



**LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY  
TECHNOLOGY AND TELECOMMUNICATIONS**

**BROADCASTING POLICY FRAMEWORK AND GUIDELINES**

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# TECHNOLOGY AND TELECOMMUNICATIONS

## LEGISLATIVE ASSEMBLY—BROADCASTING POLICY FRAMEWORK AND GUIDELINES

### Introduction

1. The Office of the Legislative Assembly (the Office) is committed to assisting the Legislative Assembly for the Australian Capital Territory (the Assembly) to fulfil its responsibilities to the people of the ACT by providing high quality services and support. This includes making the broadcast of its debates and committee hearings widely available to the community and to ACT government agencies.
2. The Assembly makes the broadcast available in several ways:
  - (a) by reticulating audio and vision through the Assembly building;
  - (b) live webstreaming of proceedings via the internet;
  - (c) an audio-visual replay of Assembly proceedings on each sitting day;
  - (d) an audio-visual replay of committee proceedings on each hearing day; and
  - (e) publishing the Hansard record of Assembly and committee proceedings.
3. Media organisations also broadcast excerpts of Assembly and committee proceedings.
4. This policy establishes a framework for recording and broadcasting the Assembly's proceedings and the conditions for subsequent reuse of the broadcast recordings and the record of proceedings available on the Assembly's website. It also incorporates guidelines for filming and operating broadcasting equipment within the Assembly building.

### Aims and objectives of the broadcasting policy

5. This policy aims to provide a framework of operational guidelines and conditions of use that bring into effect the provisions of the *Legislative Assembly (Broadcasting) Act 2001* and the *Legislative Assembly Precincts Act 2001*.
6. The policy's objective is to facilitate and encourage the public availability of the proceedings and work of the Assembly while ensuring that the privileges and public standing of the Assembly are respected.
7. The Office will work closely with representatives of the media, government departments and other organisations to ensure that public access to the proceedings and the work of the Assembly is provided simply and effectively and that people are aware of their responsibilities when broadcasting or publishing Assembly proceedings.

### Acceptable recording and broadcasting of proceedings

8. Any recording and subsequent broadcasting or publication of any extract of the audio, vision or text from any of the proceedings of the Assembly or any of its committees must be a fair and accurate record of those proceedings. Any recording must not be used for:
  - (a) advertising for or by political parties;
  - (b) electioneering; or

- (c) commercial advertising or sponsorship.

## **Legislative authority**

### ***Broadcasting of proceedings***

- 9. Section 5 (1) of the *Legislative Assembly (Broadcasting) Act 2001* (the Act) provides that a person may broadcast or record for broadcast all or part of public proceedings of the Legislative Assembly or a committee of the Assembly. Section 5 (2) provides that the Assembly may, by resolution, determine the way rights given by subsection (1) must be exercised.
- 10. The Assembly has, by continuing resolution 3 agreed to by the Assembly on 7 March 2002 and amended on 17 March 2005, 23 June 2005 and 15 December 2010, determined the way rights given by subsection 5 (1) of the Act must be exercised.
- 11. The guidelines for recording and broadcasting the public proceedings of the Legislative Assembly and its committees, including guidelines for camera operators and conditions of use, are issued under this authority.

### ***Definitions***

- 12. Section 3 of the Act provides for definitions of “broadcast”, “record” and “rebroadcast”.
- 13. **Broadcast** includes—
  - (a) transmission to the public by radio, television, landline, the internet or any other electronic means; and
  - (b) rebroadcast

**record**, proceedings of the Legislative Assembly or a committee of the Assembly, means make a sound or visual recording of the proceedings.

**rebroadcast** means to broadcast from a recording.
- 14. A legal opinion obtained in July 2008 concludes that the definition of “**record**” includes the taking of a photograph.

### ***Filming in the Assembly building***

- 15. The *Legislative Assembly Precincts Act 2001* provides that the Speaker is responsible for the control and management of the Assembly precincts and may take any action he/she considers necessary for these purposes; the guidelines in this policy relating to filming in the Assembly building are issued under this authority.

## **Guidelines included in policy framework**

- 16. This policy framework includes:
  - (a) Continuing resolution 3—Broadcasting policy and guidelines (**attachment A**);
  - (b) Guidelines for recording and broadcasting the public proceedings of the Legislative Assembly and its committees (**attachment B**);
  - (c) Approved form AF2010-187 (**attachment C**);

- (d) Guidelines for filming in the Legislative Assembly building (**attachment D**);
- (e) Hansard operations—guidelines for the operation of fixed cameras in the Legislative Assembly chamber and committee rooms (**attachment E**); and
- (f) Hansard operations—guidelines for recording, vision and audio reticulation, and broadcasting of proceedings (**attachment F**).

## **Application of the broadcasting policy and guidelines**

- 17. The broadcasting policy and guidelines apply to all persons involved in the filming, photographing, broadcasting or rebroadcasting of Assembly or committee proceedings.
- 18. All other users of the Assembly broadcast, whether or not they intend to rebroadcast all or part of a record of proceedings, must accept the conditions under which broadcast material may be used.

## **Roles and responsibilities**

### ***Speaker***

- 19. The Speaker is responsible in the first instance for granting permission each year to persons or organisations that wish to record for broadcast Assembly and committee proceedings, and for withdrawing that right if they do not abide by the broadcasting guidelines.
- 20. Under standing order 277 the Assembly has declared that breaches of certain prohibited acts, including wilfully publishing a false or misleading report of the proceedings of the Assembly or of a committee, or disobeying a lawful order of the Assembly or a committee may be treated by the Assembly as a contempt. Under standing order 276 the Speaker may determine whether a matter of privilege merits precedence over other business of the Assembly and the matter may be referred to a select committee on privilege to determine whether a contempt has been committed.

### ***Committees***

- 21. Committees are responsible for advising witnesses in advance of appearing before a committee that the proceedings may be recorded and broadcast and for withdrawing the right to record for broadcast from persons or organisations who do not abide by the broadcasting guidelines.

### ***Clerk of the Legislative Assembly***

- 22. The Clerk of the Legislative Assembly or his/her delegate is responsible for ensuring that all persons or organisations seeking to record for broadcast Assembly proceedings have obtained permission.
- 23. The Clerk or his/her delegate is responsible for ensuring that all persons or organisations seeking to record for broadcast, broadcast and/or rebroadcast Assembly proceedings, are aware of the *Guidelines for broadcasting the public proceedings of the Legislative Assembly and its committees*.
- 24. The Clerk or his/her delegate is responsible for ensuring that media access to the Assembly building, its chamber and committee rooms is for the legitimate purpose of recording and broadcasting Assembly proceedings.

### ***Persons or organisations broadcasting Assembly or committee proceedings***

- 25. Persons or organisations that have been granted permission to record for broadcast, broadcast and/or rebroadcast Assembly or committee proceedings must observe the *Guidelines for recording and broadcasting the public proceedings of the Legislative Assembly and its committees*.

## Breaches of the broadcasting policy and guidelines

26. Section 6 (1) of the *Legislative Assembly (Broadcasting) Act 2001* provides that the Legislative Assembly may withdraw the right of a person to broadcast, or record for broadcast, public proceedings of the Legislative Assembly or a committee of the Assembly. Permission to broadcast, or record for broadcast, proceedings may be withdrawn if a person does not abide by the guidelines or conditions of use.
27. Users of the broadcast (including subsequent rebroadcast) of parliamentary proceedings must abide by the conditions under which broadcast material may be used. Extracts or excerpts of the broadcast that are subsequently rebroadcast or published may not be protected by parliamentary privilege if they do not constitute fair and accurate reports of proceedings.
28. Use of the broadcast material which contravenes the conditions of use may constitute a contempt of parliament under standing order 277.



Vicki Dunne

Speaker

28 July 2016

***Continuing resolution 3***

**BROADCASTING POLICY AND GUIDELINES**

In accordance with the *Legislative Assembly (Broadcasting) Act 2001* this resolution agrees to the Speaker of the Legislative Assembly making guidelines, which include certain requirements, for recording and broadcasting the public proceedings of the Legislative Assembly and its committees and delegates to the Speaker and to committees the power to withdraw the right to broadcast.

**Resolution agreed by the Legislative Assembly**

**7 March 2002 (amended 17 March 2005, 23 June 2005 and 15 December 2010)**

That—

- (1) pursuant to section 5 (2) of the *Legislative Assembly (Broadcasting) Act 2001*, the Legislative Assembly agrees to the Speaker of the Legislative Assembly making guidelines for the broadcasting of Assembly and committee proceedings that include as a minimum the following requirements:
  - (a) persons or organisations intending to record for broadcast proceedings in the Legislative Assembly or its committees must seek the approval of the Speaker each calendar year;
  - (b) persons or organisations that have been granted permission to record for broadcast the proceedings of the Legislative Assembly or its committees will acknowledge in writing and abide by the broadcasting guidelines laid down by the Speaker from time to time;
  - (c) persons or organisations that have been granted permission to record for broadcast committee proceedings will be able to do so, unless a member of the committee or witness objects;
  - (d) witnesses at public hearings of committees will be advised in advance that the proceedings may be recorded for broadcast;
  - (e) persons or organisations that wish to rebroadcast from the audio-visual material available on the Assembly's website, must abide by the conditions of use laid down by the Speaker from time to time.
- (2) pursuant to section 6 of the *Legislative Assembly (Broadcasting) Act 2001*, the Legislative Assembly:
  - (a) delegates to the Speaker the power to withdraw the right of a person to broadcast, or record for broadcast, public proceedings of the Legislative Assembly; and
  - (b) delegates to each committee formed by resolution or standing order of the Assembly the power to withdraw the right of a person to broadcast, or record for broadcast, public proceedings of that committee.
- (3) pursuant to section 6 (4) of the *Legislative Assembly (Broadcasting) Act 2001*, the Speaker or a committee chair may withdraw from a person or organisation the right to broadcast, or record for broadcast, public proceedings of the Assembly or the relevant committee if that person or organisation does not abide by the *Guidelines for recording and broadcasting the public*

*proceedings of the Legislative Assembly and its committees.*

- (4) use of the broadcast material which contravenes the conditions of use may constitute a contempt of parliament under standing order 277.





## ATTACHMENT B

### **GUIDELINES FOR RECORDING AND BROADCASTING THE PUBLIC PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY AND ITS COMMITTEES**

1. Pursuant to section 5 (2) of the *Legislative Assembly (Broadcasting) Act 2001* (the Act), the Legislative Assembly has agreed to the Speaker of the Legislative Assembly making guidelines for the recording and broadcasting of Assembly and committee proceedings (see continuing resolution 3 as amended on 15 December 2010).
2. These guidelines apply to the recording and broadcasting of Legislative Assembly and committee proceedings to the public by radio, television, landline, the internet or any other electronic means, including still photography.

#### **Permission to broadcast or record for broadcast**

3. Recording and/or broadcasting of the Assembly or committee proceedings shall be for the purpose only of making fair and accurate reports of those proceedings.
4. Recording for broadcast or broadcasting of proceedings is permitted only subject to the guidelines for camera operators and conditions of use outlined below. Permission to record for broadcast proceedings will be granted on receipt of a signed undertaking to abide by these guidelines and conditions.
5. Persons or organisations intending to record for broadcast the proceedings in the Legislative Assembly chamber or the proceedings of an Assembly committee must, in the first instance, obtain the approval of the Speaker of the Legislative Assembly in writing using the approved form (AF2010-187) which includes an undertaking to abide by these guidelines [see attachment C]. Any person intending to record for broadcast the Assembly or committee proceedings must notify the appropriate Office staff and provide identification before entering the chamber or a committee room.
6. Persons or organisations that have obtained permission from the Speaker to record for broadcast committee proceedings will be able to do so, unless a member of the committee or a witness objects. The committee secretary, or another person acting on the committee's behalf, will advise all witnesses in advance of their appearing at a public hearing of a committee that the proceedings may be recorded for broadcast. A witness will be given reasonable opportunity to object and to state the ground of the objection. The committee will consider any such objection, having regard to the proper protection of the witness and the public interest in the proceedings, and if the committee decides to permit broadcasting of the proceedings notwithstanding the witness's objection, the witness shall be so informed before appearing in the proceedings.
7. Permission granted by the Speaker to a person or organisation in accordance with paragraph 4 of these guidelines will remain in force until 31 December each year, after which time a fresh application for permission must be lodged with the Speaker.

#### **Recording proceedings for broadcast**

##### ***Guidelines for camera operators***

8. A person or organisation that has been granted permission to record proceedings for broadcast will

observe the following guidelines for camera operators:

- (a) as a general principle, the on-air camera should be directed towards the member who has the call and camera shots should be medium range head and shoulders;
- (b) panning shots are permitted for the purpose of showing members listening to the debate;
- (c) reaction shots of members are permitted when a member has sought information which is being supplied by the member who has the call, or when the member is referred to in debate;
- (d) a wide angle shot of the chamber is permitted, subject to subparagraph (f);
- (e) during a division cameras must broadcast a wide view of the chamber; at other times when no member has the call cameras must focus on the Speaker;
- (f) shots of the public gallery are permissible in certain circumstances, eg when the Speaker welcomes visitors to the Assembly or when a community group is listening to a relevant debate; however media organisations must seek permission from the Speaker before putting the shots to air or publishing photographs;
- (g) protests, demonstrations or other disturbances must not be recorded;
- (h) close up shots of members' or witnesses' papers, computer screens or electronic devices are not permitted;
- (i) broadcasting and still photography should not interfere with the proceedings of the Assembly or its committees;
- (j) the use of flash or other sources of additional light is not permitted; and
- (k) any direction of the Speaker or a committee chair in relation to the filming, photographing, recording or broadcasting of proceedings in the chamber or during a committee hearing must be observed, including a direction not to film, photograph, record or broadcast any part of the proceedings.

### **Broadcasting or rebroadcasting proceedings**

9. Persons or organisations that wish to broadcast or rebroadcast audio or visual material, including material available on the Assembly's public facing websites, must abide by the conditions of use set out below.
10. Broadcast material must not be used for:
  - (a) advertising for or by political parties;
  - (b) electioneering; or
  - (c) commercial advertising or sponsorship.
11. The Legislative Assembly's broadcasts are live and continuous and while in that complete and unaltered state are protected by parliamentary privilege. Extracts or excerpts of the broadcast may be protected if they constitute fair and accurate reports of proceedings. Members of the Legislative Assembly who broadcast their own speeches via social media websites are not considered to be

electioneering.

### **Withdrawal of right to broadcast**


12. Pursuant to section 6 of the Act the Legislative Assembly has delegated to the Speaker and committees formed by resolution or standing order of the Assembly the power to withdraw the right to broadcast. If a person or organisation breaches the guidelines for camera operators or conditions of use, the Speaker or a committee chair may deny access to proceedings of the Assembly or the relevant committee for a period of time following the breach.
13. Further breaches may result in the withdrawal of permission for the remainder of the year.



Vicki Dunne  
Speaker

24 July 2016

**ATTACHMENT C**

		<b>Legislative Assembly for the Australian Capital Territory</b>		<b>Request to broadcast, or record for broadcast, the public proceedings of the Legislative Assembly and its committees</b>	
To be submitted to the Clerk of the Legislative Assembly					
Name:					
Network/Broadcaster/Department/Newspaper/Other:					
Mailing Address:				Date:	
Telephone:	Fax:	Audio <input type="checkbox"/>	Visual <input type="checkbox"/>		
Details of request:					
I acknowledge that I have read, understood and accepted <i>the Guidelines for recording and broadcasting the public proceedings of the Legislative Assembly and its committees which are published on the Legislative Assembly's website.</i>				Signed	
I undertake to ensure that members of the organisation which I represent will abide by those guidelines.					
Date lodged:		Approved		Speaker's Signature	
/ /		YES / NO:		-----	



## ATTACHMENT D

### GUIDELINES FOR FILMING IN THE LEGISLATIVE ASSEMBLY BUILDING

#### Introduction

1. Under the *Legislative Assembly Precincts Act 2001*, the Speaker of the Legislative Assembly (the Assembly) is responsible for the control and management of the Assembly precincts.
2. These guidelines apply to persons wanting to film in the Assembly building for the purpose of broadcasting or publishing the Assembly's work. In these guidelines, "film" or "filming" includes video recording, filming and still photography.
3. Separate guidelines and conditions of use apply to filming proceedings of the Assembly or its committees (See *Guidelines for broadcasting the public proceedings of the Legislative Assembly and its committees*).

#### Filming in public areas

4. Specific permission is not needed to film public events, including press conferences, in public areas of the building, including the courtyards. Specific permission must be obtained to film events in the Assembly chamber or committee rooms.

#### Filming in private areas

5. Filming in a private office requires the permission of the member who occupies the office. Filming in areas used by the Executive (eg the cabinet room) should be arranged with the Chief Minister's office. Filming in party rooms should be arranged with the relevant whip's office. Filming in all other private areas of the building requires the permission of the Speaker.

#### Proposals to film in the Assembly building

6. Requests for permission to film should be directed in the first instance to the Speaker's office. Proposals to film must meet the following requirements:
  - (a) the privacy of members of the Legislative Assembly, staff and visitors to the building must be protected and the specific permission of any person being filmed must be sought;
  - (b) filming must not interfere with the operations of the Legislative Assembly and/or the people who work in the building;
  - (c) filming of security facilities will not be permitted.
7. Filming must not be used for:
  - (a) advertising for or by political parties;
  - (b) electioneering, or
  - (c) commercial advertising or sponsorship.

## Approval to film in the Assembly building

8. Decisions on whether to approve a filming proposal will take account of the public importance and value of the project. In assessing the value of a particular project the Speaker will consider the following criteria:
  - (a) whether the project has a genuine educational purpose from the perspective of students and scholars;
  - (b) whether the project serves a news and/or information purpose; and
  - (c) whether the project serves a cultural purpose (including films or television series that may be produced for commercial purposes).
9. Filming which would be likely to offend broadly accepted community standards will not be approved.
10. Broad approval of a project is unlikely to be given. Specific approval should be sought for each individual segment of filming and the Clerk's delegate should be in attendance to ensure compliance with the terms of the approval.



Vicki Dunne

Speaker

29 July 2016



## ATTACHMENT E

# HANSARD OPERATIONS—GUIDELINES FOR THE OPERATION OF FIXED CAMERAS IN THE LEGISLATIVE ASSEMBLY CHAMBER AND COMMITTEE ROOMS

### Introduction

1. The Hansard and Communications and Library Office is responsible for broadcasting and disseminating proceedings of the Legislative Assembly (the Assembly) and its committees by television reticulation throughout the Assembly building, webstreaming via the internet and the *Daily on Demand* service. In general Hansard will operate the Assembly cameras in accordance with the *Guidelines for broadcasting the public proceedings of the Legislative Assembly and its committees* which are observed by external organisations that have received permission to broadcast from the Speaker.
2. Recognising that Hansard broadcasts the full day's proceedings, unlike external organisations, specific guidelines relating to different parts of the day's proceedings have been developed for Hansard camera operators.

### Hansard-specific guidelines

3. At the start or resumption of proceedings Hansard will broadcast a wide view of the chamber until the Speaker takes the chair or until a quorum is present.
4. When the Speaker asks members to stand in their places to pray or reflect, the camera will focus on the Speaker.
5. As a general principle, the camera will focus on the member who has the call; however, during lengthy debates a wider camera view may show members listening to the debate from time to time.
6. Hansard will broadcast a wide view of the chamber during divisions or when no member has the call.
7. If Hansard experiences operational difficulties a wide view of the chamber will be shown.
8. When no camera operator is available during committee proceedings the committee room cameras will automatically broadcast alternate views of committee proceedings.

Vicki Dunne

Speaker

28 July 2016



## ATTACHMENT F

# HANSARD OPERATIONS—RECORDING, VISION AND AUDIO RETICULATION, AND BROADCASTING

### Introduction

1. The status of audio recording and/or audio and vision reticulation and broadcasting in committee rooms 1 and 2 is indicated to committee members, secretaries and room occupants by three lights on a panel immediately below the recording booth windows. The associated function resulting from the illumination of the lights is printed below them.
2. Unless otherwise advised or a private meeting precedes the public hearing, the Hansard technical officer will commence vision only (no audio) reticulation five minutes before the scheduled commencement time. Vision broadcasting will be suspended during adjournments and suspensions.

### Recording, audio and vision options

3. The table below describes the status of recording when different light settings are indicated.

LIGHT PANEL STATUS	AUDIO/VISION RETICULATION & BROADCASTING
No lights on	<ul style="list-style-type: none"><li>• No Hansard audio recording or audio/vision reticulation/broadcasting is taking place (ie, before commencement of hearings or when private meetings are taking place).</li></ul>
Green light on	<ul style="list-style-type: none"><li>• Hansard is recording audio only; no audio/vision reticulation or broadcasting is taking place (ie, for in camera).</li></ul>
Green and red lights on	<ul style="list-style-type: none"><li>• Hansard is recording audio of proceedings</li><li>• Audio of proceedings is being reticulated throughout building and to authorised external recipients.</li></ul>
Amber light on	<ul style="list-style-type: none"><li>• Vision only of room proceedings is being reticulated throughout building (eg, camera is activated five minutes before commencement of proceedings so members and staff know who is in the committee room prior to commencement of proceedings).</li></ul>
Green, red and amber lights on	<ul style="list-style-type: none"><li>• Hansard is recording audio of proceedings</li><li>• Audio and vision of proceedings are being reticulated throughout the building</li><li>• Audio only is being broadcast to authorised external recipients.</li></ul>

Vicki Dunne

Speaker

28 July 2016