

# TROPJR

PRESENTED BY

**THE AUSTRALIAN CHILDREN'S  
TELEVISION FOUNDATION**

## ENTRY GUIDELINES

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Modelled after Tropfest, the world's largest short film festival and one of Australia's most well-loved film and cultural events, Trop Jr is a filmmaking competition and free outdoor festival for kids 15 years and younger.

### The Competition

Trop Jr is about encouraging young people to make films. We will accept film entries from around Australia and the world which has been made by individuals or groups of kids. Films should be no longer than 7 minutes (including titles and end credits) and may not have been screened anywhere before Trop Jr. Films must be suitable for kids under 15 years of age – this means no excessive violence, sexual references or coarse language.

Entries must also include the Trop Jr Signature Item (TSI). The TSI is not a 'theme' but rather, a 'signature' or symbol that can appear anywhere in your film and acts as proof that it was made specifically for Trop Jr. The **2010 Trop Jr TSI is DOT**. For example, you could have someone wearing a dotted t-shirt or you could say the word "dot". The important thing is to be creative – there are no limits to the way it can be interpreted or incorporated!

### The Festival

12-16 films will be chosen as finalists and will be screened at the Trop Jr festival on **Sunday 21 February 2010**. This is the same day as the main Tropfest event, but takes place in the afternoon on a separate site next to the festival grounds in the Domain, Sydney. This area will be a place for families and kids to picnic and have fun together from 12-2pm, and the official program will kick off from 12-3pm with celebrity presenters, judges and an awards ceremony (just like big Trop!).

### After the Festival

When you enter your film into Trop Jr we ask your nominated parent or legal guardian, on your behalf, to give us certain rights to your film. This allows us to act as the distributor or sales agent for your film once the festival is over. What this means, is that we will look for other screening opportunities for your film that may earn you money – for example, your film might be shown on television, the internet, on a DVD or at another public screening. Not all opportunities are paid, but if there is any money earned, the profits are split 50/50 between you (the filmmaker or producer) and Trop Jr. (Please refer to the T&Cs for more information or contact [mail@tropjr.com.au](mailto:mail@tropjr.com.au) with any questions).

### Entering Your Film

Please ensure that both you and your nominated parent or legal guardian read the Trop Jr Entry Guidelines on the following pages very carefully and get your parents, teacher or a guardian to help you if you have any questions. **Entries close Thursday 7 January 2010**. Short listed filmmakers' nominated parent or legal guardian will be notified within three weeks of entering and will be asked to submit additional materials. The 12-16 Trop Jr Finalists will be notified in early February.

### Group Entries (Schools, Clubs, Etc)

Trop Jr is also open to schools, children's clubs and groups. If you are a teacher or supervisor and wish to get your students involved in something hands on, this is a great opportunity to encourage team work, creativity and an understanding of film production. The same rules and guidelines apply to group submissions whereby a nominated parent or legal guardian must sign the terms and conditions on behalf of the club or group. Teachers and supervisors should be aware that the participant indicated on the entry form as the Director of the film will be asked to act as the film's representative during the festival and for publicity purposes. The group will need to work out how any prizes will be distributed BEFORE the festival in the event that the film wins an award.

You can find more information about the event on [www.tropjr.com](http://www.tropjr.com).

Good Luck!  
THE TROP JR TEAM

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- Your film must be specifically made for Trop Jr 2010
- Your film must include the 2010 Trop Jr Signature Item ('DOT')
- Trop Jr 2010 must be your film's first public screening
- Your film must be 7 minutes or less (including titles and credits)
- Your film must be suitable for children under 15
- The Filmmaker, and each participant in a group entry other than the nominated parent or legal guardian must be 15 years or younger on Thursday 7 January 2010.

### DOS & DON'TS:

#### *DO*

- Do make sure all contributors to the film are aged 15 years or younger on Thursday 7 January 2010.
- Do obtain permission to use other people's music, footage and pictures before using them
- Do use your own original music
- Do use footage and pictures you have taken
- Do make sure you have permission from everyone taking part in your film to use their contribution (i.e. your cast, crew, and any contributors)
- Do be honest with your nominated parent or guardian about where your footage and music comes from. If you are, the two of you can determine if you need to obtain any permissions (and you won't risk disqualification)

#### *DON'T*

- Don't allow contributors to your film who are older than 15 years of age on the Thursday 7 January 2010 (main crew)
- Don't use other people's music, footage or pictures if you don't have their permission or they have said no
- Don't use music you've download from the internet or images or footage from sites such as YouTube or Myspace in your film – just because its online doesn't mean the person who actually owns it has given you permission to use it
- Don't use swear words, sexual or violent content in your film
- Don't use cast and crew who won't give you permission to use their contributions, otherwise you will have to remove any part of the film they were involved in the production of your film
- Most importantly, don't be dishonest with your nominated parent or guardian about where your footage or music came from or who took part in your film because your nominated parent or guardian is ultimately responsible for your film. If we find out you haven't obtained the right permissions, or have not complied with the terms and conditions of entry your film will be disqualified

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### SUBMITTING YOUR ENTRY ONLINE:

ALL TROP JR ENTRIES MUST BE SUBMITTED ONLINE AT *WITHOUTABOX.COM*

Before you begin the online entry process, you should carefully read these Entry Guidelines. After you read and understand these, you're ready to proceed to the WAB site and begin the online entry process. You will need to register as a user if you do not already have a membership with WAB. This is free of charge.

Submitting your entry online is easy! Just follow these simple steps:

1. Click on the following link <http://www.withoutabox.com/login/6368>
2. If you are already a member, enter your username and password in the "Withoutabox Express" section to begin submitting your entry. If you are not already a member, simply enter in all your details in the "First Time Users" section.
3. You will then be prompted to enter in details of your Trop Jr entry. Simply click through each form page and fill out all the required information. Real easy!
4. You will need to agree to Terms and Conditions of Entry during this online entry process. You must ask a parent or guardian (someone over 18 years of age) to read through this information and click the "agree" box on your behalf.
5. After you have filled out the last page, a confirmation page will appear which will inform you of your Tracking Number (eg 10-0001 JR). **PLEASE KEEP A RECORD OF THIS NUMBER.** You must write this Tracking Number on each DVD of your film that you submit (on the cover and on the actual DVD), that way we can match your entry number with your DVD. Also, if you have any questions regarding your entry after you have received confirmation, you will need to quote this number to us in order for us to look up your film in the database.

It's very straight forward! If you have any questions or having trouble submitting your entry online please email [mail@tropjr.com.au](mailto:mail@tropjr.com.au) - we are here to help!



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### ENTRY MATERIALS & CHECKLIST:

#### 1. Complete our Withoutabox Online Entry Form

Please ensure you have completed our Withoutabox online entry form BEFORE sending your DVD to us. Information on how to submit your entry online is listed above.

Remember, entry into the festival is not complete until you have received a confirmation number at the end of the online entry form eg 10-0001 JR.

#### 2. Two (x2) DVD Copies of Your Film (at 16:9 widescreen ratio)

- Please supply each DVD in a separate case; both copies must be clearly marked with the film title and film number issued by Withoutabox (10-0001 JR).
- DVD should be in PAL TV format
- DVD Regional code should be set to **ALL REGIONS**
- Your can record on any DVD disc that you like **EXCEPT DVD-RAM**
- Please check that the DVDs playback in your DVD player before you submit them; if your DVD doesn't work your entry will be disqualified.
- Finalist films will be screened at 16:9 widescreen. Please refer to following pages for more information

#### 3. Terms and Conditions

A parent/guardian (i.e. someone over 18 years of age) must be appointed as the main Producer of your short film. You will need to agree to Terms and Conditions of Entry when submitting your film online. You must ask the Producer to read through this information and click the "agree" box on your behalf. They are also required to complete and sign the Terms and Conditions Form of your entry if you are short listed.

### ENTRY DISQUALIFICATION:

Your entry will be disqualified if:

- Your film does not include the Trop Jr TSI ('DOT')
- Your film has been screened publicly prior to the festival
- Your film is over the 7 minute time limit (including titles and credits)
- Your film contains excessive or gratuitous violence, sexual references, profanity/coarse language, use of substances or with content that advocates and supports racial, cultural, religious or gender bias
- A Filmmaker participant (other than the nominated parent or legal guardian) in a group entry is found to be 16 years or older on Thursday 7 January 2010.
- Any Entry Materials are missing at the time of your submission
- You have not completed our online Withoutabox Entry Form
- You have not agreed to the terms and conditions

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### SUBMISSIONS & ENTRY DEADLINE:

After you have completed our Withoutabox entry form, please forward your DVDs clearly marked with your assigned film number (eg 10-0001 JR) should be posted or hand-delivered to:

Trop Jr 2010 Entry  
Suite 209, Level 2  
53-59 Great Buckingham Street  
Redfern NSW 2016

Posted entries must be:

- Postmarked NO LATER THAN Wednesday 6 January 2010
- Received anytime before but NO LATER THAN Thursday 7 January 2010

Entries close on 6pm on Thursday 7 January 2010.

Late entries will not be accepted under any circumstances.

### SHORT LISTED FILMMAKERS:

Short listed filmmakers will be notified in late January once pre-selection has been completed. If your film is short listed for Trop Jr 2010 you will also need to submit the following materials by Thursday 21 January 2010:

- *A digital file of your film on DVD or SD tape*

If you are chosen as a finalist, we will use your digital file to create a master screening tape (Digi Beta) of your film for the festival. Digi Beta of finalist films will be used for distribution purposes after the festival unless the exclusive license granted to Tropfest Events Pty Ltd is terminated in accordance with clause 7 of the Terms and Conditions. The digital file options we suggest using are below:

#### For PC

File extension: .avi  
Size: 720 x 576 16x9 PAL Anamorphic or 720 x 576 4:3 PAL  
Frame Rate: 25fps  
Compression: DV PAL  
Quality: Best  
Scan Mode: Interlaced  
Audio will be as follows  
Format: Uncompressed  
Sample Rate: 48.000 khz  
Sample Size: 16 bit  
Channels: Stereo (L R)  
Estimated File Size: 220mb per 1 minute of footage

#### For Mac OS

File extension: .mov or .dv  
Size: 720 x 576 16x9 PAL Anamorphic or 720 x 576 4:3 PAL  
Frame Rate: 25fps  
Compression: DV PAL  
Quality: Best  
Scan Mode: Interlaced  
Audio will be as follows  
Format: Big Indian (i.e. Linear PCM)  
Sample Rate: 48.000 khz  
Sample Size: 16 bit  
Channels: Stereo (L R)  
Estimated File Size: 240mb per 1 minute of footage.

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- *Two Electronic Colour Production Stills*

These should be two different images of direct action from the film NOT behind-the-scenes photos. These must be horizontal files (jpg 300dpi).

- *Music Cue Sheets*

Is a form that you complete that details all the music used in your film (title of composition, copyright owner, duration used). We will email you the form when you are short listed. If you need help with this form we can assist you; the information you will need to have on hand is a clear knowledge of who owns the copyright in each piece of music used, proof you have the permission to use each piece of music, and the duration of each piece of music used.

- *Script*

A full dialogue script of your film. If your film does not have dialogue, we do not require a script.

- *Release Forms Signed*

Release Forms for all works in which copyright exists. This includes literary (i.e. if your film is based on a novel), dramatic (actors), artistic (paintings etc) or musical works (composers), or films, sound recordings, broadcasts and published editions. For a typical short film, all writers, actors and composers (of original music) must sign a Release Form. You can download a Release Form template from our website.

- *Written Permission For All Music in Your Film*

If you choose to use published (i.e. existing music, for example by a famous band), you will need permission in the form of a license agreement to do so. Tropfest strongly recommends you use original or "copyright free" music in your film to avoid paying license fees which can be quite pricey for popular music. To obtain the necessary clearances to use existing music, you will need to contact the copyright owner/s of your chosen track and request a license agreement to use their music in "all media" and in "all territories". If you are having trouble with this process, please contact AMCOS

([www.amcos.com.au](http://www.amcos.com.au)) on 1300 852 388 and they can assist you in tracking down copyright owners and requesting license agreements.

### FINALIST FILMMAKERS:

The 12-16 Trop Jr Finalists will be notified in early February. No additional materials will be required at that point, however filmmakers may be asked to participate in media interviews and promotion in the lead-up to the Festival.



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## TERMS & CONDITIONS OF ENTRY

THE 'PLAIN ENGLISH GUIDE' TO TROP JR 2010 TERMS AND CONDITIONS  
- A VERY WORTHWHILE READ!

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Most of the Entry Form is pretty self-explanatory BUT...before completing it, it is important that filmmakers and legal guardians understand the terms and conditions of entry. It is also important that filmmakers and legal guardians realise Trop Jr is all about showcasing filmmakers' works to as wide an audience as possible, both within Australia and overseas, above and beyond the Festival day. In order for us to do this, there are some legal requirements that need to be understood. Trop Jr is more than happy to explain its activities in further detail, so if at any time there is something you don't understand just email [mail@tropjr.com](mailto:mail@tropjr.com) for further information.

Now, to make things easier, we have done a bit of a breakdown of the terms and conditions of entry, with a focus on all the major clauses, particularly those that impact on rights in filmmakers' films that Trop Jr requires filmmakers and legal guardians to obtain from contributors in films, in addition to the rights filmmakers and legal guardians grant to Trop Jr when entering the Trop Jr festival.

First though, and most importantly, it is a condition of entry that the filmmaker is aged 15 years or younger as at 7 January 2010. Because this means the filmmaker will be aged under 18 at the time of entry into Trop Jr, the filmmaker will need to have a responsible adult submit the filmmaker's entry on their behalf, as their legal administrator (Legal Guardian). It is important that both the filmmaker and the Legal Guardian review and consider all of the terms and conditions of entry and ensure the entry is valid.

An entry has to comply with ALL of the terms and conditions. The terms and conditions comprise of the document headed 'Terms and Conditions of Entry', but also include any information contained on the Withoutabox entry form, and in the Entry Guidelines (including the 'Your Questions Answered' sheet) (Ts & Cs). When the Legal Guardian completes and submits the entry form on behalf of a filmmaker, the Legal Guardian is 'signing' a legal contract that tells us that the film complies with all the Ts & Cs - see Point 4(b) of the Ts & Cs. This is why both the filmmaker and the Legal Guardian MUST understand them. The Ts & Cs may seem a little confusing, but spending a little time getting to know them now, will save the filmmaker and the Legal Guardian grief later! Also, throughout the Ts & Cs there are references to 'Copyright' and 'Moral Rights' - please refer to our explanation form about copyright, moral rights and performers' rights for further information, which is available by emailing Trop Jr at [mail@tropjr.com](mailto:mail@tropjr.com)

**Now to the specific points in the Ts & Cs:**

1. It is imperative that the filmmaker must have made their film specifically for the 2009 Trop Jr Short Film Festival (Festival) and it MUST NOT HAVE BEEN MADE AVAILABLE TO OR BEEN VIEWED BY ANY MEMBERS OF THE PUBLIC (this includes online viewing), before the Trop Jr festival day, Sunday 21 February 2010. Also, the filmmaker or the Legal Guardian must not have given or give permission for anyone else to use the film in any way before the Festival (see Points 4 (a), (c) and (d) of the Ts & Cs).

2. Points 4 (e)-(j) of the Ts & Cs means the Legal Guardian MUST have ensured they have obtained the written permission from each of the contributors who worked on the film, or who contributed to works included in the film even if existing before the film (eg music), to do what the filmmaker likes with their contribution or performance - that means, the performers, musicians, composers, director (if not the filmmaker), etc. The reason the Legal Guardian needs to obtain this permission is so the filmmaker (and Trop Jr) can edit or change their contribution or performance as the filmmaker sees fit AND that the Legal Guardian (and Trop Jr) can sell or show the film anywhere without restriction and use the contributor's name or picture for publicity connected with the film. This is very important because Trop Jr is a very high profile film festival and we can't afford to run into hassles with the film at the last moment: e.g. if the film is selected as a finalist, we need to know that all of the contributions which make up the film can be included in our Festival program. We have release forms available from our office or the forms can be downloaded from our website. The filmmaker and the Legal Guardian can adapt these forms for use by ALL contributors in the film.

The filmmaker and the Legal Guardian should always try and have cast and crew (and other contributors) sign release forms prior to the start of production - it is easier since most contributors will be in the one place and it will avoid delays tracking them down later on.

3. We also have a few requests to make of the filmmaker and the Legal Guardian, to ensure the continued success and growth of Trop Jr as well as the continued success of our filmmakers following the Festival. It is important to us that the film is seen as widely as possible following the Festival. As stated on our website, Trop Jr acts as a sales agent to represent the film exclusively in Australia and in the overseas markets if it is selected as a finalist (12 films) (Selected). This will give films maximum exposure and will hopefully create some financial return for the filmmakers. We split any cash received with filmmakers just like a commercial distributor, and if the film is Selected, we will give the Legal Guardian notification of these financial arrangements in writing.

4. Point 5 in the Ts & Cs initially gives Trop Jr exclusive rights to the film (i.e. an exclusive licence) regardless of whether the film is Pre-Selected or Selected. This licence will, after a certain date (see below), either:



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- terminate if the film is not Pre-Selected or Selected, or
- change to a non-exclusive licence after the Festival day if the film is short-listed for the Festival (Pre-Selected) but not Selected; or
- remain an exclusive licence for a period of 12 months and then change to a non-exclusive licence if the film is Selected.

### Read on!

You're probably asking what an exclusive licence to Trop Jr means. That is a really good question and it basically means that neither the filmmaker, the Legal Guardian, nor any distributor acting on behalf of the filmmaker, will be able to either use or sell the film and that Trop Jr solely represents the film in Australia and around the world. This allows Trop Jr to, for example, grant rights in (license) the film to other film festivals in a package of finalists, in a compilation of films to screen at another film festival, or individually for exhibition on the Internet, cable, satellite, television etc without anyone else also granting the same rights in the film.

5. Point 6 of the Ts & Cs - If we let the Legal Guardian know that the film has not been Pre-Selected or Selected, the exclusive licence granted by the Legal Guardian on behalf of the filmmaker to Trop Jr in Point 5 of the Ts & Cs automatically terminates and all the rights in the film revert to the filmmaker and the Legal Guardian, and Trop Jr will no longer have any rights (including copyright) in the film, and it is for the filmmaker to do with what they will!

6. Point 7 of the Ts & Cs - If the film is Pre-Selected but not Selected, the exclusive licence will automatically change to a non-exclusive licence after the Festival day..

7. Point 8 of the Ts & Cs - If the film is Selected, Trop Jr will hold exclusive rights to the film until 21 April 2011, after which time the licence will automatically change to a non-exclusive licence. The exclusive licence is so we can act as the exclusive distributor for the film in Australia and overseas, as described above.

8. If we have a non-exclusive licence to the film (as above) , the Legal Guardian can write to us at any time after 21 April 2011 if the film was Pre-Selected but not Selected, or after 21 April 2014 if the film was Selected, to request that Trop Jr terminate the non-exclusive licence to the film and if the Legal Guardian does so we will terminate our non exclusive licence. Terminating the non-exclusive licence means that all the rights in the film go back to the filmmaker and the Legal Guardian, and Trop Jr will no longer have any rights, (including copyright), in the film.

9. Point 10(a) of the Ts&Cs (about the possibility of editing or altering the film) may cause alarm - please don't panic! This clause is there because there are practical considerations that have to be made when broadcasting a short film on commercial television or downloading a short film to a mobile telephone for example. Trop Jr is mindful of the way films are represented and we do our best to ensure the integrity and continuity of the film is preserved. However, exploitation of the film in various media may mean the film could be 'edited' or 'altered', for example, by removing the film's credits and running them at the end of a television broadcast instead of at the end of the film. This is one practical compromise that may have to be made to get the film out there! We're sure you understand.

That's basically it - see, it's not all that bad! Please remember we are always available to go through all the above info with you and answer questions you may have.

FOR UPDATES ON TROP JR ACTIVITIES, REGISTER YOUR DETAILS ON OUR WEBSITE [WWW.TROPJR.COM](http://WWW.TROPJR.COM)



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The legal administrator (Legal Guardian) of the affairs of the filmmaker of the Trop Jr film (Filmmaker) must understand and agree to the Terms & Conditions of Entry outlined below.

1. By correctly completing the entry form located at [www.withoutabox.com](http://www.withoutabox.com) (Entry Form) and delivering two (2) copies of the Filmmaker's film (Film) in the form set out in the 'Entry Guidelines', to Tropfest Pty Limited (ABN 39 078 140 039) at Suite 209, Level 2, 53-59 Great Buckingham Street Redfern (Trop Jr) by no later than 6pm on Thursday 7 January 2010 or, if submitting a Film by mail, posting it to the Sydney office, postmarked no later than Wednesday 6 January 2010 and received by Trop Jr no later than Thursday 7 January 2010 (Trop Jr accepts no responsibility for any Entry Form or Film that is late, lost, or damaged), the Legal Guardian and the Filmmaker have applied to enter the Film in the 2010 Trop Jr Short Film Festival (Festival) and related competitions and accepts that the conditions contained in the Entry Form, the 'Entry Guidelines' (which includes the 'Your Questions Answered' sheet), and these terms and conditions (together, the Terms and Conditions) create a legally-binding agreement between Trop Jr, the Legal Guardian and the Filmmaker.

2. Trop Jr may, in its absolute discretion and without giving reasons, short-list the Film for the last judging round for selection of the finalists for the Festival (Pre-Selected) and/or select the Film from the Pre-Selected films as a finalist for viewing and judging on the night of Sunday 21 February 2010 (Selected) or such other date as Trop Jr may nominate (Judgement Night). Any prizes awarded are not transferable, exchangeable, or redeemable for cash. If the Film is Pre-Selected, Trop Jr will require the Filmmaker or the Legal Guardian to provide certain additional materials, as set out in the Entry Guidelines. If these materials are not supplied on or before 21 January 2010, at Trop Jr's discretion the Film will be deemed ineligible as a Pre-Selected film and a replacement film may be Pre-Selected in its place.

3. If the Film is not Pre-selected for the Festival, Trop Jr will, on or before 5 February 2010 (Notification Date), notify the Legal Guardian or the Filmmaker of the Film's non-selection and make the Film available for collection by the Legal Guardian on or after 1 March 2010 until 31 May 2010, after which time the Film may be disposed of by Trop Jr at its discretion. If the Film is not Selected for the Festival, Trop Jr will, on or before the Judgement Night, notify the Legal Guardian or the Filmmaker of the Film's non-selection.

4. The Legal Guardian makes the following guarantees to Trop Jr:
- (a) the Filmmaker is aged 15 years or younger as at 7 January 2010, and the Legal Guardian acknowledges that he or she may be required to provide proof of age and identity of the Filmmaker;
  - (b) the Legal Guardian is aged 18 years or older as at the date of this agreement and acknowledges that he or she may be required to provide proof of their age and identity;
  - (c) the Legal Guardian is a parent or legal administrator of the affairs of the Filmmaker;
  - (d) the Legal Guardian is fully authorised to enter into this agreement on his or her own behalf and for and on behalf of the Filmmaker;
  - (e) no other person is required to authorise or consent to the execution of this agreement on behalf of the Filmmaker;
  - (f) this agreement is a valid agreement and binding upon the Legal Guardian and the Filmmaker;
  - (g) the Film was made by the Filmmaker specifically for the Festival;
  - (h) the Film complies with the Terms and Conditions;
  - (i) the Film has not been, and will not be prior to the Festival, available to be viewed by the public by any means, including by way of the internet;

- (j) the rights (including the intellectual property rights) in the Film have not been, and will not be prior to the Festival, assigned or licensed or otherwise granted, in whole or in part, to any person other than Trop Jr;
- (k) the Legal Guardian and the Filmmaker are entitled to reproduce and exploit all of the underlying works in the Film by including these in the Film\*;
- (l) without limiting clause 4(k), the Legal Guardian and/or the Filmmaker are the owners, or have permission from the owners, of the copyright in the sound recordings comprising the soundtrack to the Film and the music and lyrics reproduced in those sound recordings\*;
- (m) all the performers in the Film have consented in writing to the use of their performances in the Film\*;
- (n) the Legal Guardian has obtained from each contributor to the Film, including to the underlying works in the Film (Contributor), a written consent to their work being edited, altered and/or reproduced, in any manner or context, by the Legal Guardian or the Filmmaker, and any person authorised by the Legal Guardian or the Filmmaker to do so (including Trop Jr), and such consents have been obtained to the full extent permitted under the Copyright Act, 1968 (Moral Rights Consents)\*;
- (o) the Legal Guardian has obtained from each Contributor authorisation for Trop Jr to use the Contributor's name and likeness in connection with any publicity for the Festival and related competitions, and an undertaking that the Contributor will perform publicity appearances for the Festival and related competitions if reasonably requested by the Legal Guardian, the Filmmaker or Trop Jr\*;
- (p) the Legal Guardian is entitled to grant to Trop Jr permission to make use of each and every right referred to in clauses 5, 6, 7 and 8 (as applicable) and the use or exploitation of the Film as contemplated by the Terms and Conditions will not violate the rights (including copyright) of any third party;
- (q) the Legal Guardian will pay all fees and other charges related to entry of the Film in the Festival; and
- (r) all details in the Entry Form are true and correct.

and the Legal Guardian, on behalf of himself or herself and as the legal administrator of the affairs of the Filmmaker, indemnifies Trop Jr from and against any and all claims and demands made against Trop Jr, or any assignee or licensee of Trop Jr, in relation to the guarantees provided by the Legal Guardian in this clause 4.

\*Copies of release forms for the purposes of complying with clauses 4 (k), (l), (m), (n) and (o) above can be obtained from the Trop Jr offices (see clause 1 for the address).

5. Subject to clauses 6, 7 and 8, in consideration of Trop Jr reviewing the Film for the purpose of the Film being Pre-Selected and/or Selected for the Festival, the Legal Guardian grants an exclusive licence throughout the world, in all media now existing or subsequently devised, in all languages, in perpetuity to Trop Jr (whether or not the Film is Pre-Selected or Selected for the Festival) to do any and all of the acts now or subsequently comprising the copyright in the Film, or any part of the Film, including any production stills.

6. Notwithstanding clause 5, if Trop Jr notifies the Legal Guardian that the Film is not Pre-Selected nor Selected for the Festival, the exclusive licence granted by the Legal Guardian to Trop Jr under clause 5 will, on the Notification Date, automatically terminate and all rights granted to Trop Jr by the the Legal Guardian and/or the Filmmaker will automatically revert to the Legal Guardian and/or the Filmmaker, and neither Trop Jr, nor any assignee or licensee of Trop Jr, will have any rights, including copyright, in the Film.

7. Notwithstanding clause 5, if the Film is Pre-Selected but is not Selected for the Festival,



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the exclusive licence granted by the Legal Guardian to Trop Jr under clause 5 will, on the day after the Judgement Night, automatically terminate, and a new non-exclusive licence throughout the world, in all media now existing or subsequently devised, in all languages, in perpetuity to do any and all of the acts now or subsequently comprising the copyright in the Film, or any part of the Film, including any production stills, is automatically and immediately granted by the Legal Guardian to Trop Jr (and the Legal Guardian acknowledges that these terms and conditions are effective to grant such licence). The Legal Guardian may write to Trop Jr after 21 April 2012 to request the termination of the non-exclusive licence granted to Trop Jr under this clause 7.

8. Notwithstanding clause 5, if the Film is Selected for the Festival, the exclusive licence granted by the Legal Guardian to Trop Jr under clause 5 will, on 21 April 2011, automatically terminate, and a new non-exclusive licence throughout the world, in all media now existing or subsequently devised, in all languages, in perpetuity to do any and all of the acts now or subsequently comprising the copyright in the Film, or any part of the Film, including any production stills is granted to Trop Jr by the Legal Guardian (and the Legal Guardian acknowledges that these terms and conditions are effective to grant such licence). The Legal Guardian may write to Trop Jr after 21 April 2014 to request the termination of the non-exclusive licence granted to Trop Jr under this clause 8. Trop Jr will make the Film available for collection by the Legal Guardian for a period of 30 days following Trop Jr's receipt and acknowledgement of the Legal Guardian's notification of termination of the non-exclusive licence in accordance with this clause 8, after which time the Film may be disposed of by Trop Jr at its discretion.

9. Notwithstanding anything contained in the Terms and Conditions, the Legal Guardian and the Filmmaker must not grant any rights in the Film to any person:

- (a) prior to the Festival; or
- (b) where the grant of such rights would put Trop Jr in breach of any agreement or arrangement made known to the Legal Guardian by Trop Jr or of which the Legal Guardian ought to be aware.

10. The Legal Guardian:

- (a) acknowledges that Trop Jr, and assignees or licensees of Trop Jr, may need to edit, alter and/or reproduce the Film and the Legal Guardian, as the legal administrator of the affairs of the Filmmaker, consents to these actions by Trop Jr, and any assignees or licensees of Trop Jr, in any manner or context, in perpetuity throughout the world, and such consent is given to the full extent permitted under the Copyright Act, 1968; and
- (b) without limiting clause 10(a), authorises Trop Jr and its assignees and licensees to do any and all acts comprised in the Moral Rights Consents.

11. The Legal Guardian, as the legal administrator of the affairs of the Filmmaker, authorises Trop Jr to use the Filmmaker's name and likeness in connection with any publicity for the Festival and related competitions, and the Legal Guardian agrees to the Filmmaker undertaking publicity appearances for the Festival and related competitions as reasonably requested by Trop Jr.

12. The agreement created by the Terms and Conditions is made in New South Wales and is governed by the jurisdiction of the courts of New South Wales. The Legal Guardian will, and will procure that the Filmmaker does, do such acts and sign, or cause to be signed, such instruments as Trop Jr may reasonably request for the purposes of this agreement. Trop Jr may assign or license its interest under this agreement. The Legal Guardian and the Filmmaker must not assign or license its or their interest under this agreement. A reference to a person includes a body corporate. The singular includes the plural and vice versa. Includes and including are not words of limitation. The words and expressions used in this agreement have the meanings given to them in the Copyright Act, 1968 unless expressly stated to the contrary in this agreement. A reference to a "film" is a reference to a "cinematograph film". In the case of any inconsistency between the provisions of the terms and conditions set out above and any other language contained

in the Terms and Conditions (as defined in clause 1), the terms and conditions set out above prevail.

I, the Producer, understand and agree to the Terms and Conditions of Entry as outlined above.

Name of Film submitted (PLEASE PRINT)

Legal Guardian Name (PLEASE PRINT)

Legal Guardian Signature

Signed on \_\_\_\_\_ day of \_\_\_\_\_ 200

I am \_\_\_\_\_ years old and I have produced the film for the Trop Jr Festival and the person who has signed these terms and conditions for me above is my parent or guardian.

Filmmaker's name (PLEASE PRINT)

Signature

Signed on \_\_\_\_\_ day of \_\_\_\_\_ 200

Is your Film a Group or Individual entry? *(please circle)*

Group

Individual

# TROPJR

PRESENTED BY

**THE AUSTRALIAN CHILDREN'S  
TELEVISION FOUNDATION**

## YOUR QUESTIONS ANSWERED

GOT SOME QUESTIONS ABOUT TROPFEST AND CREATING A SHORT FILM FOR THE FESTIVAL?  
WE HAVE COMPILED A LIST OF FREQUENTLY ASKED QUESTIONS TO HELP YOU ON YOUR WAY.

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**WHAT IS THE DEADLINE FOR TROP JR 2010?**  
6:00pm Thursday 7 January 2010.

**WHEN IS THE FESTIVAL HELD?**  
Sunday 21 February 2010.

**WHAT IS THE TROP JR SIGNATURE ITEM (TSI) FOR 2010?**  
DOT. (You can interpret this any way you want – be creative!)

**WHY DOES MY FILM HAVE TO FEATURE THE TSI & HOW CAN I USE IT?**

The TSI shows us that your film was made for Trop Jr. It is not a theme however – it's more like a little symbol or 'proof' that you made your film for Trop Jr. Try to make a film that stands on its own feet and include the TSI as part of the background somewhere. This means your film will continue to have a life after the Festival. Very occasionally, a film inspired by the TSI is brilliant so don't let us stop you if yours is one of those!

**WHAT IS THE MAXIMUM LENGTH FOR TROP JR FILMS?**  
7 minutes including titles and credits.

**IS THERE A MINIMUM LENGTH?**  
No.

**CAN I SUBMIT MORE THAN ONE FILM FOR ENTRY?**  
Yes – there is no restriction on the number of entries.

**DOES TROP JR ACCEPT INTERNATIONAL ENTRIES?**  
Yes.

**DOES TROP JR ACCEPT ANIMATIONS?**  
Yes.

**DOES TROP JR ACCEPT DOCUMENTARIES?**  
Yes.

**ARE THERE OTHER IMPORTANT RESTRICTIONS?**  
Trop Jr must be your film's first public screening. This means that the film must not have been screened at any other film festival, or made available on free to air or pay TV, in cinemas, on the Internet or any other public arena. This restriction does not include cast and crew screenings.

**CAN I RE-EDIT A FILM THAT HAS ALREADY SCREENED SO IT FITS THE TROP JR GUIDELINES?**  
No! We consider this a different version of the same film, therefore if it has screened previously or otherwise made publicly available, it is not eligible for Trop Jr.

**WHAT FORMAT DO I HAVE TO SHOOT ON?**  
You can shoot on any digital format you like. For example, HD, DVD, Mini DV – whatever format is available to you.

**WHAT FORMAT DO YOU ACCEPT FOR ENTRY?**  
You must submit x2 DVD viewing copies of your film, each in a separate case. Submissions are to be formatted according to the

Entry Materials listed in the Entry Guidelines. Short listed filmmakers will also have to supply a digital file of their film by Thursday 21 January 2010.

**DOES TROP JR PLACE RESTRICTIONS ON SWEARING OR SEXUAL/VIOLENT CONTENT?**

YES! Trop Jr will receive an exemption which is the equivalent of G classification rating from the Office of Film and Literature Classification (OFLC). We recommend that you follow the guidelines of the G classification rating from the OFLC. For a complete rundown of the classification guidelines please visit [www.oflc.gov.au](http://www.oflc.gov.au).

**DOES IT COST ANYTHING TO ENTER?**

No. Entry is free.

**DO I HAVE TO OBTAIN COPYRIGHT CLEARANCE FOR THE MUSIC?**  
YES! It is the obligation of your nominated parent or guardian to ensure that you and/or your nominated parent or guardian own all copyright for or have written permission to use all underlying works included in the film including music, performance and script. Arts Law has a great website [www.artslaw.com.au](http://www.artslaw.com.au) with lots of information and advice about copyright. We suggest you read through their articles on copyright as well as their short film guide for producers. Otherwise, if you would like further advice on copyright and clearances consult our Filmmaker Representative on + 61 2 8011 0290 or email [mail@tropjr.com.au](mailto:mail@tropjr.com.au).

**CAN I USE ANY PIECE OF MUSIC AS LONG AS I HAVE PERMISSION?**  
You can use most pieces of music provided you and your nominated parent or legal guardian have received the necessary permissions from the copyright owner(s). Well known/published music can become very expensive to use. You and your nominated parent or legal guardian will need to have cleared rights to use the piece of music in "all media" and in "all territories" (please see Trop Jr Entry Form Terms and Conditions). Trop Jr has a network broadcast of the event and acts as a distributor for finalist and short listed films following the Festival. Your nominated parent or legal guardian must have cleared all music on your behalf in order to participate in such activities and, indeed, such clearance is a condition of entering your film in the Festival. It is important to note that you are not just asking for a "festival clearance" of the music. AMCOS administers the rights for production music libraries and it does have a special festival rate for production music. However, this does not apply to Trop Jr Short Film Festival films because the films may be screened after the festival via our many distribution channels which means you would need additional rights and clearances. Try to use copyright or royalty-free music in your film. Don't limit the life of your film by making rushed music choices or leaving this until the last minute. Music should be one of the first things you and your nominated parent or legal guardian consider when planning your production.

**CAN I USE MUSIC THAT I DOWNLOAD FROM A WEBSITE?**  
Just because you are able to download music from a website does not mean you can use it in your film. In most cases, music made available to download is for "private use" only (i.e. not a festival screening in front of thousands of people!). If you plan on using downloaded

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music, please make sure you and your nominated parent or legal guardian ensure that it clearly states it is "copyright or royalty free" - i.e. there is no copyright owner or royalties that need to be paid, or that it clearly states you are able to do so. Having said this, there still may be limitations on how you use the music so we strongly suggest you and your nominated parent or legal guardian read the fine print and contact the owner/s of the website just to be sure. Remember, you will need clearance in "all media" and "all territories" to be eligible for Trop Jr.

### WHAT IS A MUSIC CUE SHEET?

If you are short listed, we will email you a music cue sheet to fill out. It is basically a form detailing all the music used in your film (title of composition, copyright owner, duration used). We will also email you a completed example to help you with this process.

### DO I NEED WRITTEN PERMISSION FROM CAST ETC?

Yes, your nominated parent or legal guardian must request, on your behalf, that all actors, writers and composers of your film sign a Release Form, which can be downloaded from our website. You will need to supply these to us if you are short listed. If you are having difficulty in filling the form out, please contact us on +61 2 8011 0290 or [mail@tropjr.com.au](mailto:mail@tropjr.com.au).

### WHAT WILL THE PRODUCTION STILLS BE USED FOR?

If your film makes it to the finals, the stills you provide will be used in publicity materials produced by Trop Jr and in our Festival Program.

### AT WHAT ASPECT RATIO WITH MY FILM SCREEN?

Tropfest will screen all films at 16:9 (widescreen). We strongly suggest that you shoot your film at this ratio to avoid transferring your film's ratio aspect from 4:3 (full screen) to 16:9 (widescreen) in post-production (which can be quite difficult!). Please be aware that not all digital cameras (particularly older cameras) have the option to shoot 16:9 (widescreen) so if you are planning on shooting at this ratio (and we recommend that you do!), make sure you check your camera's features well before shooting. NB: If you are short listed you are required to submit a digital file of your film to us by Thursday 21 January 2010 so we can create a screening tape (Digi Beta) master of your film. If you are experiencing extreme difficulty shooting or converting your film to 16:9 (widescreen) please email [mail@tropfest.com.au](mailto:mail@tropfest.com.au) or call us on +61 2 8011 0290. Be sure to check out our 16:9 Shooting Guide (PDF) on our website.

### WHAT IF MY FILM CONTAINS SUBTITLES?

This is OK, however please consider that the film is screened in a very large environment, with many audience members a great distance away from the screen. You should double the size of subtitling and avoid yellow shades. White on black is best in terms of visibility.

### CAN SOMEONE OVER THE AGE LIMIT (15 YEARS OLD) HELP ME SHOOT MY SHORT FILM?

All crew members and active participants in an entry, including a group entry (i.e. those working on your production) must be 15 years or younger on Thursday 7 January 2010. We encourage you to seek help from those older and more experienced than you however,

in a supervision capacity only. For example, they can act as your nominated parent or legal guardian and/or help you choose a camera or give you lighting advice but they cannot be the cinematographer for your short film.

### WHY DO I NEED TO A PARENT OR GUARDIAN TO ACT ON MY BEHALF?

We ask you to nominate a parent or legal guardian over 18 years of age to sign the legal documents (i.e. the Terms and Conditions Form) upon entry into the competition and to act as the first point of contact for all matters relating to your short film. The nominated parent or legal guardian will also be responsible for ensuring your film satisfies the entry criteria, so it is important they understand and agree to the terms and conditions of entry too. Also, if you are short listed or selected as a finalist, we go on to look for other screening opportunities for your film that may pay you money. If your film does attract revenue, we will get in touch with your nominated parent or legal guardian to handle this. Note: If you are submitting a film as a group, the nominated parent or legal guardian could be a teacher or a nominated parent or guardian.

### CAN I COLLECT MY DVD AFTER THE FESTIVAL?

Unfortunately Trop Jr is unable to return you entry DVDs after the festival. Please keep a copy of your film before you enter.

### DO YOU HAVE ANY OTHER QUESTIONS?

Email us at [mail@tropjr.com.au](mailto:mail@tropjr.com.au) or call +61 2 8011 0290.