

PRIVACY GUIDELINES

Use of Photos and Videos

These guidelines follow the model outlined on the **Office of the Privacy Commissioner** website (www.privacy.org.nz) and outline recommendations for the use of photos and videos taken by Provincial Unions (PUs) and clubs of the following:

1. Community rugby games of **adults** played under PU jurisdiction on public grounds for judicial and administrative purposes and/or the purposes of promoting community rugby with no commercial association (e.g. livestreaming a game to upload to a PU website or social media platform to promote that game).
2. Adults for any other purpose other than for judicial or administrative purposes or for promoting community rugby.
3. Children for any purpose.

Use of photos/videos of adults playing community rugby matches on public grounds for judicial and administrative purposes and/or to promote community rugby

The registration form for this season (2022) includes a statement to ensure **adult** participants are aware that photos and videos of them playing rugby may be shared publicly by NZR, PUs and/or clubs solely for judicial and administrative purposes and/or to promote community rugby (with no commercial association).

Use of photos/videos of adults for any other purpose other than for judicial and administrative purposes and/or to promote community rugby

For use of photos/videos of adults for other purposes (e.g. creating content such as an educational or injury prevention video), individual consent is required.

The best way to obtain this consent is to ask individuals to sign a written consent form.

Alternatively, consent can be obtained by:

- Notifying via email in advance (at least one week prior) of the personal information being collected, the purpose of such collection and who to contact if there are any questions; **and**
- Including signage at all entry/exit points of the venue. Below is an example of signage wording that could be used:

[insert relevant PU/club] FILMING IN PROGRESS

By entering this field you agree that if your image is captured by **[insert relevant PU/club]** on video or by photograph, we can use it in any media throughout the world in perpetuity to **[insert relevant purpose]**.

If you have any concerns or questions, or don't wish to be filmed, then please talk with our camera operator. Have a great game!

Use of photos/videos of children

When it comes to using photos and videos of children (and others who require consent of their legal guardian to participate) best practice dictates extra steps need to be taken.

The prudent course of action is to ask the person/legal guardian for permission to take their photo/video prior to taking it. This is best done by using a consent form that the person/parent can sign if they agree.

The other option is to notify teams/clubs via email in advance and include signage at the venue (as outlined above).

Additional comments

For all the above situations please note the following:

- **Use of photos/videos not captured by a PU or club** - We encourage you to only use photos or videos you have taken or that have been supplied to you by the person who did. When this is not possible, we recommend only using such content that is publicly available and, ideally, from official rugby sites. In all cases, we recommend including an acknowledgement of the source of the photo or video.
- **Use of historical photos/videos** - we recommend you do an audit of your website and social media platforms to ensure compliance with the above guidance. If the photos and videos are being used to promote the community game, there is no need to purge such content, unless an individual requests their image be removed. However, in saying that we recommend only retaining photos and videos for the season they were obtained. If you have any concerns about compliance, please contact:

NZR Privacy Officer (Rebecca Hooper): privacyofficer@nzrugby.co.nz or 021 984 928.

For completeness we note that:

- If the sports photos/video are published in the **news media**, the Privacy Act does not apply to any news media organisation in relation to its news activities.
- If the sports photos/video are published by a **private individual** on social media, private individuals are exempted from the Privacy Act for their personal use, allowing them to take photos of public events such as sports fixtures and share them on social media, subject to any conditions or restrictions of entry that may be imposed by the venue or event organiser.