

## 2023 GENERAL TERMS AND CONDITIONS

### “URUGUAY AUDIOVISUAL PROGRAM”

## GENERAL TERMS AND CONDITIONS 2023

### 1. BACKGROUND

The pilot program known as “*Programa Uruguay Audiovisual*” (PUA as per the Spanish acronym for Uruguay Audiovisual Program) was implemented in 2019–2020 by the National Development Agency (ANDE as per its Spanish acronym), with the participation of the National Cinema and Audiovisual Institute (INCAU) of Uruguay’s Ministry of Education and Culture (MEC), the National Bureau of Telecommunications and Audiovisual Communication Services (DINATEL) of the Ministry of Industry, Energy and Mining of Uruguay (MIEM), and Uruguay XXI, the country’s Institute for the Promotion of Investment, Exports and the Country Brand.

This program led to opening three calls for submittals defined as projects that are part of the roadmap of the audiovisual sector, aimed mainly at two purposes:

- Generation of international audiovisual productions in Uruguay, by drawing in international productions through the sale of audiovisual services.
- Generation of local audiovisual productions in Uruguay, through the promotion of the production and postproduction stages of Uruguayan pieces, with a component in the development stage.

In 2021, the Program was carried out under the governance of a Committee of Interinstitutional Authorities with representatives from ANDE, INCAU, MIEM–DINATEL, and Uruguay XXI. In this case, the implementation of the International and Advertising lines were led by ANDE, while National lines A and B were executed by INCAU.

In 2022, under the same governance, DINATEL-MIEM was in charge of the execution of the International and Advertising lines, and National lines A and B remained under the leadership of INCAU. ANDE carried out the Program's financial implementation.

As of the year 2023, the Program's management and administration depended on ACAU (Spanish acronym for Cinema and Audiovisual Agency of Uruguay).

## **2. GENERAL OBJECTIVE**

The PUA (Uruguay Audiovisual) Program is meant to promote the development of the area of audiovisual production in Uruguay, by strengthening local capabilities and through the professionalization of the various links of the sector's value chain, along with the competitive insertion of the country in the market of international productions.

## **3. WHAT BENEFITS ARE EXPECTED?**

- A stronger development of Uruguay's audiovisual industry based on the generation of a promotion system for optimizing production time and processes with quality contents, throughout the national territory and along the whole chain.
- A contribution towards improving the capability of companies from the audiovisual industry, by supporting the sector's growth and professionalization, while also empowering the development of the human capital.
- Improved competitive conditions in the field of audiovisual production, with support aimed at efficient processes, resources with professional, artistic and technical quality, and content standards that include both a local and global perspective.

## **4. GENERAL REGULATIONS**

These Terms and Conditions are the General Regulations applicable to all the special lines to be defined in the framework of the PUA program, thus turning all terms established therein into a part of all agreements subscribed with any of the Program's beneficiaries.

## 5. SPECIAL REGULATIONS

A plan included in the Program is to launch various special lines, each of which will be regulated by these general regulations and by the specific terms and conditions referred to each particular line defined.

The following special lines have been defined:

- Making of international audiovisual productions in Uruguay. (“International Line”)
- Making of international advertising audiovisual productions in Uruguay. (“Advertising Line”)
- Making of national audiovisual productions in Uruguay, including series, films, animations and new formats. Production and post-production. (“National Line A”)
- Development of national audiovisual productions in Uruguay, including series, films, video games, animations and new formats. (“National Line B”)

For the call corresponding to the period 2023/2024, ACAUI intends to create other special lines aimed at the development and production of national pieces in all formats, as well as the creation and reinforcement of the existing lines of other funds managed by ACAUI (Cinema and Audiovisual Promotion Fund – *“Fondo de Fomento Cinematográfico y Audiovisual”*) meant for:

- Video Games.
- Series.
- Other formats.
- Recovery, digitalization and national audiovisual archive.
- International positioning.
- Promotion of national Films and Audiovisuals.
- Introduction to sustainable practices in the framework of the audiovisual industry.
- Furthering of activities relative to distribution, exhibition, and heritage, focused on Festivals.

For each one of the special lines defined –which may vary depending on the type of support granted–, the opening and closing dates will be duly informed.

In case any of the regulations included in the Special Lines contravenes or shows no consistency with the general terms and conditions, then the conditions set forth in the Specific Terms and Conditions shall prevail for each line.

## **6. AMOUNT FOR THE CALL**

For implementing the 2023 PUA Program, ACAU will have available an amount of up to USD 12,000,000 (twelve million dollars of the United States of America). The first thing to be secured with the referred sum will be the continuation of the 2022 call in all its lines. The 2023 call will be opened with the balance amount following the end of the implementation of the lines corresponding to the 2022 period.

After the opening of the calls for the different lines, all projects submitted that are deemed eligible will be assessed in accordance with the specific terms and conditions established for each particular line. The assessment will be carried out by a Technical Committee, whose members will be experts in the field appointed by Uruguay XXI, MEC, and MIEM, and an additional member appointed by ACAU. The Technical Committee will be entitled to require assistance by experts in the field related to the topic of each project. The outcome of assessments will not be informed until ACAU's authorities have reached a final decision, following the recommendations to be received from the Technical Committee and upon verification of the availability of funds.

For projects approved, a contract agreement will be subscribed by the Executive Entity (the company submitting the project) and ACAU, in correspondence with the specific line for which the project has been approved.

Additionally, ACAU reserves its right to refrain from allotting the whole sum provided for in the Program, due to the non-availability of funds and/or for any other reason deemed justified.

The opening of calls for each of the various lines will be published on ACAU's website.

## **7. LIABILITY WAIVER – DESISTIMIENTO DE LA CONVOCATORIA**

ACAUI reserves its right to withdraw any of the calls made in the framework of the 2023 PUA Program, at any stage of their implementation, if the proposals do not abide by the terms established in these general regulations and/or in the Specific Terms and Conditions. ACAUI also reserves its right to decline proposals, with no entitlements of any sort by the participants in regards to claims for expenses, fees or compensations for damages for whatever reason.

By the mere submittal of their proposals, applicants implicitly accept this liability waiver by ACAUI, with no objections.

## **8. AMENDMENTS**

At any time prior to the expiry date for submittals, and for any reason, ACAUI will be entitled to amend documents by means of "explanatory clarifications", either upon its own initiative or in consideration of aspects whose clarification has been required by those interested in applying. All "explanatory clarifications" will be published in ACAUI's website.

## **9. OPERATING REGULATIONS OF THE URUGUAY AUDIOVISUAL PROGRAM**

These Terms and Conditions are the Implementation Rules of the Uruguay Audiovisual Program, where the general guiding norms and procedures have been established for implementing the instrument that will be managed and administered by ACAUI. The specific norms governing each line are defined in the corresponding specific terms and conditions.

## **10. ACCEPTANCE OF TERMS AND CONDITIONS**

The submission of applications to any of the Calls will imply that the applicants of each proposal are aware of and accept, without limitations, the terms and conditions set forth herein and in the specific terms and conditions of the specific line involved.

## **11. QUERIES AND RESPONSES**

All those interested may forward their queries and any clarifications deemed necessary, in writing, to the email box indicated in the Terms and Conditions of each specific line.

## **12. CONSENT FOR DATA PROCESSING**

Anyone submitting applications will also implicitly and expressly authorize ACAU to use their personal data, with the inclusion of such data into ACAU's database, as required. To such end, each individual will be entitled to exercise her/his right to access, update, rectify and delete, by contacting the email box [info@acau.gub.uy](mailto:info@acau.gub.uy)

The treatment of personal data provided by applicants may include the use thereof for specific purposes of ACAU. As well, the applicant hereby entitles ACAU to transfer her/his data to third parties exclusively for the purpose of analysis, monitoring, assessment and studies that ACAU may deem convenient for its own purposes. In this regard, applicants are aware of and accept that, particularly within the framework of administrative controls carried out by the Ministry of Economy and Finance pursuant to the provisions contained in Law N° 18,602, data concerning applicants may be transferred to that government agency when so required, to the extent that the purposes detailed above have been complied with.

The data compiled as part of the call referred to herein will be treated by ACAU in its role as the entity responsible, and always in compliance with the provisions contained in applicable norms, namely: Law N° 18,331 on Personal Data Protection and Habeas Data, and Decree Laws N° 664/008 and N° 414/009. Personal data will be treated with the due degree of protection, according to security measures required to prevent alterations, loss, and non-authorized treatment or access by third parties.

### 13. AUTHORIZATION

The mere submittal of project proposals for this Program implies that participants expressly authorize ACAU to make public their names, company, organizational logo, photographs, project name, image -on any media- of the project's content from any activity and/or event related to their participation in the Program. This also includes the participants' acceptance that reference may be made to the support provided by ACAU and its Uruguay Audiovisual Program.