
ITV Archive in Wales - Note for S4C Producers

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1. ITV Archive in Wales

- 1.1 S4C and ITV have entered into an agreement setting out terms for the use of programmes produced by ITV for S4C.
- 1.2 This note is relevant to independent producers who wish to use clips and/or rushes from ITV programmes in new programmes commissioned for transmission on the S4C services.
- 1.3 Tables 1 and 2 below set out, in relation to each separate period, the ownership of programmes and rushes respectively (or the exploitation rights in relation to them), and whether a Clip Fee is payable by the new producer for their use.

2. Key

Period 1 – Programmes produced pre 27 May 1982

Period 2 – Programmes produced from 27 May 1982 – 31 December 1989

Period 3 – Programmes produced from 1 January 1990 – 31 December 1992

Period 4 – Programmes produced from 1 January 1993 – 31 December 2011

Period 5 – Programmes produced from 1 January 2012 onwards

TABLE 1 - CLIPS

	Ownership / Control of Rights of Exploitation	Is a Clip Fee payable to ITV for use in S4C Programmes?	Is a Clip Fee payable for use in promos for S4C Programmes?
Period 1	ITV	Yes	Yes
Period 2	ITV	No charge for up to 3.5 mins per 30 min (14.2%) Clip Fee for use in excess of this only	No charge for up to 10 sec use per promo. Clip Fee due for excess only
Period 3	S4C	No	No
Period 4	S4C (1993-1997 owned by ITV, but exclusive licence of all rights to S4C)	No	No
Period 5	ITV	Not during S4C licence period save in accordance with the S4C Clips and Rushes Policy	Not during S4C licence period

TABLE 2 - RUSHES

	Ownership / Control of Rights of Exploitation	Is a Clip Fee payable to ITV for use in S4C Programmes?	Is a Clip Fee payable for use in promos for S4C Programmes?
Period 1	ITV	Yes	Yes
Period 2	ITV	Yes	Yes
Period 3	ITV	No	No
Period 4	S4C (1993-1997 owned by ITV, but exclusive licence of all rights to S4C)	No	No
Period 5	ITV	Not during S4C licence period save in accordance with the S4C Clips and Rushes Policy	Not during S4C licence period

3. Clip Requests

- 3.1 Both S4C and ITV will respond to requests for basic information about the programmes in a timely manner and without administration charge.
- 3.2 For all clip requests for Period 2 Programmes onwards and for rushes of Period 5 Programmes, producers are advised to contact the S4C Library in the first instance. Where the clips requested cannot be sourced at S4C, the producer should contact ITV. For all other clips and rushes requests, producers are advised to contact ITV in the first instance.
- 3.3 Every effort will be made to supply clips within 3 working days.
- 3.4 Any use of the clips and rushes sourced from ITV is subject to paying ITV's customary research fee and technical transfer costs.
- 3.5 Regardless of whether a Clip Fee is payable, any use of clips or rushes is subject to the producer obtaining any underlying rights clearances required prior to use of the material including (but not limited to) actors, script writers and musicians and the payment of any repeat and residual payments due.
- 3.6 The producer must ensure that an appropriate credit is given to ITV for use of the clips and rushes.

4. Clip Fees

- 4.1 Where a Clip Fee is payable for use of ITV clips or rushes, such Clip Fee shall be set by ITV but shall be no more than the market rate for clips of the same quality and nature taking into account the relevant market rate for the clip in question.

5. Research and Technical Costs (2017)

4.1 A fee of £100 per hour + VAT is charged for research work by ITV staff and technical costs.

5. Further Exploitation

Any commercial exploitation or other use of the clips and rushes by producers will be at ITV's discretion.