[IT] New rules on theatrical windows for Italian movies

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On 14 November 2018, the Italian Minister of Cultural Heritage and Activities announced an upcoming Ministerial Decree - which he was about to sign to be sent to the competent supervisory bodies - adopted pursuant to Law No. 220/2016 (see IRIS 2017-1/23), representing the first law intervention in Italy on theatrical windows.

Until now, this matter was ruled in accordance with a well-established and largely respected practice, which the Decree enshrines, basically, into law.

Firstly, it is worth highlighting that the scope of the Decree is limited to Italian works and that it does not include foreign productions, for which the aforementioned gentlemen's agreement remains applicable.

Between a film's first screening in theatres and its availability on other platforms, a time lag of 105 days is to be respected. However, the Decree introduces two main exceptions to reducing this period.

The first case is that of films released in less than 80 theatres and having gained less than 50 000 viewers within the first 21 days: in this case, the Decree allows a shortening of the time lag to 60 days.

The second hypothesis is short-time released films (3 days or less in theatres, excluding the weekend): in this case, the window's length is reduced to only 10 days.

These reductions are intended to allow smaller (Italian) productions to circulate more quickly and easily on other platforms while possibly reducing the opportunity for piracy.

In case of violations of these provisions, the productions might not be admitted to the tax credit or other fiscal or financial benefits for cinematographic productions.

D.M. 531 29/11/2018 - MODIFICHE AL D.M. 14 LUGLIO 2017 recante individuazione dei casi di escluisione delle opere audiovisive dai benefici previsti dalla legge 14 novembre 2016 n.220, nonchè dei parametri e requisiti per definire la destinazione cinematografica delle opere

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https://www.beniculturali.it/mibac/multimedia/MiBAC/documents/1544799193923_registrato_d.m._29_novembre_2018_rep._531.pdf

Ministerial Decree no 531 of 29 November 2018

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