

From: mark.luscombe-whyte
To: [Section52CDPA](#)
Subject: Repeal of Section 52
Date: 08 December 2015 08:05:37

Dear Sir or Madam,

As a photographer specialising in Architecture , Interiors and Hotels and Resorts this legislation, if passed will impact on every area of my work. To give but a small example, I have just finished photographing a resort in the Maldives and am in the process of delivering 160 finished images to the client. Every image contains work by different designers whether it be beds, lamps, baths, carpets etc. To clear these objects would take weeks and would cause untold problems for both myself and the resort .I am shocked at how this is being rushed through and feel as if we are being ambushed as although I knew that changes had been proposed I was under the impression that there would be a consultation period and that the law would change in 2020.

Ironically the legislation would also impact heavily on the people it is designed to protect as they rely on their works being published for promotion . The world of editorial photography is already on its knees and it would be virtually impossible to clear items if this legislation is passed into law and many small publishers, photographers and magazines would ultimately go out of business as would industrial designers as nobody would promote their work either in magazines or on social media. I feel that it imperative that there is an industry wide consultation so that all the issues can be discussed and a sensible solution arrived at.

Every single image I shoot would have many objects within that would require clearance. As magazines are already overstretched the onus would fall on the individual supplying the images so instead of going out and producing beautiful work most of my time would be spend getting clearance for works within images and as a business model this is not sustainable .

Another more simplistic way of looking at this would be to consider the submission process to a magazine. On average for each submission I supply about 50 shots. I would imagine that for each shot it would take about an hour to identify the objects, track down the designers and then contact them for clearance. This would take approximately 50 hours, pretty much the whole of my working week .

I am not against a change in legislation as I believe that Industrial Design and Designers also deserve to be protected by copyright laws but I feel very strongly that the legislation as it stands is unworkable and has not been thought through in a sensible manner.

Your Sincerely

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