



MILLENNIUM PHOTO PROJECT – PROJECT RULES

1. Objective

The objective of the Millennium Photo Project is to create a definitive set of 2000 photographs documenting the diverse ways in which the world observes the passing of the millennium.

2. Eligibility of Photographers

The Project is open to both amateurs and professional photographers worldwide who register with the Project website (www.millenniumphoto.com). Millennium Photo Enterprises Ltd. ('Millennium Photo') reserves the right to close off registrations at any time after December 15, 1999. Employees (and their families) of Millennium Photo or of any sponsor or publisher of the Project may submit photos but are not eligible for prizes or awards and are not entitled to share in the royalties allocated to photographers.

3. Eligibility of Photographs

Each eligible photographer may submit up to three photographs for consideration. All photographs must be original photographs taken by them between 12:00 (Noon) **Local Time** on December 31st 1999 and 12:00 (Noon) **Local Time** on January 1st 2000. There are no restrictions on creativity provided that the underlying images comply with the rules.

4. Technical Requirements

Photographs may be black and white or colour, and taken using positive (transparency) film, negative film or digital media. Participants are encouraged to use a high quality transparency film if possible. Digital cameras may be used but should have a resolution of 2 megapixels (2 million pixels) or higher.

5. Community Enterprise

From the photographs submitted, the judges will select a set of 2000 photographs ('winning photos') which best meet the objective described above. Millennium Photo will market these winning photos world-wide in all media. Without limiting future marketing possibilities, Millennium Photo is currently planning to create and market three collections:

- (i) the entire set of 2000 winning photos will be displayed on a permanent website as a 'time capsule', and this set of photographs (the 'Capsule Collection') will be marketed as a collection;
- (ii) a subset of 325-550 winning photos (the 'Book Collection') will be selected for publication in a high quality hard cover large format book under the working title '*How the World Celebrated the Millennium*' and will also be marketed as an independent collection by other means; and
- (iii) a further subset of approximately 25 – 50 photographs from the Book Collection will be selected by the judges for Special Awards, and this set of photographs (the 'Award Collection') will be used as a travelling exhibit and will be marketed as another independent collection.

Millennium Photo will use its best reasonable efforts in designing, editing, supplementing and laying out these collections and in marketing these collections world-wide in all media. The creation and marketing of these three collections is referred to as the 'Project'.

In addition to the Project, Millennium Photo will use its best reasonable efforts to market each of the individual photographs world-wide in all media both individually and as part of any additional collections which may be created.

The photographers whose photographs are selected for the Project ('winning photographers') will be rewarded on a community enterprise basis through a royalty distribution based on the success of the Project. Winning photographers will also be separately rewarded on an individual basis on revenues that may be generated from other uses or licensing of their individual photographs outside the Project collections.

6. Compensation and Awards

All winning photographers will be entitled to receive one free copy of the book.

A total of 30% of the net revenues of the Project ('Project Net Revenues') will be distributed as royalties to the winning photographers on the following basis:

- (a) royalties totaling 5% of all Project Net Revenues will be allocated in the proportions recommended by the judges amongst 25 – 50 photographers whose photos are included in the Award Collection;
- (b) royalties totaling 15% of all Project Net Revenues will be allocated equally amongst all photographers whose photos are included in the Book Collection; and
- (c) royalties totaling 10% of all Project Net Revenues will be allocated equally amongst all photographers whose photos are included in the Capsule Collection.

In addition, all photographers will be entitled to separately participate in royalties on any other revenues arising from use or licensing of their individual winning photos independently of the Project collections. The royalty allocated to photographers whose photos are used in this manner will be 50% of the gross revenues received by Millennium Photo from licenses or permissions ('Other Licensing Royalties') and 30% of the net revenues realized by Millennium Photo from other products produced by Millennium Photo ('Other Use Royalties').

All payments to photographers will be subject to any applicable taxes and withholding taxes.

7. Recognition

All photographers who submit one or more photos that meet the project rules will have their participation recognized by having their name appear on the time capsule website and in the book. They are also entitled to purchase up to five copies of the book at our Publisher's wholesale price. Millennium Photo will make reasonable efforts to ensure that names of winning photographers will be credited with public uses of their photographs.

8. Entries

Your entry must be sent no later than January 31st, 2000 as provided in the detailed entry instructions below. Each entry shall consist of:

- (a) a completed entry form, and
- (b) up to 3 photographic images.

Do not send original transparencies or negatives or valuable prints as the materials submitted will not be returned. Millennium Photo and the judges have the sole right to accept or reject any or all of the materials submitted and shall not be responsible for any loss of or damage to any submitted materials.

9. Judging

The Project is documentary in nature and global in scope. Entries will be judged by an international panel of experienced judges selected by Millennium Photo. The judges will choose photographs judged to best meet the Project objectives through the story they tell. The judges will review all photographs properly submitted, and will not know the identity of the photographer

during the judging process. Written captions and descriptions accompanying photos may be taken into consideration. All decisions, selections and awards made by the judges are final and not subject to review or appeal.

10. Notification of Winners

Winning photographers will be notified via e-mail by March 7, 2000. All winners must send our licensing agreement form duly executed by them together with publishable materials (slide, negative or high quality print or digital file) to be received by Millennium Photo by March 31, 2000. In the event that any winners do not comply with this requirement, they will be disqualified and alternative winners may be declared from a runners-up list provided by the judges. A list of the 2,000 winning entries will be made available on the Project website by April 30th, 2000.

11. Fees

There are no fees for entry. Photographers are responsible for their own expenses incurred in taking photographs, developing, printing, and sending their entry to Millennium Photo.

12. Rights

Copyright to all photographs and captions and descriptions submitted by photographers ('submissions') will remain with the photographers. However, each winning photographer is required to grant to Millennium Photo an exclusive world-wide license for all media to market and use winning submissions for a period of five years terminating on March 31, 2005, and a non-exclusive license to post winning submissions on the permanent website for the term of the copyright, and also provide a waiver of moral rights in favour of Millennium Photo, all on Millennium Photo's standard forms. In addition, all winners must consent to use of their name and likeness in the book and website and in promotion of the Project. Millennium Photo shall have the right to sub-license and assign any and all of the rights and waivers granted to it. Millennium Photo reserves all editorial rights concerning photographs, captions and descriptions and shall not be held responsible for any errors which may occur in printing the photos or any captions or descriptions.

13. Legal Matters

Millennium Photo Enterprises Ltd. has offices or representative offices in Barbados, London, New York and Toronto. Unless specifically provided otherwise, all agreements will be construed and will take effect as contracts made in Toronto, Ontario, Canada and will be governed by the laws of Ontario and the laws of Canada applicable in Ontario, and the parties will submit to the exclusive jurisdiction of the federal and provincial courts located in Ontario, Canada. Only the English texts of the Project Rules and related documents are authoritative and any question or dispute whatever arising out of the submission of entries shall be determined on the basis of those texts.

14. Model Releases

It is the responsibility of all photographers to obtain all necessary consents and model releases for their photos and to indemnify Millennium Photo for any and all claims from the subjects of their photos. Photos lacking consents or model releases deemed necessary by Millennium Photo or its publisher may be disqualified.