



# **Television coverage of the House**

Report of the Standing Orders Committee

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Forty-eighth Parliament  
(Hon Margaret Wilson, Chairperson)  
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*Presented to the House of Representatives*

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# Television coverage of the House

## Recommendation

The Standing Orders Committee recommends to the House amendments to Standing Orders 40, 44 and 400, and the proposed new Appendix D to the Standing Orders, as set out in this report, and recommends that they be embodied in a sessional order until the committee completes a full review of the Standing Orders.

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## Introduction

In 2003, the Standing Orders Committee recommended that an in-house facility for televising the House be developed.<sup>1</sup> This facility is now almost operational, and from July 2007 remote-controlled television cameras will film all proceedings of the House of Representatives. In addition to web-casting, a broadcast-quality live feed of the images will be made available to television broadcasters, who will decide if they wish to use the material.

The televising of Parliament is a significant milestone. The aim is to make parliamentary debate more accessible to the public and to improve public understanding of the democratic process.

The current rules for television coverage of the House have been in operation since 1990, and they need some elaboration of detail as a guide to the director of the parliamentary broadcast. This will involve some relaxation of the current position. This report sets out the proposed new rules applying to broadcasters who televise proceedings and conditions for downstream use of television coverage of the House. It also addresses how the rules and conditions of use will be enforced.

## Television broadcasting rules and conditions

### Current rules

Any broadcast of the televised proceedings of the House must maintain any standards of fairness adopted by the House. The current rules for coverage of the debating Chamber have been in operation since 1990 and were reiterated in September 2000.<sup>2</sup> The broad principle is that, as the purpose of televising is to cover the business of the House, only the member with the call or the Speaker should be filmed. The current rules are considered quite restrictive and, if followed exactly, would not allow a television director to present a full experience of Parliament for viewers.

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<sup>1</sup> *Review of Standing Orders*, Report of the Standing Orders Committee, 2003, I.18B, pp 12–14.

<sup>2</sup> *New Zealand Parliamentary Debates*, 2000, Vol 586, p 4970.

**Proposal to expand scope of coverage**

With the introduction of permanent cameras into the Chamber, uninterrupted coverage of all proceedings will be provided. In order to sustain interest and to give a more accurate impression of how the House actually operates, the scope of coverage could be expanded. Currently the formal rule is that no reaction shots are permitted. There is a balance to be struck between the need to maintain a true record of the proceedings (interjectors do not have the call and have no right to intrude on the coverage of the member who does) and making the coverage visually informative by showing a reaction to what is happening. It is proposed to make provision for limited reaction shots involving questions and interjections and to permit more general background shots so as to illustrate the mood of the House and introduce some variety into the coverage.

**Proposed new television coverage rules**

Under the new rules for television coverage of the House, cameras would still focus on the member who has been called to speak until the member's speech ends. However, the director might choose to vary the camera angle to add interest to the coverage, or to use other shots to reflect the business transacted, such as a wide angle shot of the Chamber. Some reaction shots would also be permitted, such as the countenance of a Minister being asked a question or of a member listening to the reply to a question. If a member speaking engages with an interjector, the interjector's reaction could be filmed.

The default camera shot would continue to be on the Speaker in the Chair, particularly in the case of disorder in the House or interruptions from the gallery. The rules would provide for the Speaker to have the power to direct that coverage should cease during prolonged interruptions to proceedings. In normal circumstances, coverage would cease as soon as the Speaker or presiding officer announced that the House stands adjourned or the Speaker or presiding officer left the Chair for the suspension of a sitting.

These rules would apply also to any other filming from the gallery. The Serjeant-at-Arms would intervene if it became apparent that cameras were filming matters not within the rules. Broadcasters not complying with the rules could have their privilege of filming in the Chamber withdrawn, or a matter of privilege could be raised. The rules for the taking of still photographs from the public gallery are not being relaxed as a result of these proposals. This is partly to minimise the prospect of disturbance by photographers moving around the public gallery, but is also because still photographs cannot themselves reflect the context of the proceedings to which they relate.

We have noted the points raised in discussions with representatives of the Press Gallery about these proposals. In particular, they requested the ability to film members entering and leaving the Chamber; they felt that excluding still photographers from the relaxation of rules was discriminatory; and they objected to the Serjeant-at-Arms retaining the right to intervene if he or she thought that cameras were filming matters not within the rules. We do not accept these points.

The new rules are appended to this report as Part 1 of proposed new Appendix D of the Standing Orders, although it is recommended that they be embodied in a sessional order until a review of the Standing Orders is completed later in this parliamentary term.

### **Conditions for use of television coverage**

Now that the House is providing a free broadcast feed in both broadcast and webcast format, it is timely to consider whether the Standing Orders should be revised to impose conditions of use as well as broadcast standards. The advantage of using the Standing Orders is that the authority for imposing the conditions is clearly stated. In addition, effective enforcement mechanisms can be invoked for serious breaches by revoking access for broadcasters, and through treating breaches as contempt in other situations. The alternatives of copyright-based and contract-based compliance are not considered possible or effective in all cases.

The proposed conditions on which coverage of the proceedings of the House would be made available have been derived from terms and conditions identified in some other relevant legislatures, such as the Parliaments of New South Wales and Victoria. These conditions include requirements for any broadcast or rebroadcast of coverage to comply with normal broadcasting standards. Reports that use extracts of coverage of proceedings and purported to be summaries would have to be fair and accurate. Specific uses that would not be permitted would include—

- political advertising or election campaigning (except with the permission of all members shown)
- satire, ridicule or denigration
- commercial sponsorship or commercial advertising.

We recommend that these conditions also be set out in proposed new Appendix D of the Standing Orders, and that Standing Order 44 be redrafted to provide both for the availability of television coverage of proceedings and to state the requirement for providers and users of television coverage to comply with the prescribed rules and conditions. A consequential amendment would also be required to Standing Order 40. As an interim measure until the review of the Standing Orders is completed, we recommend that these provisions also be embodied in a sessional order.

### **Enforcement of rules and conditions**

#### **Breach of rules and conditions may be treated as contempt**

Until now, any breach of rules of broadcast has been dealt with through the exercise of the Speaker's power to withdraw the privilege of being able to film proceedings.<sup>3</sup> As is noted above, an effective means of enforcing the rules and conditions may be to treat breaches as contempt. However, the existing provisions in the Standing Orders may not be adequate to enforce the full range of conditions. Some breaches will no doubt be covered by the listed examples in Standing Order 400 (for example 400(n)) and may have a tendency to obstruct or impede the House. Other breaches, for example the use of television footage for electioneering purposes, may not be covered by the existing framework. We therefore recommend that Standing Order 400 be amended by specifying that a breach of rules or conditions established under Standing Order 44 is a further example of contempt (again, with this rule to be embodied in a sessional order in the short term).

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<sup>3</sup> Standing Order 42.

## Appendix 1

### Recommended amendments to Standing Orders 40, 44 and 400

Note: all recommended amendments to be embodied in a sessional order until the review of the Standing Orders is completed.

*Standing Order 40:*

Omit paragraph (d) and substitute the following:

- (d) broadcasting and televising of proceedings ceases.

*Standing Order 44:*

Omit this Standing Order and substitute the following:

**44 Broadcasting**

- (1) The proceedings of the House are broadcast on radio during all hours of sitting and are available for television coverage.
- (2) A provider of television coverage must comply with the applicable coverage rules in Part 1 of Appendix D.
- (3) Any use of the television coverage, in any medium, must comply with the conditions in Part 2 of Appendix D.

*Standing Order 400:*

Add the following paragraph:

- (x) use of television coverage of proceedings of the House, in any medium, contrary to Standing Orders.

## Appendix 2

### Draft Appendix D of the Standing Orders Broadcasting of proceedings of the House—rules and conditions

#### PART 1

##### Television coverage rules

- 1 The cameras will cover the member who has been called to speak until the member's speech is finished or the member's call is terminated by the Speaker. Coverage will normally be medium range, head and shoulders. The director may choose to vary the camera angle to add interest to the coverage. Switching between such shots should be done at an appropriate point in the speech.
- 2 The default shot will be on the Speaker or presiding officer, including the arrival of the Speaker's procession.
- 3 The television director may choose other shots to reflect the business transacted, such as a wide angle shot of the Chamber or, during oral questions, a reaction shot of the Minister being asked a question or of a member listening to the reply to a question.
- 4 The television director may use a wide angle shot of the Chamber as a continuity shot, for instance, at the end of oral questions or when the House is going into committee. Sound from the Speaker's or ambient noise microphones can be added to this shot.
- 5 Generally, interjections are not covered. But if the member speaking engages with the interjector, the interjector's reaction can be filmed.
- 6 Officials (Clerks, interpreters, Serjeant-at-Arms) should be shown when they are participating in the business of the House by making announcements, calling party votes, interpreting speeches, or carrying the Mace.
- 7 While a personal vote is in progress, a graphic to this effect should be shown in place of live coverage. This graphic would be shown from the time the Speaker directs the Ayes to the right, the Noes to the left and appoints the tellers, until the announcement of the result.
- 8 Shots unrelated to the proceedings are not permitted, that is, interruptions from the gallery and business occurring outside the House.
- 9 In the case of general disorder on the floor of the House, coverage will revert to the Speaker or presiding officer.
- 10 During an interruption to proceedings such as prolonged disturbance from the gallery, the coverage will be of the Speaker or presiding officer, with sound from only the Speaker's and ambient noise microphones. Coverage from the Chamber should continue, unless the Speaker or presiding officer indicates otherwise, either by suspending or adjourning the House, or specifically directing that coverage

should cease. Television coverage recommences when the House resumes or at the direction of the Speaker or presiding officer.

- 11 Coverage ceases as soon as the Speaker or presiding officer announces that the House stands adjourned or the Speaker or presiding officer leaves the Chair for the suspension of a sitting.

These rules apply also to any other filming from the gallery.

The Serjeant-at-Arms will intervene if it becomes apparent that cameras are filming matters not within the rules. Broadcasters who offend the rules may have their privilege of filming in the Chamber withdrawn.

## **PART 2**

### **Conditions of use of coverage**

Live coverage of the proceedings of the House of Representatives is made available for television broadcast, webcast, and recording in other mediums to provide greater public access to the legislature. The coverage is made available on the following conditions:

- 1 Any broadcast or rebroadcast of coverage must comply with Broadcasting Standards Authority rules.
- 2 Coverage of proceedings must not be used in any medium for—
  - political advertising or election campaigning (except with the permission of all members shown)
  - satire, ridicule or denigration
  - commercial sponsorship or commercial advertising.
- 3 Reports that use extracts of coverage of proceedings and purport to be summaries must be fair and accurate.

Breach of these conditions may result in a loss of access to coverage, and may be treated as a contempt and proceeded against accordingly.

## **Appendix 3**

### **Committee members**

Hon Margaret Wilson (Chairperson)

Hon Dr Michael Cullen (Deputy Chairperson)

Tim Barnett

Peter Brown

Gerry Brownlee

Hon Peter Dunne

Te Ururoa Flavell

Rodney Hide

Hon Clem Simich

Nandor Tanczos

Anne Tolley

### **Committee advisers and staff**

David McGee, CNZM, QC, Clerk of the House

Wynne Price, Clerk-Assistant (Reporting Services)

David Bagnall, Clerk of the Committee

Helena Strange, Parliamentary Officer (Committee Support)