



New South Wales

# District Court Amendment (Broadcasting Judgment Remarks) Rule 2014

under the

District Court Act 1973

The District Court Rule Committee has made the following rule of court under the *District Court Act 1973*.

James Howard  
Secretary of the Rule Committee

## **Explanatory note**

The object of this Rule is to amend the *District Court Rules 1973* to make provision with respect to the making of applications for permission to record or broadcast judgment remarks of the District Court and the manner in which such remarks are to be recorded.

## **District Court Amendment (Broadcasting Judgment Remarks) Rule 2014**

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### **1 Name of Rule**

This Rule is the *District Court Amendment (Broadcasting Judgment Remarks) Rule 2014*.

### **2 Commencement**

This Rule commences on the day on which Schedule 1 to the *Courts Legislation Amendment (Broadcasting Judgments) Act 2014* commences and is required to be published on the NSW legislation website.

## **Schedule 1 Amendment of District Court Rules 1973**

### **Part 3**

Insert after Part 2:

### **Part 3 Recording and broadcast of judgment remarks**

#### **1 Interpretation**

- (1) In this Part:  
*Media Coordinator* means the Media Coordinator of the Court.
- (2) For the avoidance of doubt, 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 5 of the Act have the same meanings as in that Part.

#### **2 Application for permission to record or broadcast judgment remarks**

- (1) Subject to any directions under rule 4, 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 Coordinator 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 Judge may give directions concerning manner in which applications and recordings to be made**

- (1) The Chief Judge may give such directions as the Chief Judge thinks fit for the orderly administration of the Court with respect to the manner in which:
  - (a) applications to the Court for permission to record or broadcast judgment remarks of the Court in proceedings are to be made, and
  - (b) 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 2 or 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.