

MALTA FILM COMMISSION
Code of Practice for
Filmmakers

Requirements for filming in Malta



MALTA**FILM**COMMISSION

www.mfc.com.mt

The Malta Film Commission is on hand to answer enquiries from film production companies and assist with all reasonable requests associated with filming in the Maltese Islands.

When planning to film in any area, producers or location managers can contact the Film Commission for further information about any location. No permits are issued by the Film Commission and production companies will be requested to follow up their request with the involved authorities.

Any filming undertaken is the responsibility of the producer. Adequate notice [not less than one week] must be given to the Film Commission and the Local Council concerned when making any arrangements for filming in any public area not controlled or managed by the Government Property Division or the Malta Environment and Planning Authority or any other organisation.

Permits for the use of Government property [apart from streets] for filming activities are usually obtained from the Estate Management Department of the Government Property Division.

However filming activities on specific areas such as palaces, auberges, forts, towers, temples, beaches and other scheduled sites and conserved locations, normally require additional permits or approvals from the Malta Environment and Planning Authority, Heritage Malta and other organisations.

All public authorities and organisations apply different location fees and administration prices. It is recognised that most film production companies act in a responsible and professional manner. However, all producers are asked to take their surroundings into consideration and not:

- Obstruct others from carrying out their business;
- Cause public disturbance or give rise to safety hazards; or
- Cause damage to the environment

The Film Commission has a duty of care towards residents and businesses and will intervene if a particular production is causing unreasonable nuisance or noise.

The Production Company is to inform the Malta Film Commission of the location where filming is to take place at least six working days before. Any changes are to be notified to the Malta Film Commission at least twelve hours before.

1. CABLING

- 1.1 All cables must be made safe as they are laid and not at some later time
- 1.2 Cables must be laid in such a way as to cause least inconvenience to passersby and the general public
- 1.3 Cables on steps must be taped down to avoid the risk of tripping
- 1.4 If there is a need to lay cabling across a busy pavement, it shall be at the Commission's discretion to decide whether it would be sufficient to lay cables at right angles under a taped rubber mat. This matting should be:
 - 1.4.1 a minimum of one meter wide; and
 - 1.4.2 visible to the public by proper lighting, cones or high visibility hazard tape
- 1.5 Rubber matting should be regarded as essential safety equipment and is to be carried as a matter of course
- 1.6 On quieter roads it may be permissible to lay cables using proper cable ramps
- 1.7 It is essential to consult with the Local Council before any cables are attached to public buildings and street furniture

2. CATERING AND REMOVAL OF LITTER

- 2.1 The producers or location managers should consult with the Local Council concerned or other parties before the shoot as to where to place catering trucks. Producers or location managers should also consider off street arrangements. It is the producer's responsibility to ensure that all litter is removed before the end of each day's filming.
- 2.2 In the event that the obligation laid down in clause 2.2 is not adhered to, the Malta Film Commission shall advise the Local Council who is empowered to engage services for refuse collection, the cost of which is to be borne by the producers.

3. DONATIONS

- 3.1 Local Councils are not empowered to charge a fee for filming in their locality. However it is accepted practice that a donation be given by the producers to the local council concerned. The amount of the donation depends on the nature of the shoot; however it is at the discretion of the film production company.

4. CHARGES

- 4.1 The local council concerned, upon the producers request, may provide the following services at a cost:
 - 4.1.1 road closure and traffic control
 - 4.1.2 refuse collection
 - 4.1.3 clearing of debris or any material in the street
 - 4.1.4 removal of unit signs
- 4.2 Any damage caused by a production company to the pavement, street furniture or exterior walls on public buildings will be charged for. The film production company is to report any damages to the Malta Film Commission immediately.

5. EXTRAS AND CHILDREN

- 5.1 The hiring of extras for a production [including matters relating to insurance] shall be governed by the Employment and Industrial Relations Act [2002] and other Maltese laws relevant to employment.
- 5.2 Full consideration of Health & Safety issues must be taken and proven by the film production company in accordance with the Occupational Health & Safety Act [2000] and any regulations issued thereunder.
- 5.3 Legal Notice 91 of 2000 titled Protection of Young Persons at Work Places regulates the employment of minors and young persons in Malta. Minors in Malta are children under fifteen years of age. Young persons are all children and adolescents, under eighteen years of age.
- 5.4 Before employing any minor, production companies require an approval in writing form the Director for Industrial and Employment Relations.
- 5.5 Additionally, producers must make adequate provision for professional supervision and health needs of all children employed while filming, according to the annexed Guidelines on the Employment of Children in Film and Television Production.

6. HEALTH & SAFETY AND RISK ASSESSMENT

- 6.1 Full consideration of Health & Safety issues for all members of the crew, cast and extras, including children, must be taken by the film production company in accordance with the Occupational Health & Safety Act [2000] and any regulations issued thereunder.
- 6.2 The producer must appoint a competent person to act as the Health & Safety representative and a full risk assessment of the location must be carried out in accordance with such Act and regulations.

7. ROAD OBSTRUCTION PERMITS

- 7.1 If film shoot will entail road obstruction, the necessary permits shall have to be obtained from the Police.

8. CONSULTATION

- 8.1 The film production company is to give adequate notice of filming to local residents and business. Such notice should be given at least one week before. The Film Commission together with the Local Council may be able to provide contact details needed for consultation.
- 8.2 Letters should be sent to those local residents and businesses that might be affected during the shoot at least one week before filming. These letters are to fully outline the intended filming and should include:
 - 8.2.1 Date, time and exact location of filming
 - 8.2.2 Location Manager contact number
 - 8.2.3 Number of crew or production personnel expected on location
 - 8.2.4 Details of any stunts or dressing planned
 - 8.2.5 Details of lighting plans. Details of parking proposals
 - 8.2.6 Details of firing of ammunition, if any.

9. CRANE, CAMERA CRANES AND AERIAL PLATFORMS

- 9.1 When planning to sue cherry-pickers or cranes on public roads, the Police and Local Council should be informed and clearance must be given by either body.
- 9.2 Rigging or de-rigging must be carried out at times that will not cause an unreasonable noise or nuisance.

10. INDEMNITY AND INSURANCE

- 10.1 The production company will be expected to indemnify the Malta Film Commission, its officers and employees against any claims or proceedings arising directly from any injury to persons or damage to property as a result of the activities of the production company or its agents.
- 10.2 It is advisable that all film production companies filming in the street carry public liability insurance.

11. LIGHTING, LIGHTING TOWERS, SCAFFOLDING AND GENERATORS

- 11.1 The construction and positioning of lighting towers and scaffolding must be discussed with the Local Council at least one week in advance. Moreover, the necessary permits must be obtained from the Malta Environment and Planning Authority if these are required under the Development Planning Act or any regulations issued thereunder.
- 11.2 The following considerations should be taken to prevent any risk to the public or production company employees:
 - 11.2.1 All lights above ground level and lighting stands and properly secured
 - 11.2.2 Lighting stands placed on a pavement must be attended at all times
 - 11.2.3 Lights do not dazzle motorists
 - 11.2.4 Lights are not shone directly towards residential properties at any time without prior notification
- 11.3 Any generator should be positioned as far away as possible from all residential properties and should not in any way cause damage to the environment in breach of the provisions of the Environment Protection Act [2001] and any regulations issued thereunder.

12. NIGHT FILMING

- 12.1 Night shoots in residential areas are naturally sensitive and it is essential to consider and consult with local residents and businesses in the planning process
- 12.2 A legitimate complaint about noise or nuisance from a resident to any of the authorities can result in termination of the shoot. Therefore, it is advisable to shoot all scenes requiring noise above conversational level before 23.00hrs. Walkie-talkies should be turned down to a minimum and earpieces used.
- 12.3 When equipment or heavy vehicles cannot be removed silently at the end of the filming must be left 'in situ' and attended by overnight security
- 12.4 Only essential vehicles will be allowed close to the location. Personal vehicles should be parked away from the location to minimize noise at the end of the filming

13. NOISE AND NUISANCE

- 13.1 Noise is to be kept to a minimum when setting up early in the morning. Generators should not be switched on until 08.00 hours unless they are silent
- 13.2 The Film Commission and Local Councils have the right to take action as a result of any unreasonable noise and nuisance caused by filming.

14. BUILDING PERMITS

- 14.1 Construction of sets are to be covered by an Environment and Planning Authority permit, and special conditions stipulated in it, including any conditions relating to filming on sites of historical and national importance, should be adhered to.
- 14.2 Sets constructed without a valid building permit could result in their destruction or removal
- 14.3 In the cases envisaged in 15.2 legal action could be taken against the producers who may be liable to a fine in accordance with the Development Planning Act and / or other applicable laws.

15. PARKING

- 15.1 Location managers should discuss all parking plans with the Local Councils and in some cases, such as busy road, with the Police department at least one week in advance of filming, in particular,, the on-street requirement for technical vehicles, other on street equipment and bays to be reserved or kept empty for continuity.
- 15.2 It is advisable to enter into binding contracts or assume that a location is viable until parking requirements have been agreed upon.
- 15.3 Film vehicles will not be allowed to park in such a way that the passage of pedestrians or vehicular traffic is blocked or impeded or that emergency access is restricted or denied unless Police Permit is obtained and authorisation secured from the Local Council.
- 15.4 Cones have no legal force to secure parking and their use must be agreed with the Police authorities

16. POLICE NOTIFICATION AND THE ROLE OF POLICE OFFICERS ON LOCATION

- 16.1 It is a legal requirement for the production company to inform the police or the local council of all details of filming on the street or in public area. This includes any staging of crimes, accidents or use of firearms and special effects. The use of firearms shall be covered by a permit from the Commissioner of Police in accordance with Sections 3 and 23 of the Arms Act [2005].
- 16.2 There will be times when it is prudent to have Police officers or local wardens in attendance while filming on location. It is advisable to have Police or local wardens in attendance at all times when filming in public places.
- 16.3 If police officers are required to be in attendance on location then their role is to maintain the peace and up hold the law. The production company must cover any costs of providing this service.

17. PROP OR MOCK EMERGENCY SERVICES

- 17.1 The Film Commission and emergency service in question must be informed if there are actors to be dressed in a specific uniform [Police, Ambulance, Army or Fire Brigade]
- 17.2 Uniforms and any vehicles resembling the emergency services must be covered whenever possible and in particular between takes. Any markings on vehicles must be taped over when not being used for filming or being driven on a public road.
- 17.3 Sirens and flashing lights must be switched off and covered when not in use.

18. ROAD MARKINGS AND SIGNS

- 18.1 The temporary painting-out or disguising of road markings, yellow lines or other road signs requires the specific approval of the Local Council and notification of the Police.

19. STREET FURNITURE AND STREET LIGHTING

- 19.1 The removal of street furniture, including signs, and the adjustment of street lighting, telephone wires or electricity cables is normally carried out by the Local Council or the respective departments and charged to the production office. All arrangements for this work could be made through the Local Council
- 19.2 Minor work by the production company may be permissible with prior permission. However any damage or reinstatement costs would have to be met by the production company.

20. STUNTS, SPECIAL EFFECTS AND PYROTECHNICS

- 20.1 All stunts, special effects [including weather effects and wet downs] and pyrotechnics must be under the direct control of a names stunt co-ordinator or special effects operative and comply with the Environment Protection Act [2001]
- 20.2 Any plans must be discussed with the Film Commission at least one week in advance of the shoot. The production company is strongly advised to follow the direction of the Film Commission concerning the feasibility of stunts.
- 20.3 Fire-arms can only be used after permission is obtained by the Commissioner of Police in accordance with the Arms Act [2005]. In public places, no firearms or replica / mock firearms should be used without consultation, where appropriate, with the Film Commission, the Armed Forces and the Police Department on each occasion. When using arm provided by the Armed Forces or the Police, an Armed Forces or a Police representative, as the case may be, should be present on the shoot.
- 20.4 The production company must ensure the safe custody of such weapons at all times.

21 TRACK

- 21.1 All matters relating to tracking must be discussed with the Film commission at least one week in advance of filming. Any obstructions or alternative pavements planned must be cleared by the Film Commission after consultation with the Local Council. Trading boards may be required in certain circumstances.
- 21.2 The production company should ensure that pedestrians and disabled persons are not impeded by filming.

This document is intended as a guide to the requirements of filming on the street and other public places in Malta. It is not exhaustive and film makers, location managers and production companies are advised to check with individual local authorities as to local charges [if any], policies and practices. Moreover, these guidelines do not purport to set out all the legal requirements, which may be relevant to filming in Malta.

The Malta Film Commission and the Local Councils will accept no liability for loss, financial or otherwise alleged to have incurred as a result of these guidelines.