

PLEASE COMPLETE A SEPARATE APPLICATION FOR EACH ADVERTISER - ALL FIELDS MUST BE COMPLETED

 Classification required by (date):

 Despatch date:

 Advertiser (Applicant):

Key Numbers	Name of Product/Service Advertised

 Organisation Submitting Application:

 Address:

 Contact Name:

 Email:

 Business Phone Number (including area code):

 Fax (including area code):

 Mobile Phone Number:

CAD must receive ALL materials 28 days prior to the required despatch date. Failure to submit the required documentation and final infomercial will delay classification.

WITH THIS APPLICATION YOU MUST SUPPLY:

- 1 One accurate copy of the final script for each infomercial showing full audio and video treatment (including words to jingles, dialogue from film trailers etc); **AND**
- 2 Your completed Order Form with payment details (Refer TAB labelled Order Form); **AND**
- 3 Finished infomercial/s with ID board and countdown on VHS cassette. VHS tapes will not be returned unless a pre-paid envelope is supplied or collection is arranged when your application is submitted.

YOU MAY ALSO NEED TO SUPPLY:

- Written evidence in support of any claims or testimonials made in the infomercial as outlined in the Classification Handbook.
- A copy of the conditions of entry and any permit numbers, if the commercial promotes a competition.
- A copy of the Classification Board's certificate for any classified material eg: film, DVD, game.
- A consumer credit warranty as outlined in the Classification Handbook, if the infomercial includes an offer of credit.
- AAPS Approval Number if the infomercial promotes alcoholic beverages.
- If the infomercial promotes therapeutic goods see the declarations section of this form for additional documentation requirements.

TERMS AND CONDITIONS OF APPLICATION

The Applicant consents to CAD's Classification Number being provided to Free TV Australia Limited & any commercial television station which requests it. CAD's Classification Number will also be provided by CAD to any other party nominated by the Applicant. CAD does not provide legal advice & its services must not be relied upon as a substitute for the advertiser and/or other Applicant obtaining legal advice. The Applicant must immediately notify CAD of any alteration to an infomercial after a Classification Number has been given. Any subsequent alteration to an infomercial may render the Classification Number invalid including the adding of closed captions unless the Applicant ensures that any added closed captions do not obliterate any essential visual information such as disclaimers & pricing & other superimposed details. Any such obliteration may cause the advertisement to be misleading & will render the Classification Number invalid. CAD provides its classification & any other services subject to the warranty, representation & indemnity below. Refer to the Classification Handbook for further information.

WARRANTY, REPRESENTATION AND INDEMNITY

1. The Applicant:

- (a) warrants and represents to CAD and to any person to whom CAD provides its classification that:
 - (i) the infomercials including all statements and representations, both express and implied, and all materials and information supplied to CAD in connection with this application are true and accurate, both visually and aurally, and comply with all relevant laws including, without limitation, the *Trade Practices Act 1974* (Cth), the *Fair Trading Acts* of each state and territory of Australia, the *Copyright Act 1968* (Cth), the law of defamation and the *Privacy Act 1988* (Cth);
 - (ii) it will inform CAD of any relevant changes in fact or law which may effect any of the warranties given above.
 - (iii) it has read and accepts the terms of the CAD Classification Handbook.
- (b) indemnifies CAD and any person to whom CAD provides its classification, against any claim, cost or expense (including without limitation, all legal costs, on a solicitor/client basis) arising from a breach of the foregoing warranty.

2. Any organisation or employee of an organisation that signs this form warrants and represents that it is authorised to give the warranty, representation and indemnity for and on behalf of the Applicant.

NOTE that the following declarations apply to EACH key number contained on this application. Please complete a separate form for each key number which requires different responses to the questions below.

AUDIO LEVELS AND LOUDNESS DECLARATION

1. Does the infomercial comply with Free TV Australia Operational Practice 48 - Audio Levels and Loudness? refer to www.freetv.com.au

AUSTRALIAN/FOREIGN CONTENT DECLARATION

2. Is the infomercial:

- for imported films, videos and recordings?
- for live appearances by overseas entertainers?
- an unpaid community service announcement?
- a paid community service announcement for an organisation with a charitable, public health or educational purpose?

3. Was the infomercial **wholly** pre-produced, filmed and post-produced in Australia or New Zealand?

4. Please confirm either YES or NO from the drop down menu for the following:

- the producer of the infomercial (other than a producer employed by the advertising agency) is Australian or New Zealander;
- the principal director is Australian/New Zealander;
- the director of photography is Australian/New Zealander;
- the writers of the script and storyboards are Australians/New Zealanders;
- the visual editing is carried out by Australians/New Zealanders;
- the production of the sound track, including recording, sound editing and mixing is carried out by Australians or New Zealanders;
- the role of featured talent appearing in the infomercial is filled by Australians/New Zealanders;
- all performances, including voice overs, on the sound track are by Australians/New Zealanders;
- the music used in the infomercial is composed by Australians/New Zealanders;
- animation and related computer graphic techniques which form a substantial and integral part of the infomercial are carried out by Australians/New Zealanders.

5. Is the infomercial Australian?
Only select YES if you selected yes to SIX OR MORE boxes in Q4.

POLITICAL CONTENT DECLARATION

6. Does the infomercial contain political matter or address a prominent issue of public debate?

NOTE: Political matter includes if the infomercial participates in the political process, attempts to influence or comment upon the political process, the administration of government or those who participate in the political process or the administration of government or if it directly, indirectly or implicitly criticises or supports any political policy. For more information on what is political matter, see the Guidelines for the Broadcasting of Political Matter which are available at – www.acma.gov.au

If you answered YES to the above question, the infomercial must include an authorisation tag as required by Schedule 2, Part 1 of the Broadcasting Services Act 1992 (Cth). (Please refer to the Classification Handbook for more information)

SUBLIMINAL TECHNIQUES

7. Does the infomercial use or involve any technique which attempts to convey information to a viewer by transmitting messages below or near the level of normal awareness?

THERAPEUTIC GOODS AND DEVICES DECLARATION

Please complete this section if the infomercial promotes a therapeutic good or device (in the terms of the Therapeutic Goods Act 1992 (Cth)):

8. Does the infomercial promote a therapeutic good or device?

9. Does the infomercial comply with the *Therapeutic Goods Act* and *Therapeutic Goods Advertising Code* ?

10. If the infomercial is for a good has it been approved by ASMI?

If YES, attach copy of ASMI approved script and enter the ASMI Approval Number

11. If the infomercial is for a device, please attach a copy of the TGA's listing certificate and evidence of compliance with the Therapeutic Goods Advertising Code, Act and Regulations.

THIS FORM MUST ONLY BE SIGNED BY THE APPLICANT OR AN AUTHORISED REPRESENTATIVE

Signed for on behalf of the applicant by its authorised representative

Signed by:

Company Name:

Name:

Date:

COLLECTION STATEMENT: CAD collects your personal information to enable us to classify the infomercial/s submitted with this application. We may need to provide your personal information to people outside of CAD for the purposes of providing our services to you. We generally require these people and companies to whom we disclose your personal information to protect your personal information in the same way we do. You have a right to access most of the personal information we hold about you. If you want to know more about our approach to privacy or to access your personal information, please contact CAD by email at: cad@freetv.com.au, by telephone or in writing. You can also view our privacy statement on our website www.freetv.com.au

PLEASE RETAIN A COPY FOR YOUR RECORDS - ALL FIELDS MUST BE COMPLETED
Bill to:

Customer ABN: (To be completed by first time customers)

Contact Name:

Phone (Business and mobile number):

Fax Number:

Key Numbers:

Billing Code:

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Date:

Purchase Order:

Advertiser:

PLEASE COMPLETE A SEPARATE ORDER FOR EACH ADVERTISER

Our unit prices include GST.		Quantity	Unit Price \$ incl. GST	Total \$	CAD Use Only
Type 1 Infomercials	Infomercials that make simple non-scientific claims (eg music and kitchenware)		\$ 825.00	\$ -	
Type 2 Infomercials	Infomercials that make complex claims (eg cosmetics, therapeutic goods/devices and weight loss products)		\$ 1,265.00	\$ -	
Minor Revisions Infomercials	Price or address changes, single super changes etc		\$ 181.50	\$ -	
Total Quantity		0	Total	\$ -	

PLEASE SELECT METHOD OF PAYMENT

If you've selected credit card as your method of payment above, please complete the fields below and sign.

Cardholder's Name

Credit Card Number

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Signature

Expiry Date (month/year)

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Credit Card Type

CAD Reference Number

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