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Spain seeks to improve the status of the artist

Spain follows new support measures for creatives after Spain's Statute of the Artist decree.

The new regulation creates the artistic employment contract; it broadens the definition of public performance, which will no longer only involve performing on stage. It also incorporates technical and auxiliary activities to adapt to "the new reality". It changes the compensation regime for contracts and establishes that cultural professionals will be exempt from the disincentive included in the labour reform for contracts lasting less than 30 days. The measure seeks, according to the Spanish government, to improve the conditions of artistic workers for actors, writers, filmmakers, composers, dancers, among others, as stated in the regulation.

The Decree-Law was passed to improve Decree 1435/1985, which regulates the special employment relationship of performing artists. There had been a recommendation to update it since the Plenary of the Congress of Deputies approved the report of the Subcommittee for the elaboration of the Artist's Statute in September 2018. The Interministerial Commission for the Artist's Statute had been working on translating these recommendations into a regulation since September 2021.

In addition, the regulation cites the situation in which the economic sector of culture finds itself with the outbreak of the pandemic caused by COVID-19, which in some cases "has been absolutely paralysed".

The regulation creates a new contracting regime with a specific modality, the artistic employment contract, to adapt to the intermittent nature of the activity. It may be concluded for an indefinite duration or for a specific period of time. The agreement that is only signed to cover the temporary needs of the company may be for one or several performances, for a certain period of time, for a season or for the time that the work remains on the bill or the production phases are estimated to last. This eliminates the concatenation of seasonal contracts and promotes their transformation into indefinite or fixed-discontinuous contracts adapted to the reality of the professional activity being performed.

The Decree-Law also broadens the definition of public performance to include activities that do not necessarily have to be performed on stage. The new regulation also includes technical and auxiliary personnel who do not belong to the fixed structure of companies in the sector. According to the Executive, the new regulation makes it possible to adapt professional artistic activity and the Artist's Statute "to the new cultural realities, the new formats and channels of dissemination and, in general, new cultural forms and manifestations".