



LEGAL RULES FOR THE "FILM ACADEMY RESIDENCIES PROGRAMME" 2022-2023

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 twenty (20) residencies (hereinafter the "**Residencies**" or "**Residency**") to give emerging or professional filmmakers (individuals only), whether directors or scriptwriters, from Spain or abroad, the means and support necessary to develop new film or audiovisual projects associated with the city of Madrid, in any of these ways:

- I. To be shot in the city of Madrid
- II. Plot takes place in the city of Madrid
- III. Distinctive elements of the city are part of the plot and/or title of the piece
- IV. In specific cases, exceptional projects of special value and uniqueness that sets them apart in the eyes of the selection committee will be considered even though they don't meet the requirements above.

The projects chosen (hereinafter the "**Project**" or "**Projects**") may be a feature film or series in any genre (fiction, documentary, animation, etc.) and the residents may be Spanish or foreign citizens.

2) Who is the target audience for the Programme?

The Programme is for emerging or professional filmmakers (individuals) who are of legal age at the time of applying, of any nationality, either directors or scriptwriters, from Spain or abroad, who submit initiatives focusing on fiction or non-fiction projects in feature-film or series format and any genre (fiction, documentary, animation, etc.).

The residents (hereinafter, the "**Residents**") will be chosen, according to the timeline and in the manner laid out below, by a pre-selection committee and a selection committee made up of audiovisual professionals from different arenas, ensuring the Projects comply with these legal rules and are appropriate.

A minimum of seven (7) 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 falling into category (IV) of section 1) above (exceptional projects of special value and uniqueness that sets them apart in the eyes of the selection committee, even though they don't meet the requirements above - I, II, III) and at least two (2)

projects will be developed by academics from the Academia de las Artes y las Ciencias Cinematográficas de España.

The selection of Residents shall aim towards full parity between men and women, and the final selection of trainees shall have a presence of not less than 40% of each sex in the selection of trainees.

3) Length of the Residencies

The Residencies will last nine (9) months.

The period within which they may take place begins on 01 October 2022 and ends on 30 June 2023. The Academy will notify Residents of any possible changes in these dates by 31 August 2022.

4) Resident selection process

The process for selecting Residents 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 **01 April 2022**. The application period will start on **7 April 2022 at 10:00 Spanish peninsular time** and will remain open until **26 April 2022** at 13:59 Spanish peninsular time.

A period for rectification of errors and/or omissions in applications will be established for a maximum of two (2) weeks from the closing date of the application period. Notwithstanding the preceding, the period for rectification will begin once the application has been reviewed by the Programme coordinators and will continue for twenty-four (24) after it has begun.

During the application period, anyone interested in proposing their Project and, therefore, aspiring to a Residency, must **FILL IN THE ONLINE FORM AND ATTACH THE FOLLOWING documents**, as indicated on the application platform and in the size indicated:

- Copy of valid photo ID: DNI, NIE or Passport
- Certificate of residency, only if a registered resident of the City of Madrid.
- Detailed breakdown of the Project and its ties to the city of Madrid, explaining in one section the results expected from the Residency. This description should be between 10 and 20 pages long with the following sections:
 - Table of contents
 - Synopsis - one (1) page
 - Screenplay treatment - six (6) to ten (10) pages
 - Cover letter with personal motivation and intentions regarding the Film Academy Residency programme with a minimum of two (2) pages. It is mandatory to include here the relation with the city of Madrid, if there was one.
 - Applicant's bio/filmography

*There will be a section on the application platform to attach any necessary extra documents - visual references, graphics, casting, etc. It will not be mandatory for the selection committee to consult or evaluate this documentation. The documentation will have a maximum file size indicated on the registration platform, and documents will be accepted in pdf and jpg. If you would like to attach videos or music, upload a pdf document with links to the files. No Wetransfer or similar links will be accepted.

- Sworn affidavit (form available on the platform) accepting, among others, the following commitments:
 - Commitment to spend time daily in the Academy spaces set aside for the Residencies during the hours assigned by the Academy.
 - 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.
 - Commitment to present the Projects (*work in progress*) at each phase established.
 - Commitment to incorporate the official image of the series into the finished piece, specifying that the Project received support from the Film Academy Residencies Programme in collaboration with the Madrid City Council.
 - Commitment to participate in conferences or activities promoted by the Academy and the Madrid City Council.
 - Commitment to include the official logo of the Programme in the opening credits of the finished piece, explaining that the Project was developed through the Film Academy Residencies Programme in collaboration with the Madrid City Council.
 - Commitment to comply with the health protocols adopted by the Academy and the current applicable health regulations in relation to COVID-19.
 - Information on how the Academy processes personal data.
- Sworn affidavit that the applicant holds the rights to the intellectual property of the Project submitted (through the platform). The Academy, when deemed appropriate, may require the corresponding contract granting rights, certificate of Registry in the Intellectual Property Registry or any other documentation it deems necessary.

The documents will be submitted preferably in Spanish, but may be submitted in English. The Programme activities will take place in Spanish.

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 and only one (1) per applicant.

No applications will be accepted by email and no applications will be accepted in person. Only applications submitted through the platform provided by the Academy for this purpose and that include the documents required, as per this section, will be considered.

The documentation submitted may be corrected when the coordination team of the Programme requires this, in cases of material errors and other specific cases that justify this (for instance, documents submitted that are partially illegible, illegible images or photocopies of identification documents, etc.) If the report does not include the sections indicated in the present rules for submitting the application, the application may be rejected.

2. Granting the Residencies: Pre-selection, selection of applicants and criteria assessment

Pre-selection Committee: After the deadlines for applications and resolving any issues have passed, a pre-selection committee will be set up for each of the following categories:

1. Fiction feature films
2. Fiction series
3. Documentary feature films and series
4. Animated feature films and series

This committee, whose size will vary according to the number of applications received, will make an initial selection of the Projects, based on the indicators in section 4.1 and the assessment criteria in section 4.2.

The pre-selection committee will be made up of professionals from the audiovisual industry appointed jointly by the Academy and the Madrid City Council. Efforts will be made to incorporate people directly linked to previous editions of the Film Academy Residency Programme. This committee will select no more than two hundred and fifty (**250**) final projects.

The pre-selection committee will use the following assessment criteria in its evaluation of the applications:

- Artistic coherence of the proposal (50 points out of 100)
- Interest within the field of film and audiovisual arts (20 points out of 100)
- Presentation of clear objectives to be developed in the period for which the residency is applied for and suitability of the project to the resources and context in which the Residency is taking place (20 points out of 100)
- Applicant's bio/filmography (5 points out of 100)
- Sharing resources and promoting synergies with professionals in the Spanish industry, in general, and the city of Madrid, specifically (5 points out of 100)

The projects pre-selected by the Pre-selection Committee will be individually assessed and the base scores will be awarded by obtaining averages between the different scores awarded by each evaluator, without prejudice to the power of the Selection Committee, as the decision-making body, and in accordance with the assessment and result criteria established in these rules, to re-evaluate and formulate the definitive selection proposal.

The rating required for pre-selection of the projects so that they can go on to the next phase of selection will be sixty points (60).

Selection Committee: Once the pre-selection process is finished, a Selection Committee will be set up, consisting of renowned professionals from the film industry or with ties to the audiovisual sector, three (3) appointed by the Academy and three (3) appointed by the Madrid City Council, plus one (1) member acting as President or Vice-president of the Academy, who will only vote in case of a draw.

The commission will be in charge of selecting twenty (20) Projects to participate in the Programme and seven (7) substitute projects. 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. The Committee shall meet before 20 August 2022

The Selection Committee will apply the criteria defined above when assessing the applications and selecting the Projects for the Programme, also applying the following **results criteria:**

A - As this is a **support programme for film or audiovisual projects related to the city of Madrid**, only a maximum of 5 of the 20 projects selected may be projects that do not directly involve the city of Madrid, on the basis of their exceptional nature, values and special singularity, as accredited by the Selection Committee. Consequently, at least 15 selected projects will directly feature the presence of the city of Madrid in accordance with the terms of Article 1) "Objective of the Programme", Sections I, II and III of these Rules.

B - At least (7) projects will be developed by residents of the city of Madrid (submitting proof of registration as residents).

C - At least two (2) projects will be developed by members of the Spanish Academy of Motion Picture Arts and Sciences.

D - The selection of trainees shall aim towards full parity between men and women, and the final selection of trainees shall have a presence of not less than 40% of each sex in the selection of trainees.

E - Accordingly, a balance will be struck among the profiles of the residents (emerging creators and professionals).

Members of the pre-selection and selection committees must respect the objectivity, neutrality and impartiality of the selection process and comply with the duty of professional secrecy, which will include, at all times, the prohibition of providing information to any person, entity or organisation on the different issues that are debated within the committee, the scores obtained, as well as the result of the selection process prior to its official communication.

No person may be a member of the Pre-Selection Committee or of the Selection Committee if any of the following circumstances apply to them or, if they are a member, they must abstain from evaluating the applicant's project if any of the following circumstances apply to them:

- Persons having a personal, direct or professional interest in relation to any of the projects or applicants.

- Persons who have a marital or similar *de facto* relationship or a blood relationship, within the fourth degree, or an affinity, within the second degree, with any of the applicants.
- Persons who have a close friendship or obvious enmity with any of the persons mentioned in the previous section.
- Persons who have a service relationship with applicants or who have provided them with professional services of any kind and in any circumstance or place.

These circumstances shall also operate as criteria for abstention and exclusion in the development of the work of these selection panels. Such abstention and/or exclusion may operate only in relation to the evaluation of the project and/or the applicant in respect of whom the cause of incompatibility in question applies.

Over the course of August 2022, the applicants will be notified of the results of the selection, and they must expressly accept the Residency in writing before the public ceremony presenting the winners of the Residencies, which is expected to be held during the festival "Veranos de la Villa" on 23 August 2022. The winners will be disclosed after this presentation ceremony on the official website of the Academy with the Project's name. Specifically, a list of the twenty (20) Projects selected and a list of the next seven (7) highest-scoring Projects will be published. These next seven (7) highest-scoring Projects will also be ranked by the Selection Committee in the order they will be offered Residencies if any of the twenty (20) Projects selected decline the opportunity or its development proves not to be feasible, they will enter in that order. 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 ranked 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 ranked 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.

Once the decision on the Residencies 2022-2023 has been made public, the Academy undertakes to provide information, at the request of applicants who have not obtained a Residency, regarding the qualification phase attained by the Project and the rating obtained.

5) Implementation and presentation of the Projects

In order to carry out the Projects, the TWENTY (20) 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 6 pm Monday to Friday and 9 am to 3 pm on Fridays), at the Academy headquarters in Madrid (28010), Calle Zurbarano 3. Nevertheless, the Academy may, when necessary or advisable in its opinion for reasons directly or indirectly related to COVID-19, reorganise the

Programme and the Residents' obligation to attend, in whole or in part, in a telematic manner.

The coordination team, after having consulted with the City Council, may revoke the post of Resident if the individual fails to appear in person on 20% of the days. In no case may the failure to attend exceed two (2) consecutive weeks. The Residents have the obligation of attending all activities scheduled by the Programme coordination team, and an absence at 25% of these activities constitutes sufficient cause for the Programme coordination team to revoke the post.

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 THREE-HUNDRED AND FIFTY EUROS (€1,350) for a total of nine (9) months, paid into a bank account designated by the Resident 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 expenses for Residents whose permanent residence is outside of the Community of Madrid, up to a gross amount of SEVEN-HUNDRED EUROS (€700) per Resident with permanent residence outside of the Community of Madrid but in Spain, and up to a gross amount of 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 for Residents directly, as necessary. Applicants who submitted a certificate of residency for the city of Madrid, or whose address on the application is in the Community of Madrid, shall not be eligible for said travel expenses, even if they are not living in the Community of Madrid at the start of the Residency.
3. Economic support for rental of up to a gross amount of FIVE HUNDRED EURO (€500) per month for the nine (9) month of the duration of the Programme for individuals who usually reside outside of the Community of Madrid and relocate to the City of Madrid, after first presenting the rental agreement to demonstrate this fact. The Academy will assess on a case-by-case basis the situation of each Resident who applies for this economic aid.
4. Mentoring programme. Renowned filmmakers will mentor Residents throughout the Residency. To this end, Residents must meet with their

mentors once or twice a month, in person or online, however the parties mutually agree.

5. Ongoing guidance from the Programme coordination team.
6. Physical workspace at the Academy headquarters.
7. 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).
8. Ongoing contact with the film industry and filmmakers residing in the city of Madrid.
9. Involvement in guidance programmes, through the Department of Economy, Innovation and Employment, Madrid Film Office, Film Archive and other bodies of the Madrid City Council associated with managing economy, culture and film in the city.
10. Involvement in activities offered by the Madrid City Council, associated with the audiovisual sector, through the Madrid Film Office, Film Archive and other bodies of the Madrid City Council.
11. Pitching Projects to industry representatives: Residents will have the opportunity to pitch their Projects to important representatives of the film industry.
12. Presentation of finished Projects to the media and, to the extent possible, at festivals with Madrid City Council and the Madrid Film Office.

It is important to take into account that, in the event that a project with several authors has been selected (co-authors who will be required to cede the rights by a sworn statement for all items related with the Residencies Programme), all benefits and obligations refer to the twenty (20) individuals selected, which means that the co-authors will not receive any of these benefits. In spite of the preceding statements, the co-authors are permitted to attend the mentoring and training sessions, but the Resident (an individual) selected will be the person who will represent the Project comprehensively in the relevant activities and communications (final pitch, web files...).

7) Residents' Obligations

The Residents undertake to:

1. Carry out their Projects by the deadlines given on the work calendar in their respective proposals, and submit at least one (1) initial version of the finished screenplay at the end of the Residency, as well as filling in the corresponding questionnaire evaluating the Programme.
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 and/or transfer the obligation to mention to the relevant third parties, when screening and disseminating the works developed during the Residency

that they were carried out through the 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 and particularly the resulting audiovisual work.

7. Communicate all new sources of support or involvement in other professional initiatives from which the Project benefits during the term of Residency.
8. If, after the Residency, the Project is produced, Residents shall provide the Academy and Madrid City Council quality information and audiovisual/photographic material of production including the shooting process, upon request. The Resident knows and agrees that the Academy, as well as the Madrid City Council and related entities (Madrid Film Office), can use the materials mentioned above to disseminate the Residencies Programme without any type of limitation.
9. Strict compliance with all the measures and protocols adopted by the Academy for the prevention and containment of the transmission of COVID-19 that are applicable at the Academy's headquarters and/or in the different spaces where activities related to the Programme are carried out, as well as, at all times, with the health regulations currently applicable in the city of Madrid.

Over the course of the Residency, quarterly, the Academy will assess the Residents' performance in the Residencies 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.

The Film Academy, after consulting the Madrid City Council, may decide to terminate the Residence and, therefore, the Resident may leave the Programme if (i) the performance is not as required or as could reasonably be expected for a project of these characteristics, or (ii) there is evidence of non-compliance with the obligations and/or guarantees indicated in these conditions, especially in this section 7, as well as in the letter of acceptance to be signed by the Residents. In any of the above cases, the Resident in question may be required to reimburse the financial endowment received up to that time.

Furthermore, the Resident who leaves the Programme once it has begun for any reason, including those linked to supervening commitments of a professional nature, must give notice of his/her resignation as far in advance as possible, in any case not less than sixty (60) days prior to the intended date of leaving, with the justification and reasons for leaving being assessed on an individual basis for acceptance. In the event that the period of notice is not complied with or the justification given for the abandonment is not accepted by the Academy, the provisions of the following paragraph shall apply.

In the previous case, and in any case when the abandonment takes place after the six (6) month period from the start of the Programme, which makes the replacement of the Resident unfeasible in view of the training objectives of the Programme, the reimbursement of the economic endowment received by the Resident until his/her departure may be required, as well as his/her cancellation from that date as a

recipient of Programme communications and his/her exclusion from the files and other contents relating to the Resident on the web page.

The Resident is aware and agrees that the title/format of the Project selected cannot be changed nor can any other substantial change be made except with the express agreement with the Programme coordinators.

8) Image rights

The Residents authorise the Academy and the City Council, as well as third parties authorised by them, to record, post and/or reproduce their image, voice, name and surname (and, where appropriate, artistic name), their photograph, portrait and physical image, reproduced or generated by any graphic, technical and/or artistic means that makes it perceptible, their biography, as well as their professional record and other data or elements of personal identification (hereinafter, all of the above jointly referred to as the "**Image**"). The authorisation to record and use the Image is granted for the purposes of project and Programme documentation and promotion, for the maximum period of time permitted by law, throughout the world and by means of any means of exploitation, support, format and/or media. The above authorisation expressly includes the recording of the Image during their participation in the Residence and in activities and events of all kinds related to the Residence (such as, but not limited to, photographic sessions, public presentations, press conferences, attendance at festivals, etc.).

9) Intellectual property rights

Likewise, Residents undertake to transfer to the Film Academy and Madrid City Council, specifically the Madrid Film Office, the rights to reproduce, distribute, communicate publicly (including making publicly available) 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 including its title worldwide, at no cost and without exclusivity, until it becomes public domain and via any media, support format and/or mode (e.g. Internet, television, cinemas, press, etc.). The Residents agree to sign any documents that may be necessary for the maximum and full effectiveness of the transfer of rights over the Project foreseen herein.

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 Madrid Film Office, to use fragments of up to two (2) minutes of said works for the same promotional purpose and scope as established in the previous 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) Data controller: Academia de las Artes y las Ciencias Cinematográficas de España with address at Calle Zurbano, 3, 28010 Madrid. Contact DPD: protecciondedatos@academiadecine.com.

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

c) Purpose of processing: to manage the granting of Residencies and the 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 kept? The data from applications will be kept for the duration of the selection process and/or Residencies, as applies. After said period, the data may be blocked and kept as needed in order to comply with the legal obligations of the Academy.

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

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

h) Recipients: The Pre-selection Committees and the Project Selection Committee, made up of members of the Madrid City Council and independent professionals and members of the Academy of Cinematographic Arts and Sciences of Spain.

i) International transfer of data: The Academy uses virtual infrastructure with a "cloud computing" model through Google and Amazon, both under the European Commission's standard contractual clauses.

j) Rights: Anyone associated with the Residencies Programme has the right obtain confirmation as to whether or not the Academy is processing data that pertains to them. As the data subject, you have the right to access your personal data, and to request it be corrected if it is inexact or, when applicable, request it be erased when, among other reasons, the data is no longer necessary for the purposes for which it was collected.

In certain circumstances, you may request processing of your data be limited, in which case it 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. The Academy 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 the Academy is processing and storing it on your own device. This right also allows you to request the Academy disclose your data to another data controller.

For any issues regarding data processing, or if you have an incident or want to get in touch with the Academy regarding data processing, you may contact the Data Protection Officer 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 valid photo ID.

11) Suspension or cancellation of the Programme. Changes to these Rules

The Academy, after having consulted with the City Council, 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 making the Academy liable in any way, notifying the applicants and/or Residents as quickly as possible.

Likewise, after consulting the City Council, 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 shall 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.