



The Photographic Alliance of Great Britain

GUIDANCE - PUBLICATION OF IMAGES

This guidance is written as advice to Clubs but it applies equally to Federations and to the PAGB.

As photographic organisations, Clubs, Federations and the PAGB want to publish lots of images. Each image has a copyright owner and that owner can licence publication.

The PAGB conditions of entry to events require the image to be entirely the work of the photographer, meaning the photographer holds the copyright. These conditions also give the PAGB a licence to publish the image. Clubs and Federations can adopt the PAGB conditions, and many do so.

There are commercial competition events where the conditions include compulsory transfer of the image copyright to the organiser. It could be argued whether that is enforceable or is an unfair term preventing the photographer from separate publication. The organiser will always require a licence to publish.

Clubs can publish images provided by their members. Publication can be within the Club, at an Exhibition, in a Catalogue, on a web site or as other publicity.

Very rarely there are Club members who plagiarise images. If such an image is published, then comparison software may link that image back to the source. In reverse, members' images may be plagiarised and used elsewhere. There are now organisations - some reputable, some less so - who challenge breaches of copyright and issue demands for money.

If a Club receives such a demand, these are some things to consider:

- Is the demand from a legitimate organisation.
- If the original copyright has been proved and the Club member does not own the copyright.
 - Can the image be removed from publication which may be difficult for a printed catalogue.
 - Is the amount demanded reasonable, given that a licence fee for publication without monetary gain is not usually expensive.
 - Would removal and a simple explanation and apology be sufficient to satisfy the complainant?

The Club may require members to indemnify the Club against copyright claims, but this will not be effective if the member is no longer available.

Guidance:

- Clubs are unlikely to know if an image is plagiarised contrary to its own rules.
- Clubs may wish to prevent members from uploading images directly to the Club's website.
- Clubs may wish to remove a member's gallery of images when that member leaves.
- Clubs are not responsible for the content of any website linked from the Club.
- Clubs may be able to insure against copyright claims.