[DE] *Bundestag* adopts revised Film Support Act

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On 20 May 2021, the German *Bundestag* (lower house of parliament) adopted the *Gesetz zur Änderung des Filmförderungsgesetzes* (Act amending the Film Support Act, doc. 10/27515). This so-called 'minor amendment' is designed to provide further guidance on the collection and use of the film levy and to adapt the Act to current pandemic-driven changes to market conditions. At the same time, it places greater focus on ecological aspects of the film production support mechanism.

The *Filmförderungsgesetz* (Film Support Act – FFG) regulates the financial support provided to the German film industry by the *Filmförderungsanstalt* (Film Support Agency – FFA) via the so-called *Filmabgabe* (film levy). Its general objective is to safeguard the German film industry and strengthen it as a cultural and economic asset. The FFG is also designed to uphold and improve the quality and diversity of the German film landscape. The amendment adopted by the *Bundestag* was designated as a 'minor amendment' because it allows provisions for the film industry to be adapted to exceptional situations, in particular those resulting from the current pandemic. It enables the FFA to react flexibly, mainly by making it easier to adjust the eligibility requirements for receiving support, how the funding is used, and blackout periods. It also, in the new Article 55a, for example, calls for greater ecological sustainability in film-making, while under the new Article 59a, financial support is only available for project films if ecological sustainability is taken into account through effective measures in the film-making process. In Article 143(2)(1) of the amended Act, reference film funding can now also be used to pay for measures designed to keep a company afloat if it suffers financial hardship as a result of force majeure. The rules on the composition of the FFA's management bodies have also been amended. In order to promote diversity, especially gender equality, the amendment contains new provisions on the make-up of the FFA board of directors (see Article 6 *et seq*. FFG) and executive committee (see Article 12 *et seq*. FFG). A third sentence is added to the rule concerning the FFA president in Article 15(1) FFG, requiring either the president or a vice-president to be female. These changes are designed to increase gender equality in the FFA's management bodies. Article 2 FFG, which governs the FFA's tasks, now also mentions the need to provide fair working conditions (see Article 2(1)(9)), to protect the needs of people with disabilities and to safeguard diversity (see Article 2(2)).

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The draft amendment has been submitted to the *Bundesrat* (upper house of parliament) and should enter into force on 1 January 2022. A standard amendment of the FFG is expected in 2024 because the 'minor amendment' only has a short, two-year lifespan on account of the difficulty of predicting the pandemic's long-term effects on the film industry.

Vorgang der Gesetzgebung (BT-Drs. 10/27515)

https://dip.bundestag.de/vorgang/gesetz-zur-%C3%A4nderung-des-filmf%C3%B6rderungsgesetzes/272973?term=filmf%C3%B6rderungsgesetz&f.wahlperiode=19&f.typ=Vorgang&rows=25&pos=1

Legislative procedure doc. 10/27515

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