



TERMS OF USE OF FONDAZIONE FS ITALIANE'S ARCHIVES, PUBLISHING AND DIGITAL CONTENT

SECTION I

Preamble

Art.1

Scope and Nature

1. Fondazione FS Italiane - through the powers conferred upon it by Founding Act n. 43798 racc. 20463 06/03/2013 - safeguards, preserves and promotes the FS Italiane Group's documental and archival heritage. The Library, Audiovisual Archive and Technical Drawing Archive - housed in the Foundation's headquarters in Piazza della Croce Rossa, 1 in Rome - and the historical archives which once belonged to the *Servizi Lavori e Costruzioni FS* (FS's ex Works and Constructions Department) and housed offsite in Via G. Boni, 20 in Rome form part of the Group's heritage collection.
 - The **Library** holds the most complete collection of publications on the topic of railways in Italy. The approximately 50,000 books in the collection reflect the origins and the development of the nation's railways, from the various companies which existed before the unification of Italy (during the second half of the 1800s) through to modern times. The Library's collections include: railway periodicals and statistical publications, legislative texts, cartographic material and general works.
 - The **Audiovisual Archive** houses two original collections, both revealing the history of, and, the activities undertaken by the Italian national railways from the 1930s to the present day, mostly spanning the years between 1952-1986: The FS Film Library contains around 3,000 film reels (16mm and 35mm) in both b/w and colour, and around 3,500 tapes Umatic and BVU, Betacam SP, DVCam through to early digital products. The FS's Central Photo Library holds around 350,000 analog photos, 170 print albums and around 500,000 digital images. Two preexisting archives are of particular historical interest: the *Servizio Materiale e Trazione di Firenze* Archive containing 8560 negatives all shot between the 1930s and 1970s by the department in Florence which dealt with rolling stock design and the Cesa De Marchi collection comprising of around 1,600 negatives and 40 digital film clips offering interesting cross-sections of railway history from the 1960s.
 - The **Architectural Archive** houses the technical drawings produced by FS's *Servizio Lavori e Costruzioni* department (Works and Constructions Department) which dealt with architectural planning between 1930 and 1986 and contains 13,000 transparencies of mostly station and railway building plans.
 - The **Servizio Materiale e Trazione di Firenze Drawing Archive** contains the drawings produced by the department in charge of rolling stock development from its beginnings in 1905 though to its closure in 1986. The collection was put together and catalogued by the sectors dealing with the study, construction and procurement of rolling stock.
 - The historical **Servizio Lavori e Costruzioni FS di Roma Archive** houses material on the construction, maintenance and modernization works of the rail network, stations and other buildings from 1905 to 1970 (ca).

2. These Terms of Use govern both the access to and consultation of all the material kept in the FS Foundation's archives and library and overseen by its Archives, Publishing and Digital Content Sector and also the reproduction of that material in full compliance with current national regulations on the safeguarding, preservation and promotion of cultural heritage referred to in the 22nd January 2004 D. Lgs. n. 42 (incl. subsequent changes) on archives and libraries

SECTION II **Access and Consultation**

Art.2 **Audiovisual Archive - Access and Consultation**

1. Access to the Audiovisual Archive is granted to Italian and foreign nationals, by appointment, for study and research purposes. Requests must be submitted with a presentation letter from the body and/or institute commissioning the research.
2. Requests should be sent to fotovideo@fondazionefs.it.
3. The Foundation's relevant sectors reserve the right to limit visitor access should motivated safety or practical issues arise (e.g. reorganization and rearrangement of the archives).
4. Digitalized photographic and audiovisual material is available online at www.archiviofondazionefs.it.
5. Viewings in the viewing room are supervised by a staff member at all times and are granted for viewings of:
 - inventories, catalogues, registers and photograph albums;
 - full length viewings of digitalized film clips viewable at www.archiviofondazionefs.it.
6. The Foundation reserves the right to momentarily exclude any part of the material referred to in clause 4 should motivated practical issues arise (e.g. reorganization and rearrangement of the archives).
7. Bound volumes can not be consulted nor can inventories, catalogues, registers or photograph albums in a fragile or precarious state of conservation.
8. Photographic and audiovisual material in their original format are cannot be viewed even if a digital copy is not available.

Users are liable for any potential damage viewed material.

Art.3 **Technical Drawings and Historical Archive (Via G. Boni) - Access and Consultation**

1. Access to the above-mentioned archive in Via Boni (hereafter "archive") is granted to Italian and foreign nationals, by appointment, for study and research purposes. Requests must be submitted with a presentation letter from the body and/or institute commissioning the research.
2. The Foundation reserves the right to limit visitor access should motivated safety or practical issues arise (e.g. reorganization and rearrangement of the archives).
3. Digitalized material is available online at www.archiviofondazionefs.it.

4. Digitalized content is generally excluded from viewings and is available via the above-mentioned website.
5. The Foundation reserves the right to momentarily exclude from viewings any part of its material should motivated practical issues arise (e.g. reorganization and rearrangement of the archives).
6. Requests should be sent to archivio@fondazionefs.it.
7. Viewing requests are subject to the material's state of conservation and, as such, may be declined.
8. Users are strictly forbidden from handling any material not expressly presented to them and/or in the absence of a staff member.
9. Users shall have relevant due regard at all time for the safety of the material.
10. It is strictly forbidden to take the material off the premises, even momentarily.
11. Items may only be consulted one at a time.
12. Documents contained within files/folders must be replace in the original order.
13. Note-taking with lead pencils is permitted, ink pens are not permitted in the reading rooms.
14. Laptops are permitted in the reading rooms and, with express permission, documents can be photographed but flashes must be turned off.

Users are liable for any potential damage viewed material.

Art.4 Library - Access and Consultation

1. Access to the Library is granted to Italian and foreign nationals, by appointment, for study and research purposes on Tuesdays and Thursdays from 9.00 to 13.00 and 14.00-16.30 unless otherwise indicated in replies to requests sent to biblioteca@fondazionefs.it.
2. The Foundation reserves the right to limit visitor access should motivated company and/or safety issues arise.
3. A library staff member must register all visitors by filling out a form (attachment B/1) requesting the visitor's full name, research purposes and a list of material consulted.
4. All documents and publications housed in the library must be viewed in the adjacent "reading and study room".
5. Visitors must ask library staff for required material. Visitors are expressly forbidden from handling any publications or documents, even those placed on open shelves, in the absence library staff.
6. When visiting the Foundation users are required to behave in a manner appropriate to their surroundings. The following actions are forbidden:
 - a. speaking in a loud voice;
 - b. receiving or making calls on a mobile phone which must also be on silent mode;
 - c. eating or drinking;
 - d. damaging books or make any marks on them;
 - e. misusing the furnishings, equipment or spaces provided;
 - f. wandering away from their assigned reading room;
 - g. taking unauthorized photographs of rooms, personnel or other visitors.

SECTION III Loans

Art.5 Audiovisual Archive - Loans

Photographic and audiovisual material cannot be lent.

Art.6
Technical Drawings and Historical Archive (Via G. Boni) - Loans

Material from this archive collection cannot be lent.

Art.7
Library - Loans

1. Material may only be borrowed by serving FS Group personnel currently working for departments headquartered in Villa Patrizi.
 - a. No more than three publications may be borrowed at a time.
 - b. Lent items must be returned within 20 days.
 - c. The FS Foundation, when strictly necessary, may ask that lent items be returned earlier than due.
 - d. Form B/2 (attached) must be filled out by the borrower for each individual item, wherein they states that the borrowed item will not be marked or damaged and will be returned in the same condition in which it was lent. Any damage on return must be paid to the sum of cost of restoration.
 - e. On return, library staff will check the condition of the item and will complete the B/2 form by dating and signing off the loan.
 - f. If the item is not returned within the stated timeframe, and after having received a reminder email, the full cost of replacing said item will be charged to the borrower.
 - g. Should serious violations occur, the FS Foundation reserves the right to inform the FS Group department employing the borrower.
2. The following items cannot be lent:
 - a. publications issued prior to 1990;
 - b. periodicals of inserts of periodicals;
 - c. rare or important publications;
 - d. typed or handwritten items;
 - e. sketches, blueprints or plans;
 - f. drawings, photographic albums or print albums

SECTION IV
Donations and Deposits

Art.8
Audiovisual Archive - Additions to the Collection

1. In order to amplify its cultural heritage the Audiovisual Archive may accept donations of photographic and audiovisual material covering the history of the Italian railways. Donated items become part of the FS Foundation's patrimony and, as such, are subject to those actions applied to managing said patrimony, in accordance with the criteria adopted to develop the archive and with the objectives laid out in the subsequent clause 4, with no obligation on behalf of the benefactor.
2. In order to widen its collections regarding the FS Foundation's activities, the Audiovisual Archive can accept donations of photographic and audiovisual material gathered by private individuals

during the heritage train journey and/or other events organized by the FS Foundation. Donated items become part of the FS Foundation's patrimony and as such, are subject to those actions applied to managing said patrimony, in accordance with the criteria adopted to develop the archive and with the objectives laid out in the subsequent clause 4, with no obligation on behalf of the benefactor. The Audiovisual Archive undertakes to cite the relevant author's name in accordance with copyright laws.

3. Donations will only be accepted subject to the FS Foundation's Director General's assessment on whether the item/s meet the specific cultural, documental and institutional objectives required by the Audiovisual Archive.
4. Received donations will be used to promote and valorize railway heritage, to aid study and research and for exhibitions, shows, events and displays, for editorial, publishing and new media initiatives, for digital reproductions and to amplify the web portal www.archiviofondazionefs.it .

Art.9

Technical Drawings and Historical Archive (Via G. Boni)- Additions to the Collection

1. In order to amplify its cultural heritage the Technical Drawings and Historical Archive may accept donations of material documenting the history of the Italian railways. Donated items become part of the FS Foundation's patrimony and, as such, are subject to those actions applied to managing said patrimony, in accordance with the criteria adopted to develop the archive and with the objectives laid out in the subsequent clause 3, with no obligation on behalf of the benefactor.
2. Donations will only be accepted subject to the FS Foundation's Director General's assessment on whether the item/s meet the specific cultural, documental and institutional objectives required by the Archives.
3. Received donations will be used to promote and valorize railway heritage, to aid study and research and for exhibitions, shows, events and displays, for editorial, publishing and new media initiatives, for digital reproductions and to amplify the web portal www.archiviofondazionefs.it .

Art.10

Library - Additions to the Collection

1. In order to amplify its cultural heritage the Library may accept donations of books and printed matter covering the history of the Italian railways. Donated items become part of the FS Foundation's patrimony and, as such, are subject to those actions applied to managing said patrimony, in accordance with the criteria adopted to develop the library and with no obligation on behalf of the benefactor. The Library undertakes to appropriately preserve all bestowed items.
2. Donations will only be accepted subject to the FS Foundation's Director General's assessment on whether the item/s meet the specific cultural, documental and institutional objectives required by the Library.
3. The benefactor must provide a detailed list of all donated volumes. The donation will come into effect once both parties have signed the relevant form.

SECTION V

Copies

Art.11

Audiovisual Archive - Copying Content, the Rules

1. The Audiovisual Archive does not provide a copying service for any photographic or audiovisual material that has not yet been digitalized.

1. Copies of photographic or audiovisual material not yet digitalized are only permitted if requested by supranational, national or local public bodies engaged in institutional, cultural or scientific activities of public interest and meet the FS Foundation's required objectives.
2. Motivated requests for copies of digitalized material, for purposes permitted herein, should be sent in writing to fotovideo@fondazionefs.it . Approval is granted by the Audiovisual Archive.
3. The Audiovisual Archive reserves the right to examine requests for copies of digitalized material sent exclusively to fotovideo@fondazionefs.it and formulated in accordance with the guidelines below:
 - a. use of low resolution digital photographs for personal/study/research purposes: low resolution watermarked images for personal use can be downloaded directly from the website www.archiviofondazionefs.it . Alternatively, requests for low resolution copies can be made by filling in the appropriate form (attachment A/1) and attaching a copy of the payment receipt;
 - b. use of high resolution digital photographs for personal/study/research purposes: HD copies are not permitted for personal use or study and research purposes;
 - c. use of digital photographs for commercial use: it is possible to request HD files for publishing purposes in monographs, periodicals, ebooks or online by signing the appropriate form (attachment A/2) and attaching a copy of payment of copyright fees;
 - d. use of digital photographs for degree dissertations and PHD theses: low resolution watermarked images for study and research and/or for inclusion in dissertations and theses and can be downloaded directly from the website at www.archiviofondazionefs.it . Alternatively, requests for low resolution copies bearing the FS Foundation's logo can be made by sending a signed letter of presentation on headed notepaper from the relevant university department, filling in the appropriate form (A/1) and attaching a copy of the payment receipt. Permission to use the images will be granted under the following conditions: the research will not be used for commercial purposes and is pertinent to the history of railways; any images used must be credited as "Photo- Fondazione FS Italiane's Archives";
 - e. use of historical digital film clips for personal use, study, research and/or dissertations: filmed material can be viewed on the website at www.archiviofondazionefs.it (full length newsreels and historical film clips). The full length version of film clips can be viewed at the Audiovisual Archive's head office by sending a written request to fotovideo@fondazionefs.it. Digital copies of filmed material are not permitted for private use, study, research or dissertations;
 - f. use of digital historical film clips for commercial use: full length films or short clips can be used for the making of movies, documentaries and adverts, subject to payment of copyright fees and on receipt of a signed copy of form A/2;
 - g. use of digital photographs and film clips by companies in the FS Group: companies in the FS Group and their subsidiaries can request copies and/or reproductions of photographic and audiovisual material for internal use and/or when carrying out company activities including the promoting of the history of railways and transport in Italy. (see attachment A/5);
 - h. use of digital photographs and film clips for institutional purposes: supranational, national and local public bodies when carrying out activities of relevant public interest can request photographic and audiovisual material. The use is strictly limited to non-profit projects and/or to events with demonstrable cultural objectives that meet the FS Foundation's precepts, if those projects promote and spread the history of railways and transport in Italy. Should the above conditions be met copyright fees will be waived. The Audiovisual Archive, however, reserves the right to examine requests on a case-by-case basis and high resolution copies will be granted to the limited number of images deemed sufficient for the realization of the project (attachment A/5);
 - i. media exemptions: local and national press and television networks can use material (photos and/or video) if it is used in a piece promoting the FS Foundation and if it raises interest in the history of the Italian railways (attachment A/5);
 - j. photo reproductions on Forex panels: employees and companies in the FS Group and their subsidiaries can commission photo reproductions mounted on Forex panels. Images should be selected from the digital photographs found on the website at www.archiviofondazionefs.it (attachment A/3);

- i. use of high resolution digital photographs for model railways: high resolution photographs and audiovisual material can be viewed on site. Alternatively HD copies can be granted to users who request them for the field of model railway construction, once fees and costs have been met. (attachment A/4).
5. Authorization given is non-transferable, non-exclusive and is granted solely for the declared purpose of use and is subject to the above-listed stipulations being met.

Art.12

Technical Drawings and Historical Archive (Via G. Boni) - Copying Content, the Rules

1. Users are permitted to make copies of the material they are consulting in the reading room. Flashes and tripods cannot be used. The images taken must be used for the purpose of study, research, free exercise of thought, creative expression and the spread of knowledge of cultural heritage and cannot be used for profit or gain.
2. Users who make copies by their own means must fill out a request form (attachment A/6) and list the material copied.
3. Be advised that digitalized material is usually excluded and can be accessed on the website at www.archiviofondazionefs.it.
4. The archive department does not provide copying services for non-digitalized material.
5. The historical archive (in via G. Boni) can only be consulted on site.
6. Restricted access material cannot be copied.
7. Motivated requests for copies of digitalized material for authorized uses should be sent in writing to archivio@fondazionefs.it.
8. The archive department reserves the right to only examine requests for copies of digitalized material that meet the following criteria:
 - a. FS Group companies: motivated requests for high resolution digital copies must be signed by Heads of Department and be strictly pertinent to operational needs of the department. The Head of Department is responsible for the correct use of the files and respect of the terms of use set out in this document (attachment A/5). Requests must be warranted and bulk copies and/or transfers of digital files will not be authorized.
 - b. Publications: these requests must be sent to direzione@fondazionefs.it. Requests for high definition files for print monographs and periodicals or ebooks and web content should be sent with a copy of a payment receipt for fees and a signed copy of the attached A/2 form. Authorization will not be granted for requests for works in rough drafts or those without a publisher or date of publication.
 - c. Expositions, shows, fairs: supranational, national and local public bodies when carrying out activities of relevant public interest can request material, strictly limited to use in non-profit projects and/or events with demonstrable cultural objectives that meet the FS Foundation's precepts and if those projects promote and spread the history of railways and transport in Italy. Should the above conditions be met copyright fees will be waived. The Audiovisual Archive however reserves the right to examine requests on a case-by-case basis and high resolution copies will be granted for a limited number of images deemed sufficient for the realization of the project (attachment A/5); Requests should be sent to direzione@fondazionefs.it

- d. Private use/studies/dissertations that will not be published by a national or international publisher: requests for low resolution copies can be made by sending a signed letter of presentation on headed notepaper from the relevant university department, filling in the appropriate form (A/1) and attaching a copy of the payment receipt.
 - e. Model railways clubs, manufacturers and/or sole traders: high resolution material can be viewed on site. Alternatively HD copies can be granted to users who request them for the field of model railway construction, once fees and costs have been met (attachment A/4).
9. Authorization given is non-transferable, non-exclusive and is granted solely for the declared purpose of use and is subject to the above-listed stipulations being met.

Art.13

The Library - Copying Content, the Rules

1. In accordance with current regulations (art.108 of Dlgs 42/2004 and modified by art.1, comma 171 of L.124/2017) copies of material kept by the library can be made for personal use, study, research and other non-profit activities. The distribution and/or sharing of legitimately acquired material which could potentially financially damage the Foundation is forbidden.
 - a. Copies can be made of no more than 15% of each volume or group of periodicals.
 - b. Cameras, smartphones and tablets can be used with the flash turned off.
 - c. Portable scanners, pen scanners, flashes and/or other portable light sources and tripods are not allowed.
2. The complete digitalized library catalogue can be viewed online at www.archiviofondazionefs.it. Visitors may not access the high resolution files produced to safeguard the collection.

SECTION VI

Final Information

Art.14

Intellectual Property

1. All content rights (incl. texts, images, distinctive marks, audio files and videos) are reserved by the FS Foundation or the legitimate content owners, in accordance with current copyright legislation referred to in law n. 633 22nd April 1941. Therefore no content, in part or in full, can be reproduced, transferred, uploaded, published or shared in any way without express written consent from the FS Foundation.
2. "Fondazione FS Italiane®" is a registered trademark. Company or product trademarks, logos and distinctive signs are owned by Fondazione FS Italiane and protected by current regulation on industrial property referred to in legislative decree n.30 February 2005 (Industrial Property Code). Reproducing and using the FS Foundation's trademarks, logos or distinctive signs in any context, form or way is strictly prohibited.

Art.15
Privacy Policy Statement

1. In accordance with EU Regulation 2016/679 (GDPR) the FS Foundation's Archives, Publishing and Digital Content Department informs interested parties that their personal data will be electronically stored no longer than strictly necessary for its intended use. Adequate security measures have been adopted for all data storage devices holding personal data. Any personal data freely provided, including email addresses will only be used to provide information to the users and perform the service required. Personal data will not be used for any other purpose without the consent of the interested party.
2. Personal data owners may at any time exercise their rights referred to in comma 13 EU Regulation 2016/679 and, specifically their right to ask that their data be rectified or deleted, that its use be limited or to oppose the treatment of the data and the right to lodge a complaint with the overseeing authority. Requests regarding the FS Foundation's treatment of personal data should be sent to the Data Controller - Fondazione FS Italiane - Piazza della Croce Rossa, 00161 - Rome
- Italy.

These Terms & Conditions enter into effect from

01/10/2020

Director General Fondazione FS Italiane

Luigi Cantamessa

