L.N. 68 of 2019

MALTA FILM COMMISSION ACT
(CAP. 478)

Malta Film Commission Act (Substitution of Schedule) Regulations, 2019

IN EXERCISE of the powers conferred by article 33(2) of the Malta Film Commission Act, the Minister for Tourism, has made the following regulations:-

Citation.

1. The title of these regulations is the Malta Film Commission Act (Substitution of Schedule) Regulations, 2019 and these regulations shall be read and construed as one with the Schedule to the Malta Film Commission Act, hereinafter referred to as "the Schedule".

Cap. 478.

Substitutes the Schedule.

2. The Schedule shall be substituted by the following:

"Schedule
(Article 25)

An audiovisual production shall be deemed to be a "qualifying production" as mentioned in article 25 of this Act if it satisfies the following conditions:

1. The audiovisual work concerned is partially or wholly carried out in Malta; and

2. Processed to commercial release standards, for international distribution for cinema and international telecast (including *video on demand* and *subscription video on demand* platforms); and

3. Makes a valid contribution to the expression of creativity and culture through the development of production capability skills in the audiovisual sector. This shall be verified against a predetermined list of cultural criteria established by the film commissioner; and

4. The audiovisual work concerned is categorised as:

   (a) feature film;

   (b) television production (including film, series or mini-series and pilots);

(c) creative documentary, which is a project based on an original theme which contains a certain "timeless" element so that there is no loss of interest when the event with which it may be linked has passed and contains significant original filming and does not merely report information;

(d) reality programmes (scripted/unscripted), that may be live or recorded which directly or indirectly promotes the Maltese Islands and its culture abroad;

(e) game shows or competitions, that may be live or recorded which directly or indirectly promotes the Maltese Islands and its culture abroad:

Provided that audiovisual works may involve animation or visual effects (whether computer generated or otherwise; even if not physically shot in Malta) or be linked to cross-media, trans-media or virtual reality:

Provided further that an audiovisual work shall not be deemed to be a "qualifying production" if the audiovisual work concerned comprises or is substantially based on:

(i) any public or special performance(s) staged for filming or otherwise;

(ii) any sporting event;

(iii) current affairs or talk shows;

(iv) demonstration programmes for tasks, hobbies or projects;

(v) review, magazine-style, or lifestyle programmes;

(vi) advertising programmes or advertisements;

(vii) pornographic content;

(viii) computer games.".

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