



Procedure for processing film classification applications with ICAA

Classification application

The application for the classification of cinematographic films and other audio-visual works is achieved by completing the form available on the ICAA website. The application, accompanied by the required documentation, will be submitted through the electronic register of the Ministry of Education, Culture and Sport.

Until the complete electronic procedure of the procedure is implemented, the classification form available on the ICAA website may be presented at the general register of the Ministry of Education, Culture and Sport, as well as in the other places mentioned in article 16.4 of the Law 39/2015 of 1 October on the Common Administrative Procedure of the Public Administrations.

The classification application will not be considered complete, as required by article 7.1.b) of Royal Decree 1084/2015, until the full copy of the work to be classified has been presented, on any medium, and with the same content as that to be exhibited, in addition to proof of payment of the corresponding fee. This implies, for the purposes of article 7.3 of the abovementioned Royal Decree 1084/2015, that the maximum term of one month to issue and notify the resolution of qualification will not begin until the application is complete.

Presentation of materials

The presentation of the complete copy of the work to be classified, on any medium and with the same content to be exhibited, must be handed over to ICAA (Monday to Friday from 10:00 to 12:00), or in any of the places mentioned in article 16.4 of Law 39/2015 of 1 October on the Common Administrative Procedure of the Public Administrations, at least ten calendar days before the estimated date of release.

The presentation of the copy to be classified must be accompanied by a copy of the proof of having submitted the classification application and the payment of the corresponding fee.

The company requesting the classification will furnish the copy with the security measures that it considers appropriate as a guarantee, and it can set up viewing codes. If a digital watermark is incorporated, it must meet the following requirements, so that it is not impede screening the work:

- Its size cannot exceed one-eighth of the screen.
- It will be placed in the lower left corner of the screen.
- Its degree of opacity will not hinder the correct viewing of the work.

If these characteristics are not met, the copy will be returned to the applicant, postponing viewing until a suitable version is received.



The use of other security measures must be requested from ICAA and must be expressly authorised by them.

ICAA is obliged to guard the deposited copy of the work for a maximum period of 7 days from the date of its classification decision, during this period it can be withdrawn by the applicant company.

Documentation

The following documents must accompany the application:

- When the language of the original version of the work submitted for classification is not Castilian, or the version is not dubbed or subtitled into Castilian, the full text of the dialogues in Castilian must be presented. In this sense, it must be taken into account that it is the audio-visual work itself which is subject to classification, so if the copy submitted to classify is already dubbed or subtitled into Spanish, this requirement is met.

- In the case of non-Spanish works, a certificate of nationality of the work issued by the competent official body of the country of production or, failing that, a document proving it, in the terms established in article 7.1.e) of Royal Decree 1084/2015.

This requirement will not be necessary for the classification of trailers corresponding to a film, since they will be presented when the classification of the film is requested.

- Documentation proving the lawful possession of rights over the work. For these purposes, the following documents, among others, may be considered valid:

- Contract of distribution or co-production of the film, as well as the chain of contracts, if any.
- Certificate of registration of intellectual property.
- Certificate of origin issued by the MPA (Motion Picture Association), or by any other comparable entity.
- Certificate issued by an entity that manages audio-visual rights or by entities recognised as issuers of codes such as ISAN or EIDR, in which the ownership of the work is proven.

If there is an agreement between companies according to which one company has the right to market the titles owned by another, this circumstance must be ratified by a company representative of the audio-visual distribution sector.

- Notarial act in which it is indicated by the notary to have reviewed and/or verified the veracity of the documents shown to him.

Any other document proving the lawful possession of the rights will be valued by ICAA. In any case, ICAA may make such checks as may be appropriate to verify the validity of such documents.



In the case that the original language version of the work is different from the Castilian version and it is intended to obtain the classification for the version dubbed into Castilian, at the moment of presenting the request and the accompanying documentation, provide the estimated date when the dubbed Castilian version will be presented for classification, so that the viewing can be scheduled.

In order to simplify procedures and reduce administrative burdens, a Castilian translation of documents will not be necessary when the content of the documents can be easily deduced and, in no case, when there are similar models or documents for which the translation has already been presented in other files (official documents issued by international authorities, among others)

Decision

The classification decision, signed electronically, will be published on the ICAA website. This publication will be considered a notification for all purposes.