



NEWS ACCESS RULES
MANCHESTER 2023
PARA SWIMMING WORLD CHAMPIONSHIPS
JULY 2023

INTRODUCTION

World Para Swimming (“WPS”) is the responsible body within the International Paralympic Committee (“IPC”) for governing the sport of Para Swimming worldwide and is the exclusive owner of the Para Swimming World Championships (“Championships”) and all rights, content and data relating to it. The rights in the Championships include, in particular and without limitation, all rights relating to the organisation of the Championships, their commercial, marketing and cultural exploitation, the broadcasting of the Championships and all audio and audio-visual content and recordings from the Championships, together with the right to (and to authorise others to) transmit, reproduce, display, disseminate, make available and communicate to the public such content and recordings by any means now known or to be developed in the future.

All Championships Material is protected by national and international copyright laws throughout the world, and the copyright and all related rights in the Championships Material is owned by and is the exclusive property of the WPS.

Only those organisations that have been granted the right by WPS to broadcast Championships Material for a particular territory (“Media Rights Holders”) may do so. No other organisation may broadcast, exhibit, or distribute audio-visual or audio-only coverage of the Championships, including training, sporting action, victory ceremonies, mixed zone interviews or other activities which occur at the Championships Venues, during the Championships Period. The purpose of these Rules is to define the exception to this principle.

These Rules are therefore issued for the benefit of non-rights holders, covering Television Broadcasters, Radio Broadcasters and News Media Organisations (together referred to as “Non-Rights Holders”). These Rules apply to the use of audio and audio-visual content in News Programmes, whether distributed by television broadcasting, radio broadcasting, Internet (including newspaper websites), mobile platforms, social media or via other digital media news products and services.

These Rules are subject to applicable national laws and regulations, including any “fair dealing”, “fair use” or equivalent principles in national copyright laws throughout the world.

Capitalised terms used in these Rules have the meaning set out in the Definitions section at the end of these Rules.

These Rules will come into force on 31 July 2023 and remain in force until the end of the Championships on 6 August 2023. WPS reserves the right to amend these Rules as it deems appropriate at any time, including during the Championships.

1 ACCESS TO CHAMPIONSHIPS MATERIAL

- 1.1 Sources of Championships Material for editing and broadcasting of Short Extracts for News Programmes. In accordance with these Rules, Non-Rights Holders may make arrangements to gain access to Championships Material for use in News Programmes using one or more of the following sources:
- a. **Media Rights Holders**, in territories where there is a Media Rights Holder.
 - b. **International Sports Broadcasting**, as the host broadcaster, who will make available a daily highlights package consisting of best moments from the day's competition, which may be accessed by Non-Rights Holders for the purposes of selecting and editing Short Extracts for use in news reporting strictly in accordance with these Rules (and not for any other purposes).
- 1.2 **Arrangements, costs of access and technical charges.** Non-Rights Holders will be responsible for making their own arrangements, at their own cost, for gaining access to Championships Material using one or more of the sources set out in paragraph 2.1 above. Non-Rights Holders must negotiate directly with the respective source and pay such fees and technical charges as are agreed between them.

2 RULES APPLICABLE TO THE USE OF SHORT EXTRACTS FOR NEWS PROGRAMMES DISTRIBUTED BY TELEVISION AND NON-TELEVISION DELIVERY

- 2.1 All use of Championships Material (for Television and Non-Television Delivery) for News Programmes is strictly subject to the following restrictions:
- a. **Use in News Programmes only:** Championships Material may be used only as a part of bona fide news or sports news programmes of which the actual news or sports news element constitutes the main feature ("**News Programmes**"). News Programmes must not be positioned or promoted as official Championships programmes; and
 - b. **Three (3) minutes per day:** Non-Rights Holders may use a maximum of three (3) minutes of Championships Material per day which may be included in any number of News Programmes.
- 2.2 **Courtesy credit/Media Rights Holder "bug":** each use of Championships Material in accordance with these Rules must contain an on-screen credit to the local Media Rights Holder. This can be achieved either by leaving on the Media Rights Holder's watermark for the duration of the Short Extract or, should the Championships not be sourced through the local Media Rights Holder, by adding a super video credit for the Media Rights Holder for the duration of the news clip to read as follows:

“Footage Courtesy (or the translation in the local language): Name of Media Rights Holder”,

provided always that such display of the credit/bug is in accordance with local law and accords with established custom and practice in the applicable broadcasting market. All-News and All-Sports News Networks must give an on-screen credit to the WPS.

- 2.3 Championships Material may only be used for a period of forty-eight (48) hours following the completion of the Championships’ event being reported on. After such period, other than through on-demand/catch-up TV as described in paragraph 3.6 below, Non-Rights Holders may only transmit such Championships Material as well as other archive Championships Material with the express prior written consent of the WPS and the Media Rights Holder for the territory concerned.
- 2.4 **Internet and mobile Simulcasting permitted.** To the extent that it is customary for them to do so as part of their normal business operations, Non-Rights Holders are permitted to Simulcast transmissions of News Programmes made by means of Television Delivery (and which contain, in accordance with these Rules, Short Extracts) by means of their Internet Websites, Mobile Platforms and Mobile Apps.
- 2.5 **On-demand/catch-up TV permitted.** To the extent that it is customary for them to do so as part of their normal business operations, Non-Rights Holders are permitted to make available News Programmes which have been transmitted by means of Television Delivery (and which contain, in accordance with these Rules, Short Extracts) on their on-demand/catch-up TV services, whereby viewers may choose to watch such News Programmes at a date and time later than the date and time upon which they were initially broadcast. Non-Rights Holders electing to do this must only make available on their on-demand/catch-up TV services the entire News Programme (of which the Championships Material is part) without any changes to that transmitted through their normal channel. They also may not make available on their on-demand/catch-up TV services edited clips of Championships Material abstracted from such News Programmes. News Programmes containing Championships Material made available on the on-demand/catch-up TV services of Non-Rights Holders may remain available for viewing for a maximum of seven (7) days from the date of first transmission of the relevant News Programme. It is acknowledged that such on-demand/catch-up TV services may be delivered by means of Internet Websites, Mobile Platforms and Mobile Apps.
- 2.6 For the purposes of these Rules the expression “**Non-Television Delivery**” means the making available by Non-Rights Holders in their respective territories only of Short Extracts for the purposes of reporting news stories on:
- a. a single Internet Website of each Non-Rights Holder;

- b. a single Mobile Website and a single Mobile App of each Non-Rights Holder; and/ or
 - c. a single Social Media Outlet of each Non-Rights Holder.
- 2.7 Any use by Non-Rights Holders of Short Extracts for news reporting by means of Non-Television Delivery must comply with the rules, conditions and restrictions set out in this paragraph 3.
- 2.8 **Use in Digital News Services only:** Championships Material may only be accessible via bona fide digital news or sports news services of Non-Rights Holders and included only in the sections dedicated to news or sports news of the Internet Website, Mobile Website, Mobile App or Social Media Outlet (as appropriate) of the Non-Rights Holder ("**Digital News Service**"). Digital News Services must not be positioned or promoted as either an official WPS or Championships website or digital service.

3 RULES GENERALLY APPLICABLE ON-SITE TO ALL NON-RIGHTS HOLDERS

- 3.1 Non-Rights Holders, provided they are holders of an ENR accreditation, have the right to access, with professional video and audio equipment, the Venue Media Centre ("**VMC**") and the Press Mixed Zone ("**PMZ**").
- 3.2 Only the Host Broadcaster, WPS and Media Rights Holders and third parties authorised by WPS are permitted to film within the Championships Venues and broadcast and exhibit Championships Material. However, notwithstanding the above, ENR accredited media, subject in each case to the applicable accreditation entitlement:
- a. are permitted to access the Championships Venues with professional video/audio equipment **only** for the purposes of filming interviews with athletes in the PMZ (in the Non-Rights Holder dedicated section of the Mixed Zone only, without any access to the field of play vision) ("**Non-Rights Holder Produced Material**"). Under no circumstances, Non-Rights Holder Produced Material must not include any sporting action or images displaying the field of play of the Championships.
 - b. may exhibit, by means of Television Delivery and/or Non-Television Delivery, all or portions of interviews that take place in the VMC and PMC, without any territorial restrictions;
 - c. will have access to the VMC and the PMZ as well as access, without such professional video/audio equipment, to other Championships Venues, subject to available space and access/security procedures. As a condition of its accreditation, ENR accredited media may only act as *written* press when reporting from all other Championships Venues (other than the VMC

and PMZ). Filming and audio recording (other than as specified in this paragraph 4) is strictly forbidden inside the Championships Venues. Any breach of this paragraph will result in the temporary suspension or cancellation of the accreditation;

- 3.3 The use of any Non-Rights Holder Produced Material shall be subjected to the rules of paragraph 3 above.
- 3.4 Non-Rights Holders, subject in each case to the applicable accreditation entitlement, may have access, **without** any kind of professional video and audio equipment, to Championships Venues (with the exception of the paragraph 4.2. above).
- 3.5 Non-Rights Holders **must**:
- a. **not make available** or provide Championships Material and/or Non-Rights Holder Produced Material to any third party with the exception of Authorised News Agencies. These news agencies may make such Championships Material available to their regular clients, in accordance with their standard distribution procedures, and provided always that they fully commit to (in their terms of service with their customers) all terms and conditions, rules and restrictions set out in these Rules and procure full compliance with the same by their customers;
 - b. **ensure**, unless otherwise authorised by WPS, that no advertising, promotion, publicity or other message appears at the same time as Championships Material and/or Non-Rights Holder Produced Material, and/or at the same time as any other coverage of the Championships which contains any Championships imagery or Championships Properties (be it superimposed or on a split screen or otherwise or, in the case of Non-Television Delivery, within the video player used to display the Championships Material); and
 - c. **ensure** that no advertising or other message or promotion (including any broadcast programme sponsorship) is placed before, during or after the broadcast and/or display of Championships Material and/or Non-Rights Holder Produced Material, in such a manner as to imply an association or connection between any third party, or any third party's product or service, and Championships Material and/or Non-Rights Holder Produced Material, WPS and/or the Championships.
- 3.6 With the exception of the interviews at the Mixed Zones (as detailed in paragraph 4.2) or in the VMC outside areas (as defined by the Local Organising Committee) under no circumstances may any organisation other than a Media Rights Holder (or WPS) record, film, originate or broadcast and exhibit from any Championships Venue, any Championships Material (including audio/video reports and interviews,

which may be captured via smartphone or other technology devices), via any platform whatsoever (whether live or on a delayed basis).

4 RULES APPLICABLE TO NEWS PROGRAMMES DISTRIBUTED BY AUDIO ONLY SERVICES

- 4.1 Non-Rights Holder Audio-Only Services may use Championships Material in their News Programmes in their respective territories under the following conditions:
- a. Championships Material may be used **only** as a part of News Programmes. Such New Programmes must not be positioned or promoted as either an official WPS or Championships Audio-Only Service or News Programme.
 - b. Non-Rights Holders **must not** broadcast or originate play-by-play commentary or analogous coverage of any Championships Material, whether on a live or delayed basis, or any other material obtained while inside a Championships Venue, including interviews, except with respect to official press conferences held in the MPC if there is a delay of at least thirty minutes from the conclusion of the press conference before the broadcast.
 - c. Actual commentary of competition events taped from the television coverage of the Media Rights Holder in the particular territory can only be used with the **express written permission** of the respective Media Rights Holder.
 - d. Non-Rights Holders, provided they are holders of ENR accreditation, **will have access**, without audio equipment, to Championships Venues and, with audio equipment, to the VMC and PMZ. Specifically, mobile telephone/Skype or equivalent voice only interviews with athletes and team officials are strictly prohibited from taking place in Championships Venues, including mixed zones. ENR accredited journalists **are not permitted** to do telephone voice reports from Championships Venues. An exception to this rule will apply as stated in paragraph 7.

5 MONITORING, INFRINGEMENTS AND WHO TO CONTACT

- 5.1 The Local Organising Committee and WPS will monitor compliance with these Rules for the duration of the Championships.
- 5.2 WPS reserves the right to revoke at any time access permits to the Championships Venues provided to Non-Rights Holders, either on a temporary basis or for the duration of the Championships, in the event of a breach of these Rules, and to take other steps to secure compliance with these Rules and prevent risk of future breaches. Furthermore, the accreditation of any organisation(s) or person(s) attending the Championships, including Non-Rights Holders, may be withdrawn without notice, at the sole discretion of WPS, where a Non-Rights Holder has failed to comply with these Rules.

- 5.3 Any questions, concerns or disputes relating to these Rules, their implementation, or a breach of them by a Non-Rights Holder must be referred first to WPS's Media Operations Manager, who will discuss the matter with the Non-Rights Holder and seek to resolve the question or dispute in good faith. Should that fail to resolve the concern or dispute the matter shall be referred to the Managing Director of World Para Sports for resolution. In the event any disputes cannot be resolved amicably after these steps have been taken, the dispute shall be submitted exclusively to an independent panel determined by WPS. Any such dispute will be determined in accordance with the WPS Rules and Regulations, and the language of the proceedings will be English. The decisions of the independent panel are final, non-appealable and enforceable.

6 DEFINITIONS

"All-News Network" means a network or channel which has news as its sole or predominant content.

"All-Sports Network" means a network or channel which has sports as its sole or predominant content.

"All-Sports News Network" means a network or channel which has sports news as its sole or predominant content.

"Audio-Only Service" means any service for the transmission and/or delivery of audio-only media content, including without limitation radio stations and "Internet radio" services.

"Championships" means the Manchester 2023 Para Swimming World Championships to be held in Manchester from 31 July to 06 August 2023.

"Championships Material" means any audio or audio-visual content of any Championships event, wherever and whenever broadcast and however sourced, including sporting action and coverage of the Opening and Closing Ceremonies, medal ceremonies or other activities which occur at Championships Venues, or which take place in any of the venues as part of the events and activities organised by the Local Organising Committee during the Championships.

"Championships Period" means the period from 31 July 2023 to midnight on 6 August 2023.

"Championships Rights" means all intellectual property rights of whatever kind or nature in relation to the Championships which are owned (or controlled by) WPS and which WPS shall be free to exploit, including through broadcasting, marketing and licensing.

"Championships Venue" the Manchester Aquatics Centre for which a Championships accreditation card or ticket is required to gain entry, including the competition the training, warm-up and practice venues.

“Digital News Service” has the meaning set out in paragraph 2.8.

“ENR” means an accredited Non-Rights Holder.

“Host Broadcaster” means International Sports Broadcasting, the host broadcaster of the Championships.

“Internet” means the network of interconnecting computer systems known as the Internet which transfers data using Internet Protocol (IP).

“Internet Website” means a set of interconnected webpages, accessible via the Internet, usually including a homepage and prepared and maintained as a collection of information and resources by a person, group, or organisation.

“Media Rights Holder” or “MRH” means an organisation which has been granted the right to broadcast the Championships in a particular territory or a group of territories.

“Mobile App” means a software application developed for use on mobile devices and tablets that use a particular mobile operating system, which application delivers audio and audio-visual content to particular mobile devices that use that mobile operating system.

“Mobile Platform” means any network or service that uses mobile communications standards and protocols for the delivery of voice, data, and audio-visual services.

“Mobile Website” means any Internet Website that is customised or optimised for viewing on a Mobile App or a Mobile Platform.

“News Agency” means a media organisation whose primary business is the reporting and syndicating of news.

“News Media Organisation” means any national or international publisher of news in hard copy or electronic format, including without limitation, newspapers, online news services, and Internet portals.

“News Programmes” means bona fide news or sports news programmes of which the actual news or sports news element constitutes the main feature.

“Non-Rights Holder” has the meaning set out in paragraph 1.

“Non-Television Delivery” has the meaning set out in paragraph 3.1.

“PMZ” means Press Mixed Zone.

“Radio Broadcaster” means any operator of an Audio-Only Service.

“Short Extracts” means edited clips or excerpts taken from Championships Material.

“Simulcast” means in relation to a channel transmitted by means of Television Delivery the simultaneous transmission of the entire programming content in the same order and at the same time on and by means of a media distribution platform different to the one on which the channel is carried (which may include Internet and Mobile Platforms).

“Social Media Outlet” means, in relation to a Non-Rights Holder, a distinct Non-Rights Holder-maintained area, whose editorial content is produced by that Non-Rights Holder, within a third party social media website or web service (including, by way of example only, a Non-Rights Holder YouTube “channel” or a Facebook “profile” or “page” such as a Facebook “fan page”) and which carries the branding of the Non-Rights Holder.

“Television” means the transmission of audio-visual television programming by means of electronic signals (including by means of analogue terrestrial television, digital terrestrial television, satellite television, cable television, IPTV and mobile broadcasting technology).

“Television Broadcaster” means a media company organisation which broadcasts one or more television channels by means of Television Delivery.

“Television Delivery” means the delivery of television programmes to viewers by means of Television.

“VMC” means Venue Media Centre.