

POLICY STATEMENT

The City of Marion ("the Council") strives to keep its stakeholders informed through various publications, including City Limits, the Annual Report, specialist brochures, etc. These, and other Publications, provide the organisation, the community and other stakeholders with information relating to Council, its services and products, corporate performance, community awareness, community initiatives and facilitates community consultation.

Council Publications include any publication developed by, or on behalf of the Council and may be in the form of:

- any written material (such as the text of brochures, documents policy, Council agendas, letters on Council letterhead, catalogues, directories, lists, instruction manuals, newspapers and text on a website);
- Council images (eg photographs, drawings, graphs, charts, building plans), audio recordings, films, computer programs

All Council Publications aim to be free of any discriminatory, defamatory or potentially discriminatory or defamatory content.

The Council expects that comments made in Council Publications will not expose the Council to legal action. Any person making a contribution to a Council Publication must not include or will not be permitted (in accordance with this Policy) to include comments in any Council Publications that may in the opinion of the Chief Executive Officer (after taking legal advice) result in a potential for legal action against the Council.

DEFINITIONS

Council Publication - includes, but is not limited to, any publication developed by, or on behalf of, the Council and may be in the form of any written material (such as the text of brochures, documents policy, Council agendas, letters on Council letterhead, catalogues, directories, lists, instruction manuals, newspapers and text on a website); Council images (eg photographs, drawings, graphs, charts, building plans), audio recordings, films, and computer programs that are used to promote, consult, advise on Council services, products and/or community information.

Copyright - means the exclusive right of a creator/author to reproduce, publish, broadcast, communicate, adapt, distribute, perform, assign or license his or her work pursuant to the Copyright Act (Cth) 1968.

Electoral Material - includes any advertisement, notice, statement or representation calculated to affect the result of an election or poll (as defined by the Local Government (Elections) Act 1999).

Defamatory Content - means information that defames or has the potential to defame any person (natural or corporate) in the opinion of the Chief Executive Officer (after taking legal advice).

Stakeholders - means the groups and individuals who have an interest in the City of Marion region, including but not limited to, Marion residents and ratepayers, State and Federal Government Departments, Local Members of Parliament, local businesses, retail industry, community and sporting associations, visitors and tourists, other Local Councils, other agencies and Council members and employees.

INTERPRETATION

The manner in which this Policy is interpreted and applied in relation to any particular set of circumstances will be consistent with the provisions of the Local Government Act 1999, the role of the Council, the functions and duties of elected members, the roles and responsibilities of the Chief Executive Officer, and any other relevant legislation. Further, this Policy is subject to any express disclaimers that appear in relation to Council Publications.

PRINCIPLES

Council Publications

Publications are developed by the Council to provide its Stakeholders with information about and/or which identifies with the Council.

Any Publication that exhibits the Council logo (in any form, such as name only, name and design, design only) is deemed to be a Council Publication. A Council Publication will not contain the personal view of any Elected Member or officer unless authorised by the Council where that personal view may involve a breach of a Council or administrative policy, Code or decision or which otherwise places the Council at risk of legal action (eg defamation).

Information provided by Elected Members for inclusion in a Council Publication must be accurate and truthful.

The Council will endeavour to obtain a person's consent, in the first instance, to take a person(s) photograph and/or write an article which refers to that person(s). The Council will endeavour to only republish photographs and/or information that is relevant to the context in which they are used and with the consent of the copyright owner.

Privacy

The Council is not bound by the Privacy Act 1988 (Cth), the National Privacy Principles and the Information Privacy Principles, nor the Information Privacy Principles Instruction (Cabinet Administrative Instruction No 1 of 1989).

However, the Council recognises the importance of protecting the privacy of stakeholders and their personal information and is committed to a culture that protects privacy. The Council will endeavour to protect the personal information it collects, stores, discloses and uses in accordance with the standards set by the National Privacy Principles (or if the Council chooses, the Information Privacy Principles) and any Privacy Policy developed and adopted by the Council.

Copyright

Any original written material (such as the text of brochures, catalogues, instruction manuals, newspapers and text on a website), Council images (eg photographs, drawings, graphs, charts, building plans) developed by, or on behalf of the Council, is protected by Copyright laws. The Council retains all intellectual property rights subsisting in any Council Publication.

The production of City Limits is guided by the City Limits Publications Policy which details the objectives and principles of the magazine and includes guidelines for the development of articles, advertising, format, Elected Member contributions and distribution.

Written permission will be required from the Chief Executive of the Council if any person(s) or entity wants to use, reproduce or otherwise deal with all, or any substantial part, of a Council Publication.

Publication of Electoral Material

Any Publications may from time to time include information concerning the profiles of elected members and their achievements as a member of the current Council. However, in the Caretaker Period for a periodic election and from the close of nominations in a supplementary election the inclusion of any such information about individual Elected Members or articles written by Elected Members will be scrutinized by the Manager Governance in accordance with the requirements of the Local Government (Elections) Act and any relevant Regulations and be subject to Council's Elections Caretaker Policy.

Prior to the publication of any electoral material to be posted, affixed or erected on property under the care and control of Council, ETSA Utilities or Transport SA (TSA) for the purposes of candidate promotion in Federal, State or Local Government Elections, approval must be obtained from Council and is subject to Council's Control of Election Signs Policy.

Use of Council Letterhead

Council letterhead is only to be used for the specific purpose of conveying and transacting official Council business. A Council elected member must not use Council letterhead, the Council logos or any other related corporate logos or emblems for personal purposes, eg personal letters stating a personal viewpoint. Any elected member using Council letterhead for other than Council business may breach Council's Code of Conduct for Elected Members and this Policy.

REFERENCES

STRATEGIC PLAN

EG4.4

Managing and presenting information to Council, the community and other stakeholders in a manner that is transparent, balanced and adds value to decision-making.

PROCEDURE REFERENCE:

GP-23: Control of Election Signs
Code of Conduct for Elected Members

COUNCIL AGENDA REFERENCE:

GC 131211.

OTHER RELATED REFERENCES:

Local Governments & Copyright - A Practical Guide, Australian Copyright Council, March 2003
Endorsed by Council 23/3/04.

OWNER

Executive Officer, Council Business, Unit Manager Communications