

CBR SCREEN FUND Guidelines & Terms of Trade

The CBR Screen Fund is delivered by Screen Canberra whose remit is to support and grow the local Australian Capital Territory (ACT) screen industry. The Fund is a multipurpose, strategic fund which will seek projects, opportunities and partners that can best meet the objectives and criteria of the Fund.

The Fund partners on the development, production and marketing of high quality feature films, television series and other screen projects from ACT practitioners or interstate/international practitioners that have significant Canberra elements and benefit; are capable of reaching local and international audiences and delivering commercial success.

Strategic Objectives

- Contribute to the growth and sustainability of Canberra's screen industry
- Contribute to the profile of Canberra nationally and internationally
- Demonstrate a significant local economic impact
- Return of capital to the fund

Types of Funding

- Late stage development (with market attachment)
- Equity, debt and structured funding
- P&A funding
- Enterprise funding

Eligible applicants

Must be:

- ACT practitioners
- Non-ACT practitioners that will undertake their work in the ACT or are in a genuine partnership with an ACT based practitioner;
- Australian citizens or permanent residents and be 18 years of age or older.
- For international projects, in partnership with an Australian citizen or permanent resident

Funding Levels

Screen Canberra co-funds projects with other financing partners with the expectation that the ACT contribution will trigger significant additional expenditure in the ACT. Funded amounts are guided by the ACT spend, with every \$1 provided expected to trigger at least \$7 in ACT expenditure.

Applications made to other funding sources in relation to the project must be disclosed and where other finance has been secured, the conditions attached to that finance provided.

Assessment Criteria

With all of the investment types the following criteria will be applied:

- Proposed ACT spend relative to the requested funding;
- Project's economic, cultural and creative benefits to the ACT;
- Creative quality and readiness of the project to go into production;
- Market potential of the project;
- Track record or potential of the applicant; and
- Proposed use of ACT talent, personnel, services, facilities and locations.

Priority is given to ACT applicants. Non-ACT applicants need to demonstrate that they will undertake a significant proportion of their work in the ACT.

Funding is competitive and successful applicants cannot be guaranteed to receive their full request from the fund even when their application substantially meets the criteria.

For projects with Indigenous community participation or content, applicants must follow the protocols as set out in Screen Australia's *Pathways & Protocols – A filmmaker's guide to working with Indigenous people, culture and concepts*.

How to apply

- Carefully review the guidelines to ensure eligibility.
- Contact Screen Canberra's Fund Manager, Sophie Harper, to discuss the application if necessary, on 61+ (0)2 6162 5173 or via sophie@screencanberra.com.au.
- Complete and submit the online CBR Screen Fund Production Investment Application form via SmartyGrants, and supply supporting material (as outlined in the form).
- Applicants are also required to pay a non-refundable fee of (\$250). You will be invoiced after submitting your application, ahead of assessment.

Costs

An application fee of \$250 (non-refundable) applies to all applications. For funded projects an administration fee of 3% applies for local productions and of 5% for non-local productions. This fee is payable in advance (ie loaned but held back) from the first drawdown. GST is payable on the administration fee (for GST-registered applicants only).

How will applications be assessed?

- Applications are reviewed and assessed by independent screen professionals, primarily from outside the ACT, appointed by Screen Canberra and/or by Screen Canberra staff
- Decisions on funding, informed by these assessments, will be made by the Screen Canberra Assessment Committee, which is made up of a selection of Screen Canberra

Board members, an ACT Government-appointed industry professional, and industry experts, as required

- Additional information may be requested from applicants during the assessment process and applicants may be asked to present to the Committee
- Screen Canberra's staff and Assessment Committee have the right to contact and discuss the project with any party associated with the application.

Conflict of Interests

As per the Screen Canberra conflict of interest protocol, any conflict of interest of the Screen Canberra Assessment Committee will be declared, papered and if necessary the conflicted member will leave the deliberations for that project.

All independent assessors and Assessment Committee members must sign a confidentiality agreement.

All reasonable steps will be taken to ensure that no decision is improperly influenced or compromised. All members of the Assessment Committee will be required to advise the Chair of the Assessment Committee of any direct relationship to an applicant or application.

This is the case where:

- The member is related to or has a business association with the applicant.
- The member derives income through the application being successful.
- The member is a participant in the project.
- Other reasons that the member may raise.

This will be noted in a Conflict-Of-Interest Declaration. Should such a situation arise, the member in question will be required to excuse him/herself from any discussion of that particular project.

Assessment Times

Applications will be considered at Screen Canberra's quarterly Assessment Committee meeting with final decisions taken at Screen Canberra's quarterly Board meetings. Applicants will be notified of the outcome as soon as possible after the meeting.

Contracting and Funding Disbursement

Successful applicants will enter into a funding agreement with Screen Canberra. Funds will be disbursed according to agreed milestones and the timing of other contributions. The final 10% will typically be disbursed after the producer has delivered all the Screen Canberra deliverables. GST is not payable on the Loan.

For each approved project (if applicable):

- The applicant must demonstrate a clear chain of title for their project. This involves providing documents that establish ownership or control of all necessary rights by the applicant to fully develop, produce and market the project.
- A reputable completion guarantor must be attached to the project (depending on type of investment being made). This requirement may be waived where the majority investor in the project agrees to waive this requirement.
- The applicant is required to take out insurance consistent with industry standards.
- The applicant is required to take on ACT Project Attachments. Attachments provide emerging local film practitioners with valuable, paid experience on the Fund supported projects. Applicants will liaise with Screen Canberra to determine the appropriate areas for attachments.
- Subject to the producer's obligations to Screen Canberra, the producer will be granted full autonomy to manage all aspects of the creative process without undue interference.
- All of Screen Canberra's interest in the project other than copyright will revert to the producer five years after delivery of the project.

Screen Canberra requires for each approved project:

- Acknowledgement of its support along with the ACT Government with a credit on the project, its publicity materials and on any other documentation produced. The required credits for each project will be part of the funding agreement.
- A 1 per cent copyright interest in the project in perpetuity.
- For development funding, repayment on first day of principal photography plus a premium to be negotiated.
- For equity funding an entitlement to recoup the funded amount from the gross receipts pro rata *pari passu* with the equity investors unless otherwise agreed.
- For P&A funding an entitlement to recoup the funded amount from the gross receipts pro rata *pari passu* with the sales agent/distributor plus an agreed share of commissions unless otherwise agreed.
- For other funding, as is negotiated in good faith.
- A non-exclusive right to use excerpts and other promotional material from the production for its corporate, promotional and educational purposes.

- The right of approval/consultation over major changes to the project, script, key personnel, finance plan, the budget, the use of funds and the rough cut.
- Reasonable access to production sets, locations and/or studios without interfering with production.
- Full publicity plan whilst in the ACT and beyond.
- The recipient to agree on a method of reporting and provision of an agreed acquittal. The reporting requirements will form part of the funding agreement.
- The recipient to participate in interviews or surveys related to the evaluation of the Fund.
- The right to an audit of the project and the ACT expenditure as a standard requirement unless otherwise stated in the project agreement.
- The Producer must hold a special screening to all Screen Canberra stakeholders after delivery of the project. This screening will be arranged in coordination with Screen Canberra at the Producer's cost.
- The producer to deliver the items specified in the funding agreement to the Government and the items specified in the NFSA delivery deed to the National Film and Sound Archive.

Freedom of Information

As this Fund is from the ACT Government it may be subject to the Freedom of Information Act which provides a general right of access to records held by government. Applicants should be aware that information pertaining to the receipt of ACT Government financial assistance will be tabled in the ACT Legislative Assembly. This information may include the name of recipients and projects, the amount of the assistance, and a description of the funded activity. This could result in requests for more detail to be released publicly.

Confidentiality

The applicant and Screen Canberra must not divulge any confidential information (other than as published by Screen Canberra) relating to the application process to any third party (other than those of their respective employees or authorised agents) without prior written consent.

Guidelines Updates

This document will be updated from time to time so please ensure that you have the most up to date copy which is available on our website.

Contact and more information

Fund Manager: Sophie Harper

E: sophie@screencanberra.com.au

P: 02 61625173

W: www.screencanberra.com.au