



Speaker's guidelines for broadcasting, filming and photography in the Assembly precincts

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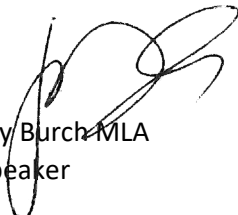
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1. Authority

1.1. These guidelines (the Speaker's guidelines) are made by the Speaker in accordance with:

- the *Legislative Assembly (Broadcasting) Act 2001* (the Broadcasting Act);
- continuing resolution 3 of the Assembly;¹ and
- the *Legislative Assembly Precincts Act 2001* (the Precincts Act).

1.2. They have been endorsed by the Standing Committee on Administration and Procedure and remain in effect until otherwise altered by the Speaker or a resolution of the Assembly.



Joy Burch MLA
Speaker

B March 2024

¹ See Attachment A.

2. Background and purpose

- 2.1. The Assembly makes the broadcast of its proceedings available in several ways:
 - reticulating audio and vision through the Assembly building;
 - live webstreaming of proceedings via the Assembly's public facing website;
 - audio-visual replay of Assembly proceedings on each sitting day via the Assembly's public facing websites; and
 - audio-visual replay of committee proceedings on each hearing day via the Assembly's public facing websites.
- 2.2. Approved media organisations and Members of the Legislative Assembly (MLAs/members) may, subject to these Speaker's guidelines, broadcast excerpts of these proceedings. In addition, other individuals or organisations may be given approval to record, photograph or film proceedings for public broadcast.
- 2.3. The purpose of these guidelines is to facilitate and encourage the availability of the proceedings and the work of the Assembly and its committees, while ensuring that the privileges and public standing of the Assembly are respected.
- 2.4. The Speaker's guidelines make provision for:
 - a framework for recording and broadcasting the Assembly's/committees' proceedings;
 - conditions for subsequent reuse of the broadcast recordings and the record of proceedings available on the Assembly's public facing websites; and
 - requirements in relation to filming and photography within the Assembly precincts.
- 2.5. They operate in addition to the 'minimum conditions' laid down by the Assembly through continuing resolution 3.

3. Application

- 3.1. The guidelines and conditions in this document apply to organisations/persons (including Members of the Legislative Assembly)² involved in:
- filming/videoing or photography in the precincts; or
 - broadcasting or rebroadcasting of Assembly or committee proceedings.
- 3.2. 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 that apply to broadcast material (see below).

² Members must also ensure they do not breach the Code of Conduct for Members of the Legislative Assembly when undertaking these activities (see continuing resolution 5, Standing Orders and Continuing Resolutions of the Assembly).

4. Recording, broadcasting, and rebroadcasting proceedings—External organisations/persons

Broadcasting Act

- 4.1. Section 5 (1) of the Broadcasting 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.
- 4.2. Under the Broadcasting Act, the Assembly may by resolution:
 - delegate to the Speaker the power to withdraw the right of a person to broadcast, or record for broadcast, public proceedings of the Legislative Assembly or a committee of the Assembly;
 - delegate to an Assembly committee the power to withdraw the right of a person to broadcast, or record for broadcast, its public proceedings; and
 - state the way in which a right to broadcast or record may be withdrawn.
- 4.3. Through continuing resolution 3 of 7 March 2002 (see below), the Assembly has done each of these things.

Definitions

- 4.4. The following definitions apply:
 - **Broadcast**³ includes—
 - transmission to the public by radio, television, landline, the internet, or any other electronic means; and
 - rebroadcast.
 - **Record**⁴ proceedings of the Legislative Assembly or a committee of the Assembly, means to make a sound or visual recording of the proceedings (this includes the taking of a photograph or video recording).
 - **Rebroadcast**⁵ means to broadcast from a recording.
 - **Electioneering** means information that contains party slogans or logos or makes solicitations of money, votes or volunteers for a political party.
 - **Political party advertising** is paid advertising or marketing communications authorised by a political party that includes, but is not limited to, hard copy publications—such as

³ See section 3 of the Broadcasting Act.

⁴ See section 3 of the Broadcasting Act.

⁵ See section 3 of the Broadcasting Act.

pamphlets, posters and billboards—and material on radio, television, the internet or social media.

- **Commercial advertising** is a form of paid communication to promote the sale or consumption of commercial products or services.
- **Commercial sponsorship** is an arrangement in which a sponsor provides a contribution in money or in kind to support an activity, event, person or organisation in return for certain specified benefits.

Continuing resolution 3

- 4.5. In addition to making provision for five minimum requirements for broadcasting Assembly proceedings, continuing resolution 3 also provides that the Speaker is able to make additional guidelines (i.e., these guidelines).
- 4.6. Under continuing resolution 3, the following minimum requirements apply:
- 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 objects;
 - d) witnesses at public hearings of committees will be advised in advance that the proceedings may be recorded for broadcast and that they may lodge an objection to such recording with the committee for consideration; and
 - e) persons or organisations that wish to rebroadcast from the audio-visual material available on the Assembly's website, must acknowledge and abide by the conditions of use laid down by the Speaker from time to time (contained in this document).
- 4.7. Persons or organisations that wish to record, broadcast or rebroadcast audio or visual material of Assembly proceedings, including material available on the Assembly's public facing websites must abide by the conditions of use set out below.
- 4.8. Recording and/or broadcasting of the Assembly or committee proceedings shall only be for the purpose of making fair and accurate reports of those proceedings.

Speaker's permission

- 4.9. Any person or organisation wishing to record for broadcast the proceedings of the Assembly or one of its committees must obtain the approval of the Speaker using the approved form (available on the Assembly website and the Legislation Register), which includes an undertaking to abide by these guidelines and conditions.

- 4.10. Any news organisation granted an approval must ensure that new employees are aware of, and understand, the guidelines and associated conditions in this document.

Chamber proceedings

- 4.11. Prior to recording or broadcasting chamber proceedings, an approved person or organisation must notify the Clerk of the Assembly and, upon request, provide identification to demonstrate that they are an approved person, or belong to an approved organisation, prior to entering the chamber.

Committee proceedings

- 4.12. Prior to recording or broadcasting committee proceedings, an approved person or organisation must notify the secretary of the relevant committee and, upon request, provide identification to demonstrate that they are an approved person, or belong to an approved organisation, prior to entering a committee room.

Advise witnesses

- 4.13. The committee secretary, or another person acting on the committee's behalf, will advise all witnesses in advance of their appearance at a public hearing of a committee that the proceedings are recorded and broadcast (unless otherwise ordered).

Objections

- 4.14. A witness will be given reasonable opportunity to object to their evidence being recorded and broadcast 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 being publicly accessible.
- 4.15. If the committee decides to permit recording and broadcasting of the proceedings, and notwithstanding any objection by the witness, the recording and broadcast may proceed. The witness shall be informed of the committee's decision prior to the taking of evidence by the committee.

Withdrawal of right to broadcast

- 4.16. Pursuant to section 6 of the Broadcasting Act, the Legislative Assembly has delegated to the Speaker and committees, the power to withdraw the right to broadcast.⁶
- 4.17. If a person or organisation breaches the guidelines, the Speaker may deny access to proceedings of the Assembly for a period of time. Similarly, the chair of a committee may, on a resolution of the committee, deny access to committee proceedings following a breach.

⁶ See paragraph 2 of continuing resolution 3.

- 4.18. An additional breach may result in the withdrawal of permission for a further period as determined by the Speaker in the case of chamber or committee proceedings.
- 4.19. Use of the broadcast material which contravenes the conditions of use outlined in this document may constitute a contempt of parliament under standing order 277.

Conditions for use of broadcast material

- 4.20. Broadcast material must not be used for:
- advertising for or by political parties or individual members;
 - electioneering; or
 - commercial advertising or sponsorship.
- 4.21. The Legislative Assembly's broadcasts are live and continuous. While they remain in that complete and unaltered state, they are protected by parliamentary privilege. Extracts or excerpts of the broadcast may be protected if they constitute fair and accurate reports of proceedings.
- 4.22. Members of the Legislative Assembly who broadcast their own speeches, and/or answers to their own questions via social media websites are not considered to be electioneering, although they are still subject to compliance with paragraph 4.20, relating to advertising for or by political parties or commercial advertising or sponsorship. And they must provide fair and accurate reporting of parliamentary proceedings.

Conditions for camera operators—external organisations/individuals

- 4.23. A person or organisation (other than a staff member of the Office of the Legislative Assembly) that has been granted permission to record proceedings for broadcast must 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 (e.g. 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.

5. Broadcasting operations—Office of the Legislative Assembly

Fixed cameras—Conditions

- 5.1. The Office of the Legislative Assembly (the Office) is responsible for recording, broadcasting and disseminating proceedings of the Assembly and its committees by television reticulation throughout the Assembly precincts, web streaming via the internet and the Video on Demand service.⁷ To do so, staff of the Office use fixed video cameras in the chamber and committee rooms.
- 5.2. The following specific conditions apply to Office staff operating cameras as part of the Office's broadcasting function.
- Five minutes before commencement of chamber proceedings, a still image of the empty chamber with captioning about the impending proceedings shall be broadcast.
 - At the start or resumption of proceedings, Office staff shall broadcast a wide view of the chamber until the Speaker takes the chair or until a quorum is present.
 - When the Speaker asks members to stand in their places to pray or reflect, the camera shall focus on the Speaker.
 - 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.
 - The Office shall broadcast a wide view of the chamber during divisions or when no member has the call.
 - If the Office experiences operational difficulties a wide view of the chamber shall be shown.
 - When no camera operator is available during committee proceedings the committee, a wide view of the committee shall be broadcast.

Recording or broadcasting status—Committee rooms

- 5.3. The status of audio recording and/or audio-visual reticulation and broadcasting in the Kiribati and Prince Edward Islands rooms is indicated to committee members, committee 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.

⁷ Section 6(1)(b) of the *Legislative Assembly (Office of the Legislative Assembly) Act 2012*.

- 5.4. Unless otherwise advised or a private meeting precedes the public hearing, a still image of the empty committee room with captioning about the impending proceedings shall be broadcast five minutes before commencement.
- 5.5. Private meetings of committees or *in camera* (confidential) hearings shall never be broadcast. Broadcasting shall be suspended during adjournments and suspensions.
- 5.6. The below table describes the status of recording when different light settings are displayed.

Light panel status	Audio/vision reticulation and broadcasting
No lights on	<ul style="list-style-type: none"> No recording or reticulation/broadcasting of proceedings is taking place (i.e. before commencement of hearings or when private meetings are taking place).
Green light on	<ul style="list-style-type: none"> Recording Hansard audio of proceedings. No reticulation or live web stream broadcasting is taking place (i.e. for <i>in camera</i> hearings).
Green and red lights on	<ul style="list-style-type: none"> Recording Hansard audio of proceedings. Reticulation and live web stream broadcasting is taking place.

6. Filming and photography in the precincts

- 6.1. The Speaker is responsible for approving all requests to film, take video footage, or take photographs within the public areas of the Assembly precincts.
- 6.2. The conditions and requirements in these guidelines relating to filming/videoing or taking photographs in the Assembly building, otherwise than in connection with the proceedings of the Assembly and its committees, are issued pursuant to the Speaker's powers under the Assembly Precincts Act.⁸
- 6.3. The Assembly precincts include:
- all buildings, structures and works on, above or under the Legislative Assembly building on London Circuit; and
 - and premises accommodating staff of the Office of the Legislative Assembly at the North Building.⁹
- 6.4. The following conditions apply to filming, video recording, or taking photographs within the Legislative Assembly precincts.

⁸ 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 they consider necessary for these purposes.

⁹ See s 5, *Legislative Assembly Precincts Act*, and *Legislative Assembly Precincts Regulation 2016*.

Conditions

Permissions—General

- 6.5. Requests for permission to film or take photographs within the Assembly building must be directed to the Speaker's office (speaker@parliament.act.gov.au) using the relevant form (see Attachment B)
- 6.6. Proposals 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 or photographed must be sought;
 - (b) filming or photography must not interfere with the operations of the Legislative Assembly and/or the people who work in the building;
 - (c) filming or taking photographs of security facilities is not permitted.
- 6.7. In making a decision on whether to approve a filming or photography proposal, the Speaker will take into account the public importance and value of a proposal. In assessing the value of a particular proposal, the Speaker will consider the following criteria:
- (a) whether the proposal serves a democratic purpose in communicating information about the official roles of the Assembly, its committees and its members to the ACT community;
 - (b) whether the proposal has a genuine educational purpose from the perspective of students and scholars;
 - (c) whether the proposal serves a news purpose;
 - (d) whether the proposal improves openness and accessibility of the Legislative Assembly;
 - (e) whether the proposal facilitates fair and accurate reporting of parliamentary proceedings; and
 - (f) whether the proposal serves a cultural purpose (including films or television series that may be produced for commercial purposes).
- 6.8. Filming or photography which would be likely to offend broadly accepted community standards will not be approved.
- 6.9. Broad approval of a project is unlikely to be given. Specific approval should be sought for each individual segment of filming or photography.
- 6.10. The Speaker may require that a delegate of the Clerk is in attendance to ensure compliance with the terms of the approval.

Photography or filming for campaigning, advertising or sponsorship

- 6.11. Filming or photography anywhere in the Assembly precincts is **not permitted** to be used for:

- advertising for or by political parties or individual members;
- electioneering; or
- commercial advertising or sponsorship.

Public events and press conferences

- 6.12. Specific permission is not needed to film public events, including press conferences, in public areas of the building (i.e. courtyards, the reception room, and exhibition room etc).
- 6.13. The Speaker's permission must be obtained to film events in the Assembly chamber, committee rooms, building corridors etc.

Filming in members' offices

- 6.14. Filming in a member's office requires the permission of the member who occupies the office rather than the Speaker. All filming must still adhere to these guidelines.

Executive areas

- 6.15. Filming in areas used by the Executive (i.e. areas of level 2 which are subject to an 'Executive area agreement')¹⁰ should be arranged with the Chief Minister's office. All filming must still adhere to these guidelines.

Party rooms

- 6.16. Filming in rooms where party meetings are held should be arranged with the relevant whip's office.

Education and Engagement staff

- 6.17. Staff from the Office's Education and Engagement area do not require permission to film or take photographs as part of its function to develop materials for parliamentary education and communications purposes.¹¹

¹⁰ See s 8 of the Precincts Act.

¹¹ Section 6 of the *Legislative Assembly (Office of the Legislative Assembly) Act 2012* gives the Office the function of providing public education on the functions of the Assembly and its committees.

Attachment A

Broadcasting guidelines

3

This resolution provides guidelines for the broadcasting of Legislative Assembly and committee proceedings in accordance with subsection 5(2) of the *Legislative Assembly (Broadcasting) Act 2001*.

Resolution agreed by the Assembly

7 March 2002 (amended 17 March 2005, 23 June 2005, 11 February 2010
and 29 November 2018)

That—

- (1) pursuant to subsection 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 objects;
 - (d) witnesses at public hearings of committees will be advised in advance that the proceedings may be recorded for broadcast and that they may lodge an objection to such recording with the committee for consideration; and
 - (e) persons or organisations that wish to rebroadcast from the audio-visual material available on the Assembly's website, must acknowledge and 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; and
- (3) pursuant to subsection 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 any guidelines issued by the Speaker to give effect to this resolution or to relevant provisions of the *Legislative Assembly (Broadcasting) Act 2001*.

Attachment B—Request to broadcast or record form

Form 1—Approved form—Application to broadcast, film or take photographs in the Assembly precincts

This form has been approved by the Clerk of the Legislative Assembly under s 10 of the *Legislative Assembly (Broadcasting) Act 2001*.

Upon completion, submit to speaker@parliament.act.gov.au

Name of individual / person representing organisation:		
Name of organisation (if applicable):		
Mailing address:		
Telephone:		
Email:		
Details of request (e.g. ongoing / one-off approval to photograph, film in the precincts and purpose for which footage is to be used etc): 		
Applicant declaration I declare that I have read, understood, and accepted guidelines issued by the Speaker for broadcasting, filming and photography (available on the Assembly website or on the Legislation Register). I undertake to ensure that I will abide by the guidelines and conditions outlined therein; or, where the application is being made on behalf of an organisation, I undertake to ensure that members of the organisation that I represent will abide by the guidelines and conditions contained therein.		Signed: Date:
Date lodged:	Approved: Yes / No	Speaker's signature: