



# ALPA

# Submission

## Inquiry by The NSW Select Committee on Landowner Protection from Unauthorised Filming or Surveillance.

**To:**

Hon Robert Borsak MLC  
Committee Chair  
Select Committee on Landowner Protection from Unauthorised Filming or Surveillance  
Upper House Committees  
Parliament of New South Wales

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4/6/18

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## ALPA General Introduction

The Australian Livestock & Property Agents Association Ltd (**ALPA**) submission is in response to the email on 24/5/2018 from the Hon Robert Borsak MLC Committee Chair Select Committee on Landowner Protection from Unauthorised Filming or Surveillance Upper House Committees, Parliament of New South Wales

We understand the review will be by the NSW Legislative Council that has established a select committee to inquire into landowner protection from unauthorised filming or surveillance.

- closing date of submissions is 8 July 2018.

## Australian Livestock & Property Agents Association (ALPA)

**ALPA** is the national peak industry body for livestock and property agents.

**ALPA** represents more than 1,200 agency businesses across Australia. Collectively this group plays an important role in livestock, wool, merchandise and rural property sales and marketing.

**ALPA** members handle in excess of 97% of rural agency business Australia wide.

**ALPA** is one of the largest national organisations of small rural business men and women, relied on to protect the interests of agents and producers nationally.

**ALPA** national membership includes Elders, Landmark, Ruralco and private livestock agencies across Australia.

**ALPA** appreciates the opportunity to provide this submission to MLA.



[www.alpa.net.au](http://www.alpa.net.au)

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**ALPA membership is a signature of professionalism in the industry**

## ALPA Comments

**ALPA** believes that the review and inquiry is timely and we appreciate the opportunity to participate in this process with the select committee.

## TERMS OF REFERENCE

### ***Inquiry into landowner protection from unauthorised filming or surveillance.***

That a select committee be established to inquire into and report on the extent of protection for landowners from unauthorised filming or surveillance and in particular:

- (a) the nature of protection for landholders from unauthorised filming or surveillance, including but not limited to installation, use and maintenance of optical surveillance devices without consent under the Surveillance Devices Act 2007,
- (b) the extent and appropriateness of penalties for unauthorised filming or surveillance, including but not limited to on-the-spot fines and/or relevant penalties under the Summary Offences Act 1988,
- (c) the implications with regard to self-incrimination of the request of disclosure by a person of any recordings made by that person,
- (c) the implications of rapidly changing media environment, including social media platforms such as, Facebook Live, and
- (e) any other related matter.

**ALPA** agrees with the Terms of Reference as listed above.

**ALPA** also suggests that in the Terms of Reference, (e) any other related matter;

- That the committee investigates the NSW Trespass laws as a way of protection for landowners from unauthorised entry and filming or surveillance.
- That the committee investigates the NSW Biosecurity laws as a way of protection for landowners from unauthorised entry and filming or surveillance.
- That the committee investigates the extent and appropriateness of penalties for trespass of those persons who undertake unauthorised entry and filming or surveillance, including but not limited to installation, use and maintenance of optical surveillance devices without consent.
- That the committee investigate if the laws and penalties for the use of drones in NSW over private property for unauthorised entry and filming or surveillance are sufficient.

**[END]**