

Notes relating to the BAPLA Terms and Conditions 2011

Please note, the BAPLA Terms and Conditions, though perfectly usable in this form, should be regarded as a generic template suitable for all picture libraries. Please read through the document and reassure yourself that all areas of the Terms and Conditions relate appropriately to your own business practice. You may choose to amend certain items such as percentages or duration to reflect your own business model, or keep them as supplied to reflect industry standard. You may also wish to amend items such as the credit line in Clause 7 to be company specific.

These Terms and Conditions have taken a lot of time and effort to produce and save individual libraries in excess of £6,000 had they produced their own. For this reason, BAPLA is only making them available to BAPLA members at this time, and will be enforcing the copyright in the document to retain the value for members and also the value of your BAPLA membership fee. Consequently, the Terms and Conditions are supplied to you for your own company's use only and we request that you do not pass them on to any third party, not even other BAPLA members. For this reason, please retain the credit line at the end of the document when you use the Terms and Conditions. Thank you.

We also suggest you review how you implement these Terms and Conditions with regard to your existing clients. If you implement new Terms and Conditions without making your clients aware that your Terms and Conditions have changed, you may not be able to enforce them. Consequently we recommend that in all places where you refer to Terms and Conditions applying, e.g. when someone downloads an image, you put a clear notice saying that the Terms and Conditions have changed and that they should tick a box or that by clicking a link to continue, they accept the new Terms and Conditions. Make sure there is a link to the new Terms and Conditions easily accessible at that point. Different systems will work in different ways. Please use the solution that works for you, but be aware that for them to be effective for existing clients/users, there must be some confirmation by them that they have accepted these new Terms and Conditions. New clients would obviously just sign up to the new Terms and Conditions from day one.

We hope that you will find these recommended Terms and Conditions useful and that they will make your business more secure in the digital environment. Obviously the legal environment is constantly evolving and we recommend that you review your Terms and Conditions regularly with that in mind, and at the end of the day it is you as the BAPLA member who must ensure that your Terms and Conditions and other documents are fit for purpose as you know your business best. However, we hope that this template helps save you both time and money.

Best regards,
BAPLA