

Photography & Media: Rules and Etiquette

You wouldn't want a photo of you taken without your knowledge, would you? Nor would anyone else, so whether you're a happy snapper with a point 'n shoot, a professional photographer or a videographer, we ask that you're respectful of peoples rights to privacy.

AfrikaBurn's not a public event. It's a private event held on private land, which means there are no automatic rights to take peoples images (as opposed to a public space). Thus, AfrikaBurn claims rights to all images taken, which is a condition of ticket purchase. One reason for this is so we can ask people to remove images posted after each event that might not be appropriate, or may compromise the privacy or rights of those depicted.

AfrikaBurn allows individuals the right to freedom of expression in many ways, whether dressed up or dressed down, we also understand photography is a form of expression as well which is why we ask any and all photographers to act with respect.

One of the abiding principles of AfrikaBurn is that participants do not interfere with the immediate experience of other participants. As a photographer or a member of the media, you are expected to be respectful and comport yourself accordingly. If you do, your coverage will be far more authentic and meaningful.

AfrikaBurn's number one rule of etiquette for photography is *Ask First*: if we're agreed that you wouldn't like photos taken of you without your knowledge, then we must agree that taking photos of people that are naked without their permission is unacceptable. So, do the right thing: ask permission before taking anybody's photo, whether naked or dressed up. And if any participant asks you to stop filming, please stop immediately. If you disregard their request and continue to photograph or film, there is a possibility that you could be asked to leave or escorted from the event.

Does this mean you can't grab a shot of somebody cruising by on a really cool bike, or capture a compelling scene you happen to see through your telephoto lens? No, of course not – realistically, you should ask first whenever possible. The question you have to ask yourself before pressing the shutter is "Am I invading this person's privacy in any way?". If the person is fully or partially nude, in the middle of a private moment, or doing anything that perhaps they would not want the whole world to see, then yes, you definitely need to ask first – don't press the shutter.

Another thing to consider is don't be "*That Guy*". If you've been to AfrikaBurn you know what "*that guy*" means – that guy chasing after every naked woman who walks by. That guy with the giant telephoto lens elbowing people out of his way to get his close-up shots at Critical Tits. In other words, that photographer (or video operator) who makes people feel uncomfortable by invading their space to get the shot.

Social media sites have become an effective way to share your pictures but we ask that you think about and consider any pictures you want to share. It's against the spirit of AfrikaBurn to expose your fellow participants without their knowledge. AfrikaBurn is an arts event, where creativity is the focus - if you represent that in your photos or footage, you're on point.

AfrikaBurn's legal policies about use of imagery define 'commercial use' as 'any use beyond personal': you accept these terms, when purchasing each ticket, when you set foot inside this private event. If you're planning on using your photographs for any purpose other than simply sharing with friends and family, you must obtain written permission by registering in advance of the event and signing the media agreement. Just as at any private event, without registration and accreditation no professional photographer, videographer or representative of a media title may take footage or publish their content.

Guidelines for filming, video and still photography of the event

- If you're taking photos or shooting video only to show your friends and family, that's fine, just be aware of what images and where you post them.
- If you're shooting stills photography, video or are recording audio for any reason other than to share with friends and family you must register, with our photography team or media team, as is relevant. You can start the registration process by emailing photography@afrikaburn.com or media@afrikaburn.com
- Before members of the media can make any use of the images recorded at the event, other than for personal use, they must obtain written permission from AfrikaBurn. Such written permission will be limited to the particular project described, and may be subject to restrictions.
- If any participant asks you to stop filming, you must stop immediately. If you continue to photograph or film, you face the possibility of being escorted from the event.
- The copyright of any unique design, written work, artwork or performance is owned by the person or group of people who created it. **You must ask permission before filming or photographing such artwork and performances and obtain signed model/property license(s) or release(s) from all appropriate parties before using them commercially.**
- You **should** ask for permission before photographing or filming any participant. If you are planning to use this imagery to show anyone other than your friends and family, you **should** obtain a written release from anyone you photograph, film or otherwise record. In most cases we will ask for verification of these releases before granting permission to use an image or footage commercially.
- The AfrikaBurn name, logo, and Tankwa Town specific imagery are the property of AfrikaBurn. None of these items can be used in association with any commercial venture, advertising campaign, nor sold or transferred to a third party, without prior written consent from AfrikaBurn.
- Tankwa Town specific imagery includes images of the Clan and AfrikaBurn commissioned artworks, aerial views of Tankwa Town and any other imagery that can be identified specifically with the AfrikaBurn event. If you have any questions, email photography@afrikaburn.com
- If you are considering any commercial use of still photos, video or audio recorded at AfrikaBurn, you must provide a copy of your work to the AfrikaBurn archive within 90 days of the event. If your work requires post-production, you must provide a copy as soon as it is completed.
- You will be required to grant AfrikaBurn a license to use such images, film, video and sounds for AfrikaBurn art shows, the AfrikaBurn newsletter, and at special AfrikaBurn events, including our Decompressions and for video or film made by or on behalf of AfrikaBurn. In addition, if AfrikaBurn receives requests from print and broadcast media during the year for images and footage, we will direct interested parties to individuals who have contributed to the archive. In cases of such referral, you are free to negotiate usage terms and fees accordingly, provided AfrikaBurn has approved the intended use.
- Any filmmaker who attends the event and has not registered or received approval for their project is operating in an unauthorised manner, and AfrikaBurn reserves the right to take any necessary action. Unregistered photographers or members of the media have no rights to any use of images obtained at the event.
- Members of the media must check in upon arriving at AfrikaBurn at the Media Booth at Off-Centre Camp.
- Members of the media have the legal responsibility to comply with all domestic and international laws concerning copyright, trademark, intellectual property and privacy concerning any recording or filming at the event.
- The name "AfrikaBurn" is trademark protected. Members of the media have the responsibility to respect domestic and international trademark law. If you have any question about appropriate use of the AfrikaBurn trademark, contact photography@afrikaburn.com

- AfrikaBurn does not permit the sale or distribution of photos or video of the event via stock agencies.

Photographer/Videographer/Audiographer Rights and Responsibilities (Personal Use)

- You have the right to express yourself and create art as a photographer, videographer and/or audio artist.
- You have the responsibility to be respectful to people you wish to record and to seek permission from them before recording their likeness or voice.
- You may use any images that you obtained at the event only for personal use. No commercial use whatsoever may be made of any such images.
- If you're reported as having invaded someone's privacy or behaved in a manner that's disrespectful of participant's rights, you may be asked to leave the event.

Participant Rights and Responsibilities

- You have the right and responsibility to ask someone to stop taking a picture of you, recording your image or recording your voice in any way if you desire. However, keep in mind the nature of radical self-expression, capturing expression is a form of self-expression.
- You have the right to know what someone plans to do with your image.
- If a photographer or videographer plans to use your image or images of your artwork for commercial purposes, you can allow her or him to do so by signing a model release or license form. (FYI: In certain circumstances, the publishing of images of a participant may not require a signed model release (e.g., news, some editorial articles, and AfrikaBurn releases). AfrikaBurn makes **every effort** to ensure that these releases are used, but we cannot always accept responsibility if you knowingly choose to let someone film you without your written permission.
- All professional video cameras and film cameras must be registered. If someone is filming for personal use, their camera will not have a tag, but they should notify you of their intentions for the footage if they film you. If the camera user is a member of the press, their camera will contain a tag; if it does not, they need to stop filming and register at the Media centre.
- If someone is disrespectfully using a camera or recording device of any kind and you cannot resolve it through dialogue, please take a description and tell a Ranger. If they are a member of the press, please include their professional tag number in your report.
- You must take responsibility for your own image. If you see a camera turned on you, ask what they are shooting for. If you don't wish your image to be used as they describe, ask them to stop filming you.

Artist Rights and Responsibilities

- You have the right to protect the image of your artwork or performance.
- You have the right to ask someone to stop taking images of your art or performance if you don't approve.
- You have the right to be credited for authorship of your artwork wherever possible in any commercial use of your work, and perhaps to receive a payment.
- You have the right to enforce copyright and trademark ownership of your unique work. To have the greatest legal protection, artists should apply for a copyright.
- Photographers and videographers should obtain your signature on a release or license in order to

make any use of images of your work for commercial purposes. Images used in editorial works (e.g., news or editorial articles) may not require a signed release. However, any image that contains identifying features of AfrikaBurn (e.g., the Clan, lampposts, street signs, other art, etc., or where AfrikaBurn has funded the work of art), must also receive permission from AfrikaBurn and/or affected people and artists.

- In cases of editorial use, such as news or editorial magazine articles, AfrikaBurn encourages the media to credit specific artists.

AfrikaBurn Rights and Responsibilities

- The name "AfrikaBurn" and all images of the Clan, city layout, lampposts, street signs and commissioned theme artwork are protected under copyright and intellectual property laws, and cannot be used for commercial purposes without written permission of AfrikaBurn.
- We will respond to reasonable, timely media inquiries made in the spirit of good journalism and Tankwa Town citizenship.
- AfrikaBurn has the responsibility to create an environment for the citizens of Tankwa Town that does not tolerate rude or irresponsible use of photographic or video recording equipment. Persons who cannot respect the rights and wishes of others with respect to photographs, video, or recordings of any kind will be asked to leave.
- AfrikaBurn reserves the right to disallow the use of AfrikaBurn-related imagery and recordings of any kind for commercial or unapproved editorial use, particularly if we determine that such use(s) may undermine the personal expression and privacy of participants or the integrity of the event.

Press Credentials

- Your traditional press credentials will not grant you access to AfrikaBurn - you will need to register with us to request written permission to photograph, film, or videotape.
- We do not grant permission to all members of the press automatically. Accreditation proposals are reviewed once received, but each year we receive hundreds, so apply early.
- Registering before the event gives us a chance to find out what you're interested in and help you hook up with the people you want ahead of time, and when you're onsite.
- In line with the media agreement signed between members of the media and AfrikaBurn, photographers and videographers are requested to share copies of their work with AfrikaBurn for archiving.
- Images and video from AfrikaBurn are periodically used to produce art shows, Cape Town and Johannesburg based and international Regional events, posted on the web site, and used in the newsletter. This is our way of asking you to share your work with the community that made it possible.
- We frequently get requests from publications and television shows for pictures and footage. We refer requests directly to photographers and videographers who have submitted imagery to us, or direct them to our online media gallery. They are then free to negotiate usage fees as they see fit. We will not share your images for any use without contacting you.

- The fine print on the ticket reads, "The commercial use of photographs, video, film or any other medium taken at AfrikaBurn is prohibited without permission of AfrikaBurn." Use of the ticket constitutes acceptance of these terms. "AfrikaBurn" and "Tankwa Town" (as well as "Decompression" and "Equinox") are protected trademarks of Africa Burns Creative Projects NPC, and their commercial use requires specific written permission.
- Commercial video and film crews will be asked to sign a site-usage agreement, which includes the stipulation that 10 percent of your proceeds will be given to AfrikaBurn should you obtain the organisation's permission to sell your footage commercially.
- News crews with non-commercial intent, and previous permission from AfrikaBurn, are exempted so long as their footage is used within two weeks of the event; all other uses require additional permission. All others will be asked to comply.