



RULES FOR THE EUROVISION SONG CONTEST 2009

Moscow, 12, 14 and 16 May 2009

Section One: Core Elements

- 1) The Eurovision Song Contest (the "ESC") is produced each May under the auspices of the European Broadcasting Union (the EBU) as part of the television programme exchanges known as Eurovision and is a state-of-the-art, world-class television production of a music competition between songs representing different countries of the Members of the EBU. Only Active Members of the EBU are eligible to participate in the ESC and are authorized to apply. [...]. The EBU Members selected to participate in the ESC shall each enter a national song and shall be referred to hereafter as the "Participating Broadcasters".
- 2) The ESC takes place in two parts as follows:
 - two Semi-Finals, which shall be held on Tuesday, 12 May 2009 and on Thursday, 14 May 2009. Each shall take place from 21.00 to approximately 23.00 CET.
 - a Grand Final, which shall be held on Saturday, 16 May 2009 (from 21.00 to approximately 00.15 CET).

Collectively the Semi-Finals and the Grand Final are referred hereafter to as the Shows. They shall all take place in Moscow, Russia and shall be organized, produced and transmitted live by Channel One Russia (herein referred to as the "Host Broadcaster") and made available over the Eurovision satellite network for live broadcast by the Participating Broadcasters.
- 3) The Shows shall be presented on stage, in both English and French, by the international presenters. National commentary by commentators appointed by each Participating Broadcaster shall be added to the international version of the Shows.
- 4) The Format of the ESC consists chiefly of successive live musical televised performances by the artists during the Shows of the national songs entered by the Participating Broadcasters. The order of appearance of the songs in the Shows is decided by means of draws organized by the Host Broadcaster. Each national song which competes in the ESC shall be selected by the relevant Participating Broadcaster through a National Selection in accordance with the procedure of its choice, provided that full transparency is ensured and that the provisions laid down in Section Four are respected.
- 5) Once all the songs have been performed, viewers in the countries of the Participating Broadcasters are invited to vote for their favourite song (without the possibility of voting for the song representing their own country) by means of televoting which shall be implemented in all the countries of the Participating Broadcasters on a centralized basis by a pan-European televoting partner (see Annexe 3).

- 6) In the Semi-Finals, the final scores of the songs shall be determined only on the basis of the results of the televoting. 12 points shall be allocated to the song having obtained the highest number of votes from the televoting; 10 points to the song having obtained the second-highest number of votes from the televoting, 8 points to the song having obtained the third-highest number of votes from the televoting, 7 points to the next, and so on down to 1 point for the song having obtained the tenth-highest number of votes from the televoting.

In the Grand Final, the final scores of the songs shall be calculated on the basis of both the results of the televoting and the results of juries appointed. The scores of each song in each country shall be determined as follows: 12 points shall be allocated to the song having obtained the highest combined number of votes from the televoting and from the juries; 10 points to the song having obtained the second-highest combined number of votes from the televoting and from the juries, 8 points to the song having obtained the third-highest combined number of votes from the televoting and from the juries, 7 points to the next, and so on down to 1 point for the song having obtained the tenth-highest combined number of votes from the televoting and from the juries. The exact composition of the juries and the method of combining the votes from the televoting and the votes from the juries to obtain the final scores of the songs shall be decided upon by the Reference Group and explained to the Participating Broadcasters at the meeting of the Heads of Delegation to be held on 16-17 March 2009.

The winners of the Semi-Finals shall be the songs which, according to all information made available to the EBU Executive Supervisor by the pan-European televoting partner at the time of the announcement of the results, have obtained the most points from the televoting at the end of the voting procedures and which have been awarded the wild cards as per Section 2) 2.3.

The winner of the Grand Final shall be the song(s) which, according to all information made available to the EBU Executive Supervisor by the pan-European televoting partner has/have obtained the most points from the combined calculation of the televoting results and of the juries' votes at the end of the voting procedures at the time of announcement of the results,

- 7) The results of the voting in each Semi-Final shall be announced by the international presenters, who shall open envelopes containing the names of the countries which have qualified from the Semi-Finals for the Grand Final as per the selection process described under Section Two paragraph 2.
- 8) The national results in the Grand Final shall be announced in turn by the spokesperson for each Participating Broadcaster, clearly and distinctly in English or in French. He or she shall first specify the name of the country on behalf of which he/she is speaking and then state the points allocated to the songs, in ascending order. The final procedure for presenting the points in the Final shall be decided upon by the Reference Group and announced to the Participating Broadcasters at the meeting of the Heads of Delegation on 16-17 March 2009 at the latest.
- 9) The winner of the Grand Final shall be the song which has received the most points at the end of the voting procedure.

- 10) If the televoting results in a tie for the last qualifying position for a Semi-Final or for the first place in the Grand Final, the calculations laid down under Section Five below shall apply. Should two or more songs still tie for first place in the Grand Final, even after those calculations, the songs in question shall be declared joint winners of the ESC.
- 11) With respect to the winning song(s) in the Grand Final the song writer(s), artist(s) and Participating Broadcaster shall receive the ESC Trophy, and the transmission of the Grand Final shall end with a further performance of the winning song(s).
- 12) The full results of the voting in the Semi-Finals and the Grand Final shall be announced on the official website of the ESC, www.eurovision.tv, shortly after the end of the Grand Final.

[...]

- 14) The main title of the Shows is the "Eurovision Song Contest 2009". It shall be used by all broadcasters, although they may instead use a translation into their national language once that translation has been approved by the EBU Executive Supervisor. In case of such approval, the main title need not be used. Broadcasters are also entitled to have a minor title under the main title, using the name by which the ESC has been known in recent years.

Section Two: Application procedure and rules for participation

1. Application Procedure

- 1) All Active EBU Members wishing to participate in the ESC 2009 must complete the confirmation of participation form [...] and return it by **15 November 2008** [...].

On the basis of the replies received, the Reference Group shall draw up a list of Participating Broadcasters.

[...]

2. Rules for participation in the ESC

- 1) A maximum total of 45 Active EBU Members shall be allowed to participate in the ESC.
- 2) Active EBU Members from a maximum total of 25 countries shall compete in the Grand Final. There shall be five guaranteed places in the Grand Final, i.e. one for the Host Broadcaster and four for EBU Members from Germany, Spain, France and the United Kingdom.
- 3) Apart from the five above-mentioned Participating Broadcasters with guaranteed places, all Participating Broadcasters, from a maximum of 40 countries, shall contest one of the two Semi-Finals for the remaining places in the Grand Final. The Reference Group shall determine the allocation of the countries to the two Semi-Finals. In each Semi-Final, a maximum of ten countries shall qualify for the Grand Final.

In each Semi-Final, the nine songs which have received the most points from the televoting shall be selected for the Grand Final (i.e. a total of 18 songs).

Moreover, two additional countries (one from each Semi-Final) shall be awarded a wild card to participate in the Grand Final. In each Semi-Final, the wild card shall be awarded to the song having scored the highest number of votes from the juries among the songs which are not already qualified for the Grand Final. The songs which have been awarded the wild card shall be revealed only after the Grand Final.

If more than 45 countries apply to participate in the ESC, the Reference Group shall decide which countries shall have priority to participate. One criterion may be to give priority to countries which have participated the most often in the five previous editions of the ESC. The remaining countries shall be placed on a waiting list. If a place becomes available in one of the Semi-Finals the Reference Group shall decide, preferably through a draw, which Member shall have the right to participate.

[...]

Section Three: Organization

- 1) The ESC is co-produced by the Participating Broadcasters and the Host Broadcaster under the guidance of the EBU. [...]
- 2) The EBU has appointed an EBU Executive Supervisor with direct responsibility for overseeing and guiding all aspects of the financial, organizational and creative planning and execution of the ESC. [...]. The EBU Executive Supervisor shall work in close cooperation with the Host Broadcaster to support all aspects of the national planning and production. In addition, the EBU Executive Supervisor shall work as a member of the Reference Group, a group representative of EBU Members participating in the ESC which shall liaise direct with the EBU to guide and approve the major elements of the concept, development and preparation of the ESC. [...].
- 3) The EBU is the sole right-holder of the Eurovision Song Contest. All rights in the ESC and the Shows are exclusively owned and managed on a centralized basis by the EBU, which shall be responsible, in consultation with the Reference Group, for the marketing of all commercial exploitation rights. [...]

[...]

Section Four: The Entries

- 1) The entries (lyrics and music) must not have been commercially released and/or publicly performed before 1 October 2008.
- 2) The maximum duration of each song is three minutes. Any entry which is longer may be disqualified by the EBU after consultation with the Reference Group.
- 3) Each performance may consist of a maximum of six people on stage. No live animals shall be allowed on stage.
- 4) All artists competing in a Semi-Final must be aged at least 16 on the day of that Semi-Final. All artists competing only in the Grand Final must be aged at least 16 on the day of the Grand Final.

- 5) No artist may compete for more than one country in the ESC in a given year.
- 6) Each Participating Broadcaster is free to decide the language in which its artists will sing.
- 7) Artists shall perform live on stage, accompanied by a recorded backing-track which contains no vocals of any kind or any vocal imitations. The Host Broadcaster shall verify respect for this rule.
- 8) Changes to the lyrics, the name of the artist or group, the title of the song and the language of the performance (i.e. all elements which appear in printed material such as brochures, CD covers and booklets) shall be allowed only up until the meeting of the Heads of Delegation. Any later changes may be approved only by the Host Broadcaster, in consultation with the EBU Executive Supervisor [...].
- 9) The lyrics and/or performance of the songs shall not bring the Shows or the ESC as such into disrepute. No lyrics, speeches, gestures of a political or similar nature shall be permitted during the ESC. No swearing or other unacceptable language shall be allowed in the lyrics or in the performances of the songs. No commercial messages of any kind shall be allowed. A breach of this rule may result in disqualification.

Section Five: Procedure in case of a tie

- 1) Should there be a tie for the last position in a Semi-Final (because two songs have received the same number of points on the basis of the televoting results) or for the first place in the Grand Final, as well as any other situation where a tie occurs, the winner shall be the song which has obtained points from the highest number of countries. If the tying songs have received points from the same number of countries, the highest number of 12-point scores shall be decisive. If the winner still cannot be determined by this procedure, the number of times ten points have been awarded shall be the deciding factor. If necessary, this method shall continue until account has been taken of the number of times one point has been awarded.

In the very unlikely case that after applying the above procedure in a Semi-Final there is still a tie concerning the qualifying ranks and non-qualifying ranks, the tie shall be resolved by giving precedence to the country which was earlier in the running order for the Semi-Final in question. The same procedure shall be used to resolve any other ties.

- 2) Should two or more songs receive exactly the same number of calls in a given country, the results of the jury (see Annexe 3 and Appendix 4) shall be used to determine their respective ranks (i.e. the song having obtained the most votes from the jury shall be ranked highest). If these songs have received no votes from the jury, their ranks shall be determined by a draw to be held by the pan-European televoting partner under the supervision of the EBU Executive Supervisor.
- 3) If there is a tie in the results of the jury to choose between two or more songs which have not already qualified for the Grand Final, the song which has obtained the most points from the televoting shall be awarded the wild card to participate in the Grand Final.

- 4) If there is a tie between two or more songs when the combined calculation between televotes and jury votes is used to determine the final ranking of the songs in the Grand Final, the song(s) which obtained the most votes from the televotes shall be ranked highest.

[...]

Section Seven: Broadcasting and other uses of the Shows

[...]

2) Rights and obligations of the EBU

Without prejudice to the other rules in this Section, all broadcasting and other rights to the Shows, the ESC Countdown Shows and the ESC are exclusively owned by the EBU, to be managed centrally by the EBU on behalf of the Participating Broadcasters. Unless any rule in this Section applies, non-participating broadcasters are not allowed to broadcast any material from the Shows (rehearsals/preparations, etc.) without the prior written permission of, and without possible payment of a rights fee to, the EBU. [...]. No commercial or non-commercial entity shall use the logo or other distinctive elements of the ESC or the Shows without the prior written permission of the EBU.

2.1) Official website of the ESC

- a) Reserved rights for the EBU

Live webcasting of the Shows as well as on-demand use thereof (in whole or in part) via the Internet shall be reserved exclusively for the official website of the ESC, to which Participating Broadcasters may provide a link on the evenings of the Shows.

[...]

2.2) Radio

Non-participating radio broadcasters which are Active Members of the EBU shall be granted, free of charge (except for technical delivery costs), the right to broadcast the Shows live or deferred, and to make one repeat broadcast of each within 30 days of the Grand Final. Where a non-participating radio broadcaster located in the country of a Participating Broadcaster which includes both a radio and a television service wishes to broadcast the Shows, that non-participating broadcaster shall obtain the prior written authorization of the Participating Broadcaster in that country, in order to be allowed to access the satellite transmission of the Shows.

2.3) Distribution/Licensing

The EBU shall, in cooperation with TEAM, be responsible for coordinating all sales of the Shows (including the ESC Countdown Shows) to non-participating broadcasters from countries where rights remain available, for the financial benefit of Participating Broadcasters and the Host Broadcaster. [...]

Non-participating radio broadcasters other than Active EBU Members, and non-participating television broadcasters from countries where rights remain available, may acquire the right to broadcast the Shows on their territory against possible payment of a rights fee.

In countries where rights remain available, non-participating EBU Members shall have a first option, to be exercised within a deadline set by the EBU, to purchase the programmes for their territory.

Depending on the facilities available, non-participating broadcasters from countries where rights remain available may also request the right to send a commentator, and/or a production team, to the Shows.

[...]

3) **News access**

Any broadcaster which does not hold any media rights shall be granted, upon request to the EBU, a total of two minutes' news access from each of the three Shows, free of charge for use in regularly-scheduled news bulletins within 24 hours of the Semi-Finals and the Grand Final respectively.

[...]

Annexe 3

Centralized televoting

1) Pan-European televoting partner

[...]

- b) All Participating Broadcasters presenting a song in a Semi-Final are obliged to implement the televoting system for that Semi-Final. The five Participating Broadcasters with guaranteed places in the Grand Final shall also implement the televoting system for the Semi-Final which they are required to broadcast. All Participating Broadcasters are obliged to implement the televoting system for the Grand Final.

[...]

- d) In all cases the following guidelines must be followed:

(i) There shall be a fixed voting window [...], with the lines opening and closing at exactly the same time in all countries where the televoting takes place.

(ii) Voters must be excluded from voting for the entry of their own country of residence, and this must be made known to them.

(iii) The lines provided to receive calls must be equally accessible to any of the numbers being rung. [...]

- e) Each Participating Broadcaster shall appoint a National Jury whose votes shall be used in case of a technical or similar failure in the televoting procedure and for determining the ranking of the songs in the Grand Final as per a calculation method to be decided upon by the Reference Group and communicated during the meeting of the Heads of Delegation. The EBU Executive Supervisor shall decide during the Semi-Finals whether the National Jury votes will be used. In particular, the EBU Executive Supervisor may decide to use such votes in a given country if an insufficient number of calls has been registered in that country.

- f) If a dispensation is requested by 1 January 2009, the Reference Group may make an exception to the compulsory televoting rule and may allow 100 % of the voting by the national jury in accordance with the rules mentioned in Appendix 4.

- g) In any country where the EBU, in consultation with the Reference Group, makes an exception to the compulsory televoting rule, the results shall be based solely on jury voting. A jury shall vote in any case during the Grand Final.

The composition of the juries shall be decided upon by the Reference Group, and the criteria shall be announced during the meeting of the Heads of Delegation.

[...]

2) Obligations of the Participating Broadcasters with respect to centralized televoting

[...]

- f) Each Participating Broadcaster shall do its utmost to prevent fraudulent voting in the Shows.

[...]

Appendix 4

Rules applicable to the Juries

The rules and instructions in this Appendix may be changed by decision of the Reference Group. Information thereon shall be given at the meeting of the Heads of Delegation on 16-17 March 2009 at the latest, and these modifications shall be binding on the Participating Broadcasters.

- a) Each Jury shall consist of eight members plus a (non-voting) chairman. The members shall be nationals of the country of the Participating Broadcaster which has appointed them.
 - b) Four members of each Jury shall be representatives of the public. The other four shall be music professionals. There should be an equal number of men and women on each Jury, and a wide spread of ages.
 - c) Only one of the four music professionals is allowed to be connected with a record company or music publisher.
 - d) The names of the members of the Juries may not be disclosed until the end of the Grand Final.
 - e) Each Jury shall assemble in its own country on the days of each Semi-Final and of the Grand Final to view sequences of the final dress rehearsal of each song and shall then vote thereon in accordance with instructions issued by the EBU.
 - f) Each member of each Jury shall award votes from one to ten to each song, excluding the song presented by the Participating Broadcaster of his own country and shall register his votes for each song as soon as it has been sung, on secret voting papers which shall be collected by the chairman. Abstentions are not allowed.
 - g) The chairman shall be responsible for counting the votes awarded to each song, and for determining the points that will be awarded. The chairman shall allocate 12 points to the song having obtained the highest number of votes, 10 points to the song having obtained the second-highest number of votes, 8 points to the song having obtained the third-highest number of votes, 7 points to the next, and so on down to 1 point for the song having obtained the tenth-highest number of votes.
 - h) In the event of a tie for any of the above positions, the order of the tying songs shall be ascertained by a show of hands by the Jury members. If there is still a tie after the show of hands, the final order shall be decided by the vote of the youngest member of the Jury.
 - i) Each Jury's deliberations shall be monitored by a notary, whose tasks shall be to:
 - ensure compliance with the voting rules;
 - collect, check and certify the completed voting papers established by the chairman in accordance with point g) above;
 - send by fax all the certified voting papers to the pan-European televoting partner. [...]
-