

## **Regulations of photographic competition as part of the Municipal Photographic Website**

Regulations of 1 January 2016 specifying rules of the photographic competition as part of the Municipal Photographic Portal.

### **Article 1**

#### **General Provisions**

1. The Organiser of the competition is the City of Poznań, seated in Poznań 61-841, Pl. Kolegiacki 17, NIP 2090001440.
2. Supervision over the proper course of the Competition will be exercised by a Competition Commission appointed by the Organiser.
3. By participating in the Competition, the Participants give their consent for the terms and conditions of the Competition included in the Regulations.
4. Whenever in these Regulations reference is made to:
  - a) regulations – it is to be understood as the competition regulations,
  - b) work – it is to be understood as a photograph,
  - c) commission – it is to be understood as the Competition Commission.
  - d) competition site – it is to be understood as a website supporting the competition, under the following address: [www.fotoportal.poznan.pl](http://www.fotoportal.poznan.pl)

### **Article 2**

#### **Competition Participants**

1. Any person who has full capacity to conclude legal acts and meets all participation conditions specified in the Regulations may take part in the competition.
2. Organiser's employees and members of the immediate family of these persons are excluded from the Competition.
3. Members of the immediate family referred to in paragraph 2 are understood as: ascendants, descendants, siblings, spouses, spouses' parents, and persons in an adoption relationship.
4. The Organiser has the right to delete the account of a user whose comments, in the opinion of the Organiser, infringe the principles of decency.
5. The Organiser has the right to delete the account of a user when he or she has more than one account used to vote in the competition.

### **Article 3**

#### **Competition Rules**

1. The type and form of the Competition is determined as a multistage, open photographic competition.
2. The competition has a continuous formula. Information about the number of editions and any dates are available on the competition website: [www.fotoportal.poznan.pl](http://www.fotoportal.poznan.pl).
3. The competition is divided into two categories:
  - a) General - photographs sent must show Poznań as a modern, dynamically developing city with interesting, modern architecture where apt and energetic people, being the best specialists, live and work, and also as a city perfect to spend free time. Poznań, as a city of successful cultural, sports and scientific events, organised at a highest level. Poznań is a city with rich history. The city full of climatic, charming places.

- b) Thematic – the subject of photographs will be announced by the Organiser in advance, the photographs sent for this category have to correspond to the subject set.
4. The competition is composed of 2 stages:
    - a) first stage – proposing photographs and selecting photographs of the month. Deadline for proposing for each edition of the competition will be published on the competition website,
    - b) second stage – selecting a photograph of the year selected from among the photographs of the month and photographs selected by the Organiser.
  5. Selection of the photographs of the month:
    - a) in the general category, is made by Internet users who, having created an account on the competition website, can vote on a photograph on the competition website. The winner of the month is selected based on an algorithm which takes into account the number of votes, user's activity, voting users' activity and other, measurable and countable features of activity of a voting user. Operation of the algorithm will be shown to the Jury, and results of its operation will be each time verified to prevent abuses. No random features are contained in the algorithm, and its result with the same input parameters, is always the same.
    - b) a photograph from the thematic category will be selected by the Jury.
  6. After the end of a calendar year, the Commission awards prizes of the Jury in the photograph of the year category, which are: the main prize and two distinctions. These photographs will be selected from the photographs nominated during the year in both categories
  7. The Internet users select the best photographs of the annual edition by voting on the Internet. The Internet users award first, second and the third prize.
  8. The Organiser anticipates arranging additional thematic competitions for which prizes will be awarded. Selection of a photograph will be made by a specially appointed commission for selecting the competition photograph.
  9. The Organiser reserves the right not to award prizes in the case of an unsatisfactory level of the works sent.
  10. Information concerning a decision about the competition will be announced to the public on the competition website and sent by e-mail to the winner's address indicated during registration of the account.

#### **Article 4 Prizes**

1. It is planned to award prizes for authors of the photographs of the month and of the photograph of the year.
2. Prizes will be paid to the prize-winners after filling in adequate documents sent by the Organiser at the latest within 14 days since the date the winner has been announced. Failure to fill in and to send the adequate documents within 14 days since the decision about the competition has been published on the competition website is tantamount to loss of the right to receive the prize.
3. The Organiser of the competition shall not be liable for no possibility to contact the winner of the photograph of the month, the photograph of the edition or the photograph of the year due to the fact that incomplete or incorrect personal data have been given.
4. The Competition is qualified as competition from the field of art pursuant to the Personal Income Tax Act of 26 July 1991 Chapter 3, Article 21, item 68.
5. The list of prizes is available on the competition website: [www.fotoportal.poznan.pl](http://www.fotoportal.poznan.pl).

## **Article 5**

### **Proposing Competition Works**

1. The work is proposed to the competition at the time when a photograph is published on the website: [www.fotoportal.poznan.pl](http://www.fotoportal.poznan.pl) in the competition tab.
2. Registering means consent for the terms and conditions of the competition and consent to process personal data.
3. Authentic personal data must be given when registering. This information is necessary for determination of copyrights to the photographs proposed to the competition.
4. The result of giving unauthentic data will be the inability for the Organiser to present the prizes.
5. The Organiser informs that impersonating another person is subject to criminal liability.
6. Registration on the competition website can be made by:
  - a) filling in a registration form, which can be found on the website.
  - b) Facebook Connect

## **Article 6**

### **Internet Users Voting**

1. Only registered users can take part in the voting.
2. Each participant of the competition can only have one account.
3. Where it is observed that a user has more than one account, he or she will be asked to select an account which she or he wants to use. Other accounts will be deleted.
4. Photographs are voted on by adding a photograph to the favourites.
5. Where it is observed that any of the above-mentioned point is infringed, the organiser of the competition reserves the right not to accept such votes.

## **Article 7**

### **Qualification and Evaluation Criteria**

1. Files in the JPG format with possibly maximum size and printout resolution should be put on the website.
2. Selection of the Photograph of the Year will be made from among photographs the authors of which will send to the Organiser works which enable printing them in the format similar to A4 with the printout resolution of 300dpi, i.e. minimum size ca. 2800 x 2100 pixels should be maintained with the printout resolution of 300dpi. Size of a photograph with lower printout resolution, e.g. 250dpi, must be proportionally bigger and be 3360x2520 pixels.
3. No additional markings may be put on the photographs proposed to the competition.
4. When evaluating the competition works, the commission will be guided by the following criteria:
  - a) fulfilment of the competition ideological assumptions,
  - b) quality of aesthetic and artistic qualities.

## **Article 8**

### **Competition Commission**

1. The competition commission is composed of organiser's representative, administrator and people appointed by the organiser.
2. The commission operates based on the above-mentioned regulations prepared and approved by the organiser.

3. In the case additional thematic competition is organised, the organiser will appoint the Competition Commission consisting of: organiser's representatives, administrator and people appointed by the organiser.

#### **Article 9 Complaints**

1. Complaints in relation to the course of the Competition are to be sent in writing to the following address: Gabinet Prezydenta Miasta Poznania, Pl. Kolegiacki 17, 61-841 Poznań, with a note "Konkurs Fotograficzny" within 10 days since the results have been announced (the postmark date decides). Complaint should include personal data of the Participant and the basis for the complaint.
2. Complaints which do not meet requirements indicated in paragraph 1 will not be examined.
3. Complaints will be examined by the Organiser within 10 days since the date they have been received. The date of sending an Organiser's reply (the postmark date) decides on keeping the date of examination of a complaint.

#### **Article 10 Copyrights**

1. When work in the form of a photograph is proposed by the Participant, proprietary copyrights and ancillary rights are transferred to the Organiser free of charge in the following fields of exploitation:
  - a) as regards recording and multiplying the work - producing a copy of the work using a specific technique, including printing, reprographic, magnetic recording and digital technique,
  - b) as regards trading with the original or its copies on which the work is recorded - placing on the market, lending or renting the original or its copies;
  - c) as regards disseminating the work in a manner other than specified in point b) - public performance, staging, displaying, playing as well as and broadcasting and re-broadcasting, and also making the work available to the public in such a way that anybody can have access to it at a place and time selected thereby, which includes dissemination in guides, catalogues, promotional and advertising printed matter, announcements and advertisements in the press, on posters, including large-format posters, placing on the Internet, disseminating in all other forms of communication, promotion or advertising (e.g. on gadgets);
  - d) making them available to other people for commercial purposes in publications and studies describing the City of Poznań.
2. The Organiser has the right to freely dispose of the acquired proprietary copyrights, including to transfer them to other entity, with no additional charges, remuneration for the Contractor both within the country and abroad.
3. The Participant of the competition declares that the works are not encumbered with third-party rights, and in particular that the Participant is entitled to ownership as well as personal and proprietary copyrights to the works within the scope indicated Article 9 – Copyrights. Particularly, the Participant ensures that in the case it turns out that he or she did not have at his or her disposal the above-mentioned rights, she or he is obliged to remedy the City of Poznan any damage arising on this account as well as to satisfy any third-party claims due to infringement of their rights, and in particular copyrights or neighbouring rights. In the case a third party brings a lawsuit against the City of Poznan for infringement of the copyrights or the personality rights to the subject matter of this contract, the Participant will be obliged to cover

the costs of legal representation, legal costs as well as pay the damages adjudged or the costs of case out-of-court settlement.

**Article 11**  
**Personal Data**

1. The Organiser is the administrator of personal data of the Participants.
2. The personal data of the Participants will be processed by the Organiser and entities acting on his behalf in connection with carrying out the Competition in order to communicate with the Participants and hand over the prizes. The personal data are processed on the terms and conditions provided for in the Act of 29 August 1997 on personal data protection (Journal of Laws of 2002, No. 101, item 926, as amended). The personal data of the Participants are given by them voluntarily, and the Participants have the right to inspect their data and to correct them.

**Article 12**  
**Final Provisions**

1. The Regulations of the Competition are available in the seat of the Organiser as well as on the competition website: <http://www.fotoportal.poznan.pl>
2. The Organiser reserves the right to change the Regulations.
3. Provisions of the Civil Code shall apply in matters not regulated by these Regulations.
4. Any disputes arising on account of performance of obligations related to this Competition will be settled by the court competent for the seat of the Organiser. The Participant should direct the case to judicial proceedings after exhausting the complaint procedure referred to in Article 9.
5. The Organiser reserves the right to invalidate or not to adjudicate on the Competition.
6. In disputable cases, concerning interpretation of the Regulations, the decision is made by the administrator.
7. Participation in the competition is tantamount to a declaration that works sent are made by a person who sends and do not infringe third-party copyrights, and their content does not infringe the personality rights and other legally protected goods.