

Regulation no. 1/2008/OÚ

concerning provision of photographs of art works from the collection of the Liberec Regional Gallery, non-profit organization

I.

General Provision

The Liberec Regional Gallery, a non-profit organization (hereinafter referred to as LRG), provides, upon request, photographs of art works in the LRG collection, or photographs of details of art works in the LRG collection (hereinafter referred to as photographs), and consents to their reproduction for the purposes of presenting the LRG, evaluation of the LRG collections, academic knowledge, cultural education and other non-commercial as well as commercial usage.

II.

Condition for provision of and consent to single usage of a photograph of an art work

1. A photograph and consent to its use is given based on an application form that appears in an appendix to this regulation. The application for provision of a photograph can be delivered to LRG by post or by filling in an electronic form available on the LRG web-site.
2. The photograph can be used solely for the purposes stated in the application.
3. The photograph must not be given to a third person.
4. The photograph must not be used repeatedly.
5. A copy of the work for which the photograph was used will be given to LRG free of charge for internal usage (library, archive). By "the work" is meant a catalogue, book or other professional/scholarly work, an article in printed media, CD, DVD or any other form of commercial or non-commercial product using the photograph.
6. If a photograph is used in a work, the applicant will give the name of the photographer and the LRG in this form:
"First name and surname of the photographer/Liberec Regional Gallery".
If the photographer is not known or the LRG does not provide his/her name, the applicant will put:
„Archive of the Liberec Regional Gallery“.
7. Exceptions for labeling photographs in works can be given by the LRG director.

III.

Fees

1. The applicant will be charged a fee for making a copy as follows:
 - a) 0,- CZK for a digital photo in JPG (JPEG) format at a resolution of 640 x 480 pixels (so-called preview),
 - b) 600,- CZK for a digital photograph in TIF at a minimum resolution of 3000 x 2000 pixels.
2. 3 000.- CZK for reproduction rights for single usage of the photograph for commercial purposes. This fee does not apply to the publishers of commercial books (printed as well as electronic) who are obliged to pay a fee according to article III paragraph 1. of this regulation.
3. There is no fee for provision and consent to single usage of a photograph for professional and academic purposes (catalogues and other printed media connected with an exhibition, art, academic and specialized magazines, anthologies, independent studies, monographs, lexicographic literature, master's and doctoral theses and dissertations, etc.).
4. There are no fees for using photographs for educational institutions, charity events,

- promotion of the LRG by other persons, etc.
5. All fees must be paid in advance to the bank account number 3338-461/0100.

IV.

Photographs of art works protected by Act no. 121/2000 Coll, Copyright Law

1. The LRG is not allowed to provide photographs protected under Act no. 121/2000 Coll., Copyright Law, except in the following cases:
 - a) If the LRG concluded a licence or sub-licence contract with the holder of the copyright, it can provide photographs for the purposes and under the conditions stated in article III, paragraph 3.
 - b) If the applicant provides the written agreement of the copyright holder to using the work for the given purpose, the fee for making a copy (photograph) of the concerned work will be as stated in article III, paragraph 1 of this regulation.

V.

Breach of agreement

If the applicant fails to observe the conditions stated in article II of this regulation, the LRG has the right to take action to recover damages that have been incurred.

VI.

Validity

1. This regulation cancels regulation no. 1/2007/OÚ.
2. This regulation takes effect on 1 October 2008.

Mgr. Jan Randáček
Director of
the Liberec Regional Gallery,
non-profit organization

Liberec, 8 August 2008.

Appendix to Regulation no. 1/2008/OÚ concerning provision of photographs of art works in the collection of the Liberec Regional Gallery, non-profit organization.

Application for provision of photographs of art works in the collection of the Liberec Regional Gallery, non-profit organization, and the consent to their reproduction

Applicant:

First name and surname:

Company

Address

Date of birth/IČ:

Telephone:

E-mail:

Purpose (tick as appropriate):

a) independent study,

b) academic work,

c) commercial – specify whether the photograph will be used in a book or used otherwise (see article III, paragraph 2, Regulation no. 5/2008):

.....

d) other – specify:

.....

Art work of which you require a photograph:

Required resolution (mark as appropriate):

a) digital photograph in JPG (JPEG) resolution 640 x 480 pixels (preview)

b) digital photograph in TIF minimum resolution 3000 x 2000 pixels.

In date

.....
Signature

Provider of photographs:

Liberec Regional Gallery, non-profit org.

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IČ: 83267

Liberec Regional Gallery is not a VAT payer