

2020 Junior Eurovision Song Contest REPORTING ACCESS RULES



1. **PREAMBLE**

The Junior Eurovision Song Contest (the "JESC") is an international coproduction by broadcasting organisations having the status of Members of the European Broadcasting Union (the "EBU") and which is carried out under the auspices of the European Broadcasting Union, L'Ancienne-Route 17 A, 1218 Le Grand Saconnex, Geneva, Switzerland, as part of the television programme exchange known as Eurovision.

These JESC Reporting Access Rules (the "Rules") define the extent to which non-Rights Holders are allowed to use 2020 audio-visual images and audio sounds of the 2020 JESC Show, and the Ancillary Material - as defined in Section 6 of these Rules - (the "JESC Material");

The 2020 JESC (including all JESC Material) is subject to, and protected by, copyright and related rights.

Any transmission or filming outside the scope of these Rules by Non-Rights Holders must be authorised by the EBU.

The Broadcast, transmission or making available On-Demand of the JESC Material, in part or in whole, is

strictly and exclusively reserved to the Rights Holders. Additionally, no live access to the JESC Material shall be granted to Non-Rights Holders.

Except as foreseen under these Rules, Non-Rights Holders shall not be allowed to Broadcast and/or make available and/or otherwise exploit, on a live, delayed or On-Demand basis, via any transmission methods the JESC Material, in whole or in part, even if no Rights Holder has been granted rights in the Non-Rights Holder's territory.

Insofar as news reporting is concerned, these Rules are subject to applicable national laws and regulations on news access practices.

In specific cases, the EBU may agree with the Participating Broadcasters in their particular territories to issue supplemental news access rules for such territories, which shall supersede these Rules.

Terms capitalised hereunder shall have the meaning set out in the Definitions listed under Section 6 hereafter



2. **JESC MATERIAL ACCESS RULES FOR NON-RIGHTS HOLDERS**

Any use of JESC Materials is subject to the following:



2.1 **AUDIOVISUAL ACCESS RULES**

Non-Rights Holders may use, on a free of charge basis, (except for technical costs, if any, and for the usual rights payments to national music collecting societies) **materials from the JURY REHEARSAL & THE LIVE SHOW** as follows:

| Non-Rights Holders | For Eurovision News Members | For other media |
|---------------------|--|---|
| Length restriction | 3 minutes per Jury Rehearsal /live Show | 2 minutes per Jury Rehearsal /live Show |
| Platforms allowed | <ul style="list-style-type: none"> - Broadcast use strictly in the news context on TV in general current affairs bulletins. - On-Demand Use of the general current affairs bulletins possible only on Fully Owned Websites (i.e. operated under the editorial control of the Non-Right-Holder) | <ul style="list-style-type: none"> - Broadcast use strictly on News Bulletins on TV. - On-Demand Use of the News Bulletins possible only on Fully Owned Websites (i.e. operated under the editorial control of the Non-Right Holder). |
| Usage allowed until | <ul style="list-style-type: none"> - Broadcast allowed <u>within 48 hours</u> of the live Show. - On-Demand Use of the <i>general current affairs bulletins</i> possible for no more than for one month after the live Show. | <ul style="list-style-type: none"> - Broadcast allowed <u>within 24 hours</u> of the live Show. - On-Demand Use of the <i>News Bulletins</i> possible for no more than for one month after the live Show. |

In addition, the following conditions shall be respected

- a) No stand-alone use can be made;
- b) No song must be used in its entirety and no more than ten (10) seconds of each song may be used;
- c) The mention "**COURTESY OF TVP AND EBU**" shall be included as an on-screen credit for the whole duration of the material used;
- d) Use of material is subject music rights clearance as described under Section 4 f) below;
- e) Use of the extracts from the Show with national commentaries can be used only with the written permission of the relevant Rights Holder in the particular country and in accordance with these Rules.
- f) Embedding of the live stream of the live Show in any form or way is prohibited.
- g) JESC Material shall not be exploited, distributed, shared, transferred or otherwise be made available or provided to any third party.



2.2 RADIO ACCESS RULES

Non-Rights Holders radio stations may use the audio track of the Show and the Jury Rehearsal in their News Bulletins in their respective territories subject to the following conditions:

- a) Non-Rights Holders shall not Broadcast or include their own commentary or similar coverage of any Show of Jury Rehearsal, whether on a live or delayed basis,
- b) Commentaries of the JESC events taped from the television coverage of the Rights Holder in the particular territory can only be used with the express written permission of the Rights Holder.
- c) All other conditions listed in Section 2.1 above apply *mutatis mutandis* to this Section 2.2.

2.3 ANCILLARY MATERIAL

OPENING CEREMONY MATERIAL - 23 NOVEMBER 2020

| Accredited Non-Rights Holders/ Non-Rights Holders | For EVN Members | For non-EVN Members |
|--|--|---|
| Platforms allowed | All platforms (Broadcast and On-Demand <i>subject to the conditions listed below</i>) | All platforms (Broadcast and On-Demand subject to the conditions listed below) |
| Usage allowed until | Unlimited | Unlimited |

PRESS CONFERENCES MATERIAL - 28 NOVEMBER 2020 - 29 NOVEMBER 2020

| Accredited Non-Rights Holders/ Non-Rights Holders | For EVN Members | For non-EVN Members |
|--|--|---|
| Platforms allowed | All platforms (Broadcast and On-Demand <i>subject to the conditions listed below</i>) | All platforms (Broadcast and On-Demand subject to the conditions listed below) |
| Usage allowed until | Unlimited | Unlimited |

In addition, the following conditions shall be respected

- a) Non-Rights Holders must give an on-screen credit to read as follows "**COURTESY OF TVP AND EBU**" for the whole duration of the use of the Ancillary Material.
- b) Live streaming of the Ancillary Material is permitted only on proprietary channels or Websites. No live streaming on Social Media Platforms.

CLIPS on Junioreurovisioncontest.tv

- All Non-Rights Holders may always embed on their Fully Owned Websites non-live JESC clips published on Junioreurovisioncontest.tv.
- All other uses are fully restricted. In particular, but not limited to, On-Demand and Broadcast Use, as well as publication, reproduction on non-proprietary platforms, e.g. YouTube or Social Media Platforms are strictly restricted.
- Embedment of live JESC clips, live streams of the live Show and the history JESC material is strictly prohibited in all cases.



3. GENERAL UNDERTAKINGS

- a) JESC Material shall be used and filmed only in strict accordance with these Rules;
- b) It is prohibited to embed the live stream of the live show in any form or way.
- c) No advertising or other message or promotion (including any broadcast sponsorship) shall be placed before, during or after the broadcast of JESC Material, in such a manner as to imply an association or connection between any third party, or any third party's product or service, and the JESC, the EBU or the Participating Broadcasters;
- d) Availability of JESC Material shall not be advertised, marketed or promoted on websites or on any other platform controlled by the Non-Rights Holders;
- e) The JESC or EBU trademarks shall not be used so as to suggest an endorsement and/or a partnership with the EBU and/or the JESC;
- f) Non Rights holders and accredited press or fans community outlets using JESC Material (hereafter "They") represent to the EBU that, in respect of rights in all musical works and sound recordings which are used in the JESC Material, They have appropriate licence agreements or arrangements with, and be liable for and pay all fees due to, the appropriate music collecting societies, organizations or similar bodies to enable them to exercise the use authorised by these Rules. For the avoidance of doubt, They shall have for sole liability to clear those rights as are normally controlled by a performing rights collective administration society, or similar performing rights music collecting societies. By using JESC Material, They acknowledge and agree that They shall hold the EBU, the Host Broadcaster, the Rights Holders harmless and fully indemnified against any claim arising out from any use made in breach of the present Rules and shall defend, indemnify and hold harmless all the Rights Holders, the EBU and the Host Broadcaster) from and against and loss, damages, costs and expenses arising out such claims.

4. APPLICABLE LAW AND JURISDICTION

The present Rules are submitted to Swiss Law and the courts of Geneva (Switzerland) shall have exclusive jurisdiction.

5. DEFINITIONS

Accredited Non-Rights Holders shall mean press and fans community outlets representatives granted with a P Pass;

Ancillary Materials shall mean the Opening Ceremony Material and the Press Conference Material.

Broadcast shall mean the distribution or transmission of audio and/or audio-visual programmes for reception on a television receiver, computer monitor, mobile device, radio or other devices now known or hereafter devised.

EVN Members shall mean those broadcasters which are Members of the EBU, and which participate in the Eurovision News Exchange (EVN/EVS).

Host Broadcaster shall mean the EBU Member entrusted with the organisation and production of the JESC, which for 2020 shall be **TVP**

Internet means the on-line global communications matrix which interconnects, using TCP/IP protocol and/or related protocols, individual computers and/or computer networks.

JESC shall mean the Junior Eurovision Song Contest.

JESC Material shall mean the Show, the Jury Rehearsal and the Ancillary Materials.

Jury Rehearsal shall mean the second dress rehearsal due to take place on the day preceding the live Show and during which the national juries shall vote.

News Agencies shall mean bona fide media organization whose primary business or only business is the reporting and syndicating of news worldwide.

News Bulletins shall mean daily regularly-scheduled general *news* programmes in which the main feature of such programme is news.

Non-Rights Holders shall mean any broadcaster and/or any Internet Operator (including for the avoidance of doubt any EVN Member which is not a Rights Holder or News Agencies) which do not hold any audiovisual media rights in the JESC.

On-Demand shall mean the set-up whereby individual users may choose the time and the place of reception through access to the signal of their choice made available for that purpose on an electronic database.

Opening Ceremony Material shall mean the recording and filming of the arrival of the artists and delegations at the Opening Ceremony of the JESC.

Participating Broadcasters shall mean the EBU Members participating actively in the JESC (i.e. those broadcasters entering a contestant in the JESC).

Press Conference Material shall mean any interviews/interventions filmed and recorded during the press conferences.

Radio shall mean a linear audio only transmission service on any type of radio system by any technical means (including transmission or re-transmission by satellite, wire, fibre or cable systems or any other system of telecommunication).

Rights Holders shall mean those broadcasters which have been granted a licence to broadcast the JESC Show by the EBU or authorised to broadcast the JESC Material by the EBU (including the Participating Broadcasters).

Show shall mean the live signal of the JESC Show which shall be held, produced and transmitted in the city/country and on the date indicated above.

Social Media Platforms shall mean any web- or IP-based platform, administered and branded by a third-party, enabling communication to the public of content by its end-users; this covers platforms that require registration of end-users and a log-in process prior to use [e.g. Facebook]. For the avoidance of doubt, use of the Shows and of the Jury Rehearsals on YouTube is reserved to the EBU.

Television shall mean the Broadcast of a linear audiovisual programming for simultaneous reception by the public, in private or public places, by any technical means in whatever technical standard for reception and display on any type of device, irrespective of the mode of financing of the service (such as free of charge or against payment). Notwithstanding the foregoing and for the avoidance of doubt, Television shall specifically exclude, without limitation, Internet, video downloading, video streaming, computer network exhibition, Mobile Platform exhibition, home video, future media and Radio.

Websites shall mean fully owned websites or websites operated under the editorial control of the Non-Rights Holder.