non-profit organisation.*

6. When is the non-profit organisation going to be established? When the project ends?

*We don't have to wait until the project ends to establish the non-profit organisation. Actually, the sooner a non-profit is founded the better, as agreements with external parties have to be concluded in the upcoming months.*

7. Are members of the board of directors or general assembly personally accountable?

*No, they are not liable, except in specific circumstances:*

- *Directors can be held liable for not properly fulfilling their tasks or for any wrongdoing in the execution of their tasks. Many associations take out insurance covering their*

*directors' liability in these cases.*

- *If a member acts for the association without disclosing this to the other party correctly (the law requires that the association state its name and details on all correspondence), this member can be held liable together with the association.<sup>20</sup>*
- *A founder or member incurs personal liability if he acts for an association during its establishment and either legal personality is not obtained within two years or the association does not confirm the concluded agreement within six months of obtaining legal personality.<sup>21</sup>*

*Members of an association cannot be held personally liable for decisions and actions of the association. Members can therefore not be sued for payment of debts of the association. The same is true*

8. What happens if the non-profit organisation goes bankrupt?

*In Belgium, the specific procedure of bankruptcy cannot be applied to non-profit associations. If an association is no longer able to pay its debts, creditors may demand resolution of the association in court. All assets are sold off to pay off the debts. The members cannot be sued for payment of debts, except in the special circumstances described above.*

9. Can a non-profit organisation be resolved easily?

*The general assembly of an association may decide to resolve the organisation (in accordance with a special procedure). In certain cases, the courts may order the resolution of an association for non-compliance with certain legal requirements or in case of insolvency.*

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<sup>20</sup> Art. 11 VZW law.

<sup>21</sup> Art. 3, § 2 VZW law.

## **ANNEXE 2 : WEB REFERENCES**

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To look for a comparison of the other webhosting companies, the following links can be explored. As they do not have any booklet, so only the link is given here. But the problem is, most of these webhosting companies do not have information about building or maintaining a database for the clients.

An alternative could be recruiting a in house IT person and subscribing a good but cheaper webhosting offer.

The links are,

<http://www.combell.com/en/hosting/linux-hosting/features>

<http://www.1and1.com/linux-web->

[hosting?ac=OM.US.US469K02463T2103a&PID=1400010&afsrc=1#top](http://www.1and1.com/linux-web-hosting?ac=OM.US.US469K02463T2103a&PID=1400010&afsrc=1#top)

<http://www.cystone.com/?afsrc=1>

There is a huge number of web hosting company information is available. But mentioned earlier, they have no information about database management.

There are some companies who work with photography database.

<https://gettyimages.knoji.com/similar-sites/>

<http://www.corbisimages.com/>

<http://www.gettyimages.be/editorialimages/archival>

These companies do not show a pricelist for database as it is based on so many figures and configurations. These and similar other companies may be contacted with the figure and configurations and also future possible exploitation of the database and asked for a price quotation which will also help to understand the present service provider's claim for the same.