

LEGAL RULES OF THE 'RESIDENCIAS ACADEMIA DE CINE' (FILM ACADEMY RESIDENCIES) PROGRAMME

1) Purpose of the Programme

Academia de las Artes y las Ciencias Cinematográficas de España (Academy of Cinematographic Arts and Sciences of Spain, hereinafter the "**Academy**") is holding a selection process through which it will grant up to fifteen (15) residencies (hereinafter the "**Residencies**" or "**Residency**") to give emerging or professional filmmakers (only individuals), whether directors, scriptwriters or producers, from Spain and abroad, the means and support necessary to develop new film or audiovisual projects associated with the city of Madrid, in any of the following ways: (i) to be shot in the city of Madrid, (ii) whose plot takes place in the city of Madrid, (iii) in which distinctive elements of the city are part of the plot and/or title of the piece, (iv) or, in specific cases, because they are exceptional projects of special value and uniqueness that sets them apart in the eyes of the selection committee.

The chosen projects (hereinafter the "**Projects**" or "**Project**") may be in any format (feature, short or medium-length, TV series or webseries) and any genre (fiction, documentary, animation, etc.) and the residents may be Spanish or foreign citizens.

2) Who is the Programme for?

The Programme is for emerging or professional filmmakers (individuals) who are of age and any nationality, whether directors, scriptwriters or producers, from Spain and abroad, who submit initiatives focusing on fiction or non-fiction projects (feature, short or medium-length, TV series or webseries) and any genre (fiction, documentary, animation, etc.).

The Residents (hereinafter, the "**Residents**") will be chosen, according to the timeline and criteria laid out below, by a selection committee made up of audiovisual professionals from different areas, ensuring compliance with these legal rules and the suitability of the Projects.

A minimum of five (5) Projects will be selected from people who live in and are registered residents of the city of Madrid and up to a maximum of five (5) Projects from among the projects of category (iv) of section 1) above (exceptional projects of special value and uniqueness that sets them apart in the eyes of the selection committee).

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3) Length of the Residencies

The Residencies will last nine (9) months.

The period within which they may take place will begin on 16 September 2019 and will end on 16 June 2020. The Academy will notify Residents of any changes in these dates before 31 July 2019.

4) Resident selection process

The Residents selection process is broken down into the following phases:

1. Call for and submission of proposals

The Academy will publish the call and these legal rules for the Programme on **24 April 2019** and the period for submitting proposals shall begin on this date and run through **14 June 2019**.

Over this period, anyone interested in proposing their Projects and, therefore, aspiring to a Residency, must submit the following **documents** in person at the Academy headquarters, by post or by email to the addresses below:

- In person / by post:
Addressed to Residencias Academia de Cine
Academia de las Artes y las Ciencias Cinematográficas de España
C/ Zurbano, 3
28010 Madrid (Spain)
- Email:
residencias@academiadecine.com
- Personal ID: photocopy of DNI, NIE or Passport or certificate of residence.
- Detailed breakdown of the Project and its ties to the city of Madrid, explaining in one section the results expected from the Residency.
- Applicant's biofilmography.
- Personal letter explaining participation in the Project.

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- Affidavit (form available for download on the Film Academy website) accepting, among others, the following commitments:

- o Commitment to daily attend the Academy spaces set aside for the Residencies during the hours assigned by the Academy.

- o Commitment to participate in activities scheduled by the Academy under the framework of the Programme, as well as any organised by the Madrid City Council as required.

- o Commitment to present the Projects (work in progress) at each phase established.

- o Commitment to incorporate the official image of the Programme into the finished work, specifying that the Project received support from the Film Academy Residencies Programme in collaboration with the Madrid City Council.

- o Commitment to participate in conferences or activities promoted by the Academy and the Madrid City Council.

- o Commitment to include the official logo of the Programme in the opening credits of the finished audiovisual work, explaining that the Project was developed through the Film Academy Residencies Programme in collaboration with the Madrid City Council.

- o Information on how the Academy handles personal data.

- Affidavit of rights to the intellectual property of the Projects submitted (the form can be downloaded from the Film Academy website). The Academy, when deemed appropriate, may require the corresponding contract of assignment of rights, certificate of Registry in the Intellectual Property Registry or any other documentation it deems necessary.

The Academy provides the forms to be filled out and signed by the applicants for each of the points above on the Programme website.

Likewise, the Academy may ask applicants to clarify any aspects of their proposal, although this will under no circumstances include reformulating the idea.

Only individual applications will be considered.

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2. Granting the Residencies. Selection committee and criteria

Selection Committee: After the deadline for submitting proposals has passed, a Selection Committee will be set up, consisting of three (3) renowned professionals from the film industry, two (2) professionals designated by the Madrid City Council and one (1) member of the Academy President's Office, who will only vote if there is a draw, who will be charged with selecting the fifteen (15) Projects to participate in the Programme. The Selection Committee may declare the call null and void, in full or part, if they consider the proposals received do not meet the criteria and shall meet before 15 July 2019.

Assessment criteria: The Selection Committee shall apply the following criteria in assessing the proposals and selecting the Projects to participate in the Programme:

- Artistic coherence of the proposal
- Interest within the field of film and audiovisual arts.
- Sharing resources and promoting synergies with professionals in the Spanish industry in general and the city of Madrid, specifically.
 - Presenting clear goals to meet over the period of the residency.
 - Suitability of the project to the resources and context in which the Residency is taking place.
 - Presence of the city of Madrid in the Project.

By 31 July 2019, the applicants will be notified of the results of the selection process, which will also be published on the official Academy website with the name of the Project. Those selected must accept the Residency by 15 August 2019. Specifically, a list of the fifteen (15) Projects selected and a list of five (5) alternate Projects will be published. Those selected will be told how to accept the Residency when the time comes.

If an applicant does not accept the Residency by the deadline given, it will be offered to the person with the highest rated Project on the alternates list, who must accept it within the following five (5) calendar days. Otherwise, it will be offered to the second-highest rated Project on the alternates list, and so on. The Academy may shorten the notification time for alternates to accept the Residency, if necessary to ensure proper outcome of the Project, in which case the alternate shall be notified of the new deadline.

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5) Development of the Projects and presentation

In order to develop the Projects, the fifteen (15) Residents must spend at least twenty-five (25) hours a week, Monday to Friday, during the hours agreed upon with the coordinators, but always during Academy hours (9 am to 2 pm and/or 2 pm to 7 pm) at the Academy headquarters in Madrid (28010), Calle Zurbano 3.

Likewise, the Residents must participate in activities organised by the Academy and the Madrid City Council to promote and raise awareness of the Programme and the Project, both directly and indirectly.

At the end of their work process, and on the dates announced, the Residents must screen the results of their creative process. If the Project is not in an advanced enough stage, the result of the work shall be presented in writing and/or at a gathering with the industry professionals and academics designated by the Academy.

The Residents must meet the media commitments arising from the Programme communications plan, which they will be notified of in advance.

6) Resources provided through the Residencies Programme

The Programme will provide selected Residents:

1. A monthly stipend of ONE THOUSAND EUROS (€1,000) for a total of nine (9) months, paid into a bank account each Resident designates for said purpose. This amount is gross and may be subject to withholdings and taxes, as established by law.
2. The Academy will cover travel and housing expenses for Residents whose permanent residence is outside of the Community of Madrid, up to SEVEN-HUNDRED EUROS (€700) per Resident with permanent residence outside of the Community of Madrid but in Spain, and up to ONE THOUSAND FOUR-HUNDRED EUROS (€1,400) per Resident with permanent residence outside of Spain. The Academy will assess the situation of each Resident on a case-by-case basis and manage or purchase travel and accommodations for Residents directly, as necessary.

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3. Mentoring programme. Renowned filmmakers will mentor Residents throughout the Residency. To this end, Residents must meet with their mentors at least every fifteen (15) days in person or online, however the parties mutually agree.
4. Ongoing guidance from Programme coordinators.
5. Physical workspace at the Academy headquarters.
6. Immersion and participation in Academy activities, in order to enrich the Residents' experience (master classes with noteworthy figures from Spanish film, colloquia with filmmakers from Spain and abroad).
7. Ongoing contact with the film industry and filmmakers residing in the city of Madrid.
8. Involvement in guidance programmes, through the City of Madrid Film Office, Cineteca and other bodies of the Madrid City Council.
9. Involvement in activities offered by the Film area of the Madrid City Council, through the City of Madrid Film Office, Cineteca and other bodies of the Madrid City Council.
10. Pitching Projects to industry representatives: Residents will have the opportunity to pitch their Projects to important representatives of the film industry.
11. Presentation of finished Projects to the media and, to the extent possible, at festivals with the City of Madrid Film Office.

7) Residents' Obligations

The Residents undertake to:

1. Develop their Projects by the deadlines given on the work calendar in their respective proposals, and to submit a final report explaining the work carried out at the end of the Residency, as well as the corresponding questionnaire evaluating the Programme.

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2. Provide the Academy with any documents regarding their training and/or career required to accredit any merits or circumstances reported on the participation application.
3. Present the results of the creative process, after the end of the Residency.
4. Participate actively in parallel activities, interacting with creators or the audience, in formats other than presenting the results of the creative process.
5. Make proper use of the facilities and use the spaces assigned exclusively for working.
6. Mention that the Project was developed during their Residency through Programme, including the official logo of the Programme and declaring that the project received support from the Film Academy Residencies Programme in collaboration with the Madrid City Council, as well as including this information in any documentation generated for the Project over the course of the Residency or the resulting audiovisual work.
7. If, after the Residency, the Project is produced, Residents shall provide the Academy and Madrid City Council quality information and audiovisual/photographic material of the shooting process, upon request.

Over the course of the Residency, quarterly, the Academy will assess the Residents' performance in the Residents Programme and coordinators will conduct an ongoing evaluation throughout the Residencies, reserving the right to revoke the Residency if the Resident is not performing to proper standards.

8) Image rights

The Residents authorise the Academy and the Madrid City Council to use their name and surname (or artistic name), image and voice, and to record their image and voice during the Residency, for the sole purpose of documenting the development of the Project and promoting the Programme.

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9) Intellectual property rights

Likewise, Residents undertake to assign to the Academy and Madrid City Council, specifically the City of Madrid Film Office, the rights to reproduce, distribute, communicate to the public (including making available to the public right) and transform (limited to creating promotional materials for the Programme or the activities of the Film Academy and the Madrid City Council) fragments of the Project worldwide, free of charge and on a non-exclusive basis, until it enters into the public domain and in any format or medium and by way of any system, procedure or method (e.g. Internet, television, cinemas, press, etc.).

Regarding the resulting audiovisual works, the Residents will do everything in their power to ensure that the holders of said rights authorise the Academy and/or Madrid City Council, specifically the City of Madrid Film Office, to use fragments of up to two (2) minutes of said works for the same purpose and scope as established in this paragraph for the Project, as well as using graphic and audiovisual materials showing the process of creating said audiovisual works.

10) Protection of personal data

a) Controller: Academia de las Artes y las Ciencias Cinematográficas de España with address at Calle Zurbano, 3, 28010 Madrid.

b) Processed data: any data on the form to submit a proposal, attached documents or other information provided during the project selection process.

c) Purpose of the processing: to manage the granting of Residencies and proper development of the Projects and the Programme.

d) Automated individual decision-making: no profiling or automated individual decision-making is done.

e) How long will personal data be stored? The data from applications will be stored for the duration of the selection process and/or Residencies, as applies. After said period, the data may be blocked and stored if necessary to comply with the legal obligations of the Academy.

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f) Legal basis for the processing: the legal basis for the processing is a contract, through which data subjects accept the rules of the project.

g) Obligation to provide data and consequences of not providing them: The data requested is obligatory, as otherwise it will not be possible to process your proposal.

h) Recipients: the Project Selection Committee, made up of members of the Madrid City Council and independent professionals and members of the Academia de las Artes y las Ciencias Cinematográficas de España.

i) International transfer of data: we use virtual infrastructure with a “cloud computing” model through Google, under the EU-US Privacy Shield Framework (<https://bit.ly/2l21l4Z>).

j) Rights: you have the right to obtain confirmation as to whether or not we are processing data that pertains to you. As the data subject, you have the right to access your personal data, and to request they be corrected if they are inexact or, when applicable, request they be erased when, among other reasons, the data are no longer necessary for the purposes for which they were collected.

In certain circumstances, you may request limited processing of your data, in which case they shall only be saved to exercise or defend in case of claims.

In certain circumstances and for reasons associated with a specific situation, you may oppose to the processing of your data. We will stop processing the data, except when there are legitimate overriding circumstances, or to exercise or defend against any possible claims.

In cases in which processing is based on your consent, you may revoke it at any time.

When legally required, you have the right to data portability, which implies receiving your personal data that we are processing and storing them on your own device. This right also allows you to request we notify another data controller of your data.

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Likewise, if you believe there has been a problem or incident regarding the processing of data, you may contact us at protecciondedatos@academiadecine.com, and, in any case, you have the right to lodge a claim with the Supervisory Authority for the protection of personal data, which in Spain is the Spanish Data Protection Agency. To exercise your rights, send us a request to protecciondedatos@academiadecine.com with a copy of your official photo ID.

11) Suspension or cancellation of the Programme. Modification of these Rules

The Academy reserves the right to suspend, postpone or cancel, in full or part, this Programme, for causes of force majeure or duly justified reasons, without said suspension, postponement or cancellation entailing liability of any sort for the Academy, notifying the applicants and/or Residents as soon as possible.

Likewise, the Academy reserves the right to modify these Rules, in full or part, for causes of force majeure or when strictly necessary to ensure the proper outcome of the Programme for duly motivated reasons. If these Rules are modified, the Academy shall notify those involved by the same means these Rules were disseminated or published.

12) Resolution of conflicts

Any issues or controversies that may arise as a result of the Programme should be taken up with the Academy in writing in order for the parties to reach an amicable resolution. If no amicable resolution is reached, the Parties hereby agree to take said issues up with the Courts of the City of Madrid, waiving any rights to other jurisdictions that may apply.

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