[ES] Decree on the Cinema Law

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The Spanish Council of Ministers approved *Real Decreto 2062/2008, de 12 de diciembre, por el que se desarrolla la Ley 55/2007, de 28 de diciembre* (Royal Decree 2062/2008 of 12 December on Law 55/2007 of 28 December) a Regulation that elaborates on the current Cinema Law and which was published in the Spanish Official Gazette, number 10, on 12 January 2009.

In a single document, the Royal Decree expands upon all of the aspects of the current Cinema Law, except for the creation of a section on audiovisual works in the Register of Personal Property, which will be dealt with by a separate law.

The following are the more notable items.

The first measure worth highlighting is the simplification of the proceedings before the Spanish administration that film production companies are obliged to navigate in order to obtain a certificate of nationality, film qualification, distribution certificates or registration in the Register of audiovisual companies. To this end, the film qualification certificate disappears and will be replaced by a process for qualification resolution that is easier to manage.

In addition, another important measure to point out is the possibility opened by the Royal Decree for production companies and TV channels to agree on how to invest 5% of the TV companies' gross income. TV channels can now decide when and on which films they shall invest.

As far as State aid is concerned, it is worth mentioning that the relevant rules, as stated in the Law of Cinema for the creation, production, distribution, exhibition, preservation and promotion of cinematographic works, are now expanded.

The Royal Decree gives an incentive to *Agrupaciones de Interés Económico* (Economic Interest Associations) to invest in movie production, opting for the same forms of aid as other film production companies.

It also favours co-productions with foreign companies by easing the requirements for the approval of such initiatives.

Furthermore, in order to promote both locations and films in co-official Spanish languages, it has been decided that cooperation with the Spanish Autonomous

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Communities will be sought.

It is worth mentioning that there will be a three-month term (window), beginning with the premiere at theatres, before a film can be commercialised in DVD format, with the exception of films which, during the first month of commercial exhibition, earned less than EUR 60,000 at the box office. This is a measure that aims to promote the commercialisation of documentaries and short films.

Finally, the Regulation sets out diverse measures for the prevention of piracy of audiovisual works.

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http://noticias.juridicas.com/base_datos/Privado/rd2062-2008.html

Royal Decree 2062/2008 of 12 December on Law 55/2007 of 28 December, Official Gazette, number 10, 12 January 2009

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