

Film Act

2001 No 137 21 December

Entry into force 1 January 2003, although see Article 14. Amended by Act No 98/2009 (entry into force 1 October 2009, except Articles 69 and 70, which entered into force on 1 January 2010), Act No 38/2010 (entry into force 7 May 2010), Act No 126/2011 (entry into force 30 September 2011) and Act No 97/2018 (entry into force 30 June 2018).

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

Section I Purpose and general administration

■ Article 1

- The purpose of this act is to strengthen film-making and promote film and cinema culture in Iceland.
- As used herein, the term ‘film’ means cinematographic material of any kind, irrespective of the technology and methods employed for its production.
- ...⁽¹⁾

⁽¹⁾Act No 97/2018, Article 1.

■ Article 2

- [The Minister]⁽¹⁾ has responsibility for the general administration of activities relating to film-making pursuant to this Act.
- [The Film Board advises public authorities and the Icelandic Film Centre on film-making activities, and makes proposals to the Minister regarding policy and the goals to be set in relation to public measures pursued in the field of the cinematic arts.
- Of the eight members of the Film Board, to be appointed by the Minister for a three-year term, the Chair is to be appointed without nomination, while the remaining seven members are to be appointed on the nomination of the following entities: the Icelandic Filmmakers Association; the Association of Icelandic Film Producers; the Film Directors’ Guild of Iceland; the Cinema Owners’ Association; the Federation of Icelandic Artists; the Icelandic Actors’ Union; and the Playwrights’ and Screenwriters’ Association. Alternate members are to be appointed in the same manner. The same person may not be appointed to the Film Board as a principal member more than twice consecutively.]⁽²⁾

⁽¹⁾Act No 126/2011, Article 335. ⁽²⁾Act No 97/2018, Article 2.

Section II The Icelandic Film Centre

■ Article 3

The role of the Icelandic Film Centre is to:

1. [Administer and operate the Icelandic Film Fund;]⁽¹⁾
2. Support the promotion, distribution and sale of Icelandic films domestically and abroad, and to gather and publish information about Icelandic films;
3. Promote film and cinema culture in Iceland;
4. Encourage increased contacts with those working in the cinematic industry in other parts of the world.

⁽¹⁾Act No 97/2018, Article 3.

■ Article 4

The Director of the Icelandic Film Centre is to be appointed by [the Minister]⁽¹⁾ for a five-year term, after the Film Board has expressed its opinion. The Director must possess sound knowledge of film-making and of Icelandic culture.

[A Director may be re-appointed once for a further five-year term.

The Director has responsibility for the general administration of the Icelandic Film Centre.

This includes overseeing the day-to-day operation of the Centre; managing its finances, accounting and budgeting; and ensuring that the Centre operates in accordance with the legal and regulatory provisions in force. The Director is responsible for ensuring that the Centre's operating expenses and financial results are consistent with its budget appropriations, and that available financial resources are deployed efficiently. The Director of the Icelandic Film Centre hires other staff members.]⁽²⁾

⁽¹⁾Act No 126/2011, Article 335. ⁽²⁾Act No 97/2018, Article 4.

■ Article 5...⁽¹⁾

⁽¹⁾Act No 97/2018, Article 5.

■ Article 6

[The role of the Icelandic Film Fund is to strengthen Icelandic film-making and the production of films with an Icelandic cultural and social perspective, except when otherwise determined by specific cultural considerations, by providing financial support.

As used herein, the term 'Icelandic film' means a film which is either produced and financed by Icelandic persons or companies or co-produced by Icelandic and foreign partners.

The Fund may award special screening grants for the screening of films in the Icelandic language in Iceland, corresponding to a percentage of the total box office income from screenings of the film in Iceland. As used herein, the term 'film in the Icelandic language' means that the language spoken in the original version of the film is Icelandic.

Requirements contained in this Act for Icelandic nationality, or for residence or registration in Iceland, do not apply to legal or natural persons who are covered by the provisions of the Agreement on the European Economic Area, see however the provision of the fifth paragraph on the receiving of grants.

Grantees may be required to have a registered branch or representative in Iceland in order to be able to receive grant disbursements.

The Minister may issue a Regulation waiving the requirement for Icelandic nationality or residence or registration in Iceland in the context of implementing the provisions of international agreements.]⁽¹⁾

⁽¹⁾Act No 97/2018, Article 6.

■ Article 7

- [The final decision on the award of a grant from the Icelandic Film Fund is made by the Director of the Icelandic Film Centre after receiving, where appropriate and according to regulatory stipulations, the opinions and recommendations of competent persons or entities.
- Applications for film-making grants received by the Icelandic Film Fund are to be assessed by film advisors, who subsequently make proposals on the award of grants to the Director of the Icelandic Film Centre. Persons working as film advisors must have knowledge of or experience in the film industry and are subject to the qualification requirements laid down in the Administrative Procedures Act. The criteria underlying film advisors' assessment of applications must be detailed in a Regulation.
- When awarding grants from the Icelandic Film Fund account is to be taken of grants and grant commitments already received for the making of the film concerned, in order to ensure that the total amount of grants does not exceed the ceilings laid down in rules applying in the European Economic Area or in the Regulation. If it emerges that the conditions laid down herein or in the Regulation are not fulfilled, or that the cost of carrying out the project is lower than outlined in the application, the grantee may be required to reimburse the grant amount.](¹)

⁽¹⁾Act No 97/2018, Article 7.

Section III The National Film Archive of Iceland

■ Article 8

- The role of the National Film Archive of Iceland is to:
 1. Acquire, archive and preserve Icelandic films, co-productions between Icelandic and foreign partners, and foreign productions filmed in Iceland, including to preserve material subject to legal deposit under the Legal Deposit Act;
 2. Monitor the legal deposit of film material under the Legal Deposit Act;
 3. Organise screenings of cinematographic works, whether produced in Iceland or abroad;
 4. Be responsible for the conservation and restoration of films preserved by the Archive;
 5. Provide facilities for scholars and professionals to carry out cinematographic research;
 6. [Support and promote film and cinema culture in Iceland in the field of historic cinematic art.](¹)

⁽¹⁾Act No 97/2018, Article 8.

■ Article 9

- The Director of the National Film Archive of Iceland is to be appointed by [the Minister](¹) for a five-year term. The Director must possess sound knowledge of film-making and of Icelandic cultural history.
- [The Director has responsibility for the general administration of the Archive. This includes overseeing the day-to-day operation of the Archive; managing its finances, accounting and budgeting; and ensuring that the Archive operates in accordance with the legal and regulatory provisions in force. The Director is responsible for ensuring that the Archive's operating expenses and financial results are consistent with its budget appropriations, and that available financial resources are deployed efficiently. The Director of the National Film Archive of Iceland hires other staff members.](²)

⁽¹⁾Act No 126/2011, Article 335. ⁽²⁾Act No 97/2018, Article 9.

■ Article 10

- [The producers of films that have received grants from the Icelandic Film Fund must provide the National Film Archive of Iceland with digital copies of the uncompressed master of the film, its digital cinema package and any trailers and streaming files, as well as with any published

documents concerning the film. Practical aspects of this deposit are to be laid down in a Regulation.]⁽¹⁾

⁽¹⁾Act No 97/2018, Article 10.

■ Article 11

...⁽¹⁾

The National Film Archive of Iceland may charge fees for the following services: The lending of films, film screenings, special processing of files, computer file extracts, specialist documentation services, and all types of copying and reproduction, to cover salary and material costs related to those services. Tariffs established for such services must be approved by [the Minister].⁽²⁾

...⁽¹⁾

⁽¹⁾Act No 97/2018, Article 11. ⁽²⁾Act No 126/2011, Article 335.

Section IV Miscellaneous provisions

■ Article 12...⁽¹⁾

⁽¹⁾Act No 97/2018, Article 12.

■ Article 13

[A Regulation⁽¹⁾ to be issued by the Minister is to contain further provisions on the implementation of this Act and on the activities of the Icelandic Film Fund, including on preparatory work for the award and disbursement of grants from the Fund; on the main principles for the division of financial support provided by the Icelandic Film Fund between the different disciplines of film-making; and on the criteria for and implementation of the assessment, which must include the equal treatment of women and men. The Regulation should also contain provisions on the obligation of the Icelandic Film Centre to grant requests from applicants for the re-assessment of their applications; on complaints procedures; on the work of film advisors; and on the publication of information for applicants.]⁽²⁾

⁽¹⁾Regulation No 229/2003, cf. Nos 1066/2004, 1118/2007, 133/2009 and 1147/2016. Regulation No 446/2015.

⁽²⁾Act No 97/2018, Article 13.

■ Article 14

This Act enters into force on 1 January 2003; it is to be fully implemented on 1 March 2003.

...

■ Transitional provisions ...⁽¹⁾

⁽¹⁾Act No 97/2018, Article 14.

Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.