[CH] Publication of Federal Council's Communication on the Cinema Bill

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The Swiss Federal Council has published its communication to the Federal Parliament on the Culture and Cinematographic Production Bill. The bill is broadly based on the proposal drawn up by the committee of experts and is aimed at providing the Swiss cinematographic industry with modern incentives in keeping with current needs and realities. The main objectives of the bill are to encourage independent cinematographic production and to promote diversity among the films on offer in Switzerland. The effectiveness of the incentives for the cinema, whether selective or success-related, is to be assessed regularly. Financing for the production and exploitation of films is to be provided by means of a multi-annual expenditure ceiling, the amount of which is to be fixed by Parliament.

The bill drawn up by the committee of experts was reworked in order to take account of a number of objections, proposals and comments expressed during the consultation procedure (see IRIS 2000-6: 10). In particular, the Federal Council finally decided not to introduce an incentive tax aimed at promoting a varied selection of films on the Swiss market. This tax was roundly criticised by economic organisations and distributors in Switzerland, who felt it was interventionist. Article 21 of the bill thus provides that a tax intended to promote the diversity of films on offer may only be levied as a last resort if the mechanisms for self-regulation which the cinematographic sector in Switzerland has undertaken to set up do not make it possible to achieve the desired results in a specific geographical location. The amount of the tax would be between one and two Swiss francs per ticket, the reference figures being those recorded in a locality by the distribution and projection companies concerned; these would share equally in the income from the tax. Income from the tax would have to be reinvested in order to promote the distribution and showing of films not available on the market in question. The incentive tax is thus aimed at giving the greatest number of films of different types equal opportunities when they are shown in cinemas.

The present authorisation scheme for the distributors of films and cinema theatre operators is to be abandoned and replaced by a mere obligation to register. Despite the opinions expressed by a number of professional and political organisations in the course of the consultation procedure, the Federal Council decided not to maintain a system of authorisation for the large-scale multi-screen complexes as it proved difficult to define sufficiently reliable and objective cultural policy criteria for deciding whether or not to grant an authorisation to operate a

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complex of this kind.

Message du Conseil fédéral suisse concernant la loi fédérale sur la culture et la production cinématographique (loi sur le cinéma, LCin) du 18 septembre 2000

Message of 18 September 2000 from the Federal Council on the Federal law on culture and cinematographic production (Film Act - LCin/FiG)

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