

## **General SBB Conditions of Use for commercial promotions on station premises.**

The use of SBB premises is based on the IM 70002 regulation for the use of public areas on SBB premises.

### **1 Subject matter**

Commercial promotions on publicly accessible SBB premises are permitted in specified locations and at specified times.

Commercial promotions are defined as any activity that is carried out in promotion areas or sampling points in pursuit of an economic aim.

This also includes economic uses with a ideational background (political, religious, humanitarian, cultural or ecological; known as mixed use).

Economics use with an ideational background (political, religious, humanitarian, cultural or ecological; known as mixed use) carried out by tax-exempt non-profit organisations is considered fundraising. There are separate conditions of use for fundraising (General SBB Conditions of Use for fundraising activities on station premises).

There are also separate conditions of use for purely ideational promotions (General Conditions of Use for ideational promotions on station premises).

Definition of terms:

- **Promotion:**  
promotion covers all temporary activities that serve to engage people, in particular to increase awareness, and are of minor importance to SBB in terms of space requirements, staffing and administration work.
- **Commercial:**  
purely economic use with no non-profit background (political, religious, humanitarian, cultural or ecological).
- **Ideational promotions:**  
all activities in pursuit of political, religious, humanitarian, cultural or ecological aims are deemed to be ideational uses, excluding commercial uses.
- **Promoters:**  
promoters refers to all individuals who address passers-by for the purpose of advertising a product or service or who supply them with a product sample.
- **Fundraising:**  
fundraising encompasses all activities of relationship-building with the purpose of attracting resources.
- **Event organiser:**  
The event organiser is the organisation that carries out promotions via their staff.

Uses are not permitted if they

- disrupt the orderly operation of rail services or obstruct access to the railway;
- give rise to a hazardous situation;
- offend against morals and decency;
- infringe protected personal rights;
- detract from the cleanliness of the premises;
- breach legal requirements.

SBB has transferred the management of promotions on SBB premises to APG|SGA.

## **2 Application for authorisation**

Written authorisation must be obtained in advance for commercial promotions on SBB premises. An application form is available to event organisers should they need it. This can be accessed via [www.apgsga-promotion.ch/de/planung/](http://www.apgsga-promotion.ch/de/planung/) or can be ordered from APG|SGA .

The authorisation for promotions also serves as identification for event organisers. A copy shall be given as identification to all people involved. In the event of any identity checks this must be shown to security staff.

It is the responsibility of the event organisers to obtain any additional official permits required (food hygiene inspectorate, fire and factory inspectorate, sound system etc.).

## **3 Conditions for approval**

Authorisation for commercial promotions is issued for a period of at least half a day (for samplings) or a whole day (for promotions). Half-day sampling activities begin in the morning with the departure of the first train at the respective station and end at 12 noon. The afternoon begins at 12 noon and ends with the arrival of the last train.

Any preparation, assembly or dismantling work must be agreed individually.

## **4 Termination of commercial promotions**

If the APG|SGA/SBB requirements or the present Conditions of Use are violated, the APG|SGA or SBB may withdraw the event organiser's authorisation for promotions and demand the immediate termination of promotions through the security bodies or their on-site representatives. Non-compliance can in serious cases lead to the refusal of authorisation for future promotions. In these cases, there is no right to a refund for any tariff paid, nor is there claim for damages or loss of profit..

SBB, their security bodies or APG|SGA may stop, postpone or cancel a campaign at any time on account of important operational reasons. SBB informs the event organiser as quickly as possible. There is no claim for damages or loss of profit.

Noise emissions and vibrations from construction work in the stations cannot be ruled out. There is no claim for damages or loss of profit.

## **5 General**

Any emissions, in particular noise, smells, light effect etc., that result from carrying out a promotion, must be reported to and approved by APG|SGA in advance.

Sound systems in stand areas during a promotion are permitted only after consultation with APG|SGA (to a maximum of 60 dB).

In open areas outside station buildings, authorisation from the municipality or the canton may be required, depending on local regulations.

Freshly prepared food may be handed out for tasting purposes.

Whenever possible, the items distributed should be of a uniform size. Containers used to hand out drinks are limited to a capacity of 500ml.

Glass containers are prohibited.

Handing out drinks in open containers is prohibited in sampling campaigns.

Drinks may be sampled – e.g. in beakers – only in the case of stand-based campaigns. The tasting samples must be consumed on the spot.

The promotion of alcohol or tobacco is generally prohibited. Excluded from this is the sampling of alcoholic drinks of up to 15% vol. as a maximum for stand-based promotions. Any permits or licences must be obtained from the event organiser. The event organiser must comply with the regulations of the local alcohol legislation.

## 6 Organisation

After receiving authorisation and **at least three working days before the event is due to be held**, the event organiser must contact the contact person given in the confirmation in order to discuss the details of the logistical procedure (for delivery, storage facilities, location, security issues etc.).

At larger stations, an SBB contact person is usually indicated and a personal briefing is given on site.

In smaller and non-staffed stations there is no personal briefing.

APG|SGA must be notified with the mobile phone number of an on-site contact person from the event organiser, which can be reached at any time during the promotion.

## 7 Sites

### 7.1 General

SBB defines the locations available for promotions on its premises. No promotions are permitted on platform areas, at access points to platforms, stairs, ramps, lifts, escalators, underpasses, ticket machines, shop entrances and other service points. For security reasons, an appropriate distance (if possible approx. 5m) must be maintained between the entry and exit points of stairs, escalators, ramps etc.

Promotions must take place exclusively in the assigned area(s). This area is clearly defined for each station by means of a floor plan or a photo montage. Addressing passers-by in the station outside of the designated point of distribution or stand area is not permitted.

Fact sheets with the points of distribution and promotion areas marked are available via the following link: <https://www.apgsga-promotion.ch/de/planung/>

Promotions cannot be carried out in every station due to space and security reasons APG|SGA maintains a list of currently approved stations on their home page.

The event organiser must be identifiable by a clear sign. The staff of the event organiser must be identifiable as such (clothing, name tag etc.).

Promotions must be professional and appealing. An unprofessional appearance can damage the image of SBB and the station, and may be terminated in accordance with Section 4.

### 7.2 Locations for stand campaigns on promotion areas

The permissible installations are specified in the authorisation. A tent, counters, seating, poster pillars and walls, electronic information devices or similar items may also be installed instead of a stand. The event organiser is responsible for the procurement of the stand material, as well as its construction and dismantling. All related costs are borne by the event organiser..

### **7.3 Locations for distribution activities at sampling points**

Small-format wheeled containers may be used to distribute items. These trolleys may bear advertising slogans.

In view of the limited space and the associated security factors, these sites may only be used for sampling. It is not permissible to set up stocks of materials or to install pallets, containers or displays of any kind.

A maximum of four promoters may be present at each sampling point. According to the space limitations, a sampling point can also be divided into two half sampling points: for each half sampling point, two promoters with a distribution container are permitted.

### **8 Rules of conduct for promoters**

Promoters must conduct themselves politely and decently.

A dismissive gesture or a "No, thank you" from a passer-by must be respected. Care should be taken not to approach passers-by multiple times.

Promoters must refrain from aggressive behaviour of any kind, including, for example, blocking someone's way, holding on to someone's arm, calling out to someone from a considerable distance, whistling after someone and similar tactics.

Smoking is not permitted in the stand areas. Maintaining a presentable appearance includes ensuring that clothes, bags etc. are not left lying around in the visible area of the stand.

### **9 Cleaning and clearing up**

The event organiser is responsible for cleaning the locations and disposing of waste. If necessary, they are also required to provide additional waste bins. Any subsequent or extra cleaning costs connected to a completed promotion will be charged to the event organiser.

The event organiser must find out how much material remains undistributed at the end of the fundraising and collect it within one working day. The right to charge subsequent storage fees is reserved.

### **10 Security**

The event organiser is responsible for the security of promotion. It must not allow crowds of people to form.

The event organiser must observe and comply with the safety regulations in force issued by the fire prevention authorities (Feuerpolizei) and the cantonal buildings insurance authority (Gebäudeversicherung), as well as with other rail-operations-related requirements.

No flammable liquids or gases may be stored on the fundraising areas nor are naked flames permitted. Decorations and similar materials must be classified as non-flammable. Helium-filled balloons for distribution are prohibited in stations, as is the use of patio heaters and similar equipment.

The use of helium balloons for the purpose of decorating the stand is permitted, but they must be inflated outside the station building. Pressurized gas cylinders are prohibited inside station buildings.

Electrical equipment must be operated by qualified personnel and must comply with the relevant legal standards.

## **11 Liability**

The event organiser shall be liable for any personal injuries, damage to property or financial losses that are attributable to the promotion.

The event organiser must have liability insurance which covers a damage amount of at least CHF 5 million.

SBB or APG|SGA will not accept any liability for damages to the event organiser or third parties. In particular, SBB accepts no liability for theft or damage in the storage of promotion material.

## **12 Supplementary provisions**

SBB or APG|SGA may supply third parties with information relating to planned promotions, such as its location, date, type and event organiser.

Additional provisions set out in local house rules or regulations must be adhered to and are binding. Station regulations must be complied with.

For the duration of the promotion, the event organiser will be permitted to use the WLAN (WiFi) of SBB AG, if it is available.

Some promotional stand spaces are equipped with sockets for LAN cables. If the event organiser wishes to use these, it must register its interest at an early stage. Use is subject to a charge.

Neither SBB nor APG|SGA accept any liability for ensuring that WiFi access will be uninterrupted or trouble-free. The event organiser is responsible for ensuring that access to the WiFi network is used in compliance with the law. It is liable to SBB and APG|SGA for any losses arising from illegal use.

Photography and filming in connection with the fundraising activity are permitted and approved. The relevant personal rights of the people being filmed must be observed.

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