

AXIS 3 - "COMPETITIVENESS OF SMALL AND MEDIUM ENTERPRISES"

ACTION 3.4 - "SUPPORT ACTIONS FOR CULTURAL, TOURISTIC, CREATIVE AND ENTERTAINMENT ENTERPRISES"

**PUBLIC NOTICE TO SUPPORT AUDIOVISUAL PRODUCTION, FILM, AND TELEVISION COMPANIES**

**APULIA FILM FUND 2016**

Support actions for the development of products and services complementary to the enhancement of recognized cultural and natural attractors for the territory, also by way of the integration of cultural, touristic, creative, and entertainment enterprises.

<b>ARTICLE 1 – REFERENCE LEGISLATION AND DEFINITIONS</b>	<b>2</b>
<b>ARTICLE 2 – OBJECT, PURPOSE AND TYPES OF ELIGIBLE PROJECTS</b>	<b>4</b>
<b>ARTICLE 3 – BENEFICIARIES AND ELIGIBILITY REQUIREMENTS</b>	<b>6</b>
<b>ARTICLE 4 – FINANCIAL ALLOCATION, NATURE AND EXTENT OF THE SUBSIDY</b>	<b>7</b>
<b>ARTICLE 5 – ELIGIBLE EXPENDITURES</b>	<b>8</b>
<b>ARTICLE 6 – CUMULATION OF AID</b>	<b>9</b>
<b>ARTICLE 7 – APPLICATION PROCEDURE</b>	<b>10</b>
<b>ARTICLE 8 – SELECTION PROCEDURE AND EVALUATION OF THE APPLICATIONS</b>	<b>12</b>
<b>ARTICLE 9 – EVALUATION CRITERIA</b>	<b>14</b>
<b>ARTICLE 10 – AGREEMENT</b>	<b>17</b>
<b>ARTICLE 11 – SUBSIDY DISBURSEMENT</b>	<b>17</b>
<b>ARTICLE 12 – MODIFICATIONS AND VARIATIONS</b>	<b>18</b>
<b>ARTICLE 13 – REPORTING PROCEDURES AND EXPENDITURE RECOGNITION</b>	<b>18</b>
<b>ARTICLE 14 – DURATION</b>	<b>20</b>
<b>ARTICLE 15 – OBLIGATIONS OF THE BENEFICIARIES</b>	<b>20</b>
<b>ARTICLE 16 – REVOCATIONS AND RENOUNCEMENTS</b>	<b>22</b>
<b>ARTICLE 17 – MONITORING AND SUPERVISION PROCEDURES</b>	<b>23</b>
<b>ARTICLE 18 – COMPLIANCE WITH REGIONAL LAW NO. 28 OF 26 OCTOBER 2006</b>	<b>23</b>
<b>ARTICLE 19 – DATA PROCESSING, RIGHT OF ACCESS, INFORMATION</b>	<b>24</b>
<b>ON THE AUTHORIZATION PROCEDURE PURSUANT TO LAW No.241/1990</b>	

## **Article 1 – Reference Legislation and Definitions**

Recommendation 2003/361/EC by the Commission, dated 6 May 2003 and subsequent modifications and integrations (Definition of micro, small and medium enterprises);

(EU) Regulation No. 994/98 of 7 May 1998 on the applications of articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid, modified by (EU) Regulation No. 733/2013 of 22 July 2013, in particular Article 1, paragraph 1, letters a) and b);

(EU) Commission Regulation No. 651/2014 of 17 June 2014, published in the Official Journal of the European Union of 26 June 2014, which declares certain categories of aid compatible with the internal common market, in accordance with Articles 107 and 108 of the Treaty;

(EU) Regulation No. 1303/2013 of the Commission of the European Parliament and of the Council of 17 December 2013, laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime Affairs and Fisheries Fund, as well as laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime Affairs and Fisheries, and repealing (EC) Council Regulation No. 1083/2006;

Communication of the European Commission published in the EU Official Journal C332/1 of 15 November 2013, "Commission Communication on State aid for cinematographic and other audiovisual works";

Communication of the European Commission published in the Official Journal of the European Union C209/1 of 23 July 2013, "Guidelines on national regional aid 2014-2020";

Legislative Decree No. 123 of 31 March 1998 on "Provisions concerning the implementation of public support actions for enterprises";

Regional Law No. 28 of 26 October 2006 on "Provisions on countering non-regular work";

Regional Law No. 15 of 20 June 2008 and Regulation No. 20/2009 of the Puglia Region (Transparency of administrative action);

Regional Law No. 8 of 10 March 2014 on "Provisions on safety, quality and well-being at the workplace";

Regional Law No. 10 of 29 June 2004 on "Provisions on regional aid scheme" and, in particular, Art.1 stipulating the approval procedures of the regulations for the implementation of the a.m. Law;

Resolution of the Regional Council No. 751 of 11 April 2013, "Surety contract scheme for the anticipation of subsidies by the Puglia Region";

Puglia Region Regulation No. 6 of 26 February 2015, for subsidies to be compatible with the internal market under the TFUE (Regional Regulation of Puglia for aid in exemption). Aid schemes for audiovisual works;

The Puglia Regional Operational Program 2014-2020 provides, in Priority Axes III, "Competitiveness of small and medium enterprises," Action 3.4 "Support actions for cultural, touristic, creative and entertainment enterprises".

In this context, the Puglia Region intends to support audiovisual, film, and television production companies, both Italian, European and non-European which produce in Puglia, in order to enhance Puglia's locations as recognized both natural and cultural attractors. This should also guarantee both direct and indirect impact as well as the integration between enterprises of the related sectors.

The present notice uses the definitions from Article 2 and Annex I of Commission Regulation (EU) No. 651/2014 "General Block Exemption Regulations", also including the following definitions:

1. "Tax credit": refers to the tax benefits regulated in Law No. 208 of 28 December 2015, "Stability Law 2016", as well as the following benefits:
  - a. Tax credit producers (Article 1, paragraph 327, Law 244/2007 and Ministerial Decree of 7 May 2009 MiBACT);
  - b. Tax credit executive production of foreign films (Article 1, paragraph 335, Law 244/2007, and Ministerial Decree of 15 February 2015 MiBACT);
  - c. Tax credit outside investors (Article 1, paragraph 325, Law 244/2007 and Ministerial Decree of 21 January 2010, "Tax credit for outside investors and distributors")
  - d. Tax credit for Audiovisual (Ministerial Decree of 5 February 2015 MiBACT)
2. "General Block Exemption Regulations": (EU) Commission Regulation No. 651/2014 of 17 June 2014
3. "Anti-Money Laundering Provisions": Legislative Decree No. 231 of 21 November 2007.
4. "Anti-Mafia Legislation": Legislative Decree No. 159 of 6 September 2011 and subsequent amendments.
5. "Production Cost":
  - a. in the case of projects pertaining to the categories FICTION, DOC and SHORT, the total amount of
    - the so called "Above the line" expenditures: Screenplay, Direction and Main actors;
    - the so called "Below the line" expenditures: Pre-organization and / or Pre-production, Production, Direction, Installation, Technical Staff, Workforce, Artistic staff, Costumes, Set Design, Theaters and Construction, Indoors, Engineering, Outdoors, Accessibility, Transportation, Film and processing, Publishing, Music, Insurance and warranties, Miscellaneous, Directly attributable expenses, including report certification fees, Indirect costs, Financial obligations, Producer's fee and General expenditures.  
In the case of a short TV/Web musical (video clip or music-video), the entry "Music" cannot be considered.
  - b. in the case of projects pertaining to the category FORMAT, the total amount of
    - the so called "Above the line" expenditures: Authors, Directors and Talent;
    - the so called "Below the line" expenditures: Production, Director, Technical Staff, Workforce, Artistic staff, Casting, Costumes, Set Design, Theatres and Construction, Indoors, Technical means, Outdoors, Accessibility, Transportation, Post Production, Music, Warranties and guarantees, Miscellaneous, Directly attributable expenses, including report certification fees, Indirect costs, Mark up.

In the case of a serial project pertaining to any category, intended are the overall costs of the episodes, with specification of the unit cost per episode as well as the expenditures to be incurred in Puglia.

6. "Production cost for the sample copy" or "cost per sample copy": production cost, excluding general expenditures, financial charges and the production payment ("producer's fee"); by extension, the definition shall apply for all types of audio-visual works, which are beneficiaries of this Public Notice.
7. "Difficult film": Article 1, Ministerial Decree of 15 July 2015 MiBACT.
8. "Format": a television program which has already been televised and whose basic framework has an economic value, namely a program that has already been implemented, at least in pilot form.
9. "Reality": a television program which is characterized by the permanence of all the contestants in a contained place and is filmed 24/7, as well as provides a mechanism of nominations and evictions, which lead to a final winner.
10. "Talent Show": a television program for artistic and/or professional training of a group of people who need to demonstrate their talent and their ability in order to engage themselves with other competitors and win a prize, usually related to their discipline.
11. "Factual entertainment": a television program focusing on stories which are treated in an apparently open and free fashion, almost a live recording, with no mechanisms and no superfluous turning points.
12. "Fictionality" or "Constructed Reality": a television program in confluence between reality and factual entertainment, which envisages the presence of explicitly adapted parts and actors.
13. "Action game": a television program which is characterized by the presence of many players who must face particular physical challenges, in order to win a prize or a final position.
14. "Adventure game"<sup>1</sup>: a television program which is characterized by the presence of several players who must face great adventures in extreme places, in order to win a prize or a final position.

## **Article 2 – Object, Purpose, and Types of eligible Projects**

1. The Puglia Regional Operational Program 2014-2020 provides, in priority Axes III, "Competitiveness of small and medium enterprises," Action 3.4 "Support actions for cultural, touristic, creative and entertainment enterprises".

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<sup>1</sup> The definitions relating to "reality", "talent show", "factual entertainment", "fictionality/constructed reality", "Action game" and "Adventure game" are treated and processed by Fiacco A. F. in *Fare Televisione. I Format* (Making Television. The formats), Bari, Laterza 2013

2. In this context, the Puglia Region intends to support audiovisual, film, and television production companies, both Italian, European and non-European which produce in Puglia, in order to enhance Puglia's locations as recognized both natural and cultural attractors. This should also guarantee both direct and indirect impact as well as the integration between enterprises of the related sectors.
3. In particular, the actions are aimed at supporting investments in audiovisual productions, by way of non-repayable subsidies, granted through:
  - a. (EU) Commission Regulation No. 651/2014, of 17 June 2014 declaring certain categories of aid compatible with the common market, in accordance with Articles 107 and 108 of the Treaty (GU EU L 187/1 of 26.06.2014) "General Block Exemption Regulations" and in particular to Article 54 "Aid schemes in favor of audiovisual works", and
  - b. Puglia Region Regulation No. 6 of 26 February 2015, for subsidies to be compatible with the internal market under the TFUE (Regional regulation of Puglia for aid in exemption). Aid schemes for audiovisual works;
4. The types of projects eligible for aid under this present Notice are audiovisual works pertaining to the categories listed below, realized in Puglia, either wholly or partially. In particular:
  - a. FICTION category: feature film or animation film for mainly cinematographic exploitation purposes; TV fiction or animation film; TV/Web fiction or animation series;
  - b. DOC category: documentary film for mainly cinematographic exploitation purposes; TV documentary; a series of TV/Web documentaries;
  - c. SHORT category: short fiction or animation film; a TV/Web short music film (video clip or music-video)
  - d. FORMAT category: reality; talent show; factual entertainment; fictionality/constructed reality; action game; adventure game.
5. Such audiovisual works must fulfill, at the date of the application, the following requirements:
  - a. To have a minimum financial coverage, be detailed as follows:
    - 60% of the cost per sample copy, in the case of projects pertaining to the FICTION category;
    - 40% of the cost per sample copy, in the case of projects pertaining to the DOC category;
    - 20% of the cost per sample copy, in the case of projects pertaining to the SHORT category;
    - 60% of the cost per sample copy, in the case of projects pertaining to the FORMAT category.
  - b. In the case of projects pertaining to the FICTION category, be the recipient of a distribution agreement, a Deal Memo or a letter of commitment for the distribution, with a distributor, and/or a broadcaster, and/or a VOD or SVOD platform. Letters of Intent will not be considered eligible.
  - c. In the case of projects pertaining to the FORMAT category, be the recipient of a contract with the broadcaster, for TV broadcast. A Deal Memo, letters of commitment or letters of intent will not be considered eligible.

6. The eligible projects must actually begin after the submission of the subsidy application, except for the development phase. More specifically, the shooting phase, i.e. the beginning of filming must start after the submission of the subsidy application.
7. The applying company must respect the following minimum thresholds, related to the shooting phase in Puglia:
  - a. 6 working days in the case of projects pertaining to the FICTION category;
  - b. 6 working days in the case of projects pertaining to the DOC category;
  - c. 2 working days in the case of projects pertaining to the SHORT category.
  - d. 6 working days in the case of projects pertaining to the FORMAT category.
8. Excluded are: works of a pornographic nature, works which advocate crime or incite violence or racial hatred; TV commercials, spot advertising, teleshopping and promotional TV; programs of information and news; game shows, variety shows, quiz shows, talk shows; shows, also live, about events, including theater, musical, artistic, cultural, sports and celebratory events.
9. The Notice defines the characteristics of the subjects who may benefit from it as well as the type and extent of the subsidy, the eligible expenditures, the evaluation criteria and the procedures for access, grant and allocation of the subsidy.

### **Article 3 - Beneficiaries and Eligibility requirements**

1. The beneficiaries of the subsidies provided for in this Notice are those enterprises carrying out investments in the production of audiovisual works, which at the date of the submission of the subsidy application, fulfill the following requirements:
  - a. To be registered in the Register of Companies, or an equivalent register in a Member State of the European Union or of a State with an equal entity;
  - b. To be independent producers;
  - c. To be the only producers or co-producers of the audiovisual work presented, or have a contract of executive production with the audiovisual production company of the audiovisual work;
  - d. To operate mainly in the field of "Motion picture, video and television program production activities" (ATECO code 2007 J 59.11, code NACE J 59.11 or equivalent outside Europe);
  - e. Not to be a firm in difficulty according to the Community definition (Article 2 paragraph 1 point 18 of the General Block Exemption Regulation);
  - f. Not to be subject to bankruptcy proceedings (i.e. failure, subsidiary, special administration or compulsory liquidation) or to liquidation, dissolution of the company, composition with creditors without business continuity or debt restructuring plan;
  - g. To operate in compliance with the provisions of national and territorial labor collective bargaining and social security obligations, in accordance with Regional Law No. 28 of 26 October 2006;
  - h. To comply with the Anti-Money Laundering Rules;
  - i. Not to be in conditions which do not allow the subsidy disbursement, pursuant to Anti-Mafia legislation;
  - j. To have returned the public subsidies enjoyed, for which the restitution had been already arranged;

- k. Not to have been the recipients, in the 3 years preceding the date of notice of admission to the subsidies, of provisions, by which the total restitution of public subsidies had been arranged, with the exception of those deriving from renunciation by the company itself;
  - l. Not to have been beneficiaries of Film Fund contributions to production of the Apulia Film Commission Foundation or the Puglia Region in favor of the same audiovisual work, for which the subsidy, as referred to in this Notice, is requested.
2. At the date of the first request for disbursement, the recipient company must also prove that it has tax residence in Italy as well as an operational office located in the region, resulting in the commercial register, which must be maintained for at least 3 years from the completion date of the project.
  3. The requirements referred to in letters e), g), h) and i) of paragraph 1 of this Article shall be maintained for the entire duration of the project and until balance payment is made, under penalty of revocation. The requirements of paragraph f) must be maintained for the next 5 years.
  4. The social security compliance, attested by DURC, will be verified by the Puglia Region at the moment of the disbursement of the subsidy, the signing of the agreement and each requested disbursement. This verification will determine proper monitoring by the competent authorities. Should non-compliance be detected in more than one case, the subsidy will be revoked.
  5. Eligibility for subsidy exceeding 150,000.00 Euro will be subjected, pursuant to Legislative Decree No. 159/2011, to Anti-Mafia proper verifications.

#### **Article 4 – Financial Allocation, Nature and Extent of the Subsidy**

1. The overall funding provided for this Notice amounts to 3,000,000.00 Euro. The Puglia Region, on the basis of the results of the assessment and the availability of additional resources, reserves the right to increase the financial allocation of this Notice.
2. In the event that the financial allocation is not increased, no partial contributions will be awarded in case resources are depleted.
3. The subsidies covered by this Notice are grants disbursed in the form of a non-repayable subsidy, configurable as a percentage of the production expenditures incurred in the regional territory.
4. The amount which may be granted for each recipient is determined as follows:
  - a. 50% of eligible costs in favor of professional workers registered with the Production Guide database of the Apulia Film Commission Foundation (available on the website [pg.apuliafilmcommission.it](http://pg.apuliafilmcommission.it)) for every type of project;
  - b. 25% of eligible costs in favor of suppliers residing in Puglia for tax purposes, in the case of projects pertaining to the FICTION category;
  - c. 40% of eligible costs in favor of suppliers residing in Puglia for tax purposes, in the case of projects to the DOC category;
  - d. 70% of eligible costs in favor of suppliers residing in Puglia for tax purposes, in the case of projects pertaining to the SHORT category;
  - e. 25% of eligible costs in favor of suppliers residing in Puglia for tax purposes, in the case of projects pertaining to the FORMAT category.
5. The aid intensity for each beneficiary cannot exceed the maximum amounts specified below:
  - a. 250,000.00 Euros in case of project pertaining to the category FICTION;

- b. 50,000.00 Euros in case of project pertaining to the category DOC;
- c. 20,000.00 Euros in case of project pertaining to the category SHORT;
- d. 100,000.00 Euros in case of project pertaining to the category FORMAT.

#### **Article 5 - Eligible Expenditures**

1. Only the expenditures exclusively related to the cost per sample copy of the audiovisual work for the phases of development, shooting, production and post-production, incurred in Puglia, are considered eligible.
2. Only the expenditures exclusively incurred in the territory of Puglia in favor of regular professional workers who are registered with the Production Guide database of the Apulia Commission and by providers residing in Puglia for tax purposes, are considered eligible.
3. Expenditures incurred in Puglia, mentioned in the preceding paragraph 1, only refer to those expenditures related to the gross payroll of the professional workers registered with the Production Guide database of the Apulia Film Commission, available at [pg.apuliafilmcommission.it](http://pg.apuliafilmcommission.it) (excluding walk-ons, special appearances and trainees) and to the invoices issued by suppliers residing in Puglia for tax purposes.
4. Eligible expenditures must be related to the expenditures items listed in Annex 1 of the Notice.
5. Any eligible expenditure must be incurred from the day following the date of submission of the application. Exceptions are made for the expenditures incurred beginning from 1 January 2014, for items qualifying as "Story and Screenplay", in the case of projects pertaining to the categories FICTION, DOC and SHORT.
6. Eligible expenditures related to the so-called "Above the line" costs are accountable according to the following maximum amounts:
  - a. 100,000.00 Euros in the case of a project pertaining to the category FICTION;
  - b. 40,000.00 Euros in the case of a project pertaining to the category DOC;
  - c. 10,000.00 Euros in the case of a project pertaining to the category SHORT;
  - d. 50,000.00 Euros in the case of a project pertaining to the category FORMAT.
7. In the case of specialized consulting services, these must be performed by subjects, both public and private, who are technically organized and possess a VAT registered number.
8. Occasional professional services are not eligible.
9. The VAT does not constitute eligible expenditure, except where it is genuinely and definitively borne by the individual recipient. The VAT which can be recovered in some way, cannot be considered eligible, even if it is not actually recovered by the final beneficiary or individual recipient. When the final beneficiary or individual recipient is subject to a flat-rate scheme, under Chapter XIV of the Sixth Directive on VAT, the VAT paid is considered recoverable for the purposes mentioned above.
10. The expenditures for the purchase of goods or services from suppliers/businesses are not eligible if:



- a. The suppliers/businesses have among their partners, owners or administrators:
  - the administrator, owner or a partner of the beneficiary;
  - a spouse, relative or kindred within the third degree (in a straight or collateral line) of the owner/legal representative of the company of the beneficiary;
- b. The suppliers/businesses find themselves, with regard to the beneficiary, under the conditions of Civil Code Art. 2359, i.e. they are both participants, for at least 25%, of the shareholdings of the same entity or have the majority of the administrative body composed by the same members.
- c. The suppliers/businesses are connected to the beneficiary, as defined in Annex I of the General Block Exemption Regulations.

11. The following expenditures are not eligible in any case:

- a. notary fees and tax expenses;
- b. expenditures related to the purchase of stockpiles and reserves;
- c. expenditures related to the purchase of used machinery and equipment;
- d. purchases settled in cash;
- e. expenditures related to VAT, except in cases where VAT expenses are not recoverable under the national legislation;
- f. expenditures related to goods and services not directly operational to the project for which the subsidy is requested;
- g. expenditures of occasional professional services;
- h. expenditures incurred as contributions in kind;
- i. expenditures incurred in behalf of companies affiliated with the beneficiary company, as defined in Annex I of the "General Block Exemption Regulations";
- j. expenditures incurred before the submission of the subsidy application;
- k. expenditures related to services performed by the owner, the partners, the administrator and by those who hold corporate positions in the applicant company;
- l. expenditures related to services and supplies of goods and services from third parties, financing the audiovisual work or, in general, from third parties who are in situations of joint interest with the beneficiary of the subsidy;
- m. expenditures related to activities in sectors excluded from the application of the "Block General Exemption Regulations";
- n. interest payable, production payment (producer's fee) and general overhead costs;
- o. expenditures related to road tolls or purchase of travel tickets;
- p. expenditures below 100,00 Euro.

12. The amount of the contribution approved during subsidy granting, is determined by reference to the relevant eligible expenditures; any increase in the expenditure will not result in any case to an increase in the amount of the subsidy.

13. The amount of the subsidy granted is recalculated at the time of the final payment in order to comply with to the maximum amount of aid allowed, on the basis of the eligible expenditures actually incurred, reported and recognized.

#### **Article 6 - Cumulation of Aid**

1. The subsidy may be cumulated with any other State aid, also as "de minimis" aid, granted to the beneficiary to cover the same eligible costs, provided that the total amount of aid does not exceed 50% of the expenditure i.e. the maximum aid intensity which can be provided, in some

cases, according to the General Block Exemption Regulations as well as to other EU programs, centrally managed by the institutions, agencies, joint companies or other EU bodies which are neither directly nor indirectly controlled by the Member States.

2. The maximum aid intensity provided by the General Block Exemption Regulations requires that the cumulation of aid does not exceed the following percentages:
  - a. 60% of admissible expenditures for cross-border productions funded by more than one Member State and where more producers are involved from more than one Member State;
  - b. 100% of admissible expenditures for difficult films and co-productions involving countries from the list of the Development Assistance Committee (DAC) of the OECD.
3. The tax credit granted to every associate producer with respect to eligible expenditure directly incurred, pursuant to and in accordance with the Ministerial Decree governing the matter, may be cumulated up to the maximum provided for different types of film production and audiovisual works described, according to the restrictions referred to in paragraphs 1 and 2.

#### **Article 7 – Application Procedure**

1. The application form must be submitted, under penalty of exclusion, solely online at the following CEM address: **fesr.cultura.spettacolo@pec.rupar.puglia.it**
2. The email subject must be: "Avviso Pubblico Apulia Film Fund 2016 -Domanda di agevolazione" (*Public Notice Apulia Film Fund 2016 -subsidy application form*)
3. The application form must be attached with:
  - a. application form (Annex 2);
  - b. financial plan (Annex 3) ;
  - c. documentation proving the availability of minimum financial coverage, in accordance with Art.2 paragraph 4 letter a) of this Notice. The minimum financial coverage, detailed in the financial plan referred to in letter b), must be proven by pertinent contracts (e.g. with co-producers, third party financiers, broadcasters, distributors, etc.); more specifically:
    - If the financial plan indicates a direct corporate financial contribution of the applicant, and/or a financial contribution from co-producers or groups of producers within the specified minimum financial coverage, a bank certificate must be attached at the date of the application, thus proving effective availability of the indicated amount, prepared according to the form in Annex 4;
    - If the financial plan indicates a financial contribution from third parties within the specified minimum financial coverage, a bank certificate, in addition to the contract, must be attached at the date of the application, thus proving effective availability of the indicated amount, prepared according to the form in Annex 4;
    - If the financial plan indicates a financial contribution by a Tax credit, within the specified minimum financial coverage, the communication presented to MiBACT - General Direction for Cinema, with complete protocol must be attached;

- d. substitute statement of certification in order to verify social security compliance and traceability of financial flows (Annex 5); the current bank account indicated must be assigned to the company and designated to the project, even in a non-exclusive form. The same account must be used for payments of all expenditures related to the subsidized project and will be the prime recipient of the subsidy;
  - e. Contract and/or other agreement as per Art. 2, paragraph 5, letters b) and c) of this Notice;
  - f. any co-production or executive production agreement;
  - g. company profile of the applicant and all those involved in the production (including any associated or executive productions or co-productions);
  - h. estimations of the production cost, listing all the so-called "Above the line" and "Below the line" expenditures, clearly highlighting all the expenditures which will be incurred in Puglia. In the case of a serial project, in any pertaining category, the total cost refers to the overall cost of the episodes, along with the specification of the unit cost per episode and the expenditures to be incurred in Puglia;
  - i. substitute statement of certification on cumulation of aid (Annex 6);
  - j. updated company certificate of the applicant and any co-producers;
  - k. a photocopy of the identity document of the legal representative of the company;
  - l. according to the categories of eligible projects,
    - I. in the case of projects pertaining to the categories SHORT and FICTION: subject, synopsis and screenplay; in the case of music-video: synopsis, data processing, link to the music track, information on the artist, the record company and the release plan of the music video;
    - II. in the case of projects pertaining to the DOC categories: synopsis, data processing, research dossier (photographic and documentary material), as well as link to the teaser;
    - III. in the case of projects pertaining to the FORMAT category: paper format (maximum 20 pages), link to the format, link to the format pilot, viewing figures.
  - m. filmography of the producer, writers or authors, director, cinematographer, set designer, costume designer, editor, music author (in one file);
  - n. full cast and crew credit list, highlighting the both selected and to be selected professional workers registered with the Production Guide of the Apulia Film Commission Foundation, except for walk-ons , special appearances, and trainees.
4. All documents and attachments composing the subsidy application must be digitally signed by the legal representative.
  5. The application must be drawn up in the format and in the manner set forth in this Notice, with the appropriate forms attached.
  6. A revenue stamp of Euro 16.00 shall be affixed on the application form (Annex 2), in the following described manner, thus proving the successful stamp affixation:
    - a. print the form
    - b. paste the stamp on the form
    - c. cancel the stamp
    - d. scan the document in PDF with the affixed stamp
    - e. Sign the PDF and send it by CEM
  7. Failure to send the subsidy application, in the form presented in the preceding paragraphs and within the above deadlines, automatically entails the inadmissibility of the application.

8. Applications will be registered, following a chronological order of electronic sending and will undergo a direct assessment, thus ascertaining their admissibility, by means of verification for completeness and mere formal compliance as well as for the existence of the minimum requirements, carried out by the Offices of the Department of Tourism, Cultural Economy and Promotion of Territory.
9. By submitting the application, applicants recognize and fully accept the methods, directions and requirements set out in this Notice.
10. The applicant undertakes, under penalty of revocation, to promptly notify the Puglia Region of all updates regarding the declarations made, pursuant to Presidential Decree No. 445, 28/12/2000, if events have occurred between the date of submission of the application and the date of publication of the lists, referred to in Article 11, paragraph 5 of this Notice, which have made the aforementioned statements outdated.

#### **Article 8 - Selection procedure and Evaluation of the applications**

1. The selection of applications is carried out through an assessment procedure implemented on site by an appropriate Technical Commission of Evaluation, appointed by the Managing Authority of POR Puglia FESR - ESF 2014/2020 and composed by the Director of the Department of Tourism, Economy of Culture and Promotion of Territory (or his delegate) acting as President, the Manager of the relevant section (or his Chief) and three experts in the field, in order to ensure independence, high-profile and high technical and/or scientific skills; these experts are designated by the Director of the Department of Tourism, Economy of Culture and Promotion of Territory on a proposal from the Apulia Film Commission within a shortlist of names.
2. In order to carry out the selection and evaluation procedures referred to in this Notice as well as to manage the subsequent activities, the Department of Tourism, Economy of Culture and Promotion of Territory avails itself of the technical and specialist support of the Apulia Film Commission on the basis of a specific Agreement.
3. The relevant Offices of the Department of Tourism, Economy of Culture and Promotion of Territory of the Puglia Region shall carry out the preliminary inquiry procedure in order to verify the formal admissibility of applications received and shall draw up the report(s) related to such verification.
4. If during such preliminary inquiry, any clarifications or additions may prove necessary, the Puglia Region can submit a formal request to the subject candidate, who is required to provide them with the above mentioned information, within a maximum period of 10 days from receipt of the request. After this deadline, the application is declared non admissible for evaluation. In order to meet the deadlines set out in this paragraph, the day of dispatch by CEM shall prevail.
5. The project declared non admissible for evaluation, according to the preceding paragraph 4, shall not be resubmitted.
6. Applications formally deemed eligible will be submitted to the Technical Commission of Evaluation along with the additional relevant documentation provided by the applicant. The Commission, after having noted the formal admissibility of the applications, will assess the

suitability of the applications according to criteria set out by Art. 9 and will establish the eligible applications.

7. The evaluation activities referred to in the previous paragraph will be conducted by the Commission every two months.
8. At the end of the regular evaluation, the Commission shall draw up a special Evaluation Technical Report and transmit it to the relevant Offices of the Department of Tourism, Economy of Culture and Promotion of Territory, which will publish the results of the evaluation in the Official Journal of the Puglia Region and on the website [www.regione.puglia.it](http://www.regione.puglia.it), through the following breakdown:
  - a. list of applications that have been found non-eligible, with an indication as to the reasons for their ineligibility;
  - b. list of accepted applications with details of fundable applications and those not subsidized. with indication of the reasons for the non – funding.
9. For applications deemed ineligible, the Puglia Region will communicate to applicants the reasons for exclusion, in accordance with procedures set out in Article. 10 bis of Law 241/90.
10. The eligible applications however non fundable for lack of resources may become eligible as a result of possible replacement of names in the list, or due to the increase of the financial allocation of this Notice, also pursuant to the provisions of Art. 4, paragraph 1.
11. In the case of subsidized applications, the Puglia Region will send the beneficiary companies, by way of CEM, a letter of invitation to sign the agreement, which is attached to the agreement itself, within 30 days from the publication of the decision to grant the subsidy. In order to meet the deadlines set out in this paragraph, the date of dispatch by CEM shall prevail.
12. If the recipient does not sign the agreement, according to the method indicated in the letter sent by the Puglia Region, within 20 days following receipt of the relevant communications and attaching all documents required, it will be regarded as renouncing and the Puglia Region, following the disqualification of the beneficiary company from the subsidy, will consider all the commitments and relations already made automatically terminated. In order to meet the deadlines referred to in this paragraph, the date of dispatch by CEM shall prevail.
13. The applying companies, whose applications have not been considered eligible by regional measure, have 60 days from the date of notification of the exclusion in the BURP, to introduce an administrative appeal and 120 days to introduce an extraordinary appeal to the President of the Republic.

#### **Article 9 - Evaluation Criteria**

1. The technical and economic evaluation of applications is carried out by the Technical Commission of Evaluation every two months:
  - a. in accordance with the (EU) Regulation No. 1303/2013:
    - It verifies the existence of administrative, financial and operational capacity to carry out the project to be subsidized;
    - It ensures the coherence between the project to be subsidized and the purpose of this Notice, by applying the proper evaluation criteria;

- b. in accordance with the (EU) Regulation No. 651/2014, it ensures the cultural quality of the project to be subsidized.
2. For the purposes of the assessment referred to in the preceding paragraph, the criteria explained in the grids below shall apply. Applications obtaining a minimum overall score of 60 points as well as the minimum score, where indicated, i.e. in the column "Min Points" concerning the criterion A, shall be considered eligible.
  3. The Commission may attribute intermediate scores on each sub-criterion from 0 to the maximum score reported in the column labeled "Max points".
  4. For the purposes of the evaluation of projects pertaining to the FICTION category, the evaluation criteria explained in the following grid shall apply:

	<b>Max Points</b>	<b>Min Points</b>	<b>Max Points</b>
<b>Criterion A) Quality and originality of the project</b>	<b>45</b>	<b>27</b>	
1. Originality of the film project			15
2. Quality of the screenplay writing, character development, tone and rhythm			25
3. Coherence between the audiovisual project and the chosen media (cinema, TV, web)			5
<b>Criterion B) Economic impacts and stability of the project</b>	<b>45</b>		
1. Ratio of eligible expenditures incurred in the region and cost of the project "per sample copy"			8
2. Ratio of shooting days in Puglia and total shooting days			8
3. Ratio of professional workers registered with the Production Guide, and total employees (excluding walk-ons, special appearances and trainees)			8
4. Expenditures incurred in the region in absolute terms:			10
a. higher than 1,000,000.01 Euros: 10 points			
b. between 750.00,01 Euros and 1,000,000.00 Euros: 8 points			
c. between 500.00,01Euros and 750,000.00 Euros: 6 points			
d. between 250,000.01 Euros and 500,000.00 Euros: 4 points			
e. between 50,000.01 Euros and 250,000.00 Euros: 2 points			
f. lower than 50,000.00 Euros: 0 points			
5. Coherence among the technical and artistic components of the audiovisual project, the estimate and the financial plan			11
<b>Criterion C) Setting and promotion of the territory</b>	<b>10</b>		
1. Ratio of pages of the screenplay openly set in Puglia and total pages			5
2. Promotion and / or authenticity of Puglia's heritage, within the narration, from the artistic, cultural, historical, environmental, scenic, gastronomic and artisan point of view.			5

5. For the purposes of the evaluation of projects pertaining to the DOC category, the evaluation criteria explained in the following grid shall apply:

	<b>Max Points</b>	<b>Min Points</b>	<b>Max Points</b>

<b>Criterion A) Quality and originality of the project</b>	<b>55</b>	<b>33</b>	
1. Originality of the film project			20
2. Quality of writing, narrative development, tone and rhythm			20
3. Quality of the research dossier and possible teaser			10
4. Coherence between the film project and the chosen media (film, TV, web)			5
<b>Criterion B) Economic impacts and stability of the project</b>	<b>40</b>		
1. Ratio of eligible expenditures incurred in the region and cost of the project “per sample copy”			10
2. Ratio of shooting days in Puglia and total processing days			10
3. Ratio of professional workers registered with the Production Guide, and total employees (excluding walk-ons, special appearances and trainees)			10
4. Coherence among the technical / artistic components of the film project, the estimate and the financing plan			10
<b>Criterion C) Setting and promotion of the territory</b>	<b>5</b>		
1. Promotion of Puglia’s heritage, within the narration, from the artistic, cultural, historical, environmental, landscape, culinary and artisan point of view			5

6. For the purposes of the evaluation of projects pertaining to the SHORT category, specifically short fictions or animation shorts, the evaluation criteria in the following grid shall apply:

	<b>Max Points</b>	<b>Min Points</b>	<b>Max Points</b>
<b>Criterion A) Quality and originality of the project</b>	<b>50</b>	<b>30</b>	
1. Originality of the film project			25
2. Quality of writing, narrative development, tone and rhythm			25
<b>Criterion B) Economic impacts and stability of the project</b>	<b>40</b>		
1. Ratio of eligible expenditures incurred in the region and cost of the project “per sample copy”			10
2. Ratio of processing days in Puglia and total processing days			10
3. Ratio of professional workers registered with the Production Guide, and total employees (excluding extras, special extras and trainees)			10
4. Coherence among the technical / artistic components of the film project, the estimate and the financing plan			10
<b>Criterion C) Setting and promotion of the area</b>	<b>10</b>		
1. Ratio of pages of the screenplay openly set in Puglia and total pages			5
2. Promotion of Puglia’s heritage, within the narration, from the artistic, cultural, historical, environmental, landscape, culinary and artisan point of view			5

7. For the purposes of the evaluation of projects pertaining to the category SHORT, specifically TV /Web musical shorts (video clips or music videos), the evaluation criteria in the following grid shall apply:

	<b>Max Points</b>	<b>Min Points</b>	<b>Max Points</b>
<b>Criterion A) Quality and originality of the project</b>	<b>40</b>	<b>24</b>	
1. Originality of the film project			20

2. Quality of writing			20
<b>Criterion B) Economic impacts and stability of the project</b>	<b>40</b>		
1. Ratio of eligible expenditures incurred in the region and cost of the project as “per sample copy”			10
2. Ratio of processing days in Puglia and total processing days			10
3. Ratio of professional workers registered with the Production Guide, and total employees (excluding extras, special extras and trainees)			10
4. Coherence among the technical / artistic components of the film project, the estimate and the financing plan			10
<b>Criterion C) Setting and promotion of the territory</b>	<b>20</b>		
1. Promotion of Puglia’s heritage, within the narration, from the artistic, cultural, historical, environmental, landscape, culinary and artisan point of view			20

8. For the purposes of the assessment of projects pertaining to the FORMAT category, the evaluation criteria explained in the following grid shall apply:

	<b>Max Points</b>	<b>Min Points</b>	<b>Max Points</b>
<b>Criterion A) Quality of the project</b>	<b>25</b>	<b>15</b>	
1. Quality of the concept			10
2. Quality of the structure			10
3. Level of integration among media (cross-media) within the project			5
<b>Criterion B) Economic impacts and stability of the project</b>	<b>35</b>		
1. Shooting days in Puglia: <ul style="list-style-type: none"> <li>a. higher than 18: 10 points</li> <li>b. between 15 and 17: 8 points</li> <li>c. between 13 and 15: 6 points</li> <li>d. between 10 and 12: 4 points</li> <li>e. between 7 and 9: 2 points</li> <li>f. lower than 7: 0 points</li> </ul>			10
2. Professional registered with the Production Guide (excluding walk-ons, special appearances and trainees) <ul style="list-style-type: none"> <li>a. higher than 20: 10 points</li> <li>b. between 16 and 19: 8 points</li> <li>c. between 12 and 15: 6 points</li> <li>d. between 8 and 11: 4 points</li> <li>e. between 4 and 7: 2 points</li> <li>f. lower than 3: 0 points</li> </ul>			10
3. Expenditure incurred in the region in absolute terms: <ul style="list-style-type: none"> <li>a. higher than 220,000.01 Euros: 10 points</li> <li>b. between 170.00,01 Euros and 220,000.00 Euros: 8 points</li> <li>c. between 120.00,01Euros and 170,000.00 Euros: 6 points</li> <li>d. between 70,000.01 Euros and 120,000.00 Euros: 4 points</li> <li>e. between 20,000.01 Euros and 70,000.00 Euros: 2 points</li> <li>f. lower than 20,000.00 Euros: 0 points</li> </ul>			10
4. Coherence among the technical and artistic components of the audiovisual project, the estimate and the financing plan			



			5
<b>Criterion C) Setting and promotion of the territory</b>	<b>40</b>		
1. Promotion and / or authenticity of Puglia's heritage, within the narration, from the artistic, cultural, historical, environmental, scenic, gastronomic and artisan point of view.			20
2. Ratings of previous editions			20

### **Article 10 – Agreement**

1. The Puglia Region, once acquired the certification attesting social security compliance and verified the correct fulfillment of the obligations arising from the notification of payment records related to the recipient company (former art. 48-bis Presidential Decree No. 602/73), subscribes to an agreement (Ann. 9) containing:
  - a. the reference to the Municipal Resolution about the allocation of the subsidy, with the details of publication in the Puglia Region Official Bulletin;
  - b. the amount of the granted subsidy;
  - c. the Unique Code of Project (CUP)
  - d. the obligations of the recipient company, as defined in the following Art. 15;
  - e. the recipient company's statement to assume any and all civil and criminal liability, towards anyone, arising from the investments subject of the subsidy; as well as to take on any responsibility with regard to the request and the granting of all permits and certifications pursuant to the current safety regulations;
  - f. procedures of subsidy disbursement;
  - g. procedures of expenditure reporting;
  - h. cases of revocation of the contribution.

### **Article 11 – Subsidy Disbursement**

1. The subsidy granted will be paid to those concerned by the Puglia Region:
  - a. in one installment (lump sum), at the end of the post-production phase, following the submission of a specific final report, according to the appropriate defined schemes, made available by the Region.
  - b. in two installments including:
    - I. advance payment equal to 35% of the granted subsidy, following an expressed request by the beneficiary company, along with the presentation to Puglia Region, pursuant to the payment scheme approved with Decree of Regional Council No. 751 of 11/04/2013, of a bank guarantee, insurance policy, or policy granted by an intermediary financial resource registered in the special list, compliant with Article 107 of the Legislative Decree No. 385 of 1 September 1993 and following amendments and integrations, in an amount equal to the total amount of the advance payment required;
    - II. payment of the remaining subsidy, as balance of the same subsidy, at the end of the post-production phase and following the submission of a specific final report, according to the relevant schemes.

## Article 12 – Modifications and Variations

1. The projects eligible for the subsidy can be changed in progress, according to the methods and limits outlined below.
2. Variations concerning the qualitative aspects of the project, referring to the relevant criteria A) and C) in Art. 9, as well as the changes of directors, main actors and authors, are to be communicated within 10 days to the Puglia Region, which will ensure the reconvening of the Technical Commission of Evaluation for prior authorization, under penalty of non-recognition and consequent revocation of the subsidy. If, as a result of the new evaluation, variations emerge, which have resulted in a reduction of the points assigned in the first evaluation phase, such that the score falls below the minimum threshold indicated in the evaluation grids, or below the threshold of 60 points overall, the subsidy will be revoked.
3. Variations concerning the production aspects of the project are regulated as follows:
  - a. For projects pertaining to the categories FICTION, DOC and SHORT: downward deviations of no more than 30% are allowed, with respect to what stated in the Application Form, in reference to:
    - Ratio of eligible expenditures incurred in the region and cost of the project as “per sample copy”
    - Ratio of shooting days in Puglia and total shooting days
    - Ratio of professional workers registered with the Production Guide, and total employees (excluding walk-ons, special appearances and trainees)
    - Expenditures in the region in absolute terms.
  - b. For projects pertaining to the FORMAT category, downward deviations of no more than 30% are allowed, with respect to what stated in the Application form, in reference to:
    - Shooting days in Puglia;
    - Professional workers registered with the Production Guide (excluding walk-on, special appearances and trainees);
    - Expenditures in the region in absolute terms.

If, following the verification, any of the above variables has been decreased by more than 30%, the subsidy will be revoked.

## Article 13 – Reporting Procedure and Expenditure Recognition

1. For the recognition of expenditures the following documentation must be attached:
  - a. Certificate issued by the legal representative of the beneficiary, in accordance with Annex 7, in which it is reported, inter alia, that:
    - all regional and national legal requirements, in particular with reference to tax matters, have been duly fulfilled;
    - all provisions and European regulations have been respected, including, e.g., obligations related to information and publicity, contracts of employment and workplace safety, environmental impact, equal opportunities and inclusion of disabled people in society;
    - the expenditure incurred is eligible, relevant and adequate, and has been carried out within the terms of eligibility laid down by the Agreement or the Notice;

- reductions and/or VAT deductions on the expenditures incurred have not been obtained (or if they have been obtained, on which expenditures and to what extent);
  - additional reimbursements, contributions and additions from other entities, public or private, national, regional, provincial and/or EU based have not been obtained or requested (or if requested or obtained, which ones and to what extent);
  - the project activities have been completed, in line with the objectives pursued and the extent of the project.
- b. Self-declaration certification on the cumulation of aid according to Annex 6.
  - c. Final shooting plan, clearly highlighting the shooting days in Puglia.
  - d. Definitive cast and crew credit list, clearly highlighting the professional workers registered with the Production Guide (excluding walk-ons, special appearances and trainees);
  - e. List of suppliers residing in Puglia for tax purposes;
  - f. Complete list of locations, clearly highlighting the locations in Puglia.
  - g. Final screenplay, clearly highlighting the scenes set in Puglia, only for projects pertaining to the categories SHORT and FICTION (except for musical shorts).
  - h. Affidavit of an accountant or statutory auditor / auditing firm, enrolled in the Register, pursuant to Legislative Decree No. 39/2010 and subsequent amendments, certifying that the detailed report has been prepared according to Annex 8 of the Notice.
  - i. Copies of:
    - invoices of suppliers residing in Puglia, for tax purposes, with the related declaration of payment (copy of the bank transfer, debit featured in the bank account, etc.);
    - payrolls of professional workers registered with the Production Guide and regularly under contract, with the related declaration of payment (copy of the transfer, debit featured in the bank account, etc.);
    - any other supporting documentation of expenditure with the related declaration of payment (copy of the bank transfer, debit featured in the bank account, etc.);
    - where applicable, legally binding acts (contracts, agreements, letters of appointment, etc.), clearly highlighting the subject of the service or supply, its amount, the terms of delivery as well as the method of payment.

2. For the purposes of expenditure recognition, the expenditures must:

- a. be clearly and closely related to the eligible project , in accordance with the Notice;
- b. result from legally binding acts (contracts, agreements, letters of appointment, etc.), clearly highlighting the subject of the service or supply, its amount, the terms of delivery, and the method of payment;
- c. have actually been incurred and justified by invoices or accounting documents of equivalent probative value;
- d. be in good standing from the perspective of civil and tax legislation;
- e. be recorded and clearly identified with a separate accounting system or adequate accounting codification (containing the date of the transaction, receipts details, method of payment) which allows to distinguish them from other financial operations, pursuant to the national accounting regulations;

- f. be paid in accordance with the regulations establishing the traceability of financial flows (Art. 3 of L. No. 136/2010, as amended by L. no. 217/2010); the accounted expenditures incurred by any other form of payment other than those specified will not be considered eligible.
3. All expenditure titles related to expenses recognized as eligible, for verification purposes referred to in Art. 15 par. 13, must contain the following wording: "Expenditure incurred thanks to the contribution of POR Puglia ERDF - ESF 2014-2020. Project submitted with respect to the Public Notice Apulia Film Fund Action 3.4 ", as well as the CUP that will be provided by the Puglia Region.
4. The documents relating to the project must be available for the duration of the project itself as well as for the next 5 years, and will be audited, on the occasion of a technical and administrative verification of the supported project, carried out by representatives of the Puglia Region, the Apulia Film Commission Foundation or EU institutions; these documents shall be made available in copy when requested by the above mentioned bodies.
5. In case of incomplete documentation, should the Puglia Region request the necessary additions, these are to be provided by the Beneficiary within 30 days from the request, under penalty of revocation of the subsidy.
6. The beneficiary companies are required to promptly notify the Puglia Region of any possible renunciation of subsidy for the implementation of the eligible project.

#### **Article 14 – Duration**

1. The beneficiary companies are obliged to hand over the report package no later than:
  - a. 18 months from the date of publication of the decision to grant the subsidy, under penalty of revocation of the subsidy, in the case of projects pertaining to the FICTION category;
  - b. 18 months from the date of publication of the decision to grant the subsidy, under penalty of revocation of the subsidy, in the case of projects pertaining to the categories DOC, SHORT, and FORMAT.
2. The beneficiary companies or the producers and the holders of the exploitation rights of the audiovisual work are required to complete and deliver the audiovisual work in Blue-ray Disc to the Puglia Region and the Apulia Film Commission, no later than:
  - a. 18 months from the date of publication of the decision to grant the subsidy, under penalty of revocation of the subsidy, in the case of projects pertaining to the FICTION category;
  - b. 18 months from the date of publication of the decision to grant the subsidy, under penalty of revocation of the subsidy, in the case of the project pertaining to the categories DOC, SHORT, and FORMAT.

#### **Article 15 - Obligations of the Beneficiaries**

In consideration of the subsidy disbursement, the beneficiary companies are obliged:

1. To implement current regulations relating to social security, assistance and insurance at the workplace for the recruited technical and artistic personnel, including temporary workers, with explicit reference to payment of any legal contribution;
2. to comply with Law No. 136 of 13 August 2010, "Extraordinary plan against Mafia, and anti-mafia legislation Proxy to the Government" (Official Journal No. 196 of 23 August 2010);
3. to send the agreement duly signed and countersigned by the legal representative of the beneficiary company, within 15 days of receipt;
4. In case of registered office located outside Puglia, to have a legal or operational office in Puglia, at the time of subsidy disbursement;
5. To communicate by e-mail at [ufficioproduzioni@apuliafilmcommission.it](mailto:ufficioproduzioni@apuliafilmcommission.it), before the preparation:
  - a. the preparation plan;
  - b. the list of the preparation crew, clearly highlighting the crew registered with the Production Guide;
  - c. the complete list of suppliers, clearly highlighting those residing in Puglia, for tax purposes;
6. To communicate by e-mail at [ufficioproduzioni@apuliafilmcommission.it](mailto:ufficioproduzioni@apuliafilmcommission.it), during the shooting, any updates regarding:
  - i. the complete shooting plan, clearly highlighting the shooting days in Puglia;
  - ii. the complete cast and crew credit list, clearly highlighting those registered with the Production Guide (excluding walk-ons, special appearances and trainees);
  - iii. the complete list of suppliers, clearly highlighting those residing in Puglia, for tax purposes;
  - iv. the complete list of locations, clearly highlighting the locations in Puglia;
7. To communicate on a daily basis during the shooting, the production agenda, by e-mail at [ufficioproduzioni@apuliafilmcommission.it](mailto:ufficioproduzioni@apuliafilmcommission.it);
8. To submit on a weekly basis during the shooting, photographs of the set, by e-mail at [ufficioproduzioni@apuliafilmcommission.it](mailto:ufficioproduzioni@apuliafilmcommission.it);
9. To organize, before or during the shooting, a special press conference in Puglia, with the participation of national and international newspapers with the director and / or main actors as well as representatives of the Puglia Region and the Apulia Film Commission;
10. To allow any time during the shooting the presence of a delegate of the Apulia Film Commission;
11. To allow during the shooting, video footage or photographs, exclusively for documentation purposes, to be taken by a delegate of the Apulia Film Commission Foundation;
12. To communicate by e-mail at [ufficioproduzioni@apuliafilmcommission.it](mailto:ufficioproduzioni@apuliafilmcommission.it), before the end of the shooting:
  - i. the post-production plan;
  - ii. the complete list of the post-production crew, clearly highlighting those registered with the Production Guide (excluding walk-ons, special appearances and trainees);
  - iii. the full cast credit list (e.g. dubbers), clearly highlighting the cast registered with the Production Guide;

13. To apply the requested logos in the opening credits, or alternatively, on the first page of the closing credits and in any informational, advertising and promotional documents about the work, with the heading "**With the contribution of [LOGO Puglia] [LOGO European Union - POR Apulia ERDF - ESF 2014-2020] [LOGO Apulia Film Commission Foundation]**", also sending the Puglia Region and the Apulia Film Commission the preview of the film titles in .jpeg format, before finalizing or duplicating the ultimate work, under penalty of non-disbursement of the subsidy.
14. To grant the Puglia Region and the Apulia Film Commission the right of royalty –free use of the film work (or its extracts, whether or not edited with other extracts of other filmic works) in any channel, as well as the photographs of the set and the backstage, solely for institutional purposes and institutional promotion of the Apulia Film Commission and its members;
15. To deliver to the Puglia Region, the Mediateca Regionale Pugliese and the Apulia Film Commission, 3 copies on Blue-ray Disc of the film work and the backstage (and/or special promotions), without any additional costs;
16. To plan at least one public projection of the film work in the town of Puglia, where most of the shooting has taken place, to the presence of the Mayor, a representative of the Puglia Region and of the Apulia Film Commission Foundation;
17. To provide for the presence of a representative of the Puglia Region and the Apulia Film Commission at the national or international premiere;
18. In case of participation in national or international festivals, to provide for the presence of a representative of the Puglia Region and the Apulia Film Commission Foundation, during the press conference for the film presentation, at the festival in which the project is registered.
19. For projects pertaining to the FORMAT category, to provide for a superimposed indication of the location chosen for filming or to communicate it, by means of a verbal intervention of the host during the TV program.

#### **Article 16 – Revocations and Renouncements**

1. The granted subsidy is subject to complete revocation, with reimbursement of an amount equal to the sum of the subsidy which may have already been disbursed, increased with simple interest calculated at the legal rate for the period between the date of distribution and the date of revocation, in one or more of the cases listed below:
  - a. in case of granted and / or disbursed subsidy, on the basis of either false or reticent data and information, as well as of misrepresentations;
  - b. in case of negative results from the verification carried out under Anti-Mafia regulations;
  - c. in case of double negative outcome from verifications to ensure social security compliance;
  - d. if, at the time of signing of the agreement, the requirements are no longer fulfilled or in case of failure to sign the agreement;
  - e. if the requirements of Art. 3 of the Notice are no longer fulfilled;
  - f. if the terms of paragraphs 1 and 2 of Art. 14 of the Notice are not respected, except in cases of expressed concession for an extension of the terms by Puglia Region;

- g. in case of initiation of bankruptcy proceedings, dissolution of the company, liquidation, controlled or extraordinary administration, compulsory administrative liquidation, composition with creditors without business continuity or debt restructuring plan;
  - h. where one of the conditions referred to in Art. 8 and Art. 12 of the Notice becomes effective;
  - i. in case of serious breaches of the Beneficiary, with respect to the foreseen obligations, as well as those in the Notice and in all documentation attached to the application;
  - j. in case of serious irregularities arising as a result of performed inspections and verifications;
  - k. in case of serious breaches of obligations under Article 3 and Article 15 of the Notice;
2. Any delay in the repayment of the amount due will result in the application of interests on arrears, in accordance with the legal interest plus 100 basis points.
  3. Upon the occurrence of one or more causes for revocation, Puglia Region, having fulfilled the procedures laid down in Articles 7 and 8 of Law 241/90, will forward the final decision of the declaration of revocation and ensure the recovery of the amounts already disbursed.
  4. Should liability for damage or criminal responsibility arise from the detection of the aforementioned irregularities, the Puglia Region will fulfill every action in the appropriate offices.

#### **Article 17 – Monitoring and Supervision Procedures**

1. The Puglia Region performs periodic monitoring on the implementation of projects, through proper verifications carried out by the Apulia Film Commission Foundation.
2. The Puglia Region has the right to view, at any time and even after the end of the project, the original documentation of the expenditures incurred for the project, which must be obligatorily preserved by the Beneficiary for 5 years after completion of subsidized project.
3. Further control activities may be carried out by the Puglia Region or Control Bodies operating at regional, national and EU levels.
4. These control activities do not relieve, in any case, the Beneficiary of the full and exclusive responsibility for the regular execution of activities.

#### **Article 18 - Compliance with Regional Law No. 28 of 26 October 2006**

1. The beneficiary is obliged to apply or enforce towards employees or, in the case of cooperatives, partner employees, regardless the legal classification of the employment relationship, the collective agreements at local and national levels of the industry sector, signed by the worker trade unions as well as the comparatively most representative associations of employers at national level.

#### **Article 19 - Data processing, right of access, information on the authorization procedure pursuant to Law No. 241/1990**

1. The right of access under Article 22 and the following articles of Law 241/90 and subsequent amendments shall be exercised in accordance with the conditions and limits of the abovementioned Law.
2. Mr. Emanuele Abbattista is responsible for the procedure, in accordance with Law 241/90.
3. The duration of the procedure shall not exceed the time limits provided for by Art. 5, paragraph 5 of Legislative Decree No. 123/98.
4. In accordance with Decree No. 196/2003 and subsequent amendments, personal data collected are processed via information tools and used in the procedure, complying with confidentiality obligations. The owner and manager of data processing are responsible for the procedures.
5. The applicant companies, when submitting the application, accept the publication, electronically or otherwise, of its identification data as well as the amount of subsidy granted under Articles 26 and 27 of Legislative Decree No. 33/2013 on transparency.
6. The applicant companies, when submitting their application, also accept the publication, electronically or otherwise, of the form, the data and information required by Art. 115 (1) and (2) of (EU) Regulation No. 1303/13 about the information obligations and transparency of the beneficiaries.
7. For further information on this Notice as well as the progress of the procedure, interested parties may contact exclusively by electronic mail the following references:

Procedure Manager: Emanuele Abbattista

e.abbattista@regione.puglia.it  
fesr.cultura.spettacolo@pec.rupar.puglia.it

Technical assistance: Apulia Film Commission Foundation

funding@pec.apuliafilmcommission.it