

**Policy Name:** Filming & Photography Policy

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**Policy Version:** 1.8

**Authorised By:**

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**Responsible Manager:** Head of Customer Strategy & Communications **Date of next review:** Apr 2022

Policy Version	Date	Author	Action
1.8	24/04/2019	Head of Customer Strategy & Communication	Reformatted, minor grammatical amendments.
1.7	12/02/2018	Executive Assistant	Reformatted in line with new conventions
1.6	22/04/2016	Head of Customer Strategy & Communication	Reformatted, minor text changes
1.5	18/03/2014	Head of Customer Strategy & Communication	Policy revised and reissued
1.4		Manager, Marketing & Client Services	Updated to new policy structure
1.3	09/10/2008	Governance & Planning	Policy Reviewed and reissued
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## DEFINITIONS

<b>Act</b>	<i>Adelaide Cemeteries Authority Act 2001.</i>
<b>Authority</b>	Adelaide Cemeteries Authority as defined by the Act.
<b>Board</b>	the Board of Management of the Authority as appointed by the Minister under the Act.
<b>CEO</b>	the Chief Executive Officer of the Authority as appointed by the Board.
<b>Commercial use</b>	any third-party activity, directly or indirectly intended to make a financial profit.
<b>Filming</b>	the practice of taking and producing moving images in cinematic film, video, digital or web-based formats.
<b>Photography</b>	the practice of taking and producing still images in print, slide, film, digital or web-based formats.

### 1 POLICY AIM

It is the aim of this policy to detail the Authority's responsibility regarding filming and photography in cemeteries governed by its Policy Scope

This policy applies to the personal, educational and commercial use of cemetery images.

### 2 POLICY STATEMENT

It is the policy of the Authority that filming and photography in the cemeteries for which it has administrative responsibility will be undertaken with sensitivity and respect for the deceased, their families and loved ones and with consideration to community

standards and expectations. This commitment is aligned with Section 6 of the *Burial and Cremation Act 2013* (SA) which states:

*“It is the intention of Parliament that human remains be treated at all times with dignity and respect.”*

### 3 POLICY PRINCIPLES

The following principles must be applied in relation to;

#### 3.1 Photographs for Personal Use

This policy acknowledges that it is not possible for the Authority to monitor and manage the taking of photographs in its cemeteries. Many people undertake private, personal visits to cemeteries and take photographs that are placed in the public domain, most commonly via social media.

Therefore, photography for private and personal use in the Authority’s cemeteries is permitted.

However, where the Authority identifies that photographs of its cemeteries have been inappropriately used in the public domain, the Authority may seek to have these images removed or amended. Inappropriate use includes but is not limited to:

- Cemetery images that do not treat the deceased with dignity and respect;
- Cemetery images that may cause distress to families, loved ones and in the broader community;
- Cemetery images which identify individual memorials and/or inscriptions without the prior permission of the interment right holder;
- The use of cemetery photographs for commercial or personal gain without the permission of the Authority; and.
- Any unauthorised filming or photography.

#### 3.2 Photography and Filming for Commercial Use

In the interests of safety, dignity and respect for the deceased and their families, the Authority’s written approval is required for filming and photography of a commercial or educational nature, for example:

- companies, institutions, groups or individuals wanting to film, photograph, or record sound in the cemetery for commercial purposes;
- those who want to use an existing cemetery image for a commercial purpose; or

- those that have approval to use an image and now want to use it for a different purpose.

### 3.3 Filming and Photography Permit Process

The Authority has a permit system to help manage the requests for filming and photography requests for commercial use.

The permit system helps to:

- Minimise the impact on cemetery visitors and the local environment;
- Ensures proposed filming and/or photography is suitable for the location;
- Provide guidelines for the filming and photography that respects the deceased, their families and loved ones,
- Schedule the photography and filming with consideration to the demand for funeral services;
- Ensure that organisations or persons undertaking the filming have public liability insurance; and
- Ensure that organisations or persons undertaking the filming have and comply with Work Health Safety (WHS) legislation and the Authority's WHS policies.

A completed filming and photography permit application form must be submitted to the Authority no less than 48 hours in advance of filming.

Applicants must include details regarding the following issues in their permit applications:

- 1 Film equipment: All equipment must be included in the application form. The use of a camera crane requires the submission of a safety analysis of the area where the crane is to be used.
- 2 Noise pollution: Sound/noise must not negatively impact on cemetery visitors and the Authority may require a section of the cemetery to be excluded to the public and funeral services for the duration of the filming or photography.
- 3 A risk management plan may be required to show how the risks associated with the filming or photography have been assessed and managed.
- 4 A traffic management plan must be submitted if the activity will affect pedestrians and cemetery traffic.

Where filming or photography is to take place in areas of cultural significance, permission may also be required from the relevant group or organisation (examples include Indigenous people, or religious communities).

Applicants are required to discuss the content and context of the proposed media project with the Authority as early as possible.

Dates may need to be varied at short notice to accommodate funeral services as funeral activity takes precedence.

The Authority reserves the right to refuse any application.

### **3.4 Permit Fees and Charges**

If a production is considered low impact and is being undertaken by students as part of their curriculum no fee is applicable.

Educational institutions must still complete and lodge a permit application with the Authority and provide copies of their current public liability insurance, along with proof that the insurance extends to students filming within an Authority cemetery.

All other commercial filming and photography will incur administration and location fees.

Administration and location fees are set out in the Authority's Filming and Photography Application Form. These fees may vary over time.

### **3.5 Approval Exemptions**

Written approval and a permit is not required if the filming is being undertaken by a news or current affairs photographer, filmmaker, or sound-recorder, covering news of the day. These groups must liaise with Authority or its nominated Public Relations representative before arriving on site and observe the specific guidelines below in respect to how to capture and use cemetery images appropriately.

### **3.6 Conditions of Permit Approval**

- Filming and/or photography must not take place during a funeral or memorial service without the direct written permission of the family.
- Wherever possible, filming and photography is to be restricted to general scenes and not directed at individual memorials so as to identify the inscription, unless the written permission of the holder of the interment right has been forwarded to the Authority.
- Persons involved in the film production and/or photography are not permitted to stand on grave sites and must restrict their movements to the designated paths and roadways where provided.
- Persons involved in the film production and/or photography are not permitted to approach visitors to grave sites or funeral services.
- Filming or photography of Authority's staff is not permitted unless specifically approved by the Chief Executive Officer.

- Films or photographs must not to be used in commercial advertising or to imply the Authority's endorsement of a product.
- Film-makers and/or photographers are required to provide all equipment, including power generators and lighting. No materials are to be affixed to any surface without prior permission.
- All persons involved in the film production and/or photography must comply with all regulations of the cemetery.
- All persons involved in the film production and/or photography must comply with all Work Health Safety (WHS) legislation and with the Authority's WHS policies.

### 3.7 Application Form

Permission to undertake filming or photography for commercial use must be sought by completing the *Filming and Photography Permit Application Form* available from the Authority's Visitors Centre by telephoning 8139 7400 or visiting the Authority's website [www.aca.sa.gov.au](http://www.aca.sa.gov.au) .

### 3.8 Copyright and Acknowledgement

The copyright of footage and photographs remains with the owner. However, the use of the footage and images by the Authority for promotional purposes may be requested as part of the approval process.

The Authority's name should appear on any published acknowledgements relating to the film or photographs.

## 4 LEGISLATIVE REQUIREMENTS

[Adelaide Cemeteries Authority Act 2001](#)

[Burial and Cremation Act 2013](#)

[Work Health Safety Act 2012](#)

[Work Health Safety Regulations 2012](#)

[SafeWork SA Codes of Practice](#)

## 5 RELATED POLICIES

[Risk Management Plan – COR049](#)

[Operations Policies and Procedures](#)

[Work Health Safety Policies and Procedures](#)

[Australian Privacy Principles \(APPS\) Guidelines](#)

## 6 RELATED PROCEDURES, GUIDELINES & FORMS

[Application for Filming and Photography Form](#)

**AUTHORISED BY & EFFECTIVE DATE**



Signature: \_\_\_\_\_ Date: 8 May 2019  
(Chief Executive Officer)