



New South Wales

Supreme Court Rules (Amendment No 426) 2014

under the

Supreme Court Act 1970

The Supreme Court Rule Committee has made the following rules of court under the *Supreme Court Act 1970*.

Steven Jupp
Secretary of the Rule Committee

Explanatory note

The object of these Rules is to amend the *Supreme Court Rules 1970* to make provision with respect to the making of applications for permission to record or broadcast judgment remarks of the Supreme Court and the manner in which such remarks are to be recorded.

Supreme Court Rules (Amendment No 426) 2014

under the

Supreme Court Act 1970

1 Name of Rules

These Rules are the *Supreme Court Rules (Amendment No 426) 2014*.

2 Commencement

These Rules commence on 27 October 2014 and are required to be published on the NSW legislation website.

Schedule 1 Amendment of Supreme Court Rules 1970

Part 13

Insert after Part 12:

Part 13 Recording and broadcast of judgments remarks

1 Interpretation

- (1) In this Part:
Media Manager means the Media Manager of the Court.
- (2) For the avoidance of doubt (and despite rule 1 of Part 75), this Part applies to both civil and criminal proceedings in the Court.
- (3) Words and expressions used in this Part that are defined for the purposes of Part 9A of the Act have the same meanings as in that Part.

2 Application for permission to record or broadcast judgment remarks

- (1) An application to the Court for permission to record or broadcast judgment remarks of the Court in proceedings is to be made by sending an email to the Media Manager requesting the Court's permission to record or broadcast those remarks.
- (2) An email under subrule (1) must include as an attachment a completed application in the form published on the Court's website for such applications.

3 Manner in which recordings are to be made

- (1) Unless the Court orders otherwise and subject to any directions under rule 4, the recording of judgment remarks of the Court for broadcasts permitted by the Court is to be conducted in accordance with the requirements of this rule.
- (2) There is to be no more than one of each of the following allowed in the Court in connection with the recording of its judgment remarks:
 - (a) a video camera operator,
 - (b) a photographer,
 - (c) a microphone operator.
- (3) Obtrusive microphones or wiring are not to be used in connection with the making of a recording.
- (4) Moving equipment is not to be used in connection with the making of a recording while the Court is in session.
- (5) Proceedings of the Court are not to be disrupted by the making of a recording (including from distracting sounds or lights).
- (6) The cost of installing, operating or removing any equipment required for the making of a recording (including any modifications made to existing equipment of the Court for that purpose) is to be borne by the news media organisation whose equipment is being used to make, or whose employees are involved in making, the recording and not by the Court.
- (7) Any recording equipment used to make a recording is not to display any trade mark, logo or other branding that identifies it as the equipment of any particular news media organisation.

4 Chief Justice may give directions concerning manner in which recordings to be made

- (1) The Chief Justice may give such directions as the Chief Justice thinks fit for the orderly administration of the Court with respect to the manner in which recordings of the judgment remarks of the Court are to be made.
- (2) A direction given under this rule may qualify, or add to, any of the requirements set out in rule 3.

5 Shared use of recordings by news media organisations

- (1) Subject to subrule (2), a news media organisation that is permitted by the Court to record judgment remarks of the Court must, as soon as practicable after the recording is made, make the recording available for use by any other news media organisations that wish to broadcast it.
- (2) If the recording made by the news media organisation is for a live broadcast, the news media organisation is to ensure that any other news media organisations that wish to broadcast it have equal access at the same time to the live feed.