

# VIDEO CLIP FILMING AGREEMENT CHECKLIST

THIS IS A CHECKLIST OF KEY DEAL POINTS AND ISSUES IN A VIDEO CLIP FILMING AGREEMENT. IT DOES NOT COVER EVERY ISSUE THAT MIGHT ARISE. EVERY DEAL IS DIFFERENT IN SOME WAY. YOU SHOULD GET LEGAL ADVICE ON LEGAL AGREEMENTS BEFORE YOU SIGN THEM. BUT THIS CHECKLIST IS A GREAT STARTING POINT.

*Remember to check out the Video Clip Filming Fact Sheet for further information.*

## **1. PRODUCER DETAILS**

- 1.1. Use the correct entity name, trading name (if any) and ACN or ABN.
- 1.2. If using a service company, ensure there's a promise of the individual producer's personal services (with a personal guarantee that they will perform the company's obligations if, for any reason, it fails to do so).

## **2. DETAILS OF PARTY ENGAGING PRODUCER**

- 2.1. Company or individual? Artist or label? Use the correct entity name, trading name (if any) and ACN or ABN.

## **3. PROJECT AND SERVICES**

- 3.1. Describe project for which producer is being retained (song list, performing artist and writer credits).
- 3.2. Name the physical Director.
- 3.3. Producer's warranty that material created by the Producer doesn't infringe third party rights (including copyright).

## **4. FILMING PROCESS**

- 4.1. Shoot dates, times and locations.
- 4.2. Who pays (and chooses) extras, set and prop hire and director, etc?

- 4.3. Budgets (who prepares, approves?).
- 4.4. Any reproduction of third party material in film (who pays, approves, obtains licences and releases?).
- 4.5. Delivery (method, date, format, consequence of non-delivery) (including all raw footage?).
- 4.6. Use of Demos.
- 4.7. Acceptance or rejection (who pays for further shoots, editing, etc?).

## 5. COPYRIGHT AND PRODUCTION ASSET OWNERSHIP

- 5.1. When does copyright vest in artist/label? (On creation or on payment?).
- 5.2. Who will own props, camera files, equipment, etc?
- 5.3. Can producer use footage for promotional purposes (on website?).

## 6. PRODUCER FEES

- 6.1. Flat fee? All in Fee? When Payable? (50% before, 50% on delivery).
- 6.2. Production budget accounting.
- 6.3. Producer's credit (right to use producer's name in promotion?).
- 6.4. Director's credit (right to use Director's name in promotion?).

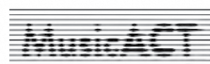
## 7. TERMINATION

- 7.1. In what circumstances can a party cancel the shoot? Is compensation payable to the other party for late no-cause cancellation?
- 7.2. What happens if an even outside the parties' control make filming impossible?

## 8. INSURANCE

- 8.1. What insurance must the producer have?
- 8.2. What insurance must the performer have?

*For more information, you can speak to your local Industry Association, the Arts Law Centre of Australia or a legal practitioner.*



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