



**SCREENING CHAPTER 10
INFORMATION SOCIETY AND MEDIA**

AGENDA ITEM NO 14 : PROTECTION OF FILM HERITAGE

**Country Session: The Republic of TURKEY
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Historical Background of Turkish Cinema Industry

- The first film screening: at the Yıldız Palace, İstanbul, 1899.
- The first cinema saloon: “Cinema Pathe” in İstanbul, 1908.
- The first film produced: “*Collapse of the Russian Monument in Ayestafanos*” 1914.
- The first private production company, 1922
- The first talkie “*İstanbul Sokaklarında*”, 1931
- The first coloured film “*Halıcı Kız*”, 1953
- The first international award-winning film “*Susuz Yaz*” (Berlin Film Festival – Golden Bear Award), 1964



Legal Framework (1)

- **Constitution (Art.64)**
- **Law on the Institutional Structure and Duties of the Ministry of Culture and Tourism No.4848 (2003)**
- **Law on Evaluation, Classification and Support of Cinema Films No.5224 (2004)**
- **Law on Intellectual and Artistic Works No 5846 (1951)**



Legal Framework (2)

- **By-law on Evaluation and Classification of Cinema Films (2005)**
- **By-law on Supporting of Cinema Films (2004)**
- **By-law on Cinematographic Co-productions and National Producers with Intention to Produce Feature Films in Turkey (2005)**
- **By-law on Recording and Registration of Intellectual and Artistic Works (2006)**

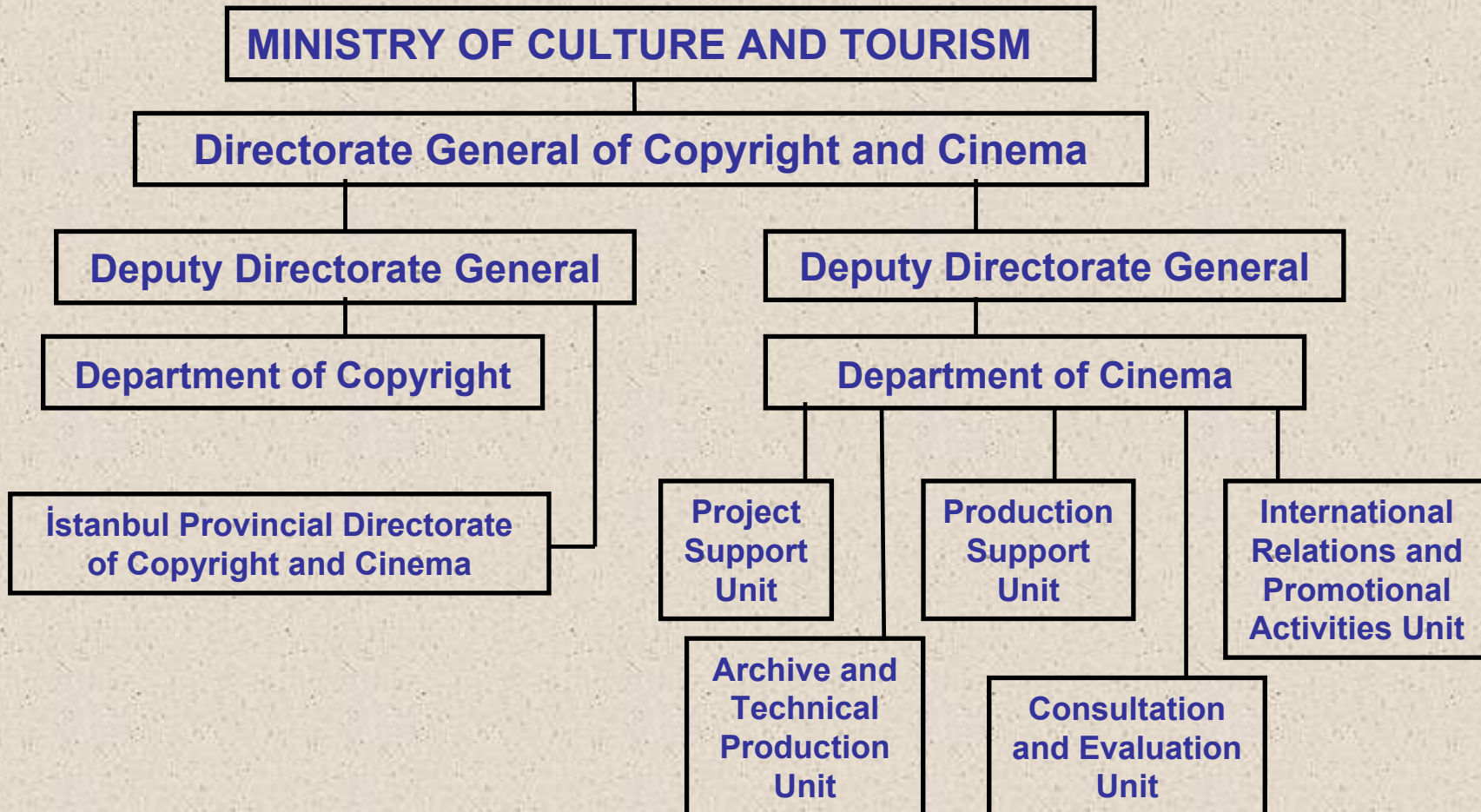


The Constitution of the Republic of Turkey (Art. 64)

The state shall protect artistic activities and artists. The state shall take the necessary measures to protect, promote and support works of art and artists, and encourage the growth of appreciation for the arts.



ORGANIZATIONAL STRUCTURE





Duties of Directorate General of Copyright and Cinema (Law No.4848, Art. 11)

- To organize or support film festivals and shows in order to promote national heritage inside and outside Turkey, by providing and commissioning the documentary films and through film purchases
- To establish, develop and provide access to archives of film, video and similar materials



STAFF RESPONSIBLE FOR CINEMA

- **Director General**
- **Deputy Director General (1)**
- **Head of Department (1)**
- **Head of Unit (5)**
- **Experts and Officers (36)**



Law No. 5224 on Evaluation, Classification and Support of Cinema Films

Objective (Art.1)

In order to create a modern and efficient cultural communication environment:

- To develop and strengthen the film industry in the fields of training investment, entrepreneurship, production, distribution and screening
- To support investors and producers
- To evaluate and classify the films for the purpose of recording and registration in the cinema sector.



Law No. 5224 on Evaluation, Classification and Support of Cinema Films

Scope (Art.2)

- Strengthening and supporting the cinema sector
- Evaluation and classification of cinema films for the purpose of establishing bases for recording and registration



Systematic Compilation of Cinematographic Works (1)

- Film producers, who make the first fixation of films, shall submit their works (encompassing cinematographic works) for registration and recording in order to protect their rights and benefits

(Law No.5846, Art.13)

- Cinema films, produced domestically or imported, are evaluated and classified allowing for recording and registration, before their commercial distribution and screening (Law No.5224, Art. 7)



Systematic Compilation of Cinematographic Works (2)

Archive and Documentation (Law No.5224, Art. 10)

- In addition to cinema films, it is compulsory to submit to the Ministry of Culture and Tourism (MoCT) all relevant information and documents deemed necessary, for the compilation of an “Inventory of Cinema Films”

- MoCT may establish a department for archive and documentation, for the purpose of research, development and publication, to provide services on the documentation of sectoral information and to organize activities for information disclosure and “creation of awareness”



Systematic Compilation of Cinematographic Works (3)

Mandatory Recording and Registration

According to the provision of mandatory registration in By-law on Recording and Registration of Intellectual and Artistic Works (Art.5), it is obligatory to submit to the MoCT the following documents and materials:

- One digital copy (DVD, VCD, Audio CD) of the production, which is recorded and registered
- Scenario, text of dialogues, original film score and lyrics, posters and other promotional materials for cinematographic works



Systematic Compilation of Cinematographic Works (4)

Mandatory Recording and Registration

When the film is produced in a foreign language, the following documents and materials should be submitted (By-law on Cinematographic Co-productions and National Producers with Intention to Produce Feature Films in Turkey, Art.10):

- A copy of the original film together with a copy of the film with Turkish subtitle in digital betacam format
- A copy of the original film together with a copy of the film with Turkish subtitle in DVD format



Evaluation and Classification of Cinema Films (1)

Evaluation and Classification Council: Cinema films are evaluated and classified by the Evaluation and Classification Council which is established under the MoCT.

Terms of Evaluation and Classification (By-law on Evaluation and Classification of Cinema Films)

Evaluation: The Council evaluates the cinema films with respect to maintaining public order and morality, protecting the mental health of children and young, their conformity with human dignity and other principles of the Constitution of the Republic of Turkey.

Classification: The cinema films are classified by the content as to their containment of their sexuality, horror and violence as well as their targeted audiences such as general public or various age groups.

After the evaluation and classification, the films are labelled by the content and warning signs.



Evaluation and Classification of Cinema Films (2)

By-law on Evaluation and Classification of Cinema Films,
Art.5

The Council is composed of;

- Three members from MoCT, Ministry of Interior and Ministry of National Education, respectively
- Three members chosen by the MoCT among the experts nominated by collecting societies
- One sociologist, one psychologist and one child development expert with PhD degree, designated by the MoCT



Support to Film Industry (1)

Definition of Support (Law No.5224, Art.3)

The MoCT evaluates film projects and determines eligible ones and gives support at the following stages;

- Production
- Scriptwriting
- Archive
- Documentation
- Education
- Technical infrastructure
- Research and development
- Distribution and promotion
- Marketing and screening



Support to Film Industry (2)

Supporting Council (Law No.5224, Art.6)

A Supporting Council is established under the MoCT in order to evaluate and designate the projects to be supported.

The Council is composed of: (By-law on Supporting Cinema Films, Art.9)

- A representative from the MoCT, as Chairman
- An elected representative among the members of each related collecting societies, respectively
- Three members among experts in cinema sector

Following Minister's approval, Council Decisions are announced in the official web site of the MoCT.



Support to Film Industry (3)

General Principles For Support (By-law on Supporting Cinema Films, Art.12)

Support is provided at project, production and post-production phases, directly or indirectly.

	<u>Project Support</u> Pre-production Period (Research, development, scriptwriting and dialogue writing, translation, design, etc.)	<u>Production Support</u> Production Period (The activities from the preparation to finalization)	<u>Post-Production Support</u> Post-production Period (Promotion, Distribution, Screening)
Type of Support	Direct	Direct or Indirect	Direct or Indirect
Payment conditions	Non-repayable	Repayable	Non-repayable or Repayable
Amount of Support	Max. 50% of total project cost	Max. 30% of total project cost	Max. 30% of total project cost



Support to Film Industry (4)

Application Criteria (By-law on Supporting Cinema Films, Art.13)

Legal persons and real persons residing in the country may apply for support.

Co-productions involving foreign partner(s) may also apply for support.



Support to Film Industry (5)

Evaluation Criteria (By-law on Supporting Cinema Films, Art.14)

Supporting Council evaluates applications on the basis of their content and budget by taking the following aspects into consideration:

- Qualitative values in terms of cultural, artistic, aesthetic and authenticity aspects
- Contribution to promotion of national culture and cultural values
- Public order, morality and protection of mental health of children and the young, being in conformity with human dignity and other principles of the Constitution of the Republic of Turkey



Support to Film Industry (6)

Evaluation Criteria (Art.14)

- Budget, objectivity of financial plan, a feasible implementation schedule
- Previous works if there are any, and national or international achievements
- Professional experience of producer, director and art department involved in production, project's potential of national and international circulation, opportunities offered for training new artists



Support Provided by MoCT between 2001-2005 (Euro)

Year	Type	Produced		Purchased		Supported		Total	
		Qty.	Amount	Qty.	Amount	Qty.	Amount	Qty.	Amount
2001	Cinema Films								
	Cartoon	2	21,965.1						
	Documentary	14	166,924.4	9	46,387.3				
	Subtitled copy	2	8,355.9						
	Festival					9	46,218.2		
	Total		18	197,245.4	9	46,387.3	9	46,218.2	36
2002	Cinema Films								
	Cartoon	1	31,495.7						
	Documentary	45	831,100.9	4	38,613.7				
	Subtitled copy	31	193,453.4						
	Festival					15	394,282.1		
	Total		77	1,056,050	4	38,613.7	15	394,282.1	96

Source: MoCT, State Planning Organization (SPO)



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Support Provided by MoCT between 2001-2005 (Euro) (Con'td)

Year	Type	Produced		Purchased		Supported		Total	
		Qnt.	Amount	Qnt.	Amount	Qnt.	Amount	Qnt.	Amount
2003	Cinema Films								
	Cartoon	1	7,343.6						
	Documentary	45	878,257.8						
	Subtitled Copy	19	131,659.8						
	Festival					37	414,494.8		
	Total		65	1,017,261.2			37	414,494.8	102
2004	Cinema Films								
	Cartoon								
	Documentary	12	257,920						
	Subtitled copy	17	126,858						
	Festival					52	1,369,714		
	Total		29	384,778			52	1,369,714	81

Source: MoCT/SPO



Support Provided by MoCT between 2001-2005 (Euro) (Con'td)

Year	Type	Produced		Purchased		Supported		Total	
		Qnt.	Amount	Qnt.	Amount	Qnt.	Amount	Qnt.	Amount
2005	Cinema Films	12	1,202,455.8						
	Cartoons								
	Documentary	111	1,603,024.9						
	Subtitled copy	20	141,359.7						
	Festival					49	2,373,691.3		
	Total	131	2,946,840.4			49	2,373,691.3	180	5,320,531.7
						Total	495	10,088,709	

Source: MoCT/SPO



Advisory Council (Law No.5224, Art.5)

Within the MoCT, an Advisory Council is established in order to evaluate basic approaches and industry trends, and to create an efficient communication with the stakeholders such as; collecting societies, representatives of NGO's and academicians.

The Council meets once a year and makes advisory decisions.



Promotion

The MoCT;

- Provides support to specialized projects and productions promoting the country in the international arena, national and international film festivals, film weeks and days, the cultural and social events and the professionals of the cinema industry (Law No. 5224, Art.9)
- Organizes or supports film festivals and shows in order to promote national heritage inside and outside Turkey (Law No. 4848, Art.11)



Accessibility

- The MoCT, in order to provide services on documentation of sectoral information, establishes a department for archive and documentation for the purpose of research, development and publication (Law No.5224, Art.10).
- The film archives are accessible for non-commercial purposes.
- According to the Article 11 of the Law No.4848, the MoCT is authorised to establish, develop and provide access to archives of film, video and similar materials.
- Article 34 and 35 of the Law No.5846 allows for works to be used for educational, cultural and research purposes.



Cinema Education

A comprehensive and contemporary formal education in the field of cinema is provided by 31 cinema departments established under various universities throughout the country.



International Cooperation

Turkey is a party or signatory of the following institutions and agreements;

- Convention on European Cultural Heritage, 1954
- Eurimages, 1990
- European Audiovisual Observatory, 1992
- European Convention on Cinematographic Co – production, signed in 1997 and ratified in 2005
- European Convention for Protection of Audio-Visual Heritage, signed in 2004



THANK YOU FOR YOUR ATTENTION