



PONY CLUB
NEW SOUTH WALES

The Pony club Association of New South Wales Incorporated

Photography Policy

As approved by State Executive September 2012

Table of Contents

1.	Purpose of this Policy	3
2.	General Policy	3
3.	Pony Club Association NSW Recommended Guidelines	3
	3.1 Exceptions to Freedom to Photograph	4
	3.2 Photography for Publication or Commercial Use	4
	3.3 Photography for Private Use	4
	3.4 Inappropriate Photography	4
4.	Application For Exemption To Photograph/Video/Film	5

1. Purpose of this Policy

In Australia there is no law restricting photography or videography of people including children in public spaces as long as the images are NOT:

- Indecent (such as 'up-skirt' or 'down-blouse' photographs taken covertly in change rooms or toilets),
- Being used for voyeurism or made for the purpose of observing and visually recording a person's genital or anal region,
- Protected by a court order (e.g. child custody or witness protection),
- Defamatory, or
- Being for commercial purposes (person's likeness is used to endorse or entice people to buy a product).

This policy is designed to provide an understanding of issues surrounding the acquisition and display of images of registered members participating in pony club activities throughout NSW. It also serves as an administrative reference in relation to the management of photography and videography by any person at Pony Club Association NSW and affiliated Club and Zone functions, events and matches.

2. General Policy

2.1 The majority of The Pony Club Association NSW Inc. affiliated Club and Zone venues are located on Local Government Council playing fields and parks open to the public. Neither The Pony Club Association NSW Inc. nor any Club or Zone can stop anyone taking photographs or video images at these venues.

2.2 The publishing of a photograph or image can from time to time be used either inappropriately or illegally. Images of a child (including your own child) if photographed in a provocative and sexual manner can contravene Criminal Codes and censorship laws.

2.3 Pony Club Association NSW requires the privacy of others to be respected and prohibits the use of camera phones, videos and cameras inside changing areas, showers and toilets.

2.4 Pony Club Association NSW and Clubs and Zones should only use appropriate images of a child, and depicting the child suitably clothed in a manner that promotes participation in pony club.

2.5 When using a photo of a child Pony Club Association NSW or its affiliated Clubs and Zones must not display personal information such as residential address, email address or telephone numbers without gaining consent from the child's parent/guardian.

2.6 Photography and video footage is usually only required at Pony Club Association NSW and Club and Zone sanctioned events and competitions for three purposes:

- Rider/Instructor training and development
- Pony Club Association NSW and Club and Zone promotion and publicity
- Participants and family use

3. The Pony Club Association NSW Inc. Recommended Guidelines

So that financial members are aware that photography and videography will in all probability occur at events including those conducted at Clubs and Zones, it is recommended that members sign an acknowledgement of this on their membership applications. This acknowledgement should attest to

the fact that they are aware that images are likely to be taken, and that such images may be used for The Pony Club Association NSW Inc. and/or Club and/or Zone purposes.

Except for situations described in 3.1 where competitions are held on public land (e.g. Local Government Council grounds) individuals are able to photograph or video matches and individuals whether participating or not.

3.1 Exceptions to Freedom to Photograph

There are specific instances in law where the taking of any image is banned. Such instances generally relate to child custody matters, wards of the state, restraining orders and witness protection. It is also possible that from time to time other circumstances may also preclude the taking of any image of an individual.

Where such orders are in place it is the responsibility of the parent or guardian or individual to notify The Pony Club Association NSW Inc. or the Club or Zone including where appropriate the provision of a confidential copy of the order. In such cases The Pony Club Association NSW Inc. or the relevant Club or Zone will use its best endeavours to prevent the taking of such images.

3.2 Photography for Publication or Commercial Use

A photographer / videographer may be contracted for an event by Pony Club Association NSW, or a Club or Zone to acquire images of individuals or teams for the purpose of selling those images to participants or interested persons. In such cases, the contractor is required to be suitably identified and to provide the appropriate certificate issued by the Commission for Children and Young People.

Where a professional photographer has been engaged by The Pony Club Association NSW Inc. or the relevant Club or Zone, there is an obligation on the engager to advise the photographer of any limitations as prescribed by a court order or law.

3.3 Photography for Private Use

There are no restrictions on parents, guardians, friends and/or family members taking photos or video footage of their children participating in pony club events provided the images are for personal use and do not encroach on the limitations as described in 3.1.

Equally, there are no restrictions on officials (including coaches, instructors and administrators) taking images for coaching purposes, rider development or general publicity, provided 3.1 is observed.

3.4 Inappropriate Photography

Where an individual is believed to be inappropriately photographing any financial member, The Pony Club Association NSW Inc. or the relevant Club or Zone can ask the individual to stop. If the individual refuses, the police may be called to deal with the matter.

4. Application For Exemption To Photograph/Video/Film a member

[Name of Parent/Guardian/Financial Member] advises that a current court order is in place in respect of [Name of Protected Person]. The court order provides that in the interests of safety and wellbeing of the protected person that anonymity is required. As such it is requested that no images by way of still photography, video or film be taken and published.

I advise that all members of my Club and/or Zone officials have been advised of the above matter and have agreed to comply.

Signed:

(Parent/Guardian/Financial Member)

Print Name:

(Parent/Guardian/Financial Member)

Date: ____ / ____ / ____

 The application is approved. No images are to be taken of the protected person.

The application is not approved. Images may be taken of the protected person.

Reason application is approved/not approved:

Club: _____ **Zone:** _____

Signed Club Official:

Pony Club Association NSW/Club/Zone Official (please circle appropriate level)

Print Name:

(Official)

Date: ____ / ____ / ____

Copy to parent.

Copy to Club/zone records

Copy to PCA-NSW records

CONFIDENTIAL WHEN COMPLETED