

## **CONDITIONS OF THE COMPETITION 'RODA A TMB' [Filming with TMB] AND 'REELS'**

### **14th INTERNATIONAL SHORT FILM FEST | BCN-SEOUL**

#### **1. Subject matter**

TMB FOUNDATION (Transports Metropolitans de Barcelona), with Tax Identity Number G-65395089 and registered office at Carrer 60, no. 21-23, Sector A, of the Zona Franca industrial estate, 08010 Barcelona, in collaboration with TRANSPORTS DE BARCELONA, SA, with Tax Identification Number A-08016081, and FERROCARRIL METROPOLITÀ DE BARCELONA, SA, with Tax Identification Number A-08005795

(hereinafter, TB and Metro, respectively, and TMB when referred to jointly) are organising a competition called Subtravelling, **14th International Short Film Fest | BCN-SEOUL**.

**“Roda a TMB” and “Reels” competition**, to be held in Barcelona from 2 October 2023 to March 4 2024.

“Roda a TMB” is a contest for short films shot at TMB facilities while the “Reels” contest is a contest for small films in Instagram “Reel” format.

#### **2. Duration of “Roda a TMB” and the ‘Reels’ competition**

This competition will start at 12 pm on 2 October 2023 and will end at 11.59 pm on 4 March 2024.

#### **3. ‘Roda a TMB’ participation conditions**

To enter this competition, it is essential to have met the following conditions in advance:

- Be at least 18 years old.
- Be the author of the short film.
- Be a legal resident of Spain.
- Be a member of JoTMBé club, and therefore have read and accepted the terms and conditions.
- Be registered as a participant in this competition on the website <http://subtravellingfestival.tmb.cat/ca/>
- Guarantee that all data on the registration forms, both for JoTMBé and for participation in this competition, are accurate and complete. Participants should also keep these data updated.
- **As an exception for the 14th edition, the Roda a TMB short films which were excluded from the previous edition as a result of the Covid restrictions inside the Metro and buses will be permitted to take part.**

### 3.1 'Reels' participation conditions

- Be at least 18 years old.
- Be the author of the video.
- That the video respects the rules.
- Be a member of JoTMBé, and therefore have read and accepted the terms and conditions.
- Guarantee that all registration form data, for both JoTMBé and for participation in this competition, are true and complete. Participants should also keep these data updated.
- Winners will be asked for their JoTMBé email address directly via DM on Instagram.
- You must answer the communication within 48 hours, otherwise another winner may be named.
- If the participant erases the Reel or closes their Instagram profile or makes it private before the end of the competition and the awarding of prizes, their participation will not be taken into account.

**Filming of the short film or Reel** does not exempt participants from the obligation to pay the amount corresponding to the transport ticket to access the TMB, the Montjuïc Cable Car or Funicular and Barcelona Bus Turístic.

Only short films presented in the 'Roda a TMB' category can take part in this category.

Participants who wish to film to take part in 'Roda a TMB' in any TMB premises, must request a recording licence via the Subtravelling website 72 hours in advance.

Permission will be accepted whenever it complies with the recording regulations found on the Subtravelling website.

### 4. Registration for 'Roda a TMB'

To take part in this competition, you must fill in all the details on the registration form in the 'Take Part' section of the [website](http://subtravellingfestival.tmb.cat/ca/) [http://subtravellingfestival.tmb.cat/ca /](http://subtravellingfestival.tmb.cat/ca/) and fill in the technical file for the recording presented (title, director, genre, short synopsis, credits).

The registration period starts at 12 pm on 2 October 2023 and ends at 11:59 pm on 4 March 2024.

Entry in this competition is free of charge and there is no requirement to purchase any product or service.

#### 4.1 Registration for the Reels competition

To take part in this competition you need to have your own profile on Instagram. Participation must comply with the requirements of the 'Reels' Subtravelling competition.

## 5. How the 'Roda a TMB' competition works

- This is a short film competition.
- Short films are understood to be an unpublished and original audio-visual recording, recorded and edited by the participant, be it fiction, reality, documentary or 2D-3D or stop motion animation, that fulfils the conditions stipulated in these rules.
- The theme is free, the only condition being that TMB transports should be used as a setting, or its facilities or means of transport should appear in some way.
- The theme can also promote values, such as civic behaviour and coexistence. Transport services provided by other operators are excluded.
- TMB's transport services include the metro, urban buses, the Montjuïc Cable Car and the Montjuïc Funicular and the Barcelona Bus Turístic.
- It should be noted that the TMB metro area is limited to lines 1, 2, 3, 4, 5, 9 North and 9 South, 10 North, 10 South and 11.
- Short films can be recorded using any recording device.
- The use of tripods is prohibited in all TMB facilities and means of transport.
- Filming inside TMB facilities can be done as long as the filming permit is requested, in compliance with the established regulations, which can be found on the Subtravelling website. To film at bus stops and Metro station entrances you do not need to request a film permit.
- Inside TMB facilities and on means of transport, the filming team (including the technical and artistic team and the cast of actors) cannot consist of more than four people.
- No spotlights or sound booms are allowed. Neither are any other tools that may get in users' way.
- Filming of simulations of criminal scenes (theft, fights, begging, playing instruments inside trains or buses, etc.) is not allowed. For any queries about a scene, you can submit a contact form on the Subtravelling website.
- Shorts will not be accepted outside the aforementioned period.
- Each participant can present one or more short films.
- Short films presented must be previously unpublished at the 14th Subtravelling Festival but may have been presented at other festivals.
- Once the shorts have been submitted, they may not be altered or replaced.
- The participating short films will be posted on the Subtravelling website and on the Subtravelling and TMB YouTube channel.

## **5.1 How the 'Reels' competition works**

- Upload a video to the open profile on Instagram - 'Reels'.
- Tag #Subtravellingreels23
- The theme is open, but it should in some way show the use of public transport or TMB facilities: metro, bus, Montjuïc Cable Car, Montjuïc Funicular or Barcelona Bus Turístic.
- You can select the music you want for 'Reels'.
- The duration can be 15, 30 or 60 seconds.
- Participants can submit more than one reel to the competition, so long as it is unpublished.

## **6. Conditions for short films and 'Reels'**

### **6.1 'Roda a TMB' conditions**

- Short films presented by participants must be original.
- Short films presented must be unpublished as of the 14th edition of the Subtravelling festival.
- The maximum duration of the short film should be 3 minutes and 30 seconds, including credits. No short films exceeding this duration will be accepted.
- Short films can be in video formats compatible with the YouTube platform, but preferably in MP4 format.
- Participants may be asked for another format if their short film cannot be played on TMB platforms.
- The maximum audio requirements are as follows:
  - Audio codec: MPEG Layer II or Dolby AC-3
  - Audio bit-rate: 128 kbps or higher
- The video resolution should be 1.080 px (1.920x1.080).
- Recordings can be vertical or horizontal.
- Short films that contain archive images, sound effects or music, must comply with the intellectual property law, TMB does not take responsibility for any reports of non-compliance with this law and the short may be disqualified.
- TMB reserves the right to ask finalists to present the short film in a format that enables screening during the awards ceremony.

- TMB can then request a copy of the short film in a another format for public screening.
- Short films that are not in Catalan or Spanish must be subtitled in Catalan or Spanish. The organisers of the festival may ask for the short film to be subtitled or in raw format with the SRT files. If the short film is not received within 6 days, the short may be disqualified.

## **6.2 'Roda a TMB' and 'Reels' conditions**

- Short films or videos that contain archive images, sound effects or music must comply with the intellectual property law. TMB does not take responsibility for any reports of non-compliance with this law and the short film or video may be disqualified in the event that any such non-compliance or unlawful use is reported.
- With their participation in this competition, contestants guarantee that their shorts or Reel videos are original recordings, of their own creation, and that they hold all intellectual property rights and the shorts are not subject to any charge or encumbrance.
- The use of any personal details of third parties (name, surname, image, voice, etc.) requires the prior consent of the person involved.
- Short films and videos must respect the law, morals, public order, good use and customs.
- They may not damage or violate the sensitivity of people, nor may they incite conducts of a violent, sexist, discriminatory, anti-religious nature or contrary to social uses. They may not use foul language or include shots of total or partial nudes or of an erotic or sexual nature.
- They may not be contrary to the good name, prestige or image of TMB, nor can it be a means for advertising third party products or services.
- They must comply with current law and therefore must not violate the rights of third parties, particularly in terms of intellectual property, honour, personal and family privacy and self-image rights and those relating to the use of the personal data of third parties and the obligations arising from the use of new technologies and commercial communications.
- Shorts and videos will not be accepted if they affect the correct operation of public transport, or that contain scenes with conduct contrary to current regulations, particularly the good use of public transport. This also includes conduct that encourages or incites the use of tobacco, alcoholic beverages or toxic substances and narcotics, or that involve committing illegal, anti-social behaviour or vandalism, or that encourage or provoke these kinds of actions or reactions.
- Shorts and videos should respect the rights of minority groups, minors and any person with a disability. They should not be of a commercial, advertising, racist, sexual, religious or political nature, nor should they

be a means to protest, complain or claim in any way.

- TMB reserves the right not to accept participations it considers unsuitable, owing to inadequate language or content, or that total or partially reproduce any other content on the internet or any other format, either online or offline, or means of exploitation.

## 7. Jury and selection of winners

The jury is made up of representatives of the world of cinema and TMB staff

- **Santiago Torres:** Director of Communication and Institutional Relations. Director of the TMB Foundation and Jury president.
- **Member of the jury of the Catalan Film Academy**
- **Agustí Argelich:** Director of the FILMETS Badalona Film Festival and member of the Catalan Film Academy.
- **Josep Maria Machado:** TMB worker and director of the American Film Fest.
- **Cristina Casellas:** TMB Advertising and Brand officer

The winners will be selected as follows:

### A. Pre-selection of 20 short films.

From amongst all the participants accepted for the competition, the festival organisers will make a pre-selection of 20 short films, of which only 10 will be finalists and will move on to the jury's final assessment.

### B. Of the 10 'Roda a TMB,' finalists the jury will choose:

- ✓ Best short film.
- ✓ Second best short film.
- ✓ Special mention. This mention might not be included among the prizes.

The jury will give a score to each of the 10 short films and in the event of a tie between the participants, the score awarded by the chair of the jury will first be taken into account, and if there is still a tie, they will take into account the scores of the jurors in the order in which they appear in these terms and conditions.

### 7.1 Selection of the 'Reels' winner

From all the participants that comply with these rules, a single winner will be chosen. The jury will be made up of:

- The TMB social media team
- The TMB Advertising and Brand team

## 8. Screening of the 'Roda a TMB' short films

The 20 pre-selected short films will be screened on **the Local TV network of the Local Audiovisual Network (XAL), at the D'A Festival, on Badalona TV and Radio channels**, whenever the scheduling teams and managers of the channels and the festival deems it appropriate, together with TMB. Details of these screenings will depend on the festival dates and schedules.

The 10 finalist short films will be screened during the 2024 edition of the **Seoul Metro International Subway Film Festival (SMIFF) and on Mou TV screens.**

- **The 20 short films** will be announced in the 'Roda a TMB' section of the website <http://subtravellingfestival.tmb.cat/ca/>, once the winners have been announced at the awards ceremony.
- All the short films will be available on the TMB website <http://subtravellingfestival.tmb.cat/ca/>, on its social networks, on the Subtravelling and TMB YouTube channel and on the MouTV channel while TMB considers it appropriate, and on local TV networks.
- All the short films or a random selection of them may be shown, and on the local TV network (XAL).

## 9. Awards ceremony

Winners will be announced from February 2024 at the awards ceremony or on the Subtravelling website at <http://subtravellingfestival.tmb.cat> or by any other means of communication that TMB deems appropriate.

If an awards ceremony is held and the winners are not present, they will be considered to have forfeited their prize, and it will be declared void.

All information on this event will be published on the TMB's social networks and on the Subtravelling and TMB website, and will also be communicated to the finalists.

## 10. Prizes

### 10.1 Awards for the 'Roda a TMB' category

#### ✓ **Best short film**

- Trip to Seoul for two people with return flights in tourist class.
- Double room in a 3 stars hotel with breakfast.
- Accreditation for up to 5 members of the team, at the D'A Festival to access the professional programme.
- 2 passes with a maximum of five tickets for the D' A Festival.
- Up to 5 double invitations for the opening of the American Film Fest.
- Up to 5 VIP accreditations for the entire American Film

Fest programme.

✓ **Second best short film**

- Lumix S5 camera with 20-60 mm optics, courtesy of Casanova Foto and Panasonic-Lumix.
- Accreditation for up to 5 members of the team, at the D' A Festival to access the professional programme.
- 2 passes with a maximum of five tickets for the D' A Festival.
- Up to 5 double invitations for the opening of the American Film Fest.
- Up to 5 VIP accreditations for the entire American Film Fest programme.

✓ **Special mention**

- Accreditation for up to 5 members of the team, at the D' A Festival to access the professional programme.
- 2 passes with a maximum of five tickets for the D' A Festival.
- Up to 5 double invitations for the opening of the American Film Fest.
- Up to 5 VIP accreditations for the entire American Film Fest programme.

✓ **Pre-selection of 20 Roda a TMB short films**

- Creation of a space for the progressive broadcast of the short films in a specific space on the content platform La Xarxa + of the Local Television Network (XAL)
- Broadcast of the short films as a means of providing continuity between programmes on the XAL network.

✓ **10 Finalists**

- For the first 5 finalists, free tickets for the Catalan Film Academy programme 'Conversations of the Academy,'.
- Broadcast of the short films on MouTV.
- Screening at SMIFF 2023 (Seoul).
- Special programme at D'A Barcelona Film Festival
- Broadcast in different areas of the schedule on local television networks in the metropolitan area (XAL)
- Broadcast of the 10 finalist short films on channels covering the whole of Catalonia on the XAL Local Television Network.



## ✓ 'Reels' Competition

- Stabiliser for mobile phone

### 11. Terms and conditions of the prizes

- If, for whatever reason beyond its control, TMB is unable to provide the aforementioned prize, it will provide another one of equal or greater value.
- The prize cannot be exchanged for its value in cash nor for any other prize.
- TMB does not take responsibility for the use the winner makes of the prize. TMB does not take responsibility for any incident that may take place after awarding the prize.
- TMB does not take responsibility for any operational defects, damage or deterioration nor for any variations, shortcomings or delivery deficiencies of the service to which the prize equates once it has been awarded to the winner, who should contact the manufacturer, official distributor, wholesaler, agency or service provider in any of those cases.
- Winners may only enjoy their prizes as per the conditions of use, and within the period of their validity.
- The prize is personal and non-transferable, and can only be used by the participant who won the competition.
- Any expenses that arise from attending the awards ceremony (including, but not limited to, travel, accommodation and subsistence allowances, amongst others) are to be met by the affected parties.
- The prizes only include the products or services explicitly mentioned in these terms and conditions.
- Participants included in the list of the ten finalists must attend the public awards ceremony, if held. TMB must verify the identifying data of any winners by means of their JoTMBé registration records. Any false information or contradiction in the data may lead to the disqualification of the winner and TMB reserves the right to declare the prize null and void or to choose another winner.
- In the event that a winner does not wish to receive the prize, or does not collect it within the established timeframe, TMB also reserves the right to declare the prize null and void or choose another winner.
- From the moment a winner receives a prize that includes a trip, they will have a period of 15 days to perform all procedures to set the dates of the trip directly with the travel agency, or with the person or institution designated by the organisation of the Subtravelling festival. TMB may not intervene in these procedures.
- The trips include two return flights in tourist class and the stay in the hotel.
- The trip to Seoul must be taken on the dates of the SMIFF festival in 2024.

These dates may be subject to changes or may be altered at the request of the SMIFF festival.

- Winners may only enjoy their prizes as per the conditions of use, and within the period of their validity.
- The prizes only include the products or services explicitly mentioned.

## **12. Exemption from liability**

TMB shall not be liable for:

- The outcome, accidents, incidents or any consequences that participants or third parties may suffer during the production of shorts.
- The requirements of permits of any type related to the shorts, required by administrative authorities. TMB is also exempt from any measures these authorities may take against participants as a result of non-compliance with the requirements demanded.
- Loss or damages of any type for whatever reason that participants cause to TMB, its employees or to third parties, arising directly or indirectly from their participation in the competition, particularly, though not limited to, those derived from non-compliance with these conditions, instructions and recommendations given by TMB or dictated by current legislation.
- Sanctions, indemnifications and any type of payment derived directly or indirectly from the actions or omissions of the participants.
- Problems of access, availability or operation of the internet, especially in terms of email and the portals through which the competition is organised.
- Changes to dates and timings in the organisation of this competition.
- Any incident that may arise after the prize has been awarded. Claims relating to the prize must be addressed to the manufacturer or official distributor of the product that constitutes the prize or else to the wholesaler, agency or provider of the service.

## **13. Reservations and limitations**

- TMB reserves the right to cancel or suspend this competition or to change its terms and conditions for technical or any other reasons outside its control and which prevent it from carrying it out as normal, as stated in these rules.
- TMB may likewise cancel this competition if it detects any irregularities in the prize-winning contestants' identifying data.
- TMB shall not be responsible for the accuracy of the data provided by participants. Therefore, if the data provided are incorrect or contain errors, TMB takes no responsibility for not being able to contact finalists or winners to advise them of the result or to arrange delivering the prize to them.
- Any abusive or fraudulent use of these rules by participants will lead to the automatic disqualification of the participants concerned.

## 14. Guarantees

- By submitting shorts, in accordance with the stipulations of these rules, participants guarantee that they are the authors and holders of all intellectual property rights for the shorts. They also guarantee that the shorts are original and unpublished, and also that they are free of any encumbrance or charge, and are not subject to contracts, transfers or licences in favour of third parties that are incompatible with exercising the rights, that contestants transfer to TMB through their participation in this competition.
- In all cases, participants agree to absolve TMB of any liability in terms of any claims, complaints or demands from third parties derived directly or indirectly from their taking part in this competition and, in particular, from non-compliance with these conditions and with current legislation.

## 15. Intellectual property

Simply taking part in this competition involves transferring to TMB the following exploitation rights which are derived from the shorts:

- **Right of reproduction:** any type of direct or indirect, provisional or permanent fixation, through any means and in any way that enables the communication and attainment of copies, of all or part, in any graphic, digital, electronic, photocopying, audio-visual media or system, or of any other nature.
- **Right of communication to the public:** any form of public access without distributing copies in any media or technical system, whether it is interactive or not, with or without cabling, satellite, optical fibre, hertzian waves, analogue or digital, etc., for the projection, exhibition, broadcast or public transmission, in any TMB media (internet, intranet, MouTV and YouTube channels, Facebook, Twitter, Instagram profiles, etc.) and other means of communication that TMB reaches agreements with or are used as means to exhibit or advertise the festival.
- **Right of transformation:** the right to dub or subtitle short films in any language and the copy and public display of works derived from said transformation.
- **Transfer of rights:** short films participating in Roda a TMB that have been accepted for competition, will transfer the rights of reproduction and distribution in the following cases:
  - The transfer of the rights of reproduction and distribution of all short films accepted for Roda a TMB to the local television network for a period of two years from the awarding of prizes.
  - And with regard to the ten finalist short films, also for their screening at the 2024 edition of the Seoul Metro International Subway Film Festival (SMIFF).
  - The transfer of reproduction and distribution by some of the festival's collaborators with the possibility of a specific screening of Roda a TMB.
  - The transfer of these rights to TMB is free of charge, covering any

geographical location, and for a period of five years. It is non-exclusive in nature, without prejudice to recognising the moral rights that correspond to them.

## **16. Image rights**

Participants authorize TMB to publish their names and surnames, and if they attend the prize-giving ceremony, that their image or voice can be captured, reproduced and advertised through any media, including internet and any other available interactive media, for the management of this competition or for future editions, along with other advertising campaigns or promotions or any other activity performed by TMB. This authorization does not give the participants the right to receive any remuneration whatsoever.

## **17. Data protection**

You can consult TMB's personal data protection policy via the following links:

- Consult the treatment of your personal data

<https://www.tmb.cat/ca/politica-proteccio-dades-personals>

- Consult the activity log for this treatment

<https://www.tmb.cat/ca/registre-activitats-tractament-dades-personals>

## **18. Taxation of the prizes**

In accordance with current legislation, the prizewinner will have to include the value of the prize in the general taxable amount in their tax return for the appropriate fiscal year, plus the payment made on account by TMB.

## **19. Acceptance of the rules**

Contestants are informed that simply participating in the competition implies full acceptance of these rules, instructions and any other communications and recommendations that TMB makes available to participants, and also compliance with the conditions of use of the portals through which the competition is managed, along with all current legislation. Any non-compliance will lead to the disqualification of the participant and, therefore, will mean that they will not be able to receive any of the prizes they would be entitled to, all of the above without prejudice to any legal action that may be taken against the offender, as well as TMB's right to delete the link to the offending participant's short film on the YouTube portal on the website <http://subtravellingfestival.tmb.cat/ca/>.

Barcelona, 2 October, 2023

## **ANNEXE: ADDITIONAL INFORMATION ON DATA PROTECTION**

### **Data controller**

The data controller of the data subject's data is TRANSPORTS DE BARCELONA, SA, with Tax Identification Number (NIF) A-08016081, and FERROCARRIL METROPOLITÀ DE BARCELONA, SA, with Tax Identification Number (NIF) A-080005795 ("**TMB**"). The data controller's contact details are as follows:

- Postal address:

#### **TRANSPORTS METROPOLITANS DE BARCELONA**

carrer 60, número 21-23, Edifici A,  
polígon industrial de la Zona Franca  
08008 Barcelona

Data subjects are hereby informed that **TMB** has appointed a Data Protection Officer (DPO), who can be contacted for any query relating to the processing of their personal data. Data subjects may contact the Data Protection Officer using any of the following contact details:

- Postal address:

#### **Data Protection Officer**

TRANSPORTS METROPOLITANS DE BARCELONA  
carrer 60, número 21-23, Edifici A,  
polígon industrial de la Zona Franca  
08008 Barcelona

- Email: [dpd@tmb.cat](mailto:dpd@tmb.cat)

### **For what purpose do we process your personal data?**

The data subject's personal data are processed for the purposes of managing participation in the **TMB** Subtravelling competition. More specifically, that purpose will include incorporating your data into a **TMB** database.

### **How long will we store your data for?**

Personal data provided will be stored for the duration of the competition, and if necessary, during the processing of the prize. After this, they will be deleted. Notwithstanding the above, **TMB** may keep personal data blocked until the legally applicable limitation periods have ended.

## **What is our legal basis for processing your personal data?**

The legal basis for processing the data subject's personal data is their consent.

## **Who may we communicate your personal data to?**

For the purposes of achieving the above-mentioned goal, the data subject's personal data may be transferred to third party organisations.

## **What are your rights regarding the data you provide us with?**

Anybody has the right to obtain information on whether we are processing personal data that concerns you, or not. Data subjects have the right to access their personal data, and also to request the rectification of inaccurate data, or if applicable, their deletion, if they are no longer necessary for the purposes for which they were collected.

In certain cases, data subjects will have the right to request the limitation of their personal data's processing, in which case we shall only keep them for the purposes of lodging or defending claims.

In certain circumstances, and for reasons relating to their own particular situation, data subjects may object to the processing of their data. In such cases, **TMB** will stop processing the data except for legitimate, compelling reasons or for lodging or defending possible claims.

In either of the above cases, **TMB** must communicate any correction or deletion of personal data, as well as any limitation to processing carried out, to each of the recipients that the personal data have been communicated to, except where this would be or require a disproportionate amount of effort. If the data subject requests this, said recipients must be informed.

Data subjects will likewise have the right to receive the personal data of concern to them that they have provided **TMB** with, in a structured, shared-use and machine-readable format and to transfer them to another data controller where the processing is based on consent or under a contract, and carried out by automated methods.

Data subjects will have the right at any time and for reasons relating to their personal situation to object to personal data of concern to them being subject to processing based on public or legitimate interests pursued by **TMB** or a third party, including profiling, such that **TMB** must stop its processing of the personal data, unless **TMB** can justify the processing for legitimate, compelling reasons that override the interests, rights and freedoms of the data subject or for the purposes of formulating, lodging or defending claims.

Likewise, the data subject has the right not to be subject to a decision based solely on automated processing, including the preparation of profiles, which produces legal effects thereon, or which significantly affect him/her, unless this decision is necessary to enter into any contract between **TMB** and the data subject, which is authorized by European or state law in force, or is based on the explicit consent of the data subject.

The above-mentioned right of data access, rectification, deletion, opposition, portability and limitation, as well as the right not to be subject to individual automated decisions, may be exercised through the email address [dades@tmb.cat](mailto:dades@tmb.cat)

Finally, data subjects have the right to submit a claim before the Spanish Data Protection Agency.

### **How do we obtain the data?**

The personal data processed by **TMB** are provided by the data subjects themselves.