

TERMS AND CONDITIONS OF ENTRY FOR THE FELIX SCHOELLER PHOTO AWARD 2019

Disclaimer:

Every care has been taken to ensure that this is a faithful translation of the German original. However, please note that only the German Competition Rules are legally binding on all parties.

1. The competition

- 1.1. The Felix Schoeller Photo Award is promoted by Felix Schoeller Holding GmbH & Co. KG, Burg Gretesch, 49086 Osnabrück (the “promoter”) and aims to foster high-quality photography and contemporary photographic design.
- 1.2. The competition comprises five themed categories and the special categories “German Peace Prize for Photography” and “Best Work by an Emerging Photographer”.

2. Entrants

- 2.1. The Felix Schoeller Photo Award is aimed at two groups of entrants:

2.1.1. Professional photographers:

All professional photographers and film creators, photographic designers and artists who earn the majority of their livelihood (more than 50%) with photography or film creation. The promoter has the right to ask entrants to provide evidence that they work in the field of photography. If such evidence cannot be provided, the promoter reserves the right to exclude the works in question from taking part in the competition.

Entrants in this group may not only submit work in the competition’s five themed categories, but also in the special category “German Peace Prize for Photography”.

They are not allowed to submit work in the category “Best Work by an Emerging Photographer”.

2.1.2. Emerging photographers:

All photographers who are currently studying for a degree or undergoing professional training, as well as photographic assistants. Entrants in this category are required to supply appropriate evidence of their status when submitting work (certificate of study, training contract; photographic assistants need to have their occupational status confirmed by at least one professional photographer for whom they work as a photographic assistant). Emerging photographers in the sense of the competition applies to those photographers whose studies, professional training or employment as a photographic assistant lie no more than a maximum of six months before the date of their submission and do not yet fulfill the preconditions stated for professional photographers and film (please refer to item 2.1.1.)

Emerging photographers may only submit their work in the unthemed special category “Best Work by an Emerging Photographer”. The decisive criterion is whether entrants can be classed as emerging photographers as defined above at the time they submit their entries.

Emerging photographers may not submit entries in any of the five themed categories of the Felix Schoeller Photo Award or in the special category “German Peace Prize for Photography”.

2.1.3.

All entrants, whether professional or emerging photographers, must be at least 18 years of age at the time of submitting their entry.

- 2.2.** This competition is only open to natural persons.
- 2.3.** This competition is not open to legal persons such as companies, associations or clubs.
- 2.4.** In all categories, work can be submitted by individual photographers or teams of photographers. In the event of work being submitted by a team of photographers, each team member must fulfill the relevant eligibility requirements (see item 2.1.). The team must then name one member to act as a contact person and contractual counterparty to the promoter. The named person certifies that all team members agree both to participate in the competition and to these terms and conditions. The named person is also liable to the promoter for any breaches of copyright and usage rights (see also section 9 ‘Copyright and Usage Rights’) and is responsible for distributing any cash or non-cash prizes amongst the members of the team of photographers. Upon the team’s entry to the competition, the promoter is expressly released from any responsibility for distributing cash or non-cash prizes amongst the members of the team of photographers.
- 2.5.** Series published for the first time in identical form and content more than two years before the date of submission may not be entered in the competition.
- 2.6.** Employees of the Felix Schoeller Group and all its subsidiaries worldwide and their immediate family members may not enter the competition. Similarly, members of the Felix Schoeller Photo Award jury and their immediate family are also not eligible to enter.
- 2.7.** Participation in the Felix Schoeller Photo Award is free of charge. No entry fees are payable.

3. Categories

- 3.1.** The competition comprises five themed categories and the special categories “German Peace Prize for Photography” and “Best Work by an Emerging Photographer”.
- 3.2.** Descriptions of the themed categories:
These are only open to professional photographers (see also 2.1.1. and 2.1.2.)

3.2.1. Portrait Photography

A good portrait is more than just a photograph of a person. It does not simply show what is visible to the eye. It captures the essence of the subject, arouses emotions in the viewer and tells the story behind the photo – in a traditional or experimental way. The fascination of a good portrait goes beyond a clearly defined expression – because it invites us to discover more. All portrayals of the human form, ranging from full-body studies to photographs of the face and close-ups, can be entered in this category.

3.2.2. Landscape/Nature Photography

Every landscape is like an open book, and a photo or series of photos is a tiny extract from a history that spans millions of years. The landscape in all its vastness is the stage on which the forces of nature are the protagonists in the drama of the sky, the land, and water. This category is open to all photographs that capture the fascination of nature.

3.2.3. Fashion Photography

Fashion is a mirror of our zeitgeist. In the dynamic interplay between art and commerce, design and the mundane, fashion draws on the most diverse trends. Fashion photography has been documenting people's attitude to life since photography was first invented. The category Fashion Photography embraces the entire spectrum of fashion and fashion accessories and the visualization of their numerous facets.

3.2.4. Photojournalism/Editorial Photography

This category awards prizes to photographs that tell an authentic story: a poignant image, a long-term study or an incredible photo series, a documentation, reportage, editorial or topic. This category is open to works that employ photographic means to tell journalistically relevant stories or document facts in an unusual way.

3.2.5. Freestyle/Conceptual Photography

The defining feature of conceptual work is that the subject and technical perfection are not the main criteria, but the overriding concept. It is the concept that unites the image with the message it conveys. In addition to the necessity of creating a unique composition, the particular challenge here is to make a photograph fit into an overriding concept. In this category, entrants are free to submit creative work that they feel does not belong in any of the other categories.

- 3.3. Description of the special category "German Peace Prize for Photography":**
This special category honors works that conceptually interpret the topic of "Peace" by means of the medium of photography. Here, the term peace may be very broadly interpreted. For example, it may express peace between peoples, peaceful coexistence in a country or a family, or the inner peace of individuals. There are no limitations set with regard to the photographic genre. The photographs submitted could well be, for instance, journalistic works or portraits, landscapes, architecture, or freestyle/conceptual photography.

- 3.4. Description of the special category "Best Work by an Emerging Photographer":**
This is only open to emerging photographers (see 2.1.1. and 2.1.2.)

The Emerging Photographer Award honors up-and-coming young talents in the world of professional photography. This applies to photographers enrolled on degree courses, in professional training or to photographic assistants who, in the opinion of the jury, particularly deserve to be promoted. The jury honors the best work in this category with the Emerging Photographer Award. This category is not subject to any thematic restrictions.

- 3.5.** Every entry to the Felix Schoeller Photo Award must consist of no less than three and no more than five individual photographs. These may form a series or be unrelated individual photos. The images must follow a concept and demonstrate how the entrant has approached the photographic subject area. A concept outline is part of the entry. It must be submitted in either German or English and may not exceed the maximum length of 1,000 characters.
- 3.6.** Professional photographers may submit work only in the five themed categories, and in the special category “German Peace Prize for Photography” (see 2.1.1.). The special category “Best Work by an Emerging Photographer” is only open to emerging photographers (see 2.1.2.).
- 3.7.** All professional photographers are permitted to submit work in all themed categories and the special category “German Peace Prize for Photography”. Multiple submissions to different categories are permitted, but **only one submission per individual category** is allowed. **The same work may not be entered in more than one category.**
- 3.8.** The Felix Schoeller Group reserves the right to reject photos that contravene legal regulations in any way. This includes:
- Pornographic photographs
 - Photographs that could offend religious sensibilities
 - Photographs depicting children in an indecent way
 - Photographs that trivialise or glorify violence, cruelty to animals, substance abuse or criminal behaviour

4. Juries

- 4.1.** Two independent juries of experts, each with six members, will select the winners from the entries submitted. The works presented to the juries are anonymized.
- 4.2.** The juries combines expertise from the world of photography/photographic design, editorial photography, photojournalism, museums/galleries and academia. Profiles of the jurors of this year’s Felix Schoeller Photo Award will be made available at www.felix-schoeller-photoaward.com in the section entitled “Jury”. In the event of individual jury members being unable to attend, the promoter reserves the right to replace them at short notice with other suitable persons.
- 4.3.** Jury 01: The six members of Jury 01 judge the works submitted in the themed categories and works entered for the special category “Best Work by an Emerging Photographer”.
- 4.4.** Jury 02: A separate, dedicated jury will judge all entries for the special category “German Peace Prize for Photography”. This jury is comprised of three members of Jury 01. In addition, the Friedensstadt Osnabrück (City of Peace) will nominate three further jurors from the areas of peace studies and contemporary art.
- 4.5.** The Felix Schoeller Group will not be represented on the juries.
- 4.6.** Should the juries not reach a unanimous decision, the decision will be made by voting, whereby each jury member has one vote. Should the vote be tied, the chairperson of the jury will make use of his/her casting vote to break the tie.

4.7. The verdicts of the juries may not be contested. There is no right of appeal.

4.8. The juries will judge entries on the following criteria:

- Creativity
- Conceptual strength
- Composition
- Technical perfection

5. Prizes/awards

5.1. Selecting the winners

5.1.1. Shortlist

- In the first stage of the process, Jury 01 views all submissions in themed categories and the special category “Best Work by an Emerging Photographer” in digital form and draws up a digital **shortlist** from which the nominees and winners are later determined in the course of a jury session.
- Jury 02 views only the submissions entered in the category “German Peace Prize for Photography”, but will otherwise perform its duties in the same way. **The shortlists from both juries will be published on the competition website on September 3, 2019.**

5.1.2. Jury deliberations

- In the second stage of the process, Jury 01 reconvenes to determine a maximum of five submissions per category from those placed on the shortlist from the themed categories and the category “Best Work by an Emerging Photographer” that are then announced as **nominees**.
- In a third stage, the jury will then select **one winner in each individual category** from the nominated entries.
- Finally, the jury will select one of the themed category winners as “Best of Show”. This entry will receive the **Felix Schoeller Photo Award in Gold**.
- The winning entry in the category “Best Work by an Emerging Photographer” will be honored with the Emerging Photographer Award.
- Jury 02 for the special category “German Peace Prize for Photography” will proceed in the same way with the works placed on the shortlist for this special category.

5.2. The overall value of the prizes and awards for winners in the Felix Schoeller Photo Award competition amounts to €35,000. The breakdown of prizes is as follows:

- All entrants whose work is nominated will receive a certificate and their nominated work will be published (see 6.1. and 6.2.).

- The winners in each of the themed categories will receive a cash prize of €2,000.
- The overall competition winner (“Best of Show”) will also receive the Felix Schoeller Photo Award in Gold. The cash prize for this is an additional €10,000.
- The winner in the special category “German Peace Prize for Photography” will receive a cash prize of €10,000.
- The winner in the special category “Best Work by an Emerging Photographer” will receive the Emerging Photographer Award. The winner of this award receives a cash prize of €5,000.

6. Publication

- 6.1. The winning and nominated entries from all categories will be published in the image gallery on the Felix Schoeller Photo Award website (www.felix-schoeller-photoaward.com). **The names of the nominees will be published on September 9, 2019. The names of the winners will be announced after the award ceremony on October 20, 2019.**
- 6.2. The winning and nominated entries from all categories will also be presented to a wide audience in a photo exhibition.
- 6.3. The winning submission and the works nominated in the category “German Peace Prize for Photography” will be presented to the general public in a separate exhibition.
- 6.4. The promoter is entitled, but not obliged, to produce documentation of the award for internal and external purposes, particularly for PR purposes, and also for the publication of a book documenting the history of the award or a high-quality photo calendar, both of which would contain a selection of shortlisted entries. A selection of shortlisted entries will also be used as visual content on the award website (www.felix-schoeller-photoaward.com).
- 6.5. Finally, the winning entries and those nominated – or a selection thereof – will be published in the national and international trade press, relevant professional forums and blogs, and in social media channels. Entrants declare their consent to the reformatting of entered photos to meet the requirements of publication online and in social media channels. Entrants consent to the publication of their first name and surname in all the media mentioned above.
- 6.6. Entrants will always be mentioned by their first names and surnames whenever content relating to the Felix Schoeller Photo Award is published by the Felix Schoeller Group and/or individual members of the Group. In the event of entries submitted by teams of photographers, all team members named by the entrant on the entry form will be listed by first name and surname as joint authors, irrespective of the nature and extent of their involvement. The promoter will always strive to place the name(s) of the author(s) next to the appropriate image.
- 6.7. Whenever content is published by the trade press and/or other media, the name(s) of the entrant(s) (see 6.5.) will be passed on to the media in question with the stipulation that these name(s) be published (see also 9.5 ‘Copyright and Usage Rights’). The promoter accepts no liability whatsoever towards the entrant(s) in this respect.

7. Submission period

Entries for the Felix Schoeller Photo Award 2019 can be submitted from January 1, 2019. The final deadline for submitting entries is midnight (CET) on May 31, 2019.

8. Technical requirements

- 8.1. Entrants must complete the online entry form, which can be found under the menu item "Enter" at www.felix-schoeller-photoaward.com. All fields marked as compulsory must have been filled in and the terms and conditions of entry accepted. The entrant must provide a valid e-mail address. In order to check the validity of the e-mail address provided, the user will receive a confirmation email with an activation link (opt-in). After clicking on this activation link, the user will be guided through the further steps of the entry process.
- 8.2. A minimum of three and a maximum of five individual photos must be uploaded for each entry. These can be unrelated individual photos or form a series (see also 3.5.).
- 8.3. All entries must be submitted digitally, irrespective of the capture format.

8.3.1.

Only high-resolution files (longest side of images at least 4,000 pixels and file size not exceeding 50 MB) will be accepted. Permissible file formats are JPEG with maximum quality or TIFF files with LZW lossless compression and without additional layers.

8.3.2.

The jury will use high-quality DIN A3 prints for the assessment of the shortlisted works (see also 5.1.1. and 5.1.2.). These prints will be produced by the Felix Schoeller Group. Please optimize your submissions for this print format.

8.3.3.

Prints of up to about 70 x 90 cm will be produced for the purpose of exhibiting the winning entries (category winners and "Best of Show"). Prizewinners will therefore be requested to deliver files with a sufficiently high resolution prior to the exhibition. Entrants agree to supply these files to the best of their ability in the event of their work being chosen as a category winner.

8.3.4.

Following their intended usage, the prints produced for the jury deliberations and the exhibitions (see 8.3.2. and 8.3.3.) will remain in the possession of the promoter for the purpose of documenting the history of the award. Entrants are not entitled to demand that prints of their work are returned.

- 8.4. For the upload function to work properly, you will need an Internet browser that supports HTML5 and has JavaScript enabled and activated. If your browser does not fulfill these requirements, you will receive an error message when you try to submit your work. This error message will contain a link allowing you to update all commonly used browsers free of charge. You can also click on the link below for a free update from here: <http://www.browser-update.org/en/update.html> - 5

9. Copyright and usage rights

- 9.1.** By entering the competition, entrants certify that they are the sole authors of the entries submitted for the competition, that they are free to do as they wish with the work and the rights to use it, and that the entries are not subject to the rights of third parties. In the event of entries submitted by a team of photographers, one person must be named at the time of submission as a contact person and contractual counterparty to the promoter. This person shall then name the remaining members of the team by first name and surname when submitting the entry. The information required on the entry form must also be provided in full for team entries (see also 2.4. and 6.6.). In this instance, item 9.1, sentence 1, applies with the proviso that, instead of sole authorship, entrants certify that the members of the team are the sole (joint) authors of the work submitted.
- 9.2.** Entrants bear responsibility for ensuring that any individuals depicted, the holders of rights to any depicted works of fine or applied art, the authors of any images that have been edited or modified to create the competition entry, the owners and, if applicable, the tenants, leaseholders, and other persons or legal entities with rights of usage for properties, have given their explicit permission for these images to be published and used – including for publicity purposes as part of this competition – in a verifiable form and that they are able to provide proof of this on request.
- 9.3.** Entrants are liable for any damages caused to the promoter of the Felix Schoeller Photo Award and/or any publishing media (see also 6.4. and 6.5.) ensuing from the fact that the required consent of third parties had not been obtained, or from a use of the work that conflicts with or infringes on other rights of third parties. The entrant indemnifies the promoter and/or publishing media from all claims, including claims for compensation, prosecution costs, legal fees and court costs, that third parties may assert against the promoter and/or publishing media on the grounds of infringement of their rights. The entrant agrees to support the promoter and/or publishing media in the event of a claim of this kind being asserted by third parties, especially by providing any information required for the promoter's/publishing media's defense.
- 9.4.** By entering the competition, the entrant grants the promoter the usage rights required for the purposes set out under section 6 ("Publication") and under items 8.3.2. and 8.3.3.
- The entrant is not entitled to claim royalties for usage of this nature.
- 9.5.** The entrant expressly permits the promoter to disclose the image data contained in their submitted work to third parties authorized by the promoter (agencies, service providers such as printers, etc.) for the purposes set out in section 6 ("Publication") and the purposes set out in items 8.3.2. and 8.3.3., and to the media for publications in connection with the Felix Schoeller Photo Award.
- 9.6.** The promoter is aware of the fact that the photos may only be used in a way that goes beyond the usage rights granted here on the condition that they obtain the express permission of the entrant and, if necessary, pay customary and appropriate license fees that are to be agreed separately with the entrant.

All rights not affected by items 9.4. and 9.5. will remain with the entrant.

- 9.7.** Entrants may also submit their work entered in the Felix Schoeller Photo Award to other competitions or market it freely, provided these terms and conditions are not violated.

10. Privacy Policy

10.1. Name and address of the Controller

The Controller pursuant to the General Data Protection Regulation (GDPR) and other national data protection laws of Member States as well as other data protection regulations is:

Felix Schoeller Holding GmbH & Co. KG,
limited partnership, based in Osnabrück, register court HRA 5121,
represented by its managing directors
Hans-Christoph Gallenkamp (Chairman), Georg Haggenmüller,
Gerhard Hochstein, Guido Hofmeyer, Stephan Igel

Burg Gretesch
49086 Osnabrück
Tel.: +49 541 3800-0
Fax: +49 541 3800-425
Email: info@felix-schoeller.com

Personally liable partner Felix Schoeller Holding Geschäftsführung GmbH, based in Osnabrück – register court HRB 16630,
represented by its managing directors Hans-Christoph Gallenkamp (Chairman), Georg Haggenmüller, Gerhard Hochstein, Guido Hofmeyer, Stephan Igel
Advisory Board Chairman: Prof. Dr. Andreas Georgi

Burg Gretesch
49086 Osnabrück
Tel.: +49 541 3800-0
Fax: +49 541 3800-425
Email: info@felix-schoeller.com

10.2. Name and address of data protection officer

The data protection officer for Felix Schoeller Holding GmbH & Co. KG (or Felix Schoeller Holding Geschäftsführung GmbH) is:
Manfred Kisker
Burg Gretesch, 49086 Osnabrück
Tel.: +49 541 3800-379
Email: mkisker@felix-schoeller.com
Website: www.felix-schoeller.com

10.3. Sources for the collection of personal data

Felix Schoeller Holding GmbH & Co. KG collects and processes personal data that it receives directly from participants in connection with the information they submit as part of their participation.

10.4. Content and scope of the data collected

The personal data that Felix Schoeller Holding GmbH & Co. KG collects about participants includes their contact details as well as their date of birth and the data contained in their employment reference documents, educational certificates, training contracts and other documents submitted by the participant that are necessary for conducting the competition.

10.5. Purpose of the data collection

Schoeller Holding GmbH & Co. KG generally only processes the personal data that participants submit to the extent this is necessary for conducting the competition. Participants' personal data is only processed with their consent. This does not include cases in which, for practical reasons, the participant's prior consent cannot be obtained and processing the data is permitted under statutory regulations.

In addition, the purpose for processing and storing the data may also be based on statutory obligations on the part of Felix Schoeller Holding GmbH & Co. KG, e.g. as a result of statutory retention periods and the obligation to provide documents to the financial authorities.

In addition, the purpose of the data processing may also be based on the legitimate interests of Felix Schoeller Holding GmbH & Co. KG or a third party. This is the case when the interests and fundamental rights and freedoms of the participant do not outweigh those of Felix Schoeller Holding GmbH & Co. KG. The legitimate interest of Felix Schoeller Holding GmbH & Co. KG may involve the assertion of legal claims against or the defense of liability claims asserted by the participant or third parties.

10.6. Legal basis for processing personal data

If Felix Schoeller Holding GmbH & Co. KG has obtained the consent of the participant to process personal data, then Art. 6(1)(a) GDPR shall serve as the legal basis. If processing personal data is necessary for the performance of contract to which the participant is a party, then Art. 6(1)(b) GDPR shall serve as the legal basis. This also applies to processing that is necessary to take steps prior to entering into a contract.

If processing the personal data is necessary for compliance with a legal obligation to which Felix Schoeller Holding GmbH & Co. KG, then Art. 6(1)(c) GDPR serves as the legal basis.

If processing the personal data is necessary for the purposes of the legitimate interests of Felix Schoeller Holding GmbH & Co. KG or a third party and if the interests and fundamental rights and freedoms of the participant do not outweigh those of Felix Schoeller Holding GmbH & Co. KG, then Art. 6(1)(f) shall serve as the legal basis.

10.7. Forwarding data to third parties

Felix Schoeller Holding GmbH & Co. KG only shares participants' data with third parties if it is legally obliged to do so, e.g. with the financial authorities.

In the course of conducting the competition, Felix Schoeller Holding GmbH & Co. KG contracts with processors to help it conduct the competition, e.g. IT support specialists.

Felix Schoeller Holding GmbH & Co. KG also shares participants' personal data with the trade press if doing so is necessary for the planned publicity in the trade press and to safeguard the participant's copyrights (e.g. first name and surname of the participant).

10.8. Data transmission to third countries

Felix Schoeller Holding GmbH & Co. KG does not transmit personal data to third countries or to international organizations outside of the EU/EEA.

10.9. Data deletion and storage period

The participant's personal data will be deleted or blocked once the reason it was saved no longer exists. The personal data may be saved beyond this point if required under European or national regulations, laws or other statutory provisions to which the Controller is subject. The data will also be blocked or deleted if a retention period specified under one of the aforementioned statutory provisions expires, unless it is necessary to continue to store the data in order to conclude or perform a contract.

10.10. Notice regarding data subjects' rights

If participants have questions about their personal data, they may contact Felix Schoeller Holding GmbH & Co. KG or its data protection officer at any time.

The participant is entitled to request that information from Felix Schoeller Holding GmbH & Co. KG (Art. 15 GDPR), to request that incorrect data be corrected (Art. 16 GDPR) and to request that data that has been stored in an unlawful manner pursuant to the provisions of Art. 17 GDPR be deleted. Pursuant to the provisions of Art. 18 GDPR, participants may request that the processing of their data be limited.

In addition, participants have the right to data portability, i.e. they may request that Felix Schoeller Holding GmbH & Co. KG provide the data to them in a structured, commonly used and machine-readable format (Art. 20 GDPR). Participants have the right to lodge a complaint with the supervisory authority (Art. 77 GDPR).

If the data is processed on the basis of a legitimate interest of Felix Schoeller Holding GmbH & Co. KG, participants have the right, pursuant to the provisions of Art. 21 GDPR, to object to the processing of their personal data at any time.

If the data is processed on the basis of consent granted by participants, they have the right to withdraw such consent at any time with the need to state a reason (Art. 7 GDPR).