

LEGAL ASPECTS OF FILMING

Filming other people:

- Where it might not be obvious that you are recording for broadcast, either you or a crew member should inform people nearby.
- In most cases it is customary to respect a request from an individual or organisation to cease recording because of a concern about privacy.
- It is not necessary to obtain consent from individuals (over 18) who are incidentally caught on camera as part of a general scene unless they are engaged in an activity where they have a legitimate expectation of privacy.
- When children are recorded in a way that potentially infringes their legitimate expectation of privacy, it is expected that the child's agreement as well as informed consent of a parent/legal guardian is recorded.
- When filming with a contributor (adult or child) for your production, it is necessary that they sign a personal release form.

Filming in locations

- If you are filming on private property, you will require the owner's permission and consent (location agreement).
- Information which discloses the location of a person's home or family should not normally be revealed without their consent.
- When filming be aware of the risk of inadvertently capturing private information without consent, such as on written records, on computers, inside offices, or car registration numbers.
- The health and safety of cast, crew and the public must be safeguarded at all times. It is the responsibility of the Director/Producer to ensure safety standards are maintained at all time and filming should be stopped with immediate effect if it is unsafe to continue filming.

Using music and other materials (images, videos) not generated by you:

- If you wish to use any piece of an existing song you will have to contact the copyright holder for a master license (grants you permission to the actual master recording, the physical/digital property). Also required is a sync license. This ensures the song's creator gets recognised and compensated for their work. It also proves you have permission to use the artist's intellectual property.
- It is important to note that 'royalty-free' often only refers to the right to use copyrighted music without the need to pay royalties for recurring use - 'free music' may or may not be royalty free. For example, composers might offer their music for free for personal listening, or are willing to waive the initial

sync fees, however they too expect royalties if their music gets used in a film or advertisement.

- On the other hand, some artists publish their music for royalty-free use because they want their work to be used and heard by new audiences. A Creative Commons license ensures the owner of the music will get the credit they deserve.
- To side step licensing negotiations, look for copyright-free options for music and images (see list below). It's always worth reading the terms of use and guides for crediting as these change from site to site.
- When taking video and images from social media and other websites accessible to the public, consider the privacy of those featured, particularly where they did not make or publish the recording, and whether any further consent is required.
- Where the content features individuals who have posted material about themselves on social media, their legitimate expectation of privacy may be reduced. This may not apply to other individuals who appear in the material, particularly if they are children.

Use of drones for filming:

- Drone operators must be registered to fly drones (the Irish Aviation Authority (IAA) supervises and implements the regulations in Ireland).
- Drones should not be used to capture close-up images of people or areas such as private homes, private gardens or private offices without the consent of the owner.
- Images taken by a drone that disclose the precise location of a person's home should not be revealed without permission.
- The drone operator must have authorisation from the landowner for take-off and landing, and ensure they can do so without undue hazard to persons or property.

Useful websites for free music and images:

- soundcloud.com/royaltyfreemusic-nocopyrightmusic
- youtube.com/audiolibrary (you must create/have a YouTube channel to access this resource)
- dig.ccmixer.org
- incompetech.com/music/
- shutterstock.com/explore/royalty-free-images (one-month free trial = 10 free images)

- stocksnap.io
- pexels.com
- unsplash.com