

REGULATIONS, PROCEDURES AND PRICE LIST FOR THE REPRODUCTION AND USE OF CULTURAL HERITAGE IN DELIVERY TO THE MUSEI REALI

PREMISE

The reproduction and use of cultural heritage is permitted in accordance with the Legislative Decree no. 42 of 22/01/2004 (Code of Cultural Heritage), arts. 107-109 and subsequent amendments.

This Regulation refers to the *Guidelines for determining the minimum amount of fees and charges for the concession of use of properties entrusted to state cultural institutes and places* and the Ministerial Decree of March 21, 2024, No. 108 containing Amendments to the Decree of the Minister of Culture of April 11, 2023, which can be consulted at the following [link](#) on the institutional website of the Ministry of Culture and regulates the methods of request (1), the conditions (2) the concession fees and refunds for expenses incurred by the Administration (3) relating to:

- photographic reproductions of state cultural heritage delivered to the Musei Reali;
- execution of photographic and video recordings of the state cultural heritage delivered to the Musei Reali;
- use of reproductions already owned by the Musei Reali or of shooting products carried out by users and previously authorised.

In compliance with the provisions of Art. 108 of the Legislative Decree 42/2004 and art. 3, clause 2 of Ministerial Decree 11 April 2023, n. 161, the Directorate of the Musei Reali has the right to modify the measure of the possible fee based on the character of the activities to which the use concessions refer, the means and methods of execution of the reproductions, the type and time of use of the spaces and goods as well as the use and destination of the reproductions, and the economic benefits of the applicant.

It is specified that the concession fees and reproduction charges resulting from the application of this Regulation do not include any third-party rights arising from the use of reproductions of works protected by copyright, which must be quantified and paid to the rights holders. Requests referring to cases not expressly covered by the Regulation will be subject to examination and specific agreements.

Art. 1 – METHODS AND PROCEDURES OF REQUEST

1.1 Online request

Images can be requested at <https://mrt.rightly.comwork.eu/> according to the procedure described in Annex A.

To proceed with the request, it is necessary to register and access the reserved area with your credentials; the data entered for registration are stored in accordance with the provisions on personal data processing as specified in this Regulation, Article 4.

In case of password loss, it is always possible to request a new one by entering the email address used for registration.



On the web page you can search for an image by author, title or inventory number. Clicking on the image, a detailed page appears with the metadata of the digital photograph and where you can progressively select the use type, the format, etc.

Once you have selected the image and the type of permission needed, the selection must be added to the cart and you can continue the search by selecting other images or entering a new permission request.

The cart shows the selected images and the related authorization for use; from here you can remove any images before proceeding with the order confirmation.

To confirm the order, the detailed summary of the ordered images appears; from here it is still possible to return to the cart and remove the images or proceed with the payment.

Payment, where expected, can be made by credit card, by direct debit to a current account or through all payment methods provided by the PagoPA system.

Once the payment has been made, where expected, the images can be downloaded.

The document certifying the purchase/download and the authorization for use can be downloaded in the "Orders" area. The document with reference to the dealer's protocol number will be available within 24 hours following the purchase/download. Please note that only after receipt of the registered authorization document can the digital photograph actually be used for the uses permitted by law.

1.2 Customized License Request

If among the types of use there is no option appropriate to the needs, you can proceed with a personalized request by clicking on the link visible under the concession form.

You can choose the values from those proposed or enter a text that describes your need.

The Documentation Office of the Musei Reali will take charge of the request and respond using the integrated messaging system.

An email will always notify the presence of a new message within the reserved area.

1.3 Unpublished image request

If you have to request an image that is not among those published, click on the "CAN'T FIND AN IMAGE?" button. and a form will appear where the known data of the object, the authorization for the necessary use and a text accompanying the request must be indicated.

In the event that you are already in possession of the image not found, obtained through an autonomous and authorized reproduction, you can only request the concession of use, activating the "LICENCE ONLY" button present in the form.

The Documentation Office of the Musei Reali will take charge of the request and respond using the integrated messaging system.

An email will always notify the presence of a new message within the reserved area.

ART. 2 – OBLIGATIONS AND CONDITIONS OF THE AUTHORIZATION OF USE

2.1 Authorisation to use images

The authorization entitles you to use the images on a non-exclusive basis and for one time only.

The concession is not transferable: uses of a different type must be authorised again.

Unless otherwise indicated in the authorization, the reproduced image must contain the words: "On concession of the MiC - Musei Reali".

In the case of online publications on websites, personal blogs or social networks, the image must be published at a maximum definition of 72 DPI with the specific citation of the aforementioned BC Standard.



For Facebook and Instagram you must enter the official hashtag #museirealitorino and the tag @museirealitorino. For Twitter you must enter the tag @MuseiRealiTo.
The image cannot be transformed and used for uses detrimental to the dignity of the work.

2.2 Authorisation for photographic and video shooting

Authorisation for filming shall not be granted in cases where the execution of the filming involves risks to the integrity of the goods.

The timing and methods for the execution of photographic and/or video recordings must be agreed in advance with the Documentation Office of the Musei Reali.

In the event that the use of spaces for the execution of the filming involves the employment of the personnel of the Musei Reali with work services and/or supplies of extraordinary services, the costs will be chargeable to the applicant.

The Musei Reali are exempt from liability for any damage caused to things and people during reproductions of cultural property; the use of spaces entails the obligation of an *all-risk* insurance policy and a security deposit (bank or insurance suretyship).

Please refer to the Regulations for the concession of spaces published on the website of the Musei Reali.

2.3 Obligations as a result of authorisation

The authorized applicant is required to deliver n. 1 copy in paper or digital format of the publication of the image that has been reproduced, as indicated in the authorization issued by the Musei Reali. In case of publications in periodicals, it is required to send the extract in digital format (.pdf).

In the case of authorization to shoot, the delivery of a duplicate of each photo and/or video is required.

In all cases, the delivery involves non-exclusive transfer to the Musei Reali of the right to distribute the work (publication or shot) following the first publication, *pursuant* to art. 17 Law, 22/04/1941 no. 633. The distribution is aimed at the enhancement of the heritage delivered to the Musei Reali and will be actualized without profit, compatible with the institutional purposes of the entity.

The obligation to quote the author remains in respect of his moral rights.

ART. 3 - PAYMENTS AND CONCESSION FEES

3.1 Fees

The reproduction and use of cultural goods are subject to the payment of reproduction payments (costs incurred by the administration) and the concession fees defined by the Regulation.

For payment methods, please refer to art. 1.1.

If the authorization derives from the options described in art. 1.2, the Documentation Office of the Musei Reali will provide information on the fee due and the methods of payment.

In cases where both reproduction payments and concession fees are due, the amounts will be indicated in the response of the Musei Reali and will be added together.

Fees and charges are normally paid in advance. Following the certification of payment, the image can be downloaded (see art.1.1); in the case referred to in art. 1.2, the Documentation Office will send the requested reproductions.

3.2 Reproductions that are free in any case

Some activities are free if carried out without profit, for purposes of study, research, free expression of thought or creative expression, or promotion of knowledge of cultural heritage (art. 108, paragraph 3-bis of the Code).

In these cases, the request for permission to reproduce and use images is not due.

The activities are the following:

- The reproduction of cultural heritage, other than archival property, subject to restrictions of accessibility pursuant to Chapter III, Title II, of the Code, implemented in compliance with the provisions protecting copyright and in ways that do not involve any physical contact with the property, nor the exposure of the same to light sources, nor, within cultural institutes, the use of stands or tripods;
- The disclosure by any means of the images of cultural heritage, legitimately acquired, so that they cannot be further reproduced for profit;
- The reproductions of cultural assets and their reuse for publications in newspapers and periodicals in the exercise of the right-duty of reporting
- Use by public administrations operating for security, health and public order purposes;
- Shots from the outside.

It remains understood that, outside the cases referred to in the aforementioned Article 108, paragraph 3-bis, the authorization of the authority (Institute) that holds the asset is required.

3.3 Cases of exemption from concession fees: free reproductions with reimbursement of expenses

No fee is due for reproductions required or performed:

- by private subjects for personal use or for study purposes;
- by public or private entities for valorisation purposes actualised without profit.

It is also specified that no fee is due for:

- The reproduction of images of cultural assets contained in publications freely accessible to anyone (so-called open access) as they have no cover price and are aimed at 'study, research, free expression of thought or creative expression, promotion of knowledge of cultural heritage' pursuant to Article 108, paragraph 3-bis, of the Cultural Heritage Code;
- The reproduction of cultural assets and their reuse for volumes recognized by the granting body as having a scientific character (contributions in volumes, proceedings of national and international conferences) and academic character;
- The reproduction of cultural assets and their reuse for volumes and journals recognized by the granting body as having educational and didactic content;
- The reproduction of cultural assets and their reuse for art catalogs, exhibitions, and cultural events with a circulation of up to 4,000 copies;
- The reproduction of cultural assets and their reuse for scientific journals and Class A journals listed by the National Agency for the Evaluation of the University and Research System (ANVUR);
- The reproduction of cultural assets carried out independently by anyone (such as students, scholars, researchers, university professors) for non-profit purposes and not intended for sale;
- The reproduction of cultural assets and their reuse for the creation of exhibition, scientific, educational, and informative material for exhibitions and cultural events organized by a Ministry body or by public and private entities for the enhancement of cultural heritage carried out without profit. In the case of requests concerning a large number of images, gratuity may only be granted within the framework of institutional collaboration agreements. The Royal Museums have the authority to evaluate the overall circumstances in which the event is realized, in addition to the entrance fee, which by itself is not sufficient to characterize a valorization initiative as profit-oriented."

The exemption from the payment of the fee implies in any case the issue of the authorization for which only the exceptions described in art. 3.2 are expected.

Applicants are however required to reimburse the expenses incurred by the Musei Reali.

The amount of the refund is determined on the basis of a Unitary Rate, calculated on the basis of what the following Table 1 contains:

Table 1 – Reimbursement for non-profit reproductions/Unitary rate (*)

Macro-products	Colour	Format	Metric	Refund
Photographic prints	White/Black and colours	9x12 cm	Printed	€ 1.50
		13x18 cm	Printed	€ 2.50
		18x24 cm:	Printed	€ 5.50
		24x30 cm	Printed	€ 5.50
		30x40 cm	Printed	€ 9.00
		40x50 cm	Printed	€ 17.00
		50x60 cm	Printed	€ 21.00
		>50x60 cm	Printed	€ 53.00
Photocopies	White/Black	A4	Per photocopy	€ 0.08
		A3	Per photocopy	€ 0.15
	Colours	A4	Per photocopy	€ 0.50
		A3	Per photocopy	€ 1.00
Digital image	White/Black and colours	For the WEB (72 PPI)	Per image	€ 5.00
		For the print	Per image	€ 7.00
		Gigapixel	Per image	At market production cost
		Reflectance transformation imaging (RIT)	Per image	At market production cost
		3D acquisition	Per image	At market production cost
Diapositive	White/Black and colours	Digitization	Per diapositive	€ 2.00
Microfilm	Any format	Digitization	Per frame	€ 1.00
	A4	Enlargement	Per enlargement	€ 1.00

	A3	Enlargement	Per enlargement	€ 1.30
	A2	Enlargement	Per enlargement	€ 1.50

3.4 Concession fees for the reproduction

In cases where the reproductions of cultural assets and/or the reuse of related copies or images are made outside the cases referred to in Article 3 of this Regulation through the macro-products listed in Table 1, first column, the applicant is required to pay a fee determined by multiplying the unit rate specified in Table 1 by the differentiated coefficient based on the use/destination of the reproductions as outlined in Table 2

Table 2 – Use/destination of reproductions

Media	Coefficient
1. Printed art catalogs, exhibition catalogs, and cultural events (with a circulation of over 4,000 copies) or distributed online for a fee.	1,5
2. Temporary exhibition on diverse tangible supports.	3
3. Permanent exhibition on diverse tangible supports.	4
4. Audio-visual projections and/or immersive exhibitions.	4
5. Publications in cover	5
6. Other volumes, publications and periodical magazines	2
7. Merchandising (images of goods about commercial products of any kind)	Minimum 3% of the final selling price related to the individual merchandise category to be added to the base value
8. Promotional and advertising use (association between image and brand)	(the following factors are to be considered minimum and to be multiplied together.
- base value	10
- advertising campaigns conducted by multinational companies	10
- Web only advertising campaign	5
- Advertising campaign on newspapers or public spaces	10
- Advertising campaign on a TV commercial	10

In the event that the reproductions of cultural goods are intended for promotional and advertising use (association between image and trademark) the fee is determined by multiplying the unit tariff of referred to in Table 1 for the coefficients envisaged for each intended use, referred to in no. 8 of Table 2, and further multiplying the result by the coefficient relating to the quantity or print run of

reproductions to be carried out, as indicated in Table 3. The quantity and circulation coefficients are applied alternately depending on the type of medium used for the reproduction of the asset (for example, circulation for publications, quantity for *gadgets*)

In the event that the reproductions are already in the possession of the person who only requests their reuse, the unit tariff to be used for the calculation of the fee is set at a flat rate of € 5.00, except for the 1 does not provide for a lower refund.

Table 3 – Quantity/Run of reproductions

Quantity	Coefficient
Up to 1000 pieces	2
From 1,001 to 2,000 pieces	3
From 2,001 to 4,000 pieces	4
From 4,001 to 8,000 pieces	6
From 8,001 to 12,000 pieces	7.50
For each additional "pack" of 1000 pieces there is an additional coefficient equal to 0.5	
Paper catalogues of art, exhibitions and cultural events (with a larger print run) to 4000 copies) or distributed online for a fee	Coefficient
	2
Print run for paper editorial products other than those referred to in Table 2, no. 1	Coefficient
Up to 1000 copies	2
Up to 2000 copies	3
Up to 3000 copies	4
Up to 3,000 copies and with cover price <50 euros	3.50
For each additional "pack" of 1,000 copies there is an additional coefficient of 0.5	
Online publishing products other than those referred to in Table 2, no. 1	Coefficient
	2
Audiovisual projections and/or immersive exhibitions	Coefficient
	4

Any use of the images for creative purposes will be evaluated by the Documentation Office of the Royal Museums to verify that the use is not detrimental to the dignity of the work. The amount of any rent due will also be defined in consideration of the possible marketing of the creative product. Please refer to What is indicated in art. 108 paragraph 3-bis of the Cultural Heritage Ordinance. For further clarification, it is advisable to write, before uploading the request on the platform, to the Documentation Office at: mr-to.documentazione@cultura.gov.it

3.5 Digital silk-screens intended for the market

For the reproduction of cultural goods aimed at producing copies or digital silk-screens in very high definition, the Musei Reali identify the level of value of the work on the basis of parameters such as the state of conservation of the good, the realization period, the author or studio, the historical and artistic relevance as a unique or exceptional testimony of an era/period and then apply the rates based on Table 4 (*Rate by level of value*).

Table 4 – Rates by level of value

Value Level	Minimum rate
Average	1,000
High	2,000
Exceptional	5,000

3.5.1 High Definition Digital Copies or Silk-screens

For very high definition digital copies or silk-screen prints of cultural goods intended for marketing, even if made on physical media, authenticated and/or serially numbered for marketing in certain markets, the rates applicable for the purposes of the concession are identified by adding the tariff identified on the basis of the level of value of the work within the intervals referred to in Table 4 to the percentage coefficient on the selling price, as identified in Table 5

Table 5 – Coefficient by percentage of sales

Sales	Minimum coefficient
Sale price	10% to be increased possibly evaluating the case by chance, in relation to the context final sales

It should be noted that the rates resulting from the application of the indicated criteria do not include any rights of third parties related to the supply and reproduction of the same images, which must be separately quantified and liquidated to any copyright holders.

ART. 4 – Processing of personal data pursuant to art. 13 of "REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data, as well as on the free movement of such data" (GDPR).

4.1 Data controller

The Controller of the processing of personal data is the Ministry of Culture (MiC) which exercises it through the Director of the Musei Reali.

4.2 Data Protection Manager

The Ministry of Culture, as Data Controller, has identified with Ministerial Decree no. 349 of 24 July 2020 a Data Protection Manager, pursuant to art. 37 et seq. of the GDPR Regulation, and can be contacted at the following address: Ministry of Culture - Personal Data Protection Officer, Via del collegio Romano 27, IT-00186, Rome, email: rpd@cultura.gov.it; rpd@pec.cultura.gov.it

4.3 Information on the processing

The personal data subject to use are collected and processed by the Musei Reali of Turin or by third parties expressly authorized by them in the manner and for the pursuit of the purposes described below.

- The personal data processed are those provided by the interested person, such as registry and contact data: name, surname, e-mail address, telephone number (if provided).
- Personal data are processed (for the definition of "processing" see art. 4, par. 1, n. 2 of the GDPR Regulation) for the provision of the service of reproduction and concession of use of cultural goods belonging to the Musei Reali through the website <https://mrt.rightly.comwork.eu/>

- The data provided are processed in accordance with current regulations in relation to Privacy. The Musei Reali undertake, in particular, to process them according to principles of correctness, lawfulness and transparency, to collect them to the extent necessary and exact for the treatment and to allow their use only by personnel for the authorized purpose.
- The processing of personal data is carried out by means of paper, computer and/or telematic tools and with organizational and logical methods strictly related to the pursuit of the purposes indicated in this notice. Appropriate security measures are also taken to prevent unauthorised access, disclosure, modification or destruction of personal data.
- The concession of data for the provision of the service of reproduction and granting of use of cultural goods belonging to the Musei Reali through the website <https://mrt.rightly.comwork.eu/> is optional and the related processing presupposes the consent of the person concerned.
- All data held by the Musei Reali are kept only for the period necessary to management needs and applicable regulatory obligations. Since the Musei Reali are subject to specific data retention rules (*Code of Cultural Heritage, Digital Administration Code, Consolidated Text of the laws and regulations on administrative documentation, Rules on administrative procedure and right of access to administrative documents, VAT tax and accounting regulations*), all data are kept for the time established by the same regulations and physically deleted also by means of archival discard procedure (Presidential Decree no. 37 of 8 January 2001: *Regulation simplifying the procedures for setting up and renewing the Commissions for the supervision of archives and for the discarding of documents of State offices*). The times can be very different depending on the purposes of treatment, as described in point 5 of this article. The criterion for establishing them is based on principles of common sense and on the clarifications of the Guarantor Authority according to which data can be kept in general "as long as there is a justifiable interest" and that is, as long as their conservation is necessary for the purposes for which they were collected and processed.
- The Controller or who acts on behalf of the Controller, subject to written request by the person concerned, provides a copy of the personal data subject to processing. In case of further copies requested by the person concerned, the Holder or the operator of the functions of the Controller will charge a contribution of expenses commensurate with the administrative costs. The right to obtain a copy from the person concerned shall not prejudice the rights and freedoms of others.
- The data collected will not be disseminated in any way, but will be processed within the limits and for the purposes described by the employees of the Institute on the basis of adequate operating instructions. Some data processing may also be carried out by third parties, appointed as Data Processors pursuant to art. 28 of the GDPR Regulation, which the Data Controller uses or could use for the provision of the services offered and for the organizational needs of their own activity (e.g. for management and maintenance needs of the IT platform and related hardware devices).
The complete list of external subjects to whom the user data are communicated is available upon request by e-mail at: mr-to@cultura.gov.it
- Without expressed consent of the user (pursuant to art. 6 lett. b) and c) of the Regulation), the Data Controller or who acts on behalf of the Data Controller may communicate the relevant data for the purposes referred to in point 5 to supervisory bodies, judicial authorities as well as to all other subjects to whom the communication is mandatory by law for the fulfillment of the aforementioned purposes.
- The management and storage of personal data will take place on the server of the Data Controller or of who acts on behalf of the Data Controller and/or third party companies duly appointed as Data Processors located within the European Union. Currently the servers are located in Italy, but it is understood that the Controller or who acts on behalf of the Controller, if necessary, will have the right to move the location of the servers within the European Union and/or in non-EU countries. In this case,

the Data Controller, or who is acting as Data Controller, ensures from now on that the transfer of non-EU data will take place in accordance with Articles 44 et seq. of the GDPR Regulation and the applicable legal provisions, stipulating, if necessary, agreements that guarantee an adequate level of protection. In particular, it must ensure that adequate technical and organisational measures are in place so that the processing complies with the requirements of the Privacy Code and the GDPR, that the protection of the rights of the Third Parties concerned is ensured, that data transfers can be tracked and that appropriate security measures can be documented.

- The person concerned has the possibility to exercise all the rights provided for by art. 15 of the GDPR Regulation, as well as, where applicable, the rights referred to in arts. 16-21 of the same Regulation. The person concerned may at any time exercise the rights referred to in art. 15 et seq. of the GDPR Regulation in the following by sending an e-mail to the Musei Reali at the address: mr-to@cultura.gov.it and/or by sending an A/R registered post at the legal residence of the Musei Reali at Piazzetta Reale, 1 – 10122 TURIN – ITALY.

ART. 5 - Come into effect

This Regulation comes into effect from the date of publication on the institutional website of the Musei Reali. Starting from that date, the previous regulations on the subject are intended to be replaced.

THE LEGAL REPRESENTATIVE SECRETARY GENERAL
MARIO TURETTA