



ICC CRICKET WORLD CUP 2011 NEWS ACCESS GUIDELINES FOR INDIA

INTRODUCTION

1. These News Access Guidelines (“**Guidelines**”) are solely for *bona fide* news broadcasters registered under the category of "News and Current Affairs" channels under the Ministry of Information and Broadcasting's "Downlinking Guidelines" (each a “**Designated News Broadcaster**”) and shall apply to all Designated News Broadcasters.
2. These News Access Guidelines for the Event are issued by IDI, have been framed on the basis of and reflect copyright ‘fair use’ principles, as recognised by the Hon’ble Courts in India, in all respects. These are valid till 24 hours after the end of the last Match of the Event.
3. Except to the extent permitted under these Guidelines, no other use of any Footage and/or Archival Footage is permitted by any Designated News Broadcaster unless such use is expressly agreed in writing by IDI.
4. All requests to use any Fresh Footage and/or Archival Footage beyond the terms of paragraphs 6 to 8 below will be considered on a case-by-case basis by IDI.

DEFINITIONS

5. Capitalised terms used in these News Access Guidelines, unless otherwise defined herein, shall have the meanings given to them in Schedule 1.

USE OF FRESH FOOTAGE

6. Subject always to paragraphs 9 to 13 below, a Designated News Broadcaster may broadcast a maximum of 5.5 minutes of Fresh Footage per News Day, provided always that:
 - (a) not more than a maximum of 2 minutes of Fresh Footage may be broadcast per hour of broadcasting; and
 - (b) the number of repeats of any Fresh Footage is restricted to a maximum of 2 exhibitions per hour of broadcasting.
7. The use by a Designated News Broadcaster of live Footage is not permitted at any time under any circumstances. There must be a minimum of at least 60 minutes delay following the live broadcast of any Footage by the official/host broadcaster before any extract of such Footage may be used by the Designated News Broadcaster pursuant to paragraph 6 above.

USE OF ARCHIVAL FOOTAGE

8. Subject always to paragraphs 9 to 13 below, a Designated News Broadcaster may broadcast a maximum of 6 minutes of Archival Footage per News Day, provided always that:
 - (a) a maximum of 2 minutes of the Archival Footage may be used per hour of broadcasting; and
 - (b) the number of repeat exhibitions should be limited to four per News Day with not less than a 2 hour interval between each exhibition.

COMMERCIAL GUIDELINES

9. The use of Fresh Footage pursuant to paragraphs 6 and 7 above and the use of Archival Footage pursuant to paragraph 8 above is strictly limited in each case to use within news and/or current affairs programmes. No use of Fresh Footage and/or Archival Footage is permitted in any circumstances for any commercial purposes. Designated News Broadcasters are allowed live video streaming of their news channels on their official nominated websites as long as it is a simulcast of the entire channel as aired on the broadcaster's television news channel and is not broadcast online on-demand, in a deferred manner or provided as highlight packages or clips. Subject to the aforementioned, News Broadcasters shall not display deferred or Archival Footage, whether as part of news bulletins or otherwise, on their own website(s) or via their account or page on a third-party video-upload site such as YouTube, DailyMotion, Facebook, etc.
10. For the avoidance of doubt, a Designated News Broadcaster may commercially exploit a news and/or sports and/or current affairs and/or other programme within which Fresh Footage and/or Archival Footage is broadcast as a whole, in the regular course, through normal advertising breaks usual in programming of news channels, provided always that, except as permitted pursuant to paragraphs 11 to 13 below, no advertising, sting, logo, graphic and/or any other commercial (morphing) activity occurs immediately before, immediately after or during the Fresh Footage and/or Archival Footage and no association is created, suggested or implied between the use of Fresh Footage and/or Archival Footage and any third party brand or product. To clarify further, no programme, bulletin or segment (whether a news or sports bulletin, special programme or promotional programme) that uses Fresh Footage and/or Archival footage may have a 'title' or other sponsor and no advertisement may be used or repeated in the regular advertising breaks during the programme in such a manner as to create, suggest or imply an association between the advertiser and the Footage or the Event.

CREDIT GUIDELINES

11. Courtesy bugs acknowledging IDI and ESS must be pasted by the Designated News Broadcaster, with due prominence, throughout the broadcast of any Fresh Footage and/or Archival Footage.
12. Designated News Broadcasters must use the correct name of the Event (being either 'ICC Cricket World Cup 2011' or the shorter title 'ICC Cricket World Cup') and the Event Logo in any and all broadcasts in which the Event is mentioned or referred to, whether or not including the broadcast of any clips of Fresh Footage and/or Archival

Footage. For the avoidance of doubt, there should not be any direct commercial association created, suggested or implied between any third party brand or product and any Event Marks.

13. In the event that the Event logo or the ESS logo should be covered by the logo of the Designated News Broadcaster, the Designated News Broadcaster must include a courtesy line extended at the bottom of, or elsewhere, on the screen.

ENFORCEMENT

14. Designated News Broadcasters may only use Footage as above without financial obligation to IDI. Any use beyond as permitted under these Guidelines, if not under a prior bilateral agreement between the relevant Designated News Broadcaster and IDI, will be treated as a violation and, in the case of Archival Footage, shall be subject to payments in accordance with the Footage Licensing Rate Card provided in Schedule 3. IDI may exercise its other remedies, including possible suspension of media accreditation, pending payment of such fees for overuse of Footage. It is further clarified that IDI has certain legal obligations to its official broadcaster and is only able to grant rights hereunder (including rights subject to the Footage Licensing Rate Card) subject to these limitations, which include that only an aggregate 10 minutes of Archival Footage from the events listed in Schedule 2 may be used in any one programme. If the Designated News Broadcaster's use exceeds such limitations, in addition to agreeing to pay IDI the fees for overuse under the Footage Licensing Rate Card as above, the Designated News Broadcaster hereby (i) agrees to indemnify IDI for any and all losses or damages that may be due from IDI to its official broadcaster as a result of the violation and breach of their agreement resulting from such overuse and (ii) acknowledges that it may be subject to IDI's official broadcaster's legal remedies directly for such overuse.
15. IDI retains and, to the extent required, is hereby granted by the relevant copyright owner governed by these Guidelines, the rights to monitor and enforce compliance by Designated News Broadcasters and associated and unassociated third parties with these Guidelines (whether by means of anti-infringement actions, legal proceedings or otherwise) and with the copyright law in force. In all such cases the relevant Designated News Broadcaster will not undertake any act to obstruct, nullify or obviate the rights of IDI granted hereunder. Usage by Designated News Broadcasters of Footage in connection with the Event shall be monitored by a Designated Monitoring Agency on behalf of IDI and IDI expressly reserves all of its legal rights and remedies against any Designated News Broadcaster that breaches these Guidelines.
16. These Guidelines form part of, and are incorporated by reference in to, the Media Accreditation Guidelines applicable to the Event. Any breach or violation of these Guidelines shall be considered to be a breach of the Media Accreditation Guidelines and the remedies available to IDI shall include the revocation, suspension or cancellation of the accreditation of representatives of the Designated News Broadcaster to the Event in accordance with the Media Accreditation Guidelines.

SCHEDULE 1

DEFINITIONS

“Archival Footage” means any Footage from a Match that forms part of the Event from the period 24 hours after the completion of the match concerned, and/or any and all match footage from previous events listed in Schedule 2;

“Designated Monitoring Agency” means the monitoring agency appointed by IDI to monitor coverage of Designated News Broadcasters;

“ESS” means ESPN STAR Sports, being IDI’s officially appointed broadcast partner for the Event;

“Event” means the ICC Cricket World Cup 2011, currently scheduled to be held in Bangladesh, India and Sri Lanka from 17 February to 2 May 2011 (inclusive);

“Event Marks” means all IDI proprietary marks and logos designated and notified by IDI for use in relation to the Event such as the Event logo(s), the Event names, the mascot(s), the trophy, the Event slogan (if any), and Event music and theme selected by IDI;

“Footage” means all live signals (including all audio, visual and audiovisual material) and recorded audio, visual and audiovisual material, in either case relating to any Match (including, without limitation, unilateral footage, stump/wicket and/or helmet camera footage and microphone output and any interview with any player or others included in the live broadcast coverage of the Match from the pre-Match toss to the end of the post-Match presentation as well as any pre-Match or post-Match entertainment);

“Fresh Footage” means any Footage (other than Archival Footage) broadcast for the first time (premier) by a Designated News Broadcaster;

“IDI” means ICC Development (International) Limited, the commercial arm of the International Cricket Council;

“Match” means any cricket match forming part of Event;

“News Cycle” is defined as 18 hours from 6 am to midnight Indian Standard Time; and

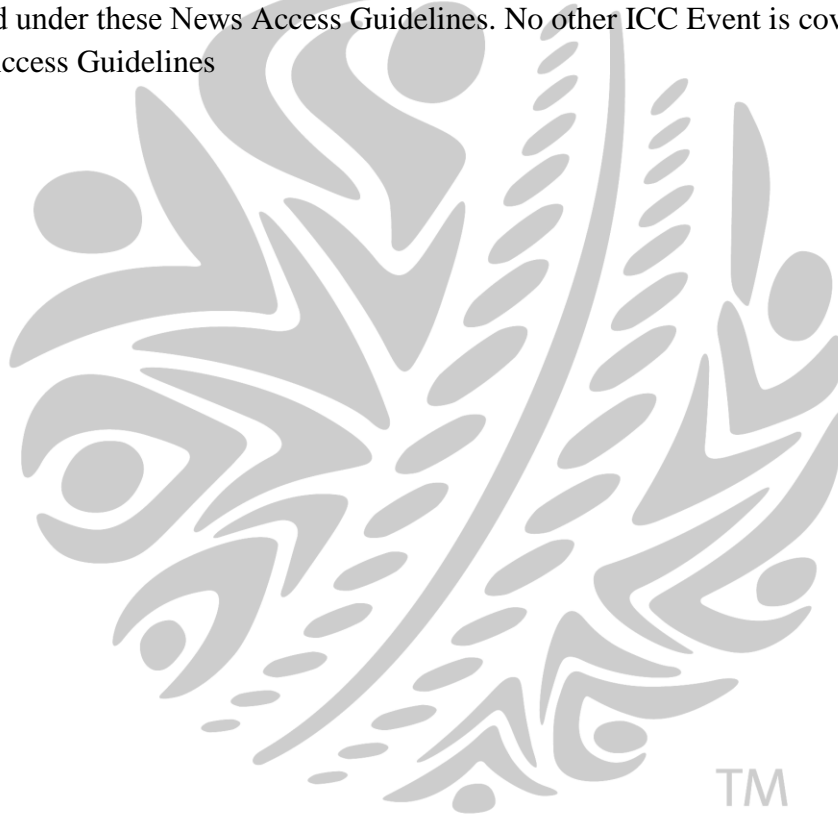
“News Day” is defined as the period of 24 hours from the commencement of the Match concerned.

SCHEDULE 2

ARCHIVAL FOOTAGE* OWNED BY THE ICC

ICC EVENT	YEAR
ICC Cricket World Cup	1999, 2003, 2007

*The 1975, 1979 and 1983 Cricket World Cup footage rights are also owned by BBC but aren't covered under these News Access Guidelines. No other ICC Event is covered under these News Access Guidelines



ICC Cricket World Cup
2011

SCHEDULE 3

FOOTAGE LICENSING RATE CARD

1	ICC Cricket World 2011	US\$ 800 (0-60 seconds)
2	Archival Footage	US\$ 1000 (0-60 seconds)



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