



General Terms of Use (GTU) concerning the obtainment of information from the cable cadastre

1. Field of application

1.1 Object

These GTU govern the electronic obtainment from Sunrise UPC LLC (hereafter "UPC") of information from the cable cadastre over its online cable cadastral information desk. For service cables which are not the property of UPC, cable plans must be requested of the relevant proprietor.

2. Registration und acceptance of the GTU

2.1 Registration

In order to electronically access and use information from the cable cadastre (in particular plans) it is necessary to register online and accept these GTU.

2.2 Users

A distinction is made between **occasional users** and **long-term users**. The profile of an occasional user is directed towards developers, land owners, landscape gardeners and architects in particular, whilst the profile of a long-term user is intended primarily for companies, architects, engineers and building contractors. Any reference below to "user" shall refer to both categories of users.

2.3 Occasional users

Occasional users enter their contact information for each obtainment of a plan. They receive immediate and automatic password-free online access to UPC's cable cadastral information desk and can obtain a limited number of plans.

2.4 Long-term users

Long-term users apply for a password-protected online access to UPC's cable cadastral information desk, which enables them to register as long-term users. The registration will first be internally assessed and once approved by UPC during office hours, the long-term user account will be enabled. Thereafter plans may be obtained over the online cable cadastral information desk in accordance with the provisions of these GTU (in particular the terms of use under paragraph 3) basically without restriction.

UPC reserves the right at any time to temporarily or permanently deny long-term users access, notably in the case of actual or suspected breach of any of the provisions of these GTU.

2.5 Contact information

The contact information of all users will be recorded and stored by UPC for reasons relating to security and liability. Contact information is only accessible by a select group of UPC employees and will not be disclosed to third parties.

Long-term users can at any time inspect and edit the contact information in their profile. A confirmation of the recorded contact information will also be sent each time data is transmitted to the user.

2.6 Availability and making contact with UPC

Although UPC endeavours to ensure that the online cable cadastral information desk is constantly available, it can however not guarantee access that is at all times interruption-free.

Should the online information desk not be available, we ask all users to send an appropriate message to admin_leitungskataster@upc.ch. Furthermore [UPC's regional cadastral information desk](#) may also be contacted.

3. Terms of use concerning information from the cable cadastre

3.1 Purpose

Users are authorised to use information from the cable cadastre **exclusively** for information purposes or project work (as a rule for matters of planning or construction) and for the requested project and location. The commercial use of information from the cable cadastre is not permitted. Any transfer to a third party, who has no direct connection with the planning or construction project, is prohibited save with the consent of UPC.

3.2 Confidentiality

Users undertake to treat information on plans of the network infrastructure made available by UPC with confidentiality and acknowledge that such information is subject to the obligation to professional secrecy which is protected by criminal law.

3.3 Liability and duty of care of the users

Within the validity period of the individual extracts of the cable cadastre, the relevant plans provide information only about the present (two-dimensional) location of the service cables. The actual location of the cables may deviate from the plans as the plan specifications may, on the grounds of structural modifications such as new installations, building alterations, excavations and soil changes, require ongoing modification. All sections of the plan are subject to verification on site. Unsurveyed cable lines are marked only approximately and as a rough estimate on the plans. In case of risk of damage their exact location can be determined by the use of sounding. Any indications of measurements on the plans may not be taken and applied for wider use. The plans do not provide any exact indication of depth. The respective measurements of depth are to be determined with all due care, in particular by the use of sounding.

The requested plan is to be checked for legibility and, if it is un- or scarcely readable, may be requested again in a larger map scale.

The users of the information from the plans acknowledge that the available plans are based as a rule on data obtained from official surveys and that UPC cannot guarantee that such data is either accurate or up-to-date.

The users acknowledge the cable cadastre documents delivered in respect of each plan obtained as well as the GTU on their correct interpretation. Furthermore they must observe the information regarding making contact with UPC.

3.4 Safety procedures

Prior to performing work

For all construction, excavation and gardening work (including sounding, pile driving, drilling, pipe jacking and underground rocket procedures) on public and private grounds, it is mandatory that the construction company performing the work first identify the position of any utility lines (cable routes, systems) in the area of construction. All details connected with UPC cable cadastre information are available at <https://upc.ch/cable-cadastre>.

If it is necessary to move UPC components, it is mandatory to first report this to UPC. If UPC components are to be merely uncovered and then covered again, no report is required, however, work must be performed with the appropriate duty of care near the UPC components.

In case of uncertainty, the actual position of cable routes must be determined by means of sounding.

All information about construction measures in connection with UPC systems is available at <https://www.upc.ch/en/network-connection/new-connections/>.

UPC recommends marking the position of the utility lines or cable routes on site.

During work

Work should only be performed in areas for which a current PDF extract from the municipal utilities registry or the UPC cable cadastre has been obtained beforehand and printed out in colour. The utility lines must be located manually especially with regard to the installation depth. Any data about installation depth, if available, should be used with caution.

Exposed cable routes and systems must be adequately shielded and protected from damage. Cable routes and systems from UPC which must be moved may only be covered again when a UPC staff member has approved and measured them. When reporting something for measuring, a lead time of at least 48 hours can be expected. If the lines are covered again without be-



ing measured, then at UPC's request they must be uncovered once more at the company's expense.

Measures in the event of problems and damages

Any damage must be reported immediately in all cases on the number 0800 66 88 66 (UPC customer service).

Maintenance work and repairs to damaged UPC system components may be carried out exclusively by UPC staff or their (project-specific) agents and the costs will be charged in full to the perpetrator of the damage.

3.5 Copyrights

All rights (in particular copy and intellectual property rights) to the plan information which is made available, as well as printed plans of service cables, shall remain entirely the property of UPC and/or the respective holders of such rights.

3.6 Deletion following completion of the work

Following completion of the work users undertake to immediately destroy i.e. delete all supplied information and any copies made by them (including electronic copies). For later projects new information must be requested.

4. Final provisions

4.1 Validity

UPC reserves the right to change the present GTU at any time and to adapt them to technological developments.

4.2 Law and jurisdiction

The present agreement shall be governed by *Swiss law*. It shall be subject to the jurisdiction of *Zurich 1*.