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# The Film Act

2001 no. 137 December 21

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[The history of the case in Althingi.](#) [Draft law.](#)

Entered into force on January 1, 2003, however, see Article 14. Modified with: [Act no. 98/2009](#) (entered into force on Oct. 1, 2009, except for Articles 69 and 70, which entered into force on Jan. 1, 2010). [Act no. 38/2010](#) (entered into force on 7 May 2010). [Act no. 126/2011](#) (entered into force on 30 Sept. 2011). [Act no. 97/2018](#) (entered into force on 30 June 2018).

If this Act refers to a Minister or a Ministry without specifically specifying or referring to the subject area, it means the **Minister of Culture and Business Affairs** or the **Ministry of Culture and Business Affairs** who administers this law. Information on the subject areas of Ministries according to presidential decree can be found [here](#).

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## Section I Objectives and Administration

### ■ Article 1

- The aim of this Act is to promote filmmaking and film culture in Iceland.
- For the purposes of this Act, film means any kind of moving image material, regardless of the technology or method by which it is produced.
- ... <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 1](#)

### ■ Article 2

- [Minister] <sup>1)</sup> is the administrator of film affairs according to this Act.
- [The Film Council advises the government and the Icelandic Film Centre on film issues and makes proposals to the Minister on the direction and goals of public actions in the field of film.
- The Minister appoints eight representatives to the Film Council for a three-year term, the chairman without nomination, and the other seven according to the nominations of the following parties: The Association of Filmmakers, the Producers Association - SÍK, the Association of Film Directors, the Association of Cinema Owners, the Association of Icelandic Artists, the Association of Icelandic Actors and the Association of Playwrights and Screenwriters. Alternates shall be appointed in the same way. The same person will not be appointed as a main member of the Film Council more than twice in a row.] <sup>2)</sup>

<sup>1)</sup>[Act no. 126/2011, Art. 335](#) <sup>2)</sup>[Act no. 97/2018, Art. 2](#)

## Section II The Icelandic Film Centre

### ■ Article 3

- The tasks of the Icelandic Film Centre are:

1. [To supervise the operations and activities of the Film Fund.] <sup>1)</sup>
2. To contribute to the promotion, distribution and sale of Icelandic films in Iceland and abroad, and gather information about Icelandic films and publish them.
3. Promote film culture in Iceland.
4. Promote increased communication with foreign parties in the field of film.

<sup>1)</sup>[Act no. 97/2018, Art. 3.](#)

#### ■ Article 4

[The Minister] <sup>1)</sup> appoints the Director of the Icelandic Film Centre for five years at a time, after receiving the opinion of the Film Council. The Director must have solid knowledge of film and Icelandic culture.

[The Director may be reappointed once for five years.

The Director is the administrator of the Icelandic Film Centre. The Director manages the day-to-day operations of the centre, finances, accounting and budgeting, and is responsible for the centre operating in accordance with laws and government regulations. The Director is responsible for ensuring that the centre's operating expenses and operating results are in line with its budget and that its funds are used effectively. The Director recruits other employees of the Icelandic Film Centre.] <sup>2)</sup>

<sup>1)</sup>[Act no. 126/2011, Art. 335](#) <sup>2)</sup>[Act no. 97/2018, Art. 4](#)

#### ■ Article 5 ... <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 5](#)

#### ■ Article 6

[The role of The Icelandic Film Centre is to promote Icelandic filmmaking and the production of films that have an Icelandic cultural and societal appeal, unless special cultural reasons lead to otherwise, with financial support.

An Icelandic film, within the meaning of this Act, is a film produced and sponsored by Icelandic parties or is a joint project between Icelandic and foreign parties.

Special screening grants may be granted for screenings of films in Icelandic in cinemas in Iceland in proportion to the total value of tickets sold for screenings of the relevant film. A film in Icelandic means that the original version of the film is in Icelandic.

Conditions in this Act regarding nationality, residence or registration in Iceland do not apply to legal entities and individuals who fall under the provisions of the Agreement on the European Economic Area, cf. however, Paragraph 5 on receiving a grant.

The receipt of a grant may be conditional on the beneficiary having a registered branch or agent in Iceland.

The Minister is authorized by regulation to waive the requirement of nationality, residence or registration in this country in order to implement the provisions of international treaties concluded with other countries.] <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 6](#)

#### ■ Article 7

[The Director of the Icelandic Film Centre makes the final decision on the granting of financial support from the Film Fund after receiving reviews and proposals from competent parties in accordance with regulations, when such is applicable.

Film consultants evaluate grant applications for film production that are received by the Film Fund, and make proposals for grants based on these to the Director of the Icelandic Film Centre. Film consultants must have knowledge or experience in the field of film, and the qualification rules of the Administrative Law apply to them. The criteria that are used as a

basis for the film consultant's evaluation of applications shall be stated in the regulation.

When determining a grant from the Film Fund, consideration must be given to grants that have already been granted for the production of the film in question, and grants that have been approved, in order to ensure that the total amount of the grant does not exceed the criteria stipulated in the rules applicable in the European Economic Area and in regulation. If it becomes evident that the conditions in these laws and regulations have not been met, or the cost of the project turns out to be lower than was assumed in the application, the grant may be refunded.] <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 7](#)

### **Section III The National Film Archive of Iceland**

#### **■ Article 8**

The role of The National Film Archive of Iceland is to:

1. Collect, document and preserve Icelandic films, collaborative projects between Icelandic and foreign parties and foreign films that have been shot in Iceland, including preserving material subject to return according to the Act on Legal Deposits to Museums.

2. Supervise the legal deposits of film material according to the Act on Legal Deposits to Museums.

3. Host screenings of national and foreign film.

4. Manage the maintenance and restoration of the Archive's films.

5. Create facilities for academics and professionals to conduct cinematographic research.

6. [Promote and strengthen film culture in Iceland in the field of historical film.] <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 8](#)

#### **■ Article 9**

The [Minister] <sup>1)</sup> appoints the Director of The National Film Archive of Iceland for five years at a time. The Director must have solid knowledge of film issues and Icelandic culture.

[The Director is the administrator of The National Film Archive. The Director manages the day-to-day operations of the Archive, finances, accounting and budgeting, and is responsible for The National Film Archive of Iceland operating in accordance with laws and government regulations. The Director is responsible for ensuring that the Archive's operating expenses and operating results are in line with its budget and that its funds are used effectively. The Director recruits other employees of the Icelandic Film Centre.] <sup>2)</sup>

<sup>1)</sup>[Act no. 126/2011, Art. 335](#) <sup>2)</sup>[Act no. 97/2018, Art. 9](#)

#### **■ Article 10**

[Producers of films that have received grants from the Icelandic Film Centre are obliged to hand over to The National Film Archive of Iceland, in digital form, the original version of their film, screening catalogues, trailers and streaming catalogs as well as published data relating to the film. The implementation of deposits shall be stipulated further in the regulation.] <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 10](#)

#### **■ Article 11**

... <sup>1)</sup>

The National Film Archive of Iceland is authorized to charge a fee for the following aspects of the service: Lending of films, film screenings, special processing of catalogs and output of computer data, specialist documentation services and any kind of copying and reproduction, in order to cover salaries and material costs for these aspects. The tariff for this

service shall be subject to the approval of the [Minister]. <sup>2)</sup>

... <sup>1)</sup>

<sup>1)</sup>[Act no. 97/2018, Art. 11](#) <sup>2)</sup>[Act no.126/2011, Art. 335](#)

#### **Section IV Other Provisions.**

##### **■ Article 12 ... <sup>1)</sup>**

<sup>1)</sup>[Act no. 97/2018, Art. 12](#)

##### **■ Article 13**

[The Minister sets out in a regulation <sup>1)</sup> more detailed provisions on the implementation of this Act and on the activities of the Film Fund, including the preparation of allocations and payments from the Fund, on the main division of the Film Fund's allocation between individual branches of filmmaking and on the criteria and method of assessment, where, i.a., the equal status of women and men must be taken into account. The regulation will also stipulate the obligation of the Icelandic Film Centre to comply with the wishes of applicants regarding the re-evaluation of applications, the procedure for complaints, the work of film consultants and the publication of information for applicants.] <sup>2)</sup>

<sup>1)</sup>[Rg. 229/2003](#), cf. [1066/2004](#), [1118/2007](#), [133/2009](#), [1147/2016](#) and [556/2020](#). [Rg. 446/2015](#). [Rg. 1349/2018](#). <sup>2)</sup>[Act no. 97/2018, Art. 13](#)

##### **■ Article 14**

This Act enters into force on 1 January 2003 and must be fully implemented on 1 March 2003. ...

##### **■ Interim provisions. ... <sup>1)</sup>**

<sup>1)</sup>[Act no. 97/2018, Art. 14](#)