



Policy - Unlawful Recording

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| Approval Date: | 06 March 2026 |
| Review Date: | 08 March 2028 |
| Author: | BDRSL- General Manager |
| Responsible Person: | BDRSL- Office Administration Manager |
| Relevant Legislation/Authority | Williams Winter Solicitors |
| Version: | V1 OAM KP (16/02/26) |

1. Purpose:

The purpose of this Policy is to protect the privacy, safety and dignity of members, patrons, visitors, volunteers and staff of the Bendigo District RSL Sub-Branch Inc. (BDRSL), and to ensure compliance with relevant Victorian legislation, including the *Surveillance Devices Act 1999 (Vic)*.

2. Scope:

This Policy applies to all persons entering or present within BDRSL premises, including but not limited to members, guests, contractors, volunteers, staff, visitors, and attendees at events or functions.

3. Legislative Framework:

This Policy is informed by, and must be read in conjunction with:

- *Surveillance Devices Act 1999 (Vic)*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Common law principles relating to trespass and lawful directions*
- *BDRSL Code of Conduct*

Under the *Surveillance Devices Act 1999 (Vic)*, it is unlawful to record private conversations or activities without the consent of the parties involved.

4. Policy Statement (Venue, Liquor & Compliance Focus):

BDRSL operates licensed premises and community facilities and is committed to maintaining a safe, respectful and compliant environment in accordance with Victorian liquor, privacy and surveillance laws.

To protect the privacy, safety and amenity of all patrons, members, staff and volunteers, **photography, audio recording and audio-visual recording are strictly prohibited within BDRSL premises unless prior written consent has been granted by BDRSL management.**

This Policy forms part of the conditions of entry to the premises and supports BDRSL's obligations as a licensee to prevent disorderly, intrusive or unlawful conduct.

This prohibition includes, but is not limited to, recording or photographing using:

- Mobile phones
- Tablets
- Cameras (still or video)
- GoPro or similar wearable recording devices including Smart Glasses

Consent, where granted, will be limited in scope, time and purpose and may be withdrawn at any time at the discretion of BDRSL management.

5. Approved Recording Activities:

Recording may only occur where:

- Prior **written consent** has been provided by BDRSL management; and
- All individuals who may be recorded have provided informed consent; and
- The recording is conducted strictly in accordance with the approved purpose (e.g. official BDRSL events, promotional material, media coverage).

BDRSL reserves the right to impose conditions on any approved recording activity.

6. Breach of Policy:

Any person found to be photographing, filming or recording audio in breach of this Policy will be:

1. Provided with a copy of this Policy (or directed to it);
2. Instructed to immediately cease recording; and
3. Warned that failure to comply will result in them being required to leave the premises.

If the individual fails to comply with the warning:

- They may be directed to immediately leave the premises;
- They will be advised that failure to leave constitutes trespass; and
- Victoria Police may be contacted to remove the individual if they refuse to leave.

Under no circumstances are staff, volunteers or members to physically remove a person from the premises.

7. Recorded Material:

BDRSL management reserves the right to:

- Request the immediate deletion of any unauthorised recordings or images; and
- Take further action, including reporting the matter to Victoria Police and pursuing prosecution where appropriate.

8. Enforcement and Venue Control:

BDRSL management, duty managers and authorised staff act on behalf of the licensee and are empowered to issue lawful directions consistent with this Policy, liquor licensing requirements and venue rules.

Management may:

- Direct a person to cease recording immediately;
- Require unauthorised recordings to be deleted;
- Refuse entry or revoke permission to remain on the premises;
- Direct a person to leave the premises for non-compliance; and
- Contact Victoria Police where a person fails to comply with lawful directions or is trespassing.

This Policy supports BDRSL's duty to maintain good order on licensed premises.

BDRSL management has the authority to:

- Enforce this Policy;
- Issue lawful directions in relation to recording activities;
- Refuse entry or revoke permission to remain on the premises; and
- Escalate matters to police where lawful directions are not complied with.

9. Signage, Communication and Conditions of Entry:

Clear signage will be displayed throughout BDRSL premises advising that photography and recording are prohibited without prior written consent.

Entry to the premises constitutes acceptance of this Policy, BDRSL House Rules and the BDRSL Code of Conduct. This Policy will be made available upon request.

Clear signage will be displayed throughout BDRSL premises advising patrons that photography and recording are prohibited without prior written consent. This Policy will be made available upon request.

10. Alignment with BDRSL Code of Conduct:

This Policy is to be read in conjunction with the BDRSL Code of Conduct and House Rules, particularly provisions relating to:

- Respectful behaviour toward members, patrons, staff and volunteers;
- Compliance with lawful directions issued by authorised personnel;
- Conduct that may compromise safety, privacy or the reputation of BDRSL.

A breach of this Policy may also constitute a breach of the BDRSL Code of Conduct and may result in further disciplinary or venue-based action.

11. Review:

This Policy will be reviewed periodically, or as required, to ensure ongoing compliance with legislation, liquor licensing obligations and best practice venue governance.

