

VICTORIAN SCREEN INDUSTRY CODE OF CONDUCT



CONTENTS

FOREWORD	4
SECTION 1: INTRODUCTION	5
1.1 Scope	5
1.2 Application	6
1.4 Access to the Code	8
1.5 Screen Industry Practitioners Checklist.....	8
Section 2: CONDUCT	9
2.1 Alcohol and Drugs	9
2.2 Animal Welfare	10
2.3 Armoury-Including Firearms, Imitation Firearms, Non Firearm Prohibited	10
2.4 Arrival and Departure	11
2.5 Child Employment in the Entertainment Industry.....	11
2.6 Emergency and Essential Services Access	12
2.7 Environment.....	12
2.8 Food and Beverages	12
2.9 Generators.....	13
2.10 Location Conditions and Damages	13
2.11 Location Utilities and Facilities.....	13
2.12 Loss of Trade	13
2.13 Noise.....	14
2.14 Locations Team	14
2.15 Offensive Language.....	15
2.16 Parking.....	15
2.17 Permit in Evidence	15
2.18 Removal, Alteration or Addition of Signage and Infrastructure	15
2.19 Removal or Cutting of Vegetation.....	15
2.20 Removal or Towing of Vehicles	15
2.21 Rubbish.....	15
2.22 Security.....	16
2.23 Smoking and Designated Smoking Areas.....	16
2.24 Trespassing.....	16
2.25 Drones / Remotely Piloted Aircraft (RPAs)	17

Section 3: PROCEDURE	18
3.1 Consent	18
3.2 Emergency Services	18
3.3 Insurance and Indemnification	19
3.4 Local Government	20
3.5 Negotiation	22
3.6 Parks Victoria	22
3.7 Public Transport	22
3.8 Residents, Businesses, Organisations and the General Public	23
3.9 Taxation	24
3.10 Traditional Owners	24
3.11 VicRoads	26
3.12 Victoria Police	27
3.13 Visas	28
Section 4: SAFETY	28
4.1 Objects	29
4.2 Principles	30
4.3 Safe Workplace Statement	30
Addendum: Amendment to the Code of Conduct	31

FOREWORD – FILM VICTORIA CEO CAROLINE PITCHER



Victoria is a strong and vibrant screen production industry boasting a complex network of creative and technical practitioners, producers and production companies that work in diverse and varied physical and digital environments. Victoria's local screen content creators continue to be some of Australia's best screen industry leaders, delivering exceptional cultural, social and economic value to the state and the global industry.

Through the *Victorian Screen Industry Code of Conduct*, it is our intention that every producer, actor, crew member and associated service business understands their role and obligations in complying with Victorian and Australian legislation and contributing to a safe, respectful and inclusive workplace.

Initially released in 2012 we've reviewed and amended this Code to best reflect the needs of the Victorian screen industry and the issues and policies that impact its practitioners.

Our agency commits to providing heightened clarity about workplace standards of behaviour and we enforce this commitment through our industry events, activities and operations. We will be supporting all producers working with Film Victoria to understand and apply this Code.

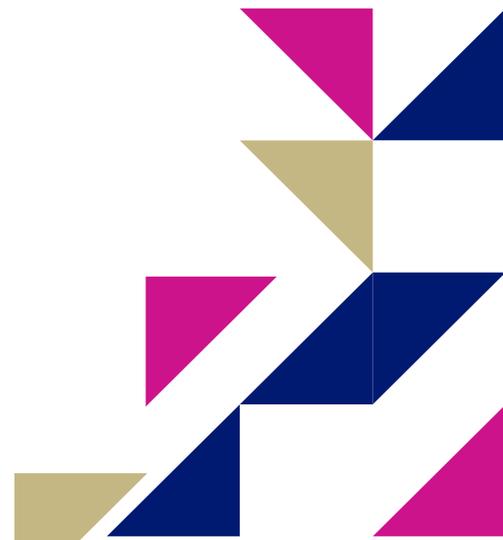
We are all responsible for providing safe and supportive work environments and we are all accountable for evolving the culture of the screen sector and the broader creative industry we work in.

Thank you to the Victorian and national government agencies, screen industry bodies and practitioners who have assisted in the development and refinement of this document.

The screen industry is one of great achievement and opportunity. By championing respect, compliance and support, we're nurturing a safe and inclusive screen industry for all.

A handwritten signature in blue ink, which appears to read 'Caroline Pitcher'. The signature is fluid and cursive.

Caroline Pitcher
Chief Executive Officer
Film Victoria



SECTION 1: INTRODUCTION



1.1 Scope

The screen production sector in Victoria requires access to public and private locations in order to sustain and expand the Victorian screen production industry.

Filming on location, be it in the public domain or on private property, places a special obligation on every individual, including contractors, agencies or companies, engaged by or connected with screen production, to be courteous, considerate and accommodating to the needs of others in the vicinity of any screen production activity.

The *Victorian Screen Industry Code of Conduct* (the Code) has been developed by Film Victoria in consultation with key public agencies and local governments, the Screen Producers Association of Australia, the Media Entertainment and Arts Alliance and the Victorian screen industry.

The Code is provided as a recommended, free, optional resource for the production community in Victoria.

While the code is not mandatory, it refers to several mandatory obligations under Victorian or Australian law. Public authorities or any organisation may insist on compliance with the Code, and it may be adopted by production entities in the workplace. In this sense, compliance may be mandated.

Production companies may voluntarily adopt the Code as a key element of an employment and recruitment policy. Breaches or perceived breaches would be addressed in the context of such a policy, or in accordance with existing industrial agreements or statutory requirements.

1.2 Application

The code applies to the production of the moving image for film, video and digital formats on location in the State of Victoria. It is meant to apply to all forms of screen production whether it is a student project, a low budget or no budget short film or video, video clip, corporate video, television commercial, television drama, feature film or digital imagery produced for the internet or any other digital platform.

1.3 Definitions

For the purposes of the code, the following definitions apply:

1.3.1 Screen Production

Screen Production is the production of moving image and sound for film, video and digital screen exhibition. The production process incorporates the recording of image and sound and may be referred to as screen production, game production, animation, VFX, filming, a film shoot, a shoot, taping or recording in the code and in the vernacular of the broader screen industry.

1.3.2 The Location

Location refers to any area of production, whether it relates to parking, traffic control, crew facilities such as catering or designated smoking areas, or any space referred to as the set, unit base or screen production location.

The Location includes the foreground or background and behind camera areas of screen production, video or digital recording and photography workplaces or any area that involves the presence of screen production, video or digital recording and photography equipment, art department paraphernalia or any material whatsoever connected to screen production.

The Location also includes any area occupied by individuals directly connected to the production whether they are employed as crew, contractors or are participating as unpaid helpers.

1.3.3 Location Provider

The Location Provider is any individual, business, company, agency, including federal, state and local government departments, corporations and agencies, or any other party that has the authority to grant the right of access, occupation and usage of a location to a Producer for the purpose of recording images and sound.

1.3.4 Location Agreement

A Location Agreement is a contract between the Producer and the Location Provider and will typically contain the following information:

- a) the address of the location including information as to the interiors and exteriors to be utilised at the location
- b) the name of the Production and, if relevant, reference to the subject matter of storyline
- c) dates and times including set up and wrap out dates and times. A provision for additional days and varied times due to weather delays or schedule changes caused by a variety of circumstances is a necessary component of every Location Agreement
- d) agreement that the Location Provider allow the Producer to represent the Location under its proper title or as another actual place or property or as a fictional place. Should the Location Provider not wish to agree to a specific form of representation then this needs to be spelled out clearly in the Location Agreement
- e) agreement that the Location Provider grant a release over all copyright of any images or sounds recorded or made at or of the Location to the Producer; and that it is clear that the Producer has

absolute title over all images and sound recorded with the right to sell, licence or use this material in any way the Producer sees fit

- f) a comprehensive indemnity provided by the Producer to the Location Provider to protect the Location Provider against all claims or suits of any kind whatsoever against the Location Provider for loss, damage or injury of any kind arising out of the acts or omissions of the Producer, its employees, agents or otherwise
- g) a copy of the Certificate of Currency demonstrating the extent of the Producers, public liability insurance should accompany the Location Agreement and should generally reflect a minimum of \$10,000,000 million public liability cover;
*note several local government authorities now require a minimum of \$20,000,000 million public liability insurance
- h) a warranty that the Location Provider has the authority to enter into the Location Agreement by virtue of being the Public Authority in which control of the location is vested or the registered proprietor, owner, lessee, or managing agent
- i) the agreement should ensure the Producer is the sole entity entitled to the use and occupancy of the Location during the period specified in the Location Agreement or that individual tenants have been informed and are agreeable
- j) the agreement should ensure the Location Provider has not and will not grant any rights over the Location Agreement which may interfere with the filming to be conducted by the Producer during the period specified in the Location Agreement
- k) in consideration of the permission and the rights granted to the Producer by the Location Provider for the filming of or at the Location, the Producer will pay the Location Provider an agreed fee on the completion of filming at the Location.

1.3.5 Film Permit

A Film Permit is a document issued by a government authority, generally a local government body such as a council or shire or a public agency such as Parks Victoria, to producers or production companies. The term Film Permit is applied to all formats such as film, video or digital recording and can be applied to stills photography.

The permit authorises the use of public space in accordance with local laws or other regulatory frameworks and is issued with terms and conditions that define the application of the permit. In Victoria, *The Filming Approval Act 2014* provides a framework of administrative principles which Victorian public agencies must comply with when considering permit applications for commercial filming on public land. These principles are outlined in the Film Friendly Guidelines, a document which contains practical examples for public agencies and advice and guidance on permitting filming activity.

A public agency will require the Producer to submit a permit application that includes traffic, parking and pedestrian management plans, site plans with details about equipment or other infrastructure to be brought and utilised on location, a concise schedule with details about crew numbers and planned activities, a stakeholder communication plan, evidence of public liability insurance and, in many cases, permit fees that will need to be paid prior to a permit being issued.

Applications for permits are generally required well in advance of filming. The Film Friendly Guidelines recommends a timely response of five business days for approvals. Some complex film permit applications will require the internal coordination of approvals and/or consultation with external agencies, such as Victoria Police, and may require more than five business days to complete. Film Permits are generally required to be available on Location and should be made available for scrutiny by interested parties.

1.3.6 The Producer

The Producer is generally the person responsible for financing and supervising the making of and arranging the distribution of that production. For the purposes of the code, the term Producer shall be extended to include all organisations or individuals responsible for the production of student projects, low budget or no budget short films or videos, digital imagery produced for the internet, still shoots, music videos, corporate videos, television commercials, documentaries, television dramas or feature films.

1.3.7 The Location Manager

The Location Manager is responsible for finding and managing Locations and is the point of communication between the production company and Location Providers, local government, police, the community and any other interested authorities, organisations or individuals. The Location Manager should be available to manage any concerns or queries that arise on Location.

1.3.8 The Safety Supervisor

The Safety Supervisor, in conjunction with the Producer, oversees the safety of the cast and crew and any other individual who may come in contact with the film crew or filming activities. The Safety Supervisor ensures the implementation of recommendations contained in the production safety report and/or safety plan.

1.4 Access to the Code

On adoption of the code the Producer must ensure that copies of the Code are made available to and are easily accessible by all cast, crew or any other party that will be involved in production. The Producer must ensure that all members of the cast and crew or any other contractor or individual connected to a production are aware of or are made aware of and are compliant with the code.

1.5 Screen Industry Practitioners Checklist

The following checklist provides a summary of some key activities that need to be considered and actioned as early as possible in the production process to reduce the chances of encountering difficulties when undertaking principal photography.

Check:

- that all relevant permit applications and authorisations have been initiated in good time to secure production dates and times with a specific emphasis on Local Government permits and parking, VicRoads permits, Parks Victoria permits and Victoria Police authorisations
- the production has the necessary insurances and a relevant safety plan, including a safety report where required, to ensure the safety of employees and all other parties and to ensure compliance under work health and safety laws
- that traders, residents and other interested parties have had timely written notice in advance of proposed filming activities and that all of their concerns have been adequately addressed
- if planning to work with children or animals, that all the relevant permits have been obtained and that compliance with the mandated codes of practice that relate to child employment and animal welfare, as described in the code, will be achieved. In particular check that the proposed Supervisor of Children has a current *Working with Children Check Card*
- when employing and inducting crew into the workplace, that they are qualified to carry out the duties they have been employed to do and are aware of their responsibilities under the law and within the context of the code
- for a non-resident seeking to enter Australia to work in any capacity on a screen production, that the relevant entertainment visa has been obtained prior to entering Australia

The substantive requirements of the Code are set out in Sections 2, 3, and 4.

Section 2: CONDUCT



2.1 Alcohol and Drugs

The consumption or use of alcohol, drugs or any other substances that may affect an employee's ability to perform work in a safe and efficient manner is not permitted in the workplace. Employees taking prescription or over the counter medications that may impair performance are to advise their manager or supervisor who must ensure any associated risks are abrogated. This information will necessarily be treated in the strictest confidence and in accordance with the relevant privacy laws.

Illness associated with the consumption of alcohol, illegal drugs or medication may impact on a workplace in the following ways:

- absenteeism
- accidents
- work performance (including conflict)
- workplace violence.

Employees are obliged as a condition of their employment to present to work in a fit state so that in carrying out their duties they do not:

- subject themselves, co-workers or any other person to unnecessary risks to health and safety
- inhibit their ability to fulfil the requirements of their position
- inhibit the ability of their co-workers to fulfil the requirements of their position.

Where an employee presents for duty and appears to not be in a fit state to carry out their normal duties, the Producer reserves the right to remove the employee from the workplace and should subsequently seek advice from a medical practitioner on the employee's fitness for duty.

Supervisors and employees are obliged to ensure that no employee commences or continues duty if they appear affected by alcohol, illegal drugs or medication that may reasonably be considered to lead to a safety risk.

Similarly, any persons visiting the Location should not be permitted access to any production workplace should they be affected by alcohol, illegal drugs or medication that may reasonably be considered to lead to a safety risk. The Producer reserves the right to remove the visitor from the work site in the situation where access has occurred.

2.2 Animal Welfare

Agriculture Victoria through its Bureau of Animal Welfare has developed a specific *Code of Practice for the Welfare of Film Animals*.

The *Code of Practice for the Welfare of Film Animals*:

- applies to the use of animals in the production of films for cinemas, television, recreational or educational purposes, including features, documentaries, serials, videos and advertising commercials
- aims to prevent cruelty and encourage the considerate treatment of animals on film sets
- recognises the wide range of situations where different types of animals would be used on film sets and that animals will be required to perform tasks, which may be complex, with other animals, people and special effects in situations that could cause distress, sickness or injury to performing animals
- does not approve of any act which intentionally endangers, kills, injures, stresses or abuses an animal for entertainment purposes or any scene which portrays or creates the impression that abuse or misuse of animals is desirable

Film makers can access the full Agriculture Victoria *Code of Practice for the Welfare of Film Animals* including comprehensive details about the Responsibilities of the Producers, Animal Trainers and Veterinary Surgeons: <http://agriculture.vic.gov.au/agriculture/animal-health-and-welfare/animal-welfare/animal-welfare-legislation/victorian-codes-of-practice-for-animal-welfare/code-of-practice-for-the-welfare-of-film-animals>

2.3 Armoury-Including Firearms, Imitation Firearms, Non Firearm Prohibited

Weapons and Body Armour

The firearm industry in Victoria is regulated by the Firearms Act 1996 and the Control of Weapons Act 1990. All firearm owners and users must be licensed with the Victoria Police Licensing Services Division.

The supply, handling and management of firearms in screen production must be undertaken by a licensed theatrical armorer (known as the armorer, or on- set armorer). Firearm safety in screen production is the legal responsibility of the on-set armorer.

The on-set armorer has a legal responsibility for the safety of cast and crew when firearms are used on a film set whether that set is in a studio or on location. The on-set armorer will establish a safe operating procedure on set for the safe use of firearms and prohibited weapons.

The on-set armorer has the legal responsibility to train the actors to a safety standard suitable for the use of firearms and prohibited weapons in a screen production.

Victoria Police requires two days notification of any screen production activity that involves special effects, firearms, weapons or mock firearms and mock weapons and has the potential to create public concern within

local communities. It is the responsibility of the Producer to provide that notification. This is done via a Police Notification Form (see section 3.12 for details)

Imitation firearms (longarms and handguns) are treated as prohibited weapons in the State of Victoria and regulated under the Control of Weapons Act 1990.

In Victoria, the Control of Weapons Act 1990 provides the framework for controlling the sale, possession, transportation and use of non-firearm prohibited weapons and body armour.

The Victorian Police website has more information. For specific advice about non firearm prohibited weapons film makers should refer directly to the Victoria Police website at:

www.police.vic.gov.au/content.asp?Document_ID=110

2.4 Arrival and Departure

Production vehicles should not arrive on Location earlier than the time stipulated on the film permit especially in residential areas. All vehicles must turn off their engines as soon as possible after arriving on Location and avoid the making of any unnecessary noise or disturbance.

After the completion of filming, all vehicles and personnel should depart the Location as soon as possible. Any task not specifically linked to the Location should be completed elsewhere. Departure should be completed as quietly as possible and in a manner that will not create an unwanted disturbance.

2.5 Child Employment in the Entertainment Industry

The employment of children under the age of 15 years in Victoria is regulated by the *Child Employment Act 2003 (CE Act)*. The CE Act aims to ensure that the employment of a child does not adversely affect the child's education and that the health, safety and moral or material welfare of children at work is protected.

Before employing a child under the age of 15, employers need to apply for and be issued a child employment permit. This permit may set out both general and specific conditions to ensure that suitable facilities and special health and safety measures are provided for the child employed. There are special provisions for employing children in the entertainment industry which are set out in the *Mandatory Code of Practice for the Employment of Children in Entertainment (2014) (mandatory code)*. Organisations that employ a child for whom a permit is required under the CE Act 2003 are also required to comply with Child Safe Standards

<https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/>

Details of the CE Act and mandatory code can be obtained from a Child Employment Officer or from the comprehensive *Guide to the Employment of Children in the Victorian Entertainment Industry*. The guide and a range of additional information is also available at the Business Victoria website:

<http://www.business.vic.gov.au/hiring-and-managing-staff/employing-children/application-forms-entertainment-advertising-industries>

2.6 Emergency and Essential Services Access

Emergency and essential vehicles access must not be impeded in any way. Production vehicles or activities must not block fire escapes, egress facilities or access to utilities (water, electricity, telephones) by emergency or essential services.

2.7 Environment

Film Victoria recognises the moral and legal responsibility to provide a safe and healthy environment for employees, contractors, clients, visitors and the community and it extends that commitment to ensuring screen production does not place the local community at risk of injury, illness or property damage.

Film Victoria supports the need for a shared commitment to the environment between the business managers, supervisors, employees, contractors, suppliers and other concerned parties. It supports the rights of all parties to express their concerns about the workplace environment and expects those concerns to be addressed.

Film Victoria recommends the following actions be taken into consideration:

- 2.7.1 Promote a safe environment in our workplaces and give the environment the same importance as other key considerations;
- 2.7.2 Comply with all relevant legislation, regulations, codes and contractual conditions;
- 2.7.3 Prevent pollution of the environment by activities over which we have control;
- 2.7.4 Conduct business with others who have a similar environment commitment;
- 2.7.5 Continually improve the management of the environment by setting realistic objectives and targets;
- 2.7.6 Endeavour to re-use and re-cycle materials, where possible, and dispose of waste in an appropriate manner whilst protecting the environment from any such re-use, re-cycle or disposal.

For further information about protecting, caring for and improving the environment refer to the Environmental Protection Authority Victoria website: www.epa.vic.gov.au/. For further information on integrated waste management and resource efficiency programs, refer to the Sustainability Victoria website: <http://sustainability.vic.gov.au/>.

2.8 Food and Beverages

The consumption of all food and beverage shall be confined to a designated area as described in the Film Permit or as allocated by the Location Provider and/or designated by the Location Manager.

Complying with food safety laws

All food sold in Victoria, whether retail, wholesale or provided by caterers, must comply with food safety laws. The principal Act that controls the sale of food in Victoria is the *Food Act 1984* (Vic). The purpose of the *Food Act 1984* is to ensure that food sold in Victoria is safe and suitable. It does this by:

- providing the means through which food premises as defined by the Act are registered or notified with local councils;

- setting out offences for breaches of the food laws and the applicable penalties and defences;
- providing the means through which the *Australia New Zealand Food Standards Code* is applied as the law in Victoria. It includes the national *Food Safety Standards and the Food Standards Code* (<http://www.foodstandards.gov.au/>) developed by Food Standards Australia and New Zealand;
- establishing a new food premises classification system and enforcement powers, including emergency powers where there are immediate threats to public health.

Food Act laws are administered and enforced by local governments and the Department of Health Victoria. Under the Act, food business proprietors are legally responsible for ensuring that food sold to customers is safe and suitable to eat.

It is the responsibility of the Producer to ensure that catering provided to cast, crew and any other party associated with a screen production is provided in accordance with the requirements of the Food Act, including any registration of the premises where the food is sold which may be required to be obtained by the catering providers, and with the Department of Health and local government food safety advice.

Department of Health information and general advice about food safety can be accessed at: <https://www2.health.vic.gov.au/public-health/food-safety>. The Victorian local government area(s) in which you plan to operate can provide specific advice about registration requirements, premises classification, particular food operations or safety concerns. The relevant local government area can be found at <https://knowyourcouncil.vic.gov.au/councils>.

2.9 Generators

Well maintained, silenced generators should be operated on Location regardless of whether the generator is providing power to the film set, art department and construction crews, unit base, make-up/wardrobe vans or the caterer. All generators should be placed as far as is practical away from residences, buildings or any area where noise levels or diesel residue is likely to cause discomfort to others or affect the normal functions of a business.

2.10 Location Conditions and Damages

Locations should be left in a clean and tidy condition or in as good a condition as found. The production company must report any damages to the affected parties and make good any damages to the satisfaction of those parties in a timely manner in addition to fulfilling the responsibilities contained in the Location Agreement or Film Permit.

2.11 Location Utilities and Facilities

Permission to use location utilities or facilities meaning the drawing of power or water, the use of telephones or toilets or any other facility found at the Location must be obtained in advance from the Location Provider or authorised party on every occasion. Additional fees may be incurred to cover utility costs.

2.12 Loss of Trade

Where a film production has caused a loss of trade to a business and where that loss can be clearly demonstrated and verified through an independent audit, it is the responsibility of the Producer to fully compensate that business and to make good that loss within a reasonable timeframe.

2.13 Noise

Noise levels should be kept as low as is practicable especially in regard to the projection of loud voices and the slamming of car doors. Loud music emanating from a crew unit base or from any crew vehicle should be avoided. When using public land, consult the relevant local council or government authority on any approvals required, including requirements for managing noise. When staging noisy scenes, plan in advance and discuss with the local council.

Notification to residents may be required when using residential premises, the *Environment Protection (Residential Noise) Regulation 2008* includes prohibited times for noise from residential premises. The regulations can be accessed at: <http://www.epa.vic.gov.au/your-environment/noise/environment-protection-residential-noise-regulations-2008>

Some story requirements make filming of night shoots necessary. Particular considerations associated with night shoots include:

- noise from idling motors (filming vehicles)
- filming or vehicle lights shining into windows
- potential safety risks to other road users where street lighting may be inadequate
- generator noise (power source for lighting etc.)
- increased traffic noise and general noise caused by people in the area

In these instances the production will need to work closely with the relevant local council or public agency who may require submission of a noise management plan and/or stakeholder notification audit.

The Environment Protection Authority (EPA) Victoria sets standards and guidelines for music noise from public premises and for commercial (e.g. equipment) noise emanating from commercial premises. EPA has noise control guidelines for public address systems that may need to be consulted. The documents can be found at: www.epa.vic.gov.au/noise/

2.14 Locations Team

Location Manager

The location manager is responsible for finding and securing locations to be used for the production and managing the logistics, permits and costs involved. They are the face of the production to the community. On large-scale productions, the head of the location teams may be referred to as the supervising location manager.

Location Coordinator

The location coordinator is stationed at the production office and coordinates the team, organising the paperwork and permitting requirements in consultation with councils and stakeholders. They assist with managing logistics, mapping, public relations/publicity and movement orders.

On-Set Location Manager

This role assists the location manager and is on set before, during, and after the filming process. General responsibilities include arriving first at the location to allow the set dressers onto the set. They also maintain the cleanliness of the location areas during filming and fielding complaints from residents in the area.

In the absence of a Location Manager or On-Set Location Manager, another crew member must be nominated by the Producer to accept and implement the responsibilities of the Location Manager.

2.15 Offensive Language

All cast and crew must endeavour to refrain from using offensive language on Location where it is likely to cause offence to the general public or any individual connected or not connected to the film shoot.

2.16 Parking

Production vehicles should not block driveways or park on nature strips. Parking must be in accordance with the Film Permit, local laws and in accordance with *Road Safety Road Rules 2009* (Vic).

2.17 Permit in Evidence

The relevant Film Permit should be on Location at all times and should be made available for the scrutiny by local government officers, local residents or other interested parties.

2.18 Removal, Alteration or Addition of Signage and Infrastructure

The removal, alteration or addition of signage, such as street signs or parking signs or any infrastructure whatsoever, should not be undertaken without the express permission of the relevant public agency or authority and that permission should be detailed in the relevant Film Permit, Location Agreement or a written authorisation.

2.19 Removal or Cutting of Vegetation

The removal or cutting of any vegetation should not be undertaken without the express permission of the Location Provider or the relevant public agency or authority. The removal or cutting of vegetation may require a planning permit from the relevant Council.

2.20 Removal or Towing of Vehicles

The removal or towing of vehicles is illegal without the express permission and authorisation of the vehicle owner or authorised party and should not be attempted.

2.21 Rubbish

All rubbish must be contained in rubbish bins provided by the production company. All production rubbish including construction and dressing materials must be removed from the location and disposed of in accordance with local laws.

2.22 Security

Screen production can attract significant crowds of onlookers or attract individuals to a location that may present a security risk to the crew and general public. It is the responsibility of the Producer or Location Manager to ensure the security of all workplaces associated with a production. Productions may also hire security companies to watch over their locations or parking places overnight, before or after the date of the filming, protecting production sets and saving time and inconvenience by keeping vehicles parked close to the location.

2.23 Smoking and Designated Smoking Areas

A designated smoking area must be established in an off-set area that will not affect non-smoking cast and crew or irritate the general public or any individuals not connected with the film shoot.

Smoking in the vicinity of children should be avoided at all times.

Smoking must be confined to a designated smoking area equipped with ample numbers of enclosed, wind proof ashtrays or bins to accommodate all cigarette litter.

Local government and other agencies such as Parks Victoria designate many outdoor areas such as beaches and playgrounds as smoke free. Designated smoking areas should not be established in these areas.

Smoking is specifically banned in interior location sets, in studio complexes and areas where there is or is likely to be flammable liquids (such as fuel storage areas). These areas must be signposted with 'no smoking' signage.

The on-screen smoking or mock smoking of herbal cigarettes may be sanctioned by the Producer where scripted content requires actors to smoke, provided the Safety Supervisor, safety report or safety plan has established there is no risk to the health and safety of cast and crew.

Smoking is not permitted in any enclosed area of a workplace, including shopping centres, restaurants and licensed premises. (www.health.vic.gov.au/tobaccoreforms/workplaces.htm).

The Victorian Government has developed an anti- tobacco strategy comprising the regulation of the sale and display of tobacco products and reduction of environmental tobacco smoke through legislation, as well as a range of tobacco education and smoking cessation interventions. Recently, the Tobacco Amendment Act 2016 has banned smoking in outdoor dining areas and regulated e-cigarettes and shisha tobacco in the same way as other tobacco products. (<https://www2.health.vic.gov.au/public-health/tobacco-reform>)

2.24 Trespassing

Trespassing on properties is illegal and should not be undertaken under any circumstances. Access to another property should only occur with the consent of the owner of that property or authorised party.

2.25 Drones / Remotely Piloted Aircraft (RPAs)

Significant technological advances and associated cost reductions have made RPAs more accessible, including at the very small end of the RPA scale.

The current Civil Aviation Safety Regulations 1998 (CASR) Part 101 and also Advisory Circular AC 101-01 v2.0 (updated December 2016) deal with remotely piloted aircraft. Some of the key advice provided on the use of RPAs includes the following:

- operators must not fly closer than 30 metres to vehicles, boats, buildings or people
- operators must not fly over any populous area such as beaches, private backyards, heavily populated parks, or sports ovals when there is a game in progress
- operators should not fly within 5.5 km of an airfield
- operators must only operate aircraft within line-of-sight in daylight
- RPA pilots need general aviation knowledge in line with a private pilot's licence, as well as specific unmanned aircraft skills
- individuals must have a Controller's Certificate and the operating entity has to hold an RPA Operator's Certificate

When considering applications for filming with remotely piloted aircraft, local councils and public agencies may request documentation confirming that the operator is qualified to operate the aircraft, along with detailed flight route, stakeholder notification and risk management plans.

For the most up to date advice and resources, visit <https://www.casa.gov.au/operations/standard-page/rpa-resources-and-links>



Section 3: PROCEDURE



It is a requirement, good practice and fundamental courtesy to supply all concerned parties with adequate notification of a proposed film shoot, and to enter into consultation with relevant authorities, businesses, community groups, residents and individuals who may be affected by proposed filming activities. Procedural requirements in regard to notification, consultation and documentation are detailed as follows.

3.1 Consent

The written consent of residents and retailers may be required by local government or relevant authorities prior to the commencement of any film shoot. It is the responsibility of the Producer to obtain written consents when required.

3.2 Emergency Services

Emergency Services Telecommunications Authority (ESTA)

The Emergency Services Telecommunications Authority manages Triple Zero (000) calls throughout Victoria for the following emergency services organisations:

- Victoria Police
- Country Fire Authority
- Metropolitan Fire Brigade
- Ambulance Victoria.

ESTA also manages call taking and dispatch for the Victorian State Emergency Service via the flood and storm number 132 500.

ESTA operates 24 hours a day, seven days a week.

Triple Zero Process

Triple Zero (000) should only be called when police, fire or ambulance attendance is needed in a life-threatening or time critical situation.

Some examples of an emergency include:

- Air, rail or water accidents
- Allergic reaction resulting in difficulty breathing
- Severe bleeding
- Breathing difficulty (e.g. severe asthma)
- Diabetic low
- Drug overdose
- Drowning
- Electric shock, burns or industrial accidents
- Explosion or bomb incidents
- Fire threatening life or property
- Suspected heart attack
- Road accidents
- Severe stomach pain
- Suspected stroke
- Trapped person
- Trauma (injury)
- Unconscious person
- Violence (assault, brawl, domestic).

For enquiries contact:

Emergency Services Telecommunications Authority
33 Lakeside Drive
Burwood East VIC 3151
Tel: 03 8656 1200
Email: info@esta.vic.gov.au
www.esta.vic.gov.au

Victoria State Emergency Service (VICSES)

VICSES is a volunteer based organisation responding to emergencies and working to ensure the safety of communities around Victoria. It is the lead agency when responding to floods, storms and earthquakes and operates the largest network of road rescue in Australia.

VICSES also provides assistance to other emergency services such as Victoria Police, and to municipal councils in planning and auditing their emergency management plans. It plays a key role countering the effects of natural and technological emergencies.

For further information about VICSES visit www.ses.vic.gov.au.

Call 132 500 from anywhere in Victoria for emergency SES assistance in a flood or storm.

3.3 Insurance and Indemnification

The Producer is required to have adequate levels of insurance to protect and indemnify:

- cast, crew, or other individuals at the workplace and the public for any loss, damage or injury arising out of acts or omissions of the producer, the producers employees, agents or contractors
- the location provider against all claims or suits against the location provider for loss, damage or injury arising out of the acts or omissions of the producer, its employees, agents or otherwise.

Indemnities are generally part of the conditions attached to the issue of a Film Permit by government or local government authority, or are part of a Location Agreement provided to the Location Provider by the Producer.

Details about that insurance are as follows:

3.3.1 Public Liability Insurance to a minimum of \$10million to \$20million, (dependant on the municipality and activities undertaken) is an essential requirement of local government in Victoria before a film permit will be granted. These levels of insurance are generally required by all Location Providers

3.3.2 Student film makers should be certain that their activities are covered by public liability insurance provided by their respective institutions

3.3.3 Insurance cover should be verified by the provision of a copy of the production company's Certificate of Currency to the location provider or relevant authority, detailing the extent of the company's public liability cover

3.3.4 Any and all exclusions attached to a particular insurance cover must be noted on the copy of the Certificate of Currency

3.3.5 Local government or other relevant authorities and/or location providers may require their interest to be noted on the Certificate of Currency. It is the responsibility of the Producer to obtain that notation from the insurance underwriters when required.

3.4 Local Government

Local government is a distinct and essential tier of government in Victoria consisting of democratically elected councils having the functions and powers that the Parliament considers are necessary to ensure the peace, order and good government of each municipal district.

Councils may be constituted as city councils, rural city councils or shire councils. The municipal districts of city councils are predominantly urban in character, rural city councils are partly urban and partly rural and shire councils are predominantly rural.

It is the role of councils to provide governance and leadership for the local community through advocacy, decision making and action.

It is also the role of councils to manage the permitting or granting of Film Permits for screen production and parking that is planned for public spaces, buildings or grounds that come within the various council jurisdictions.

It is highly recommended that film makers contact or meet with relevant councils whilst in the preproduction or planning stages of a screen production. Often councils can help by providing information well before any permits are requested, thereby reducing the chances of encountering difficulties when undertaking principal photography.

Local government parking and Film Permits are required to be obtained in advance of filming along with an undertaking to abide by the conditions attached to permits. These conditions may include:

3.4.1 A minimum of five to seven working days' notice in writing detailing specific arrival and departure times, shooting and wrap times; the precise nature of the production shoot including laying of camera tracks or cables across footpaths, driveways and roadways; other information in regard to traffic control; any possible disruption to retail outlets; or any disruption or inconvenience to be incurred by parties not attached to the film crew

***notification requirements vary from council to council and vary according to the complexity of requests.**

3.4.2 The provision of detailed Traffic Management Plans (known as TMPs) and Pedestrian Management Plans (PMPs) where filming requires any degree of traffic or pedestrian management. Councils will require these plans for any filming on or near bike pathways or pathways within municipal parks. TMPs must comply with the requirements of the coordinating road authority under the Road Management Act 2004 (Vic). Local government authorities generally require these plans to be submitted by Traffic Management Companies registered in Victoria

3.4.3 An indication of crew size meaning the numbers of personnel on site including all actors, extras, contractors, invited guests and any other persons associated with the production

3.4.4 Vehicle numbers and parking requirements

3.4.5 Specific areas to be utilised

3.4.6 Risk assessment and management if required or appropriate

3.4.7 Public liability insurance via a copy of a certificate of currency in evidence

3.4.8 Copies of public notification being letter drops or copies of correspondence to residents, retailers or any party likely to be affected by the proposed film shoot

3.4.9 Details of Victoria Police, VicRoads and any other agencies or public authority notifications where appropriate

3.4.10 An undertaking in regard to the payment of relevant permit or parking fees

3.4.11 An undertaking in regard to the removal of rubbish and the restoration of the location to its original good condition

3.4.12 An undertaking to ensure public safety

3.4.13 An undertaking that all members of the film crew will be courteous and polite to the general public.

As public land managers, local government is required to comply with the film friendly principles when performing any functions or duties or exercising any powers under filming approval legislation in relation to commercial filming on public land. Film Victoria developed the Film Friendly Guidelines as a document to assist public agencies in understanding and implementing the Filming Approval Act and to comply with the eight film friendly principles outlined in the Act. These guidelines can be accessed online:
<https://www.film.vic.gov.au/images/uploads/Victorian-Film-Friendly-Guidelines.pdf>

3.5 Negotiation

Having followed a process of notification and consultation, permission to film at any given location cannot be presumed a fait accompli. Retail outlets and residential streets can be particularly sensitive to filming activity.

A local government body or relevant authority may require the Producer or Location Manager to enter into negotiations with residents and businesses with regard to the feasibility of a film shoot at a Location. Such a negotiation may result in the Producer or Location Manager providing additional assurances or accepting additional conditions with regard to a film shoot and, in certain instances, undertaking to financially compensate businesses likely to suffer a loss of trade.

It is the responsibility of the Producer or Location Manager to enter into negotiations in good faith and to do everything reasonable to meet the concerns of residents, business or any other affected party.

3.6 Parks Victoria

Parks Victoria manages some of Victoria's most spectacular public spaces including National Parks, State Parks, Crown Land Reserves, Port Phillip and Western Port, Yarra and Maribyrnong Rivers and a variety of Metropolitan Parks. These spaces are of great interest to film-makers and photographers from all over the world.

Parks Victoria recognises the value that the film and photography industries bring to the state and local communities and encourages showcasing them in the best possible way. Its parks and waterways are governed by sets of specific rules to ensure they are used in a responsible way to preserve them for future generations. Permits are required to undertake specific activities on public land and allow Parks Victoria to manage use of the parks to the enjoyment and safety of all users, while protecting value flora and fauna.

Permits are required in the following instances:

- Anyone conducting filming or photography as part of their trade or business.
- Wedding and portrait photographers not already covered by an event permit.
- Some student productions (please submit an application form to events@parks.vic.gov.au and we will assess whether a permit is required or not).
- Drone filming and photography including drones under 2kg. Please note, only CASA-certified operators can apply for a permit.

Parks Victoria can provide advice on locations, site restrictions and planned park events and activities that could affect filming and photography. Site visits can also be arranged to assess conditions and safety arrangements. Guidelines and information about permit applications can be found on the Parks Victoria website at: <http://parkweb.vic.gov.au/park-management/applications,-licences-and-permits/filming-and-photography>

For more information contact Parks Victoria on 13 19 63 or events@parks.vic.gov.au

3.7 Public Transport

Public Transport Victoria - notification of events affecting public transport

Under Victorian legislation, organisers of events in Victoria are required to notify Public Transport Victoria, if their event is likely to have an impact on public transport services. Screen production is an event for the purposes of this legislation. PTV has developed the Special Events Management System (SEMS), a cloud based system which is accessible from any web browser and which administers event notifications. For information please refer to: <https://www.ptv.vic.gov.au/news-and-events/events/specialevents/>

Contact:

Special Events Management System
<https://ptv.resolvecloudbase.com.au/>
Public Transport Victoria
GPO Box 4724
Melbourne VIC 3001
Tel: 1800 800 007

Trams

Yarra Trams operate trams across greater Melbourne under franchise from the Victorian Government. Yarra Trams has developed a filming policy in order to work closely and cooperatively with companies and organisations who wish to use their fleet for commercial filming and photographic purposes. Yarra Trams filming policy and application forms can be access at: <http://www.yarratrams.com.au/corporate/more-information/filming-and-photography/>

Metro Trains

Metro Trains operate trains across greater Melbourne under franchise from the Victorian Government. Their Filming and Photography Guidelines are designed to facilitate film, television and multimedia productions using Metro Trains' assets. The Guidelines and Application Form can be accessed at: <http://metrotrains.com.au/filming-and-photography>

V/Line Trains

V/Line is Australia's largest regional public transport operator. In addition to being a passenger service operator, V/Line is a not-for-profit corporation under the *State Owned Enterprises Act 1992*. V/Line has a procedure (SRPR-025) for filming and photographic access used by the Marketing and Stakeholder Relations team to manage third party access requests on to V/Line managed infrastructure. For filming, photography or promotions at Southern Cross Station, V/Line's procedure is (SRPR-029).

Requests for filming or photography can be made to community.relations@vline.com.au.

Southern Cross Station

Southern Cross Station is operated by Southern Cross Station Pty Ltd under a long term management agreement with Public Transport Victoria. The station is an iconic building within Melbourne and as such requests for filming and photography are common. Management works closely with organisations to meet requests where possible and subject to filming specific requirements. Requests can be made by contacting catherine.puglisi@jcdecaux.com

3.8 Residents, Businesses, Organisations and the General Public

Residents, businesses, organisations and the general public require notification in writing preferably seven days in advance of any filming activity that may potentially inconvenience, cause loss of trade, or create any impact on those parties. This notification needs to:

- 3.8.1 Be in writing with a clear outline describing the nature of the filming including precise dates and times. Times should include a reference to initial set up and final wrap out or completion times
- 3.8.2 Contain a telephone contact for the production and an individual contact, preferably a Location Manager or a crew member who has taken on the responsibilities of the Location Manager and who will be available on the day of the shoot to manage the location and address any concerns
- 3.8.3 Assure all parties that the relevant permits and permission have been or are in the process of being obtained and the relevant authorities such as Victoria Police have been notified

3.8.4 Provide a guarantee that every effort will be made to avoid inconvenience or loss of trade to any party or parties not connected with the film shoot

3.8.5 Give an assurance that the location will be left in its original good condition.

3.9 Taxation

Foreign producers or non-residents seeking to enter Australia to work on a screen production should familiarise themselves with their obligations and responsibilities under Australian Tax Laws.

International Tax for Individuals

The Australian Taxation Office (ATO) provides information for tax professionals on individuals who are Australian residents for tax purposes who earn foreign income, and individuals who are not Australian residents for tax purposes who earn Australian income. This advice is available on the ATO website at:

<https://www.ato.gov.au/Individuals/International-tax-for-individuals/>

Goods and Services Tax (GST) & Cast/Crew Withholding Tax Guide for Foreign Producers

Money Penny Services in conjunction with the Screen Producers Association of Australia (SPAA) has produced a guide entitled *Goods and Services Tax (GST) and Cast/Crew Withholding Tax Guide for Foreign Producers*.

This guide can be sourced as a fact sheet on the Ausfilm website at: <http://www.ausfilm.com.au/wp-content/uploads/2012/07/c019a9700f5c6368593ab1f0ebfbaf7c.pdf>

3.10 Traditional Owners

Aboriginal and Torres Strait Islanders are Australia's First Peoples and the Traditional Owners and Custodians of the land.

Screen production at locations that are culturally sensitive or are of cultural heritage significance to the Aboriginal people of Victoria, require consultation with the relevant Registered Aboriginal Parties (RAPs) under the provisions of *The Aboriginal Heritage Act 2006*.

The main purpose of the Act is to provide for the protection of Aboriginal cultural heritage in Victoria.

The objectives of the act are:

- a) to recognise, protect and conserve Aboriginal cultural heritage in Victoria in ways that are based on respect for Aboriginal knowledge and cultural and traditional practices
- b) to recognise Aboriginal people as the primary guardians, keepers and knowledge holders of Aboriginal cultural heritage
- c) to accord appropriate status to Aboriginal people with traditional or familial links with Aboriginal cultural heritage in protecting that heritage
- d) to promote the management of Aboriginal cultural heritage as an integral part of land and natural resource management
- e) to promote public awareness and understanding of Aboriginal cultural heritage in Victoria
- f) to establish an Aboriginal cultural heritage register to record Aboriginal cultural heritage
- g) to establish processes for the timely and efficient assessment of activities that have the potential to harm Aboriginal cultural heritage
- h) to promote the use of agreements that provide for the management and protection of Aboriginal cultural heritage

- i) to establish mechanisms that enable the resolution of disputes relating to the protection of Aboriginal cultural heritage
- j) to provide appropriate sanctions and penalties to prevent harm to Aboriginal cultural heritage.

3.10.1 Production companies and their representatives must determine whether potential or proposed Locations are areas of cultural heritage sensitivity or significance. It is preferable that production entities contact the relevant RAPs in the first instance for advice. It is also the role of the relevant permitting authority to advise production companies in regard to Locations of cultural sensitivity and significance.

The permitting authority could be a Local Government authority, Parks Victoria or the Department of Sustainability and Environment (DSE). Advice can also be sought from the Victorian Aboriginal Heritage Council (VAHC) and the Department of Planning and Community Development (DPCD) in identifying areas of cultural heritage sensitivity and significance and how to initiate and proceed with consultation with the relevant RAPs

3.10.2 Film Victoria has developed an indigenous maps tool to identify registered RAPs and the areas that individual RAPs are legally responsible for in terms of managing and protecting Aboriginal cultural heritage in Victoria. This tool can be accessed on Film Victoria's website at:
<https://www.film.vic.gov.au/choose-victoria/locations/>

3.10.3 The Victorian Aboriginal Heritage Council (VAHC) was created under the *Victorian Aboriginal Heritage Act 2006* to ensure that Aboriginal people throughout Victoria play a central role in the protection and management of their heritage. The VAHC works with key partners to influence policy and build a better understanding and appreciation of Victoria's rich Aboriginal heritage.

The VAHC can be contacted by directing correspondence to:

Victorian Aboriginal Heritage Council

Aboriginal Affairs Victoria
1 Treasury Place, East Melbourne Victoria 3002
Email: vahc@dpc.vic.gov.au
Tel: 03 9651 2643
Fax: 03 8392 5399

3.10.4 Production companies may also need to refer to the provisions of the *Native Title Act 1993 (Cwlth)*. Advice about the application of the *Native Title Act* can be obtained from:

Native Title Unit

Department of Justice and Regulation

L24/121 Exhibition Street
Melbourne VIC 3000
Tel: 03 8684 7523

3.10.5 Producers have a responsibility to enter into meaningful consultation with Indigenous people to ensure cultural heritage has not been misappropriated into screen content and that screen content does not demean Indigenous cultural beliefs.

Screen Australia has published a comprehensive guide for all filmmakers working with Indigenous content and communities, titled *Pathways and Protocols: a filmmaker's guide to working with Indigenous people, culture and concepts*. This guide is available on the Screen Australia website at:
<https://www.screenaustralia.gov.au/about-us/doing-business-with-us/indigenous-content/indigenous-protocols>

3.11 VicRoads

VicRoads manages Victoria's main roads and freeways, except for tollways, which are privately managed (e.g. CityLink or EastLink). These roads are referred to as arterial roads.

Local councils and other agencies, such as Parks Victoria and the Department of Environment, Land, Water and Planning (DELWP), manage local or non-arterial roads and roads in national parks and other restricted areas.

VicRoads generally supports filming on the road network, as long as road infrastructure is not damaged and there is no disruption to traffic flow and road safety.

A permit from VicRoads is required for:

- filming on arterial roads
- using specialist filming vehicles on arterial or non-arterial roads
- filming while talent/artists are under direction, while driving a vehicle
- using a modified vehicle on arterial or non-arterial roads. This includes camera mounts, rigging, and dressed vehicles such as police cars, left hand drives, or vehicles with changed number plates
- using an unregistered vehicle
- seeking exemptions from certain requirements of the *Road Safety Act 1986* and associated rules and regulations

Applications to film on the roads network frequently involve traffic management, police involvement and an assessment of public safety. As a general guide, VicRoads requires a minimum of five business days' for applications including police traffic management that do not require police escort. Applications for specialist filming vehicles that require police escort or supervision may take longer to process.

If road rules or regulations are to be broken during filming, you must apply to VicRoads for an exemption from the *Road Safety Act 1986* or associated rules and regulations. There are some circumstances where VicRoads is unlikely to give permission for filming due to safety and public amenity.

Please note that it is important to contact VicRoads to discuss your particular requirements as early as possible when planning your production. Extra time may be needed for more complex requests (such as changes to infrastructure or to the speed limit), so it is best to contact VicRoads as early as possible.

For full details about VicRoads *A Guide to Filming on Victorian Roads, Event and Filming Application Checklist* and *Event and Filming Non-Road Activity Application Form* process refer to:

<https://www.vicroads.vic.gov.au/~media/files/documents/traffic-and-road-use/a-guide-to-filming-on-victorian-roads.docx?la=en>

Enquiries should be directed to:

Permits and Events Team

Journey Services

VicRoads

60 Denmark Street

Kew VIC 3101

Tel: 03 9854 2781

Email: vicroadsfilming@roads.vic.gov.au

www.vicroads.vic.gov.au

* Email enquiries sent to vicroadsfilming@roads.vic.gov.au are preferable

3.12 Victoria Police

The Victoria Police Film and Television Office is the point of contact for the film and television industry when requiring Victoria Police Resources in relation to filming.

The office protects the interests and reputation of Victoria Police by working in partnership with the industry. The Victoria Police Film and Television Office assists the industry by coordinating the deployment of:

- Police resources - traffic management and on screen appearances
- 'Generic' police uniform and equipment hire
- Research assistance
- Filming notifications.

Victoria Police require 7 – 10 days notification for all requests for police assistance or facilities. This also includes requests for traffic management resources.

The Police Filming Notification Form is used to notify police of filming activities that may cause public alarm and unnecessary calls for police assistance (Triple Zero 000 Calls). Victoria Police require notification at least two working days prior to any filming activity that may be seen or heard by members of the public and which involves:

- Use of firearms (real or imitation), weapons or special effects eg. explosives, flames, smoke, mock car accidents
- Use of private traffic management on major roads (include traffic management plans)
- Any activity that may cause public concern including but not limited to violence (physical and/or verbal), mock police, military activity, large crowds, etc.
- Use of remote piloted aircraft (drones) over public places

Failure to adhere to the above time frame may result in the notification not being processed.

It is important to note that:

- Notification may only be distributed to relevant parties within Victoria Police including Emergency Services Telecommunications Authority (Refer to Section 3.2 of the code for detailed information about ESTA). It is recommended that other relevant agencies are notified eg. Metropolitan Fire Brigade, Country Fire Authority, Ambulance.
- Notification is in no way approval of your filming activity. You must contact the relevant land/road management authority.
- Where a police presence is not required, producers must ensure that traffic plans and signage erected around the film location at all times comply with the VicRoads Worksite Traffic Management Code of Practice.

Enquiries should be directed to:

Film and Television Office

Media and Corporate Communications Division

Victoria Police

637 Flinders Street

Docklands VIC 3008

Tel: 03 9247 5266

Email: film.tv@police.vic.gov.au

www.police.vic.gov.au/content.asp?Document_ID=793

3.13 Visas

Ausfilm

Ausfilm is a partnership organisation between private industry and government. It comprises Australia's Federal, State and Territory Governments and approximately 30 private-sector companies. Ausfilm provides the international film community with direct access to Australia's screen incentives, talent and facilities and has produced a fact sheet on Entertainment Visas that can be sourced on the Ausfilm website at: <http://www.ausfilm.com.au/factsheets/visas-factsheet/>

Department of Home Affairs

Non-residents seeking to enter Australia to work in any capacity on a screen production will be required to obtain the relevant entertainment visa prior to entering the country. Information about entertainment visas can be obtained from:

<http://www.homeaffairs.gov.au/about/contact/offices-locations/australia>

Department of Immigration and Border Protection

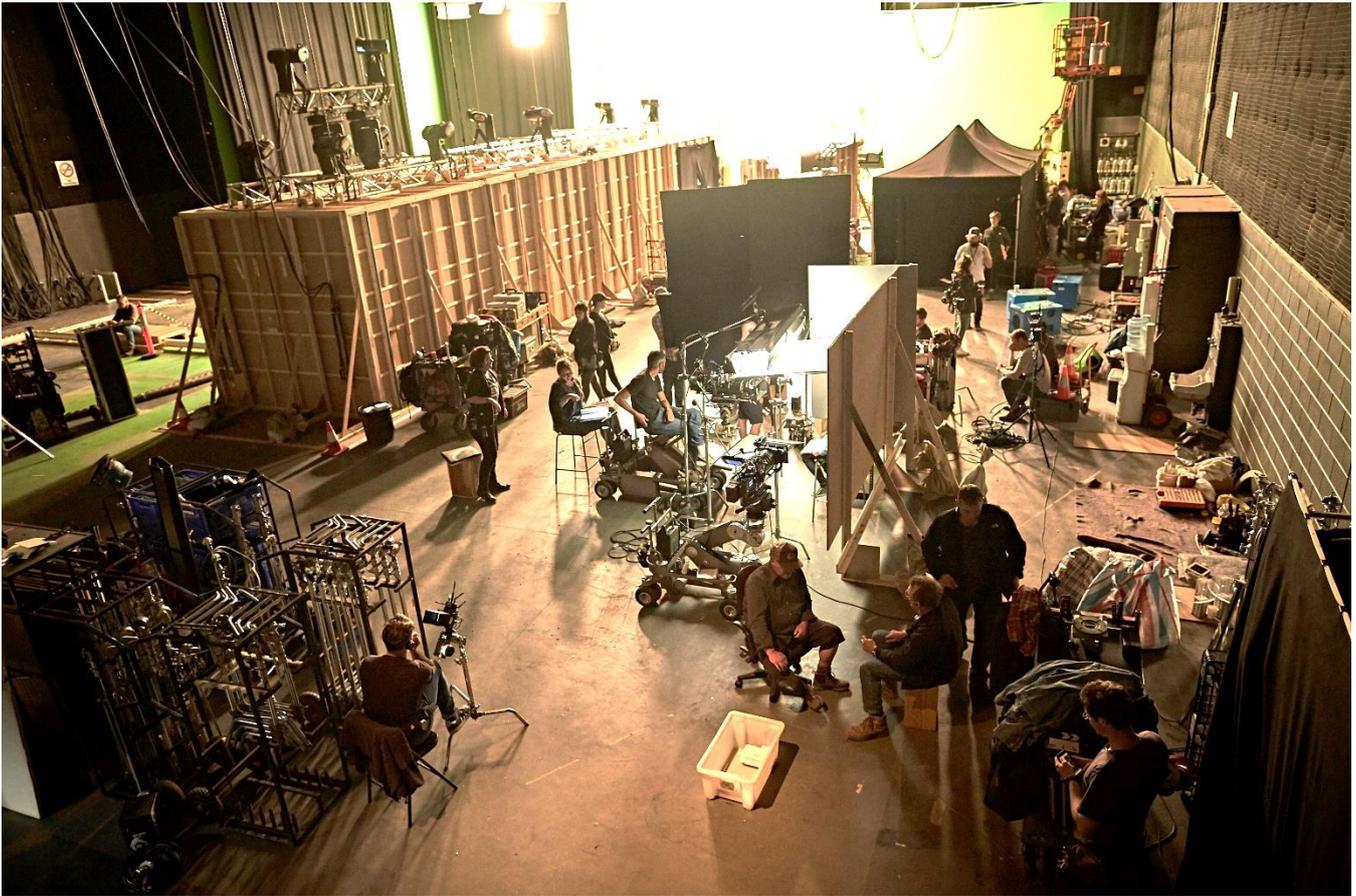
Level 6, 2 Lonsdale Street

Melbourne Vic 3000

Tel: 13 18 81



Section 4: SAFETY



The key occupational health and safety concerns for the screen industry in Victoria are to secure the safety of employees, any other individuals at the workplace and the general public, and to achieve occupational health and safety compliance under the law.

It is incumbent on all screen production personnel to follow the direction of the Safety Supervisor, to read and understand the contents and required actions of the production Safety Report and to take responsibility for individual and collective safety.

A Safety Supervisor should be present during all stunt/ hazardous action, or hazardous crew activity, special effects action and where significant location hazards exist.

Safety concerns can also be addressed by an awareness of the objects and principles of the *Occupational Health and Safety Act 2004 (Vic)*

4.1 Objects

The objects of *Occupational Health and Safety Act 2004* are:

4.1.1 To secure the health, safety and welfare of employees and other persons at work

4.1.2 To eliminate, at the source, risks to the health, safety or welfare of employees and other persons at work

4.1.3 To ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings by employers and self-employed persons

4.1.4 To provide for the involvement of employees, employers and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards.

4.2 Principles

The principles of health and safety protection under the Occupational Health and Safety Act 2004 are:

4.2.1 The importance of health and safety requires that employees, other persons at work and members of the public be given the highest level of protection against risks to their health and safety that is reasonably practicable in the circumstances

4.2.2 Persons who control or manage matters that give rise or may give rise to risks to health or safety are responsible for eliminating or reducing those risks so far as is reasonably practicable

4.2.3 Employers and self-employed persons should be proactive, and take all reasonably practicable measures, to ensure health and safety at workplaces and in the conduct of undertakings

4.2.4 Employers and employees should exchange information and ideas about risks to health and safety and measures that can be taken to eliminate or reduce those risks

4.2.5 Employees are entitled, and should be encouraged, to be represented in relation to health and safety issues.

4.3 Safe Workplace Statement

Film Victoria has zero tolerance for unsafe workplace behaviours, including discrimination, harassment and bullying. This includes all events and activities that we manage and support as well as on all projects and other initiatives we fund.

Film Victoria is committed to actively working to eliminate sexual harassment and other unsafe workplace practices and behaviours in our industry.

All reports of harassment, bullying and other unacceptable behaviour will be swiftly investigated in accordance with our policies and relevant legislation and acted upon as appropriate.

Film Victoria expects employers (including producers) to comply with:

- All legislation relating to providing a safe workplace including state and federal harassment and discrimination legislation;
- Industry codes of conduct, including the *Australian Screen Industry Code of Practice: Discrimination, Harassment, Sexual Harassment and Bullying*.

Addendum: Amendment to the Code of Conduct



Film Victoria has produced the code through extensive consultation with the screen industry, local government, Victoria Police and a variety of other public authorities and Location Providers in the State of Victoria.

Film Victoria retains the sole right to make amendments to the Code pursuant to legislative or regulatory change or issues of significant concern or other relevant information being brought to the attention of Film Victoria.

Enquiries should be directed to:

Film Victoria

Level 3 – 55 Collins Street
Melbourne VIC 3000
P: +61 3 9660 3200

E: contact@film.vic.gov.au

W: www.film.vic.gov.au

