



**ASIA PACIFIC
SCREEN AWARDS™**

**CHARTER RULES AND
REGULATIONS 2010**

CHARTER RULES AND REGULATIONS 2010

PART A: INTRODUCTION

In 2010, Asia Pacific Screen Awards Limited (**ACN 052 126 262**) of Level 25, Waterfront Place, 1 Eagle Street, Brisbane, Queensland 4000, Australia, an Australian public company limited by guarantee ("**APSA**"), will present the Asia Pacific Screen Awards. This Charter sets out the eligibility criteria and other rules applicable to the 2010 Asia Pacific Screen Awards.

1. Aims and Endorsements

- 1.1. The Asia Pacific Screen Awards aims:
 - To acclaim filmmaking in the Asia-Pacific region that best reflects its culture, origins and cinematic excellence.
 - To acclaim the people behind this excellence.
 - To promote this outstanding work in film to a global audience in order to broaden the market appeal of such works.
 - To encourage the collaboration of filmmakers in the region.
 - To develop, through film, greater understanding of the region's various cultures.
 - To recognise the creativity of our neighbouring cultures in the vast Asia-Pacific region and, in doing so, take it to the world.
- 1.2. The Asia Pacific Screen Awards will be held on the Gold Coast, Queensland, Australia, on Thursday, 2 December 2010.
- 1.3. Feature programs linked to the Asia Pacific Screen Awards may be shown to a global audience by CNN International, its affiliates and other APSA licensees. APSA will be the executive producer of the programs in association with CNN International.
- 1.4. FIAPF - International Federation of Film Producers Associations has endorsed this Asia Pacific Screen Awards Charter.
- 1.5. The Director General of UNESCO has given his formal endorsement for the Asia Pacific Screen Awards to be conducted under the auspices of UNESCO.
- 1.6. The Asia Pacific Screen Awards are owned by APSA, a wholly owned subsidiary of Queensland Events Corporation Pty Ltd, an agency of the Queensland Government.



CHARTER RULES AND REGULATIONS 2010

2. Awards Definitions

2.1. Films will be considered in the following categories:

1. Feature Film
2. Animated Feature Film
3. Documentary Feature Film
4. Children's Feature Film

2.2. Awards for 2010 will be given for the following achievements:

1. Jury Grand Prize
2. Best Feature Film
3. Best Animated Feature Film
4. Best Documentary Feature Film
5. Best Children's Feature Film
6. Achievement in Directing
7. Best Screenplay
8. Achievement in Cinematography
9. Best Performance by an Actress
10. Best Performance by an Actor
11. FIAPF Award for outstanding achievement in film
12. UNESCO Award for outstanding contribution to the promotion and preservation of cultural diversity through film.

3. Entry into the Asia Pacific Screen Awards

3.1. Entries for the 2010 Asia Pacific Screen Awards open on **Monday, 1 May 2010** and close on **Monday, 23 August 2010**.

3.2. Films may be entered into the Asia Pacific Screen Awards either:
(a) by being submitted by an Official Submission Organisation in accordance with Section 17 ("**submitted films**"); or
(b) by being invited by the Nominations Council or APSA Chairman in accordance with Section 18 ("**invited films**").

3.3. In order to make a valid entry into the Asia Pacific Screen Awards, the Official Submission Organisation (in the case of a submitted film) and the producer(s) of the relevant film (in the case of both a submitted film and an invited film), must comply with the eligibility criteria and other rules and regulations in this Charter and submit a fully completed *Asia Pacific Screen Awards 2010 Screen Credits Entry Form - Submitted and Invited Films* (the "**Screen Credits Entry Form**") by the deadline specified in Section 8.



CHARTER RULES AND REGULATIONS 2010

PART B: ELIGIBILITY

4. Definition of the Asia-Pacific Region

In this Charter, the "**Asia-Pacific region**" is defined as those countries and areas of Asia and the Pacific that lie substantially between the longitudes of 30 degrees east and 170 degrees west, being the countries and areas listed in **Appendix I**. On the map, this region stretches from Egypt in the west, to the Cook Islands in the east, and from Russia in the north, to New Zealand in the south.

5. Definition of a Film from the Asia-Pacific Region

Films submitted or invited to be considered for the Asia Pacific Screen Awards must have been predominantly created in the Asia-Pacific region, have been predominantly created by filmmakers from the Asia-Pacific region and must reflect the cultural origins of the nominating country or countries in accordance with Section 6.

6. The Test

- 6.1. A film will qualify as a film from the Asia-Pacific region if it satisfies the criteria set out in Section 6.3 ("**The Test**"). A film will be eligible if it achieves at least nine (9) out of a possible twelve (12) maximum points in Item 1 of the criteria set out in Section 6.3 and at least ten (10) out of a maximum seventeen (17) in Item 2 of the criteria set out in Section 6.3.
- 6.2. The Chairman of APSA will, on behalf of APSA, make the final decision on the qualifying submissions and invitations applying The Test in its absolute discretion.



CHARTER RULES AND REGULATIONS 2010

THE TEST

6.3. Criteria

1. Cultural

Weighting

- | | |
|--|----------------------|
| A. Film is based on subject matter or underlying material from or about the Asia-Pacific region; | Maximum of 3 points |
| B. Film is predominantly (over 50%) set in the Asia-Pacific region; | Maximum of 3 points |
| C. Lead Characters are from the Asia-Pacific region; | Maximum of 3 points |
| D. Original dialogue recorded in a language from the Asia-Pacific region. Silent Films will receive the maximum of 3 points. | Maximum of 3 points |
| Total | Maximum of 12 points |

2. Creative

- | | |
|---|----------------------|
| A. The majority of creative talent must be predominantly from the Asia-Pacific region, meaning they must be born in the Asia-Pacific region or hold a current passport from a country in the region or normally reside in the region. | 3 |
| i. Director | 3 |
| ii. Script writer | 3 |
| iii. Producer/Co-Producer | 2 |
| iv. Cinematographer | 1 |
| v. Editor | 1 |
| vi. Composer | |
| vii. Lead Actors: | 2 |
| Lead (1) (Male or Female) | 2 |
| Lead (2) (Male or Female) | |
| | Maximum of 17 points |



CHARTER RULES AND REGULATIONS 2010

Total



CHARTER RULES AND REGULATIONS 2010

7. Eligibility

Only films that meet the following conditions may be submitted or invited for the 2010 Asia Pacific Screen Awards:

- 7.1. Films must be feature length, defined as over 60 minutes for Feature Films and Children's Feature Films and over 40 minutes for Animated Feature Films and Documentary Feature Films.
- 7.2. Films must be theatrically released anywhere in the world, in a format generally acceptable for public exhibition **or** presented at a FIAPF accredited film festival **or** a recognised national film festival from the countries or areas of the defined Asia-Pacific region. The FIAPF accredited festivals are listed in **Appendix II ("FIAPF Accredited Film Festivals")**.
- 7.3. A documentary must be theatrically released, broadcast on free to air, cable or satellite television, or presented at a FIAPF accredited film festival or recognised national film festival from the countries or areas of the defined Asia-Pacific region.
- 7.4. Films must have had first public screening **AFTER 1 August, 2009 and BEFORE October 31, 2010**.
- 7.5. The film must be identical in form with the final version in general release.
- 7.6. A film may be submitted or invited in only one Asia Pacific Screen Awards year for award consideration.
- 7.7. Once a film has been selected for nomination in accordance with Section 20 it cannot be withdrawn from the Asia Pacific Screen Awards.
- 7.8. APSA must receive the official Screen Credits Entry Form duly completed and signed by the film's Producer, and/or Sales Agent, and/or Distributor and the Official Submission Organisation (in the case of a film submitted in accordance with Section 17), and **four** (4) DVD copies of the film in eligible format.
- 7.9. Sufficient information confirming that the film has been or will be released theatrically or presented at a FIAPF accredited film festival or recognised national film festival from the countries or areas of the defined Asia-Pacific region after 1 August, 2009 and before October 31, 2010, will need to be attached to the official Screen Credits Entry Form including:
 - Full, complete and authentic credits; and
 - Confirmation of theatrical release details, including the dates and where the film was or will be exhibited or details of the FIAPF accredited film festival or recognised national film festival from the countries or areas of the defined Asia-Pacific region, at which it has or will be presented.
- 7.10. Co-produced films involving two (2) or more co-producers may be eligible.



CHARTER RULES AND REGULATIONS 2010

- 7.11. All films must be presented in their original language and English subtitles are required for all entries not in the English language. All subtitling expenses are to be met by the film's producer.
- 7.12. It is the producer's responsibility to approve the subtitling translation to ensure the best possible English translation from the original language works.
- 7.13. The APSA Chairman has the discretion to determine eligibility of any film submission, which may take in to account the prevailing conditions of the country and the film industry from which the film has been submitted.
- 7.14. The decision of the Chairman of APSA, on behalf of APSA, is final and no correspondence will be entered into.

8. Deadline

- 8.1. Deadline for receipt of all duly processed and completed Screen Credits Entry Forms and accompanying films is postmarked **Monday, 23 August 2010**.
- 8.2. All Screen Credits Entry Forms and films must be postmarked by **Monday, 23 August 2010**.
- 8.3. **The deadline is final – no exceptions.** Any submission postmarked after **Monday, 23 August 2010** will not be accepted.
- 8.4. **Films must arrive** to the APSA Film Department by no later than **Friday, 10 September 2010** in order to be considered.
- 8.5. The decision of the Chairman of APSA, on behalf of APSA, is final and no correspondence will be entered into.



CHARTER RULES AND REGULATIONS 2010

PART C: SPECIAL RULES

9. Special Rules for Best Feature Film

- 9.1. A feature film is defined as over 60 minutes in length.
- 9.2. The individual(s) who shall be credited for Asia Pacific Screen Awards purposes must have screen credit as “Producer/Co-Producer” or “Produced By/Co-Produced By”.
- 9.3. The nominees will be those three (3) or fewer producers who have performed the major portion of the producing functions.
- 9.4. APSA has the right, at its discretion, to name any additional qualified producer as a nominee.
- 9.5. For a Producer from outside the defined Asia-Pacific region to be credited, the film must have a Co-Producer from a country or countries in the Asia-Pacific region.
- 9.6. Producers credited on anthology/omnibus works must be the credited producer of the overall anthology/omnibus works, regardless of whether each segment has individual producers attached.
- 9.7. The five (5) films receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Feature Film Award.
- 9.8. **All general eligibility rules set out in Part B apply.**

10. Special Rules for Best Animated Feature Film

- 10.1. An animated feature film is defined as over 40 minutes in length.
- 10.2. An animated film is defined as a motion picture created of at least 40 minutes in length with a significant number of the major characters animated, and in which animation comprises no less than 70% of the film’s running time.
- 10.3. The individual(s) who shall be credited for Asia Pacific Screen Awards purposes must have screen credit as “Producer/Co-Producer” or “Produced By/Co-Produced By”.
- 10.4. For a Producer from outside the defined Asia-Pacific region to be credited, the film must have a Co-Producer from a country or countries in the Asia-Pacific region.
- 10.5. The nominees will be those three (3) or fewer producers who have performed the major portion of the producing functions.



CHARTER RULES AND REGULATIONS 2010

- 10.6. Producers credited on anthology/omnibus works must be the credited producer of the overall anthology/omnibus works, regardless of whether each segment has individual producers attached.
- 10.7. APSA has the right, at its discretion, to name any additional qualified producer as a nominee.
- 10.8. The five (5) films receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Animation Feature Film Award.
- 10.9. **All general eligibility rules set out in Part B apply.**

11. Special Rules for Best Documentary Feature Film

- 11.1. An eligible documentary is defined as a non-fiction film over 40 minutes in length.
- 11.2. A documentary must be theatrically released, broadcast on free to air, cable or satellite television, or presented at a FIAPF accredited film festival or recognised national film festival from the countries or areas of the defined Asia-Pacific region by Sunday, 31 October 2010.
- 11.3. A documentary may be photographed in actual occurrence, or may utilise part re-enactment, stills, animation, stock/archival footage, stop-motion and other techniques, as long as the primary focus is fact rather than fiction.
- 11.4. A film that is primarily a promotional film, an industrial or instructional film, or essentially an unfiltered record of a performance is not eligible.
- 11.5. Only individual documentary films will be considered eligible for the documentary awards. This excludes from consideration: episodes extracted from a larger theme series; segments taken from a single “composite” program, short subject documentaries created from materials substantially taken from, or cut down from publicly exhibited (in commercial theatres, festivals and/or television), completed feature length documentaries.
- 11.6. Producers credited on anthology/omnibus works must be the credited producer of the overall anthology/omnibus works, regardless of whether each segment has individual producers attached.
- 11.7. The individual(s) who shall be credited for Asia Pacific Screen Award purposes must have screen credit as “Producer/Co-Producer” or “Produced By/Co-Produced By”.
- 11.8. For a Producer from outside the defined Asia-Pacific region to be credited, the film must have a Co-Producer from a country or countries in the Asia-Pacific region.
- 11.9. The nominees will be those three (3) or fewer producers who have performed the major portion of the producing functions.



CHARTER RULES AND REGULATIONS 2010

- 11.10. APSA has the right, at its discretion, to name any additional qualified producer as a nominee.
- 11.11. The five (5) films receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Documentary Feature Film Award.
- 11.12. **All general eligibility rules set out in Part B apply.**

12. Special Rules for Best Children's Feature Film

- 12.1. A Children's feature film is defined as over 60 minutes in length.
- 12.2. An eligible Children's film is defined as a film suitable for viewing by children both with and without parental guidance.
- 12.3. As a guide, the age group that the film is suitable for must be 16 years or under.
- 12.4. The individual(s) who shall be credited for Asia Pacific Screen Awards purposes must have screen credit as "Producer/Co-Producer" or "Produced By/Co-Produced By".
- 12.5. For a Producer from outside the defined Asia-Pacific region to be credited, the film must have a Co-Producer from a country or countries in the Asia-Pacific region.
- 12.6. The nominees will be those three (3) or fewer producers who have performed the major portion of the producing functions.
- 12.7. APSA has the right, at its discretion, to name any additional qualified producer as a nominee.
- 12.8. Producers credited on anthology/omnibus works must be the credited producer of the overall anthology/omnibus works, regardless of whether each segment has individual producers attached.
- 12.9. The five (5) films receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Children's Feature Film Award.
- 12.10. **All general eligibility rules set out in Part B apply.**

13. Special Rules for Achievement in Directing

- 13.1. Films that are co-directed are eligible.
- 13.2. The individual(s) who shall be credited for Asia Pacific Screen Awards purposes must have screen credit as "Director/Co-Director" or "Directed By/Co-Directed By".



CHARTER RULES AND REGULATIONS 2010

- 13.3 The nominees will be those two (2) or fewer directors who have performed the major portion of the directing functions will be the award winner/s.
- 13.4 The Director/Directors credited on the film will be the award winner/s.
- 13.5 The five (5) film's receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Achievement in Directing Award.
- 13.6 **All general eligibility rules set out in Part B apply.**

14. Special Rules for Best Screenplay

- 14.1. Original or Adapted Screenplays are eligible.
- 14.2. The Screenplay Award will be determined by English language subtitled submissions. It is strongly recommended that the Producer/Production Company ensures the best possible English subtitled translation from the original language works.
- 14.3. The individual(s) who shall be credited for Asia Pacific Screen Awards purposes must have screen credit as "Screenwriter".
- 14.4. The nominees will be those two (2) or fewer writers who have performed the major portion of the writing functions.
- 14.5. The Screenwriter/Screenwriters credited on the film will be the award winner/s.
- 14.6. The five (5) screenplays receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Screenplay Award.
- 14.7. **All general eligibility rules set out in Part B apply.**

15. Special Rules for Achievement in Cinematography

- 15.1. The Cinematographer(s) credited on the film will be the award winner/s.
- 15.2. The nominees will be those two (2) or fewer cinematographers who have performed the major portion of the cinematography functions.
- 15.3. The five (5) cinematography achievements in each category receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Achievement in Cinematography Award.
- 15.4. **All general eligibility rules set out in Part B apply.**



CHARTER RULES AND REGULATIONS 2010

16. Special Rules for Best Performance by an Actor and Actress

- 16.1. A live performance by an Actor or Actress in any role shall be eligible for nomination for Best Performance by an Actor/Actress Award.
- 16.2. Dubbed performances will be ineligible. Singing that is dubbed will not affect the performer's eligibility unless it constitutes the entire performance.
- 16.3. Voice performances for characters in an animation feature are not eligible.
- 16.4. The Actor or Actress credited on the film will be the award winner.
- 16.5. The five (5) acting achievements in each category receiving the highest number of votes by the Nominations Council shall become the nominations for final voting by the Jury for the Best Performance by an Actor/Actress Awards.
- 16.6. **All general eligibility rules set out in Part B apply.**



CHARTER RULES AND REGULATIONS 2010

PART D: SUBMISSION OF FILMS

17. Submissions of Eligible Films

- 17.1. Every country or area in the Asia-Pacific region may submit a maximum of two (2) films to be considered by the Nominations Council. The two (2) films will be drawn from the film categories defined below:
- Feature Films
 - Children's Films
 - Animated Feature Films
 - Documentary Feature Films
- 17.2. Some possible submission examples include:
- Example 1: 2 x Feature Films
Example 2: 1 x Feature Film, 1 x Children's Feature Film
Example 3: 2 x Children's Feature Films
Example 4: 2 x Documentaries
Example 5: 1 x Documentary Film, 1 x Animated Feature Film
Example 6: 2 x Animated Feature Films
Example 7: 1 x Documentary, 1 x Children's Feature Film
Example 8: 1 x Animation, 1 x Children's Feature Film *etc*
- 17.3. Selection and submission of the films from each country or area in the Asia-Pacific region can be made by one (1) Official Submission Organisation or an approved committee.
- 17.4. The Official Submission Organisation or committee in each eligible country or area in the Asia-Pacific region shall be the FIAPF member producer organisation, or if no FIAPF member producer organisation exists, either:
- (a) Any Representative Association Submitted by FIAPF
 - (b) A FIAPF Accredited Film Festival; or
 - (c) The organisation, Jury or Committee accredited by the Academy Awards in the country or area for its Foreign Language Category; or
 - (d) The organisation, Jury or Committee recognised by the APSA Chairman
- 17.5. A list of Official Submission Organisations by country or area in alphabetical order is set out in **Appendix III**.
- 17.6. APSA will provide an official online Screen Credits Entry Form to the endorsed organisations/committees in each country or area to be duly completed and signed by the organisations/committees and the producer(s) of the films selected as an agreement to compete.



CHARTER RULES AND REGULATIONS 2010

18. Invitation of Eligible Films

- 18.1. Each member of the Nominations Council comprised in accordance with Section 20.1 may invite submissions from the Asia-Pacific region in each of the Film Categories defined in Section 2.1.
- 18.2. The invited films by the Nomination Council will receive an official online Screen Credits Entry Form provided by APSA to be duly completed and signed by the Producer(s), and/or Sales Agent, and/or Distributor of the films selected as an agreement to compete.
- 18.3. The Chairman of APSA has the discretion to invite film submissions from the Asia-Pacific region in each of the Film Categories defined in Section 2.1
- 18.4. The invited films by the APSA Chairman will receive an official online Screen Credits Entry Form provided by APSA to be duly completed and signed by the Producer(s), and/or Sales Agent, and/or Distributor of the films selected as an agreement to compete.
- 18.5. **All general eligibility rules set out in Part B apply.**

19. Formats - Submitted or Invited Films

- 19.1. Eligible films submitted or invited to be considered by the Nominations Council must be provided in the following format:
DVD (Pal or NTSC)
- 19.2. All films provided to APSA must be final delivery film items. No working titles will be accepted.
- 19.3. Watermarked or time coded security on films is accepted and preferred.
- 19.4. The entrant acknowledges and agrees that APSA will retain possession of all materials submitted to it with, or in relation to, an entry and neither the entrant, the producer, the distributor nor any other person associated with the film can access the submitted materials.
- 19.5. If a film that has been submitted or invited for pre-selection is altered from the version that is sent to APSA, APSA may in its absolute discretion declare the film ineligible for consideration.
- 19.6. A film submission must be sent ONCE only and in one (1) format only.
- 19.7. A single film submission MUST be entered into one (1) Film Category ONLY.
- 19.8. A minimum of four (4) **DVD** copies of the film are required at the time of submission.



CHARTER RULES AND REGULATIONS 2010

PART E: SELECTION OF NOMINEES AND WINNERS

20. Selection of Nominees

- 20.1. Nominees for the 2010 Asia Pacific Screen Awards will be selected by an independent Nominations Council of film professionals comprised of film industry experts including film festival directors and programmers, filmmakers, critics and academics who will be predominantly from the Asia-Pacific region and will be headed by a Chair. The Nominations Council and the Chair will be selected by APSA in its absolute discretion.
- 20.2. By submitting a submitted or invited film, the Producer(s), and/or Sales Agent, and/or Distributor of that film agree that APSA has the right to, for the purpose of the APSA organisation (eg preparation of the APSA Annual Ceremony) to screen the film to the Nominations Council or members of the Nominations Council or an APSA Advisory Committee to the Nominations Council appointed by APSA in consultation with the Nominations Council for the purposes of determining the nominees for the Asia Pacific Screen Awards in accordance with this Section 20.
- 20.3. APSA shall have the right to, in consultation with the Nominations Council; appoint an APSA Advisory Committee to the Nominations Council in any or all of the film categories. The APSA Advisory Committee to the Nominations Council will provide the Nominations Council a short list of submitted films for consideration.
- 20.4. The Nominations Council shall receive the final list of all submitted films and will have the right to preview any submitted film which the APSA Advisory Committee to the Nominations Council has not put forward to the Nominations Council for consideration.
- 20.5. The Nominations Council has the right to alter a submitted or invited film's film category as defined in section 2.1.
- 20.6. Based on the list of submitted and invited films, the Nominations Council will by way of secret ballot, vote on nominations for each of the following awards:
 1. Best Feature Film
 2. Best Animated Feature Film
 3. Best Documentary Feature Film
 4. Best Children's Feature Film
 5. Achievement in Directing
 6. Best Screenplay
 7. Achievement in Cinematography
 8. Best Performance by an Actress
 9. Best Performance by an Actor



CHARTER RULES AND REGULATIONS 2010

- 20.7. Any person determined by APSA to have taken part in, or to have or perceived to have an interest in relation to, the production or distribution of a film in the 2010 Asia Pacific Screen Awards will declare that interest and will not vote for the film(s) with which the person has declared an interest. APSA and the Official APSA Chartered Accountants will scrutineer the declared interest and voting process to maintain the integrity of this rule and the overall voting process.
- 20.8. The Nominations Council will meet for ten (10) days late September 2010, in the city of Brisbane, Queensland, Australia to view the short-listed submitted and invited films and deliberate.
- 20.9. Based on a weighted voting system and applying the Special Rules in Part C, the Nominations Council will put forward to the Jury, comprised in accordance with Section 21.1, the following:
1. Best Feature Film – up to five (5) Nominations
 2. Best Animated Feature Film – up to five (5) Nominations
 3. Best Documentary Feature Film – up to five (5) Nominations
 4. Best Children's Feature Film – up to five (5) Nominations
 5. Achievement in Directing – up to five (5) Nominations
 6. Best Screenplay – up to five (5) Nominations
 7. Achievement in Cinematography – up to five (5) Nominations
 8. Best Performance by an Actress – up to five (5) Nominations
 9. Best Performance by an Actor – up to five (5) Nominations
- In the case of a tied vote, the Auditor will detail the votes cast to the Chair of the Nominations Council, and the Chair will either:
- 1) exercise a casting vote in the event the Nominations Council is unable to determine a nominee in the film category; or
 - 2) ask the Nominations Council to deliberate further and ask the Nominations Council to vote again in order to reach a definitive decision; and
 - 3) if the Nominations Council fails to reach a conclusion from the voting recast, the Chair will exercise a casting vote.
- 20.10. The final results will be known only by the Nominations Council and APSA and will be audited by a firm of Chartered Accountants.
- 20.11. APSA will announce the nominees in each category in an official press announcement one (1) month before the 2010 Asia Pacific Screen Awards Ceremony. All successful nominees will be notified by APSA at the time of the official press announcement.
- 20.12. Nominees shall be determined by credits as they appear on the screen and/or as certified to APSA by the producing companies on the official Screen Credits Entry Form. APSA shall not be bound by any contract or agreement relating to the sharing or giving of credit.
- 20.13. APSA will attend Nominations Council deliberations but will take no part in the voting.



CHARTER RULES AND REGULATIONS 2010

- 20.14. All decisions made by the Nominations Council are final and no correspondence will be entered into.
- 20.15. APSA and the Nominations Council shall provide, for pre-selection and deliberation meetings, a full and fair consideration of the merits of all eligible achievements.
- 20.16. In the event a nominated film is declared ineligible by APSA, it shall not be replaced and the category will remain with one less nomination.
- 20.17. The APSA NETPAC Development Prize is a monetary bursary of \$US5000.00 awarded by a NETPAC Jury formed by NETPAC members existing on the APSA Nominations Council.
- 20.18. The NETPAC Jury is made up of three (3) Nominations Council/NETPAC members headed by a Chair with deliberations occurring during Nominations Council week.
- 20.19. The APSA NETPAC Development Prize is designed to assist a remarkable filmmaker who has received an official nomination in the 2010 APSAs. It is envisaged that the prize would play an important role in enabling filmmakers to realise a cinematic release for their current project or realise the development of a future cinematic project.
- 20.20. The APSA NETPAC Development Prize is announced during a designated Nominee/Academy function leading up to the Asia Pacific Screen Awards ceremony on Thursday December 2, 2010. The recipient receives an engraved echo and certificate.
- 20.21. The monetary bursary will be forwarded to the prize recipient's nominated banking institution five (5) weeks from prize announcement.

21. Jury Process

- 21.1. The Asia Pacific Screen Awards winners will be determined by an independent Jury of up to seven (7) film professionals that will be headed by a Jury President of international distinction. The Jury President and the Jury will be selected by APSA in its absolute discretion.
- 21.2. The term of office for the President of the Jury will commence from the time of announcement of the appointment of the incoming Jury President. In 2010, this may occur in May 2010 during the APSA international launch.
- 21.3. Based on the list of nominated films advised by the Nominations Council in accordance with Section 20, the Jury will by way of secret ballot, vote on nominations for each of the awards specified in Section 20.5.
- 21.4. Any person determined by APSA to have taken part in, or to have or perceived to have an interest in relation to, the production or distribution of a film in the 2010 Asia Pacific Screen Awards will declare that interest and will not participate in the voting for that category in the judging process.



CHARTER RULES AND REGULATIONS 2010

- 21.5. The International Jury will meet in the week prior to the Asia Pacific Screen Awards ceremony in Queensland, Australia, to view the nominated films and deliberate.
- 21.6. Based on mutual agreement through deliberation or a secret ballot vote using a weighted voting system, the Jury will determine the winner of each of the awards specified in Section 20.5.
- 21.7. In the case of a tied vote, the Auditor will detail the votes cast to the Jury President and the President will either:
 - 1) exercise a casting vote in the event the Jury is unable to determine a nominee in the film category; or
 - a. ask the Jury to deliberate further and ask the Jury to vote again in order to reach a definitive decision; and
 - b. if the Jury fails to reach a conclusion from the voting recast, the Jury President will exercise a casting vote.
- 21.8. The final results will be known only by the Jury and APSA and will be kept secret until the announcement at the 2010 Asia Pacific Screen Awards Ceremony.
- 21.9. Award winners shall be determined by credits as they appear on the screen and/or as certified to APSA by the producing companies on the official Screen Credits Entry Form. APSA shall not be bound by any contract or agreement relating to the sharing or giving of credit.
- 21.10. One winner will be announced for each Asia Pacific Screen Award. The Jury has at its discretion, the privilege to award joint winners.
- 21.11. The winners of each Award will be announced at the 2010 Asia Pacific Screen Awards Ceremony.
- 21.12. APSA will attend Jury deliberations but will take no part in the voting.
- 21.13. All decisions made by the Jury are final and no correspondence will be entered into.
- 21.14. APSA, the Jury President and the Jury shall provide, for pre-selection and judging meetings, a full and fair consideration of the merits of all eligible achievements.
- 21.15. Results will be audited by a firm of Chartered Accountants.
- 21.16. Award winners will receive a certificate and an award designed by a prominent Australian artist.
- 21.17. The Jury may at their discretion allocate High Commendations in the award categories listed in 20.5.
- 21.18. The High Commendations are announced during the Ceremony. Recipients receive a certificate.



CHARTER RULES AND REGULATIONS 2010

22. FIAPF Award for outstanding achievement in film

- 22.1. FIAPF will decide the winner in this category in its absolute discretion.
- 22.2. The winner will be announced at the Awards Ceremony.
- 22.3. The winner will be notified in advance and invited to the Awards Ceremony.
- 22.4. The winner will receive a certificate and an award designed by a prominent Australian artist.

23. UNESCO Award for outstanding contribution to the promotion and preservation of cultural diversity through film

- 23.1. In 2010, all nominees and nominated films from the awards specified in Section 20.5, being the nine (9) awards categories listed below, will automatically be nominated for this category.

Best Feature Film
Best Animated Feature Film
Best Documentary Feature Film
Best Children's Feature Film
Achievement in Directing
Best Screenplay
Achievement in Cinematography
Best Performance by an Actress
Best Performance by an Actor

- 23.2. In 2010, the International Jury will decide upon the winner(s) in this category in accordance with the process specified in Section 21.
- 23.3. The winner will receive a certificate and an award designed by a prominent Australian artist.

24. JURY GRAND PRIZE

- 24.1. In 2010, all nominees and nominated films from the awards specified in Section 20.5, being the nine (9) awards categories listed below, will automatically be nominated for this category.

Best Feature Film
Best Animated Feature Film
Best Documentary Feature Film
Best Children's Feature Film
Achievement in Directing
Best Screenplay
Achievement in Cinematography
Best Performance by an Actress
Best Performance by an Actor



CHARTER RULES AND REGULATIONS 2010

- 24.2. In 2010, the International Jury, at their discretion, will decide upon the winner/s in this category in accordance with the process specified in Section 21.
- 24.3. The winner/s of the Jury Grand Prize will receive a certificate and an award designed by a prominent Australian artist.



CHARTER RULES AND REGULATIONS 2010

PART F: IF YOUR FILM IS NOMINATED

This Part F only applies to persons who are successfully nominated for an Asia Pacific Screen Award in accordance with Section 20.

25. The Academy of the Asia Pacific Screen Awards

- 25.1 In 2010, all nominees from the awards specified in Section 20.5, being the nine (9) awards categories listed below, will automatically be inducted into **The Academy of the Asia Pacific Screen Awards**.

Best Feature Film
Best Animated Feature Film
Best Documentary Feature Film
Best Children's Feature Film
Achievement in Directing
Best Screenplay
Achievement in Cinematography
Best Performance by an Actress
Best Performance by an Actor

- 25.2 In 2010, the winner of the FIAPF Award for outstanding achievement in film will automatically be inducted into **The Academy of the Asia Pacific Screen Awards**.
- 25.3 In 2010, the winner/s of the UNESCO Award for outstanding contribution to the promotion and preservation of cultural diversity through film will automatically be inducted into **The Academy of the Asia Pacific Screen Awards**.
- 25.4 In 2010, the winner/s of the Jury Grand Prize will automatically be inducted into **The Academy of the Asia Pacific Screen Awards**.

26. Submission of Nominated Films and Materials

- 26.1. To be considered by the Jury for a 2010 Asia Pacific Screen Award in accordance with Section 20, the Producer(s), and/or Sales Agent, and/or Distributor of each nominated film must, within ten (10) business days after receiving notification of their successful nomination in accordance with Section 20.10, deliver the following materials to APSA:
- (a) one (1) broadcast quality copy of the film that was submitted for pre-selection, at full running length, in PAL Digital or SP Betacam format (the "**Submitted Film**")
 - (b) at least three (3) electronic images from the Submitted Film, no less than 300dpi resolution each with a minimum size of 40mm x 40mm; and
 - (c) a press kit (production notes with cast and crew biographies) submitted electronically or in hard copy in relation to the Submitted Film.
 - (d) two (2) sets of at least four (4) different excerpts of maximum three minutes (3) in length each in broadcast quality PAL Digital or SP Betacam format (the "**Submitted Excerpts**")



CHARTER RULES AND REGULATIONS 2010

- 26.2. The Producer(s), and/or Sales Agent, and/or Distributor of each nominated film may (but are not required to), within ten (10) business days after receiving notification of their successful nomination in accordance with Section 20.10, deliver the following materials to APSA:
- (a) an electronic press kit with scene clips and interviews in relation to the Submitted Film; and
 - (b) other supporting and promotional materials relating to the Submitted Film;
(together with the materials referred to in Section 26.1, the "**Submitted Materials**").
- 26.3. In the event a nominee fails to comply with Section 26.1, the nominee will be disqualified from the Asia Pacific Screen Awards. The nominee shall not be replaced and the awards category will remain with one less nomination.

27. Grant of rights to the Submitted Materials

- 27.1. By submitting any Submitted Materials, the Producer(s), and/or Sales Agent, and/or Distributor agree that APSA has the right to, for the purpose of the APSA organisation (eg preparation of the APSA Annual Ceremony and subsequent follow up editions and at no cost to APSA):
- (a) screen the Submitted Film to the Jury or members of the Jury for the purposes of determining the winners of the 2010 Asia Pacific Screen Awards in accordance with Section 21;
 - (b) publicly screen any Submitted Excerpts or any selected excerpts from the Submitted Film on "big screens" and monitors at any Asia Pacific Screen Awards Ceremony and at any pre- and post-Asia Pacific Screen Awards Ceremony functions;
 - (c) use stills from the Submitted Materials at any Asia Pacific Screen Awards Ceremony and any pre- and post-Asia Pacific Screen Awards Ceremony functions;
 - (d) use stills from the Submitted Materials and descriptive material about the Submitted Film in the official program for any Asia Pacific Screen Awards Ceremony;
 - (e) make information extracted from the Submitted Materials available to the press;
 - (f) use any Submitted Excerpts, selected excerpts from the Submitted Film and stills from the Submitted Materials to publicise the Asia Pacific Screen Awards by any means including on its website, in public relations, advertising and promotional materials related to any Asia Pacific Screen Awards Ceremony or the Asia Pacific Screen Awards themselves;
 - (g) incorporate (and permit its assignees, licensees, producers, agents and contractors to incorporate) selected excerpts and stills from the Submitted Film or the Selected Excerpts into television programs produced by APSA (or an assignee, licensee, producer, agent or contractor of APSA) in relation to any Asia Pacific Screen Awards Ceremony or function in respect of which all intellectual property rights will be owned by APSA and may be used by APSA and licensed to CNN International and other third party licensees in



CHARTER RULES AND REGULATIONS 2010

- APSA's absolute discretion (including for transmission an unlimited number of times of each of the programs and in any version thereof, in whole or in part via any and all media now known or hereafter developed in perpetuity);
- (h) APSA will seek permission from the film's Producer(s), and/or Sales Agent, and/or Distributor to **store a Digital Beta cam or SP Beta cam copy of the Nominated Film if it is a winner** of an Asia Pacific Screen Award and use it for archival footage in connection with any Asia Pacific Screen Awards;
 - (i) translate (and authorise third parties to translate) the Submitted Excerpts or excerpts from the Submitted Film into any and all languages; and
 - (j) use the press kits referred to in paragraphs 26.1, 26.2 and any other supporting and promotional material submitted with an entry as it sees fit.
- 27.2. The Producer(s), and/or Sales Agent, and/or Distributor acknowledges and agrees that APSA has sole and absolute discretion to select the excerpts from the Submitted Film (including the duration of the excerpts) and use the excerpts from the Submitted Film and the Submitted Excerpts in accordance with Section 26 as it sees fit. For the avoidance of doubt, APSA will consider using any Submitted Excerpts, but may select alternative excerpts from the Submitted Film in its sole and absolute discretion.

28. Clearances

- 28.1. The producer acknowledges and agrees that it is solely responsible for obtaining all necessary authorisations and/or licences relating to the use of copyright material and material containing the intellectual property rights of any person in the Submitted Materials (including licences of moral rights). APSA takes no responsibility for any failure by the producer to obtain any necessary authorisations and/or licences.
- 28.2. The producer will ensure that it obtains all necessary clearances, permissions, releases, licences, consents or other authorisations in respect of the Submitted Materials (including in respect of moral rights) to allow:
- (a) the full use and enjoyment of the materials by APSA in accordance with Section 27;
 - (b) the inclusion of the materials in the programs referred to in Section 27(g); and
 - (c) the licensing of distribution rights to programs referred to in Section 27(g) by APSA to third party licensees for worldwide transmission.
- 28.3. The producer acknowledges and agrees that APSA will not be responsible for paying any fees or copyright royalties in relation to the Submitted Materials that are used in accordance with Section 27.

29. Attendance at the 2010 Asia Pacific Screen Awards Ceremony

Subject to the receipt by APSA of one (1) copy of the nominated film in eligible format and compliance with all materials requested in Section 26.1, one (1) nominee attached to each nomination (as outlined in the Screen Credits Entry Form) will be flown to the Gold Coast,



CHARTER RULES AND REGULATIONS 2010

Queensland, Australia for the awards ceremony on **Thursday 2 December 2010** to receive the award/s and/or certificate/s.

Air travel and accommodation in accordance with standard industry practice will be paid by APSA as outlined in the APSA Terms and Conditions of Travel.¹

¹APSA Terms and Conditions of Travel will be provided to all Nominees at time of announcement.

30. Return of Nominated Films

- 30.1 Nominated Films that have been submitted will be retained by APSA under tight security until the voting process is completed and the television programs referred to in Section 27(g) have been produced and broadcast. At the completion of this, they will be returned to the relevant production company, provided that APSA may retain copies of selected excerpts from the Submitted Films and the Submitted Excerpts for future use in accordance with Section 27.
- 30.2 APSA will seek permission from the film's Producer(s), and/or Sales Agent, and/or Distributor to **store a single (1) digital betacam copy of the Nominated Film if it is a winner** of the 2010 Asia Pacific Screen Awards in accordance with Section 27.1 (h). The winning film will be retained by APSA under tight security and will not be screened without APSA seeking formal permission from the Producer(s), and/or Sales Agent, and/or Distributor of the films listed on the official Screen Credits Entry Form.
- 30.3 APSA will notify the relevant production companies at time of shipment to ensure the best appropriate shipping of the Nominated Film so that customs taxes are lessened or eliminated. APSA will not be responsible for any costs associated with the shipping of film entries or Submitted Materials.
- 30.4 Any customs taxes will be borne by the Producer(s), and/or Sales Agent, and/or Distributor of the nominated film.



CHARTER RULES AND REGULATIONS 2010

PART G: GENERAL

31. Shipping of film entries

- 31.1. All expenses for the shipping (for both import and export), screening and translation of films and/or cassettes submitted to APSA with a view to their possible selection or for shipping of any Submitted Materials, are to be met by the film's Producer(s), and/or Sales Agent, and/or Distributor, sender or relevant nominating film organisation. APSA will not be responsible for any costs associated with the shipping of film entries or Submitted Materials.
- 31.2. Copies of films sent by registered mail must be pre-paid and sent directly to the Film Department at the APSA office with "**For Cultural Use Only**" and "**Without Commercial Value**" marked on the envelope.
- 31.3. Please refer to the Australian Customs website for current customs laws at: www.customs.gov.au
- 31.4. The sender should declare the package as "**FREE DOMICILE**" in order for any additional customs costs to revert to sender.
- 31.5. Should the sender choose to send a film through an express courier service, the cost of customs duties and taxes in Australia must be included in the transportation cost paid by the sender; if that is not the case, APSA will refuse the package.
- 31.6. The Production company (in the case of invited films) or approved submission organisation (in the case of submitted films) must email APSA prior to shipment with details of: a) film title b) film producers c) film directors. This information will be supplied to CUSTOMS as an agent of the Office of Film Literature and Classification in order to expedite delivery of your film submission.

32. Care for films and insurance

- 32.1. APSA will take reasonable steps to prevent any unauthorised third parties from accessing or misusing any film that is provided to it for consideration by the Nominations Council or any Submitted Film that is provided to it for consideration by the Jury and use in accordance with Section 27, provided that APSA will not be responsible for:
 - (a) any unauthorised access or misuse; or
 - (b) except as set out in Section 32.2, any loss and/or damage; to any film or other materials that are delivered to it whether in APSA's possession or the possession of any other person.
- 32.2. APSA will insure any submitted and invited films provided for consideration by the Nominations Council and any Submitted Films provided for consideration by the Jury against loss and damage while they are located at APSA's premises (excluding loss of profit or consequential losses).
- 32.3. Any further expenses for the insurance of films are the responsibility of the owner.



CHARTER RULES AND REGULATIONS 2010

- 32.4. Should a film be lost or damaged, APSA's responsibility may only be engaged to the extent of the value indicated on the shipping invoice.

33. Authority/Dispute

- 33.1. APSA reserves the right in its sole and absolute discretion:
- (a) to determine whether an entry is validly made in accordance with this Charter;
 - (b) to reject any entry that is not validly made in accordance with this Charter;
 - (c) to determine what process, if any, it may adopt to resolve the validity of any entry;
 - (d) to determine the appropriate Film Categories for any film and override the selection of the Film Category made by the entrant;
 - (e) to determine the composition of the Nominations Council and the Jury;
 - (f) to vary the awards that are presented or introduce new awards categories into the Asia Pacific Screen Awards;
 - (g) to settle all disputes in relation to this Charter and the Asia Pacific Screen Awards;
 - (h) to settle all cases in relation to the Asia Pacific Screen Awards that are not covered by this Charter and the Screen Credits Entry Form; and
 - (i) to delegate any power, right or discretion under this Charter conferred on it to the APSA Secretariat.
- 33.2. The decision of APSA will be final and binding.
- 33.3. Should any dispute arise regarding the interpretation of a point in these conditions, the original English version is binding.
- 33.4. In the event of any dispute concerning credits APSA reserves the right to declare any achievement ineligible or, alternatively, to reject all claims to credit, list credits as being in controversy and withhold any award until the dispute is resolved.

34. Representations and warranties

The Official Submission Organisations (in the case of a Submitted Film) and the Producer(s), and/or Sales Agent, and/or Distributor of the relevant film (in the case of a film that is submitted or invited for consideration by the Nominations Council and in respect of a Submitted Film that is provided for consideration by the Jury) represent and warrant in respect of each film that it has delivered to APSA, and any materials that it delivers to APSA, that:

- 34.1. the film and any other materials delivered to APSA comply with the terms and conditions set out in this Charter and the Screen Credits Entry Form;
- 34.2. it has the unrestricted authority to enter the film in the Asia Pacific Screen Awards and grant the rights specified in this Charter and the Screen Credits Entry Form whether in its own right or on behalf of any third party directly or indirectly associated with it;
- 34.3. it has obtained the consent of each individual member of the cast and crew to:



CHARTER RULES AND REGULATIONS 2010

- (a) the nominating film organisation and/or Producer(s), and/or Sales Agent, and/or Distributor disclosing the individuals' contact details to APSA; and
 - (b) APSA making contact with that individual by using the personal information provided to APSA;
- 34.4. the information that it has or will provide to APSA (included in the Screen Credits Entry Form), is completed and accurate;
- 34.5. it will not make any statement or act in any manner which, in the opinion of APSA, may bring the reputation of APSA, the Asia Pacific Screen Awards or the 2010 Asia Pacific Screen Awards Ceremony into disrepute;
- 34.6. the film is its original work and it is the owner of the copyright in the film;
- 34.7. the copyright in the film and any materials delivered with its entry and the dramatic and musical material upon which it is based or which are contained in the film or materials delivered to APSA will be valid and subsisting for the full term of copyright and (if applicable) copyright renewal;
- 34.8. neither the film, nor any part of the film, nor any materials contained in the film, nor any other materials delivered to APSA, infringe any trade mark, trade name, contract, agreement, copyright, literary, artistic, dramatic, personal, or property right or right of privacy or any other right whatsoever of, or defames, slanders or libels any person whatsoever;
- 34.9. it has not sold, assigned, transferred, conveyed, or otherwise encumbered, and will not sell, assign, transfer, convey, or otherwise encumber to any party, any right, title or interest in and to the film or any materials delivered to APSA or any part of the film or those materials, which would interfere with APSA's enjoyment of the rights granted to APSA under this Charter and the Screen Credits Entry Form;
- 34.10. it has obtained and will maintain all necessary licences for the production, synchronisation, exhibition, performance, distribution marketing and exploitation of the film and other materials delivered to APSA to enable APSA to exercise the rights granted under this Charter and the Screen Credits Entry Form;
- 34.11. there is no pending or threatened claim or litigation with respect to the film or other materials submitted to APSA, and the Producer(s), and/or Sales Agent, and/or Distributor will promptly notify APSA if any claim should be made or any litigation should be commenced with respect to the film or other materials submitted to APSA; and
- 34.12. it has the right to grant the rights referred to in this Charter and the Screen Credits Entry Form and will not take any action which might prevent or impair the exercise by APSA of the rights granted to APSA under this Charter or the Screen Credits Entry Form.



CHARTER RULES AND REGULATIONS 2010

35. Indemnity

The Official Submission Organisation (in the case of a Submitted Film) and the Producer(s), and/or Sales Agent, and/or Distributor of the relevant film (in the case of a film that is submitted or invited for consideration by the Nominations Council and in respect of a Submitted Film that is provided for consideration by the Jury) hereby agree to indemnify, defend and hold APSA, its parent, subsidiary, related and affiliated entities and each of their officers, directors, agents, representatives, shareholders and employees harmless from any and all claims, suits, expenses, damages or other liabilities, including reasonable legal fees and court costs, suffered by APSA as a result of:

- 35.1. any breach by the nominating film organisation or the Producer(s), and/or Sales Agent, and/or Distributor, as the case may be, of the representations and warranties or other terms and conditions set out in this Charter or the Screen Credits Entry Form; and
- 35.2. any use by APSA (or any of its licensees, producers, agents or contractors) of the film or any other materials submitted to APSA in accordance with this Charter or the Screen Credits Entry Form violating or infringing any trade mark, trade name, contract, agreement, copyright, literary, artistic, dramatic, personal, or property right or right of privacy or any other intellectual property rights whatsoever of any third party, or defaming, slandering or libelling any person whatsoever.

36. Rules for Publicity and Promotions

- 36.1. Asia Pacific Screen Awards nominees and winners may refer in advertising and publicity to the fact that they are an "Asia Pacific Screen Awards" winner. The award nominees and winners must (and must procure that their distribution companies agree to) use the exact wording of the Asia Pacific Screen Awards as set out in the Visual Identity Guide of the Asia Pacific Screen Awards [published on the APSA website from time to time].
- 36.2. Producers of films having received a nomination or an award in any Film Category agree to refer to (and procure that their distribution companies refer to) the nomination or the award in all future promotion campaigns, for example, on poster and day bill campaigns, in magazine and newspaper advertising and in trailers in accordance with the Visual Identity Guide Addendum: Winner and Nominated Logos of the Asia Pacific Screen Awards published on the APSA website from time to time.
- 36.3. The Official Submission Organisation (in the case of a Submitted Film) and the producer(s) of the relevant film (in the case of a submitted or nominated film) acknowledge and agree that APSA owns all intellectual property rights (including copyright, trade mark, confidential information, design and patent, whether Australian or foreign, and whether registered or unregistered) in the Asia Pacific Screen Awards including all intellectual property rights in the name "Asia Pacific Screen Awards" and any other registered or unregistered trade mark, brand, slogan, logo, emblem or other device now used or developed in the future relating to the Asia Pacific Screen Awards.



CHARTER RULES AND REGULATIONS 2010

37. Contact Details

Each communication (including each notice, consent, approval, request and demand) under or in connection with this document must be in writing and:

- 37.1. must be addressed as follows (or as otherwise notified by that party to each other party from time to time):

Asia Pacific Screen Awards

Courier Address

Level 25, Waterfront Place
1 Eagle Street
Brisbane Qld 4000
Australia

Postal Address

PO Box 7990
Waterfront Place
Brisbane Queensland 4001
Australia

Tel + 61 7 3222 1010
Fax + 61 7 3221 1684
E: info@apscreenawards.com
www.asiapacificscreenawards.com

- 37.2. must be signed by the party making it or by any attorney, director, secretary or authorised agent of, that party;
- 37.3. must be delivered by hand or posted by prepaid post to the address, or sent by fax to the number, of the addressee, in accordance with Section 33.1 in the case of APSA or specified on the Screen Credits Entry Form in the case of an entrant; and
- 37.4. is taken to be received by the addressee:
- (a) **(in the case of prepaid post sent to an address in the same country)** on the third day after the date of posting;
 - (b) **(in the case of prepaid post sent to an address in another country)** on the fifth day after the date of posting by airmail;
 - (c) **(in the case of fax)** at the time in the place to which it is sent equivalent to the time shown on the transmission confirmation report produced by the fax machine from which it was sent; and
 - (d) **(in the case of delivery by hand)** on delivery,

but if the communication is taken to be received on a day that is not a working day or after 5.00 pm, it is taken to be received at 9.00 am on the next working day ("working day" meaning a day that is not a Saturday, Sunday or public holiday and on which banks are open for business generally, in the place to which the communication is posted, sent or delivered).



CHARTER RULES AND REGULATIONS 2010

38. General

- 38.1. This Charter is governed by and must be construed according to the law applying in Queensland, Australia and each entrant irrevocably submits to the non-exclusive jurisdiction of the courts of Queensland, Australia, and the courts competent to determine appeals from those courts, with respect to any proceedings that may be brought at any time in relation to this Charter and the Screen Credits Entry Form.
- 38.2. This Charter may be varied by APSA in its absolute discretion and any variations will be binding on each entrant once such variations have been published on the APSA website.
- 38.3. Each entrant must promptly do all further acts and execute and deliver all further documents (in form and content reasonably satisfactory to APSA) required by law or reasonably requested by APSA to give effect to this document and the agreement between APSA and the entrant constituted by the Screen Credits Entry Form.
- 38.4. APSA may assign, novate or otherwise transfer any of its rights or obligations under this document without the prior consent of any person. Each entrant cannot assign, novate or otherwise transfer any of its rights or obligations under this document without the prior consent of APSA.

39. Interpretation

In this document:

- 39.1. headings are for convenience only and do not affect interpretation; and unless the context indicates a contrary intention;
- 39.2. an obligation or liability assumed by, or a right conferred on, two or more parties binds or benefits all of them jointly and each of them severally;
- 39.3. "person" includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (whether incorporated or unincorporated), a partnership and a trust;
- 39.4. a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation;
- 39.5. a reference to a document (including this document) is to that document as varied, novated, ratified or replaced from time to time;
- 39.6. a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- 39.7. if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning; and
- 39.8. "includes" in any form is not a word of limitation.



CHARTER RULES AND REGULATIONS 2010

THE THIRD ANNUAL 2010 ASIA PACIFIC SCREEN AWARDS KEY DATES

1 August 2009	Eligible films must have had first public screening after this date.
1 May 2010	Call for eligible films in each category.
23 August 2010	Postmarked deadline for entries. Screen Credit Forms and accompanying films must be postmarked on or before this date by Submitting Organisation in each country.
21 Sept – 2 October 2010	Nominations Council meet to decide nominations in the first nine categories. Announcement will be made in early October.
31 October 2010	Eligible films must have achieved theatrical release anywhere in the world or presentation at a FIAPF accredited film festival or recognised national film festival from the country or areas of the defined Asia-Pacific region by this date.
23-30 November 2010	Jury meet on the Gold Coast to deliberate and decide on the winners in each category.
1 December 2010	Asia Pacific Screen Awards Nominee's Lunch.
2 December 2010	2010 Asia Pacific Screen Awards Ceremony Gold Coast Convention and Exhibition Centre, Gold Coast, Queensland, Australia. Jury, Nominations Council, Nominees and Industry in attendance.



CHARTER RULES AND REGULATIONS 2010

APPENDIX I

Asia Pacific Screen Awards definition of the Asia-Pacific Region.

In this Charter, the "**Asia-Pacific region**" is defined as those countries and areas of Asia and the Pacific that lie substantially between the longitudes of 30 degrees east and 170 degrees west, being the countries and areas listed in **Appendix I**. On the map, this region stretches from Egypt in the west, to the Cook Islands in the east, and from Russia in the north, to New Zealand in the south.

Eligible countries and areas:

ASIA

South Central Asia

1. Afghanistan
2. Bangladesh
3. Bhutan
4. India
5. Islamic Republic of Iran
6. Kazakhstan
7. Kyrgyzstan
8. Maldives
9. Nepal
10. Pakistan
11. Sri Lanka
12. Tajikistan
13. Turkmenistan
14. Uzbekistan
15. Jammu and Kashmir

South Eastern Asia

16. Brunei Darussalam
17. Cambodia
18. Indonesia
19. Lao People's Democratic Republic
20. Malaysia
21. Myanmar
22. Philippines
23. Singapore
24. Thailand
25. Timor-Leste
26. Vietnam

Eastern Asia

27. People's Republic of China including:
28. Special Administrative Region of Hong Kong
29. Special Administrative Region of Macau
30. Taiwan
31. Democratic People's Republic of Korea



CHARTER RULES AND REGULATIONS 2010

32. Japan
33. Mongolia
34. Republic of Korea
35. Russian Federation

Western Asia

36. Armenia
37. Azerbaijan
38. Bahrain
39. Egypt
40. Georgia
41. Iraq
42. Israel
43. Jordan
44. Kuwait
45. Lebanon
46. Oman
47. Qatar
48. Saudi Arabia
49. Syrian Arab Republic
50. Turkey
51. United Arab Emirates
52. Yemen
53. Palestinian Territories

PACIFIC

54. Australia
55. New Zealand

Micronesia

56. Federated States of Micronesia
57. Kiribati
58. Marshall Islands
59. Nauru
60. Palau

Melanesia

61. Fiji
62. Papua New Guinea
63. Solomon Islands
64. Vanuatu

Polynesia

65. Cook Islands (NZ)
66. Niue (NZ)
67. Samoa
68. Tokelau (NZ)



CHARTER RULES AND REGULATIONS 2010

- 69. Tonga
- 70. Tuvalu

Asia Pacific Screen Awards definition of the Asia-Pacific Region (Section 4. Asia Pacific Screen Awards Charter Rules and Regulations) has been based on the Asia-Pacific Broadcasting Union Statutes and United Nations and UNESCO definitions of the region.



CHARTER RULES AND REGULATIONS 2010

APPENDIX II

FIAPF Accredited Film Festivals

The list of FIAPF accredited film festivals is viewable at
<http://www.fiapf.org/intfilmfestivals.asp>

APPENDIX III

Official Submission Organisations

For the approved submission organisation in your country, please email
films@apscreenawards.com
