

Gökçe –

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LAW ON CINEMA MOVIES IN LIGHT OF LATEST AMENDMENTS



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“Law No. 7163 on the Amendment of the Law on Evaluation, Classification and Supporting of Cinema Movies” (Law) was adopted by the General Assembly of the Turkish Grand National Assembly on 18 January 2019 and was published in the Official Gazette on 30 January 2019. A number of changes have been introduced by virtue of this Law which aims to support the series and increase the competitive power of the Turkish cinema sector in the international arena. Well then, what are these novelties?

1. For the first time, the definition of series was made with the Law.

Since the support to series was introduced as a new type of support with the Law, the definition of “series” was made.

2. In order to determine the productions to be supported and to evaluate the support applications, it is stipulated to establish “support boards” and the “Commission for Support Series and Foreign Films”.

According to Law, it was envisaged to establish “the support boards not more than four” in order to determine the ones to be supported and evaluate the support applications made in the project development, first feature-length fiction film production, feature-length film production, co-production, scenario and dialogue writing, animated movie production, short film production, documentary film production, post-production, distribution and promotion and domestic film screening.

In addition, the “Commission for Support Series and Foreign Films” will be established in order to evaluate the support applications in series and foreign film productions and to determine the ones to be supported.

Additionally, the support may also be provided to the cinema artists in need. All supports under the Law will be provided as non-refundable. However, if the obligations stated in the Law, regulation and support contract are not fulfilled by the support receiver or it is determined that the support is provided to the receiver unfairly, the support amount may be refunded with interest.

3. The movies which were produced within the borders of Republic of Turkey or imported to the country will be evaluated and classified prior to commercial distribution or showing of the movie. The movies not considered eligible according to the evaluation and classification will not be distributed commercially or shown in the theatres.

In accordance with the Law, commercial distribution and showing of the movies depend on the evaluation of the Evaluation and Classification Board. Pursuant thereto, the movies which have not been evaluated and classified can only be shown in festivals, special screenings and similar cultural and artistic events with “18+” age mark.

The movies, which were previously evaluated and classified by the Ministry, can be shown in accordance with the assigned signs and phrases in the related events. It will be necessary for the movies to be shown in these events to use the signs and phrases in all kinds of publicity and presentation areas.

Failure to comply with the evaluation and classification obligation, the lack of use or misuse of mandatory signs and phrases in any kind of publicity and presentation area and also on carrier material after evaluation and classification shall constitute a violation. In these cases, local administrative authority is authorized to stop showing and distribution of the relevant movies until the signs and phrases have been used. Besides administrative fines shall be applicable.

4. By the Law, advertising and trailer periods were limited.

The advertisements shown before the movie shall be no more than 10 minutes and the duration of the trailer shall be at least 3 minutes and not more than 5 minutes. Projections regarding public service announcements and social responsibility projects will not be included in these periods. The film breaks shall not exceed 15 minutes.

5. Subscription, promotion, campaign and wholesale activities conducted by the theatre operators were prevented. In addition, the sale of another product along with the movie ticket was prohibited.

Traditional discounts in the country and the discounts targeted to the schools, occupational groups or persons over a certain age shall be determined by contracts between the operators and the producer/if available the distributor of the movie. Theatre operators will not be able to perform subscription, promotion, campaign and wholesale activities subject to movie tickets. However, the discounted ticket pricing to be determined by the contract between the producer (and if available the distributor) and the theatre operators is not included to the abovementioned scope.

Theatre operators will no longer be able to sell another product at the same time along with the movie ticket. For example, tickets and popcorns or another product shall not be sold together in the same package.

Substantial amount of administrative fines is stipulated for those who do not comply with the obligations brought by the Law.

The law aims to support the series and increase the competitive power of the Turkish cinema sector in international arena. The influence of this Law which has been highly criticized by the leading directors will be better understood in upcoming days.

Answers. Not theories.

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