

Public Institution

LITHUANIAN RADIO AND TELEVISION

Approved by
Lithuanian National Radio
and Television Director General

Order No.
from 2016

RULES

**FOR THE EUROVISION SONG CONTEST 2018
NATIONAL SELECTION**

I. TERMS

1. *Television programme Eurovision Song Contest National Selection* is a contest of new songs (further referred to as the Contest) hosted by PI Lithuanian National Radio and Television (LRT). The Contest is aimed at selecting the best song to represent Lithuania at the international Eurovision Song Contest, which will take place in Lisbon (Portugal), on 8th – 12th May 2018.

2. *Entry(s)* (further referred to as Entry(s)):

a. The performer – a person or a group of persons (band) from all over Lithuania who have submitted application to the LRT till 1st of December 2017, to participate in the Contest.

b. The author – a person or a group of persons (band) who have submitted a new 3- minute length song, till 1st of December 2016, not commercially released or publicly performed, selected and included in the Contest program by the Host Broadcaster.

3. *Host broadcaster of the Contest* – PI Lithuanian National Radio and Television (further referred to as LRT), on behalf of which the authorized persons act.

II. REQUIREMENTS FOR THE PARTICIPANTS

a. Entries

4. Only the citizens of the Republic of Lithuania and foreigners having a permit for permanent residence in Lithuania, and having submitted an application to participate in the Contest, till 1st

December 2016, can participate in the Contest. The Entries can participate in the Contest as solo performers or bands.

5. All the basic rules of the International Eurovision Song Contest (ESC) apply for the Contest (all entries must be aged at least 16 on the day of the National Selection; no more than 6 performers can perform on stage; performers are not allowed to take animals (cats, dogs, etc.) on stage; artists shall perform live on stage, accompanied by live music backing or phonogram, back singers shall sing live.

6. The performer(s) names the song he wants to perform in the Contest or chooses one from the songs listed in the Contest, when submitting an application to the Host Broadcaster.

7. Host Broadcaster of the Contest will take into account an artist's wish to perform a particular work, but reserves its right of final decision on the work to be performed, whereas the artist, while submitting an application, undertakes performing the work selected by the Host Broadcaster. In the event that the performer is in exercise of an exclusive right to perform a particular song, such performer preserves this right as long as he/she participates in the Contest. For further use of the song in the Competition Host broadcaster shall address the author of the song, holder of property rights to the song or collective copyright management association. On having acquired the consent of the author, property rights holder or collective copyright management association, such song may be performed by other entries participating in the National Selection.

8. Entries (performers) ensure granting LRT the exclusive, free of charge performer property rights under the Article 53, paragraph 1 of the LR Law on Copyright and Neighbouring Rights, i.e.: to broadcast and publicize an unrecorded performance, record an unrecorded performance; produce a copy of the recorded performance; make a recording of the performance publicly available, by means of wire and wireless communication; promote the recording of the performance or copies thereof by selling, renting or handing in possession, also by importing or exporting them. Such transfer of rights is compulsory in order to secure the appropriate performance of obligations by the Host Broadcaster, without limitation of the author's right to fees for the exercise of rights. This paragraph is compliant with the provisions of the International Eurovision Song Contest.

9. Entries eliminated from further participation in the Contest, at Host Broadcaster's request, shall be present at the Contest concerts rehearsals and concerts transmissions, as well perform the competing songs in off Contest framework. This obligation applies to such entry till the day of the Song Final transmission

b. Authors

10. Both Lithuanian or foreign authors, or a group of authors, can participate in the Contest by way of submitting an application and a song that meets the Eurovision Song Contest requirements – a new, up to 3-minute length song, as selected by the Host Broadcaster to participate in the Contest, not published in any known format before 1st September 2017 and not publicly performed or published.

11. The author submitting an application and a work assumes full responsibility for it being an original work by an author, and guarantees that the song has not been included in any other country's ESC competition program.

12. The author, when submitting an application and a song may indicate the artist, by way of priority, preferred to perform his/her song. The Host Broadcaster will take into account the author's wish as to the artist and the performance, but reserves the right of deciding, at its own discretion, on the performer for the song, while the author submitting an application does not object to any such decision by the Host Broadcaster.

13. In the event that the author or property rights holder to the song have granted an exclusive right to a particular artist to perform such song, such performer preserves this right as long as he/she participates in the Contest. For further use of the song in the Contest, Host broadcaster shall address the author of the song, holder of property rights to the song or collective copyright management association. On having acquired the consent of the author, property rights holder or collective copyright management association, such song may be performed by other entries participating in the National Selection. If such song makes it to the Final, author of the song, property rights holder or collective copyright management association agree for the song to be performed by all the artists participating in the Final.

14. The contestants (authors) ensure granting LRT the exclusive, free of charge property copyright, in compliance with the Article 15 of the LR Law on Copyright and Neighbouring Rights, i.e.: reproduce the song in any format; publish it, adapt, arrange, stage or remake, promote the original or copies thereof by selling, renting or giving into property by other means, also by importing or exporting; display the original or copies thereof; perform in public by any ways and means; broadcast or publish the song, also making it available on the Internet. Such transfer of rights is compulsory to secure the appropriate performance of obligations by the Host Broadcaster, without limitation of the author's right to fees for the exercise of rights.

15. The Jury as formed by the Host Broadcaster, till 5th December 2017, of all works submitted by the authors, names no less than 20 songs to be presented in the Contest selections. Host Broadcaster will inform the authors of their works being qualified for the Contest. Also, songs will be listed in the Host Broadcaster's website.

III. ORGANIZATION OF THE CONTEST

16. The Host Broadcaster undertakes to inform the entries about the time of the performance in the concert recording/broadcast to phone number indicated in the application of the entry, no later than 2 (two) calendar days before the respective Selection round or the Final, where the contestant is to appear.

17. The Host Broadcaster sets place and date of the selections, Best Song and Best Performer Finals, Winner of the Contest support concert and rehearsals.

18. Entries shall participate in the selection concerts' rehearsals and recordings. The performers, who are selected for the Final, shall participate in the Final concert rehearsal and its live broadcast; Host Broadcaster informs the contestants about the time of rehearsals and a live broadcast, as set out in paragraph 16 of these Rules.

19. If an entry(s) does not appear at the selection and Final concert rehearsals, recording sessions or transmissions on time, without a document justifying his/her absence (illness, loss of a relative etc.), LRT has the right to eliminate such performer from the Contest and fine him/her for 2000EUR. If the performer – Winner of the Selection, regardless of reasons, refuses to go to the International Eurovision Song Contest to be held in Lisbon (Portugal) in May of 2018, or else refuses to perform the song at the International ESC, LRT has the right to claim Winner of the Contest to pay LRT the fine of 5000 EUR, as well to compensate all the losses incurred by LRT through such guilty inaction, including but without limitation, the fine that LRT would be liable to pay to the International ESC Host broadcaster, resulting from the member-country's representative refusal to perform the song at the ESC, Winner's and delegation members' accompanying the Winner to ESC in Lisbon return tickets and accommodation in Lisbon costs; Contest Winner's accompanying person's, LRT employee's, business trip costs (daily allowance, travel, accommodation, travel insurance and other expenses incurred by the LRT employee during the business trip).

20. Running order of the Contest will be announced after the selection of all entries and songs is completed

If the winner, regardless of the reasons, refuses to go to the International Eurovision Song Contest, to be held in May of 2018 in Lisbon (Portugal), the Jury decides, which of the other finalists shall go to the International ESC in Lisbon.

21. The final dates of filming and transmissions on the LRT Television will be announced after all entries and songs are chosen for the Selection.

22. Contestants ranking 1st to 5th place in the Selection are obliged to participate in the Winner's Support Concert.

23. Performers failing to be present at the Contest Final concert rehearsal or/and its transmission, forfeit the right of being selected winners of the Contest, regardless of reasons for their absence.

24. Host Broadcaster has the right, without it being obligatory, award an opportunity for a drop out contestant of getting back in the Contest.

IV. Voting procedure and distribution of funds received during the televoting

25. The voting is carried in two lines – the audience and the Jury vote.

26. **The audience vote** is launched starting with the Programme 1. During all the shows the audience votes for their favourite performers by way of making phone calls or sending an SMS to numbers indicated by the Host Broadcaster. The audience vote is announced by the end of each show – the performer with greatest number of votes gets 12 points, 2nd place – 10 points, 3rd place – 8 points, 4th place – 7 points, 5th place – 6 points, 6th place – 5 points, 7th place – 4 points, 8th place – 3 points, 9th place – 2 points, 10th place – 1 point.

Share of funds received from the audience calls and SMS falling to the Host Broadcaster is to be designated for the National Selection Winner's preparation in representing Lithuania at the International Eurovision Song Contest to be held in 2018, in Lisbon (Portugal).

27. **The Jury vote** is launched starting with the Programme 1. During each show the Jury votes for all artists performing in it. By the end of each show the Jury vote is announced: e.g., performer with greatest number of votes gets 12 points, 2nd place – 10 points, 3rd place – 8 points, 4th place – 7 points, 5th place – 6 points, 6th place – 5 points, 7th place – 4 points, 8th place – 3 points, 9th place – 2 points, 10th place – 1 point. The Jury members may not appoint performers/songs equal points.

28. The winner is announced after adding up the audience and the Jury's vote, following the procedure as set out in paragraphs 26 and 27. The performer getting the least number of points is eliminated from the Contest. In case that during the selections certain performers receive an equal number of points, the one who gets more Jury votes is announced the winner of the show.

29. In case that the Host Broadcaster is in reasonable doubt that the viewer vote is unfair, e.g., carried out by means of using computer programmes, vote from number not attached to a particular user, organised vote, etc., Host Broadcaster has the right of overruling such vote results and eliminating the performer and/or song related to unfair vote from the Contest.

V. RESPONSIBILITY

30. Publishing of any information related to entries shall not be considered a violation of private life, provided that such information is supplied by entries themselves or their authorized persons. Performers' presence at the recording sessions and broadcasts of the Contest shall be understood as their assent to publish information about their private life, unless performers indicate in the application, which facts of their private life may not be made public.

31. LRT shall not be liable for any copyright and neighbouring rights violations caused by entries during the Eurovision Song Contest 2018, in Lisbon (Portugal).

32. In the event that the winning song is a work of a foreign author, LRT shall not be liable for such author's arrival/stay/return/departure from the international Eurovision Song Contest.
33. In no event shall the LRT be liable for distribution of any false or derogatory information related to any party, or information causing damage to legal person's reputation, provided that such information is supplied by the entries.
34. All disputes, claims and/or actions resulting from the breach of these Rules as committed by the entries shall be solved by the entries themselves, excluding LRT. In the event that the court recognizes LRT a relevant respondent in actions with regard to such violation, LRT follows the procedure as in any other litigation case that it partakes; LRT is entitled to compensation in its entirety for losses incurred through any such litigation with the entry (including the lawyer(s) services).
35. The entries shall assume full responsibility for any their activities related to violations of public order, interests of the minor and other legal acts and merits protected by the Republic of Lithuania.
36. Entries in breach of these Rules are liable to recompense for any loss that LRT experiences due to such violation. Furthermore, with consideration of seriousness of the violation, the entry in question may be eliminated from the Contest and/or subjected to a onetime 2000 EUR fine.
37. Both LRT and the Entries shall be responsible for proper performance under these Rules.
38. In case of the necessity, LRT reserves the right to change these Rules.