

EXTRACTS FROM THE 2012 EUROVISION SONG CONTEST RULES

| | |
|--|---|
| Country/city: | Baku, Azerbaijan |
| Host Broadcaster: | Ictimai |
| Date and timing of the Semi-Final 1 | Tuesday 22 May 2012 - 21.00-23.00 CET |
| Date and timing of the Semi-Final 2 | Thursday 24 May 2012 - 21.00-23.00 CET |
| Date and timing of the Final | Saturday 26 May 2012 - 21.00-00.15 CET |

1.1) Description

1.1.1) EBU Coproduction

The Eurovision Song Contest (the "**ESC**") is an international coproduction by EBU Members which is carried out under the auspices of the European Broadcasting Union (the "**EBU**") as part of the television programme exchange known as Eurovision.

Only TV broadcasters which are Active Members of the EBU are eligible to participate in the ESC.

A maximum of 46 Active EBU Members shall be allowed to participate (the "**Participating Broadcasters**"). Active EBU Members from a maximum total of 26 countries shall compete in the Final. There shall be six guaranteed places therein (i.e. one for the producing organization (the "**Host Broadcaster**"), five EBU Members from France, Germany, Spain, Italy and the United Kingdom). Subject to a decision by the EBU in consultation with the Reference Group, the number of guaranteed places in the Final may be modified depending on circumstances. Apart from the six broadcasters with guaranteed places, all Participating Broadcasters from a maximum of 40 countries shall compete in one of the Semi-Finals for the 20 remaining places in the Final.

1.1.2) Content

The ESC is composed of three live Shows, two Semi-Finals usually taking place on Tuesdays and on Thursdays and one Final taking place on Saturdays. The Shows are produced and transmitted live by the Host Broadcaster (see the Event Schedule) and are made available over the Eurovision satellite network for live broadcast by the Participating Broadcasters.

Each Show is a state-of-the-art, world-class television production and consists chiefly of successive live televised performances of songs by artists entered by the Participating Broadcasters to represent their countries. Each song which competes in the ESC shall be selected through a national selection to be organized by each Participating Broadcaster. The national selection is organized under the sole responsibility of the Participating Broadcaster in question.

The main title of the Shows is the "Eurovision Song Contest", followed by the year during which it takes place. It shall be used by all broadcasters, although they may instead use a translation into their national language, subject to the approval of the EBU Permanent Services. If the translation is approved, the main title need not be used. Broadcasters are also permitted to include a minor title under the main title, using the name by which the ESC has been known in recent years in their respective countries.

The allocation of the countries to the two Semi-Finals is decided by the Reference Group (a group of representatives of the Participating Broadcasters). The order of appearance of the songs in the Shows is decided by means of draws organized by the Host Broadcaster. The Shows are presented on stage, in both English and French, by the international presenters. National commentary by commentators appointed by each of the Participating Broadcasters is added to the international version of the Shows for broadcast in their respective countries.

1.1.3) Determination of the scores and of the winning song

Viewers in the countries of the Participating Broadcasters are invited to vote for their favourite songs (without the possibility of voting for the song representing their own country) by means of televoting, which shall be implemented in all the countries of the Participating Broadcasters.

In both Semi-Finals and in the Final, the final scores of the songs in each country shall be calculated on the basis of both the results of televoting and the National Jury's vote. The exact ratio that will be applied shall be determined by the Reference Group and notified to the Participating Broadcasters.

The final scores shall be determined as follows:

- 12 points shall be allocated to the song having obtained the highest number of points from the combined number of votes from the televoting and from the National Jury;
- 10 points to the song having obtained the second-highest combined number of votes from the televoting and from the National Jury,
- 8 points to the song having obtained the third-highest combined number of votes from the televoting and from the National Jury,
- 7 points to the next,
- and so on, down to 1 point for the song having obtained the tenth-highest combined number of votes from the televoting and from the National Jury.

Once all the songs have been performed, the results shall be announced. In each Semi-Final, the ten songs which have received the highest number of points from the combination of the televoting and jury points shall be selected for the Final. The results in each Semi-Final shall be announced by the international presenters, opening envelopes containing the names of the countries which have qualified from the Semi-Finals for the Final. In the Final, the results in each country shall be announced in turn by the spokesperson of each Participating Broadcaster, clearly and distinctly in English or in French (stating first the name of the country concerned and then the points allocated to the songs, in ascending order).

The respective winners of the Semi-Finals and of the Final shall be the song(s) which, *according to all information made available to the EBU Permanent Services by the pan-European televoting partner*, has/have obtained the most points from the combined calculation of the televoting results and of the National Juries' votes at the time of announcement of the results.

The song writer(s), artist(s) and Participating Broadcaster of the winning song(s) in the Final shall receive the ESC Trophy, and the transmission of the Final shall end with a further performance of the winning song(s).

The full results of the voting in the Semi-Finals and the Final shall be announced on the official website of the ESC, www.eurovision.tv, shortly after the end of the Final.

1.2) Criteria of eligibility

1.2.1) Songs

- a) The songs (lyrics and music) must not have been commercially released and/or publicly performed, in full or in part, **before 1 September 2011**.
- b) The maximum duration of each song is three minutes. Any song/performance which is longer may be disqualified by the EBU Permanent Services after consultation with the Reference Group.

1.2.2) Performances and artists

- a) Each performance may consist of a maximum of six people on stage. No live animals shall be allowed on stage.
- b) All artists competing in a Semi-Final must be aged at least 16 on the day of the Final. All artists competing only in the Final must be aged at least 16 on the day of the Final.
- c) No artist may compete for more than one country in the ESC in a given year.
- d) Each Participating Broadcaster is free to decide the language in which its artist(s) will sing.
- e) Artists shall perform live on stage, accompanied by a recorded backing-track which contains no vocals of any kind or any vocal imitations. The Host Broadcaster shall verify respect for this rule.
- f) Changes to the lyrics, the artist or group (including its name), the title of the song and the language of the performance (i.e. all elements which appear in printed material such as brochures, CD covers and booklets) shall be allowed only up until the date of the HoD Meeting. [...]

- g) The lyrics and/or performance of the songs shall not bring the Shows, the ESC as such or the EBU into disrepute. No lyrics, speeches, gestures of a political or similar nature shall be permitted during the ESC. No swearing or other unacceptable language shall be allowed in the lyrics or in the performances of the songs. No commercial messages of any kind shall be allowed. A breach of this rule may result in disqualification.

1.3) National Juries

1.3.1) Composition

In each participating country, there shall be a National Jury to be appointed by that country's Participating Broadcaster to vote in the Semi-Finals and in the Final.

Each National Jury shall be composed of five members, including a chairperson. In addition, each Participating Broadcaster shall appoint a back-up member in case a member cannot fulfil his duty.

Members of the National Juries must not be employees of Participating Broadcasters.

Members of the National Juries must pursue one of the following professions within the music industry: radio DJ, artist, composer, author of lyrics or music producer.

There shall be a balance among the members of each National Jury to ensure sufficient representativeness in terms of gender, age and background.

All members of the National Juries shall be citizens of the country they represent.

No member of a National Jury shall be connected in any way with any of the participating songs entered and/or artists performing in the ESC in such a way that they cannot vote in complete independence and impartiality.

The names of the members of the National Juries may not be disclosed until the day of the Final but they must be made known on air during the Final by the national commentator(s) in the territory concerned.

1.3.2) Implementation

All Participating Broadcasters having a contestant in a Semi-Final shall ensure that a National Jury votes in that Semi-Final. The six Participating Broadcasters with guaranteed places in the Final shall also appoint a National Jury to vote in the Semi-Final which they are required to broadcast. All Participating Broadcasters shall appoint a National Jury to vote in the Final (even if their song is not selected for the Final). The same National Jury shall vote in the Semi-Final and in the Final. Implementation of the compulsory televoting shall not exempt any Participating Broadcaster from appointing a National Jury. National Juries shall vote in all countries and in all cases.

The votes of the National Juries shall be used (i) in case of a technical or similar failure in the televoting procedure, (ii) in all cases, for calculating the ranking of the songs in the Semi-Finals and in the Final and (iii) to solve a tie situation should two or more songs receive the same number of televotes. The exact ratio applied between the results of the votes from the National Juries and the votes from the televoting shall be determined by the Reference Group.

The EBU Permanent Services shall decide during the Semi-Finals and the Final whether *only* the National Jury votes shall be used. In particular, the EBU Permanent Services may decide to use such votes in a given country if an insufficient number of televotes has been registered in that country.

1.3.3) National Juries' voting procedure

Each National Jury shall meet in its own country on the day of the second Dress Rehearsal of the Semi-Final in which it is responsible for voting and on the day of second Dress Rehearsal of the Final. The National Juries shall watch the live transmission of the second Dress Rehearsals and proceed to vote in accordance with the EBU's instructions [...].

All members of the National Juries shall receive their own voting sheet (*to be distributed by the pan-European televoting partner*) and shall be required to send a form, duly completed, in which they confirm that they will comply with the voting instructions, as well as a signed declaration in which they undertake to vote independently.

After the presentation of all the songs in a given Show, each member shall award 12 points to his favourite song, 10 points to his second favourite song, 8 points to his third favourite song, 7 points to the next, and so on down to 1 point for his tenth favourite song. Abstentions are not allowed. The

song representing the country of the Participating Broadcaster which has appointed the National Jury shall be excluded from the vote.

The chairperson shall be responsible for collecting the voting sheets of all jury members after all the songs have been performed, for counting the votes and for awarding the points according to the following system: 12 points shall be allocated to the song which has received the most votes from the members of the National Jury, 10 points shall be allocated to the song gaining the second highest number of votes, 8 points to the song gaining the third highest number of votes, 7 points to the next, and so on down to 1 point for the song gaining the tenth highest number of votes.

Each National Jury's deliberations shall be monitored by a notary, whose tasks shall be to:

- ensure compliance with the voting rules;
- collect, check and certify the calculation of the results and the completed voting papers established by the chairperson before the points are awarded and entered into a computer by the chairperson, to avoid any calculation error;
- send by fax all the certified voting papers to the pan-European televoting partner. Respect for this provision shall be the responsibility of the Participating Broadcasters.

The Chairperson and the Notary shall remain available and must be attainable at any time until the beginning of the Shows.

1.4) Procedure in case of a tie in the Semi-Finals or in the Final

If there is a tie between two or more songs when the combined calculation between televotes and National Jury votes is used to determine the final ranking of the songs in the Semi-Finals or in the Final, the song(s) which obtained the most votes from the televotes shall be ranked highest.

Should two or more songs receive exactly the same number of televotes in a given country, the results of the National Jury shall be used to determine their respective ranks (i.e. the song having obtained the most votes from the National Jury shall be ranked highest). If these songs have received no votes from the National Jury, their ranks shall be determined by a draw to be held by the pan-European televoting partner under the supervision of the EBU Permanent Services.

Should two or more songs receive exactly the same number of points from a National Jury, the order shall be ascertained by a show of hands by the members of the National Jury. If there is still a tie, the final order shall be decided by the vote of the youngest member of the National Jury.

Should there be a tie for the last position in a Semi-Final (because two songs have received the same number of points) or for the first place in the Final, as well as any other situation where a tie occurs, the winner shall be the song which has obtained points from the highest number of countries. If the tying songs have received points from the same number of countries, the highest number of 12-point scores shall be decisive. If the winner still cannot be determined by this procedure, the number of times ten points have been awarded shall be the deciding factor. If necessary, this method shall continue until account has been taken of the number of times one point has been awarded.

In the very unlikely case that after applying the above procedure in a Semi-Final there is still a tie concerning the qualifying ranks and non-qualifying ranks, the tie shall be resolved by giving precedence to the country which was earlier in the running order for the Semi-Final in question. The same procedure shall be used to resolve any other ties.

[...]

2.4.3) EBU's rights and obligations

[...]

b) Distribution/Licensing

Without prejudice to the other rules in this Section, all broadcasting and other rights to the Shows, the ESC Countdown Shows and the ESC are exclusively owned by the EBU, to be managed centrally by the EBU on behalf of the Participating Broadcasters. The EBU Permanent Services shall, in cooperation with an agent if needed, be responsible for coordinating all sales of the Shows (including the ESC Countdown Shows), in whole or in part, to non-participating broadcasters from countries where rights remain available and to third parties, for the financial benefit of Participating Broadcasters and the Host Broadcaster. [...].

Unless any rule in this Section applies, non-participating broadcasters are not allowed to broadcast any material from the Shows (rehearsals/preparations, etc.) without the prior written permission of, and without possible payment of a rights fee to, the EBU. However, all accredited media shall be free to use, for purposes of the written press (including their websites) only, any material filmed by them

during the press conferences, open rehearsals and the first Dress Rehearsals. (The use of any such material for audiovisual news access is subject to the rule below.) No commercial or non-commercial entity shall use the logo or other distinctive elements of the ESC or the Shows without the prior written permission of the EBU.

(i) For the Shows

✓ **Radio**

[...] Radio EBU Active Members which are not part of a Participating Broadcaster's organization and which are located in the country of a Participating Broadcaster which includes both a radio and a television service shall be entitled to broadcast the Shows only if they have obtained the prior written authorization of the Participating Broadcaster in that country.

Radio organizations (other than Radio EBU Active Members) from countries where rights remain available, may acquire the right to broadcast the Shows on their territory against possible payment of a rights fee.

Radio broadcasters shall not be entitled to sell any sponsorship package in relation to the ESC and/or in relation to their transmission of the Shows. If so required by the EBU, they shall cooperate with the EBU with respect to any centralized sponsorship guidelines or requirements pursuant to Section 3.

✓ **Television**

Television broadcasters from countries where rights remain available may acquire the right to broadcast the Shows on their territory against possible payment of a rights fee. In countries where rights remain available, non-participating EBU Members shall have a first option, to be exercised within a deadline set by the EBU, to purchase the programmes for their territory. Depending on the facilities available, non-participating broadcasters from countries where rights remain available may also request the right to send a commentator, and/or a production team, to the Shows.

✓ **News access**

Any broadcaster which does not hold any audiovisual media rights shall be granted, upon request to the EBU, a total of two minutes' news access from each of the three Shows (or, if requested, from any Dress Rehearsal), free of charge for use in regularly-scheduled general news bulletins broadcast within 24 hours of the Semi-Finals and the Final respectively.

(ii) For Extracts

The EBU shall be entitled to grant licences with respect to any extracts from the Shows and/or from the ESC Countdown Shows to third parties for inclusion in any audiovisual works or media products or services. The EBU is also entitled to sell any footage from the Shows to any third party within a Participating Broadcaster's territory if the EBU Permanent Services receive a request direct from such a third party or if the request covers more than one territory.
