

APPENDIX C – ARIA Advertising Award Criteria

**Best Use of an Australian Recording in an Advertisement (up to and including 2 minutes duration);
and
Best use of an Australian Recording in an Advertisement (over 2 minutes duration).**

1. CONDITIONS OF ENTRY

- 1.1. Only Eligible Agencies may submit entries in these award categories.
- 1.2. All materials submitted as part of the entry must be non-infringing authorised materials. If ARIA is advised that any materials submitted as part of an entry are infringing or unauthorised, then ARIA will determine in its sole discretion the eligibility of such materials and the eligibility of the entry.
- 1.3. ARIA will require each participating Eligible Agency to submit certain collateral and assets (for example, RAP Sheets, and YouTube links) as specified in the *Guide To Submitting Entries* which ARIA will make available to all participating Eligible Agencies. The conditions set out in the *Guide To Submitting Entries* also form part of these Conditions of Entry.
- 1.4. By submitting an entry, the participating Eligible Agency agrees that ARIA (and its licensees) may use the submitted collateral and assets in connection with the ARIA Awards voting platform, the ARIA Awards programs and ARIA Awards promotions, activities and marketing without payment to the agency, producer, the relevant artist, composer or any other person.
- 1.5. All entries must be submitted via the designated ARIA online platform within the specified timeframe.
- 1.6. All participating agencies which submit an entry agree that the decision of ARIA regarding the eligibility of an entry is final and no correspondence will be entered into.
- 1.7. All participating Eligible Agencies which submit an entry and all ARIA Awards entrants agree to comply with the ARIA Code of Conduct and ARIA Behaviour Benchmark as published on the ARIA website from time to time. It is a condition of entry that all participating Eligible Agencies that submit an entry must advise the relevant ARIA Awards entrant of the entrant's obligation to comply with the ARIA Code of Conduct and ARIA Behaviour Benchmark.
- 1.8. The person who submits the entry on behalf of each participating Eligible Agency acknowledges that they have read and accept the terms of this document. Any entry by a participating Eligible Agency constitutes acceptance of the terms of this document.

2. VOTING AND AWARD DETERMINATIONS

- 2.1. All entries received by ARIA are first assessed to ensure that the relevant entry is eligible for the Award category. Once eligibility has been confirmed, all eligible entries received by ARIA are then presented for voting by the relevant Judging School. The members of the Judging School are asked to assess each entry to determine the best use of music in the service of the overall creative concept.
- 2.2. The ARIA Award for these categories will be presented to the submitting advertising agency and the Artist that performs in the advertisement.

3. RULINGS

- 3.1. If an ARIA Awards entrant, nominee or winner or person that submits an entry on behalf of an entrant, nominee or winner, engages in conduct:
 - (i) that brings ARIA, ARIA's members, any recording artists or the ARIA Awards into disrepute;

- (ii) that is not in line with the ARIA Code of Conduct or the ARIA Behaviour Benchmark (as published on the ARIA website); or
- (iii) that is misleading, for example where the initial entry and/or the subsequent conferral of the ARIA Award was based on false or misleading information,

then the ARIA Board reserves the right at any time, in its absolute discretion, to take whatever measures it considers necessary to preserve the reputation and integrity of ARIA or the ARIA Awards and to uphold the principles set out in the ARIA Code of Conduct and the ARIA Behaviour Benchmark.

3.2 The measures referred to in section 3.1 above may include, but are in no way limited to:

- (a) refusing or disqualifying an ARIA Awards entry or nomination at any stage;
- (b) revoking or withdrawing an ARIA Award that has already been conferred; or
- (c) refusing entry to the ARIA Awards (or subsequent ARIA Awards events).

3.3 If an ARIA Award is revoked by the ARIA Board after it has been presented, it is at the ARIA Board's discretion as to whether an award is given in that category for that year. The ARIA Board may also, at its discretion, subsequently restore an ARIA Award that has been revoked or undertake any further measures that it deems appropriate.

3.4 The ARIA Board's decision in relation to all matters in this Rulings section are final and no correspondence will be entered into.

4. ELIGIBILITY CRITERIA

4.1 Only agencies that have made the annual OSOA Pledge and paid the relevant fees for the current award period are able to enter Advertisements for judging.

4.2 To be eligible for nomination, the relevant Advertisement must have been first published in Australia within the Current Eligibility Period.

4.3 Eligible Agencies may enter any Advertisement that satisfies the eligibility criteria set out in this document.

4.4 Advertisements which have previously been nominated (in prior years) are ineligible.

4.5 An agency can only enter its own Advertisements and cannot enter the Advertisements of another agency or entity.

4.6 The Eligible Agency must have in place valid licences for the synchronisation of the sound recordings and musical works that are embodied in the Advertisement that is submitted for entry.

4.7 An Advertisement will be eligible for consideration in this category if it satisfies the following criteria:

- (a) The Advertisement was created at the direction of the Eligible Agency; AND
- (b) The music sound recording used in the Advertisement is controlled or distributed by an [ARIA Member](#), and recorded and performed by:
 - (i) Any artist who is an Australian citizen;
 - (ii) Any artist who was born in Australia;
 - (iii) Any artist with permanent residency status and who has lived in Australia for at least six months per year for the two consecutive years ending on 31 August 2024;
 - (iv) Any artist who has applied for permanent residency and has lived in Australia for at least six months per year for two consecutive years ending on 31 August 2024 and is signed to an Australian record label; OR

- (v) Any New Zealand artist who has lived in Australia for at least six months per year for the two consecutive years ending 31 August 2024 and is signed to an Australian record label.
- 4.8 In the case of recording artists that are groups or duos, at least 50% of the members of the group must satisfy at least one of the above criteria in section 4.5(b). Each entry must be accompanied by a list of group members appearing on the recording.
- 4.9 The ARIA Board reserves the right to exercise its discretion to grant eligibility in special circumstances where, for example, the artist in question has a strong historical and cultural connection with Australia.
- 4.10 All entries will be reviewed for eligibility by the Eligibility Sub-Committee of the ARIA Awards Committee, which reserves the right to make the final judgement on eligibility. The Eligibility Sub-Committee will provide notice citing reasons for any entries deemed ineligible. The nominating agency will have two (2) business days from such notice to respond, at which time the Eligibility Sub-Committee will review the entry and make a final decision.

5. DEFINITIONS AND INTERPRETATION

Advertisement means:

- (a) any advertising, marketing communication or material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer,
- over which the advertiser or marketer has a reasonable degree of control, and
 - that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct,
- (b) but does not include:
- labels or packaging for products
 - corporate reports including corporate public affairs messages in press releases and other media statements, annual reports, statements on matters of public policy
 - in the case of broadcast media, any material which promotes a program or programs to be broadcast on that same channel, station or network.

Eligible Agencies means advertising agencies that:

- (a) operate under an Australian Company Number/Australian Business Number; and
- (b) have formally made the annual OSOA pledge and paid the relevant entry fees.

Current Eligibility Period: means the period commencing 1 September 2023 and concluding on 31 August 2024.

Judging School: means the persons determined by ARIA to cast votes to determine the winner in this award category.

Medium means any medium whatsoever including without limitation cinema, internet, social media, outdoor media, print, radio, telecommunications, television or other direct-to-consumer media including new and emerging technologies.

OSOA means the Our Soundtrack Our Ads campaign.

OSOA Pledge: means the advertising agencies which have formally committed to OSOA, and paid the relevant annual pledge fee.