

# Science & Art

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## Multimedia – Web Design, Training, Digital Imaging & Photography

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August 20, 2007

To Hon. John Baird  
414-2249 Carling Avenue  
Ottawa, Ontario  
K2B 7E9  
[Baird.J@parl.gc.ca](mailto:Baird.J@parl.gc.ca)

Dear Mr. Baird:

I would like to draw your attention to a Canada Parks regulation that is not only ridiculous but could have negative impact on tourism. This regulation affects anyone that takes photographs in our National Parks who might sell their photographs in the future. These regulations state that any photographer who intends to sell his/her photographs must apply for a permit 2 weeks in advance, the fee for the application is \$148.60 and if granted the photographer must pay \$495.30/day! This regulation appears to have been intended for commercial photographers who are hired to take pictures on contract for a product or service and that might involve props or models. This is not what I do or the vast majority of nature photographers I know. I visit the parks to photograph often in hopes of taking pictures to sell at some time in the future. It takes many visits over periods of months and years to accumulate enough images of sufficient quality to sell and even then I can't predict which images will be sold or when. Most of the images I sell do not even cover the cost of a single day of shooting in the parks with these current fees. For example I published an article in a Canadian Magazine "PhotoLife" January 2006 - the cover shot paid \$300 and the article with photos \$500 – the images were taken over several months. It is simply not affordable to pay \$500/day and continue to make a modest living. The regulations also appear to single out photographers when writers, painters, and guides also use the parks as inspiration and generate revenue – though I don't believe artists should have to pay a fee.

The regulations in question are posted on the government web site:

[http://www.pc.gc.ca/pn-np/ab/banff/activ/activ8\\_E.asp](http://www.pc.gc.ca/pn-np/ab/banff/activ/activ8_E.asp)

Several of us professional photographers have contacted the parks superintendents in regard to these regulations and it appears that each park superintendent interprets the regulations differently. Some say that these regulations were intended for photographers with commercial contracts (which is reasonable), others interpret them literally and indicate anyone with the intention of selling a photo must pay these fees. I was stopped on the side of road while photographing from my car and was told I had to stop photographing until I got a permit and \$2 million liability insurance. The insurance cost is reasonable (\$600/year) – the costs for a permit to photograph in the park are not. The park regulations must be changed and clarified and I recommend that whoever makes these regulations consult with a group of professional nature photographers in the future – I would like to be on of those consulted. This same issue arose in the US and the laws were changed in 2000 to that below which is more reasonable with regard to requiring a permit for photography.

<http://www.largeformatphotography.info/photo-permits/PermitRegulations.htm>

### **c) STILL PHOTOGRAPHY—**

**(1) Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on lands administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.**

**(2) The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site's natural or cultural resources or administrative facilities.**

I sell many of my photographs to the government, and in turn these images are used for promoting tourism and education. Many photographers produce books and calendars that promote our country's beauty and our parks, which in turn brings in more visitors. Nature photographs are also used in books for children to educate them regarding issues on conservation and wildlife and many of us donate photographs to a variety of charitable organizations that support conservation (e.g. Calgary Parks and Wilderness, Alberta Wildlife Rehabilitation). Nature photographers do not make a lot of money, in fact it has taken me 10 years to acquire enough quality images to make a modest living. The current fees need to be waived for photographers shooting on speculation without a contract. Furthermore park rangers need to have clear regulations so they can distinguish between photographers shooting on speculation and those who are shooting advertisements on contract.

Please take action to modify these regulations for the benefit of all who wish to enjoy our National and Provincial Parks now and in the future. I look forward to hearing back from you.

Sincerely

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