Diocesi di Pistoia
Ufficio Beni Culturali

REGULATIONS ON THE REPRODUCTION OF IMAGES

1. GENERAL RULES

Any photographic, video, or other type of recording relating to the cultural heritage assets of ecclesiastical entities of the Diocese of Pistoia is subject to prior authorisation by the Office for Cultural Heritage.

- By way of explanation only, and without limitation, the following assets are subject to these regulations:
- sacred buildings (churches), whether open for worship or temporarily closed;
- paintings, canvases, frescoes, statues, vestments, and other sacred furnishings belonging to churches and to any other ecclesiastical entity (for example, the Episcopal Seminary);

any other building and all contents therein, whether subject to Italian State legislation pursuant to Legislative Decree No. 42 of 22 January 2004 (the "Cultural Heritage Code – Codice Urbani") or not subject to such restrictions.

Authorisation is also required for objects temporarily held in premises belonging to third parties other than the owning entity, such as State or municipal museums, or other bodies and institutions, or undergoing restoration in laboratories or superintendencies.

The use of images of ecclesiastical cultural heritage owned by entities and institutions of the Diocese of Pistoia, regardless of the capacity in which and by whom such images have been produced using mechanical means (photography, filming, scanning, etc.), is governed by the following provisions in order to safeguard not only the historical and artistic value, but above all the religious value of such assets.

2. APPLICATION FOR AUTHORIZATION

Requests for use and/or production of images must be submitted using the form prepared by the Diocesan Office for Cultural Heritage (Annex 2). Where reproductions are not carried out directly by the applicant but by third parties, the applicant undertakes, also on their behalf, to comply with these regulations.

Authorisation is subject to the payment of **concession fees or image reproduction rights** relating to images owned by ecclesiastical entities of the Diocese of Pistoia, where applicable. Such fees are determined taking into account the nature of the activities to which the use concessions relate; the means and methods used to produce the reproductions; the type and duration of use of the spaces and assets; the use and intended purpose of the reproductions; any economic benefit derived by the applicant. The amounts paid to the bank account indicated in the application form are considered **voluntary donations**, which shall be used for the conservation, protection, promotion, and restoration of the assets. Annex 1 to these regulations, "Table of concession and image reproduction fees", serves solely to indicate the **minimum amounts** of such donations. The Diocesan Office for Economic Affairs shall transfer the amounts collected to the bank accounts of the entities owning the assets. Any surveillance costs, utilities, and any other charges borne by the owner of the asset for each recording session, as well as any damage caused during filming or photography, shall remain the responsibility of the applicant.

3. GRANTING OF AUTHORIZATIONS

Subject to consultation with, and availability of, the persons responsible for the assets concerned, and without prejudice to copyright legislation, authorisations for filming and/or use are granted subject to the following conditions:

3.1 Use of filming and photographic techniques that do not alter the state of conservation of the asset.

3.2 Undertaking to deliver a copy of all produced material in the corresponding paper or digital format Within **60 consecutive days** from completion of the work, the applicant shall deliver to the Office for Cultural Heritage of the Diocese:

- one high-resolution digital reproduction of each photograph or digital document produced;
- at least **three copies** of any printed document produced.

For editorial projects carried out exclusively on cultural heritage assets owned by ecclesiastical entities of the Diocese of Pistoia, the number of printed copies to be delivered shall be at least **ten**. A high-resolution digital copy must also be delivered for any images produced but not published (photographs, videos, scans). Unpublished images are **not subject** to the payment of reproduction rights.

3.3 Acceptance of a release granting the Diocese of Pistoia free use of the produced material, without prejudice to the prohibition on commercial use or transfer to third parties for any reason without the express authorisation of the author.

3.4 Clear indication in publications of the ownership of the asset and of the authorisation for reproduction granted by the Office for Cultural Heritage, as well as credit to the authors of the recordings and images.

Architectural surveys of buildings owned by ecclesiastical entities must be authorised by the Office for Cultural Heritage, except where they are carried out for restoration procedures under the Superintendency. The authorisation is valid **solely for the production declared by the applicant** and does not include any further or different uses. Any additional use, including use of material transferred to third parties, shall require a separate and distinct licence.

The Office reserves discretionary power to assess requests on a case-by-case basis with regard to image use and reproduction fees.

Photographic documentation relating to restoration procedures for the Superintendency is not subject to prior authorisation. Photographic documentation produced by the Ministry for Cultural Heritage through its Superintendencies for cataloguing and protection purposes is considered internal use of the Ministry and its bodies and is therefore not subject to prior authorisation by the Diocese of Pistoia.

4. USE OF IMAGES AND RECORDINGS

4.1 Reproduction of images included in editorial projects

For the reproduction of images included in editorial projects, whether newly produced or derived from existing images, in addition to the above requirements, a detailed presentation of the editorial project by the author and/or publisher is required.

Applicants must specify in detail:

A. purpose and characteristics of the editorial initiative;
B. commercial value of the editorial work (where applicable);
C. author of the images, if the artworks have already been photographed by a professional or amateur studio.

Editorial projects also include the production of posters, placards, leaflets, or any other materials reproducing ecclesiastical cultural heritage assets.

In the case of new editions, reprints, or any new use of the images, a **new authorisation** is required.

4.2 Reproduction for study purposes

Applicants are required to submit, together with the authorisation form:

A. a written request from the supervising academic explaining the reasons for the research;
B. a university record book or other proof of academic status.

Where images are produced as part of a degree thesis or university coursework, only **one copy** of the work is required.

Images produced may not, under any circumstances, be used for commercial publication.

4.3 Religious, charitable, or amateur use

Applicants are invited to submit a reasoned request using the form provided by the Office, including details of the intended use. No fees are payable.

4.5 Use of recordings provided by the Diocese or granted by third parties

The Office may grant the use of images or recordings owned by it or for which it has received authorisation from the authors, subject to the following conditions:

a) Any violation of the moral rights of the authors must be avoided; such rights remain fully safeguarded. Each reproduced image must be accompanied by the name of the author or, if unavailable, by the wording "Photo Diocese of Pistoia".

b) Reproductions must faithfully reflect the original works and their chromatic characteristics, without any modification, cropping, transformation, or overprinting of any kind.

c) Where requested by the Office or by rights holders, print proofs must be provided for quality assessment.

d) Reproduction of details or close-ups is permitted only where the work is also reproduced in its entirety.

Conversely, reproduction of a detail alone must always be expressly authorised by the Office or the rights holder and must be clearly indicated as such.

The following annexes form an integral part of these regulations:

- Table of concession and image reproduction fees
- Authorisation request form

Pistoia, 1 January 2021

Dr Lucia Cecchi
Head of the Office for Cultural Heritage

ANNEX 1

TABLE OF FEES FOR CONCESSION AND IMAGE REPRODUCTION

FREE USE

Type of use	Fees
Personal and study use	not due
Pastoral and religious use	not due
Charitable purposes	not due

COMMERCIAL USE

Concession and image reproduction fees are due both for the execution of photographic shots and video recordings, and for their use.

In the case of execution only, the Office, taking into account the reasons for the request, shall assess the fee payable on a case-by-case basis.

Two main types of use are distinguished:

1. "Offline" uses, mainly on physical media and in particular:

1.1 Periodical press
1.2 Book publishing
1.3 Multimedia media
1.4 Audiovisuals
1.5 Various media, including merchandising

2. "Online" uses, i.e. on the internet, and in particular:

2.1 Online publication
2.2 Downloading
2.3 Online tourist tours

1.1 PERIODICAL PRESS

Periodical press refers to reproductions in daily newspapers, weeklies, monthlies, periodicals, magazines and posters.

Table 2: reproduction fees by print run range and format (€)

Print run	Format				
	Inside up to 1/8	Inside 1/4	Inside 1/2	Inside over 1/2	Cover
1–5,000	31.0	54.3	85.3	124.0	170.5
5,001–10,000	38.8	69.8	100.8	147.3	232.5
10,001–50,000	54.3	85.3	124.0	170.5	310.0
50,001–100,000	77.5	108.5	155.0	201.5	348.8
Over 100,000 (surcharge per each additional 50,000)	15.5	23.3	31.0	38.8	77.5

RIGHT OF REPORTING: In view of Article 65 – paragraph 2 of Law 633/41 of the Civil Code, which states: "The reproduction or communication to the public of protected works or materials used in connection with current events is permitted for the purposes of exercising the right of reporting and within the limits of the informative purpose, provided that, unless impossible, the source is indicated, including the name of the author, if mentioned", such uses are not subject to payment of reproduction fees.

1.2 BOOK PUBLISHING

Book publishing includes the following types of publications:

1.2.1 Volumes (excluding school textbooks): reproductions in art books and non-artistic genre volumes:

Table 3: reproduction fees by print run range and format (€)					
Print run	**Format**				
	Inside up to 1/8	**Inside 1/4**	**Inside 1/2**	**Inside over 1/2**	**Cover**
1–500	40.5	50.0	56.7	74.3	202.5
501–2,000	47.3	56.7	67.5	90.5	236.3
2,001–5,000	54.0	66.8	74.8	110.0	270.0
5,001–10,000	60.8	74.3	101.8	128.3	308.8
Over 10,000 (additional per 5,000)	10.1	11.8	13.5	20.3	33.8

1.2.2 School textbooks: reproductions in texts intended for school use, excluding those intended for university teaching:

Table 4: reproduction fees by print run range and format (€)					
Print run	**Format**				
	Inside up to 1/8	**Inside 1/4**	**Inside 1/2**	**Inside over 1/2**	**Cover**
1–500	35.2	43.4	49.2	64.5	175.9
501–2,000	41.0	49.7	58.5	78.5	201.5
2,001–5,000	46.9	52.8	64.5	96.1	234.5
5,001–10,000	52.8	64.5	87.9	111.4	263.8
Over 10,000 (additional per 5,000)	8.8	10.3	11.7	17.6	29.3

1.2.3 Catalogues: catalogues, guides, leaflets and flyers:

Table 5: reproduction fees by print run range and format (€)					
Print run	**Format**				
	Inside up to 1/8	**Inside 1/4**	**Inside 1/2**	**Inside over 1/2**	**Cover**
1–500	14.2	17.5	19.8	26.0	70.9
501–2,000	20.1	24.1	28.7	38.4	100.4
2,001–5,000	27.0	30.4	37.1	55.4	135.0
5,001–10,000	30.4	37.1	50.7	64.1	151.9
Over 10,000 (additional per 5,000)	5.1	5.9	6.8	10.4	16.9

1.3 MULTIMEDIA MEDIA

These refer to reproductions on covers, labels and cases of music CDs, CD-ROMs, DVDs, USB devices, etc., as well as on the surface of the media themselves (discs, “flash drives”, etc.).

Table 6: reproduction fees by print run range and format (€)		
Print run	**Format**	
	Inside / Medium	**Cover**
1–500	77.0	275.0
501–2,000	110.0	385.0
2,001–5,000	132.0	550.0
5,001–10,000	220.0	660.0
Over 10,000 (additional per 5,000)	55.0	192.5

1.4 AUDIOVISUALS

These refer to filming and reproduction of images within cinematographic, audiovisual works, documentaries, advertising spots, etc. They shall be assessed by the Office on a case-by-case basis, with reference to the minimum amounts of fees and charges set out in the guidelines of the Ministry of Culture (cf. Ministerial Decree 11 April 2023 no. 161, annex “Criteria for tariffs”, and Ministerial Decree 21 March 2024, no. 108). Fees vary according to: purpose of use (commercial vs non-commercial / educational / scientific),

duration of use, type of recording (photography, video, use in professional production), any economic benefits deriving from the use.

1.5 VARIOUS MEDIA (INCLUDING MERCHANDISING)

Various media include the following types of publications and shall be assessed by the Office on a case-by-case basis:

1.5.1 Calendars, diaries, address books, notepads, exercise books, etc.

1.5.2 Postcards, cards, bookmarks. These refer to reproductions on postcards, greetings cards, invitation cards, admission tickets, bookmarks and various labels.

1.5.3 Posters, posters and panels. These refer to reproductions on posters, playbills and similar items whether posted or not, panels, laminates, banners, illuminated signs, loose sheets, posters, puzzles, totems, banners, and pedestrian barriers.

1.5.4 Various small-sized media with large print runs. These refer to reproductions on lottery and prize competition tickets, postal products, magnetic/telephone cards, etc.

1.5.5 Merchandising. This refers to reproductions on products and various objects made of different materials (e.g. mugs, T-shirts, pencils, magnets) and various packaging (e.g. cases, envelopes, boxes).

2. INTERNET

Websites, social networks, forums, apps, etc. may involve both paid and free use. For the same entity, both situations may apply. The fees due are applied to both categories.

2.1 Online publication of images and digitised recordings on websites, social media, forums, apps, etc., with free or paid access: reference shall be made to the fees for analogous uses in print form: Book publishing: volumes (Table 3) print run 1–500. For publication in image databases, such as for sale to third parties, reference shall be made to print run 1–500 and internal 1/8. The licence for use is valid for one year and must be paid again at the beginning of the following reference year, within a period of 30 consecutive days, after which the licence shall be deemed revoked.

2.2 Downloading, podcasting, streaming and other forms of use that allow reproduction and subsequent enjoyment also offline. The fee payable by the seller is equal to 12% of the price collected, net of taxes and charges. This fee is in addition to that due for online publication. The selling website must inform the purchaser that the amount paid for this service does not exempt the latter from paying to the Diocese of Pistoia the amount due for its use.

2.3 Online tourist tours, free of charge or paid, including activities aimed at the knowledge of works of art and their cultural interpretation, providing live or pre-recorded accompaniment. To be assessed on a case-by-case basis.

PAYMENT OF FEES

Fees are paid simultaneously with the submission of the application form. The amount may be paid specifying the reason:

"Voluntary donation – cultural heritage reproduction rights"

The fee may also be paid at the diocesan economate office, which will issue a simple receipt of payment. For online payments or payments via postal current account, the receipt obtained through these methods is already valid for tax purposes; therefore, the Office will not issue additional payment receipts. The reproduction fee does not include the cost of image production/reproduction, which remains the responsibility of the applicant, nor any shipping costs (priority mail or courier), nor any digital media required for delivery to the Office of the material produced.

Bank account at Banca Intesa, via Roma (PT) - Account holder: Diocesi di Pistoia – Parishes
IBAN: IT71V0306913830100000005782 - BIC: BCITITMM

ANNEX 2

REQUEST FOR AUTHORIZATION TO CREATE AND REPRODUCE IMAGES OF ECCLESIASTICAL CULTURAL HERITAGE

Ufficio Beni Culturali Ecclesiastici
Diocesi di Pistoia
Via Niccolò Puccini, 29
51100 Pistoia (PT)
ediliziadiculto@diocesipistoia.it

THE UNDERSIGNED:			
RESIDENT IN (COUNTRY):		**STREET/SQUARE:**	
TELEPHONE:		**EMAIL:**	
☐ **ON YOUR OWN ACCOUNT**			
☐	**AS LEGAL REPRESENTATIVE OF:**		
	with registered office in:		
	street/square:		

REQUESTS AUTHORIZATION:

☐ **TO USE EXISTING REPRODUCTIONS**			
☐ **TO MAKE NEW REPRODUCTIONS**			
☐ Photographic	☐ Film/movie	☐ Television	☐ other
☐ **BY MYSELF**			
☐	**AS A PROFESSIONAL/OTHER. NAME AND SURNAME:**		
	operator's telephone number:	Email:	
FOR USE:	☐ Commercial use	☐ Educational/scientific use	☐ Religious/charity
OF THE FOLLOWING SUBJECTS (DESCRIPTION AND LOCATION):			

BOOK/MAGAZINE	
TITLE (ALSO PROVISIONAL):	
CURATOR/AUTHOR:	
PUBLISHER:	**COMMERCIAL VALUE OF THE WORK (IF APPLICABLE):**

		FORMAT:				
		Internal up to 1/8	Internal 1/4	Internal 1/2	Interior over 1/2	Cover
PRINTING NUMBER:	1–500	☐	☐	☐	☐	☐
	501–2.000	☐	☐	☐	☐	☐
	2.001–5.000	☐	☐	☐	☐	☐
	5.001–10.000	☐	☐	☐	☐	☐
	Beyond 10.001	☐	☐	☐	☐	☐

DIGITAL PUBLICATION–POPULAR PRODUCTION–OTHER (*specify*):

THE UNDERSIGNED UNDERTAKES TO COMPLY WITH THE DIOCESAN REGULATIONS IN FORCE AND IN PARTICULAR:

1. The use of images in accordance with the historical, artistic and religious value of the subjects filmed.
2. To give the Cultural Heritage Office of the Diocese a high-resolution digitized reproduction of each shot or digital document made and at least three copies of the paper document (if made); for editorial projects carried out exclusively on the cultural heritage of ecclesial bodies of the diocese of Pistoia, the copies of the paper publications must be at least ten. A high-resolution digital copy must also be delivered for any images taken but not published (shots, videos, scans); these last unpublished documents are not subject to the payment of reproduction rights.
3. By signing this request, he also expressly signs the release form that guarantees the diocese the free use of the photographic material and anything else delivered. In the event that the filming is carried out by a third party other than the applicant, the signature of the author at the bottom of the form, together with that of the applicant, is also required.
4. To clearly specify on the publications the ownership of the property and the authorization for reproduction granted by the Cultural Heritage Office, as well as any authors of the footage and images.
5. To reimburse any costs of surveillance, consumption and any other charge that will be borne by the person responsible for the works for each filming carried out.
6. To contact the person in charge of the property directly to grant appointments, once authorization has been obtained.
7. You authorize the processing and processing of your personal data for the sole purpose of this request (art. 13 of Legislative Decree 196/2003 and GDPR EU 2016/679).
8. To pay the fees for construction and use, where applicable, as per diocesan regulations by:

c/c at Banca Intesa, via Roma (PT)
in the name: Diocesi di Pistoia - Parrocchie
IBAN IT71V0306913830100000005782
BIC – BCITITMM

oppure

postal c/c n. 12373510
In the name:
Ufficio Amministrativo
Diocesano

specifying the reason for payment:

"Liberal offer reproduction rights cultural heritage"

The fee can also be paid to the Bursar's Office of the diocese, which will issue a simple receipt of payment. For online payments or by postal account, the receipt obtained from these methods is already valid for tax purposes, therefore the Office will not issue further payment receipts.

(data) .....

The applicant

.....
(legible signature)

The operator (if other person from the applicant)

.....
(legible signature)

(ATTACH PAYMENT RECEIPT)