



TAPE AND PAPERWORK DELIVERY AND LIQUIDATED DAMAGES
January 2019.



The current arrangement allows S4C to charge a fee if delivery materials are late or faulty based on a sum of up to £100 per day for tapes/files and £50 a day for paperwork.

To simplify the arrangements and to provide a clearer estimate of the amounts that could be due, S4C will adopt the following guidelines from 7th January 2019 if content must be returned or if paperwork is delivered late.

You are reminded that all requests for a delivery date to be changed should be sent to the Business Affairs team via a dedicated email address: cyfleu@s4c.cymru. The email should follow the template seen below in appendix 1 to fully understand the nature of the request and to make a fair decision. Permission must be sought to change the delivery date, at least 20 working days before the original date of delivery as set out in your agreement with S4C.

The response to your request (within four working days) will confirm whether it's possible to change or not. This will ensure the production companies and S4C are clear when the content is expected to be delivered to S4C and ensure that other key dates for delivery requirements such as paperwork are also changed internally within S4C.

There is no guarantee that permission will be granted to change the original delivery date and the procedure above must be followed for consideration, even if conversations are taking place with an S4C representative.

We will monitor the situation and review the arrangement for applying a daily fee for late delivery of tapes or files every quarter. In the meantime we reserve the right to apply liquidated damages of £100 per day for late delivery of the Transmission Copy (*Master*).

Returning Tapes

Instead of a daily amount, if S4C needed to return tapes/files to the producer the amount charged will be based on nature of any additional work that S4C has to undertake. The following table sets out the relevant fees.

Costs when material has been returned		
Reloading to BSM/Dalet		
	Up to 30'	60' and over
HD or SD tape or File	£75+VAT	£150+VAT
Cost of recreating material for Access Services i.e. - Subtitling, Signing and Audio Description		
	Up to 30'	60' and over
HD or SD tape or File	£75+VAT	£150+VAT
Above includes staff/technical/administrative costs.		

Paperwork

S4C agreements currently state that a fee of up to £50 per day may be levied for each day that information regarding the programme is late. S4C will now have the right to take all reasonable steps to ensure that the information is delivered at the company cost if it has not been delivered within 28 days of the delivery date noted in the agreement. S4C will have the right either to deduct these reasonable costs from any sums due to the company or to invoice the company for the amount. The maximum sum that S4C will charge when information has not been delivered will be £500 for any 30 minute programme or episode (pro rata).

Guide to Delivery requirements

The guide that gives the background to why timely delivery is required as well as providing further information of what is required has been updated. A copy of the revised document is available on S4C's [production website](#).

Appendix 1:

Email template permission to change the delivery date:

Rydym am wneud cais ar gyfer newid dyddiad cyfleu rhaglen yn wahanol i'r hyn a gytunwyd yn y cytundeb wrth ystyried y wybodaeth isod:

Enw'r cynhyrchiad:	
I-number y cynhyrchiad:	
Rheswm dros newid y dyddiad cyfleu:	
Oes trafodaethau wedi bod gyda'r tîm comisiynu ynglŷn â'r mater: (Os ie - gyda phwy a phryd?)	
Dyddiad cyfleu ar hyn o bryd:	
Dyddiad arfaethedig cyfleu:	

We would like to request a new delivery date than previously agreed in the contract based on the information below:

Production title:	
Production I-number:	
Reason for change in delivery date:	
Has there been prior discussions with the comisioning team regarding the matter? (If yes – with who and when?)	
Current delivery date:	
Proposed new delivery date:	