

# Rules and Regulations

of

The American Theatre Wing's



**2017–2018 Season**

*The Antoinette Perry "Tony" Awards®  
are presented by*

The Broadway League and the American Theatre Wing

Tony Award Productions  
Attention: Jean Kroeper Murphy  
Director of Tony Awards Administration  
c/o The Broadway League  
729 Seventh Avenue, 5th Floor  
New York, NY 10019

[TonyAwards.com](http://TonyAwards.com)



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**Section I**

**Tony Awards®**

**Rules and Regulations**

**2017 – 2018**



**RULES AND REGULATIONS  
OF THE  
AMERICAN THEATRE WING'S TONY AWARDS®  
2017-2018 SEASON**

The following are the Tony Awards Rules and Regulations for the 2017-2018 theatrical season (the "Rules"). These Rules are intended to apply to that season, do not necessarily reflect prior practice or custom, and are subject to change without notice.

**1. Administration**

(a) The Antoinette Perry (Tony) Awards Administration Committee (the "Tony Awards Administration Committee") shall administer the American Theatre Wing's Tony Awards, pursuant to the rules of governance established from time to time by the Tony Awards Management Committee appointed by American Theatre Wing, Inc. (the "Wing") and The Broadway League (the "League"). The provisions of paragraphs 1(b) through 1(e) below set forth the current rules of governance.

(b) The Tony Awards Administration Committee shall be a self-governing body comprised of 24 members, of whom 10 shall be designees of the Wing, 10 shall be designees of the League and one member shall be designated by each of The Dramatists Guild, Inc., Actors' Equity Association, United Scenic Artists and Stage Directors and Choreographers Society. The Wing and the League may also each designate an additional member on an ex officio basis, such additional members to be entitled to attend meetings of the Tony Awards Administration Committee and to participate in all discussions and deliberations thereat, but not to vote. Proxies are not permitted in any vote of the Tony Awards Administration Committee; however, in order to provide continuity, the Wing and the League shall each appoint up to five alternate designees and each of the other organizations represented on the Tony Awards Administration Committee shall each appoint one alternate designee. Each of the alternate designees shall have the right to attend Tony Awards Administration Committee meetings, but shall not have the right to speak or vote at such meetings unless such alternate designee's principal designee shall be unable to attend (it being understood, in the case of the Wing and the League, that their alternates shall serve in a pre-designated order, in the event of the absence of any of their respective principal designees), in which case the vote of such alternate shall be valid and binding as if made by the alternate's principal designee. All persons to be designated to serve as members, alternates or additional members ex officio of the Tony Awards Administration Committee shall be so designated (in a writing delivered by the designating organization to the Tony Awards Management Committee) no later than the June 15th immediately preceding the season for which such persons are designated.

(c) The Tony Awards Administration Committee shall meet from time to time and, among other duties, shall have the responsibility of determining eligibility for nominations in all award categories. In order to take any action there must be a quorum consisting of at least 16 members of the Tony Awards Administration Committee. In order to be eligible for nomination, a potential candidate for nomination must receive an affirmative vote of a majority of those members present. Tony Honors for Excellence in the Theatre may be given in the discretion of the Tony Awards Administration Committee by an affirmative vote of a majority of the members of the Tony Administration Committee present, but in no event with less than ten affirmative votes. Any other action (including giving a Special Tony Award, but exclusive of changes in or waivers of these Rules or appointment to the Nominating Committee as provided below) shall require the affirmative vote of two-thirds of those members present. Changes in or waivers of these Rules shall require at least 16 votes; provided, however, that only the Tony Awards Management Committee may make changes in or waivers of the provisions of this paragraph 1; and provided, further, that no Rule may be waived other than for "good cause" shown.

Appointment to the Nominating Committee shall require the affirmative vote of a majority of those members present, but in no event with less than ten affirmative votes.

(d) Any person outside the Tony Awards Administration Committee may request the Committee to take specific action in respect to any matter before the Committee, but the Committee may only consider such request if made in writing and in advance of the taking of action by the Committee. No such person shall be permitted to appear before the Committee.

(e) All decisions of the Tony Awards Administration Committee concerning eligibility for the Awards and all other matters relating to their administration, including adoption of amendments to these Rules (except as reserved to the Tony Awards Management Committee above), shall be final, binding and conclusive for all purposes. All decisions of the Tony Awards Administration Committee and the Tony Awards Management Committee, as the case may be, regarding the interpretation of any Rule within their respective purview as provided herein shall be final, binding and conclusive for all purposes. No specific vote properly taken in accordance with these Rules may be retaken, at the same or any other meeting. Any specific vote taken by the Tony Awards Administration Committee in accordance with these Rules (as in effect at the time of such vote) shall be final and not subject to confirmation or veto by any other person or committee.

(f) All votes of the Tony Awards Administration Committee shall be taken by secret ballot, with only those members of the Committee present at a meeting entitled to vote. The means of voting shall be determined by the Tony Awards Management Committee.

(g) The Tony Awards Administration Committee shall establish a Rules Committee to consider, review and make recommendations to the Tony Awards Administration Committee concerning proposed changes to these Rules (or to rules adopted for subsequent seasons). The members of the Rules Committee shall be three representatives from each of the Wing and the League, each of which shall select its representatives from among the members of the Tony Awards Administration Committee.

(h) All notices, certifications and other communications required or permitted to be given to the Tony Awards Administration Committee under these Rules shall be given in a manner consistent with these Rules as may be prescribed by the Tony Awards Management Committee. All notices, certifications and other communications will be sent to the Tony Administrator, being Jean Kroeper or any designated successor, in care of The Broadway League at 729 Seventh Avenue, 5<sup>th</sup> floor, New York, NY 10019.

## **2. Eligibility for Nomination**

(a) In order for the Tony Awards Administration Committee to determine that a production is eligible in the various categories for nomination for a Tony Award, all of the following seven requirements must be satisfied:

- i) the production must be, in the judgment of the Tony Awards Administration Committee, a legitimate theatrical production
- ii) which "officially opens" (as defined in paragraph 2(e) herein)
- iii) in an "eligible Broadway theatre" (as set forth on Exhibit A)
- iv) on or before the "Eligibility Date" of the current season (as defined in paragraph 2(e) herein), and after the Eligibility Date for the prior season;
- v) which performs on a reasonably conventional playing schedule

- vi) the producer of the production must invite, in a timely manner and free of charge, each of the eligible Tony voters, as well as the members (including those designated on an ex officio basis) and alternate designees of the Tony Awards Administration Committee, to attend a performance of the production. Invitations shall be extended, either via postal service and/or email, for performances occurring no later than the earlier of 16 weeks after the production officially opens or the day before the annual Tony Nominating Meeting. For this purpose, the producer must make available to eligible Tony voters at least eight “paid performances” of the production (i.e. previews, opening and/or regular performances in an eligible Broadway theatre). For the members and alternate designees of the Tony Awards Administration Committee, the producer must make available performances occurring no later than two weeks after the production officially opens or before the Eligibility Date, whichever occurs first. This requirement shall be subject to the following exception: If a production which officially opens in an eligible Broadway theatre on or before the Eligibility Date is unable to satisfy the eight paid performance requirement because it closes prior to presenting eight paid performances, the production may nevertheless be deemed eligible provided that the producer has invited and made tickets available to the Tony voters for at least one half of all paid performances presented in an eligible Broadway theatre prior to the closing; and
- vii) the producer must certify to and on a form provided by the Tony Awards Administration Committee (which must receive such certification prior to the Eligibility Date or within 16 weeks after the production officially opens, whichever occurs first) that the producer: (A) has fully complied with the Rules of the Tony Awards Administration Committee regarding the invitation of Tony voters and has invited all members of the Tony Nominating Committee to a press preview, Opening Night, Second Night or a regular performance prior to the closing performance; (B) the producer of the production must accept the authority of the Tony Awards Administration Committee to make all decisions or determinations concerning eligibility for the Awards pursuant to the guidelines as set forth in Rule 2(j)ii)(A) (including without limitation category placement and all other matters relating to their administration (including adopting amendments to these Rules) in its sole and absolute discretion (and without obligation to make any decision or determination consistent with any prior practice or custom), with the effect of any such decision or determination as final, binding and conclusive for all purposes; (C) accepts the authority of the Tony Awards Management Committee to make all decisions or determinations concerning the telecast of the Awards and all other matters relating to their administration not delegated to the Tony Awards Administration Committee (including adopting amendments to these Rules) in its sole and absolute discretion (and without obligation to make any decision or determination consistent with any prior practice or custom), with the effect of any such decision or determination as final, binding and conclusive for all purposes; (D) accepts the authority of the Nominating Committee to make all decisions or determinations concerning nominations for the Awards as provided herein (and without obligation to make any decision or determination consistent with any prior practice or custom), with the effect of any such decision or determination as final, binding and conclusive for all purposes; (E) accepts the authority of the Tony Awards voters to vote for the

winners of the Awards with the effect of any such vote as final, binding and conclusive for all purposes; (F) will fully comply with the rules of the Tony Awards Management Committee (promulgated by Tony Award Productions) regarding the use of the Tony Awards trademarks and other intellectual property and material, as in effect from time to time; (G) shall not institute any action, suit or proceeding against the Tony Awards Administration Committee, the Tony Awards Management Committee, the Nominating Committee, any member of the foregoing committees, any entity or organization appointing any person to any of such committees, Tony Award Productions or any agent or representative of the foregoing, or any Tony Awards voter (in such capacity) for any purpose in connection with the Awards; (H) shall indemnify, defend and hold harmless such committees, such members, such entities and organizations from and against any and all costs, expenses, damages, liabilities, claims and demands of any kind or nature (including without limitation attorneys' fees and disbursements and court costs) arising out of any such action, suit or proceeding commenced by such producer or by any other producer or producing firm or entity with respect to such production or any element thereof; and (I) such producer is the individual with the authority, on behalf of the partnership, company or other entity that is producing the production and all its direct and indirect partners, members, shareholders, principals and owners, and all their respective directors, officers, employees, consultants, contractors, representatives and agents, to execute and deliver such certification and thereby to bind the production and all such persons.

(b) Eligibility as Best Play/Musical. Any production of a play or musical (other than a "classic" as defined in paragraph 2(g) hereof) that has been presented professionally during or after the 1946-47 Broadway season in the Borough of Manhattan, but not in an eligible Broadway theatre, which current production meets the requirements of paragraph 2(a) hereof, shall be eligible to receive a nomination in the category of Best Play or Best Musical, as the case may be.

(c) Substantial Duplication. In order for a production to be eligible in the category of Best Play or Best Musical, a play or musical may contain elements that substantially duplicate elements of productions previously presented in an eligible Broadway theatre only if, in the judgment of the Tony Awards Administration Committee in each case, the duplicated and the original elements, in their totality, create a new play or musical.

(d) Ineligibility of Production/Eligibility of Elements. If a production meets the requirements of paragraphs 2(a) or 2(b) hereof, but is determined not to be eligible in the category of Best Play or Best Musical in accordance with paragraph 2(c) hereof (i.e., that such paragraph does apply, and a determination has been made by the Tony Awards Administration Committee thereunder that a new play or musical has not been created for purposes hereof), the production shall automatically be ineligible to receive a nomination in the category of Best Play or Best Musical; provided, however, that the ineligibility of the production to receive a nomination in the category of Best Play or Best Musical shall not adversely affect the eligibility of any of the individual elements (i.e., actors, actresses, playwrights, bookwriters, composers, lyricists, designers, directors, choreographers and orchestrators) who are otherwise eligible to receive nominations or awards in their respective categories.

(e) Definitions. For the purposes of these Rules, the term "official opening" shall mean the performance of the production which the producer has publicly announced as being the official opening; the term "Eligibility Date" shall mean the date which the Tony Awards Management Committee establishes as the cut-off date for eligibility; and the term "Submission

Date” shall mean the date that is 14 days prior to the Eligibility Date. The Eligibility Date for the current season shall be at least 32 days prior to the date on which the Awards are to be presented.

(f) Theatres. In order to qualify as an eligible Broadway theatre, a theatre must (i) have 500 or more seats, (ii) be used principally for the presentation of legitimate theatrical productions and (iii) be deemed otherwise qualified by the Tony Awards Administration Committee. A list of eligible Broadway theatres for the current season is attached hereto as Exhibit A. A theatre may be added to such list with respect to a particular season only by action of the Tony Awards Administration Committee, which shall consider all requests to add theatres made by the Submission Date of the immediately preceding season, and issue any changes to Exhibit A by the June 15th immediately following such date.

(g) Classics. A play or musical that is determined by the Tony Awards Administration Committee (in its sole discretion) to be a “classic” or in the historical or popular repertoire shall not be eligible for an Award in the Best Play or Best Musical category but may be eligible in the appropriate Best Revival category, if any, provided it meets all other eligibility requirements set forth in these Rules.

(h) Revivals. Each year the Tony Awards Administration Committee shall determine whether there shall exist in quality and quantity a sufficient number of Revivals to merit the granting of an Award for Best Revival of a Play or Musical and, if so, the Tony Awards Administration Committee shall also determine whether there shall be a separate Play and Musical Revival category; provided, however, that if there are at least three such plays and three such musicals, there shall automatically be separate Play and Musical Revival categories. A “Revival” shall be any production in an eligible Broadway theatre of a play or musical that: (A) is deemed a “classic” or in the historical or popular repertoire in accordance with paragraph 2(g) above; (B) was previously presented professionally at any time prior to the 1946-47 Broadway season in substantially the same form in the Borough of Manhattan (other than as a showcase, workshop or so-called “letter of agreement” production) and that has not had a professional performance in the Borough of Manhattan at any time during the three years immediately preceding the Eligibility Date; or (C) was previously presented professionally at any time during or after the 1946-47 Broadway season in substantially the same form in an eligible Broadway theatre and that has not had a professional performance in the Borough of Manhattan at any time during the three years immediately preceding the Eligibility Date. The determination that a play or musical is ineligible in the category of Best Play or Best Musical shall not, in and of itself, make the play or musical eligible in a Best Revival category unless the play or musical also meets the requirements of this paragraph. Regardless of whether a production of a play or musical is eligible for a Best Revival category, the elements of the production shall be eligible in those categories in which said elements do not, in the judgment of the Tony Awards Administration Committee, substantially duplicate any prior presentation of the play or musical, except as prohibited by paragraph 2(l) of these Rules; provided, that the play or musical otherwise meets all the requirements set forth herein for Revivals.

(i) Producers. The producers eligible for nomination for a Tony Award shall include those producers listed above the title in the opening night program for a production together with any other producers as may be approved by the Tony Awards Administration Committee consistent with its usual policies.

(j) Determination of Eligible Candidates for Nomination.

- i) The Tony Awards Administration Committee shall submit to the Nominating Committee (as described in paragraph 5 herein) a list of the eligible candidates for nomination in each Award category. The Tony Awards Administration Committee shall determine whether a sufficient

number of eligible candidates exist in quality or quantity to merit the granting of an Award in the applicable category for the current season. If there is only one such eligible candidate for any category, the Tony Awards Administration Committee shall submit such candidate to the Nominating Committee pursuant to paragraph 4(b) below.

ii) There shall be no more than four nominees in each category; provided:

(A) Best Performance Categories.

i) That if there are at least seven eligible candidates for nomination in any of the eight established “Best Performance” categories, then there shall be five nominees in that category.

ii) In the event that there is a two-way or three-way tie for the last slot of nominations in any of the eight established “Best Performance” categories, both or all three of those Actors or Actresses shall be nominated.

(B) Best Direction of a Play/Best Direction of a Musical Categories. If there are at least seven eligible candidates for nomination, then there shall be five nominees in that category;

(C) Best Choreography Category. If there are at least seven eligible candidates for nomination, then there shall be five nominees in that category.

(D) The number of nominees in each of the four “Best Show” categories shall be determined as provided in paragraphs 2(j)(ii)(A) and (B) below;

and provided, further, that the Tony Awards Administration Committee shall also have the sole discretion to reduce the number of nominees to fewer than four (or five), but, in no event, fewer than two, in a particular category for the current season or to delegate this discretion to the Nominating Committee.

Eligibility for nomination in the Best Performance categories shall be limited to one Actor or Actress for each nomination in such categories.

iii) Show Categories. The number of nominees in each of the four “Best Show” categories shall be determined in the following manner:

(A) Where there are nine or more eligible shows in a Best Show category, at the Tony Nominating Meeting, the Nominating Committee will be instructed to cast one vote each for four eligible shows as nominees on his/her secret ballot. Such ballot shall be collected and tabulated by a representative of the Accounting Firm. The four eligible shows with the highest number of votes will automatically be designated as the nominees in such category. A fifth nominee shall be added to the category in the event that the Accounting Firm determines that the difference in votes between the fourth highest ranked show and the fifth highest ranked show is three votes or less.

- (B) Where there are five or fewer eligible shows in a Best Show category, at the Tony Nominating Meeting, the Nominating Committee will be instructed to cast one vote each for three eligible shows as nominees on his/her secret ballot. Such ballot shall be collected and tabulated by a representative of the Accounting Firm. The three eligible shows with the highest number of votes will automatically be designated as the nominees in such category. A fourth nominee shall be added to the category in the event that the Accounting Firm determines that the difference in votes between the third highest-ranked show and the fourth highest-ranked show is three votes or less.
- iv) In determining in which Award category any eligible candidate (person or production) shall be placed, the Tony Awards Administration Committee shall use the opening night program as its initial guide, together with any additional guidelines adopted by said Committee.
- (A) 1) The producer must provide the Tony Awards Administration Committee a letter expressing their position regarding the categorization of productions and potential nominees regardless of whether they are confirming their preference for the opening night title page billing to remain as is, requesting changes and/or clarifying an eligible category including, but not limited to, movement, design, etc.
- 2) The producer must also include with the Tony Certification Form a completed Eligibility Questionnaire, as found in Exhibit E, attached hereto.
- 3) If the producer, as certified according to Rule 2(a)vii), of a particular production wishes to propose that an eligible candidate be placed in a category other than that indicated in the opening night program, the producer (whether or not a member of the Tony Awards Administration Committee) must send a written request to the Tony Awards Administration Committee (included in the certification provided pursuant to Rule 2(a)vii) above) setting forth the producer's reasons for asking the Committee to consider such a change. Such request must be received at the offices of the Tony Administrator, as directed in Rule 1(h), not later than two weeks following the official opening of such production or the Eligibility Date, whichever occurs first.
- 4) The Tony Awards Administration Committee will take into consideration and submit for a vote each item requested in the letter, as required in Rule 2(j)(A)3, from the producer, but will not consider any request received from a producer by any other means.
- 5) The written request from a producer shall not in any way infringe upon the exclusive right of the Tony Awards Administration Committee to a) define a show as 'new' or

'revival' and b) place an eligible candidate in a category other than that indicated by the opening night program or requested by the producer.

- (B) If any member of the Tony Awards Administration Committee has an interest of any nature in a particular production, such member shall disclose such interest as early as possible, and, while maintaining such interest, may not vote on such a proposed change (regardless of whether a request for such change has been timely made by the producer or by anyone else); provided, however, that such interested member may participate in discussions regarding such proposed change. The vote required to pass such a category change shall be a majority of those members present who are not ineligible to vote by reason of this paragraph. A member of the Committee shall not be ineligible to vote on a category change in a particular production if such member's sole interest of any nature in such production is in the theatre in which the production is being presented or is that member's affiliation with the same union, guild or organization which has as one of its members, a person who has an interest of any nature in such production.
- (C) Once the placement of an eligible candidate in a category has been decided by the Tony Awards Administration Committee, the placement cannot be changed at a later date.

(k) Eligibility of Performers.

- i) In order to be eligible, an actor or actress must perform in the role on the production's opening night and must perform in the minimum number of performances to which the producer of such production must invite and make tickets available to Tony voters as required by Rule 2(a)vi).
- ii) If an actor or actress is otherwise eligible but is repeating a role for which such actor or actress has won a Tony Award previously, such actor or actress shall not be eligible regardless of the category that role may have been placed in previously.

### **3. The Awards Presentation and Eligibility Date**

(a) The Awards shall be presented during the theatrical season but not earlier than May 24th of such season, unless otherwise determined by the Tony Awards Management Committee upon at least four months' notice prior to the date selected for such presentation. The date of the presentation ceremony shall be announced as soon as it has been determined.

(b) The Eligibility Date for nominations shall be announced as soon as it has been determined.

#### 4. Categories of Awards

- (a) The Awards may, subject to the provisions of these Rules, be made in the following categories:

Best Play - Award to Author(s); Award to Producer(s)  
Best Musical - Award to Producer(s)  
Best Book of a Musical  
Best Original Score (Music and/or Lyrics) Written for the Theatre  
Best Revival of a Play or Musical  
Best Performance by an Actor in a Leading Role in a Play  
Best Performance by an Actress in a Leading Role in a Play  
Best Performance by an Actor in a Leading Role in a Musical  
Best Performance by an Actress in a Leading Role in a Musical  
Best Performance by an Actor in a Featured Role in a Play  
Best Performance by an Actress in a Featured Role in a Play  
Best Performance by an Actor in a Featured Role in a Musical  
Best Performance by an Actress in a Featured Role in a Musical  
Best Direction of a Play  
Best Direction of a Musical  
Best Scenic Design of a Play  
Best Scenic Design of a Musical  
Best Costume Design of a Play  
Best Costume Design of a Musical  
Best Lighting Design of a Play  
Best Lighting Design of a Musical  
Best Sound Design of a Play  
Best Sound Design of a Musical  
Best Choreography  
Best Orchestrations

(b) If the Tony Awards Administration Committee has determined that there is only one eligible candidate in a category listed in Paragraph 4(a) above, the Tony Awards Administration Committee shall submit such candidate to the Nominating Committee which may, by the vote of a majority of its members (according to a secret ballot), grant an Award in that category.

(c) The Tony Awards Administration Committee may, in its discretion, give a “**Tony Award**” to a regional theatre company within or outside the City of New York, upon the recommendation of the American Theatre Critics Association (referred to herein as “ATCA”) or another organization chosen by the Tony Awards Administration Committee, which organization shall apply objective and fair standards to determine that such regional theatre company has displayed a continuous level of artistic achievement contributing to the growth of theatre nationally. ATCA must provide in writing to the Tony Awards Administration Committee, in care of the Tony Administrator, a single recommendation, stating the reasons for its recommendation. Excluded from consideration for the Award are those not-for-profit theatre groups in New York City that own or maintain a long-term lease on a Tony-eligible Broadway theatre. No theatre will be eligible in a season in which it has a production that transfers into a Tony-eligible Broadway house, and is therefore eligible in an established Tony Award category. The Award will not be bestowed in more than two (2) successive years to companies in the same city. No regional theatre company that has previously received the Tony Award in this category may receive this Tony Award again, unless there has been a change in the artistic leadership of such theatre since it last received such award and unless the new artistic leadership has been in place at such theatre for at least five years.

(d) The Tony Awards Administration Committee may, in its discretion, give a **“Special Tony Award for Lifetime Achievement in the Theatre”** to one or more individuals whose creative and/or management contributions to, and achievements in, the theatre have had a profound effect on the field, as determined by the Tony Awards Administration Committee. Such award may not be given posthumously, unless the individual passed away following the determination of the Tony Awards Administration Committee to give such award to such individual, but before the actual presentation of such award.

(e) The Tony Awards Administration Committee may, in its discretion, give a **“Special Tony Award”** to a live theatrical event that “officially opens” in an “eligible Broadway theatre” on or before the “Eligibility Date” of the current season, but which does not fit into any other category of Tony Award to be awarded for the current season, which “Special Tony Award” shall be designated to be awarded to the production or any element thereof, unless such element is otherwise determined to be eligible in another existing Tony Award category in accordance with paragraph 2(d) hereof.

(f) Each Tony Award winner in the categories listed in Paragraph 4(a) above and each recipient of the Regional Theatre Tony Award, Special Tony Awards, the Isabelle Stevenson Tony Award and the persons permitted under paragraph 4(j) and no other persons, will be entitled to receive from the Tony Awards Administration Committee, an official replica of the Tony Award medallion (each, a “Medallion”) upon such winner’s execution and delivery to the Tony Awards Administration Committee of a Tony Award Medallion Receipt agreement in the form of Exhibit B to these Rules.

(g) **“Tony Honors for Excellence in the Theatre”** may be given at the discretion of the Tony Awards Administration Committee. Such Honors shall be granted only if the Tony Awards Administration Committee, after applying objective and fair standards, determines that the individual, institution or organizations has demonstrated achievement in the theatre over an extended period of time, but is not eligible for recognition in any of the other established Tony Award categories. Anyone may, not later than 10 days prior to the first Tony Administration Committee meeting of a season, recommend in writing a candidate for Tony Honors consideration for that season by the Tony Awards Administration Committee. Such honor may not be given posthumously, unless the individual passed away following the determination of the Tony Awards Administration Committee to give such honor to such individual, but before the actual presentation of such honor.

(h) Each recipient of a **“Tony Honor for Excellence in the Theatre”**, and no other person, will be entitled to receive from the Tony Awards Administration Committee an official Tony Honor medallion upon such recipient’s execution and delivery to the Tony Awards Administration Committee of a Tony Honors Medallion Receipt Agreement in the form of Exhibit C to these Rules.

(i) Anything in these Rules to the contrary notwithstanding, no “Special Tony Award” may be given unless specifically requested by a member of the Tony Awards Administration Committee. Such recommendation must be made in writing and delivered to the Tony Administration Committee, in care of the Tony Administrator, together with all supporting material, prior to 9:00 AM Eastern Standard Time on the day immediately following the Eligibility Date for the season.

(j) The Producer(s) of the Best Revival of a Play or Musical may purchase additional Medallions for the sole purpose of having such Medallions be given to the author(s) and, if any, composer(s) of such production, and/or their respective official representative(s); provided, that such additional Medallions shall be inscribed only with the category name (Best Revival of a Play or Best Revival of a Musical), the title of the production and the year of the

award; and provided, further, that each such Medallion shall be delivered by the Tony Awards Administration Committee directly to the intended recipient.

(k) The author(s) of a Play and the author(s) and composer(s) of a Musical which was determined to be eligible in a Best Revival of a Play or Musical category in accordance with language contained in Rule 2(h) herein, but did not have any prior presentation on Broadway; and who are living at the time that the production receives a Tony Award in the Best Revival Play or Musical category, will be entitled to receive a Medallion, along with the Producer(s) of the Best Revival Play or Musical; provided, that such Medallions shall be inscribed only with the category name (Best Revival of a Play or Best Revival of a Musical), the title of the production and the year of the award; and provided, further, that each such Medallion shall be delivered by the Tony Awards Administration Committee directly to the intended recipient.

(l) The Tony Awards Administration Committee may, in its discretion, give an **“Isabelle Stevenson Tony Award”** to recognize an individual from the theatre community who has made a substantial contribution of volunteered time and effort on behalf of one or more humanitarian, social service or charitable organizations, regardless of whether such organization(s) relate(s) to the theatre. Such award may not be given more than once in any season. The procedure for considering nominations and giving any such award shall be the same as for a Special Tony Award for lifetime achievement in the theatre.

(m) In no event may any employee of the Wing or the League be considered for any Tony Award (including any Special Tony Award) or Tony Honor in recognition of such person’s work for the Wing or the League in connection with the Tony Awards.

## **5. Selection of Winners of Regular Awards**

### **(a) The Nominating Committee.**

- i) The “Nominating Committee” shall consist of no fewer than 15 and no more than 51 persons appointed by the Tony Awards Administration Committee by an affirmative vote of a majority of the members of the Tony Awards Administration Committee present, but in no event with fewer than ten affirmative votes. Of the persons so appointed, and who accept such appointment, they shall be divided randomly (by lot) into three classes of as nearly equal number as possible (and in no event fewer than five members of any one class) to serve for one-, two- and three-season terms commencing with the beginning of such season.<sup>1</sup> Members of the Nominating Committee shall: (w) have current or prior professional and/or educational experience working in the theatrical community; (x) represent a range of expertise in the theatrical community with the goal of obtaining a broad range of viewpoints and experience in any given year; (y) commit to seeing every eligible production; and (z) not be a member of the working print or electronic media. Expenses shall not be provided or reimbursed to members of the Nominating Committee. In order properly to consider candidates for the Nominating Committee, the Tony Awards Administration Committee must receive a complete biography or curriculum vitae of each proposed candidate, containing all pertinent professional and/or educational credits and positions. The General Management of TAP and the Executive Directors of the Wing and the League shall constitute a committee to review candidates for the

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<sup>1</sup> For each season following the 1996-97 theatrical season, the intent is that the members of at least one class rotate off the committee for at least one season, so that each season the committee shall include at least five members who did not serve on the committee for the immediately preceding season.

Nominating Committee to ensure that they meet generally accepted professional and/or educational standards (and that the necessary biography or curriculum vitae is available for each candidate) prior to submission of such candidates to the Tony Awards Administration Committee for its selection process. A Member of the Tony Awards Management Committee and/or the Tony Awards Administration Committee may accept appointment to serve on the Nominating Committee, but only if such person first resigns his or her position on those committees.

- ii) A Nominator must recuse himself/herself from the Nominating Committee for any year during their three-year term in the event that any of the following situations apply to him or her: Active participation in a Tony Award eligible Broadway production; Inability to attend a performance of all Tony Award eligible productions in a season; Inability to view a performance of all Tony Award eligible Actors and/or Elements in a season; or Employed by or a Board Member of an organization that has a financial interest in a Tony Award-eligible Production.
- iii) The Nominating Committee shall meet, following the Eligibility Date of the current season, on the date designated by the Tony Awards Administration Committee, for the purpose of determining the nominees for Tony Awards for such season (the "Tony Nominating Meeting"). At such meeting, the Nominating Committee shall be given a separate ballot for each category containing a list compiled by the Tony Awards Administration Committee of the eligible candidates for nomination and the number of nominees in such category. The Nominating Committee shall be permitted to discuss the qualifications of the eligible candidates for all categories for up to a maximum of two hours immediately prior to voting to determine all nominations, but shall not, in any event, take any "straw" poll or otherwise informally determine or attempt to determine the likely voting results. At the conclusion of such two-hour open discussion period, each member of the Nominating Committee shall cast his/her secret ballot for the best candidates of the season in all categories (as provided herein) and such ballot shall be collected and tabulated by a representative of the Accounting Firm. The Nominating Committee shall, consistent with these Rules, make its nominations solely based on the standard of the best in the current season. The vote of each member of the Nominating Committee must be based on the ballot (and the list included therein). The Nominating Committee shall await the tally of their voting without further discussion. Any ties shall be resolved as provided in these Rules. Neither write-in votes nor proxies shall be permitted. The actual number of votes received by those eligible (including the nominees) in each category shall not be disclosed by the Accounting Firm to anyone on the Tony Awards Administration Committee, the Nominating Committee or to any other person or entity.
- iv) Each member of the Nominating Committee shall be entitled to cast one, and only one, vote for each eligible candidate on such person's ballot, and no more or fewer votes than the number of nominees prescribed by the Tony Awards Administration Committee on the ballot (i.e., if there are to be four nominees, one vote each for four eligible candidates as nominees) in each category. The nominees in each category shall be the eligible candidates that receive the most votes up to the number of prescribed nominees (e.g., if there are to be four nominees, then the

nominees shall be the candidate that receives the most votes, the candidate that receives the next-most votes, the candidate that receives the third-highest number of votes and the candidate that receives the fourth-highest number of votes). No member of the Nominating Committee may abstain in any category except as follows: A Nominator must recuse himself/herself from voting in any specific category or categories where there is a direct relation to an individual who is eligible. A Nominator will be permitted to vote in all other categories where this does not apply. No member of the Nominating Committee may vote for fewer than the prescribed number of nominees in any category. In the event the vote of the Nominating Committee results in a tie that would otherwise necessitate more than the prescribed number of nominees in a category, said tie shall be broken in the manner described in paragraph 5(b) of these Rules. Once the categories have been established by the Tony Awards Administration Committee, the Nominating Committee shall have no power to eliminate a category.

- v) Any member of the Tony Nominating Committee may be removed at any time for cause upon the joint determination of the General Managers of TAP and the chief operating officers of the League and the Wing.

(b) Tie-Breaking for Nominees. Upon determining the existence of a tie requiring a tie-breaking vote, the Accounting Firm may not inform the Nomination Committee of such tie until all categories have been voted. At that time, any tie vote must be re-voted pursuant to the procedure provided herein. All tie-breaking voting shall be done in the same sequence in which the original vote was taken. If there are only two candidates tied and if there is an even number of members of the Nominating Committee present, then the members of the Nominating Committee shall draw lots to determine which of them shall not vote to break the tie. Voting to break a tie among three or more candidates shall be on a cumulative (i.e., “weighted”) basis. For example, if there are three tied candidates, each member of the Nominating Committee shall give one of such candidates three votes, one such candidate two votes and one such candidate one vote, in order of preference, with the more preferred receiving more votes. The weight will depend solely on the discretion of the member of the Nominating Committee in each case; provided, that each member of the Nominating Committee shall be required to cast all the votes. The Accounting Firm shall determine which candidate(s) among those tied received the highest number of votes in the heaviest weighting category (e.g., if three candidates are tied, the “3” votes, and so on). The candidate(s) with the highest number of such votes among those tied shall receive the nomination(s), until there is no longer a tie necessitating more than the prescribed number of nominees. If any of those tied have the same number of such votes (e.g., if there are three candidates, the same number of “3” votes), the Accounting Firm shall then determine which of said candidates received the highest number of votes in the second heaviest weighing category (e.g., if there are three candidates, the “2” votes, and so on), in which event the candidate with the highest number of such votes shall receive the nomination.

(c) Persons Eligible to Vote. The persons eligible to vote for the purpose of determining winners of the Tony Awards shall be the members of the governing boards of the following organizations:

1. Actors’ Equity Association
2. The Dramatists Guild
3. Stage Directors and Choreographers Society
4. United Scenic Artists

and up to 75 persons from among the Board of Directors and the Advisory Board of the Wing (as designated by the Wing), the Voting Members of The League (in accordance with The League's requirements, as confirmed by The League), no more than 16 members of the Theatrical Council of the Casting Society of America designated by such Council; no more than five officers or Executive Board members of Musicians' Local 802 designated by such Board; no more than 15 members of the current governing board (exclusive of alternates or members emeritus) of the Association of Theatrical Press Agents and Managers designated by such Association; the members of the Tony Award Nominating Committee, no more than 25 members of the New York Drama Critics Circle and no more than 10 members of the Board/Council of the National Association of Talent Representatives as designated by such Association; provided, that in no event shall there be any duplication (i.e., no person shall be entitled to more than one vote as a result of such person's qualification or inclusion in more than one of the foregoing categories). Employees (other than the Executive Director or equivalent) of any of the foregoing organizations shall not be eligible to vote for the winners of the Tony Awards. The Tony Awards Administration Committee shall have the right, in its discretion, to remove any person from eligibility to vote in the current season in the event said person has not adhered to the voting rules then in effect.

(d) Ballots of Persons Eligible to Vote. No ballot shall be counted unless the voter casting it has certified to the Tony Awards Administration Committee that, with respect to each category in which the voter has voted, the voter has seen a performance of each production which has been nominated for an Award and a performance by each performer who has been nominated in the production with respect to which such performer has been nominated. The ballot may provide that marking and returning it constitutes such a certification. Write-in votes shall not be permitted.

(e) Identity of Eligible Voters. As complete a list as possible of all such eligible voters shall be sent to each producer prior to the first paid public performance of the production.

(f) Accounting Firm. The firm of independent certified public accountants selected by the Tony Awards Management Committee (the "Accounting Firm") shall mail a ballot containing the names of the nominees to each eligible voter at least 14 days prior to the date on which the Tony Awards are to be presented for such season, with a request to deliver completed ballots directly to the Accounting Firm. Such firm shall count and tabulate those ballots received at least 50 hours prior to the commencement of the formal presentation of the Tony Awards for such season and shall certify the winners to the Tony Awards Administration Committee.

(g) Selection of Winners. The Tony Award shall be given to the person, production or element thereof that is voted the best in the current season for each eligible category, and votes are to be cast according to that standard. The winner in each category shall be the nominee in that category receiving the highest number of votes. No tabulation of the numbers of votes for each nominee shall be disclosed to the Tony Awards Administration Committee or Nominating Committee or to any other person or entity, and the names of the winners shall not be similarly disclosed until the presentation of the Awards.

## **6. Campaigning and Promotion**

(a) Fair and Ethical Process. The process of determining which productions or elements thereof are to receive Tony Awards is intended to be conducted in a fair and ethical manner, having the highest regard for the standard of quality represented by the Tony Awards and related presentations. The persons voting for the Tony Awards and producers of eligible productions are intended to act in full support of that goal, and not to take or authorize any action that is inconsistent with or undermines the letter or spirit of these Rules or that goal.

(b) No Disparagement. Any public communication, including all communications by a production to the Tony Nominators and/or Tony Voters, oral or written, that promotes a particular production or element thereof or other candidate for a Tony Award by disparaging or casting any negative or derogatory light on a competing production, element, person or achievement, whether by name, title or otherwise, is expressly prohibited. Quotes utilized by a production in any public communication must pertain solely to that production. Comparisons or references by a production to any production within its own current theatrical season are prohibited. Any such comparisons or references found in a production's souvenir book must be removed prior to distribution to the Tony Nominators and/or Tony Voters.

(c) No Waiver. Any activity that is not the subject of enforcement or penalty should not be assumed to be authorized by or acceptable to the Tony Awards Administration Committee. Similarly, no particular activity that may be found to be in violation of these Rules may be justified or exempted by reason of prior activity or the lack of enforcement or penalty.

## **7. Remedies**

Violations of these rules may subject the violator to removal from eligibility to vote and/or to any other penalties as may be imposed by the Tony Awards Administration Committee in its sole discretion.

**Exhibit A:****Eligible Theatres**

**Ambassador**  
215 West 49<sup>th</sup> Street

**American Airlines**  
227 West 42<sup>nd</sup> Street

**Brooks Atkinson**  
256 West 47<sup>th</sup> Street

**Ethel Barrymore**  
243 West 47<sup>th</sup> Street

**Vivian Beaumont**  
150 West 65<sup>th</sup> Street

**Belasco**  
111 West 44<sup>th</sup> Street

**Booth**  
222 West 45<sup>th</sup> Street

**Broadhurst**  
235 West 44<sup>th</sup> Street

**Broadway**  
1681 Broadway

**Circle in the Square**  
1633 Broadway

**Cort**  
138 West 48<sup>th</sup> Street

**Samuel J. Friedman**  
261 West 47<sup>th</sup> Street

**Gershwin**  
1633 Broadway

**John Golden**  
252 West 45<sup>th</sup> Street

**Helen Hayes\***  
240 West 44<sup>th</sup> Street

**Al Hirschfeld**  
302 West 45<sup>th</sup> Street

**Hudson**  
139-141 West 44<sup>th</sup> Street

**Imperial**  
249 West 45<sup>th</sup> Street

**Bernard B. Jacobs**  
242 West 45<sup>th</sup> Street

**Walter Kerr**  
219 West 48<sup>th</sup> Street

**Longacre**  
220 West 48<sup>th</sup> Street

**Lunt-Fontanne**  
205 West 46<sup>th</sup> Street

**Lyceum**  
149 West 45<sup>th</sup> Street

**Lyric**  
213 West 42<sup>nd</sup> Street

**Majestic**  
245 West 44<sup>th</sup> Street

**Marquis**  
1535 Broadway

**Minskoff**  
200 West 45<sup>th</sup> Street

**Music Box**  
239 West 45<sup>th</sup> Street

**Nederlander**  
208 West 41<sup>st</sup> Street

**New Amsterdam**  
214 West 42<sup>nd</sup> Street

**Eugene O'Neill**  
230 West 49<sup>th</sup> Street

**Palace**  
1564 Broadway

**Richard Rodgers**  
226 West 46<sup>th</sup> Street

**St. James**  
246 West 44<sup>th</sup> Street

**Gerald Schoenfeld**  
236 West 45<sup>th</sup> Street

**Shubert**  
225 West 44<sup>th</sup> Street

**Neil Simon**  
250 West 52<sup>nd</sup> Street

**Stephen Sondheim**  
124 W. 43<sup>rd</sup> Street

**Studio 54**  
254 West 54<sup>th</sup> Street

**August Wilson**  
245 West 52<sup>nd</sup> Street

**Winter Garden**  
1634 Broadway

\*These theatres were deemed “eligible Broadway theatres” prior to the amendment of the rule (effective for the 1989–90 Season) which increased the minimum seating requirement from 499 to 500 and thus each of these theatres is “grandfathered” and continues to be deemed eligible provided it does not reduce its seating capacity to below the number of seats such theatre made available to the public on June 1, 1989.

**Exhibit B:**

**Tony Awards® Statuette Receipt Agreement**

Tony Award Productions  
c/o The Broadway League  
729 Seventh Avenue - 5<sup>th</sup> Floor  
New York, NY 10019

Re: Tony Award Statuette for (Category to be filled in) / 2017-2018 Season

Ladies and Gentlemen:

The undersigned hereby acknowledges receipt from Tony Award Productions (“TAP”) of a Tony Award statuette (the “Statuette”), which incorporates an engraved replica of the Tony Award Medallion and commemorates the Tony Award in the category and season referenced above. In order to protect and maintain the integrity and prestige of the Tony Awards and to ensure that the Statuette is used solely for its intended purpose of honoring the recipient’s creative contributions, the undersigned acknowledges and agrees as follows:

1. Any use other than the personal, non-commercial use of the Statuette by the undersigned would cause irreparable and incalculable harm to the integrity of the Tony Awards. Possession of the Statuette is accepted by the undersigned upon the express condition that it will only be used for such personal and non-commercial purposes. Any use or attempted use of the Statuette in violation of the terms of this agreement will result in the immediate right of TAP to repossess the Statuette, which right TAP may exercise at any time, at its sole discretion.
2. The undersigned is not entitled to any replicas of the Statuette, and the Statuette will only be replaced upon demonstration, satisfactory to TAP, that the Statuette originally received has been lost, stolen, or destroyed.
3. The undersigned will not sell or otherwise dispose of the Statuette, nor permit it to be sold or disposed of by operation of law or otherwise, without first offering to sell it to TAP for the sum of Ten (\$10.00) US Dollars. Such notification must be delivered via courier or certified mail to TAP at the address above, and TAP shall have 60 days after any such offer is delivered in which to accept it.
4. If the undersigned is a natural person, the designees, heirs, legatees and personal representatives of the undersigned may acquire title to the Statuette, if it becomes part of the undersigned's estate; however, the terms of this agreement shall remain in full force.
5. Possession of the Statuette does not entitle the undersigned to any right whatsoever in the copyright, trademark or other intellectual property embodied therein. Any public exhibition, reproduction or other public or commercial exploitation of the Statuette or any element thereof by the undersigned or any third party without the prior written consent of TAP is strictly prohibited. Any such actions will be null and void, will not serve to grant to any third party any right, title or interest in the Statuette, and will result in the immediate right of TAP to repossess the Statuette, which right TAP may exercise at any time, at its sole discretion.

The terms under which the undersigned acknowledges receipt of the Statuette in this agreement shall be binding not only on the undersigned, but also on the heirs, legatees, personal representatives, executors, administrators, estate successors and assigns of the undersigned, if a natural person, and the partners, members, stockholders, directors, officers, employees and agents of the undersigned, if other than a natural person.

This agreement shall be governed by and construed in accordance with laws of the State of New York applicable to contracts made and performed wholly therein. The undersigned hereby consents to the exclusive jurisdiction of the courts of the State of New York and the United States courts located in the State of New York, in connection with any lawsuit, action or proceeding arising out of, or related to, this agreement, and agrees to reimburse TAP for any and all costs and expenses (including without limitation, attorneys’ fees and disbursements) in enforcing the terms hereof in any action or proceeding

\_\_\_\_\_  
SIGNATURE OF RECIPIENT

\_\_\_\_\_  
DATED

Medallion # \_\_\_\_\_

**Exhibit C:**

**Tony Honors Statuette Receipt Agreement**

Tony Award Productions  
c/o The Broadway League  
729 Seventh Avenue - 5th Floor  
New York, NY 10019

Re: Tony Honor Statuette / 2017-2018 Season

Ladies and Gentlemen:

The undersigned hereby acknowledges receipt from Tony Award Productions (“TAP”) of a Tony Honor statuette (the “Statuette”), which incorporates an engraved replica of the Tony Honor Medallion and commemorates the Tony Honor in the season referenced above. In order to protect and maintain the integrity and prestige of the Tony Awards® and to ensure that the Statuette is used solely for its intended purpose of honoring the recipient’s creative contributions, the undersigned acknowledges and agrees as follows:

1. Any use other than the personal, non-commercial use of the Statuette by the undersigned would cause irreparable and incalculable harm to the integrity of the Tony Awards. Possession of the Statuette is accepted by the undersigned upon the express condition that it will only be used for such personal and non-commercial purposes. Any use or attempted use of the Statuette in violation of the terms of this agreement will result in the immediate right of TAP to repossess the Statuette, which right TAP may exercise at any time, at its sole discretion.
2. The undersigned is a “recipient” and not a “winner” of a Tony Honor (not a Tony Award) and, as such, in communicating about the receipt of said Tony Honor—including, without limitation, program bios, publicity, advertising and any public or private announcement or explanation—the undersigned will use only the words “recipient” and “Tony Honor.”
3. The undersigned is not entitled to any replicas of the Statuette, and the Statuette will only be replaced upon demonstration, satisfactory to TAP, that the Statuette originally received has been lost, stolen, or destroyed.
4. The undersigned will not sell or otherwise dispose of the Statuette, nor permit it to be sold or disposed of by operation of law or otherwise, without first offering to sell it to TAP for the sum of Ten (\$10.00) US Dollars. Such notification must be delivered via courier or certified mail to TAP at the address above, and TAP shall have 60 days after any such offer is delivered in which to accept it.
5. If the undersigned is a natural person, the designees, heirs, legatees and personal representatives of the undersigned may acquire title to the Statuette, if it becomes part of the undersigned’s estate; however, the terms of this agreement shall remain in full force.
6. Possession of the Statuette does not entitle the undersigned to any right whatsoever in the copyright, trademark or other intellectual property embodied therein. Any public exhibition, reproduction or other public or commercial exploitation of the Statuette or any element thereof by the undersigned or any third party without the prior written consent of TAP is strictly prohibited. Any such actions will be null and void, will not serve to grant to any third party any right, title or interest in the Statuette, and will result in the immediate right of TAP to repossess the Statuette, which right TAP may exercise at any time, at its sole discretion.

The terms under which the undersigned acknowledges receipt of the Statuette in this agreement shall be binding not only on the undersigned, but also on the heirs, legatees, personal representatives, executors, administrators, estate successors and assigns of the undersigned, if a natural person, and the partners, members, stockholders, directors, officers, employees and agents of the undersigned, if other than a natural person.

This agreement shall be governed by and construed in accordance with laws of the State of New York applicable to contracts made and performed wholly therein. The undersigned hereby consents to the exclusive jurisdiction of the courts of the State of New York and the United States courts located in the State of New York, in connection with any lawsuit, action or proceeding arising out of, or related to, this agreement, and agrees to reimburse TAP for any and all costs and expenses (including without limitation, attorneys’ fees and disbursements) in enforcing the terms hereof in any action or proceeding.

\_\_\_\_\_  
SIGNATURE OF RECIPIENT

\_\_\_\_\_  
DATED

**Exhibit D:**

**Tony Awards® Certification**

Production: \_\_\_\_\_

Name: (Name of Lead Producer)  
Street Address  
City, State Zip Code

The Producer does hereby certify to the Tony Awards Administration Committee that:

1. The undersigned is the producer of the Production as referred to in Rule 2(a)vii)(I);
2. The Producers have fully complied with the Rules and Regulations of the American Theatre Wing’s Tony Awards® for the 2017-2018 Season (the “Rules”) with regard to the invitation of Tony voters to attend a performance of the Production, including, without limitation, the submission of a letter regarding their position on categorization and completion of the questionnaire regarding original or replicated elements;
3. The Producer has made tickets available to all members of the Tony Nominating Committee and the Tony Administration Committee for either a press review performance (Pre-Opening or Post-Opening Night) or a regular performance prior to the closing performance, and in any case for performances occurring no later than two weeks after the production officially opens or before the Eligibility Date, whichever occurs first;
4. The Producers accept the authority of the Tony Awards Administration Committee to make all decisions or determinations concerning eligibility for the Awards and all other matters relating to their administration (including adopting amendments to the Rules) in its sole and absolute discretion (and without obligation to make any decision or determination consistent with any prior practice or custom), with the effect of any such decision or determination as final, binding and conclusive for all purposes; and
5. The Producer has complied with the Rules with respect to (a) submission of a letter regarding the Producer’s position on categorization and (b) completion of the eligibility questionnaire regarding original or replicated elements;
6. The Producer shall not institute any action, suit or proceeding against the Tony Awards Administration Committee, any of its members or any entity or organization appointing any of such persons to such committee for any purpose in connection with the Awards, and shall indemnify, defend and hold harmless such committee, such members and such entities and organizations from and against any and all costs, expenses, damages, liabilities, claims and demands of any kind or nature (including without limitation attorneys’ fees and disbursements and court costs) arising out of any such action, suit or proceeding commenced by such Producer or by any other producer or producing firm or entity with respect to the Production or any element thereof.

IN WITNESS WHEREOF, the Producer has caused this certification to be executed on the date set forth below.

Producer: \_\_\_\_\_ Date: \_\_\_\_\_

**Exhibit E:**

**Eligibility Questionnaire**

**NAME OF PRODUCTION:** \_\_\_\_\_ (the "Production")

- 1. Has any actor or actress who performed in the opening night performance of the Production previously received a Tony Award® for the role he or she plays in the Production? If so, please list each such actor and actress below:

\_\_\_\_\_

\_\_\_\_\_

- 2. Has the script or in the case of a musical the score, been previously produced in any manner that would suggest that it has become a "classic" or has entered into the historical or popular repertoire, regardless of whether it has previously played in what was then an "eligible Broadway theatre" as defined in the Tony Rules for the applicable season?

Please check one: Yes \_\_\_\_\_ No \_\_\_\_\_

- 3. Does the score for the Production contain only original music and lyrics written for this Production? If not, please approximate the percentage of material that is newly written for this Production and the percentage drawn from other sources:

Newly Written \_\_\_\_\_% Drawn from other Sources \_\_\_\_\_% N/A (No Score) \_\_\_\_\_

- 4. Does work in any of the following categories substantially duplicate work previously created in what was then an "eligible Broadway theatre" as defined in the Tony Rules for the applicable season? If so, please place a checkmark next to each category that applies:

**CATEGORY**

- Best Book of a Musical
- Best Scenic Design (Play/Musical)
- Best Costume Design (Play/Musical)
- Best Lighting Design (Play/Musical)
- Best Sound Design (Play/Musical)
- Best Choreography
- Best Direction (Play/Musical)
- Best Orchestrations

For each category checked above, please attach to this questionnaire documentation regarding the proportion of material that does and does not substantially duplicate previously created work in that category.

IN WITNESS WHEREOF, the undersigned, being the producer of the Production, as referred to in Rule 2(a)vii)(I) of the Rules and Regulations of the American Theatre Wing's Tony Awards® for the 2017-2018 Season, has caused this questionnaire to be executed on the date set forth below.

PRODUCER: \_\_\_\_\_ DATE: \_\_\_\_\_



## **Section II**

**Rules for Use of the**

**Tony Awards<sup>®</sup>**

**Trademarks and Materials**





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## Rules for Use of the Tony Awards® Trademarks and Materials

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### **Introduction**

In 1947, the American Theatre Wing, Inc. (the “Wing”) founded the Antoinette Perry Awards for Excellence in Broadway Theatre (the “Tony Awards®”), naming them in honor of a prominent producer and former Chairman of the Board of the Wing. Since then, more than one thousand artists have received the American Theatre Wing’s Tony Award® for their contributions to the Great White Way. The Tony Awards® continues to be one of the most coveted theatre awards in the world.

The visibility of the Tony Awards® was expanded in 1967 when The Broadway League (The “League”), at the time known as The League of New York Theatres, joined with the Wing to broadcast the Tony Awards® presentation for the first time on network television. Since 1987, through their joint venture, Tony Award Productions, they have presented the Tony Awards® each year during a live network television broadcast and have continued to license worldwide distribution of the program. The League and the Wing are nonprofit organizations devoted to fostering the growth and appreciation of live theatre and the presentation of the Tony Awards® for excellence in the theatre.

For the past half-century, the Tony Awards® have been the ultimate emblem of achievement in Broadway theatre. This preeminence has been maintained in large measure because the Tony Award® trademark, the Medallion trademark, copyrights and other proprietary rights have been zealously protected. While invaluable benefits may be derived from coupling a Tony Award® symbol with a particular production of person, such Use must be strictly limited to ensure fairness.

The following rules were designed to sustain the reputation of the Tony Awards® by:

- Safeguarding the rights of Tony Award® recipients,
- Never misleading the public through implications that an award or nomination was received when, in fact, this is not so, and
- Protecting the owner of the Tony Award® trademark and other rights.

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## **Rules**

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1. “Tony Award®” is the famous and distinctive trademark of American Theatre Wing, Inc. and may be used only in accordance with these rules or under a special license from Tony Award Productions.

When using the Tony Award® designation, you must include the proper registered trademark and the registration notice, i.e., “Tony Award®.”

2. The Tony Award® medallion, which commemorates receipt of a Tony Award®, is copyrighted by, and the trademark of, American Theatre Wing, Inc. Tony Award Productions has the exclusive right to manufacture, reproduce, sell and distribute the Medallion, and replicas thereof. You may not use or distribute the Medallion or any replicas, reproductions, drawings, photographs or other copies of the Medallion except in accordance with these rules or under license from Tony Award Productions.

If you use a likeness of the Tony Award® Medallion in accordance with these rules, you must include “©American Theatre Wing, Inc.™” to indicate that the Medallion is protected by trademark and copyright law.



## **Permissible Use of the Trademarks and Copyrights**

3. You may use the Tony Award® designation only with the express written consent of Tony Award Productions or in accordance with these rules.
4. Without specific permission, you may use the Tony Award® designation or the Medallion trademark and copyright *only* for the following purposes:
  - Legitimate news reporting;
  - Advertising the specific achievement for which the award was received; or
  - Referring to Tony Award Productions, The Broadway League, American Theatre Wing, Inc., or the annual Tony Awards® presentation in stories, programs and articles.
5. The Tony Award® medallion may not be used as part of a logo or in merchandising, or as a stage property or set dressing, for any purpose including without limitation plays, musicals, television programs, films, print advertisements or video promotions unless produced by, or with the written consent of, Tony Award Productions.
6. You may not use the Tony Award® designation in the title or subtitle of any television program play, musical, film, book or magazine without the written consent of Tony Award Productions.
7. Recipients of the Tony Award® Medallion, which commemorates the Tony Award®, or the Tony Honors Medallion, which commemorates the Tony Honor for Excellence in the Theatre, have no rights whatsoever in the copyright or trademark of the Medallion. Recipients must comply with these rules respecting the use of the Tony Award® marks and the Medallion and must not dispose of the Medallion, nor permit it to be sold or disposed of by operation of law or otherwise, without first offering to sell it to Tony Award Productions for the sum of \$10.00. This rule applies to the recipient as well as to the heirs, legatees, personal representatives, executors, administrators, estate successors and assigns of the recipient if the recipient is a natural person. If the recipient is other than a natural person, this rule applies to the partners, members, stockholders, directors, officers, employees, agents, successors and assigns of the recipient. Recipients are required to sign an agreement to this effect when they receive the Medallion.

## Use of the Tony Award® Trademark and Medallion in Advertising and Promotional Materials

Rules 8 through 20 apply to all newspaper and magazine advertising, promotional materials, pressbooks, posters, window cards, indoor and outdoor displays, novelty distribution, radio, television and every other form of advertising.

8. You may use the Tony Award® designation and Medallion in advertising or promotional materials only with express written consent of Tony Award Productions or in accordance with these rules.
9. For recipients of Tony Award® nominations, you must specify the fact that a nomination, not an award, was received. The words “Tony Award®” must immediately precede or follow the words “Nominated” or “Nominee” or “Nomination” in the same size, style and color of type as the words “Tony Award®.” Type style consists of the font as well as the appearance of that font, including the use of italics, bold, underlining and capital letters.
10. You may not use the word “win,” or any derivation such as “winner,” “winning” or “won,” in connection with the receipt of a nomination, a Special Tony Award®, Regional Theatre Tony Award® or Tony Honors for Excellence in the Theatre. An example of **unacceptable** use:

**X**     *Winner! Two Tony Award® Nominations!*

11. Recipients of Tony Honors for Excellence in the Theatre may not be promoted as recipients of a Tony Award®. You must indicate the accomplishments for which as well as the year in which the honor was received in all advertising media and promotional materials. An example of acceptable use:

✓     *1988 Tony Honor Recipient  
for Strengthening Ties Among Theatre Cultures in all Nations*

12. Specific persons are nominated in each Tony Award® category. You are prohibited from using the Tony Award® designation in conjunction with a production or a person that has not earned a nomination or an award. For example:
  - If a production received a Tony Award® for Best Musical, you may not designate the author of the novel on which the musical is based as the recipient of a Tony Award®. An example of **unacceptable** use:

**X**     *Famous Agents Salute Legendary Author –  
Tony Award® Winner for Best Musical*

- If a play receives a Tony Award® for Best Revival of a Play, you may not designate the author of the play as the recipient of a Tony Award®. An example of **unacceptable** use:

**X**      *Legendary Playwright, Tony Award®  
Winner for Best Play Revival*

13. You may indicate a performance by a former Tony Award® recipient in a production that has not received a Tony Award® so long as you include the year in which the production for which the performer received the award.
14. For recipients of awards and nominations, you must specify the category in which the award or nomination was received. You may use either the official category name or an acceptable abbreviation. (Table A provides the official category names and acceptable abbreviations.)

Colloquial names for categories, such as “best dancing” or “best music” are **never** acceptable as they are not accurate. Such designations imply that an award or nomination was received for the *performance* of the dance or music when, in fact, the award recognized the *choreography* of the dance and the *composition* of the music, not the performance. “Best Choreography” and “Best Original Score” **are** appropriate category specifications.

15. If a production has received more than one award or nomination, you must include the name of at least one category in which the production was recognized. You are not required to include every category.
16. The category specification must immediately precede or follow the words “Tony Award®,” “Nominated for,” “Nominee” or “Nomination” in the same style and color of type and no less than 80% of the size of the type for the words “Tony Award®.” Example of **acceptable** use:

- ✓ *Nominated for a Tony Award® for Best Play*
- ✓ *Tony Award® Nominee for Best Play*
- ✓ *Tony Award® Winner for Best Play*
- ✓ *Best Play Tony Award®*

17. Once the Tony Awards® have been announced for a given season, you must discontinue the use of the Tony Award® designation on behalf of a **recipient of a nomination who did not receive an award** within 30 days following the date of the announcement. You may continue to use the Tony Award® designation on behalf of a **recipient of an award** in accordance with these rules.
18. Once the Tony Awards® have been announced for a given season, if using the Tony Award® designation on behalf of a **recipient of an award from a past season**, you must include the year in which the award was won. The year specification must immediately precede or follow either the words “Tony Award®” or the category designation in the same style and color of type and no less than 80% of the size of the type for the words “Tony Award®.” Examples of **acceptable** us:

- ✓ *1997 Tony Award® Winner for Best Play*

- ✓ Tony Award® Winner for Best Play in 1997

19. When using the Tony Awards® designation in conjunction with other theatre awards (such as Drama Critics Circle™, Drama Desk™, Drama League®, New York Drama Critics™, Outer Critics Circle™, etc.) or any other award (such as Grammy®, Oscar®, Pulitzer™, etc.), you must comply with these rules. In addition, you must clearly distinguish the Tony Award® from the other award. To achieve this goal, the Tony Award® must be listed in a font at least equal in size to that used for the other award. Examples of **acceptable** use:

- ✓ *Tony Award® for Best Play*
- ✓ *Drama Desk Award™ for Best Actor*
- ✓ *Tony Award®*                      *Drama League Award®*  
*Best Play*                              *Best Actress*

20. If the same person or production has received a Tony Award® and another award in the same category, you may list the groups together following the award so long as the Tony Awards® is listed first **and/or** distinguished by a different font. If using different font, it must be the same size and larger than the font use for the other award. Examples of **acceptable** use:

- ✓ *Best Play – Tony Award® Drama Critics Award™*
- ✓ **Best Play – Tony Award®** *New York Drama Critics Award™*

21. Any projected use of the Tony Award® designation for a touring or “road” production must be registered, in advance of any use, with Tony Award Productions, which will notify the producer of such touring or “road” production of any usage issues.

## Use of the Tony Award® Trademark in the “Theatre Directory”

22. When using the Tony Award® designation in the “Theatre Directory” of *The New York Times*® (the “ABC listing”), you must conform to Rules 1 through 20 above, **subject to** Rules 23 and 24.
23. You may refer to the designation as either “Tony Award®” or “Tony.”
24. If the ABC listing mentions the total number of nominations or awards earned by a production, you are not required to list the categories in which a nomination or an award was earned. Examples of **acceptable** use:
  - ✓ *4 Tony Nominations!*
  - ✓ *Winner 2 Tonys!*

## Use of Excerpts from Tony Award® Presentations

Rules 25 through 32 apply to both video and audio excerpts from the annual Tony Awards® presentation.

25. The copyright to the Tony Awards® telecast will be owned by Tony Award Productions, a joint venture of The Broadway League and American Theatre Wing, Inc.
26. You may use excerpts from the annual Tony Awards® presentation only with the express written consent of Tony Award Productions or in accordance with these rules.
27. Without specific permission, **only** broadcast programs and services that Tony Award Productions has recognized as legitimate news organizations may use excerpts from the Tony Awards® presentation. Such programs and services may use excerpts **only** for legitimate news reporting about the Tony Awards® presentation.
28. All excerpts must be:
  - less than or equal to 30 seconds in duration;
  - used within 48 hours of the telecast;
  - accompanied by the words, “Excerpt courtesy of Tony Award Productions© \_\_\_\_\_” (indicate the year as appropriate); and
  - used **after** the conclusion of the Tony Awards® telecast. (Tony Award Productions grants exclusive rights to televise the presentation.)
29. You must bear all costs incurred by Tony Award Productions (including without limitation all payments to Local 1 IATSE) in the preparation of excerpts and must agree to pay such costs promptly upon receipt of an invoice from Tony Award Productions.

30. You must collect all excerpts from Tony Award Productions and return them within 24 hours after the expiration of the permissible use period.
31. You are responsible for obtaining the consent of all persons appearing in the excerpt as well as all guild or other clearances that are required.
32. By using excerpts from the Tony Awards® presentation, you agree to defend, indemnify and hold harmless Tony Award Productions. The Broadway League, American Theatre Wing, Inc., their respective successors and assigns, and their respective agents, employees, representatives, members, officers and directors, against any liability and expense, including without limitation attorney's fees, arising out of any claim whatsoever which may be brought or based upon the use of the excerpts.

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## **Penalties for Misuse**

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If in the sole opinion of Tony Award Productions, any of the above provisions have been violated, the violation must be corrected within ten calendar days following written notice of the violation. Any violation not so corrected, in addition to any other rights or remedies available to Tony Award Productions or its ventures, may result in the withdrawal of the right to use the Tony Award® trademark and/or the Medallion trademark and copyright, including, without limitation, a permanent ban on the use of the marks in the event of a serious or continuing violation.

## **Table A: Official Category Names and Acceptable Abbreviations**

<b>Official Category Name</b>	<b>Acceptable Abbreviations</b> (The word “Best” may be used in conjunction with any of the following abbreviations)
Best Play	<ul style="list-style-type: none"><li>• Play</li></ul>
Best Musical	<ul style="list-style-type: none"><li>• Musical</li></ul>
Best Book of a Musical	<ul style="list-style-type: none"><li>• Book of a Musical</li></ul>
Best Original Score (Music and/or Lyrics) Written for the Theatre	<ul style="list-style-type: none"><li>• Score</li><li>• Original Score</li></ul>
Best Performance by an Actor in a Leading Role in a Play	<ul style="list-style-type: none"><li>• Actor in a Leading Role in a Play</li><li>• Leading Actor in a Play</li></ul>
Best Performance by an Actress in a Leading Role in a Play	<ul style="list-style-type: none"><li>• Actress in a Leading Role in a Play</li><li>• Leading Actress in a Play</li></ul>
Best Performance by an Actor in a Leading Role in a Musical	<ul style="list-style-type: none"><li>• Actor in a Leading Role in a Musical</li><li>• Leading Actor in a Musical</li></ul>
Best Performance by an Actress in a Leading Role in a Musical	<ul style="list-style-type: none"><li>• Actress in a Leading Role in a Musical</li><li>• Leading Actress in a Musical</li></ul>
Best Performance by an Actor in a Featured Role in a Play	<ul style="list-style-type: none"><li>• Actor in a Featured Role in a Play</li><li>• Featured Actor in a Play</li></ul>
Best Performance by an Actress in a Featured Role in a Play	<ul style="list-style-type: none"><li>• Actress in a Featured Role in a Play</li><li>• Featured Actress in a Play</li></ul>
Best Performance by an Actor in a Featured Role in a Musical	<ul style="list-style-type: none"><li>• Actor in a Featured Role in a Musical</li><li>• Featured Actor in a Musical</li></ul>
Best Performance by an Actress in a Featured Role in a Musical	<ul style="list-style-type: none"><li>• Actress in a Featured Role in a Musical</li><li>• Featured Actress in a Musical</li></ul>
Best Scenic Design of a Play	<ul style="list-style-type: none"><li>• Scenery</li><li>• Scenic Design of a Play</li></ul>
Best Scenic Design of a Musical	<ul style="list-style-type: none"><li>• Scenery</li><li>• Scenic Design of a Musical</li></ul>
Best Costume Design of a Play	<ul style="list-style-type: none"><li>• Costumes</li><li>• Costume Design of a Play</li></ul>
Best Costume Design of a Musical	<ul style="list-style-type: none"><li>• Costumes</li><li>• Costume Design of a Musical</li></ul>
Best Lighting Design of a Play	<ul style="list-style-type: none"><li>• Lighting</li><li>• Lighting Design of a Play</li></ul>

**Official Category Name****Acceptable Abbreviations**

(The word “Best” may be used in conjunction with any of the following abbreviations)

Best Lighting Design of a Musical

- Lighting
- Lighting Design of a Musical

Best Sound Design of a Play

- Sound
- Sound Design of a Play

Best Sound Design of a Musical

- Sound
- Sound Design of a Musical

Best Direction of a Play

- Direction
- Play Direction
- Direction of a Play

Best Direction of a Musical

- Direction
- Direction of a Musical

Best Choreography

- Choreography

Best Revival of a Play

- Play Revival
- Revival of a Play

Best Revival of a Musical

- Musical Revival
- Revival of a Musical

Best Orchestrations

- Orchestrations





**Appendix: Tony Awards Administration and Tony Awards Nominating Committees**

**2017-2018 TONY AWARDS ADMINISTRATION COMMITTEE**

**Full Members:**

Ted Chapin  
Michael David  
Cecilia Friederichs  
Sue Frost  
Heather Hitchens  
David Henry Hwang  
Natasha Katz  
Paul Libin  
William Ivey Long  
Tom Kirdahy  
John Lyons  
Mary McColl  
Kevin McCollum  
James L. Nederlander  
Enid Nemy  
Laura Penn  
Michael Price  
Judith O. Rubin  
Charlotte St. Martin  
Peter Schneider  
Thomas Schumacher  
Ralph Sevush  
Philip Smith  
David Stone

**Alternate Members:**

Ken Billington  
Patricia Crown  
Alan Eisenberg  
Tina Fallon  
John Gore  
Barry Grove  
Todd Haimes  
Jeffrey Eric Jenkins  
Kenny Leon  
Edward Pierce  
Emilio Sosa  
Robert Wankel  
Michael Wilson

**2017-2018 TONY AWARDS NOMINATING COMMITTEE (as of September 2017)**

Bob Alwine  
Adrian Bailey  
Victoria Bailey  
Milly Barranger  
Suzy Benzinger  
Luis Castro  
Dawn Chiang  
Hope Clarke  
Trip Cullman  
Patricia Cruz  
Carmen de Lavallade  
Edgar Dobie  
Judith Dolan  
Scott Elliott  
Tim Federle  
Peter Jay Fernandez  
Anna Glass

Daniel Goldfarb  
Sam Gonzalez  
Mason Granger  
Adam Gwon  
Katori Hall  
Roy Harris  
Peter Hedges  
Mara Isaacs  
Lou Jacob  
Michael Kantor  
Anne Keefe  
Celia Keenan-Bolger  
Marjorie Bradley Kellogg  
Fran Kumin  
Michael John LaChiusa  
Tony Meola  
Jessica Molaskey

Sheila Nevins  
Laurence O'Keefe  
Paige Price  
Paul Rudnick  
Don Scardino  
Mikki Shepard  
Warner Shook  
Randy Skinner  
Ellen Sorrin  
Jessica Stone  
Edward Strong  
Jose Antonio Vargas  
Jennifer von Mayrhauser  
Tom Watson  
Evan Yionoulis





[TonyAwards.com](http://TonyAwards.com)