

[ES] New Way of Calculation of Film Audiences in Spain

IRIS 2011-8:1/24

*Laura Marcos and Enric Enrich
Enrich Advocats, Barcelona*

The Spanish Ministry of Culture has approved an Order, published in the Spanish Official Gazette on 28 June 2011, by virtue of which the procedure for the calculation of the audience attracted by a cinematographic film has been modified, directly affecting the system of calculation of economic aids extended to films based on tickets sold. Until this date, the aid based on the exploitation of a film took into account only the tickets sold in theatrical exhibition. But nowadays the theatre is not the only place in which the success of a film can be measured.

The most significant changes introduced by the Order, which is unprecedented and innovative for both Spain and Europe, are the following:

1) The Order institutes, for the first time in Spain, an official calculation of the audience of cinematographic films based, not only on the audiences attracted by theatres, but also by film festivals and events, Internet paying portals, such as Filmin or Filmotech, as well as those represented by the sales and renting of DVDs and other devices.

In all these cases, the Cinematographic and Audiovisual Arts Institute (Instituto de la Cinematografía y de las Artes Audiovisuales - ICAA) has established a system by which after fulfilling certain requirements to ensure transparency and reliability and under the supervisory authority of the Administration, Internet service providers may certify how many people have watched a movie.

2) The Order also promotes positive discrimination for cinematographic works produced by women. Economic aids granted to cinematographic works produced by women shall apply to all female producers, whether or not the work is their first.

3) In addition, for the rating of cinematographic films and other audiovisual works, a category for films "specially recommended for the promotion of gender equality" has been established, which shall be applied to all movies presented for such rating by age-group. This category will be assigned by the ICAA, where appropriate, at the time of its qualification.

ORDEN CUL/1772/2011, de 21 de junio, por la que se establecen los procedimientos para el cómputo de espectadores de las películas cinematográficas, así como las obligaciones, requisitos y funcionalidades técnicas de los programas informáticos a efectos del control de asistencia y rendimiento de las obras cinematográficas en las salas de exhibición

<http://www.boe.es/boe/dias/2011/06/28/pdfs/BOE-A-2011-11110.pdf>

Order of the Ministry of Culture of 21 June 2011, which sets up the proceedings for calculating the number of people viewing cinematographic works, as well as the obligations, requirements and technicalities related to the computer programmes for controlling the attendance to theatres and film revenue

