

**REGULATIONS FOR THE SUPPLY AND AUTHORISATION
OF VIDEO REPRODUCTIONS
AND THEIR USE FOR PROFIT**

(Articles 106 et seq. of Legislative Decree no. 42/2004 and subsequent amendments)

Art. 1

Object

- 1) This Regulation concerns:
 - a) the supply of video reproductions owned by the Istituto Vittoriano e Palazzo Venezia, as well as the Biblioteca di Archeologia e Storia dell'Arte (hereinafter also “**VIVE**”);
 - b) authorisation to use for profit the video reproductions provided by VIVE;
 - c) authorisation to use for profit video reproductions already in the possession of the applicant;
 - d) authorisation for the creation and use for profit of video reproductions made from the exterior of the premises assigned to VIVE and/or related collections.
- 2) In any case, the following activities are free, and therefore do not require any authorisation, provided that they are not done for profit, whether direct or indirect, being done for purposes of study, research, free expression of thought or creative expression, and promotion of a knowledge of the cultural heritage:
 - a) the reproduction of cultural assets performed in a way that does not any involve physical contact with the property, its exposure to light sources or the use of stands or tripods;
 - b) the dissemination by any means of images of cultural assets, legitimately acquired, so that they cannot be further reproduced by the user except, where possible, in low digital resolution.
- 3) Reproductions of cultural assets made by journalists in the exercise of the right to report are also free of charge, and therefore do not require authorisation.

Art. 2

Application for the supply of video reproductions by VIVE and authorisation to use them for profit

- 1) The application for the supply of video reproductions from VIVE must be submitted by filling out the appropriate form (**Annex 1**).
- 2) The application must be sent at least 60 (sixty) days before the date on which you wish to receive a copy of the video and obtain the consequent authorisation for use.

- 3) All the data that appear in the application will be used for VIVE's institutional purposes and processed in accordance with the *General Data Protection Regulation (GDPR)* approved with the Regulation of confidentiality and fundamental rights within the limits of what is necessary for the issue of the concession in use of the spaces (EU) 2016/679, in keeping with the principles of correctness, lawfulness, transparency and protection.

Art. 3

Application for authorisation to use video reproductions already in the applicant's possession for profit

- 1) The application for authorisation to use video reproductions already in the possession of the applicant for profit must be submitted by filling out the appropriate form.
- 2) The application must be made at least 60 (sixty) days before the date on which you wish to receive the authorisation.
- 3) All the data that appear in the application will be used for the institutional purposes of VIVE and processed in accordance with the General Data Protection Regulation (GDPR) approved by Regulation (EU) 2016/679, in keeping with the principles of correctness, lawfulness, transparency and protection of confidentiality and fundamental rights within the limits necessary to issue the agreement of concession in use of the spaces.

Art. 4

Application for authorisation to make and use video reproductions for profit

- 1) The application for authorisation to make and use for profit video reproductions of the interior and exterior of the premises assigned to VIVE and related collections must be submitted by filling out the appropriate form.
- 2) The application must be made at least 60 (sixty) days before the date on which it is desired to receive the authorisation for filming and use.
- 3) All the data that appear in the application will be used for VIVE's institutional purposes and processed in accordance with the GDPR - General Data Protection Regulation approved with Regulation (EU) 2016/679, in keeping with the principles of correctness, lawfulness, transparency and protection of confidentiality and fundamental rights within the limits of what is necessary for the issuing of the agreement for the concession in use of the spaces.

Art. 5

Fee and service charge

- 1) The applicant is required to pay a fee determined according to the purpose of use.

- 2) The applicant is also required, where necessary, to pay a service charge, for the cost incurred by VIVE in making the reproduction referred to in Art. 2 of these Regulations.
- 3) No fee is due for reproductions requested by private individuals for personal use or for study purposes, or by public or private entities for purposes of enhancing the value of the public heritage, provided they are conducted on a non-profit basis. The applicant is in any case obliged to reimburse the expenses incurred by VIVE.
- 4) The fee and the service charge must be paid in advance by bank transfer to the current account indicated in the authorisation.
- 5) Payments of the amounts referred to in points 1 and 2 of this Article must be received by VIVE net of any bank charges or commissions.
- 6) In the case of a high number of reproductions, the possibility of applying a flat rate will be considered.
- 7) In the case of publications or multimedia products of a scholarly nature or with significant effects of enhancement of the value of the cultural heritage, the fee may be reduced until it is free of charge.

Art. 6

Terms of use for video reproductions

- 1) The authorisation gives the right to use the video reproductions on a non-exclusive basis and once only.
- 2) The authorisation may not be transferred or ceded to third parties.
- 3) Uses of the reproduction other than those authorised must be subject to further authorisation.
- 4) The video reproduction must bear the statement: *“With the authorisation of the Ministry of Culture – Istituto VIVE - Vittoriano e Palazzo Venezia”*.

Art. 7

Condition for authorisation to make video reproductions

- 1) Permission is not granted in cases where it is considered that the making of the reproduction involves a risk to the protection of the property and/or compromises in some way the image of VIVE.
- 2) It is also understood that if the applicant makes an improper use, or in any case different from the application subject to authorisation of the video reproductions, VIVE reserves all rights and/or actions to protect its image.
- 3) The timing and methods of making of the reproductions must be agreed with VIVE.
- 4) An applicant who intends to make the reproductions outside ordinary hours of opening will have to bear the extra costs for the use of ministerial staff on behalf of third parties.

- 5) The payment of the charges for the use of ministerial staff on behalf of third parties must be paid in advance and to a separate current account indicated in the authorisation.
- 6) The payment of the amount relating to the charges for the use of ministerial staff on behalf of third parties must be received by VIVE net of any bank charges or commissions.

Art. 8
Entry into force

- 1) This regulation shall enter into force as of its publication on VIVE's institutional website.

The Director General
Dr. Edith Gabrielli