



**Regulations for Allocation of Funding
APULIA DEVELOPMENT FILM FUND**

**Public Application Notice 2014
Apulia Film Commission Foundation**

Modified and approved by the Board of Directors on 6th February 2014

CUP (Project Code): B99G14000090002

SUMMARY

Type of grant

Free grant while resources are available. Total funding budget of €80,000.

Who can apply

Italian, European and non-European audiovisual, film and TV production companies.

Eligible projects

Full-length feature films, TV/internet films, TV/internet series: fiction or animation.

Application requirements

Projects must be:

- clearly set entirely, or at least 60%, in Apulia
- in Italian or English language.

Selection criteria

The AFC Foundation Board assesses projects within 60 days and bases evaluation on their artistic and technical qualities, assigning a score up to a maximum of 100.

Projects which are awarded a score of 70 or more will be considered for funding.

Amount of grant available

Fixed funding of €10,000 per project.

Accumulation with other AFC Foundation grants

The grant is accumulable with all other types of AFC Foundation funding, except for the Apulia Regional Film Fund.

Introduction

The Apulia Film Commission Foundation (AFC), set up under Regional Law 6/2004 art.7, is implementing its institutional role in providing financial support for film production companies by allocating part of its annual resources to projects which promote and publicise the image and public awareness of Apulia, awarding funding and benefits through one or more of its specific grant funds.

Furthermore, the AFC is to dedicate part of its 2014 resources to developing projects based on original screenplays or adapted from literature of cultural, social or regional relevance or that are set wholly or partially in the Apulia region. The fund, in the form of a free grant, allocates a fixed sum of €10,000 in covering the expenses incurred in developing a film project in Apulia, in any format and for any distribution network.

The purpose of this financial support is to publicise audiovisual culture in Apulia in its early production phase, thus contributing to the promotion and sharing of Apulian cultural and creative identity.

Funding for the development of film projects is governed by EU regulations outlined in an European Commission statement issued on 15th November 2013.

1. Who may apply

Funding is available for:

- a. Italian audiovisual, film and TV production companies registered with principal code ATECO 2007 n. 59.1 at the Ministry of Cultural Heritage and Activities' Directorate General for Films. These may be sole or co-producers for the film project or executive producers contracted to the film production company;
- b. EU audiovisual, film and TV production companies with an equivalent classification to Eurostat NACE n. 59.1 as principal code. These must have a majority stake in the applying film project as well as proof of at least one completed film project of the same type;
- c. Non-EU audiovisual, film and TV production companies with a majority stake in the applying film project as well as proof of at least one completed film project of the same type;

presenting projects in the following categories:

- full-length feature films, TV/ internet films, TV/internet series, fiction or animation (min. 75 mins)

with the following features:

- script clearly set entirely, or at least 60%, in Apulia
- in Italian or English language.

Except in special and valid circumstances, applicants will not be awarded funding if the applying production company has not fully paid invoices pertaining to suppliers or wages for cast and crew for film projects produced previously in Apulia or if a previous AFC-funded project has not been completed.

2. Available funding

The allocation of funds is dependent on the availability of resources at the time of application. The total budget for 2014 is **€80,000¹**, equal to a fixed sum of **€10,000** for each beneficiary.

3. Selection criteria and allocation of funds

Applications will be examined by the AFC Foundation Board whose final, indisputable decision will be made and communicated **within sixty days of receipt of applications**. The Board's decision will be aided by the pertinent but non-binding opinions of two film experts, critics or historians.

Once application requirements have been confirmed, the Board will evaluate film projects based on the following criteria:

- A. **Artistic mark** - maximum 70 points based on:
 - a) originality of story (30 points)
 - b) quality of writing (20 points)
 - c) solidity of narrative structure (20 points)
- B. **Technical mark** – maximum 30 points:
 - validity of technical aspects of the planned project: consistency and congruity of the planned project with the cost estimate, time schedule, company profile and level of feasibility of the planned film project.

Projects which obtain **a minimum mark of 70 points** out of 100 will be eligible for funding. The Board reserves the right to request further information or additional documentation from applicants. Public notice of the results of applications will be published on the website www.apuliafilmcommission.it in the Apulia Development Film Fund section.

If an application is successful, the Apulia Film Commission will draw up a contractual agreement with the applicant in line with a Board resolution. Decisions made by the Board of Directors are final and irrevocable.

4. Application procedures

All applications for funding must be made on a signed copy of the attached application form and include the following (failure to comply with these conditions will invalidate applications):

- declaration of legal ownership of rights to use the subject matter / adaptation / screenplay;
- storyline / adaptation / screenplay of film project;

¹ The AFC Foundation reserves the right to increase funding if there is a surplus of resources or other forms of saving have been made.

- project summary / log-line (20-30 words);
- project development plan including timescale;
- estimate of project development cost;
- project development financial programme;
- indication of any other possible funding sources;
- estimated costs of production of the complete project (above and below the line costs);
- scriptwriter(s) CVs (storyline, adaptation and screenplay);
- production company profile;
- producer's CV
- list and brief description of principal Apulian settings, internal & external;
- copies of any co-production / financial / distribution contracts;
- copy of the Certificate of Incorporation or Foundation Deed and copy of the statute, where required by law;
- photocopy of ID document and tax code of the production company's legal representative (or that of the leading or mandate company);
- receipt of bank draft for €122 (including VAT) as reimbursement for AFC secretarial duties. An invoice will be issued for this payment.

In cases where applications are incomplete or missing requirements, the AFC Foundation will contact the applicant by PEC to request the additional material. In light of this, it is stressed that only completed applications can be considered for Board evaluation.

A production company may only apply for this grant with a maximum of **three projects per year** and may not apply for further funding from the AFC Foundation for second and third projects before receiving the Board's decision on the previous application.

The Apulia Film Commission will not consider stories, adaptations or screenplays which incite violence or encourage racism, political hatred, sexism or discrimination of any kind

Applications must be sent by PEC e-mail for Italian production companies or by other systems of certified mail (REM - registered electronic mail) for foreign production companies to the following address:

email@pec.apuliafilmcommission.it

The subject of the e-mail must state the following:

"Application for Apulia Development Film Fund Grant"

A bank draft for €122 should be made out as follows:

Fondazione Apulia Film Commission

San Paolo Banco di Napoli – Ag. 2 – Bari

IBAN: IT 19 D 01010 04002 100000001503

Reason for payment: **"Reimbursement of expenses for Apulia Development Film Fund application"**.

5. Production company obligations

As part of funding regulations, the applying production team and its beneficiaries are obliged to:

- a. communicate any changes occurring after presentation of the grant application; these include any artistic, financial and organisational changes as well as any other modifications which alter the project from that presented in the application for funding;
- b. include the AFC Foundation and Apulia Development Film Fund logo together with the text **“Project developed with the support of the Apulia Film Commission – Apulia Development Fund”** on the final version of the project;
- c. send a weekly production progress report by e-mail (ufficioproduzioni@apuliafilmcommission.it);
- d. adhere to current regulations regarding social security contributions, medical assistance and workplace insurance for technical and artistic staff hired, including temporary staff, with clear reference to their national insurance status and the payment of all legally required contributions;
- e. comply with law no. 136 (passed on 13 August 2010), “Extraordinary anti-mafia legislation and government authority for anti-mafia regulations” (Official Gazette no.196, 23 Aug 2010);
- f. deliver the completed project **within 12 months** of agreed funding allocation. Failure to comply will result in the withdrawal of funding and the return of any resources already allocated.

In cases where the beneficiary project is developed into a film, production companies are obliged to:

- a. permit video recording or photography during production, to be carried out by an AFC representative purely for documentary purposes;
- b. include the logo of the AFC Foundation and Apulia Development Fund in the opening or closing credits as well as on all the film’s information, publicity and promotional documentation (press kits, etc.), with the wording “Produced with the support of the Apulia Film Commission – Apulia Development Film Fund” and send the Foundation a preview of the opening and closing credits in jpeg format before completing or duplicating the final version of the project;
- c. allow the Apulia Film Commission the rights for the free use of the film as well as production and backstage photography exclusively for institutional use and institutional promotional purposes for the AFC Foundation and the Apulia region;
- d. provide the AFC with five DVD copies of the film and backstage footage (or promotional footage) and two CD copies of production photography;
- e. in case of participation in national or international film festivals, allow for the presence of an AFC representative at the film presentation press conference at the festival where it has been entered.

Furthermore, in cases where beneficiary projects are carried out and filmed in Apulia, 10 points will be awarded for any subsequent application for an Apulia National & International Film Fund grant.

6. Allocation procedures

Funding will be allocated in accordance with the conditions set out in this document or following any additional formally stipulated agreements and will be divided into two separate payments as follows:

- **50% advance payment** upon signing of the contract and after the AFC Foundation has received a copy of the pre-payment invoice;
- **50% outstanding balance payment** following delivery of the completed project.

As the second tranche payment is subject to withdrawal (as per article 7 of the current document), it may only be requested from the AFC Foundation after final audit checks have been made.

Funding is **exempt from VAT** as it is allocated by a non-profit organisation, as per article 2,3A of Presidential Decree no.633 (26 Oct 1972). The grant is subject to a **4% withholding tax** under clause 28, section 2 of Italian Presidential Decree no.600 (29/9/73). This levy, paid by the AFC Foundation in the form of a withholding agent, must be clearly shown on the pre-payment invoice. The invoice, including a €2 revenue stamp, must clearly show the **CUP number and CIG code**.

In accordance with legislation governing payments made by public administrations, the AFC Foundation is legally obliged to carry out **checks through the Equitalia system** and examine any contracted payment of over €10,000 for outstanding fiscal burdens with regard to the Italian tax authorities. In case of non-compliance, any debts which production companies have incurred with the tax authorities will be automatically distrained by Equitalia and paid by the AFC in the name and on behalf of the production creditor.

In order to obtain payment and avoid incurring legal and administrative sanctions, beneficiaries must guarantee adherence to the following conditions:

- to comply with law no. 136 (passed on 13 August 2010), "Extraordinary anti-mafia legislation and government authority for anti-mafia regulations" (Official Gazzette no.196, 23 Aug 2010);
- to present the following:
 - a) self-certification of a DURC account (Certificate of national insurance contribution payments) as per Presidential Decree no.445 (28 Dec 2000) as a requirement of contribution and insurance obligations; this is required even for companies that have no permanent employees if they are required to be insured both with INAL and INPS;

- b) self-certification, as per Presidential Decree no.445 (28 Dec 2000), attesting to compliance with obligations set out by Legislative Decree no.83 (2012), art.13.iii, with regard to contractors and sub-contractors of works and services and regular payment of tax deductions.

7. Cancellation of funding, jurisdiction and treatment of personal data

Agreed funding will not be allocated where there is evidence of forgery of documentation or financial accounts, if false or deliberately imprecise statements have been made or if the documentation provided is inadmissible.

Failure to comply with the regulations stipulated in this document will result in the return of funding already allocated and the non-payment of any outstanding balance.

It is agreed that the place of jurisdiction for all disputes arising out of, or in connection with these regulations will be exclusively that of Bari. On signing the application form, applicants agree to accept all conditions set out under these regulations.

Under Legislative Decree 196/2003, the holder of all data requested in applications to the Apulia Development Film Fund will be the AFC Foundation.

Bari, 10 February 2014

Protocol. no. 669/14/U