

GDPR from the point of view of photographed persons

A distinction must be made between

1. persons appearing prominently in the picture.

With such pictures one recognizes clearly that the person is center of the picture statement.

For pictures with content (1), we assume that a model contract has been obtained. Excluded are persons of the contemporary history for the current reporting. For all other persons the copyright law already secures the right to the own picture, which states that such pictures may not be published.

2. persons who appear as accessories in the picture, such as in pictures of cities, places of interest, landscapes

Persons on pictures with picture contents (2) can in principle take action against the publication of the pictures. It must therefore become clear on the picture that person(s) are an unavoidable accessory. This is generally guaranteed if persons are shown small compared to the size of the picture. A person in the foreground of a picture is no accessory.

3. pictures with persons of events of all kinds

In the case of images with image content (3), a distinction must be made between public events open to the public and closed events. In addition to observing the right to one's own picture of the persons photographed, closed events also require permission from the organizer.

4. pictures enabling the identification of persons (e.g. pictures with recognisable vehicle number plates)

All characteristics in an image must be removed if they allow conclusions to be drawn about a particular person.

5. Wenn Kinder prominent und erkennbar vertreten sind, benötigen wir eine von den Eltern unterzeichnete Modellfreigabe.

Nude pictures of children are legally excluded from any distribution.

6. delosfoto does not accept immoral, illegal or pornographic images. The decision as to whether an image complies with delosfoto's ethical principles lies with delosfoto's employees.

7. Further information about limited image utilization can be found on the website of delosfoto GmbH under the menu item "Photographers"/Legal provisions.