

**ASIA PACIFIC  
SCREEN ACADEMY™**

**ASIA PACIFIC SCREEN AWARDS**  

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**CHARTER RULES & REGULATIONS**

**IGNITING & HONOURING CINEMATIC EXCELLENCE**



**ASIA PACIFIC SCREEN AWARDS  
CHARTER RULES AND REGULATIONS**

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## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### 16TH ASIA PACIFIC SCREEN AWARDS KEY DATES

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<b>1 August 2022</b>	Eligible films must have had their World Premiere, International Premiere and/or Theatrical Release after this date and before 31 October 2023. Any exceptions must comply with additional conditions detailed in Part B of the APSA Charter Rules & Regulations.
<b>March – September 2023</b>	Films invited and submitted for APSA competition. All films must meet eligibility requirements and supply entry materials within two weeks of receiving invitation to be considered for nomination.
<b>Mid September 2023</b>	APSA International Nominations Council deliberates and determines the nominees for the Asia Pacific Screen Awards in the relevant achievement categories.
<b>Mid October 2023</b>	Nominee announcement made in October. Applicants will be notified of outcomes.
<b>Mid to late November 2023</b>	APSA International Jury deliberates and determines winners in the achievement categories. Winners are announced during the Awards Ceremony.
<b>1 – 3 November 2023</b>	<b>Asia Pacific Screen Forum</b>
<b>3 November 2023</b>	<b>Asia Pacific Screen Awards Ceremony</b>

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# ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

## PART A: INTRODUCTION

Asia Pacific Screen Academy Pty Ltd ACN 642 301 022 of 1866 Logan Road, Upper Mount Gravatt, QLD 4122 Australia, an Australian proprietary company, limited by shares, will present the Asia Pacific Screen Awards and Asia Pacific Screen Forum. This Charter sets out the eligibility criteria and other rules applicable to the 2023 Asia Pacific Screen Awards (“APSA”).

### 1. Aims and Endorsements

- 1.1. The Asia Pacific Screen Academy aims to:
  - Acclaim filmmaking in the Asia Pacific region that best reflects its culture, origins and cinematic excellence
  - Award and honour the people behind this excellence
  - Promote this outstanding work in film to a global audience in order to broaden the market appeal of such works
  - Encourage collaboration between filmmakers in the region and around the world
  - Develop, through film, greater understanding of the region’s various cultures
  - Take the creativity of our neighbouring cultures in the vast Asia Pacific region to the world
- 1.2. The 16<sup>th</sup> Asia Pacific Screen Awards Ceremony will be held on Friday, 3 November 2023.
- 1.3. FIAPF – International Federation of Film Producers Associations has endorsed the Asia Pacific Screen Awards Charter.

### 2. Film Types & Award Categories

- 2.1. Films will be considered in the following four (4) feature-length film types:
  1. Fiction
  2. Youth
  3. Animation
  4. Documentary
- 2.2. Awards will be given at the Awards Ceremony for the following categories:
  1. Best Film
  2. Best Animated Film
  3. Best Documentary Film
  4. Best Youth Film
  5. Best Director
  6. Best Cinematography
  7. Best Screenplay
  8. Best Performance
  9. Best New Performer
  10. Jury Grand Prize
  11. Cultural Diversity Award
  12. Young Cinema Award in partnership with GFS and NETPAC
  13. FIAPF Award for outstanding achievement in film in the Asia Pacific region



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### 3. Entry into the Asia Pacific Screen Awards

- 3.1. Films submit for competition consideration via FilmFreeway submission.
- 3.2. Films are entered into competition via official invitation from the Asia Pacific Screen Academy.
- 3.3. APSA does not accept films that do not meet the eligibility requirements as set out in Part B: Eligibility.

### 4. Award Stages

- 4.1. Films are submitted to the Asia Pacific Screen Awards.
- 4.2. 'Nominees' are determined by the International Nominations Council and announced in October. Producer(s) and/or authorised representatives are provided with the official APSA 'Nominated' laurel for promotional use with the film.
- 4.3. 'Winners' are determined by the International Jury and winners are announced during the Awards Ceremony. Producer(s) and/or authorised representatives are provided with the official APSA 'Winner' laurel for promotional use with the film.

Please see **Appendix I** for more details on the APSA competition and selection stages.

### 5. Award Vessel

- 5.1. Winners will receive an award trophy.
- 5.2. One (1) award will be presented to the winning film for each category at the Awards Ceremony, or delivery will be arranged post-event.
- 5.3. Additional awards requested by the winners can be provided at their expense.

### 6. APSA Academy

- 6.1. All nominees and winners from the awards categories will automatically be inducted into the Asia Pacific Screen Academy.
- 6.2. Members of the Academy are granted exclusive access to submit to the MPA APSA Academy Film Fund for project script development, as well as other networking and development opportunities.





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### PART B: ELIGIBILITY

Only films that meet the following conditions may compete in the Asia Pacific Screen Awards.

#### 1. Definition of the Asia Pacific Region

In this Charter, the "**Asia Pacific Region**" encompasses the 78 countries and areas listed in **Appendix II**. The inclusive APSA-defined region is based on culture and heritage rather than politics, borders or boundaries.

Films must have been predominantly created in the Asia Pacific Region; have been predominantly created by filmmakers from the Asia Pacific Region and/or must reflect the cultural origins of the country or area in accordance with **The Test** (see **Appendix III**).

#### 2. The Test

- 2.1. A film will qualify as a film from the Asia Pacific Region if it satisfies the criteria set out **The Test** (see **Appendix III**). A film will be eligible if it achieves at least nine (9) out of a possible twelve (12) maximum points in 'Content', and at least ten (10) out of a maximum nineteen (19) in 'Creatives'.
- 2.2. The Executive Director of APSA will make the final decision on the qualifying submissions and invitations applying **The Test** in its absolute discretion and may make an exception to a film that does not qualify if the resultant decision is based on the Asia Pacific culture and heritage content of the film.
- 2.3. The Executive Director of APSA may take in to account the production support of non-Asia Pacific countries or areas that have had major producing roles to support and nurture a film from the Asia Pacific region. This reflects the growing non-border co-production environment of world cinema.
- 2.4. The Executive Director of APSA has the right to make case-by-case exceptions for entries that fail to meet the minimum required points.

#### 3. General

- 3.1. Films must be feature-length, defined as **over 60 minutes** for fiction and youth films and **over 40 minutes** for animated and documentary films.
- 3.2. All films provided to APSA must be final and complete. No working titles will be accepted, unless by written agreement from the APSA Secretariat.
- 3.3. A film cannot compete or be considered for an award in multiple APSA years.

#### 4. Premiere Status

- 4.1. Films must be:
  - theatrically released; **or**
  - presented at an international film festival; **or**
  - released on a video-on-demand (VOD) platform.
  - A documentary may also be broadcast on free to air, cable or satellite television.



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- 4.2. Films must have had first public screening (world premiere) or release after **1 August 2022** and before **31 October 2023**. If a film had its world premiere before 1 August 2022, it may be considered eligible if it meets one of the following criteria:
  - Internationally premiered after 1 August 2022; or
  - Released theatrically in its own country after 1 August 2022.
- 4.3. The Executive Director of APSA has the right in exceptional cases to not exercise this rule. The Executive Director may take in to account the prevailing conditions of the country or area and the film industry from which the film has been entered. An example being the COVID-19 global pandemic or if the film has been banned or censored in its country of origin and cannot achieve theatrical release.

### PART C: ENTRY MATERIALS

#### 1. Entry Materials Required

To make a valid entry into the Asia Pacific Screen Awards the Producer(s) and/or authorised representatives must supply by the entry deadline:

- **Submission** via FilmFreeway containing film synopsis, premiere status, key credits and contact information.
- A high quality **screener** that is permitted to be shared with APSA Secretariat and Nominations Council members for APSA selection purposes.
  - Online screeners and passwords must remain valid until 30 September 2023.
  - Any changes to links/passwords must be updated via FilmFreeway.
  - Films should be presented in the language of their original production and English subtitles are required for all entries not in the English language.
  - Watermarks or time coded security on film entries are acceptable, however it is strongly recommended they do not obscure or interrupt the film.
- Three (3) high-quality digital **film stills** (minimum 300dpi).

#### 2. Entry Fees

- 2.1. Cost to enter is AUD \$150.00 and entry fees cannot be refunded once submitted.
- 2.2. A fee waiver or discount may be provided at the discretion of the APSA Secretariat and taking into account the prevailing conditions and economic situation of the applicant's home country or territory.
- 2.3. Producer(s) and/or authorised representatives are wholly responsible for any additional costs associated with the production of film materials for the purposes of the submission or any nominations received.

#### 3. Entry Deadline

- 3.1. Submissions close 31 July 2023.
- 3.2. Extensions to deadlines must be by written agreement from the APSA Secretariat.



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### PART D: SELECTION OF NOMINEES AND WINNERS

#### 1. Selection Process

- 1.1. Please see **Appendix I** for a detailed breakdown of the APSA Competition Process.
- 1.2. Competition Advisors, Nominations Council and Jury members are independent, suitably qualified experts, selected and appointed by APSA.
- 1.3. Selection panellists will undertake fair consideration of the merits of all eligible films.
- 1.4. Selection panellists will be provided with access to secure online screeners as provided by Producer(s) and/or authorised representatives and may deliberate on nominees and winners via a virtual platform.
- 1.5. All deliberation meetings will be attended by an independent scrutineer who is registered by the Australian Securities and Investment Commission.
- 1.6. All selection panellists will sign confidentiality and conflict of interest declarations and will not appear on more than one panel per year.
- 1.7. 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 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 independent scrutineer will oversee the declared interest and voting process to maintain the integrity of this rule and the overall voting process.
- 1.8. In the case of tied votes at any stage, the independent scrutineer will detail the votes cast to the Chair or President, who will either:
  - exercise a casting vote; or
  - ask the Nominations Council or Jury to deliberate further and vote again in order to reach a definitive decision; if this fails, the Chair or President will exercise a casting vote.
- 1.9. The final results will be known only by APSA Secretariat and selection panellists and will be scrutinised by an independent scrutineer.
- 1.10. All decisions made by APSA Secretariat and selection panellists are final and no correspondence will be entered into.

#### 2. Selection of Nominees

- 2.1. Nominations Councils have the right to consider a film across multiple eligible types: i.e. Fiction and/or Youth and/or Animation and/or Documentary. However, a film can only be nominated in one of these types.
- 2.2. Youth films will also be considered by Nominations Councils for the Cultural Diversity Award and Young Cinema Award categories.
- 2.3. Based on a weighted voting system or by reaching consensus, the Nominations Councils will nominate within the following categories:
  - Best Film – up to five (5) Nominations
  - Best Animated Film – up to five (5) Nominations
  - Best Documentary Film – up to five (5) Nominations
  - Best Youth Film – up to five (5) Nominations





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- Best Director – up to five (5) Nominations
  - Best Screenplay – up to five (5) Nominations
  - Best Cinematography – up to five (5) Nominations
  - Best Performance – up to five (5) Nominations
- 2.4. APSA Secretariat has the right, at its discretion, to name any additional qualified individual(s) as nominee(s), as applicable, to the relevant award category.
  - 2.5. APSA Secretariat may, with general consensus, reduce or increase the number of nominations in the award categories.
  - 2.6. In the event a nominated film is declared ineligible by APSA Secretariat, it will be suitably replaced at the discretion of APSA, in agreement with the relevant Nominations Council and independent scrutineer; or the film may not be replaced and the category will remain with one less nomination.
  - 2.7. APSA will announce the nominees in each award category in an official press announcement five (5) to eight (8) weeks before the Asia Pacific Screen Awards Ceremony. All successful nominees will be notified by APSA prior and/or at the time of the official press announcement.
  - 2.8. Once a film has been selected for nomination it cannot be withdrawn from the Asia Pacific Screen Awards without written advice to APSA Secretariat.
  - 2.9. All decisions made by APSA Secretariat and selection panellists are final and no correspondence will be entered into.

### 3. Selection of Winners

- 3.1. The International Nominations Council will determine the winners of the Cultural Diversity Award, Young Cinema Award and Best New Performer Award from the pool of eligible fiction films.
- 3.2. From the list of nominated films the International Jury will, by way of a weighted voting system or by reaching consensus, determine one (1) winner for each of the awards categories.
- 3.3. The International Jury may at their discretion allocate a limited number of Special Mentions in the award categories.
- 1.1. The International Jury may award the Jury Grand Prize to any key individual attached to a nominated fiction film.
- 3.4. Results will be kept secret until the announcement at the Asia Pacific Screen Awards Ceremony.

## PART E: AWARD CATEGORY RULES

### 1. Best Film

- 1.1. The individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credits as Producer(s) and Director(s). APSA defines Producer(s) as the main Producer(s) credited in the film, this is not inclusive of Executive Producers, Co-Producers, Associate Producers, etc.



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- 1.2. 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.
- 1.3. In the case of an anthology/omnibus works the individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes will be the Producer(s). Directors will be extended an invitation into the APSA Academy.

### **2. Best Animated Film**

- 2.1. An animated film is defined as a motion picture in which animation comprises at least 70% of the film's running time.
- 2.2. The individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credits as Producer(s) and Director(s). APSA defines Producer(s) as the main Producer(s) credited in the film, this is not inclusive of Executive Producers, Co-Producers, Associate Producers, etc.
- 2.3. 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.
- 2.4. In the case of an anthology/omnibus works the individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes will be the Producer(s). Directors will be extended an invitation into the APSA Academy.

### **3. Best Documentary Film**

- 3.1. 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.
- 3.2. 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 feature length documentaries.
- 3.3. A film that is primarily a promotional film, an industrial or instructional film, or essentially an unfiltered record of a performance is not eligible.
- 3.4. The individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credits as Producer(s) and Director(s). APSA defines Producer(s) as the main Producer(s) credited in the film, this is not inclusive of Executive Producers, Co-Producers, Associate Producers, etc.
- 3.5. 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.
- 3.6. In the case of an anthology/omnibus works the individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes will be the Producer(s). Directors will be extended an invitation into the APSA Academy.



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### 4. Best Youth Film

- 4.1. As a guide, using the UN Convention on the Rights of the Child, a child is considered to be any human being below the age of 18. The definition therefore includes babies, small children, older children and young people.
- 4.2. Films that will be considered suitable as a youth film include those that are for and/or about young people, and/or told partly or entirely from a youth's point of view and/or a film that at its heart is made for young people.
- 4.3. The individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credits as Producer(s) and Director(s). APSA defines Producer(s) as the main Producer(s) credited in the film, this is not inclusive of Executive Producers, Co-Producers, Associate Producers, etc.
- 4.4. 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.
- 4.5. In the case of an anthology/omnibus works the individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes will be the Producer(s). Directors will be extended an invitation into the APSA Academy.

### 5. Best Director

- 5.1. Films that have multiple directors are eligible.
- 5.2. The individual(s) who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credit as Director and/or Co-Director.

### 6. Best Screenplay

- 6.1. The individual(s) who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credit as Screenwriter and/or Co-Screenwriter.
- 6.2. Original or Adapted Screenplays are eligible.
- 6.3. The Award will be determined by English language subtitled submissions. As selection panellists will be using this version as a common language for assessment purposes, it is strongly recommended that the Producer/Production Company ensures the best possible English subtitled translation from the original language works.

### 7. Best Cinematography

- 7.1. The individual(s) who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credit as Cinematographer or Director of Photography/DOP.

### 8. Best Performance & Best New Performer

- 8.1. The individual(s) who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credit for a main character in the film.
- 8.2. All fiction films with performers in their first or second lead feature length role are eligible for consideration for Best New Performer.



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- 8.3. Dubbed performances will be ineligible. Singing that is dubbed will not affect the performer's eligibility unless it constitutes the entire performance.
- 8.4. Voice performances for characters in an animated feature are not eligible.

### **9. Cultural Diversity Award**

- 9.1. This award goes to the film that creatively utilises its medium to best exemplify the manifold ways in which a society's cultural heritage and its artistic expressions are showcased.
- 9.2. All fiction films are eligible for the Cultural Diversity Award.
- 9.3. The individuals who will be credited, nominated and awarded for Asia Pacific Screen Awards purposes must have screen credits as Director(s) and Producer(s). APSA defines Producer(s) as the main Producer(s) credited in the film, this is not inclusive of Executive Producers, Co-Producers, Associate Producers, etc.

### **10. Jury Grand Prize**

- 10.1. The Jury Grand Prize may be awarded to any key individual attached to a nominated fiction film.
- 10.2. The Jury Grand Prize winner will be automatically inducted to the APSA Academy.

### **11. Young Cinema Award in partnership with NETPAC (Network for the Promotion of Asia Pacific Cinema) and GFS (Griffith Film School)**

- 11.1. All fiction films that have been directed by first or second time feature-length filmmakers are eligible for consideration.
- 11.2. The International Nominations Council will determine the winning filmmaker by way of secret ballot vote or general consensus.
- 11.3. The recipient will be automatically inducted to the APSA Academy.
- 11.4. APSA Secretariat may announce the winner in an official press announcement before the Asia Pacific Screen Awards Ceremony. If so, the winner will be notified by APSA prior and/or at the time of the official press announcement.

### **12. FIAPF Award for outstanding achievement in film in the Asia Pacific region**

- 12.1. FIAPF–International Federation of Film Producers Associations (FIAPF) will decide the winner in this category in its absolute discretion.
- 12.2. The FIAPF Award recipient will be automatically inducted to the APSA Academy.
- 12.3. APSA Secretariat may announce the winner in an official press announcement before the Asia Pacific Screen Awards Ceremony. If so, the winner will be notified by APSA prior and/or at the time of the official press announcement.

## **PART F: IF YOUR FILM IS NOMINATED**

### **1. Attendance at the Asia Pacific Screen Awards Ceremony & Asia Pacific Screen Forum**

- 1.1. Subject to the receipt by APSA of all nominated film materials required and pending any travel restrictions in place, nominated filmmakers will be encouraged



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to attend the Asia Pacific Screen Awards Ceremony in Australia on Friday, 3 November 2023.

- 1.2. If physical attendance is not possible, virtual attendance at the Awards Ceremony and Asia Pacific Screen Forum will be encouraged for all nominees.
- 1.3. Further terms and conditions of travel will be provided to all nominees at time of announcement.

### 2. Nominated Film Materials Required

- 2.1. The Producer(s) and/or authorised representatives of each nominated film must, within five (5) business days after receiving notification of their successful nomination, deliver the following materials to APSA:
  - **An online high quality version of the film** that was entered for competition, at full running length. Films will be retained by APSA under tight security until the deliberation process is completed. Films will be used for private Jury viewing to determine the APSA winners.
  - **Current biographies, high resolution headshots (300 dpi) and contact email** for all nominated filmmakers.
  - **At least four (4) film excerpts** each up to three (3) minutes in length in high definition digital file format (e.g. ProRes 422 HQ .mov (QuickTime) file or mp4 file at 1920 x 1080p or higher resolution). Film excerpts must best reflect the nominated category.

APSA may also determine suitable film excerpts, as appropriate to the awards categories, and request high definition versions to be supplied.
  - A **trailer** in MOV or MP4 format.
  - Permission to privately share online screeners (watermarked and/or password-protected as required) with accredited media representatives and Asia Pacific Screen Forum industry delegates for the purposes of promoting the film and its nomination. This permission will be re-confirmed upon nomination.
- 2.2. Producer(s) and/or authorised representatives must bear the cost of producing any nomination materials.
- 2.3. In the event the Producer(s) and/or authorised representatives fail to supply the materials required, the nomination will be disqualified.

### 3. Grant of Rights to Film Materials

- 3.1. The Producer(s) and/or authorised representatives acknowledge and agree that they are 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 nominated film materials (including licences of moral rights). APSA takes no responsibility for any failure by the Producer and/or authorised representatives to obtain any necessary authorisations and/or licences.
- 3.2. The Producer(s) and/or authorised representatives agree APSA has the right to:
  - Screen the nominated film free of charge to selection panellists for the purposes of determining the nominees and winners of the Asia Pacific Screen Awards.



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- Screen nominated film excerpts on large screens and monitors at the Awards Ceremony and at any pre- and post-Asia Pacific Screen Awards Ceremony functions.
- Make the nominated film screener privately available to accredited press and industry during the Awards Ceremony and Asia Pacific Screen Forum period.
- Share film information with press for the purposes of promoting the film.
- Use the supplied entry materials as well as nominated film materials at the Awards Ceremony, at pre- and post- Awards Ceremony functions, and in marketing collateral.
- Use supplied materials to publicise the Asia Pacific Screen Academy, including the Awards and Forum, by any means including on its website, social media, YouTube video channel, in highlights trailers, in public relations, advertising and promotional materials.
- Incorporate (and permit its assignees, licensees, producers, agents and contractors to incorporate) selected excerpts and stills from the nominated film 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 where all intellectual property rights will be owned by APSA and or licensed to other third party licensees at 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).
- Translate (and authorise third parties to translate) the materials or excerpts into any and all languages.

### **PART G: GENERAL**

#### **1. Authority/Dispute**

1.1. APSA Secretariat reserves the right in its sole and absolute discretion to:

- Determine whether an entry is validly made in accordance with this Charter;
- Reject any entry that is not validly made in accordance with this Charter;
- Determine what process, if any, it may adopt to resolve the validity of any entry;
- Determine the appropriate film categories for any film and override the selection of the film category made by the entrant;
- Determine the composition of the APSA International Nominations Council and Juries;
- Vary the awards that are presented or introduce new awards categories into the Asia Pacific Screen Awards;
- Settle all disputes in relation to this Charter and the Asia Pacific Screen Awards;
- Settle all cases in relation to the Asia Pacific Screen Awards that are not covered by this Charter; and
- Delegate any power, right or discretion under this Charter conferred on it to the APSA Secretariat.





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- 1.2. In the event of any dispute concerning credits, APSA reserves the right to declare any film ineligible or, alternatively, to reject all claims to credit, list the credits as being in controversy and withhold any award until the dispute is resolved.
- 1.3. The decisions of APSA will be final and binding, and no correspondence will be entered into.

### 2. Representations and Warranties

- 2.1. Producers and/or authorised representatives represent and warrant in respect to each film that it has delivered to APSA, and any materials that it delivers to APSA, that:
  - the film and any other materials delivered to APSA comply with the terms and conditions set out in this Charter.
  - it has the unrestricted authority to enter the film in the Asia Pacific Screen Awards and grant the rights specified in this Charter whether in its own right or on behalf of any third party directly or indirectly associated with it;
  - the information that it has or will provide to APSA is complete and accurate;
  - it will not make any statement or act in any manner which, in the opinion of APSA, may bring the reputation of the Asia Pacific Screen Awards into disrepute;
  - the film is its original work and it is the owner of the copyright in the film;
  - 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;
  - 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;
  - 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 employment of the rights granted to APSA under this Charter;
  - 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 exercise the rights granted under this Charter;
  - 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.



## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### 3. Indemnity

- 3.1. Producer(s) and/or authorised representatives 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:
  - any breach by the nominating film organisation or the Producer(s) and/or authorised representatives of the representations and warranties or other terms and conditions set out in this Charter; and
  - 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 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 libeling any person whatsoever.
- 3.2. The Producer(s) and/or authorised representatives acknowledge and agree that APSA will not be responsible for paying any fees or copyright royalties in relation to film materials.
- 3.3. While APSA will take reasonable steps to prevent any unauthorised third parties from accessing or misusing any film that is provided for consideration by the APSA Secretariat and selection panellists, APSA will not be responsible for any unauthorised access or misuse or any loss and/or damage of a film and nominated materials.
- 3.4. While APSA will take reasonable steps to ensure a secure platform is in place for any virtual deliberations and discussions, APSA will not be responsible for any technological failures or disclosure of confidential information.

### 4. Rules for Publicity and Promotions

- 4.1. Nominees and winners may refer in advertising and publicity to the fact that they are an "Asia Pacific Screen Awards" nominee or winner. The award nominees and winners must (and must ensure their distribution companies agree to) use the exact wording of the Asia Pacific Screen Awards and display of the APSA award laurel as set out by the Asia Pacific Screen Awards.
- 4.2. Nominees and winners 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 with Nominated and Winner Laurels of the Asia Pacific Screen Awards provided at the time of nominee and winner notification.
- 4.3. The Producer(s) and/or authorised representatives 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.



## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### 5. Force Majeure Event

- 5.1. In the circumstance of a Force Majeure Event:
- APSA will not be liable for any delay or failure to perform its obligations as described in this Charter; and
  - APSA may make alternative arrangements to proceed with the competition in a matter it sees fit.
- 5.2. For the purposes of this clause, a Force Majeure Event means any event that is not reasonably within the control of the parties including inclement weather, lighting strikes, fire, flood, inundation, earthquakes, smoke, explosions, bomb threats, epidemics, pandemics, labour troubles, strikes or other industrial disturbances, inevitable accidents, war (declared or undeclared) embargoes, blockades, legal restrictions, riots and threats of damage to person or property.

### 6. General

- 6.1. 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.
- 6.2. This Charter may be varied by APSA Secretariat in its absolute discretion and any variations will be binding on each entrant once such variations have been published on the APSA website.
- 6.3. 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.

### 7. Interpretation

In this document:

- headings are for convenience only and do not affect interpretation;
- 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;
- "person" "Producer(s)" and "authorised representatives" include 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;
- a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation;
- a reference to a document (including this document) is to that document as varied, novated, ratified or replaced from time to time;
- a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- 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
- "includes" in any form is not a word of limitation.



## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### 8. Contact Details

APSA can be contacted via:

Attn: Jaclyn McLendon  
Executive Director  
Asia Pacific Screen Academy  
c/- 1866 Logan Road  
Upper Mount Gravatt QLD 4122 Australia

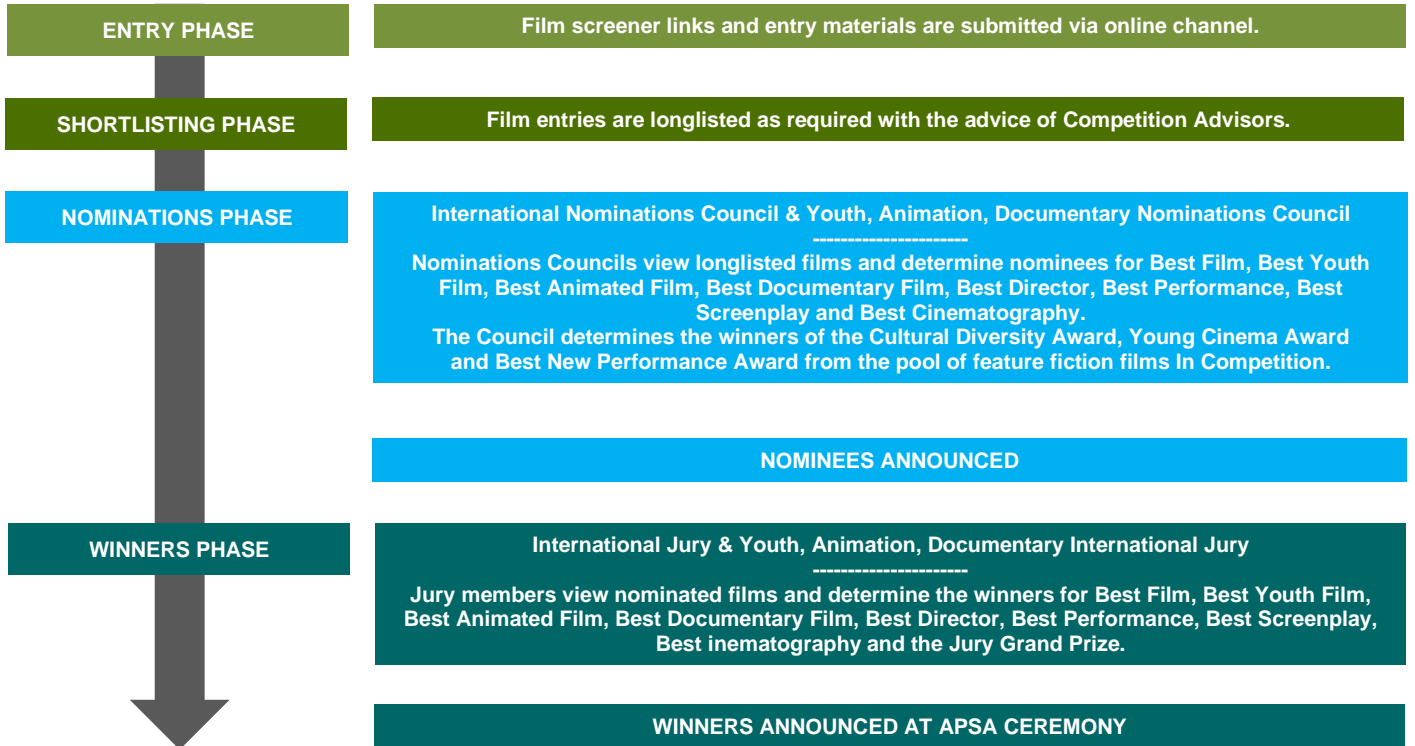
T: +61 (0) 448 827 546

E: [info@asiapacificscreenacademy.com](mailto:info@asiapacificscreenacademy.com)  
[www.asiapacificscreenawards.com](http://www.asiapacificscreenawards.com)



## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### APPENDIX I: APSA COMPETITION PROCESS





## ASIA PACIFIC SCREEN AWARDS CHARTER RULES AND REGULATIONS

### APPENDIX II: APSA DEFINITION OF THE ASIA PACIFIC REGION

The APSA definition of the 78 countries and areas that comprise the Asia Pacific region has been based on culture and heritage rather than politics, borders or boundaries.

#### 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

##### South Eastern Asia

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

##### Eastern Asia

26. People's Republic of China including:
  27. Hong Kong (PRC)
  28. Macau (PRC)
  29. Taiwan
30. Democratic People's Republic of Korea
31. Japan
32. Mongolia
33. Republic of Korea
34. Russian Federation

##### Western Asia

35. Armenia
36. Azerbaijan
37. Bahrain
38. Egypt
39. Georgia

40. Iraq
41. Israel
42. Jordan
43. Kuwait
44. Lebanon
45. Oman
46. Qatar
47. Saudi Arabia
48. Syrian Arab Republic
49. Türkiye
50. United Arab Emirates
51. Yemen
52. Palestine

#### PACIFIC

53. Australia
54. New Zealand

##### Micronesia

55. Federated States of Micronesia
56. Guam
57. Kiribati
58. Marshall Islands
59. Nauru
60. Northern Mariana Islands
61. Palau

##### Melanesia

62. Fiji
63. New Caledonia
64. Papua New Guinea
65. Solomon Islands
66. Vanuatu

##### Polynesia

67. American Samoa
68. Cook Islands
69. French Polynesia
70. Hawai'i (USA)
71. Niue
72. Pitcairn Islands
73. Rapa Nui (Chile)
74. Samoa
75. Tokelau
76. Tonga
77. Tuvalu
78. Wallis and Futuna





# CHARTER RULES AND REGULATIONS

## APPENDIX III: 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 and at least ten (10) out of a maximum nineteen (19) in Item 2 of the criteria.

Item 1.	Content	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; (Films set outside of the Asia Pacific region, that deal with Asia Pacific diaspora may be awarded a maximum of 2 points)	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
<b>Total</b>		Maximum of 12 points
Item 2.	Creatives	
E.	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 or area in the region or normally reside in the region.	
	i. Director/Co-Director	3
	ii. Screenwriter	3
	iii. Producer/Co-Producer	3
	iv. Cinematographer	2
	v. Editor	1
	vi. Composer	1
	vii. Lead Performers:	
	Lead (1)	2
	Lead (2)	2
	viii. Additional points for APSA Academy member involvement in any of the above key roles	2
<b>Total</b>		Maximum of 19 points