



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS



www.aija.org

Why don't we film inside Area 51?
Regulation Pannel

[Girona, Friday 17 november 2017]



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

Why don't we film inside Area 51?

Public spaces, strategic areas and “accidental filming”? (Outside the studios).
Permits required for making a movie. Infringements, sanctions and guarantees.

Marta Timón Herrero



www.aija.org

Take 1. Why don't we film inside Area 51? Introduction

- *Independence day:* (filming outside studios – **location choice**)
- **Balancing** public and private interests.

Take 2. A constitutional approach to filming

INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

- **Right to artistic creation** and production (art. 20. 1 b CE).
- **The entrepreneurial perspective** (cinema as free enterprise –art 38 CE).
- **A polyhedral approach** to cinema: multiple regulatory focus (sources) and collaboration principle.

Take 3. Involvement of public law (and public authorities)

INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

- **Promoting and protecting cinema** (and audiovisual) as a cultural and economic value.
- **Areas of promotion** and its reflection in **public Administration organization**.

Take 4. Filming outside studios I

INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

Tourism, filming movies and the special role (function) of cities and local communities.

- **Tourism and cinema:** *Vicky, Cristina, Barcelona.*
- *Film Commissions.*
- **Local regulation** of filming.

Take 5. Filming outside studios II: Permits required.

INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

Seven (7) regulatory keys and some examples.

1. Starting premise: *free filming*.
2. Permits are required: filming permits as a balancing interests tool (instrument).
3. *We have neighbors: don't forget it!* Citizen coexistence rules (when filming).
4. *We have to pay* (public taxes or fees): use of public domaine and provision of public services.
5. Cautions and guaranties: liability civil insurance and guarantee bond.
6. "*Sooner rather than later*": applications in advance.
7. Respect to conditions permits: infringements and sanctions.

Conclusions



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

For further information:

- www.mecd.gob.es/cultura-mecd/areas-cultura/cine/inicio.htm
- www.bcncatfilmcommission.com
- www2.girona.cat/ca/filmoffice
- http://cultura.gencat.cat/ca/departament/estructura_i_adreces/organismes/icec



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS



www.aija.org