

## **Code of Practice for News Access of ESPN STAR Sports and STAR Cricket channels in India (“Code of Practice”)**

Members of the News Broadcasters Association (“News Broadcaster(s)”) may use footage from sporting events telecast live by ESPN STAR Sports and STAR Cricket (“Sports Broadcaster”) without payment to the Sports Broadcaster, within the following parameters:

1. A News Broadcaster is allowed upto a maximum of 4.5 minutes of footage of the Sports Broadcaster per match per day (24 hours) including not more than 4 minutes of footage and 0.5 minutes for showing the toss, and presentation ceremony post the match. Interviews, features and other non-play material are not included in the above mentioned time and the same cannot be carried by the News Broadcaster.
2. News Broadcaster will be entitled to a maximum of four repeats per match per day, of the 4.5 minutes of footage as stated above.
3. In addition to the footage agreed above, in case of an “exceptional event” and/or “landmark achievement” news broadcasters may use additional footage of upto 1 minute per day which can be repeated in news cycles.
4. Usage of live footage of any event by News Broadcasters is not allowed under any circumstances. A minimum of 7 (seven) minutes delay is required to take footage from a live event.
5. Use of footage as above can only be for a duration of 24 hours following the completion of the match after which the footage will be regarded as archival.
6. Use of Archival clips of the ICC World Twenty20 2009 shall be permissible up to a maximum of 2 minutes per day till the commencement of the next Twenty20 match of the ICC World T20 tournament. Any use beyond the said minutage by a News Broadcaster must only be after agreement with the Sports Broadcaster.
7. News Clips can not in any circumstances be re-harnessed for any commercial purpose in any manner whatsoever. A news broadcaster is however, not prevented from commercially exploiting a programme as a whole provided no advertisements are carried immediately before, immediately after or during a clip including but not limited to by any means of stings, sponsorship, sponsor messages, logos, crawls or the insertion or any other commercial activity on the footage and no association should be created between the clip used and any third party brand or product.
8. Courtesy bug will be pasted through out the use of content on air. If the logo is covered by the news and current affairs broadcasters’ logo there needs to be a courtesy line extended at the bottom of the screen.
9. The code is framed on basis of well established fair use principles.
10. Any use beyond the provisions of this Code of Practice by any News Broadcaster should be supported by prior written agreement and subject to any payments agreed between the Sports Broadcaster and News Broadcaster(s).
11. All disputes relating to any infringement of Sports Broadcaster’s rights in India shall be subject to adjudication by courts at New Delhi only.
12. a) Sports Broadcaster will enter into an agreement with the News Broadcasters Association (NBA) on behalf of its members.  
b) News Broadcasters would enter into separate agreements with the Sports Broadcaster for use of footage beyond the provisions of this Code.
13. In case of violation of any of the above clauses, the Sports Broadcaster may charge the News Broadcasters a financial penalty equal to the cost of a standard news clip sales package as determined by the Sports Broadcaster.

**June 5, 2009**

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