

## MIDEM CLASSICAL AWARDS 2009 TERMS and CONDITIONS

### ITEM 1: SUBJECT

Reed MIDEM, a French joint stock company (9 à 13, rue du Colonel Pierre Avia, 75015 Paris, France) is the official organizer of the MIDEM Classical Awards 2009.

The MIDEM Classical Awards 2009 recognize creativity, innovation of repertoire and artistic excellency for CDs and DVDs of classical music.

The general categories are:

- CD: Early Music: *Music of any genre composed before 1600*
- CD: Baroque Music: *Any genre between 1600 - 1750*
- CD: Vocal Recitals: *Music for 1 – 4 voices with orchestra, Lied, melody, opera*
- CD: Choral Works: *Music for more than 4 voices with or without instrumental music*
- CD: Solo Instrument: *From any period for 1 instrument*
- CD: Chamber Music: *Music from 2 – 10 instruments*
- CD: Opera: *Including also operetta and zarzuela*
- CD: Contemporary Music: *Music not older than 25 years or from a living composer*
- CD: Historical: *First commercial CD release of a recording older than 25 years*
- CD: Concertos: *Work for 1 or more soloists with an ensemble*
- CD: Symphonic Works: *Any work with more than 10 players – without soloist*
- CD: First Recording: *First recording of a musical work*
- DVD: Opera / Ballet
- DVD: Concerts
- DVD: Documentaries

The special categories are:

- Classical Download
- CD / DVD: Jury Nominations
- Artist of the Year
- Lifetime Achievement Award
- Label of the Year
- Recording of the Year
- Outstanding Young Artist, in partnership with IAMA.

The Awards Ceremony will take place in Cannes at the Palais des Festivals et des Congrès on Tuesday, 20<sup>th</sup> January 2009.

### ITEM 2: CONDITIONS OF PARTICIPATION

This competition is opened to CD and/or DVD producers, publishers, labels, distributors of classical music.

Each company/person (hereafter "entrant") can submit as many CDs or DVDs per category as wished, as long as each CD and/or DVD meets the conditions of participation. The entrant cannot submit the same CD and/or DVD in another category.

To be eligible, the CD and/or DVD must have been or will be commercially released in a minimum of 6 countries between October 1<sup>st</sup>, 2007 and September 30<sup>th</sup>, 2008.

By entering the competition, each entrant:

a) guarantees that he has fulfilled its legal obligations with regards to obtaining the authorization of right holders in submitting the CD and/or DVD for the competition;

b) agrees to send a representative to the Awards Ceremony, organized by Reed MIDEM, if one of its CDs and/or DVDs is selected for an award; agrees to do its best efforts to send the winning artists to the Awards Ceremony.

c) guarantees he is the sole creator together with possible co-authors and/or warrants that it holds the rights for the CDs and/or DVDs presented and that they do not harm any third party's rights or private life or likeliness or infringe any Law and especially copyright Law.

The organizer reserves the right to reject any CD and/or DVD which content may be perceived as deliberately pornographic, discriminatory, racist or violent. In this case, the tuitions fees will not be refunded.

CDs and/or DVDs submitted cannot be withdrawn from the competition once the application has been sent except in case of force majeure.

The full shipping expenses as well as customs clearance of the CDs and/or DVDs sent to Reed MIDEM will be covered by the sender. If this is not be respected, the entered CDs and /or DVDs can be rejected and therefore will not be voted upon.

Should a CD and/or a DVD be lost or damaged during competition or shipment, Reed MIDEM's responsibility cannot be engaged.

### ITEM 3: REGISTRATION FORM

Each completed entry form (one per CD or DVD) and all related documents together with 16 copies of the CD and/or DVD should be sent by post, facsimile or email to the attention of:

**Reed MIDEM**  
**Cornelia Much**  
**Wilhelmstrasse n°9**  
**79379 Müllheim / GERMANY**  
**Fax number : + 49 (0) 7631 176823**  
**Email: midemclassicalawards@reedmidem.com**

Entry forms duly completed, accompanying documents, CDs and/or DVDs must be received by Reed MIDEM on, **September 15<sup>th</sup>, 2008, at the latest:**

Incomplete files and/or files not including warranty stipulated in item 2 will be deemed as invalid.

CDs and/or DVDs submitted to the competition will not be returned to the submitting companies.

IMPORTANT: A receipt confirmation will be sent back to the entrant by Reed MIDEM no later than two weeks after receipt of the documents. Should the entrant not receive the receipt confirmation, it falls under its sole responsibility to ensure with each member of the jury whether it receives the entry form.

### ITEM 4: PRE-SELECTION AND FINAL SELECTION PROCESS

All entries that meet the conditions of participation will be reviewed by Reed MIDEM and then submitted to an International Jury.

The International Jury is composed of 15 members. The Jury members have been selected by Reed MIDEM. Their names and addresses are available on the website [www.midem.com](http://www.midem.com) in the MIDEM Classeque sub-section (in the About MIDEM section).

The jury members IMZ and IAMA will participate with the voting of the special categories. For the general CDs and/or DVDs categories, IAMA will participate only in the final round. IMZ will participate for the DVD categories from the beginning, for the CD categories only in the final round..

The following pre-selection and final selection processes will apply depending on category being judged.

The Jury will base their decisions upon criteria able to define creativity, without limitation, such as:

- Innovation of repertoire
- Artistic excellency
- Packaging
- Technology

If there is any imbalance between the number of CDs and/or DVDs competing in a particular category, or for any other reason identified by the Jury, the Jury reserves the right not to nominate a winner for each category.

The pre-selection and selection Jury's decisions are final and without appeal. By entering the competition, the submitting entrants agree not to challenge the pre-selection and/or selection Jury's decisions on any ground.

Ties / Points: in case of ties in any one award category and in any one of the first two rounds, Reed MIDEM will then take into account the quantity of high rating scores. In case of ties in the last round, both winning titles will be awarded. The entrant with the largest number of high rating scores will win the tie.

#### **A. Process for the general categories:**

- 1) The Jury will be judging the entries by taking into account the above mentioned criteria.
  - 2) There will be three rounds of voting, one corresponding to the pre-selection of a maximum of 10 CDs and/or DVDs in each category, the second one corresponding to the selection of a short list of 5 CDs and/or DVDs in each category and a third and last one corresponding to the final selection of 3 nominations and 1 winner in each category.
  - 3) For each round, each Jury member will rate each CD or DVD and score it on a Judging Form, approved by Reed MIDEM:
  - 4) In the first two rounds, the Jury members nominate 10 respectively 5 CD/DVD productions without giving points. In the third round a CD or DVD can earn between 1-5 points (5 being the maximum rate) taking into account the criteria as mentioned above.
  - 5) Pre-selection: at the end of the first round, Reed MIDEM will collect and tabulate all judging forms for the respective categories. The 10 most nominated CDs and/or DVDs will reach the second round.
- Selection: at the end of the second round, Reed MIDEM will proceed as for round 1, it is specified that only the 5 most nominated CDs and/or DVDs will reach the final round. In this final round, the 3 CDs and/or DVDs with the maximum total points will be the nominations whereas the CD and/or DVD with the maximum points will be the winner of the category (hereafter the "winner" or collectively "winners").
- 6)

#### **B. Process for the following category :**

Classical Download

- 1) No entry form is required for the Classical Download Award.
- 2) The jury members will submit a choice of 3 websites offering Classical downloads. All websites nominated at least twice will be submitted for the voting.
- 3) The Classical Download Award will be given to the website with the highest number of points.

#### **C. Process for the following category:**

Recording of the Year

- 1) No entry form is required for the Recording of the Year Award.
- 2) The Recording of the Year Award can be either a CD or a DVD.
- 3) The winner of each CD or DVD category mentioned in paragraph A above will automatically participate in the selection for the Recording of the Year category.
- 4) Each Jury member will rate each CD or DVD and score it on a Judging Form, approved by Reed MIDEM.
- 5) A CD or DVD can earn between 1-5 points (5 being the maximum rate) taking into account the criteria as mentioned above.
- 6) The Recording of the Year award will be given to the CD or DVD with the highest number of points.

#### **D. Process for the following category:**

Lifetime Achievement Award

- 1) No entry form is required for the Lifetime Achievement Award.
- 2) Each Jury member submits a choice of 3 artists and/or composer. All artists and/or composers nominated at least twice will be submitted for the voting.
- 3) The Lifetime Achievement Award will be given to the artist or composer with the highest number of points.

#### **E. Process for the following category:**

Artist of the Year

- 1) No entry form is required for the Artist of the Year Award.
- 2) Each Jury member submits a choice of 3 artists and/or composers.
- 3) The Artist of the Year Award will be given to the artist or composer with the highest number of points.

#### **F. Process for the following category :**

Label of the Year

- 1) No entry form is required for the Label of the Year Award.
- 2) Each Jury member submits a choice of 3 labels, taking into account the above mentioned criteria.
- 3) The Label of the Year Award will be given to the label with the highest number of points.

#### **G. Process for the following category:**

Jury Nominations

- 1) No entry form is required for the Jury Nominations Award.
- 2) Only CD and/or DVD not submitted by any entrant are accepted in this category.
- 3) Each Jury member submits a choice of 3 CD and/or DVD productions. The Jury Nominations Award will be given to the CD or DVD with the highest number of points.

#### **4) H. Process for the following category :**

Outstanding Young Artist

- 1) The Outstanding Young Artist Award is organized in partnership with the International Artist Managers Association (IAMA) (23 Garrick Street Covent Garden London WC2E 9BN United Kingdom).
- 2) No entry form is required for the Outstanding Young Artist Award.
- 3) IAMA is responsible for setting up the regulations related to the pre-selection and selection procedure of the Outstanding Young Artist Award, thus guaranteeing that only non-profit organizations members are allowed to submit nominations for the Outstanding Young Artist Award. IAMA will select a shortlist of 7 young artists to the other members of the jury, who will choose the winner highest number of points.
- 4) The above mentioned pre-selection and selection procedure shall be made available on IAMA website [www.iamaworld.com](http://www.iamaworld.com) no later than September 30<sup>th</sup>, 2008 .

### **ITEM 5: WINNERS**

The companies whose CD and/or DVD titles are selected by the MIDEM Classical Awards 2009 International Jury will be notified of their award by Reed MIDEM, by mail during the course of December 2008 and invited to participate at the Awards Ceremony which will take place in Cannes, on Tuesday, 20<sup>th</sup> January 2009.

Please note that accommodation, flights and expenses on site are to be paid for by the winners. Winning one of the MIDEM Classical Awards does not give complementary entry to the MIDEM exhibition area. However, winning artists will be granted accommodation (stay of 1 night for one person only, extras excluded) and a complementary entry to the MIDEM exhibition area.

The winners may be asked to supply additional information about their company and/or artists such as photographs, logo, company profile, etc for promotional purposes.

It being recalled that MIDEM is a communication and promotion forum for the music industry, the entrant hereby authorizes the MIDEM and their representatives and guarantees that it has been authorized to that end by right holders, to directly or indirectly record the MIDEM Classical Awards 2009, and to reproduce and communicate the same to the public by any means, and on all media for the purposes of communicating on the MIDEM Classical Awards 2009, especially on the [www.midem.com](http://www.midem.com) website. The entrant accordingly authorizes MIDEM to use his/her name

and likeness and if so, that of its representative present during the MIDEM Classical Awards. To the same end, the entrant also guarantees that MIDEM is authorized to freely use any of the logos, trademarks, title, extracts and other intangible rights and promotional items related to the CDs and/or DVDs. Shall be also made broadcasts of excerpts of the CDs and/or DVDs lasting less than three minutes during regional or national radio programs, or on the website [www.midem.com](http://www.midem.com).

Information, including photographs, that is requested from the entrant is essential for entering into this competition and for access to the events. This material will be forwarded to third parties, including those companies of the Reed Elsevier group with whom Reed MIDEM has contracted for the purposes of implementing the competition and may be used, in this regard, on any media for dissemination relating to the event in question, including on the Internet, unless, in this latter case, there is an objection from the entrant concerning photographs.

Through Reed MIDEM, and except where there is an objection by the entrant, the latter may receive commercial offers or proposals from Reed MIDEM and from other companies that are contractually linked to Reed MIDEM. Pursuant to the Loi Informatique et Libertés du 6 janvier 1978 [French Law on Information Technology and Civil Liberties of 6 January 1978], the entrant may exercise, on application to the manager of the event, a right of access, of rectification and of opposition or objection as regards the personal information concerning him/her/it that is present on Reed MIDEM's website and database(s).

The winners are authorized to mention their MIDEM Classical Awards 2009 in their promotional activities. This acknowledgement should strictly follow the MIDEM and/or MIDEM Classical Award 2009 brand, technical guidelines. The visuals will be available shortly before MIDEM 2009 on the MIDEM website [www.midem.com](http://www.midem.com).

#### **ITEM 6: CLAIMS**

Registering and competing for the MIDEM Classical Awards 2009 implies full acceptance of the present terms and conditions.

No claims related to the pre-selection system, the selection of the winners, or any other aspects of the competition, will be accepted.

The Director of MIDEM has the power to settle all cases not covered by the present rules.

#### **ITEM 7: MISCELLANEOUS**

In the event of force majeure or unforeseen circumstances as set forth under Article 1148 of the French Civil Code, resulting in the impossibility of organizing the MIDEM Classical Awards 2009, this competition shall be cancelled without any indemnification whatsoever.

The present document is subject to French Law. Any dispute regarding its interpretation or application will fall within the competence of the Paris courts (France) should no prior agreement be reached with Reed MIDEM.