[LV] New Film Law

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On 17 June 2010 a new Film Act was adopted in Latvia. This is the first primary legislative act governing the film industry, production and regulation in Latvia. Previously, the area was not regulated by any comprehensive legal act. Certain issues were regulated by secondary legislative acts: Regulations of the Cabinet of Ministers No. 588 of 26 July 2005 "The regulation of the State agency National Film Centre (NFC)"; Regulations of the Cabinet of Ministers No. 487 of 20 November 2001 "Regulations of the film distribution"; Regulations of the Cabinet of Ministers No. 429 of 10 June 2008 "The Order how State budget financing is granted to projects in the film industry"; and Regulations of the Cabinet of Ministers No. 457 of 17 June 2008 "The regulations of the film classification". All these regulations lost their force with the adoption of the new Film Act.

The aim of the Film Act is to ensure the development of the film industry in Latvia by supporting the creation, distribution, protection and promotion of Latvian films. The law provides the main definitions for the area, such as what should be understood by the terms "film", "film industry", "co-production film", and others. The Act explains that a film shall be considered a Latvian film if it is produced by a Latvian film producer (registered in the NFC) and if at least one member of the main creative team (director, screen writer, composer, artist, animator, or operator) is a Latvian citizen or permanent resident.

The Act provides rules how the copies of Latvian films must be submitted for storage to the NFC and how this centre provides the registration of film producers. The detailed rules for the registration of film producers are provided in the Regulations of the Cabinet of Ministers No. 586 of 29 June 2010 "The order of the registration of film producers" and No. 585 of 29 June 2010 "The regulations on the State fee for the registration of film producers".

The main rules for the film classification are also stipulated. The detailed rules for the classification of films are provided in the Regulations of the Cabinet of Ministers No. 587 of 29 June 2010 "The regulations of film classification"

An important feature of the Act is that it states rules for granting State financing for film projects. The law lists six criteria, three of which the film should satisfy in order to receive State financing (for example, that the script is based on an original piece of Latvian literature). The decision to grant State financing is

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adopted by the NFC, taking into account the opinion of an expert commission. The decision may be appealed to the Ministry of Culture and further to the court. As of 1 January 2013 the NFC may grant certain co-financing for the taking of foreign films in Latvia.

The Film Act lists the main competencies of the NFC, which is the State institution carrying out the public administration in film industry, subordinated to the Ministry of Culture. Its main tasks are to grant public financing for film projects, to supervise the granted financing, to promote Latvian films, to maintain the registry of film producers, to supervise the compliance with the film classification, and to perform several related administration tasks. The internal structure and regulations of the NFC are provided in the Regulations of the Cabinet of Ministers No. 1627 of 22 December 2009 "The regulation of the National Film Centre".

In addition, the Film Act provides for the creation of a new institution - the Latvian Film Council, which is a consulting body created by the Minister of Culture. The Film Council includes members from non-governmental organisations of the film industry, representatives from various public institutions and academic institutions, as well as representatives of broadcasting companies and film industry. The task of the Film Council is to consult on the strategy and policy of the film industry, to provide related opinions, and to submit suggestions for the improvement of the legislative acts, if needed.

The Act was published on 29 June 2010 and has came into force on 30 June 2010.

17.06.2010. likums "Filmu likums" ("LV", 101 (4293), 29.06.2010.) [stājas spēkā 30.06.2010.]

http://www.likumi.lv/doc.php?id=212399

Film Act of 17 June 2010, Official Journal 101 (4293) vom 29. Juni 2010

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