

This deed is made between the South Australian Tourism Commission ("SATC") and the provider ("Provider") of the visual asset material ("Material") described below.

Background

- A. SATC is the South Australian Government agency responsible for the development and promotion of South Australia as a tourism destination.
- B. The SATC and other State Government agencies use and distribute an extensive range of visual media to support South Australian business and tourism activities.
- C. This deed sets out the terms upon which the Provider grants SATC and other State Government agencies the right to use the Material listed in this document for the purpose of promoting South Australia as a destination.

The Licence

1. In consideration of SATC's obligations set out in clauses 6 and 7, the Provider grants SATC and all South Australian Government agencies, a non-exclusive, irrevocable, perpetual, worldwide, royalty free licence ("Licence") to publish, modify, reproduce, communicate and distribute the Material by any means (including digital) for the following purposes:
 - promotion of South Australia as a tourism and business destination;
 - distribution to third parties for them to promote South Australia as a tourism and business destination.
 - provision to Tourism Australia for inclusion in media galleries and distribution for the promotion of Australia as a tourism and business destination.
2. If SATC distributes Material to third parties SATC will not charge third parties for the use of the Material, except for the cost of dubbing, copying and delivery of the Material which will be recovered by SATC.
3. Under the Licence, SATC is permitted to use the Material in the commercial arena to a global audience in or on:
 - The World Wide Web and associated distribution mechanisms (e-newsletters, blogs, social media etc).

- Multi-media applications
 - Free to air and paid television
 - Video (i.e. trade and consumer applications, in-flight viewing etc.)
 - Print publications
 - Press advertising and editorial
 - Promotional Items (T-shirts, mugs, posters, signs, etc)
4. The provider consents to use of the photographs/images, provided, commissioned or purchased under this deed without attribution.

The Provider's Warranty and Indemnity

5. The Provider warrants that:
 - (a) it is the bona fide owner of all intellectual property rights in the Material or if the Provider is not the intellectual property rights owner then it has been duly authorised to act on behalf of the intellectual property rights owner, and the Provider agrees to provide written evidence of that authority to SATC if requested;
 - (b) the Material being licenced does not infringe the intellectual property rights of any third party; and
 - (c) that any talent, models, persons and properties shown in the Material are free from any usage restrictions for the purposes previously mentioned.
6. The Provider will indemnify SATC if there is any breach of the warranties specified in clause 5 above.

SATC's obligations

7. SATC acknowledges that intellectual property rights in the Material is and remains the property of the intellectual property rights owner and that the Material shall only be used or dealt with by SATC as provided in this Licence
8. SATC will ensure that any requests for use of the Materials listed below by a third party for uses other than promoting South Australia as a destination would be referred back to the Provider of the Material to negotiate other arrangements.

Cont./...

General

9. The parties may not terminate or vary this Licence except by written agreement signed by both parties. The parties agree that any termination of the Licence shall be of prospective effect only, and that SATC shall not be required to recover, destroy, or surrender any publication, reproduction, communication or other use of the Material effected prior to the date of termination.

10. This licence constitutes the entire agreement between the parties and replaces any previous agreement between them relating to intellectual property rights in the Material.

11. This Deed must be read and construed according to the laws of the State of South Australia and the parties submit to the jurisdiction of that State.

Details of Materials Being Released Under this Deed

Medium (Please tick):

- Video footage
- Stills/photography
- Artwork (i.e. maps, diagrams).

Details

Title/subject:

Location:

Producer/photographer:

Copyright holder:

Date of production:

Provider's contact details:

Any other details:

Is the Material being supplied to the SATC as part of another agreement? (i.e. contra arrangement). If so, please provide details.

SATC contact in relation to this arrangement:

Executed as a Deed

I understand and agree to the terms of this deed.

Name of Provider of Material:

Signature:

Date:

SATC representative:

Signature:

Date:

Please fax to
Visual Assets Manager
South Australian Tourism Commission
08 7421 0218

OR

Post to
Visual Assets Manager
South Australian Tourism Commission
GPO Box 1972
ADELAIDE SA 5001
08 8463 4746



Formats of Material Provided

The Material to be provided to the SATC should be of the highest possible quality. Following are preferred formats:

Video footage:

- Frame Size: 1920 x 1080 or 1280 x 720
- Editing Timebase: 25fps
- Field Dominance: None
- Pixel Aspect Ratio: Square
- Anamorphic 16:9: Off
- Video Processing: High Precision YUV allowed (8-bit)
- White Point: White
- Compressor:
 - Uncompressed 8-bit 4:2:2 or HDV 720p25
 - Millions of Colours (24-bit)
 - No Data Rate Limit
 - No Keyframes Set
 - Quality 100
- Audio Settings: 16-bit 48.000kHz Stereo

Online video:

QuickTime Settings

- Description: H.264 for medium-bandwidth streaming
- File Extension: mov
- Estimated file size: 87.89 MB/hour of source
- Audio Encoder
 - AAC, Mono, 32.000 kHz
- Video Encoder
 - Width: 320
 - Height: 240
 - Pixel aspect ratio: Square
 - Frame rate: 12
 - Codec Type: H.264
 - Temporal quality: 50
 - Min. temporal quality: 50
 - Average data rate: 204.8 (Kbps)
 - Maximum data rate: 204.8 (Kbps)

Flash Settings

- Ratio: 4 x 3
- Video: 150kb/s
- Sound: 32kb/s
- Pixels: 320 x 240
- Codex: Flash default

Photographs:

- CMYK
- TIFF
- 300dpi
- A3 420mm x 297mm (if possible)

Artwork (i.e. maps, diagrams):

- Editable EPS/Vector file (Preference is for Illustrator files)



Government
of South Australia