[PT] New Law Proposal for Audiovisual and Cinematographic Arts

IRIS 2004-3:1/31

Luís António Santos
Departamento de Ciências da Comunicação, Instituto de Ciências Sociais, Universidade do Minho

On 4 February, the Portuguese government presented its proposed law on the regime and principles of action for the development and protection of the arts and cinematographic and audiovisual activities, thus stating the intention to replace the legal framework set up by Decree-Law no. 350/93 of 7 October 1993.

The proposed law aims to (article 4):

- promote the production, distribution, exhibition, diffusion and editing of cinematographic and audiovisual works;

- guarantee the copyrights of authors, artists, interpreters and performers of cinematographic and audiovisual works;

- promote international co-production, through the establishment of bilateral agreements and international conventions;

- increase production, distribution and exhibition cooperation with Portuguese-speaking countries;

- develop the distribution and exhibition markets through the creation of fiscal measures and the signing of bilateral and multilateral reciprocity agreements;

- promote the participation of the private sector in the development of the cinematographic and audiovisual industries;

- promote both national and international cinematographic and audiovisual production;

- ensure free circulation of cinematographic and audiovisual works;

- promote the conservation, valorisation and permanent cultural accessibility of the Portuguese cinematographic and audiovisual heritage;

- promote independent regulation and the application of competition principles to the cinematographic and audiovisual activities;

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- promote the participation of cinematographic and audiovisual sectors' representative entities in the definition of policies for the area;

- develop teaching and continuous formation activities in the cinematographic and audiovisual sectors;

- ensure equal access for all citizens to all forms of cinematographic and audiovisual works.

The most significant change contained in this proposed law is the creation of a new capital investment fund for the development of cinematographic arts and the audiovisual sectors. This fund is to manage resources resulting from contributions of film distributors, restricted TV channels operators, and other non-specified entities. Film distributors are to invest no less than 2% of their distribution income (article 31), and operators and distributors of restricted TV channels are to contribute no less than 5% of their net income, including revenues from all distribution platforms, like cable, satellite, terrestrial digital, wireless, or any others that might exist (article 27).

The proposed law is now to be considered by Parliament, and the Culture Minister, Pedro Roseta, has indicated that he expects it to be approved before the end of 2004.

Lei das Artes Cinematográficas e do Audiovisual (Anteprojecto 1ª revisão), 03/06/2003

http://www.icam.pt/externas/Leidocinema_anteprojecto_v2.pdf

Draft law on Audiovisual and Cinematographic Arts, 3 June 2003

Council of Ministers Official Communiqué, 4 February 2004

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