

**EUROVISION 2017
REGULATION
on the National Selection**

1. GENERAL PROVISIONS

1.1. The Romanian Television Company (SRTV), in its capacity of *Organizer*, a right granted to it by the European Broadcasting Union (E.B.U.), yearly organizes the National Selection for Eurovision, in the form of a contest.

1.2. In 2017, the European final of Eurovision song contest will take place in Kiev, Ukraine, on 09, 11 and 13 May 2017.

1.3. The National Selection for Eurovision 2017 includes several phases, namely an entry period, a pre-selection, a semi-final and a final where the winning song will be announced and designated to represent Romania at Kiev.

2. ENTRY PERIOD

2.1. During the entry period 20 December 2016 – 22 January 2017 (*the date of the receipt of materials, which may be proven with official documents: stamp, confirmation e-mail, registration receipt*), the authors of original songs (*music and lyrics*) which could represent Romania at Eurovision 2017 are invited to send the following to the e-mail address eurovision.romania@tvr.ro or to the mailing address of Televiziunea Romana (*Calea Dorobantilor, Nr. 191, Sector 1, Bucharest*) or to submit to SRTv Registry:

a) two CDs containing the song/audio recording in WAVE file and MP3 format, as well as by *transfer.com* or *wetransfer.com* to the above e-mail address, containing the final version of the song and an instrumental version, without the singer's voice, but with backing vocals and full information about the participating song:

- o Title
- o Name(s) of the composer(s)
- o Name(s) of the author(s) of the lyrics
- o Name of the producer (publisher), if any

The *Organizer* and the secretariat members shall maintain the confidentiality of:

- a.1. Name(s) of the composer(s);
- a.2. Name(s) of the author(s) of the lyrics;
- a.3. Name of the producer (publisher), if any.

b) an affidavit in the form specified in Annex 1 to this Regulation, whereby the author retains responsibility for stating that the song enlisted for the contest was not, either in whole or in part, made available to the public under the conditions set forth in Article 2.7 of this Regulation, by means of any audio or video media, radio or television channel, whether public or private, national or local, or internet or any public performance (including concerts) in Romania or

abroad, whether or not it was officially recorded on any magnetic or digital medium or in any other form of public communication, and that the song was not commercially launched and/or publicly performed (either in whole or in part) before the 1st of September 2016, that the song is an original creation which shall not affect the rights held by any third parties;

c) the written agreement between the author and the performer(s) regarding the participation in the National Selection for Eurovision 2017, the model of which is in the form presented as Annex 2 to this Regulation;

d) the written authorization signed by the holders of copyrights and related rights - author/artist/producer of the work/ owner of (ii) the (audio) recording, as per the model presented as Annex 3 to this Regulation, regarding the assignment of the material copyrights and related rights over the work, (master) performance and registration, as well as the obligations regarding the promotion of the contest.

e) the text of the song in the language in which it is performed and an *ad literam* translation of the song into Romanian, if the text is in a foreign language;

f) a copy of the identity document of the author/authors, artists and of the producer's agent (if applicable);

g) the telephone number and e-mail address;

h) the proof of payment of the entry fee (a copy of the payment order). The entry fee is Lei 200 for each submitted song and will be transferred into the account no. RO69RNCB0072000506070001 opened with BCR District 1. This fee will be used for the organization of the National Selection.

2.2. The songs may be submitted within the time interval: 8:00 a.m. – 8:00 p.m., as follows:

a) hand delivery to the Registry of SRTv located at 191 Calea Dorobantilor Street – the entrance from Ernil Pangrati Street no. 8-10;

b) by mail dispatch, so that the envelope should arrive at SRTv until 22.01.2017 at the latest;

c) by e-mail to the address: eurovision.romania@tvr.ro.

2.3. The songs, as well as their performances, shall not exceed 3 minutes, otherwise they will be disqualified. No more than 6 performers will be admitted on stage. The performer should be at least 16 years of age on the date of the international final, at the latest.

2.4. The text of the song must not have an obscene or political character or contain any advertising messages. The songs admitted for the second phase of the contest (*the live national selection*) shall be performed in the instrumental version, which cannot contain any backing vocals or computerized voice effects; the entire vocal part must be live.

2.5. In this phase only the songs delivered on a CD, in audio format (CDA) or by e-mail to eurovision.romania@tvr.ro, in MP3 and WAVE format will be admitted. If the e-mail method of delivery is chosen, the procedure will only be deemed to be completed after the sender has received a confirmation from the same e-mail address.

2.6. The envelopes or e-mails not containing the requested documents will not be taken into consideration for the pre-selection phase. All the materials from the entry dossier will be retained and cannot be returned, whether they are admitted or not for participation in the subsequent phases of the contest.

2.7. All the contestants in the contest shall assume the mandatory and eliminatory obligation to participate with a song (*music and/or text*) which is original and does not affect any rights held by any third parties, which was not edited on any audio or video medium or broadcasted on any radio or television channel or on the internet or made available to the public in any way, either in whole or in part, until the 1st of September 2016. If, in any phase of the contest, a third party submits evidence that a song breaches the mandatory and eliminatory obligation mentioned above, the respective song will be disqualified by the organizers. A committee appointed by SRTv in its capacity of *Organizer* will analyze such evidence (*including allegations of plagiarism*). The final decision will solely lie with SRTv. The liability for any allegation of plagiarism will solely rest with the Author of the song concerned.

2.8. On 23.01.2017, at SRTv premises, the envelopes will be opened and the documents submitted will be reviewed by a reception committee, in the presence of a notary public who will certify the existence/non-existence of all the documents requested by the *Organizer*, in accordance with the Regulation of the Contest. The results of such review will be minuted in a report signed by the members of the reception committee and the notary public.

2.9. If the reception committee finds that the submitted documentation, except the audio recording, is incomplete, the concerned contestant will be granted a maximum of 48 hours to submit/complete the relevant documents. Such request may be made by telephone (sms) and/or e-mail.

2.10. Failure to submit/send the documents within the deadline specified above, according to the request of the reception committee, will result in the disqualification of the contestant.

3. PRE-SELECTION

3.1. The pre-selection phase will be carried out in the period 25 January – 29 January 2017, at SRTv premises. Each participant registered for the contest shall perform the song enlisted for the contest before the audience and the Jury, in one or more shows filmed and later on transmitted on SRTv channels, according to the program schedule.

3.2. The participants who fail to be present in the show(s), according to the request of the *Organizer*, will be disqualified.

3.3. The pre-selection of the songs enlisted for the contest will be done by a **Specialized Jury** composed of **5 members**. The Jury Members shall meet the following requirements:

- a) they should have no interest whatsoever in connection with the song, the authors or the performer, which could affect their impartiality while casting their votes;
- b) they should fill in and send a standard form confirming that they will comply with the voting instructions set out in this Regulation, as well as a signed statement whereby they undertake to vote in an independent manner.

3.4. Based on a decision issued by SRTv legal representative, the *Organizer* (SRTv) will appoint the Jury Members for both the pre-selection phase and the National Selection phase - the semifinal of the contest.

3.5. The Jury Members will take the responsibility for the conditions in which the contest is to be conducted.

3.6. For both the pre-selection phase and the final phase of the National Selection, the Jury Members will elect a Chairman. The Chairman of the Jury, elected by a simple majority of the members, i.e. half plus one of the votes cast, will supervise the proper course of the judging process, including the calculation of the final rating based on individual ratings.

3.7. In the pre-selection phase, the Jury will select from all the songs enlisted for the contest a maximum of 15 songs for the national semifinal phase of the contest.

3.8. In the pre-selection phase, the authors and the performers of the selected song undertake to conclude an agreement with SRTv whereby they shall detail the editorial, artistic, organizational obligations, as well as those related to public communication and conduct in connection with the participation in the international Eurovision Song Contest 2017.

4. VOTING SYSTEM

4.1. Each Member of the Jury will receive an evaluation sheet containing all the song titles and all the names of the performers enlisted for the contest, the *Organizer* maintaining the confidentiality of the authors. The Jury Members will only learn the authors (composer, lyricist) of the songs enlisted for the contest after the completion of the judging process.

4.2. The songs will be appreciated on the basis of the rating from 1 to 10, the Jury Members being allowed to give the same rating to several songs, against the following **criteria**:

- a) the musical form of the song, assessing the development of the melodic theme, its harmonization, as well as the rhythmic and melodic elements which confer an appropriate musical structure to the song;
- b) the way in which the orchestration of the songs is done from the point of view of their writing;
- c) the inventive and original character of the musical themes;
- d) the stylistic diversity of the competing songs;

e) the quality of the *sound* and of the vocal performance.

4.3. A number of 15 songs which obtain the best ratings from the Jury will be admitted, in a descending order, for the National Selection. Only a single song sung by an artist can be selected. The performer cannot be replaced during the contest. One composer can have several songs enlisted for the contest, if they are sung by different performers.

4.4. In case of a tie-vote, the song with the most numerous ratings of 10 will win. If a tie-vote is found again, the most numerous ratings of 9 will be taken into consideration, and so on and so forth until a differentiation can be made. If, however, equality between the graded songs is maintained, the *Organizer* will decide which song will be selected.

4.5. The Jury Members must sign both their own evaluation sheets and the minutes drafted after the exact establishment, in the pre-selection phase, of those 15 songs which will participate in the National Selection.

4.6. The winning songs of the pre-selection phase, which are to compete in the National Selection, will be announced in the broadcasts dedicated to Eurovision2017, according to the program schedule, as well as on SRTv websites, while the results will also be sent to the central press units, for publication, no later than 15 February 2017.

4.7. If, for objective reasons, a composer withdraws his/her song from the contest, this can only be made by an official application signed and filed with SRTv Registry or signed, scanned and sent by e-mail to: eurovision.romania@tvr.ro within 24 hours since the time when the finalists were announced. Unless the application for withdrawing the song is communicated to SRTv within the above mentioned term of 24 hours, the provisions of Article 6 of Annex 2, stipulated under paragraph (2) (c) will apply.

4.8. Any appeal will be submitted to SRTv Registry within 24 hours from the communication of the results of the pre-selection by publication on <http://eurovision.tvr.ro>. Appeals will be solved by an Appeal Committee appointed by decision of SRTv legal representative, which will include 3 members of which one will be the Chairman of the Jury. They will prepare and communicate a written answer by e-mail or by post to the address indicated by the appellant. The term for solving an appeal is 72 hours from the expiry date of the submission deadline for appeals.

5. NATIONAL SELECTION:

5.1. The National Selection can be carried out in Bucharest and/or in the cities where SRTv holds territorial studios or in the vicinity thereof, and it shall include two phases:

A. SEMIFINAL:

5.2. A number of 15 songs will participate in the semifinal phase of the National Selection.

5.3. The Specialized Jury will grant ratings from 1 to 12, as follows: 1, 2, 3, 4, 5, 7, 8, 10, 12. Each rating will only be granted once to each song. The judging process will end with a ranking where the first 10 songs will qualify for the final phase.

5.4. In case of a tie-vote, the winning song will be the one which has obtained the most 12 ratings from the Jury. If, however, equality between the graded songs is maintained, the most numerous 10 ratings, shall be taken into consideration, respectively the most 8 ratings and so on and so forth

5.5. Each Jury Member, including the Chairman will sign the evaluation sheet and the Jury minutes and will deliver them to the secretariat of the Jury at the end of the selection show.

B. FINAL:

5.6. A number of 10 songs will participate in the final phase of the National Selection.

5.7. Each song will be allocated a phone number, which will be displayed during the performance of the song, in an equal manner for all the contestants.

5.8. At the "START VOTING!" signal, the viewers may vote from the same phone number for one or more songs, but only once for each song, as follows:

a) by **sms**, sending a text message with the number assigned in the contest to their favorite song;

b) by **voice appeal**, entering the number assigned in the contest to their favorite song.

5.9. The "STOP VOTING!" signal will be given by the presenters in the final phase of the National Selection, as follows:

a) after the 10 finalist songs are performed on stage, the presenters will announce the last 60 minutes of voting, while a recital will take place;

b) after the recital specified in paragraph a) above, the presenters will announce the end of the voting process.

5.10. The *Organizer* reserves the right to cancel the votes generated by a fraudulent use of the mobile networks.

5.11. The results will be displayed both in the final phase of the National selection and online, <http://eurovision.tvr.ro>, in the section TELEVOTING RESULTS. The votes specified in Article 5.8 will be cumulated in the web interface.

5.12. The winning song in the National Selection – Eurovision 2017 will be the one which

obtains the most numerous votes granted in the Televoting procedure described in Article 5.8.

5.13. To ensure the fairness of the judging process in the National Selection, SRTv will resort to the services of a notary public.

6. LIMITATIONS AND RESERVATIONS

6.1. During the participation in the Eurovision contest (*the national phase and the international phase*):

a) the artist's team shall be supported by SRTv team so as to put the show concept of his/her song on stage, in the best possible conditions. The artistic performance must be in accordance with the indications of the stage director from SRTv.

b) neither the performer, nor the composer may conclude any agreement with third parties regarding the rights assigned to SRTv.

6.2. During the performance of the international phase of the contest (*the international semi-final and final*), the artist's management shall comply with the priorities and conditions imposed by SRTv regarding the promotion and preparation of the artist's participation and performance in the international phase, as the Representative of Romania.

6.3. The *Organizer* shall bear the travel and accommodation expenses for the artist who will participate in the international phase as the representative of Romania, within the limit of maximum 8 people.

7. FINAL PROVISIONS

7.1. Any appeal will be submitted to SRTv registry SRTv within 48 hours from the communication of the results of the final phase. Appeals will be solved by Appeal Committee **composed of 3 members of which one represents the company providing the televoting solution**. The deadline for solving the appeals is 72 hours from the expiry time of appeal submission.

7.2. By entering the international contest, after the completion of the National Selection, the authors and the performers of the winning song undertake to conclude an agreement with SRTv whereby they shall detail the editorial, artistic, organizational obligations, as well as those related to public communication and conduct in connection with the participation in the international Eurovision Song Contest 2017 which is to be carried out in Kiev, Ukraine, on 09, 11 and 13 May 2017. Failure by the authors/artists or holders of rights over the participating song to sign an agreement for their participation in the national or international final will constitute a reason of disqualification of the song from the contest.

7.3. All the artists and other holders of rights undertake to authorize the use, reproduction, printing and publication of their names, images, voices, photographs and biographies in the

context of promoting, broadcasting and/or of the commercial exploitation of the shows by all means and on any media channel, either from among the currently known or any future channels,, for an unlimited period of time. This also involves the use of the photographs and any other audio and video materials from press conferences, or recorded at rehearsals or backstage, for DVD compilations, for the websites of SRTv, Eurovision or their official partners, as well as of any other SRTv or Eurovision media product.

7.4. The artists have the obligation to take part in the press conferences organized by SRTv and EBU. The winning artist (artists) have the obligation to participate in the official press conference after the pre-selection, national and international final, in promotional shows produced by SRTv with priority, to mutually agree with the *Organizer* on their participation in any show broadcasted on any other media channel, and to authorize the use of any recording on any media channel (including the Internet) without any time or territory limitations.

7.5. Participation in the international phase of the contest requires the compliance with the provisions of the International Regulation EUROVISION SONG CONTEST 2017.

7.6. This Regulation, together with its 3 Annexes, the International Regulation EUROVISION SONG CONTEST 2017, as well as any other information about the contest will be posted on the website eurovision.tvr.ro, with a link to the official website of EUROVISION SONG CONTEST 2017 (www.eurovision.tv).

7.7. The *Organizer* reserves the right to make changes to this Regulation, in which case all the participants will be informed in due time.