

## **NBA News Access Guidelines for General Entertainment Footage**

### **INTRODUCTION**

1. These News Access Guidelines shall govern the use of general entertainment footage by Designated News Broadcasters and shall be followed by all Members/Associate Members of the NBA. Designated News Broadcaster must bear in mind that general entertainment material is not central to the news genre and accordingly, general entertainment footage must be used sparingly (subject to the guidelines appearing below) and only when such footage has some intrinsic news value or which is connected to any news or current affairs being reported.

### **DEFINITIONS**

2. Capitalized terms used in these News Access Guidelines shall have the meanings given to them in the Schedule to these News Access Guidelines.

### **USE OF FRESH FOOTAGE**

3. Subject always to paragraphs 6 to 10 below, a Designated News Broadcaster may broadcast a maximum of 8 minutes of Fresh GE Footage per News Day (whether from one or more general entertainment broadcaster/s) which may be repeated as specified, provided always that:

- 3.1 Footage made available to a Designated News Broadcaster as part of an Electronic Press Kit (EPK) shall be counted as part of the 8 minutes stipulated above;
- 3.2 No more than 3 minutes of Fresh GE Footage shall be used from any single program of a general entertainment broadcaster;
- 3.3 It will be permissible to repeat the Fresh GE Footage referred to above up to 2 times in a News Day - i.e. Fresh GE Footage may be used on 1 premier and 2 repeats basis of the same footage;
- 3.4 No Footage or part thereof may be provided or made available by a Designated News Broadcaster to any third party.

Provided that such restriction on repeats shall not apply to Fresh GE Footage of an Exceptional Occurrence of news value used in a news program.

4. Use of Fresh GE Footage “live” is not permitted at any time under any circumstances. There must be a minimum of at least 7 minutes delay following the live broadcast of any Fresh GE Footage by the official/host broadcaster before any extract of such Fresh GE Footage may be used by the Designated News Broadcaster pursuant to paragraph 3 above.

### **USE OF ARCHIVAL FOOTAGE**

5. Subject always to paragraphs 6 to 10 below, a Designated News Broadcaster may use a maximum of 2 minutes of Archival Footage per News Day which shall also be subject to the same restrictions as to repeat use as Fresh GE Footage.

### **COMMERCIAL GUIDELINES**

6. The use of Fresh GE Footage pursuant to paragraphs 3 and 4 above and the use of Archival Footage pursuant to paragraph 5 above is strictly limited in each case to use within news and/or current affairs programmes. No use of Fresh GE Footage and/or Archival Footages is permitted in any circumstances for any commercial purposes.

7. For the avoidance of doubt, a Designated News Broadcaster may commercially exploit a news and/or current affairs program within which Fresh GE Footage and/or Archival Footage is broadcast as a whole, in the regular course, through normal advertising/sponsorship breaks usual in programming of news channels, provided always that, except as permitted pursuant to paragraphs 8 to 10 below, no advertising, sting, logo, graphic and/or any other commercial (morphing) activity occurs immediately before, immediately after or during the Fresh GE Footage and/or Archival Footage and no association is created between the use of Fresh GE Footage and/or Archival Footage and any third party brand or product.

**CREDIT GUIDELINES**

8. Courtesy bug acknowledging the concerned Host Broadcaster must be pasted by the Designated News Broadcaster throughout the broadcast of any Fresh GE Footage and/or Archival Footage.
9. Designated News Broadcasters must use the correct name of the GE Program and the GE Program Logo in any and all broadcasts in which the GE Program is mentioned or referred to, whether or not including the broadcast of any clips of Fresh GE Footage and/or Archival Footage.
10. In the event that the GE Program Logo should be covered by the logo of the Designated News Broadcaster, the Designated News Broadcaster must include a courtesy line extended at the bottom of, or elsewhere, on the screen.

**EXECESS FOOTAGE**

11. Use of any Footage (whether Fresh GE Footage or Archival Footage) in excess of the stipulations contained above shall be permissible ONLY under separate contractual arrangements between the Designated News Broadcaster and a general entertainment broadcaster and not otherwise.

**GENERAL ASPECTS**

12. In order to improve the quality of Footage for use, Designated News Broadcaster may use footage received through Integrated Receiver-Decoders (IRDs) obtained from concerned general entertainment broadcasters under simple bilateral arrangements with such general entertainment broadcasters.
13. Except for Footage received from a general entertainment broadcaster as part of EPK, Designated News Broadcaster alone shall be liable for any consequences arising from broadcast of any Footage that may contain adult or otherwise inappropriate content during hours when such Footage is not broadcast by the concerned general entertainment broadcaster. Insofar as EPK Footage is concerned however, such liability (if any) shall be upon the general entertainment broadcaster.
14. NBA may, in its discretion, monitor the compliance of these guidelines by members; and for that purpose, NBA may requisition from members information (including footage) relating to the use of general entertainment footage in the programming of news broadcasters. NBA shall be entitled to circulate the information pertaining to violation of these guidelines to all members of NBA.

## SCHEDULE DEFINITIONS

**“Archival Footage”** means any Footage from a GE Program from the period 24 hours or more after the completion of the GE Program or episode concerned ;

**“Designated News Broadcaster”** means any broadcaster that is a Member or an Associate Member of the NBA and a list whereof is available on the NBA website ;

**“Exceptional Occurrence”** means any newsworthy occurrence of an extraordinary nature that happens in relation to a GE Program BUT outside the GE Program or the event being broadcast by way of the GE Program ;

**“Footage”** means all recorded and/or transmitted signals, including all audio, visual and audiovisual material, relating to any broadcast on any third party general entertainment television channel;

**“Fresh GE Footage”** means any Footage (other than Archival Footage) broadcast for the first time (premier) by a Designated News Broadcaster ;

**“GE Program”** means any general entertainment program or episode or content as understood in common broadcasting parlance (as distinct from a sports program or news program), telecast on a television channel and owned and/or broadcast and/or otherwise belonging to a third party;

**“Host Broadcaster”** means the officially appointed broadcaster for a GE Program;

**“NBA”** means the News Broadcasters Association, the representative body of news broadcasters/ channels in India;

**“News Day”** means the period of 24 hours from 12:00 hours (noon) on a given day to 12:00 hours (noon) on the next consecutive day.

**21.9.2011 / 28.3.2012**