

TERMS AND CONDITIONS OF GRANTS

BARCELONA PRODUCCIÓ

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1. Aim

Barcelona Producció is an annual public competition for grants to produce and develop contemporary artistic projects aimed at the art scene in Barcelona. Structured into a series of diverse categories – individual exhibitions, curatorial projects, research areas, publications, proposals for digital environments, off-site projects and performances – its contents form the core of programming at the Centre d'Art La Capella, which is linked to the Barcelona Institute of Culture (ICUB).

The grants comprise a financial endowment for the selected projects, as well as support during the creation and production process by the centre awarding the grant, providing the means and resources for exhibiting or projecting the work. The endowment may cover 100% of the project's cost, provided that it does not exceed the amounts established in the competition.

Barcelona Producció aims to reflect the diversity of disciplines and languages characterising contemporary artistic practices by adapting to the working registers and temporalities that artists and other agents in the sector employ or seek in the ways in which they make art. The competition focuses on the procedural part of artistic work, generating production resources that later lead to exhibitions, performances, digital proposals, publications, off-site projects or the presentation of research. The essence of La Capella is therefore to care for these production processes, accompanying them from dossier to final form.

2. Purpose and Recipients

Barcelona Producció promotes the participation of artists, curators, critics, researchers and other professional figures focused on contemporary art and thinking in this public competition, the outcome of which is the selection of projects by an independent jury.

The specific number of projects is determined during the competition, in addition to the total budget allocation and its distribution by category and also the amounts of the economic endowments and resources for each of these projects.

In this manner, the Centre d'Art La Capella offers support to meet the needs and wishes of the art scene in Barcelona through a twofold objective: firstly, to foster the professional experience of the emerging art sector or those in the process of consolidation and, secondly, to do so through a variety of processes and presentation formats that are attuned to artistic practice linked to the city.

Barcelona Producció is aimed at the art community in Barcelona, including individuals over the age of 18 and groups of people sharing a creative project and designating an adult representative and the people deemed to be authors of the work.

The participating artists must be able to demonstrate a link with the city of Barcelona, to have been trained in the city or to have developed professionally there.

3. Legal Framework

The Barcelona Producció grants are governed by the following rules:

- These terms and conditions.
- The specifically approved competition call.
- Barcelona City Council's general regulations governing subsidies, approved by its plenary session on 17 December 2010.
- Law 38/2003, of 17 November 2003, on general subsidies and their regulations, approved by Royal Decree 887/2006, of 21 July 2006.
- All other applicable regulations.

4. Conditions for Participation

- In accordance with section 2, individuals meeting the requirements for participation will have to accredit their link with Barcelona by including a brief CV in the presentation form for their project.
- Each individual or team may not present more than one proposal.

- Successful individuals or teams from any of the prior editions may not submit proposals in the same category as the one for which they were previously selected.
- The winning applicants must undertake to comply with all deadlines for completing the projects and all other conditions established in the competition.
- The authors of the selected projects deemed to be protected work in accordance with the Intellectual Property Law (Royal Legislative Decree 1/1996, of 12 April) will grant to the ICUB the exploitation rights (to copy, distribute, publicly communicate and transform) in order to carry out educational activities and to publicise, promote and disseminate the activities of Barcelona Producció. The exploitation categories of these works may comprise any material support, including but not limited to banners, invitations, postcards, hand programmes, access signs to the centre, advertisements, press dossiers and the inclusion of the works in a catalogue, if required, as well as in virtual media, such as the project's website, social networks, databases or multimedia systems (DVDs, interactive CDs, files, digital and/or telematic networks via the Internet), and also in other documents intended to promote its activities. The territorial scope of this transfer of rights includes all countries in the world and the period of transfer will cover the maximum duration foreseen in the regulations.
- In any case, the ICUB will respect mentioning authorship of the works by the person or persons so designated by the participants themselves.
- The winning applicants must collaborate with La Capella's teams so that they can carry out the corresponding tasks to produce and exhibit the project.
- The authors are obliged to notify La Capella beforehand of any public presentation of their projects.
- The following text must appear whenever the project is presented and/or disseminated: 'Project produced with the support of Barcelona Producció (*specify year of the edition*). La Capella, Barcelona Institute of Culture'.
- Participants must be up to date with their tax and fiscal obligations with the Barcelona City Council and State Tax Administration Agency, as well as with social security payments.
- Participants must submit the required documentation to the competition in due time and form.

Participation in the competition implies full acceptance of these terms and conditions by the applicants.

5. Categories

The various lines of creation support offered by Barcelona Producció have evolved over the years by always being sensitive to the needs of the art scene as well as to the

ways in which art is understood from a context like that of Barcelona. Today, the categories are divided into two main groups: exhibition and non-exhibition projects.

These terms and conditions provide a general definition of the categories, which will be expanded in detail during the competition.

- 1) **Exhibition projects** are defined by individual exhibition proposals and curatorial projects aimed at two specific spaces: Espai Capella, a large old chapel converted into an exhibition space, and Espai Rampa, a medium-sized space with white, neutral walls.
- 2) **Non-exhibition projects** encompass a whole series of various temporalities, such as off-site projects (where the outcome is not in an exhibition gallery), research (where a final outcome is not requested), performance (where the proposal is on actions lasting a single day), digital environments (where the focus is on the use of technologies applied to the digital world) and publication (where the process culminates in an edition of an unpublished nature). The categories will be detailed in each competition call.

6. Jury

The jury will comprise five people independent of the ICUB with recognised professional careers in the field of the visual arts. They will participate in the selection process as well as in the development of the winning projects. The five people who will form part of this jury are chosen at the proposal of La Capella's artistic management and jury members of previous edition. The members of each of the editions will be detailed in the respective calls for proposals. A representative from La Capella with voice but not vote will attend the sessions of the jury.

The five people will form the curatorial team to accompany the selected proposals throughout the season equivalent to the year covered by the call, commencing in the autumn of each year. Each member of the curatorial team serves for two seasons.

This team, together with La Capella's artistic management and technical teams, will work to ensure that the selected proposals are seen through to completion in the best possible manner, providing support in relation to their discourses and technical aspects.

The decisions of the jury are final, without prejudice to the possibility of lodging any appropriate administrative appeals against the final decision approving the Barcelona Producció grants.

7. General Selection Criteria

When assessing applications, the jury will take into account general evaluation criteria applicable to all categories, as well as specific criteria that pertain only to certain categories, which will be detailed in the competition call.

The general evaluation criteria will be:

- Quality.
- Innovative nature of their discourse, format and process.
- Appropriateness for the category to which they have been submitted.
- Potential relevance in the context of Barcelona.
- Potential importance in the context of the professional career of the author and whether the competition provides the ideal framework of debate in terms of their development, growth and feedback.
- Budgetary viability according to the parameters established in this public competition.

The competition may be declared null and void if, in the judgement of the jury members, the projects submitted do not meet the selection criteria.

8. Competition

The various calls for proposals for the Barcelona Producció grants will be approved periodically and these must always contain the following information:

- Different categories.
- Financial endowment and number of grants for each category.
- Requirements and evaluation criteria established to evaluate proposals.
- Documentation to be submitted in order to participate.
- Deadlines for submitting applications and place where documentation must be submitted.

The calls for applications will be published in the Official Gazette of the Province of Barcelona (BOPB) for public knowledge.

Applications to participate in the competition regulated by these terms and conditions must be formulated and presented by the means and in the manner indicated in each competition call.

Both the application and other documentation may be submitted in Catalan or Spanish and should preferably be completed by computer.

If the specific project form for which the grant is being applied has not been provided at the time of submitting the application, the grant will be directly excluded, without prejudice to the provisions of Article 71 of Law 30/1992, of 26 November 1992, on the legal system for public administrations and common administrative procedure, in the sense of completing undeveloped projects.

9. Authorship and Responsibility of Submitted Projects

- The authors of the selected projects must carry out the appropriate transfer of intellectual property rights set out in point 4 of these terms and conditions. Candidates submitting projects will be responsible for any complaint that may arise in relation to the authorship of the works. The ICUB may take action against candidates in the event that the authorship of their work is the subject of a complaint.
- The ICUB may reclaim from applicants any amounts it has been obliged to pay as a result of authorship claims against the projects presented. Moreover, it reserves the right to claim for damages caused to the ICUB due to any such complaint.
- The selected artists will establish by mutual agreement with La Capella's team the safety conditions of the exhibited works, any public activities and the visiting public, jointly assessing the suitability of the staging of the works in accordance with the characteristics of the space. In any case, the instructions of La Capella's technical team will prevail in order to guarantee that the works are exhibited with the appropriate safety measures.

10. Award Procedure and Justification of Grant

The award procedure is on a competitive basis by means of the relevant approval and publication of the competition call, as provided for in Article 22 of the General Subsidies Law 28/2003.

The deadline for submitting applications will be established in the competition call.

No documentation will be accepted for processing once the deadline has ended. However, a period of 10 working days will be granted for rectification, if required, in accordance with the provisions of Article 68 of Law 39/2015, of 1 October 2015, on the Common Administrative Procedure for Public Administrations.

- Participation of jury: Based on the general criteria of these terms and conditions and the specific criteria by category detailed in the competition call, the jury will make a preliminary selection of the projects presented and will define a shortlist.

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Palau de la Virreina
La Rambla, 99
08002 Barcelona
Telèfon 933 161 000
www.bcn.cat/barcelonacultura

In a second phase, shortlisted candidates will be called for a brief interview to defend their project and clarify any doubts or questions from the jury.

The jury will score the applications and select the projects for each defined category according to these two phases, without the need to exhaust the budget.

- Final decision: The final decision will be announced once the deadline has expired and the proposed decision to award the grants has been drafted, in accordance with Article 24.4 of the General Subsidies Law 38/2003, given that at this stage of the procedure no further contributions are required other than those submitted by the interested parties.

The final decision will not conclude the administrative procedure, against which interested parties may lodge an appeal to the mayor's office within one month from the working day following the day of notification.

- Notification and publication: The final decision will be published in the Official Gazette of the Province of Barcelona, on La Capella's website and in those media established in the competition call.

- Time limit for the procedure: The maximum time limit for deciding and notifying the decision of the procedure may not exceed six months. The period will be calculated from the date of the deadline for submitting candidates established in the competition call.

Failure to reach a decision within this period will entitle the interested parties to consider their application rejected because of administrative silence.

11. Obligations of Beneficiaries: Renouncing and Cancelling Grants

In view of the nature of the grant, applying to visual work projects that must be developed with the technical support of La Capella/ICUB as the awarding body, and in accordance with Article 72 of the General Subsidies Law, the justification for these will be provided by submitting an activity report within a maximum period of three months following completion of the project's activities.

The winning applicants must use the grants for the purpose for which they were awarded, and also justify their receipt with the activity report detailed for each category in the competition, as well as complying with the rest of the commitments established in these terms and conditions.

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Any failure by the winning applicants to comply with these duties or any other duties generally established in the area of subsidies will entitle the Administration to cancel the grant and be reimbursed for the amount awarded.

The winning applicants may freely renounce the grant, provided that they do so before the end of the justification period.

12. Personal Data Processing

In accordance with the provisions of data protection regulations, particularly Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and Spanish Law 3/2018, of 5 December 2018, on the protection of personal data and guarantee of digital rights, participants submitting an application to the Barcelona Producció competition expressly authorise Barcelona City Council and the ICUB to process the personal data provided at the time of registration number 0208, the purpose of which is to manage commercial relations and promote cultural activities.

This purpose is legitimised in Articles 25.2 m) of the Local Government Law on Terms and Conditions and 66.3 n) of the Municipal and Local government Law of Catalonia. Among other rights, you have the right to access, correct or delete your data. Further information on data processing and data protection can be found at www.bcn.cat/ajuntament/protecciodades.