



RULES OF THE HELPMANN AWARDS®

(Adopted 17 March 2004, Revised as at 28 January 2011)

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Chapter 1 – Introduction

Rule 1 – These Rules

1. These Rules deal with the awarding and organisation of the Helpmann Awards® for Live Performance in Australia by Live Performance Australia™, an organisation of employers registered as the Australian Entertainment Industry Association under the *Workplace Relations Act 1996* (Cth) (**Live Performance Australia™**).
2. The Executive Council has adopted these Rules in accordance with Rule 19 of the Rules of Live Performance Australia™.
3. These Rules apply to and are binding on:
 - (a) Live Performance Australia™;
 - (b) all Members; and
 - (c) any person that agrees to be bound by or comes within the purview of these Rules including by:
 - (i) being a member of HAAC or a sub-committee of HAAC, a Nominating Panel or the Industry Awards Panel;
 - (ii) being a Registered Voter; or
 - (iii) applying to enter the Awards.
4. Words used in these Rules and the rules of interpretation that apply are set out and explained in Rule 21.
5. The Schedules and the Prescribed Forms form part of these Rules.

Rule 2 – The Awards

1. The full name of the Awards is the Helpmann Awards® for Live Performance in Australia (**Awards**).
2. The Awards may also be known as the Helpmann Awards®.
3. The Awards are named in honour of and to commemorate Sir Robert Helpmann's memory and achievements, which are summarised in Schedule 1 to these Rules.
4. The principal objective of Live Performance Australia™ in establishing the Awards is to nationally and internationally serve and promote the Australian live performance industry (**Industry**) by:
 - (a) recognising distinguished artistic achievement and excellence;
 - (b) ensuring the Awards are administered and made with integrity;
 - (c) ensuring the Awards are celebrated by the Industry and the Australian community; and
 - (d) ensuring the Awards are the most prestigious awards in the Industry and the highlight of each Season.

5. The Awards are made to persons in the Industry in recognition of distinguished artistic achievement and excellence in Australia in:
 - (a) theatre, musical theatre, music, opera, ballet, dance, visual and physical theatre, contemporary music, comedy and cabaret;
 - (b) the development of new Australian work;
 - (c) the conducting of any special event or performance;
 - (d) children's presentations; and
 - (e) any other discipline, field or endeavour within the Industry nominated by the Executive Council.
6. The winner of each Award in a Season will be presented with the Helpmann Awards® Trophy (**Trophy**) at the Ceremony to be held following the conclusion of each Season in accordance with these Rules. The Trophy is described in Schedule 2 to these Rules.
7. In conjunction with the Awards, Live Performance Australia™ may award the JC Williamson Award™ to a person or persons for outstanding contribution to the Industry.

Chapter 2 – Organisation and Conduct of the Awards

Rule 3 – Helpmann Awards® Administration Committee

1. The Executive Council has:
 - (a) established and constituted the Helpmann Awards® Administration Committee (**HAAC**) in accordance with the Charter of Responsibility of HAAC at Schedule 3 to these Rules (***the Charter***); and
 - (b) in accordance with Rules 19(j) and (k) of the Rules of Live Performance Australia™, delegated to and vested HAAC with the responsibilities set out in the Charter and these Rules.
2. HAAC must:
 - (a) effectively perform and carry out the responsibilities and comply with the procedures set out in the Charter;
 - (b) ensure the Awards are organised, conducted and made in accordance with these Rules; and
 - (c) ensure the Ceremony is organised in accordance with these Rules.
3. HAAC may establish one or more sub-committees (**HAAC sub-committee**) to assist it with its functions under these Rules. The members of a HAAC sub-committee need not be members of HAAC, but each HAAC sub-committee must include at least one member of HAAC.

Rule 4 – Nominating Bodies

1. HAAC must for each Season establish, constitute and administer the following nominating bodies for the purposes of the Awards:
 - (a) 8 Helpmann Awards® Nominating Panels (***Nominating Panels***):
 - (i) Contemporary Music;
 - (ii) Dance and Physical Theatre;
 - (iii) Musicals;
 - (iv) Theatre;
 - (v) Opera and Classical Music;
 - (vi) Comedy;
 - (vii) Regional Touring; and
 - (viii) Cabaret; and
 - (b) the Helpmann Awards® Industry Awards Panel (***Industry Awards Panel***).
2. Each Nominating Panel is responsible for:
 - (a) considering Entries which fall within the Artistic Discipline and each Award Category assigned to the Nominating Panel under these Rules;
 - (b) selecting up to 4 Entries for Nomination for each Award Category; and

- (c) recommending any Entry within the Artistic Discipline to the Industry Awards Panel for consideration for Nomination for any Industry Award.
- 3. Each Nominating Panel must consist of:
 - (a) 2 nominees of the Executive Council who will act as Head and Deputy Head of the Nominating Panel; and
 - (b) not less than 9, and up to 20, persons appointed by HAAC who:
 - (i) agree to use their best efforts to attend each Eligible Production falling within the Artistic Discipline of the Nominating Panel;
 - (ii) have each made a prominent contribution to that Artistic Discipline or are recognised by HAAC as a practitioner or professional in the Industry and having expertise within the Artistic Discipline; and
 - (iii) collectively provide a reasonable representation of the Artistic Discipline.
- 4. The members of HAAC may not participate in more than one Panel unless they are Head of a Panel.
- 5. The terms of appointment of a member of a Nominating Panel are set out in the letter of appointment in the Prescribed Form.
- 6. Each Nominating Panel will meet at a time and place determined by HAAC.
- 7. At any meeting of a Nominating Panel:
 - (a) the meeting will be chaired by the LPA Chief Executive who will act as an independent party and as such will not have any rights to vote or be involved in the process of selecting the final nominees. In his or her absence or inability to act, a nominee of the Chair will preside over the meeting.
 - (b) a quorum of the Nominating Panel will be one-third of its members with any fraction to be considered as one;
 - (c) each member of the Nominating Panel must act personally and may not appoint a proxy or alternate; and
 - (d) any matter of procedure arising at a meeting and not provided for by these Rules or prescribed by HAAC will be determined by the chair of the meeting.
- 8. The Industry Awards Panel is responsible for:
 - (a) considering any recommendations of a Nominating Panel of an Entry for an Industry Award; and
 - (b) selecting up to 4 Nominations for each Industry Award.
- 9. The Industry Awards Panel must consist of:
 - (a) the Head, Deputy Head or designated representative of the 8 Nominating Panels
 - (b) the Chair of HAAC;
 - (c) Helpmann Awards Executive Producer; and
 - (d) such other persons who may be appointed by HAAC who:
 - (i) agree to use their best efforts to attend each Eligible Production;

- (ii) have each made a prominent contribution to the Industry or are recognised by HAAC as a practitioner or professional in the Industry and having expertise in the Award Categories to be considered by the Industry Awards Panel; and
 - (iii) collectively provide a reasonable representation of the Industry.
- 10. Where the Deputy Head of the Nominating Panel acted as the Head of the meeting, then the Deputy Head shall also be entitled to a place on the Industry Awards Panel in that year.
- 11. The terms of appointment of a member of the Industry Awards Panel are set out in the letter of appointment in the Prescribed Form.
- 12. The Industry Awards Panel will meet at a time and place determined by HAAC.
- 13. At any meeting of the Industry Awards Panel:
 - (a) the meeting will be chaired by the Chair of HAAC or, in his or her absence or inability to act, a nominee of the Industry Awards Panel;
 - (b) a quorum of the Industry Awards Panel will be one-half of its members with any fraction to be considered as one;
 - (c) each member of the Industry Awards Panel must act personally and may not appoint a proxy or alternate; and
 - (d) any matter of procedure arising at a meeting and not provided for by these Rules or prescribed by HAAC will be determined by the chair of the meeting.
- 14. The Chief Executive will act as Secretary to each Nominating Panel and the Industry Awards Panel. The Chief Executive may delegate this function to an employee or contractor of Live Performance Australia™.
- 15. A Panelist may be removed from a Panel if:
 - (a) despite all reasonable efforts by Live Performance Australia, he or she is not able to be contacted; or
 - (b) he or she does not attend a Panel meeting for two consecutive years.

Rule 5 – Helpmanns Voters

- 1. HAAC must for each Season establish the group of individuals who comprise the Helpmann Awards® Voters (**Helpmanns Voters**).
- 2. The Helpmanns Voters are responsible for casting votes for Eligible Productions nominated by each Nominating Panel and the Industry Awards Panel and submitted to the Helpmanns Voters in accordance with these Rules.
- 3. A person is eligible to become a Helpmanns Voter (**Eligible Voter**) if he or she is:
 - (a) the representative of a Member conducting business in the live performance industry;
 - (b) the Manager of a venue which is a current financial member of the Australian Performing Arts Centres Association (APACA);

- (c) a member of a Nominating Panel or the Industry Awards Panel;
 - (d) a member of the Industry media appointed by HAAC;
 - (e) a distinguished member of the Industry appointed by HAAC;
 - (f) an individual Helpmann Awards® Winner who is an Australian resident; or
 - (g) An individual Helpmann Awards Nominee who received their Nomination in the past three years.
4. An Eligible Voter is only entitled to one vote including where the Eligible Voter is entitled to be a Helpmanns Voter in more than one capacity.
 5. An Eligible Voter may apply to be registered by Live Performance Australia™ as a Helpmanns Voter in respect to a Season by lodging the Prescribed Form with the Chief Executive in the time and manner prescribed by HAAC (**Registered Voter**).
 6. An Eligible Voter is only entitled to vote under these Rules if he or she is a Registered Voter.

Chapter 3 – The Awards

Rule 6 – Award Categories

1. Subject to these Rules, the Nominating Panels and the Industry Awards Panel will consider making Awards in each category described in this Rule 6 (***Award Category***).
2. The Nominating Panel for Contemporary Music will consider making Awards in the Award Categories set out in the following table:

Category	Description
Best International Contemporary Concert	Award to Artist and Presenter. The Award recognises excellence in the field of contemporary music, pop, folk music, jazz, world music or other discipline of non-classical music in a production involving an international performer, musician, artist or group.
Best Australian Contemporary Concert	Award to Presenter and Performer. The Award recognises excellence in the field of contemporary music, pop, folk music, jazz, world music or other discipline of non-classical music in a production involving an Australian performer, musician, artist or group which is of a distinctively Australian character.
Best Contemporary Music Festival	Award to Presenter. The Award recognises excellence in the production of a festival in the field of contemporary music, pop, folk music, jazz, world music or other discipline of non-classical music.

3. The Nominating Panel for Dance and Physical Theatre will consider making Awards in the Award Categories set out in the following table:

Category	Description
Best Ballet or Dance Work	Award to Producer. The best classical or contemporary dance work.
Best Visual or Physical Theatre Production	Award to Producer. The Award recognises outstanding achievement in the areas of mime, circus, performance art, puppetry and street theatre.
Best Choreography in a Dance or Physical Theatre Work	
Best Male Dancer in a Dance or Physical Theatre Work	
Best Female Dancer in a Dance of Physical Theatre Work	

4. The Nominating Panel for Musicals will consider making Awards in the Award Categories set out in the following table:

Category	Description
Best Musical	Award to Producer. The best production of a musical.
Best Direction of a Musical	Award to the Director who has made a material contribution to the Australian aspect of the production.
Best Choreography in a Musical	Award to the originating choreographer.
Best Male Actor in a Musical	
Best Female Actor in a Musical	
Best Male Actor in a Supporting Role in a Musical	
Best Female Actor in a Supporting Role in a Musical	

5. The Nominating Panel for Theatre will consider making Awards in the Award Categories set out in the following table:

Category	Description
Best Play	Award to Producer. The best production of a play.
Best Direction of a Play	
Best Male Actor in a Play	
Best Female Actor in a Play	
Best Male Actor in a Supporting Role in a Play	
Best Female Actor in a Supporting Role in a Play	

6. The Nominating Panel for Opera and Classical Music will consider making Awards in the Award Categories set out in the following table:

Category	Description
Best Opera	Award to Producer. The best Opera.
Best Symphony Orchestra Concert	Award to Producer or Presenter (only in the case of visiting overseas Orchestras.)
Best Chamber and/or Instrumental Ensemble Concert	Award to Producer
Best Direction of an Opera	Award to the Director who has made a material contribution to the Australian aspect of the production.
Best Male Performer in an Opera	
Best Female Performer in an Opera	
Best Male Performer in a Supporting Role in an Opera	
Best Female Performer in a Supporting Role in an Opera	
Best Individual Classical Music Performance	Award to Individual Performer or Conductor

7. The Nominating Panel for Comedy will consider making an Award in the Award Category set out in the following table:

Category	Description
Best Comedy Performer	Award to Performer. The Award recognises excellence in live comedy performance over the course of the Comedy Season by a performer or group performing work created or co-created by that performer or group.

8. The Nominating Panel for Regional Touring will consider making an Award in the Award Category set out in the following table:

Category	Description
Best Regional Touring Production	Award to Producer. The Award recognises excellence in a production which has toured to no less than 5 APACA member venues across a minimum of two Australian states and territories. At least 3 of the APACA member venues must be regional venues.
Best Presentation for Children	Award to Producer. Recognises excellence in the presentation of a live performance created especially for children and young persons up to the age of 18 years.

9. The Nominating Panel for Cabaret will consider making an Award in the Award Category set out in the following table:

Category	Description
Best Cabaret Performer	Award to Performer(s). This award recognises excellence in cabaret performance by performer(s) or group performing work created or co-created by the performer /group including original or existing songs/music.

10. The Industry Awards Panel will consider making Industry Awards in the Award Categories set out in the following table:

Category	Description
Best New Australian Work	Award to author, composer, book writer or lyricist.

Best Special Event	Award to Producer. The Award recognises the most outstanding production or presentation across all categories, but not specific to genre, that is of a unique or exceptional character. This Award will be bestowed strictly at the discretion of the Industry Panel.
Best Original Score	Award to the composer or lyricist.
Best Music Direction	For Opera, Musical or Play. Award to the person who supervises the musical direction of the work throughout the rehearsal process, whether or not that person is the pit conductor.
Best Costume Design	
Best Scenic Design	
Best Lighting Design	
Best Sound Design	

11. If the JC Williamson Committee elects to nominate one or more recipients of the JC Williamson Award™ in any Season for outstanding contribution to the Industry, HAAC or the relevant HAAC sub-committee must ensure that the JC Williamson Award™ is presented at the Ceremony for that Season in accordance with the requirements of the JC Williamson Committee.

Rule 7 – Eligible Productions

1. A production is eligible to enter the Awards (***Eligible Production***) if:
 - (a) it is produced by a Member (***Eligible Producer***); or
 - (b) it is professionally produced (***Professionally Produced***) by a non-Member and the production seeking to enter has remitted the Industry Service Fee (ISF) either directly to LPA or via an LPA Member venue; and
 - (c) it falls within the Artistic Discipline of a Nominating Panel or is eligible for an Industry Award;

and
 - (d) it is first performed in Australia during the Season; and
 - (e) in the case of a production seeking to enter for the Best Regional Touring Production Award, it undertakes its first Australian regional tour during the Season.

In exceptional circumstances where an LPA Member and/or non-Member cannot meet the above criteria (eg. A cabaret performer using non LPA venues and non LPA producer members and agents), a sub committee comprising the President of LPA, Chief

Executive and Chair of HAAC will have the delegated authority to grant an exemption from the entry criteria.

Exceptional circumstances would include permitting an entry in the interests of:

- (a) populating an Award category which has been in existence for less than 2 Helpmann Awards Seasons;
 - (b) ensuring that the entries in an Award category reflect the breadth and diversity of performances in that category for the Helpmann Awards Season.
2. Without limiting Rule 7.1 and for the avoidance of doubt, an Eligible Production is produced by an Eligible Producer where:
- (a) it is a contemporary music concert promoted or presented by a Member;
 - (b) it is part of a festival that is produced by a Member; or
 - (c) it is a comedy performance given by a performer or group represented or promoted by a Member or as part of a festival that is produced by a Member.
3. An Eligible Producer may apply in writing to HAAC requesting an exemption from Rule 7.1(c) where:
- (a) an Eligible Production is first performed between 1 March and 31 May at the conclusion of the Season; or
 - (b) an Eligible Production is first performed during the Season and the Eligible Producer intends to tour the Eligible Production in the following Season.
- HAAC may deal with the request in its absolute discretion including by determining that the Eligible Production may be considered for entry into the Awards for the following Season in which case the Eligible Production will be ineligible to enter the Awards in the Season it is first performed.
4. If a production was first performed in a previous Season, the production is an Eligible Production for any Award Category that applies to a performer or actor appointed to a role during the Season.

Chapter 4 – Entry, Nomination and Voting

Rule 8 – Applications for Entry into the Awards

1. An Eligible Producer may apply to enter an Eligible Production into the Awards by lodging with the Chief Executive in the time and manner prescribed by HAAC:
 - (a) the Prescribed Form;
 - (b) the Prescribed Fee; and
 - (c) the Prescribed Materials.
2. The Chief Executive must refer any application for entry into the Awards that meets the requirements of Rule 8.1 to HAAC to deal with in accordance with these Rules.
3. An Eligible Producer who applies to enter an Eligible Production into the Awards under Rule 8.1 must use its best efforts to provide members of the Nominating Panels and the Industry Awards Panel with access to tickets to attend the Eligible Production.

Rule 9 – Determination of Eligible Productions

1. HAAC is responsible for determining whether an application for entry into the Awards is an Eligible Production.
2. Any determination of HAAC under this Rule 9 is final and binding. HAAC is not required to give any reasons for its determination.
3. HAAC must refer each Eligible Production that has applied to enter the Awards (**Entry**) to a Nominating Panel or the Industry Awards Panel in accordance with the Award Category to which the Entry relates.
4. In the interests of ensuring that the Helpmann Awards® are able to respond to the creative diversity of live performance, HAAC has discretion to accept an Entry by an Eligible Production which does not strictly comply with the title or description of the Award category.

Rule 10 – The Nomination Process

1. Each Nominating Panel and the Industry Awards Panel will select up to 4 Entries for Nomination for each relevant Award Category by:
 - (a) meeting to consider and discuss each Entry in accordance with these Rules; and
 - (b) each member casting a ballot in accordance with Rules 10.2 and 10.3.
2. Each ballot must:
 - (a) be a secret ballot, except in the case of the Industry Awards Panel where the majority of members may agree to an open vote;
 - (b) be cast personally at a meeting of the relevant Nominating Panel or Industry Awards Panel held in accordance with these Rules and any rules of procedure adopted from time to time by HAAC for the purposes of these Rules (**Nominating Rules of Procedure**);

- (c) apply to one Award Category; and
 - (d) list the Entries in that Award Category in alphabetical order.
3. Each member of a Nominating Panel or the Industry Awards Panel may cast his or her vote by placing a cross (X) against the preferred Entries. The Entries that receive the highest number of votes will be deemed to be the Nominations in accordance with the first past the post method of voting. If there is a tie in voting, the members must recast their ballot in accordance with this Rule 10.
 4. Each member of a Nominating Panel and the Industry Awards Panel must keep the proceedings of any meeting held or the details of any ballot cast under this Rule 10 private and confidential pending the formal public announcement of the Nominations by Live Performance Australia™ at the official media conference to be held in accordance with Rule 11.
 5. Notwithstanding Rule 8, if a Nominating Panel or the Industry Awards Panel is of the view that an Eligible Production that has not been entered into the Awards should be considered for Nomination, the Nominating Panel or the Industry Awards Panel (as the case may be) may, with the consent of the Eligible Producer, consider the Eligible Production as an Entry.

Rule 11 – Announcement of the Nominations

1. HAAC or the relevant HAAC sub-committee will ensure a national media conference is conducted in the City in which the Ceremony is to be held to announce the Nominees for each Award Category.
2. HAAC or the relevant HAAC sub-committee will ensure that representatives of Members, distinguished members of the Industry, Awards sponsors and media partners and the Industry media are invited to attend the media conference.

Rule 12 – Voting

1. The Helpmanns Voters will vote to determine which Nominees within each Award Category receive an Award by a secret online ballot conducted in accordance with this Rule 12.
2. Voting will be conducted on the average first past the post system of voting.
3. HAAC must appoint an auditor to conduct the voting.
4. HAAC must instruct the auditor to ensure:
 - (a) An online ballot containing the names of each Nominee listed in alphabetical order under each Award Category is accessible to each Registered Voter within 3 business days after announcement of the Nominations;
 - (b) the online ballot contains:
 - (i) clear directions for the Registered Voter on how to complete the online ballot;
 - (ii) prescribes the date and time by which the ballot must be complete; and
 - (c) the ballots cast are counted in accordance with Rule 12.2.

- (d) the ballot is available in postal format if requested by a Registered Voter.
5. In order to cast a valid vote, a Registered Voter must:
 - (a) certify in the manner prescribed in the ballot that he or she has seen the Nominations for which he or she is voting;
 - (b) use the form of ballot provided by the auditors; and
 - (c) comply with any requirements of the auditor contained in Rule 12.4(b).
 6. The auditor will advise the Chief Executive in writing of the winners of each Award. The auditor and the Chief Executive must keep the Award winners private and confidential and use the information only for the purpose of enabling presenters' forms to be inscribed with the names of the winners for announcing and presentation at the Ceremony.
 7. The names of the winner of any Award will be inscribed on any Trophy in the time and manner prescribed by HAAC.

Chapter 5 – The Ceremony

Rule 13 – The Ceremony

1. HAAC will ensure that the Ceremony is held annually on the second Monday of August following the conclusion of each Season or such other date nominated by HAAC and approved by the Executive Council.
2. HAAC or the relevant HAAC sub-committee will determine the venue of the Ceremony and issue a media release announcing the venue in February or March during the Season.
3. HAAC must appoint an executive producer to conduct the Ceremony (***Executive Producer***).
4. HAAC or the relevant HAAC sub-committee must endeavour to ensure that the Ceremony is conducted in a manner that will maximise attendance by participants in the Industry.

Chapter 6 – Commercial Matters

Rule 14 – Finance

1. Without limiting the Charter, HAAC and any HAAC sub-committees must ensure the Awards and the Ceremony are organised and conducted in accordance with any financial, budgetary or commercial requirements or limitations prescribed by the Management Committee or determined by the Chief Executive from time to time.
2. Any profit generated by the conduct of the Awards will form part of the consolidated revenue of Live Performance Australia™.

Rule 15 – Sponsorship and Media Partners

1. Subject to these Rules, HAAC or the relevant HAAC sub-committee may appoint sponsors and media partners in connection with the Awards on such terms and conditions that HAAC thinks fit.
2. HAAC or the relevant HAAC sub-committee must endeavour to ensure that the Ceremony is broadcast on free to air or subscription television.
3. HAAC or the relevant HAAC sub-committee may appoint a major or presenting sponsor for the Awards on the condition the sponsor is acknowledged in the following manner:

THE MAJOR/PRESENTING SPONSOR
PRESENTS

LIVE PERFORMANCE AUSTRALIA™'S

HELPMANN
AWARDS

4. HAAC or the relevant HAAC sub-committee may not grant naming rights sponsorship to the Awards without obtaining the prior approval of the Management Committee.

Rule 16 – Intellectual Property

1. The intellectual property in the Awards including the name and logo of the Awards is owned by Live Performance Australia™.
2. The Helpmann Awards® is a registered trademark of Live Performance Australia™.
3. Subject to Rules 16.4 and 16.5, a person may only use the name or logo of the Awards with the prior written consent of the Chief Executive, which consent may be given on such conditions as the Chief Executive thinks fit.
4. A Nominee may use the term, “The Helpmann Awards®” on the following conditions:
 - (a) the use expressly identifies the fact that the Nominee has received a Nomination and not an Award;
 - (b) the use specifies the Award Category for the Nomination;
 - (c) the use of the term immediately follows or precedes the words “Nominated for” or “Nominee” in the same size, prominence and colour as the term;
 - (d) the word “winner” is not used; and
 - (e) if the use is in connection with advertising or marketing, the use ceases 90 days after the date of the Ceremony to which the Nomination relates.
5. A Winner may use the term, “The Helpmann Awards®” on the following conditions:
 - (a) the use specifies the Season and Award Category for the Award; and
 - (b) the use of the term immediately follows or precedes the words “Winner” in the same size, prominence and colour as the term.

Chapter 7 – Breach of Rules

Rule 17 – Breach of Rules

1. If HAAC or the Chief Executive is of the opinion that any person subject to or bound by these Rules has:
 - (a) contravened or failed to comply with any provision of these Rules;
 - (b) contravened or failed to comply with any determination or resolution of the Executive Council, the Management Committee, HAAC or the Chief Executive made in accordance with these Rules; or
 - (c) been involved in misconduct or conduct arising out of or in connection with the Awards that is prejudicial to the interests of the Industry, the Awards or Live Performance Australia™,HAAC or the Chief Executive (as the case may be) may deal with that person as it in its absolute discretion thinks fit.
2. The Chief Executive must ensure that any person who is the subject of the exercise of any of the powers contained in Rule 17.1 receives all particulars or allegations the subject of the exercise of those powers.
3. In exercising any of the powers set out in this Rule 17, HAAC or the Chief Executive (as the case may be) will have the power to determine all procedures to be adopted in respect to the exercise of that power provided that any person who is the subject of the exercise of the power is given the opportunity to be heard and to make submissions in respect of, without limitation, the issue of penalty.
4. Any person may appeal to the Management Committee in respect of any decision affecting that person made by HAAC or the Chief Executive under this Rule 17.
5. An appeal may only be brought by a person under this Rule 17 if that person lodges with the Chief Executive a notice signed by the person setting out the full particulars of the appeal. The Chief Executive must fix the date, time and place for the hearing of the Management Committee as soon as practicable after the lodgement of the notice and must advise all parties entitled to be heard by the Management Committee of the same.
6. No appeal may be brought in relation to any decision of HAAC or the Chief Executive made under any part of Rule 17.1 which was made more than 28 days before the date of the lodgment of the notice of appeal.
7. The Management Committee may regulate any proceedings brought before it in such manner as it thinks fit provided that it must give all persons entitled to be heard by it the opportunity to be heard and to make submissions in respect of, without limitation, the issue of penalty.
8. The Management Committee may confirm, reverse or modify any decision the subject of any appeal brought before it and make such orders and give such directions as it in its absolute discretion thinks fit.

Chapter 8 – General

Rule 18 – Adoption of these Rules

1. These Rules were initially adopted by resolution of the Executive Council carried in accordance with the Rules of Live Performance Australia™ on 17 March 2004.

Rule 19 – Amending these Rules

1. These Rules may only be amended by resolution of the Executive Council carried in accordance with the Rules of Live Performance Australia™.

Rule 20 – Matters Not Provided For

1. Any matter not provided for in these Rules will be settled by HAAC, subject to review by the Management Committee. Any review by the Management Committee will be final and binding on all persons bound by these Rules.

Rule 21 – Definitions and Interpretation

1. In these Rules, unless the contrary intention appears:
 - Artistic Discipline** means the live performing art form to which an Award Category relates;
 - Award Category** has the meaning given in Rule 6.1;
 - Award** means any award that forms part of the Awards;
 - Awards** has the meaning given in Rule 2.1;
 - Ceremony** means the annual Awards ceremony to be conducted after the conclusion of each Season in accordance with these Rules;
 - Charter** means the Charter of Responsibility of HAAC set out at Schedule 3 to these Rules;
 - Comedy Season** means the period that begins on 1 June in any year and ends on 31 May of the following year;
 - Chief Executive** means the person appointed from time to time by the Executive Council to hold office as chief executive of Live Performance Australia™ under the Rules of Live Performance Australia™;
 - Eligible Producer** has the meaning given in Rules 7.1(a) and 7.2;
 - Eligible Production** has the meaning given in Rules 7.1 and 7.2;
 - Eligible Voter** has the meaning given in Rule 5.3;
 - Entry** has the meaning given in Rule 9.3;
 - Executive Council** means the body elected and appointed from time to time as the executive council of Live Performance Australia™ in accordance with the Rules of Live Performance Australia™;

Executive Producer has the meaning given in Rule 13.3;

HAAC means the Helpmann Awards® Administration Committee established and constituted in accordance with Rule 3.1 and the Charter;

HAAC sub-committee means a sub-committee formed by HAAC to assist it with its functions under these Rules;

Helpmanns Voter has the meaning given in Rule 5.1;

Industry has the meaning given in Rule 2.4;

Industry Award means any Award that falls within the operation of Rule 6.6;

Industry Awards Panel has the meaning given in Rule 4.1(b);

Management Committee means the management committee of Live Performance Australia™ established by the Executive Council under the terms of the charter of responsibility adopted on 5 December 2003 and as revised from time to time;

Member means any person that is a current financial member of Live Performance Australia™ in accordance with the Rules of Live Performance Australia™ or who has otherwise satisfied the requirements of membership for the purposes of these Rules as determined by the Executive Council from time to time;

Nominating Panel has the meaning given in Rule 4.1(a);

Nominating Rules of Procedure means any nominating rules of procedure adopted from time to time by HAAC under Rule 10.2(b) to govern the procedure of any meetings of a Nominating Panel or the Industry Awards Panel;

Nomination means any Entry nominated for an Award in accordance with these Rules;

Nominee means any person nominated for an Award in accordance with these Rules;

Prescribed Fee means any fee prescribed from time to time by HAAC under these Rules which is payable by an Eligible Producer when applying to enter an Eligible Production into the Awards;

Prescribed Form means any form prescribed under these Rules;

Prescribed Materials means any materials prescribed from time to time by HAAC under these Rules which must be lodged by an Eligible Producer when applying to enter an Eligible Production into the Awards;

President means the person elected from time to time to hold office as president of Live Performance Australia™ under the Rules of Live Performance Australia™;

Professionally Produced means the minimum employment obligations under the Fair Work Act and/or the Live Performance Award 2010 were met for the Production.

Regional Venue means a venue located in a service centre under Category B, C or D (or a smaller centre) of Appendix C of the Accessibility Remoteness Index of Australia (ARIA) available online at:

[http://www.health.gov.au/internet/wcms/publishing.nsf/Content/9E3A2AAA51E74D2ACA256F1800575941/\\$File/ocpanew14c.pdf](http://www.health.gov.au/internet/wcms/publishing.nsf/Content/9E3A2AAA51E74D2ACA256F1800575941/$File/ocpanew14c.pdf)

Registered Voter has the meaning given in Rule 5.5;

Rules of Live Performance Australia™ means the registered rules of Live Performance Australia™ from time to time pursuant to the *Workplace Relations Act 1996* (Cth);

Schedule means a schedule to these Rules;

Season means:

- (a) the period that begins on 1 March in any year and ends on 31 May of the following year;
or
- (b) in respect to the Artistic Discipline of Comedy, the period of the Comedy Season.

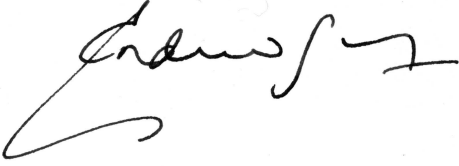
Trophy has the meaning given in Rule 2.6; and

Winner means a person who has won an Award.

2. In these Rules, unless the contrary intention appears:

- (a) a reference to these Rules is a reference to these Rules as amended or varied from time to time;
- (b) a reference to any document is a reference to that document as amended or varied from time to time;
- (c) any use of the verb 'includes', or of words such as 'for example' or 'such as', do not limit anything else that is included in general speech;
- (d) a word or phrase defined in these Rules has the meaning given to it;
- (e) a reference to a 'person' includes a natural person, corporation, trust, body corporate or any other form of legal entity;
- (f) a reference to '\$' or 'dollars' is a reference to Australian dollars;
- (g) a reference to any amount payable under these Rules is a reference to a GST exclusive amount and any GST is in addition to any amount specified; and
- (h) any time limit or procedural requirement provided for in these Rules may be extended or waived by HAAC or the Chief Executive where an extension of time or waiver is just, equitable or reasonably necessary to ensure the effective organisation and conduct of the Awards.

Adopted by the Executive Council of Live Performance Australia™ in Melbourne on 17 March 2004.

A handwritten signature in black ink, appearing to read 'Andrew Kay', with a large, sweeping flourish at the end.

Andrew Kay
President
Live Performance Australia™

A handwritten signature in black ink, appearing to read 'E. Richardson', with a long, horizontal flourish at the end.

Evelyn Richardson
Chief Executive
Live Performance Australia™

SCHEDULES

- Schedule 1 Brief Biography of Sir Robert Helpmann**

- Schedule 2 The Trophy**

- Schedule 3 HAAC Charter of Responsibility**

Schedule 1 – Brief Biography of Sir Robert Helpmann

Sir Robert Helpmann – a Knight to Remember

When Sir Robert Helpmann died in Sydney on 28 September 1986 the curtain fell on a career so long, diverse and extraordinary that obituary writers hardly knew where to start. In his seventy-seven years he had packed more activity, met more challenges and excelled in more fields than any of his contemporaries, in Australia or overseas.

What was he? A dancer? A choreographer? A director of ballets, plays and operas? A stage, film and television actor? Even a singer? He was all these and much, much more: a theatrical chameleon, capable of adroitly adapting his prodigious knowledge, talent and enthusiasm to everything he tackled. Robert Helpmann was unique.

Today most people identify him with ballet and it was in dance that he first made his mark. Born Robert Murray Helpman – only one ‘n’ – in Mount Gambier, South Australia, on 9 April 1909, he made his debut in 1922, dancing at the Theatre Royal, Adelaide, in *The Ugly Duckling*. His sister, Sheila and his brother, Max, followed in his theatrical footsteps.

Young Bobby’s professional career began in 1927 when he was principal dancer in *Frasquita* at His Majesty’s in Sydney. That year his father arranged for him to join the visiting Anna Pavlova company. He studied with them and danced minor roles. He gained further experience at the Tivoli and in J.C. Williamson musicals and plays. He so impressed Margaret Rawlings, the English star of JCW’s production of *The Barretts of Wimpole Street*, that she persuaded him to try his luck overseas. Helpmann – the extra ‘n’ suggested by Pavlova – left Australia in 1933. He would be away for twenty-two years.

In London, Helpmann scored a small role in *I Hate Men* at the Gate Theatre. Soon after, he was accepted into the Sadler’s Wells Ballet School and before long became a member of the company. Swiftly and sensationally he made his mark, dancing with the leading English ballerina Alicia Mrkova. He was with the Wells from 1934 to 1950, often in partnership with Margot Fonteyn. Along with the rest of the company he was on a goodwill tour of the Netherlands when the Nazis invaded the country. The dancers’ departure, minus baggage, scenery and costumes, was dramatic and harrowing.

Helpmann’s innate genius for choreography culminated in the extraordinarily influential 1948 film *The Red Shoes* in which he starred with Moira Shearer. He was also involved in the spectacular screen version of *The Tales of Hoffmann* in 1953. His other movie credits include *One of Our Aircraft is Missing* and Laurence Olivier’s *Henry V*. Later he was featured in films as diverse as *55 Days at Peking*, *The Quiller Memorandum*, *Chitty Chitty Bang Bang* and *Alice’s Adventures in Wonderland*.

Obviously dance could not contain Helpmann’s ambitions. He turned his talents increasingly to drama, appearing with Vivien Leigh in the Old Vic’s *A Midsummer Night’s Dream* in 1937 (his Oberon was described as ‘eerie and impressive’) and *Hamlet* in 1944. ‘His very entrance on the stage,’ commented an English writer, ‘evokes the sort of awed silence that used to herald the parting of the curtains at the appearance of Sir Henry Irving.’ And revered *Sunday Times* critic James Agate hailed ‘acting on androgynous plane of pure poetry, as indeed one expected from an artist in the school of Nijinsky.’

In 1947, with Michael Benthall, Helpmann became artistic director at the Duchess Theatre, appearing there in *The White Devil* and *He Who Gets Slapped*. In 1948 he joined the Shakespeare Memorial Theatre, playing at Stratford-on-Avon as King John, Hamlet and Shylock. In 1955 he led the Old Vic’s tour of Australia, appearing with Katherine Hepburn in *The Taming of the Shrew*, *Measure for Measure* and *The Merchant of Venice*. The press welcomed Helpmann’s homecoming with a mixture of admiration and suspicion: admiration for his obvious achievements, and suspicion of his extrovert flamboyance.

The middle aged enfant terrible toured Australia in 1958 in the Noël Coward comedy *Nude with Violin*. He later played in a television adaptation for the BBC.

In the 1950s and 1960s Helpmann worked extensively as a director. His diverse credits include the ballet *Swan Lake* (for Margot Fonteyn), the operas *Madama Butterfly*, *La Bohème* and *Le Coq D'Or*, the musicals *Golden City*, *After the Ball*, *Finian's Rainbow* and *Camelot*, the pantomime *Aladdin*, the drama *Murder in the Cathedral* and many of Shakespeare's plays. He and Vivien Leigh led the Old Vic world tour of 1961 in a repertory consisting of *The Lady of the Camellias*, *Twelfth Night* and Christopher Fry's translation of Jean Giraudoux's *Duel of Angels*.

Helpmann enjoyed and exploited his notoriety. In 1963 he made headlines – and the airwaves – with a bizarre disc of surfing songs which he recorded in a studio in Honolulu on his way to Australia. It is now a coveted collectors' item. His flamboyance challenged the stultifying conservatism of 1960s Australia. On one celebrated occasion, with eyebrows plucked and fingernails painted red, and sporting Oxford bags, pink shirt and purple tie, he strolled with friends on Bondi Beach. Before long they were trailed by a large, silent crowd, 'like mourners behind a cortege'. Eventually some macho lifesavers picked him up, carried him to the surf, and unceremoniously dumped him in. More headlines!

Helpmann had not abandoned ballet. He returned to the Royal Ballet (formerly Sadler's Wells) for its first Australian tour in 1956, dancing in *Coppélia*, *Façade*, *The Rake's Progress* and his own ballet, *Hamlet*. For the Australian Ballet he created *The Display* in 1964, followed by *Yugen* and *Sun Music*. From 1965 until 1976 Helpmann was artistic director of the Australia Ballet, working in association with Dame Peggy van Praagh for the first nine years of his tenure. He directed the Company's tours of Europe, South America and Canada (for Expo 67) and South-East Asia.

With the Australian Ballet he danced as Doctor Coppélius in *Coppélia*, as an Ugly Sister in *Cinderella* and in the title role in the stage and film versions of Rudolf Nureyev's landmark ballet interpretation of *Don Quixote*. Helpmann also appeared with the Australian Ballet as Sergeant Pepper in Gillian Lynne's original television ballet *The Fool on the Hill*, using music by the Beatles.

Helpmann was appointed a Commander of the British Empire in 1965. In 1966 he was named Australian of the Year. A knighthood 'for distinguished contribution to ballet and choreography' followed in 1968. He directed the 1970 Adelaide Festival of Arts.

In 1975 Helpmann acquired the rights to transform *The Merry Widow* into a ballet: years before he danced in a revival of Franz Lehár's operetta in which Gladys Moncrieff had starred. One of the Australian Ballet's greatest successes, *The Merry Widow* remains a favourite in the repertoire.

Helpmann continued to make guest appearances with the world's major dance companies. He was involved with Michael Edgley in the sensational 1978 'Stars of World Ballet' company, notable especially as Margot Fonteyn's eighth and final tour of Australia.

In 1977 Helpmann played the Professor in the Australian film *The Mango Tree*. He was on screen again in the macabre *Patrick* in 1978. That same year he directed a touring version of the play *Dracula*. Back in Britain he was a delightfully wicked Cardinal Pirelli in the Chichester Festival Theatre production of Sandy Wilson's quirky musical *Valmouth*. He also toured the United States in *Colette* with Diana Rigg.

In 1981 Helpmann worked with the Australian Opera, directing *Alcina* by Handel, a production later re-staged with Joan Sutherland in the title role. In 1983 he celebrated his sixtieth year in theatre with involvement in productions in the three main auditoriums of the Sydney Opera House: in the Concert Hall he directed Anson Austin and Glenys Fowles in Gounod's *Roméo et Juliette* for the Australian Opera; in the Opera Theatre he re-choreographed *The Display* for the Australian Ballet; and in the Drama Theatre he starred for the Sydney Theatre Company in the world premiere of Justin Fleming's play *The Cobra*. Helpmann's portrayal of the elderly Lord Alfred Douglas, reflecting bitterly on his notorious youthful relationship with Oscar Wilde, was unforgettable.

In 1984 Helpmann made a notable guest appearance in a special two-part episode of the television drama series *A Country Practice*. In 1985 he was the Red King in *Checkmate* for the Australian Ballet, reviving a role created for him nearly half a century before. It was his last stage appearance.

Helpmann died as he had always lived: as a creature of the theatre. 'Theatre remains the only thing I understand,' he said. 'It is in the community of the theatre that I have my being. In spite of jealousies and fears, emotional conflicts and human tensions; in spite of the penalty of success and the dread of failure; in spite of tears and feverish gaiety – this is the only life I know. It is the life I love.'

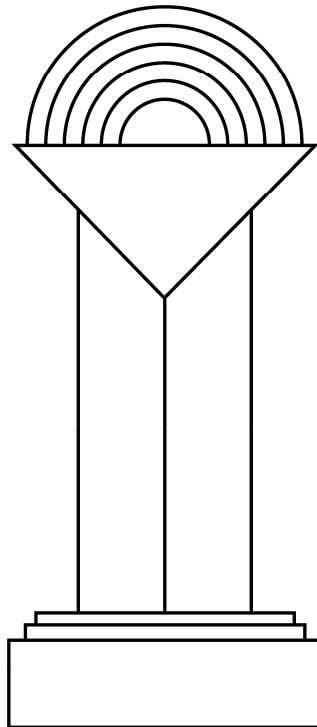
Frank Van Straten, OAM
© *Frank Van Straten, 1999*

Schedule 2 – The Trophy

The Helpmann Trophy

The Helpmann Trophy has been designed to reflect a range of aspects relating to the theatre.

The stepped base symbolises the stage. The square column represents the performer, and the four sides of it the temperaments he or she can represent: choleric, phlegmatic, sanguine and melancholic. The triangular form suggests the face mask used in classical Greek theatre, and the crown represents the amphitheatre and the audience.



Schedule 3 – HAAC Charter of Responsibility

Live Performance Australia™ Helpmann Awards® Administration Committee – Charter of Responsibility

Paragraph 1 - Preamble

The Helpmann Awards® Administration Committee (**HAAC**) has been established by the Executive Council. As set out in this Charter of Responsibility (**Charter**), HAAC is responsible for:

1. ensuring the Helpmann Awards® (**Awards**) are annually organised, conducted and made in accordance with the Rules of the Awards (**Rules**); and
2. the Ceremony is conducted annually in accordance with the Rules and any requirements of the Management Committee.

Paragraph 2 – Establishment and Introduction

1. HAAC is established by resolution of the Executive Council carried 5 December 2003 and revised on 17 March 2004, 2 December 2005 and 26 April 2006 in accordance with Rules 19(j) and (k) of the Rules of Live Performance Australia™.
2. Unless the contrary intention appears, words and phrases used in this Charter have the definitions and meanings given in the Rules.

Paragraph 3 – Structure of HAAC

1. HAAC consists of:
 - (a) between 7 and 16 members approved by the Executive Council from time to time; and
 - (b) the Chief Executive.
2. The terms of appointment of a member of HAAC are set out in the letter of appointment in the Prescribed Form to the Rules.
3. Any person nominated to be a member of HAAC under Paragraph 2.1 must sign and return to the Chief Executive the letter of appointment in the Prescribed Form for that person's appointment to take effect.
4. Subject to the approval of the Management Committee, the chair of HAAC (**Chair**) will be elected by HAAC from amongst its number.
5. If any vacancy arises in HAAC, that vacancy may be filled by a member of the Executive Council or a nominee of a Member, nominated by HAAC and approved by the Executive Council.
6. HAAC, with the approval of the Executive Council, will appoint nominees under paragraph 3 of this Charter for a term of 2 years to coincide with the terms of office of members of the Executive Council. If any casual vacancy arises under paragraph 3 of this Charter, HAAC

may fill that casual vacancy and the person appointed will hold office for the balance of the term of the outgoing member.

7. The Chief Executive will act as secretary to HAAC. The Chief Executive may delegate this function to an employee or contractor of Live Performance Australia™.
8. If the Executive Producer is not a member of HAAC, the Executive Producer will attend and be present at all meetings of HAAC if reasonably required by HAAC or the Chief Executive.
9. HAAC may appoint any nominee of a Member to act as an observer to HAAC.

Paragraph 3 – Charter of Responsibility

1. HAAC is responsible for:
 - (a) ensuring the Awards are organised, conducted and made in accordance with the Rules;
 - (b) determining the venue for the Ceremony;
 - (c) determining the date of the Ceremony in accordance with the Rules and any other relevant time limits such as the date on which Entries and Nominations are to open and close in any Season;
 - (d) subject to any requirements of the Management Committee, ensuring the necessary revenue streams to enable Live Performance Australia™ to annually fund the Awards and the Ceremony are secured including by:
 - (i) negotiating and securing for Live Performance Australia™ any licensing, commercial or other transactions in connection with the Awards, including free to air television, cable television, broadband, broadcasting, sponsorship, endorsement, advertising, media and the licensing of intellectual property;
 - (ii) selling tickets and corporate hospitality packages to the Ceremony; and
 - (iii) charging entry fees and levies in connection with the Awards;
 - (e) ensuring any cost or expense incurred by Live Performance Australia™ in connection with the Awards or the Ceremony is in accordance with any financial, budgetary or commercial requirements or limitations of the Management Committee and has the prior written approval of the Chief Executive;
 - (f) effectively communicating with the Members, the Industry and the media through the President, the Chief Executive or the Chair to maximise awareness of, interest in and participation in the Awards and the Ceremony;
 - (g) reporting to the Chief Executive on the progress of the various responsibilities of HAAC on a regular basis or as otherwise required by the Chief Executive; and
 - (h) any other matter related to the Awards delegated to HAAC by the Executive Council.

2. HAAC may delegate any of the above responsibilities to a HAAC sub-committee formed in accordance with Rule 3.3.
3. Notwithstanding Paragraph 3.1, HAAC and any sub-committee of HAAC do not have the authority and must not bind or purport to bind, make any representation that binds or purports to bind or pledge the credit of Live Performance Australia™ in relation to any contract, arrangement or understanding with any person without obtaining the prior written approval of the Chief Executive to such contract, arrangement or understanding.

Paragraph 4 – Meeting Procedures

1. HAAC will meet at least two times per year. In consultation with the Chair, the secretary to HAAC will determine the venue for the meetings. Any member of HAAC or person entitled to attend may attend a meeting by telephone or videoconference facility or any other means of communications technology approved by the Chair.
2. If the Chair is unable to attend or preside at any meeting, the meeting will be chaired by the Chief Executive or a member of HAAC appointed by the meeting.
3. The quorum for meeting of HAAC is:
 - (a) 4 if HAAC consists of 6 or 7 members;
 - (b) 5 if HAAC consists of 8 or 9 members; or
 - (c) 6 if HAAC consists of 10 members.
4. Each member of HAAC is entitled to vote on any question arising at a meeting. The Chair is entitled to exercise a second or casting vote.
5. The right of any observer appointed to HAAC to attend any meeting or participate in any discussion of HAAC will be a matter for the Chair. An observer will not have the right to vote on any question arising at a meeting.

