

Why use a professional photographer?

As cameras grow in digital sophistication it is becoming easier for everyone to get pleasing results for apparently little cost. However, using an amateur to take an important picture can be a false economy. The impact a professionally taken image has on a client's market is far stronger than that of a quickly grabbed snap from a digital camera. Professional photography will sell your product or your company, amateur photography will not.

Photographers are not just technicians. A professional understands how to capture images that are right for a client's business and convey the message required. Their experience enables them to obtain successful results in any situation. It is as important for the photographer as it is you that the images are right for your business and convey the message you require. As a proportion of your media/print budget, the cost of getting the original imagery as good as it can be is tiny.

When commissioning a photographer the images they produce will be exclusive to you. Images bought from a photographic library will only be exclusive for the specific area you have bought a licence for. Unless you negotiate an exclusive deal with the library other companies will be able to licence the same image and use it for their own products or company. Negotiating exclusivity with a library is often more expensive than commissioning a photographer.

How to find the right photographer

Not every professional photographer can do every type of photography. A photographer who takes family portraits and weddings is not necessarily the one to shoot a picture of your Board of Directors.

Professional photographers nearly all have websites, putting your requirements into a search engine will give you access to their sites and allow you to see their style and area of photography before you contact them. Their website is an ideal first stop but every experienced photographer will have a portfolio to demonstrate their work, this is their main representation and shows their skills and experience in a proven package. We strongly suggest you ask the photographer to bring in their portfolio so you can see the quality of the images in an enlarged form as well as meeting them. A good relationship with the photographer is very important for both you and your business.

How do photographers charge?

There are no set rates in commercial photography. The majority of commercial photographers will charge a day rate. Some may charge by the hour. The type of commission and specialisation will generally dictate the fee - photographers will also take into account a number of other factors to determine the cost including:

- Where the work is to be used eg on packaging, annual reports, billboards, national press, website
- The length of time the work is to be used by you
- The territory or territories in which the work is to be used

If you have a tight budget, discuss this with the photographer who can advise if it is realistic and what you can expect for your proposed budget. Be aware that if other professionals ie models, stylists, set builders etc are needed these will be charged on top of the photographer's fee, as will film and processing or digital capture. The photographer will estimate these extra costs for you.

There is a misconception that if the images are shot digitally, rather than on film, that this is a cheaper way of producing images. This is not true. Some photographers will still shoot on film but deliver the images in a digital form whilst others will shoot and deliver digitally. Both methods incur costs.

In order to produce high quality digital images a lot of time and skill is necessary after the shoot, in preparing the images for presentation to the client and ultimately for reproduction. In addition,

a professional photographer has to invest heavily in good equipment. This equipment needs to be replaced/upgraded frequently to ensure it meets the standards required to produce professional results.

Who owns the copyright in the images?

In the same way that musicians control who can reproduce their music, photographers control who can reproduce their images. Authors of original works own the copyright in their work and this is enshrined in legislation – the Copyright Designs & Patents Act 1988 – more information on copyright ownership can be found at www.patent.gov.uk

Shops, hairdressers and pubs etc all need licences to play music - photographers, like musicians, own the copyright in their work and issue licences to enable people to reproduce their images. This is why it is important that you discuss your commission and fully brief your photographer including details about where and how you would like to use the images. The photographer will give you a licence that will reflect the agreed media - ie. on a website, in a brochure etc., the time period and territories. The use of these images will be exclusive to you. This means that the photographer will not be able to allow any third party to use the images they shot for you during the time they are licensed for your use and beyond if this is agreed.

Why don't I get the right to use the images wherever I want?

It is rare for a client to insist on unlimited use of the images they have commissioned, as this can be a costly affair. The price of the job includes the agreed media – an unrestricted licence would include every possible media including billboards, videos, TV, CD's, t-shirts etc - worldwide for the term of copyright, which is 70 years after the photographer dies. If professional models are needed for the shoot their charges also reflect the use to which the image is to be used. The price for this type of licence would be enormous and you would be paying for use you do not need. This is like buying a car to make one journey when you could have hired a car at a fraction of the cost.

To be fair to the client and ensure they get the rights they need, a system has been agreed with commissioners for negotiating licences.

What if I want to use it for things I don't have a licence for?

Should the commissioned work exceed your expectations and you wish to extend the use of the images then you can easily negotiate this with the photographer. Suggested guidelines as to how photographers may charge for extra usage has been negotiated with commissioners of photography and is available to download here. All photographers will negotiate extra use, whether they use our suggested guidelines or have a price list of their own.

If I've paid for the film, processing or digital files why can't I keep all the work?

If you buy a copy of a book, computer software or a CD, making that purchase doesn't give you the rights to make copies of it or broadcast to the public. That right remains with the copyright owner.

There is a difference between the medium (eg transparency/ negative/digital file) and the content (the image) but one is of no use without the other. If you were to claim ownership to the transparency this doesn't mean you own its content. The image on the transparency is the copyright of the photographer and without a licence it would be illegal to reproduce it. If you need further reproductions they can be done by your photographer in a professional manner and to a high standard. As mentioned above – the images will be exclusive to you so there is no fear that the photographer will sell them on to another client whilst you have a licence to use them.