



LEGAL RULES FOR THE FILM ACADEMY RESIDENCIES PROGRAMME 2023-2024

1) Purpose of the Programme

Fundación Academia de Cine (hereinafter, the "**Foundation**") is holding a call to select up to twenty (20) residencies (hereinafter the "**Residencies**", "**Residency**" and/or "**Programme**" interchangeably) to give emerging or professional filmmakers (individuals only), whether screenwriters or screenwriters/directors, from Spain or abroad, the means and support they need to develop new film or audiovisual projects related to the city of Madrid, in any of these manners:

- 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 commission 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 TV series in any genre (fiction, documentary, animation, etc.) and the beneficiaries (hereinafter 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, whether screenwriters or screenwriters/directors, from Spain or abroad, who submit proposals focused on developing fiction or non-fiction projects, as feature films or TV series, from any genre (fiction, documentary, animation, etc.).

The Residents will be chosen, in the manner and period described below, by a pre-selection committee and a selection commission, bodies made up of audiovisual professionals from different arenas, ensuring compliance with these rules and the suitability of the Projects.

A minimum of seven (7) Projects will be selected from registered residents of the city of Madrid, up to five (5) projects from category (IV) of section 1) above (projects that, although they don't meet the previous requirements -I, II, III- are exceptional and show special values and uniqueness highlighted by the selection commission)

and at least two (2) projects will be developed by academics from the Academia de las Artes y las Ciencias Cinematográficas de España (hereinafter the “**Academy**”).

The selection of Residents will have full gender parity, with the final selection of Residents to have each sex representing at least 40% of the total.

3 Duration of the Residencies

The Residencies will last nine (9) months.

The period for enjoying the Residencies will begin on 2 October 2023 and end on 30 June 2024. The Foundation will notify Residents of any change to these dates, foreseeably, before 31 August 2023.

4) Resident selection process

The process for selecting Residents is broken down into the following phases:

1. Call and applications

The Foundation will announce the call and these legal rules for the Programme on 29 March **2023**. On **4 April 2023 at 10:00 am Spanish peninsular time**, the window for submitting applications will open, with the deadline on **20 April 2023** at 1:59 pm Spanish peninsular time.

There will be a period for correcting errors and/or omissions in the applications to last no longer than two (2) weeks from the deadline for submitting applications. Notwithstanding the above, the option to correct an application will be open after the Programme coordinators have reviewed the application and will remain open for twenty-four (24) hours after the incident is notified.

During the application period, anyone interested in proposing their Projects and, therefore, aspiring to a Residency, must fill in the online form and submit the following documents as per the provisions on the registration platform and respecting any size limits established there:

- Certificate of residence - only if registered in 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 breakdown must be between 10 and 20 pages with the following sections:
 - Table of contents
 - Synopsis - one (1) page
 - Screenplay treatment - six (6) to ten (10) pages
 - Letter of personal motivation and intentions of the Project with regard to the Film Academy Residencies Programme, at least two (2) pages, including any ties to the city of Madrid, if applicable.
 - Applicant’s bio/filmography.

*There will be a section of the registration platform to attach extra documents, visual references, graphics, casting, etc. if necessary. The selection committee is not obliged to look at or consider these extra documents. The maximum file size is set by the platform and only PDF and jpg formats will be accepted. If you would like to attach videos or music, upload a pdf document with links to the files. No links to Wettransfer or similar platforms and/or programs 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 Foundation.
 - Commitment to participate in activities scheduled by the Foundation and/or 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 Programme in the finished pieces, specifying that the Project was developed under the framework of the Film Academy Residencies Programme, which receives support from the Madrid City Council.
 - Commitment to take part in conferences or activities promoted by the Foundation, Academy or Madrid City Council.
 - Commitment to include the official logo of the Programme in the opening credits of the finished piece, specifying that the Project was developed thanks to the Film Academy Residencies Programme, which receives support from the Madrid City Council.
 - Commitment to comply with any healthcare protocols adopted by the Foundation and/or Academy, as well as current healthcare rules that apply for COVID-19 and/or any analogous infectious disease.
 - Information on Foundation processing of personal data.
- Sworn affidavit that the applicant holds the rights to the intellectual property of the Project submitted (through the platform). The Foundation, when deemed appropriate, may require the corresponding contract granting rights, certificate of Registry in the Intellectual Property Registry and/or any other documentation it deems necessary.

The information and documents provided by the applicants must be true, accurate and complete, and applicants shall be solely liable. Any inaccuracy, untruth or omission, essential in nature, in any fact and/or information on an affidavit of liability and/or communication will render the applicant unable to continue in the selection process, with the application thus rejected or, if applicable, the Residency revoked, without prejudice to any liabilities that may arise.

The documents will be submitted preferably in Spanish, but may be submitted in English. All without prejudice to the Foundation's right to require a full or partial translation, simple or sworn, of certain documents, given their particular significance or uniqueness.

The Programme activities will take place in Spanish.

Furthermore, the Foundation may require applicants to clarify aspects of their application, which may under no circumstances include reformulating the idea.

Only individual applications will be considered and only one (1) per applicant. Individuals who submit an application on the registration platform of the Film Academy Residencies Programme may not also do so on the "Programa Rueda" platform.

Applications sent in by email or in person will not be accepted. Only applications submitted through the platform provided by the Foundation for this purpose and that include the documents required, as per this section, will be considered.

Applications that don't meet the conditions laid out in this section, or that don't provide the required documents, will be rejected automatically. Applicants may correct the documents submitted at the request of the Programme coordinators if there are any material errors or other justifiable situations (illegible documents, images or photocopies of ID documents, etc.) or formal changes detected. If the breakdown of the Project does not contain the sections laid out in these rules when the application is submitted, the application may be rejected.

Without prejudice to the above, anyone selected must provide a photocopy of valid ID: DNI (front only), NIE or Passport.

2. Granting the Residencies: Pre-selection and Selection of applications and assessment criteria

Pre-selection committee: After the deadline for applications and the correction period, a pre-selection committee will be set up with the following sections:

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

(hereinafter the "**Pre-selection Committee**" or the "**Committee**" interchangeably).

The Committee, whose number of members will vary depending on the number of applications received, will pre-select the projects based on the assessment criteria in section 4.2.

The Pre-selection Committee will be comprised of professionals from the audiovisual industry proposed jointly by the Foundation and the Madrid City Council. An attempt will be made to include members with direct ties to the Film Academy Residencies Programme previous years. This Committee will select a maximum of two-hundred and fifty (250) projects as finalists.

The Pre-selection Committee, in its assessment of the applications, will consider the following criteria:

- Artistic coherence of the proposal (50 points out of 100)

- Interest within the field of film and audiovisual arts (20 points out of 100)
- Clear goals to meet over the period of the Residency and suitability of the project to the resources and context in which the Residency takes 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 chosen by the Pre-selection Committee are guaranteed to be weighted individually, with the overall points granted being the arithmetic mean of the points granted by each member of the committee, without prejudice to the power of the selection commission (hereinafter the "**Selection Commission**" or the "**Commission**" interchangeably), as the decision-making body, in accordance with the results and assessment criteria laid out in these rules, to reassess and formulate a final selection proposal.

Any project must receive at least sixty (60) points to be pre-selected and move on to the next phase. From the projects with more than sixty (60) points, each member of the Pre-selection Committee may choose up to twelve (12) projects to move on to the next phase. The second phase will have up to two-hundred and fifty (250) projects.

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

The Commission will be charged with selecting the twenty (20) Projects to participate in the Programme and seven (7) alternates. The Commission may declare the call null and void, in full or part, if they consider the proposals received do not meet the criteria.

The Commission will meet, foreseeably, before 20 August 2023 and apply the criteria above to assess and select Projects for the Programme, likewise applying the following results criteria:

- a) As this is a programme to support *cinematographic or audiovisual projects associated with the city of Madrid*, of the twenty (20) projects selected, only five (5) may be projects without a direct presence in the city of Madrid in the piece, based on their exceptionalness, values or special uniqueness, accredited by the Selection Commission. As a result, at least fifteen (15) projects selected will have a direct presence of the city of Madrid, as per the terms laid out in Article 1 of these rules, "Purpose of the Programme", sections I, II and III.
- b) At least seven (7) projects must be from registered residents of the city of Madrid (with proper certification).

- c) At least two (2) projects must be from members of the Academia de las Artes y las Ciencias Cinematográficas de España.
- d) The selection of Residents will have full gender parity, with the final selection of Residents to have each sex representing at least 40% of the total.
- e) Furthermore, an attempt will be made to balance the profiles of the Residents (emerging and professionals).

The members of the Committee and the Commission are obliged to respect the objectivity, neutrality and impartiality of the selection process and to uphold their duty of professional secrecy, which shall comprise, in any case, non-disclosure of any information to any person, entity or organisation regarding any of the issues discussed, points obtained or the results of the selection process before they are announced officially.

Anyone in any of the circumstances below may not be a member of the Pre-selection Committee or the Selection Commission, or if they are a member must abstain from assessing the project of any applicant in which any of the following circumstances apply:

- Individuals with a personal, direct or professional interest in any of the projects or applicants.
- Individuals with ties of marriage or analogous or fourth degree kinship or second degree affinity with any of the applicants.
- Individuals with an intimate friendship or manifest enmity with any of the individuals in the previous point.
- Individuals with a service relationship with any of the applicants or who have, in the past two (2) years, provided them with professional services of any sort, under any circumstances and in any location.

These circumstances, therefore, will act as criteria for abstention and exclusion from the tasks of said selection bodies. Said abstention and/or exclusion may apply only to the assessment of the project and/or applicant to which said conflict of interest applies.

At some point in August 2023, the applicants will be notified of the results of the selection and must expressly accept the Residency in writing before the public announcement of the individuals selected for the Residencies, which foreseeably will take place at the "Veranos de la Villa" festival on 23 August 2023. The winners will be posted, after the presentation, on the official website of the Foundation by name of Project. Specifically, a list of the twenty (20) Projects selected and a list of seven (7) alternate Projects will be published. These seven (7) alternate Projects will also be ranked by the Selection Commission in the order they will be offered Residencies if any of the twenty (20) Projects selected decline the opportunity. 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 Foundation may shorten the notification time for alternates to accept the Residency, if necessary, to ensure the proper outcome of the Project, in which case the alternate shall be notified of the new deadline.

After announcing the resolution of the Residencies 2023-2024, the Foundation undertakes to notify the applicants who were not granted Residencies, at their request, of which phase their Projects made it to and the points they were awarded in the first phase.

5) Execution 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 on with the coordinators, but always during Foundation hours (9:00 am to 6:00 pm Monday to Thursday and 9:00 am to 3:00 pm on Fridays), at the Foundation headquarters in Madrid (28010), Calle Zurbano 3. In any case, the Foundation may, when necessary or advisable in its judgement, reorganise the Programme and the Residents' attendance obligations virtually, in full or part.

The Programme coordination team, in agreement with the City Council, may revoke the Resident's spot if they fail to attend in person more than 20% of the days. Under no circumstances may failure to attend last more than two (2) weeks in a row. The Residents have the duty to attend all activities scheduled by the Programme coordinators and failure to attend 25% of said activities shall be grounds for revoking the Residency.

Furthermore, the Residents must participate in activities organised by the Foundation, the Academy and/or the Madrid City Council to promote and/or raise awareness of the Programme and the Projects, both directly and indirectly.

At the end of their work process, and on the dates notified, the Residents must screen the results of their creative process on Pitch Day, and provide the Programme coordinators with the results of their work as a screenplay, treatment for a feature film or pilot episode, depending on the Project submitted.

The Residents must meet any 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 currently applicable law.

2. The Foundation will cover travel 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 Foundation 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. Financial aid for rent of up to FIVE-HUNDRED EUROS GROSS (€500) monthly for the nine (9) months of the programme for individuals whose normal residence is outside the Community of Madrid and who move to the city of Madrid to take part in the Programme, with proof of said situation in the form of a rental contract. The Foundation will assess the situation of each Resident who requests this grant on a case-by-case basis.
4. Mentoring programme: renowned filmmakers will mentor the Residents throughout the Residency. To this end, Residents must meet with their mentors one (1) or two (2) times a month, in person or online, however the parties mutually agree.
5. Ongoing guidance from the Programme coordination team.
6. Physical workspace at the Foundation headquarters.
7. Immersion and participation in Foundation and/or 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, if the Project selected has several authors (co-authors who have to release rights through a sworn affidavit for the purposes of the Residencies Programme), all benefits and obligations are allocated to the twenty (20) individuals selected, meaning the co-authors are not eligible to receive any of said benefits. Nevertheless, the co-authors may attend the mentoring and training sessions, occupancy allowing, but the Resident (individual) selected will be the one to represent the Project in any pertinent activities and communications (final pitch, podcasts, online files, etc.).

7) Obligations of the Residents

The Residents undertake to:

1. Carry out their Projects by the deadlines given on the work calendar in their respective applications, and submit, at least, one (1) first draft of the finished screenplay at the end of the Residency (on Pitch Day), as well as filling in the corresponding assessment questionnaire on the Programme.
2. Provide the Foundation with any documents regarding their training and/or career required to accredit any merits or circumstances reported on the 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 require third parties to mention, when screening and disseminating the works developed during the Residency, that they were carried out under the framework of the Programme, including the official logo of the Programme and declaring that the project was executed under the framework of the Film Academy Residencies Programme, which receives support from the Madrid City Council. Furthermore, said information must be included in any document generated by the Project for the length of the Residency, specifically but not limited to the resulting audiovisual piece.
7. Notify the Foundation of any new support received by the Project and/or participation in other professional initiatives during the length of the Residency.
8. If, after the Residency, the Project is produced, Residents shall provide the Foundation and Madrid City Council with any information and quality audiovisual/photographic material of the production process (including shooting) that said parties request. The Resident is aware of and accepts that the Foundation, the Academy and the Madrid City Council and/or its associated bodies (Madrid Film Office) may use the aforementioned materials to raise awareness of the Programme without limitation of any sort.
9. Comply strictly with any measures and protocols established by the Foundation to prevent and contain the spread of contagious diseases, as occurred with the measures taken to prevent the spread of COVID-19, that apply at the Foundation headquarters and/or other spaces where in-person activities related to the Programme take place, as well as current health regulations in the city of Madrid at any given time.

Over the course of the Residency, quarterly, the Foundation 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 Foundation, in agreement with the Madrid City Council, may decide to withdraw the Residency and, therefore, for the Resident to abandon the Programme, if (i) the Resident is not performing up to the required standards of what could reasonably be expected of a project of its characteristics, or (ii) there is proof of breach of the

obligations and/or guarantees laid out in these rules, especially the provisions of section 7, and in the letter of acceptance 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, any Resident abandoning the Programme after it has begun for any reason, including unforeseen professional obligations, must give at least sixty (60) days advance notice of their withdrawal date, and the justification and reasons for their withdrawal will be assessed on a case-by-case basis for approval. If said advance notice is not given, or if the justification for withdrawal is not accepted by the Foundation, the provisions of the following paragraph shall apply.

In the situation above, and in any case if the withdrawal occurs beyond six (6) months of beginning the Programme, making it infeasible for the Resident to be replaced and achieve the training goals of the Programme, they may be required to reimburse the financial endowment received up to that time and the Resident's materials and other content may be excluded from the website.

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 express consent from the Programme coordinators.

8) Image rights

Residents hereby authorise the Foundation, the Academy and/or the Madrid City Council, as well as any third parties they in turn authorise, to film, record and/or reproduce their image, voice, name and surname (and, if applicable, artistic name), their photograph, portrait and physical image, reproduced or generated by any graphic, technical and/or artistic means in which it is perceptible, their biography, professional file and other data and elements of personal identification (hereinafter referred to jointly as the "**Image**"). The authorisation to record and use the Resident's Image is granted for the purposes of documenting and promoting the execution of the Project and the Programme, for the maximum period allowed by Law, worldwide, through any means of exploitation, medium, format and/or dissemination media. The above authorisation expressly includes the recording of their 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

Furthermore, Residents undertake to transfer and assign to the Foundation 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 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.). In this regard, the Residents undertake to sign any documents required for the fullest and most fully effective release of rights to the Project laid out herein.

Regarding the resulting audiovisual works, the Residents will do everything in their power to ensure that the holders of said rights authorise the Foundation, 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 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: Fundación Academia de Cine with address at Calle Zurbano, 3, 28010 Madrid. DPO contact: protecciondedatos@academiadecine.com.

b) Data processed: The data on this application form, any documents attached, and any information provided to the Foundation during the selection process.

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

d) Automated individual decision-making: There will be no automated individual decision-making, including profiling.

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 are the performance of a contract, established by acceptance of the legal 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 Committee and Selection Commission, made up of members of the Madrid City Council, independent professionals and members of the Academia de las Artes y las Ciencias Cinematográficas de España.

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

j) Rights: Anyone associated with the Residencies Programme has the right to obtain confirmation as to whether the Foundation is processing data that pertains to them. As a data subject, you have the right to access your personal data, and to request it be corrected if 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 Foundation will stop processing the data, except when there are legitimate overriding circumstances, or it is required 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 applicable, you will have the right to portability of your data, which means you have the right to receive your personal data that the Foundation is processing and store it on your own device. This right also allows you to request that the Foundation transfer 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 Foundation 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. Modification of these Rules

The Foundation, in agreement 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 Foundation liable in any way, notifying the applicants and/or Residents as quickly as possible.

Furthermore, in agreement with the City Council, the Foundation 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 Foundation shall notify those involved by the same means these Rules were disseminated or published.

12) Settlement of disputes

Any issues or disputes arising from the Programme must be taken up in writing with the Foundation so both parties can 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.