



Usage and fee regulations for film and video documentation

Valid as of 1 August 2011

1. Authorisation

The usage regulations for the SBB Historic archive serve as the legal basis for this document.

2. Copyright

Audiovisual documents are subject to copyright law. Users of film and video documentation from the SBB Historic archive may be obliged to obtain copyrights and exploitation rights directly from the relevant rights holder.

3. Access and services

The use of film and sound documentation is subject to timely prior registration and agreement. The documentation may be viewed independently or under the supervision of archive employees during the archive's opening hours. Loans are only permitted in justified exceptional cases – such as the creation of a publication in the interests of SBB – and in the presence of written consent. Such exceptions are approved by archive management.

All access and services are governed by the Swiss Federal Act on Archiving (BGA, SR 152.1). In case of doubt, SBB Historic may also refer to relevant ordinances of the Swiss Federal Archives.

The basic service offered by the archive – providing documentation and allowing viewing – is generally free of charge. For more complex research lasting longer than half an hour, a fee will be charged. Independent viewings are only permitted if suitable consultation copies are available. Otherwise, a viewing is only permitted under the supervision of archive staff, for which additional costs apply. Services such as the copying or other reproduction of documents are fee-paying and will be performed by external providers.

4. Usage conditions for SBB Historic film material

1. Administration fees will be charged in accordance with the agreed tariff for use of the archive, order processing and reproductions.
2. The tariffs listed above do not include any licensing fees charged by rights holders.
3. A usage fee in accordance with the above tariff will be charged for the publication of film documentation in any form. This usage fee varies depending on the type of usage, duration and purpose. SBB Historic is entitled to reduce or waive fees in certain justified cases, specifically when the use of materials is also in its own or in the public interest, e.g. for educational purposes.
4. Usage fees only cover the agreed purpose and period. Usage fees must be reviewed for remakes, other versions or additional broadcasts. This also applies to all film materials saved and/or changed in databases or on other external data media.
5. A fee of CHF 1,000.00 is payable in addition to the other relevant fees for any unauthorised reproduction or distribution to a third party.
6. Film materials may only be used for the agreed purposes.
7. If films requested may only be used with the agreement of the rights holder, the user is obliged to obtain written proof of permission to use the film before it is broadcast, and to submit this to SBB Historic. If the rights holder cannot be contacted, the user takes sole responsibility for the broadcasting of a film and must absolve SBB Historic of any liability for claims to recourse in advance and in writing.
8. The source "SBB Historic" is to be stated on any publication. SBB Historic must also be provided with a specimen copy of the publication free of charge.
9. It is not permitted to distribute or copy film material – including electronically – without the prior written consent of SBB Historic. This also applies to licensed material.

10. Film material may not be used in any way that distorts its meaning or discriminates against others.
11. The court of jurisdiction is Berne. These regulations are governed exclusively by Swiss law.

5. Fees (excluding VAT)

Independent viewing	(Only possible for documentation of which a consultation copy is available). Every hour or part thereof	CHF 15.00
Supervised viewing	Every hour or part thereof	CHF 100.00
External viewing	Only possible in exceptional cases by arrangement with specialists. Fees as per tariffs of external providers.	
Copies	As per tariffs of external providers	
Fees for presentations and commercial use:		
Presentations	In a non-commercial setting	Free of charge
	For commercial purposes (Commercial presentations are those for which an entrance fee is charged, company presentations, presentations for advertising purposes, etc.)	CHF 50.00 for 30 mins.
Commercial use	One country for five years	CHF 6.00/second
	Worldwide (including online) for five years	CHF 12/second

General services as per price list entitled "SBB Historic collections, library and archive: additional fee-paying services".

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