

ANNUAL MEETING HANDOUT

Do or Don't Shoot! Museums and Visitor Photography

With current technology making photography and the sharing of images a breeze, it has become harder to monitor visitor photography in galleries. Presenters discussed their institutions' policies on visitor photography, the decision making process and issues for implementation.

Presenters

- » **Cherie Chen**, Registrar Rights and Reproductions, J. Paul Getty Museum
- » **Ryan French**, Director of Marketing and Public Relations, Walker Art Center
- » **Anne Young**, Manager of Rights and Reproductions, Indianapolis Museum of Art

Annual Meeting & MuseumExpo

As the museum field's premier professional development opportunity, the Alliance's Annual Meeting & MuseumExpo showcases the best thinking from practitioners and visionaries on major issues confronting museums and the communities they serve.

This session handout and presentation materials are from the 2014 Annual Meeting in Seattle.





Getty Museum Incoming Loan Agreement:

Unless otherwise notified in writing by the lender, the Getty may create and distribute reproductions of the object in print or electronic media for archival, educational, catalogue, web access, publicity or noncommercial purposes. It is understood that the loan may be photographed by the public while on exhibition subject to the same restrictions the Getty imposes upon the photography by the public of its own property of a similar nature.

Getty Museum Outgoing Loan Agreement:

Borrower may not photograph the object except for overall installation shots for archival purposes.

For public domain works: Photography of the object by the public is permitted provided no flash equipment or tripod is used and provided the photographs are not used for reproduction.

For copyrighted works: Photography by the public is not permitted.

Filming by the press for news and feature coverage is permitted as long as it is supervised by Borrower's conservator to insure safe light levels and to keep the film equipment a safe distance away from the object. Only ambient gallery light is permitted during filming and photography.

Loan Agreement Language

PHOTOGRAPHY AND REPRODUCTION

Unless otherwise notified in writing by the lender, the IMA may create and distribute reproductions of the object in print or electronic media for archival, education, or noncommercial purposes, to create catalogues, indices, or research tools for such purposes, or to publicize and promote the display of the loaned work at the IMA. This includes, but is not limited to, use on the IMA's internet websites, the website(s) of the exhibition's sponsor(s) (if applicable) and the websites maintained by new media organizations. It is understood that the loan may be photographed by the public while on exhibition subject to the same restriction the IMA imposes upon the photography by the public of its own property of similar nature. Unless otherwise requested and agreed upon in writing, IMA will provide the lender with one (1) copy of the exhibition catalogue if one is produced for the exhibition.

Are photographs/still images of this work available?

☐ Yes ☐ No

If YES, please indicate format:

If YES, where can IMA obtain:

Do you own copyright to this work?

☐ Yes ☐ No

If NO, please provide name and address of copyright holder (if known):

Commissioned Artworks Agreement Language

REPRODUCTIONS AND PHOTOGRAPHS

Artist shall retain copyright in the Installation. Artist shall grant IMA a non-exclusive license and agrees to permit IMA to photograph Installation and use resulting photographic materials without restrictions or royalties paid to Artist by IMA, for archival, promotional, marketing, website, educational, commercial, and such other purposes as IMA shall determine in perpetuity. Such photographic materials shall be the property of IMA. Artist further agrees to permit visitors to IMA to photograph Installation for their personal use.

Any reproduction or subsequent exhibition of Installation produced as a result of this Agreement shall be credited as follows:

Non-Exclusive Licensing Agreement Language

REQUESTED PERMISSIONS

I agree to allow the Indianapolis Museum of Art to reproduce artwork(s) by _____ for the following categories of use:
(see Object Information List)

1. Scholarly research, research partnerships, and research databases
☐ yes ☐ no ☐ with the following conditions*
2. Educational projects, editorial content, on-site visitor wayfinding materials, art books, exhibition catalogues, press reviews
☐ yes ☐ no ☐ with the following conditions*
3. Promotion and advertising related to the Museum's programs and educational mission
☐ yes ☐ no ☐ with the following conditions*
4. Non-commercial photography by the public while on exhibition at the Museum (use of flash and photo shoots are restricted)
☐ yes ☐ no ☐ with the following conditions*
5. Extension of the permission(s) agreed upon above to institutions borrowing the work(s)
☐ yes ☐ no ☐ with the following conditions*
6. In any and all media, whether now known or unknown, throughout the Universe
☐ yes ☐ no ☐ with the following conditions*

WALKER ART CENTER

Loan Form Language

Right to Reproduce

- The lender of the object(s) described on this form, desiring to further the nonprofit educational and artistic mission of the Walker, hereby authorize Walker Art Center and its designees (without compensation) to photograph, reproduce, distribute, transmit, exhibit, display and otherwise use the object(s), in whole or in part throughout the world, in any media, for nonprofit educational artistic and related purposes or for the purpose of promoting the Walker and any of the Walker's events/programs/projects, including, without limitation, use of any of the foregoing on the Internet, in classrooms, libraries, and archives, in membership and program materials, for teaching, scholarship, research, and the like. Visitors are permitted to photograph loaned object(s) for personal, noncommercial use. Photography equipment beyond a camera, including tripod, requires special permission. Flash photography is not permitted.
- Except for the specific rights herein granted, lender shall retain ownership of any of lender's copyrights and such other rights as lender may have in the foregoing under applicable law.
- Please indicate where, prior to shipment, Walker Art Center can obtain photographs for catalogue reproduction, interpretive materials and publicity purposes.

Exhibition Contract Language

- In the event certain Works in the Exhibition may not be photographed, filmed, or videotaped for any purpose due to the restrictions of the individual lender, WAC shall provide Exhibitor with a list no later than fifteen (15) days prior to the beginning of the Display Period.

or

- Exhibitor shall permit/prohibit non-commercial photography of Works by the general public.

Ryan French

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	The J. Paul Getty Museum	Indianapolis Museum of Art	Walker Art Center
Institution Overview	<ul style="list-style-type: none"> • 1 of 4 operating programs of the J. Paul Getty Trust • 2 sites: The Getty Center and the Getty Villa • Collections of Greek, Etruscan, and Roman antiquities; European paintings, drawings, sculpture, and decorative arts from the Middle Ages to the end of the 19th century; medieval and Renaissance illuminated manuscripts; and photographs from the 19th century to the present. 	<ul style="list-style-type: none"> • Among the 10 largest and 10 oldest encyclopedic art museums in the US. • Collections of African, American, Asian, European, design and contemporary arts spanning 5,000 years. • 3 Historic Properties • The Virginia B. Fairbanks Art & Nature Park: 100 Acres 	<ul style="list-style-type: none"> • Multidisciplinary contemporary art center with permanent collection and Sculpture Garden • Located in Minneapolis
Annual Budget	<ul style="list-style-type: none"> • \$35.3 million 	<ul style="list-style-type: none"> • \$25.5 million 	<ul style="list-style-type: none"> • \$20 million
Staff Size	<ul style="list-style-type: none"> • 203 FTE 	<ul style="list-style-type: none"> • 221 FTE 	<ul style="list-style-type: none"> • 114 FTE
Annual Gallery / Campus Visitors	<ul style="list-style-type: none"> • <u>Getty Center</u>: Over 1.3 million • <u>Getty Villa</u>: Over 370,000 	<ul style="list-style-type: none"> • Over 350,000 • Uncaptured 	<ul style="list-style-type: none"> • 150,000 • 600,000
Number of Galleries	<ul style="list-style-type: none"> • <u>Getty Center</u>: 63 • <u>Getty Villa</u>: 37 	<ul style="list-style-type: none"> • 100 	<ul style="list-style-type: none"> • 11
Collection Size	<ul style="list-style-type: none"> • Over 120,000 	<ul style="list-style-type: none"> • Over 54,000 	<ul style="list-style-type: none"> • Over 10,000
Works on Display	<ul style="list-style-type: none"> • <u>Getty Center</u>: Approximately 1,700 • <u>Getty Villa</u>: Approximately 1,300 	<ul style="list-style-type: none"> • Approximately 3,300 	<ul style="list-style-type: none"> • Approximately 750
Campus Size	<ul style="list-style-type: none"> • <u>Getty Center</u>: 110 Acres • <u>Getty Villa</u>: 64 Acres 	<ul style="list-style-type: none"> • 170 Acres 	<ul style="list-style-type: none"> • 14 Acres
Current Visitor Photo Policy	<ul style="list-style-type: none"> • Handheld and video cameras using existing light permitted in the permanent collection galleries for personal use only. • Case-by-case for changing exhibitions. • Wedding and engagement photography not permitted. 	<ul style="list-style-type: none"> • Photography is permitted for private, noncommercial use (gallery restrictions 2011-13). • 2014 – Photography permitted in all galleries and in special exhibitions (when approved). • No photo shoots in galleries. 	<ul style="list-style-type: none"> • Noncommercial photo policy since 2009 • Permitted in all collection galleries (some exceptions) • Permission sought for all temporary shows • Permission granted on most loans

PHOTOGRAPHY POLICIES

To protect the objects being photographed and the safety of other visitors, there are certain guidelines that must be followed when photographing at the IMA.

Photography must be conducted without disruption to Museum operations or limitation to the accessibility of exhibitions, entrances/exits, doorways, and high traffic areas.

Flash photography, tripods, and other photographic equipment are not permitted in the galleries, Lilly House, or Miller House.

Photography is permitted for private, noncommercial use only. Photographs may not be published, sold, reproduced, distributed, or otherwise commercially exploited in any manner.

Unless otherwise noted, photography is not permitted of the following:

- Temporary exhibitions
- Borrowed works of art

For more information on the photography policies visit:
imamuseum.org/photopolicy
or contact the Rights & Reproductions Department:
317-923-1331 ext. 171 or 251 or permissions@imamuseum.org.

PHOTOGRAPHY PASSES

All photography and video shoots, professional or amateur, which utilize professional equipment require a photography pass.

Payment of fees is due with permit application.

One Year Pass is \$400

- Covers 2 named photographers from one company
- \$100 per additional photographer
- Free parking

Single Day Pass is \$50

- Covers 2 named photographers from one company
- Can be reissued in the case of inclement weather by contacting the Rights & Reproductions Department

Students may obtain a single day pass for completion of class assignments for free with a copy of their student identification.

Applications available at the IMA Welcome Center and online at imamuseum.org/photopolicy

To purchase a pass submit completed application and payment to the Rights & Reproductions Department by mail or by e-mailing permissions@imamuseum.org *at least two weeks in advance of the intended date(s) of photography.*

WALKER ART CENTER

Photography Guidelines

Visitors are welcome to take photographs in the Walker Art Center's public spaces and collection galleries for personal, noncommercial use.

PERSONAL USE PHOTOGRAPHY IN GALLERY AND PUBLIC SPACES

Still photography for personal, non-commercial use is permitted in the galleries and public spaces like lounges and the Garden Café. Restrictions may apply to specific pieces or exhibitions. If you are uncertain if photography is permitted, please ask a Visitor Services Associate or Gallery Assistant before taking any photos. Please observe the following rules:

- Flash photography is prohibited in all galleries.
- Stabilization devices such as tripods and monopods are prohibited. Camera bags and other equipment may be restricted at the Walker's discretion.
- Photography must not be disruptive to other visitors or block walkways.
- All photography must take place during the Walker's normal business hours. The Walker reserves the right to restrict photography at any time.

Tuesday-Wednesday 11am-5pm

Thursday 11am-9pm

Friday-Saturday 11am-5pm

Sunday 11am-5pm

Please consider the following locations where photography is least disruptive to Walker Guests: Fitterman Garden Gallery and Galligan Porch.

WALKER CAMPUS

Personal photography is permitted throughout the Walker outdoor campus and Minneapolis Sculpture Garden.

PROFESSIONAL PHOTOGRAPHERS AND AMATEUR PHOTOGRAPHY SHOOTS

Formal portraits and commissioned photography require a photography permit from the Walker. Please observe the following rules:

- \$50 Photography Permit fee. These permits are good for 1 hour and are issued on a first-come, first-served basis. No advanced reservations. Photography permits can be picked up at the Bazinet Garden Lobby desk.
- Permits will be issued during the Walker's regular business hours Tuesday-Friday only. No photography permits will be issued on Saturdays or Sundays. The last pass will be issued 1 hour before the end of Walker business hours.
- Only two photography permits will be issued at a time.
- Permits allow for the limited use of public spaces only.
- Stabilization devices, lighting equipment, wardrobe changes, props, and make-up stations are prohibited.
- Photography must not be disruptive to other visitors or block walkways.
- Groups may include up to 5 people.

Groups larger than 5 people must request permission through the Walker's Facility Rental department one month in advance. Additional fees may apply. (facility.rentals@walkerart.org or 612.253.3540)

The Walker reserves the right to prohibit photography in any area at any time. Failure to adhere to guidelines or staff direction may result in being asked to cease activities and leave the premises.

**Professional photography in the Minneapolis Sculpture Garden requires a permit from the Minneapolis Park and Recreation Board.*

Takeaways

- **Contractual Restrictions:**
 - Do you have the resources to clear lender permissions?
- **Security:**
 - Do you have the resources to properly enforce and monitor the suggested policy?
- **Conservation:**
 - Is your institution willing and able to take on the conservation risks?
- **Visitor Experience:**
 - What type of visitor experience do you want to offer?
- **Intellectual Property:**
 - Is a large percentage of your collection still protected by copyright?
 - Do you frequently organize special exhibitions of copyrighted works?
 - What types of uses of visitor photography do you want to permit?
 - Have you clearly communicated your policy to visitors?

Cherie Chen, The J. Paul Getty Museum

Anne M. Young, Indianapolis Museum of Art

Ryan French, Walker Art Center