

## **A Client's guide for working with photographers**

This guide has been produced in the interests of clients and photographers to simplify the process of commissioning photography to help create and promote a better and equitable working relationship.

Short deadlines, travel, tight budgets, logistical difficulties and now you have to hire a photographer. Been here before?

Commissioning and buying photography need not be complicated. By developing an ongoing business relationship with the right photographer, you can negotiate in an informed and cooperative environment that benefits both of you.

Before you look for a photographer – define your needs. By identifying your communications goals, you'll be better equipped to find the right photographer for your job.

### **Looking for a photographer**

Members of the society of Advertising commercial & Magazine Photographers Ltd can be located through find a photographer at [www.acmp.com.au](http://www.acmp.com.au) by location and area of specialty.

Take time to discuss your needs with the photographer when you meet at interview or portfolio review. A good photographer should be a good communicator, offering suggestions and responding to your concerns. In addition to excellent work important qualities to consider are experience, compatibility dependability and professionalism.

The photographer should become an invaluable member of your creative team, hire one whose skills fit the requirement of the your assignment. Most photographers have areas of specialization. A studio still life photographer may not be the best choice for a job involving extensive location work with people. Applying your needs to the photographers strength will assure the greatest degree of success.

With your assignment ask the photographer the following questions ;

- How long have you been in business?
- Does the photographer have a website?
- Provide examples of published work..
- Who are some of your clients / testimonials?
- What facilities and services do you provide?
- Are you studio or location based?
- What travel experience do you have?

### **Pricing the assignment**

Once you've selected the photographer who you feel comfortable with you can begin to evaluate the costs. Discussing fees during the initial interview is commonplace but asking for a day rate can be misleading. While it may help you to compare one day rate to another. It won't tell you what your total job will cost. Day rates don't include expenses nor do they reflect the rights being licensed.

As in any free market, creative fees will vary greatly among photographers. It's easy to get caught up in the trap of shopping based solely on price instead of looking for value. The experience that a photographer brings to your job, or the equipment and capabilities that they have available to properly execute your assignment, represents value which may be more than compensate for the differences in price. In addition, photographers have business overheads and operational expenses to factor into their fees. Costs for rent, utilities, marketing, salaries, insurance and equipment are incurred every day, not just on shooting days.

For a photographer to fairly estimate a job they need to know as much about the job as possible. Crucial information includes a detailed job description (including what the photographers should communicate and a layout if it exists), deadline usage and materials requirements (i.e. transparencies or prints, color, black and white, digital, CD or DVD etc) You could get widely varying estimates based upon how the assignment is to be executed.

### **Quote or Estimate**

When seeking an estimate or a quote make it clear to photographer which one your are asking for.

An estimate is a rough appraisal of what the job should cost based upon the information provided.

Quotes usually fall into 2 categories – competitive and comparative. A competitive quote involves 2 or more quotes that are being considered on price. A comparative quote may encompass additional factors such as creative approach, existing working relationship, availability, style etc.

Both quotes and estimates are set for 30 days upon date of issue. Unlike an estimate, once a quote is accepted, the price is fixed but so are the job parameters. Even small changes may incur additional charges. In these situations many photographers require changes to be approved in writing during the shoot.

## **Copyright / Usage & Licensing**

An essential component of the photographer's fee is compensation for the rights being licensed. Under federal law, Section 35 (5) 30<sup>th</sup> July 1998 in commercial photography the photographer is the owner of the photograph unless there is a written transfer of copyright ownership. Accordingly it is important that the photographer and client agree on the usage in advance. Generally the more extensive media exposure a photograph receives, the higher the fee will be for procuring it. This principle applies to both assignment and stock photography.

Images are either licensed for specific uses or bought outright with copyright being transferred over to the client in writing.

Questions specific to licensing are

- **Time** duration of the campaign.
- **Territory** local national or international.
- **Usage** billboard, editorial etc.

Further questions to consider are

- Who can use the photography?
- Is the photography exclusive to the client for a period of time?
- Can the photographer re license the images (or outtakes) to others?
- Is the need for the licensing to be unlimited or limited to a length of time or press run?

Buying the copyright outright could greatly increase your costs without changing the value that the image has to you. Realistic usage needs should be outweighed against budget considerations. Why pay more for something you might not need? Future licensing can be purchased as needed.

When negotiating usage remember.

- Rights not specifically granted are reserved to the photographer.
- Licensing agreements are specific with regards to the end user.
- Design firms and advertising agencies license images as agents for their clients, but these rights are unassignable to other parties.
- Precise usage language should appear on the estimate, purchase order, delivery docket and invoice.
- Possession of the transparencies, photographs, negatives or scans does not give one the right to reproduce or copy them.

## **When your needs outweigh your budget**

Distinguish between your wants and your needs. Instead of cutting corners on quality, look for getting greater value for your photography dollar. There are always ways to pay less for photography – but bargains can be expensive.

Know when the expertise of the photographer will save you money in the long run. Find out what services the photographers can offer to make your job easier and quicker. In all cases, be open and honest with the photographers when negotiating your assignment helping to ensure the success of your imaging goals.

## **Summary**

Define your needs. Hire the photographer who fits the assignment. Look for value instead of shopping for price. Discuss rights issues up front when negotiating a fee. Licensing agreements should answer the basic questions of how will use the photograph, for what purpose where it appear and for how long it will be used.

**And remember get it in writing.**

