


Funding Guidelines

Pursuant to Commission Regulation (EU) No 651/2014 and
§ 14 of the Film Funding Act
(as published in the Federal Law Gazette, BGBl. I No. 81/2014 on November 21st, 2014)
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Where the Funding Guidelines make reference to persons, the text refers to both genders.

This is a translation of the Guidelines of the Austrian Film Institute. The German version is the only authentic version.

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1. General provisions

1.1. There is no legal claim to receive funding. The award of funding must always be based on established proof of sufficient professional **qualification of the applicant**. For this assessment the scope and type of undertaking to be funded shall be taken into consideration.

If the applicant undoubtedly does not dispose of sufficient qualification, he*she is only entitled to apply for funding together with a producer who, without any doubt, has the professional qualification.

1.2. Funding can only be granted on the basis of a reasoned application in writing to which appropriate documentation is attached. The **documentation** stipulated in the respective application forms shall be attached preferably in German, the documents describing the content (such as the script) shall also be attached in English. Applications shall be submitted by the deadline date announced by the Film Institute. All application documents become the property of the Film Institute.

If the application for funding lacks information or documents of significant relevance for the decision, like e.g. the number of female professionals involved in the project (see **attachment F**), the application shall be considered as being submitted for the following deadline date. If the applicant fails to submit the missing information and/or documents in the meantime, the Film Institute will reject the application.

1.3. The same descriptive project documentation shall be submitted to all persons or companies or funding bodies expected to finance the project. When submitting an application for funding by the Film Institute, applicants recognize that in the course of checking their application, the Film Institute may exchange data describing the project and personal data particularly with domestic and international funding bodies with which it cooperates.

1.4. Funding according to these guidelines may generally be awarded in addition to financial support by other funding institutions (**multiple funding**) if this is not explicitly excluded by the guidelines of the other funding institution. The applicant is obliged to supply details on intended, current or completed funding applications at other funding institutions concerning the same project or parts thereof and to inform the Film Institute on any changes. In case of multiple funding the Film Institute needs to inform the other funding institution(s) before funding is awarded and has to work towards a coordinated approach. If the Film Institute is aware of another undertaking of the applicant funded from public money which has not yet been accepted by the respective funding body and proof that the funds have been used for the intended purpose has not yet been submitted by the applicant, funding cannot be awarded pursuant to these Guidelines as a matter of principle. A funding application to which the Film Institute has not acceded can only be resubmitted (**resubmission**) upon recommendation of the Project Commission or if the applicant has significantly modified the project. In total, a project can only be submitted three times within one area of funding.

1.5. If the applicant begins with the **implementation** of the project to be funded **prior to the application**, she*he shall do so at her*his own risk and no obligation whatsoever shall arise from it to the Film Institute. Funding of a project for which principal shooting has already commenced (except pre-shooting) is only admissible in exceptional, artistically justified cases and upon approval of the Advisory Board.

1.6. The provisions of the Film Funding Act and the Funding Guidelines are an integral part of the contractual agreement on funding from the budget of the Film Institute.

1.7. Funding may only be used to cover the costs arising from the respective project. The **principle of economy and efficiency** shall be applied in the use of funds. Therefore, a **cinema release** may be omitted in exceptional cases.

1.8. Funding is awarded for script development, project development, production and exploitation of feature-length **Austrian cinema films**. This relates to films of at least 70 minutes intended for initial exploitation in cinemas. Children's films shall have a minimum length of 59 minutes, and new-talent films of 45 minutes. In addition, continuous vocational training in the film industry will be supported.

1.9. International co-productions and co-financings are equated to Austrian films, provided they comply with the conditions of the respective film agreements or the European Convention on Cinematographic Co-production. Funding may only be awarded to the Austrian share of the co-production.

2. Funding commitment

The Film Institute may award a **time-limited** funding commitment on the basis of the application submitted. If within the accorded time, which is usually 12 months, the conditions and requirements fail to be verifiably fulfilled, or if the conditions under which the commitment was awarded are not or are no longer existent, the funding commitment will expire. Following a reasoned application by the applicant the Film Institute may extend the time limit by a maximum of 6 months.

3. Funding prerequisites

3.1. Pursuant to the provisions of § 11 of the Film Funding Act, the following requirements must be fulfilled for grants to be awarded by the Film Institute:

Funding prerequisites for natural persons

3.1.1. The applicant shall be an Austrian national with a residence in Austria. Nationals of contracting parties of the TFEU (EU) and of the EEA (Iceland, Liechtenstein and Norway) are equated to Austrian nationals.

Funding prerequisites for legal entities

3.1.2. The applicant shall be a legal entity or a partnership recorded in the commercial register with a permanent establishment or a branch in Austria and a seat in the EU or in a state which is a contracting party of the Agreement on the European Economic Area (EEA) and shall bear the responsibility for the execution of the film project.

Liability

3.1.3. If the applicant or co-producer is a legal entity or partnership recorded in the commercial register, the Film Institute shall ensure by contractual provision that its managing officials assume personal liability for all obligations of the applicant.

Additional funding prerequisites

3.2. The project shall be impossible to realize or only insufficiently feasible without the award of funding by the Film Institute.

3.3. The project to be funded shall be an Austrian film or an Austrian-foreign co-production.

3.4. The applicant shall engage to comply with the Equal Treatment Act and with the directions of the Equal Treatment Commission.

Definition "Austrian film"

3.5. A film shall be considered an Austrian film pursuant to the Film Funding Act, provided that...

3.5.1. ...the film is produced by an applicant pursuant to art. 3.1. in his/her own name and on his/her own account and this applicant bears the responsibility for the realization of the undertaking

3.5.2. ...the decision-makers in creative and managerial terms are Austrian nationals and the remaining staff members are mainly Austrian nationals (nationals of contracting parties of the TFEU (EU) and the EEA (Iceland, Liechtenstein and Norway) are equated to Austrian nationals) (exception stipulated in art. 3.12.)

3.5.3. ...a final version of the film is made in German (synchronised version or subtitles)

3.5.4. ...the film is shot in Austria except for scenes convincingly requiring foreign locations.

Co-productions/co-financing

3.6. An Austrian-international co-production is considered an Austrian film as defined by the Film Funding Act, provided that...

3.6.1. ...one of the partners of the **co-production** fulfills the requirements pursuant to art. 3.1. and the undertaking complies with the provisions of a pertinent intergovernmental film agreement. Where no such agreement exists, Austrian participation in the financial, creative and technical aspects of the film shall amount to at least 30 per cent in each area. In justified exceptional cases, e.g. in the case of expected extraordinary artistic quality of the film project, the Film Institute may accept a lower rate of participation.

3.6.2. ...the prerequisites pursuant to art. 3.5.3. are fulfilled and

3.6.3. ...the intergovernmental film agreements are complied with in respect of the requirements of arts. 3.5.2. and 3.5.4. or, where no such agreement exists, these prerequisites relating to the percentage shares of Austrian and non-Austrian financial participation are fulfilled.

3.7. A foreign film with an Austrian contribution being limited to a **financial participation** will be considered as an Austrian film pursuant to the Film Funding Act provided that...

3.7.1. ...a co-production, i.e. an Austrian artistic and technical participation in the film, would compromise the unity of the work. The applicant shall explain why an Austrian technical and artistic participation is not suitable.

3.7.2. ...the film project contributes to strengthening the cultural identity and is of recognised technical and artistic quality

3.7.3. ...it is a minimum participation (minimum of 10 per cent and maximum of 25 per cent of the production costs)

3.7.4. ...the film project fulfills the requirements for obtaining a certificate of origin pursuant to the law of the state where the majority producer has his/her seat

3.7.5. ...the contract between the producers involved contains provisions concerning the apportionment of the exploitation revenues and

3.7.6. ...mutuality with the states where the participating producers have their place of business is ensured with regard to funding.

3.8. In case of an international co-production pursuant to arts. 3.6. and 3.7. the Film Institute may, upon scrutiny of the entire project, award funding only to the Austrian financial share.

Exclusion from funding

3.9. Funding may not be granted if the project contravenes the constitution or the law.

3.10. Commissioned films are not eligible for funding.

Miscellaneous

3.11. For films where production cost was co-financed by the "*Film/Fernseh-Abkommen*" (Film/Television Agreement), the application for a reduction of the theatrical window shall include the expected broadcasting date on Austrian television. For the event that first-time television broadcasting is to occur outside of Austria and within the German-language exploitation area, the approval of the expected television broadcasting date by ORF as a contracting party has to be proven.

3.12. In exceptional cases justified by artistic and social criteria, the Supervisory Board may make allowances with regard to the requirements of art. 3.1.1. and art. 3.5.2., if the applicants are foreign nationals or **stateless persons** with a permanent residence in Austria or **refugees** under the Convention on the Rights of Refugees, BGBl. (Federal Law Gazette) No. 55/1955.

4. Script development funding

4.1. Funding for script development may only be granted for scripts or shooting outlines (documentaries) if the film promises to improve the quality and economic viability of Austrian film. A description of the project (**treatment with one elaborated dialogue scene** or **shooting outline**) shall be attached to the application.

4.2. Applications may be submitted by the author (jointly with dramatic advisers, directors) together with the sufficiently professionally qualified producer. If proof of an adequate professional experience as a scriptwriter is submitted, the Film Institute may waive the obligatory co-application of a sufficiently professionally qualified film producer. In such an event the applicant engages to offer the completed script to a sufficiently professionally qualified Austrian film producer for the production of a motion picture pursuant to § 11 FFG (Austrian Federal Film Funding Act) within an adequate period of time; this in no way impinges upon the right of the applicant to use the funded script for any other purpose apart from making a motion picture.

4.3. The sufficiently professionally qualified film producer is entitled to submit an application for funding of **script development by a team**.

Script development 2nd stage

4.4. Script development funding can be granted a second time for the further development of an already funded script. Both script and a detailed working plan describing the proceeding work are to be attached to the funding application. **Applications may be submitted by** the author together with the sufficiently professionally qualified producer. If proof of an adequate professional experience as a scriptwriter is submitted, the Film Institute may waive the obligatory co-application of a sufficiently professionally qualified film producer. In such an event a letter of intent of a sufficiently professionally qualified producer is to be attached to the application.

Miscellaneous

4.5. The award of funding does not constitute a legal claim to receive funding for a film project based on the funded script or outline. The funding awarded will, however, be fully credited to any subsequent production funding.

4.6. If the applicant uses the funded script/shooting outline as a basis for a TV movie she*he shall be obliged to repay the allocated amount. This obligation is not applicable if the realisation starts more than 6 years after disbursement of the last instalment.

4.7. Script development according to art. 4.2. is funded through a **non-repayable contribution (exempt from income tax)**.

5. Project development funding

5.1. The film producer is **entitled to submit an application** for funding of project development.

Funding takes the form of a **non-repayable contribution**, with the proviso that as a rule the funding awarded by the Film Institute may cover half of the entire development budget. In exceptional justified cases, especially if the Film Institute is the only major funding partner, funding may amount to a max. of 80 per cent of the overall costs.

Project development comprises all measures prior to actual film production and/or shooting ("**advance costs**", cf. art. 6.2.2. of the Funding Guidelines), especially the elaboration of a script/shooting outline, the production management outline as well as the project-related marketing concept and distribution plan.

Within the frame of the project development a **director's fee** of a maximum of € 15,000 may be accepted which will not be accredited to the standard rates listed in **Attachment B**.

In the calculation of the project development cost, **valuated personal contributions** of the applicant and **production overheads** totaling not more than 29 per cent of the total project development costs will be accepted.

For the assessment of the personal contributions and production overhead costs the standard rates used in the context of production funding shall apply.

5.2. The award of funding does not create a legal claim to receive funding for a film project based on the result of the project development. The funding awarded will, however, be fully credited to any subsequent production funding.

5.3. If the applicant uses the funded script/shooting outline as a basis for a TV movie he*she shall be required to repay the allocated funding. This **obligation to repay** is not applicable if the realisation starts more than 6 years after disbursement of the last instalment.

6. Production funding

6.1. The producer of the film to be funded is **entitled to submit an application**. Funding is granted in the form of a **conditionally repayable contribution**.

Repayments from production funding will be converted per film, upon application by the recipient and after fulfilment of all other contractual liabilities, into reference funding and the amount will be doubled by a grant. An accumulation of repayments of the proceeds of multiple reference films is possible. The yearly amount for the **doubled repayment** is restricted as stated in **Attachment E** of the funding guidelines due to budgetary reasons.

In case of an accumulation exceeding the yearly disposable amount, the surpassing funds can also be **converted into reference money** but they cannot be doubled. These funds may be used for script or project development as well as for the production and the exploitation (especially the cinema release) of a project. All other rules for reference film funding apply (art. 7).

Funding may be granted provided that...

6.1.1. ...the undertaking, considering the script, the crew and cast, promises to improve the quality of Austrian film and to enhance the technical and economic situation of the Austrian film business, and the **director** is an Austrian national or a national of another contracting party of the Agreement on the European Economic Area. If the director is not an Austrian national or a national of another contracting party of the Agreement on the European Economic Area, funding may be granted if, except for the **script writer** or a maximum of two persons in a **leading role**, the rest of the crew are Austrian nationals or nationals of another contracting party of the Agreement on the European Economic Area. The Film Institute may approve exceptions from these requirements if this is justified by the overall assessment of the film, particularly with a view to its economic impact in Austria and abroad.

6.1.2. ...the applicant assumes his **own investment** in the production cost approved by the Film Institute. This share shall not be financed by any grant awarded by the Film Institute or any Austrian territorial authority or any other Austrian public body. The applicant's own investment shall be commensurate with the scope of the undertaking and the possibilities of the applicant. This share can be provided through the applicant's private resources, through loans granted to the applicant and all and any revenues from presales and guarantees of rights and declared licence shares of co-financing television providers, to the extent that the funds thus generated are available for the realisation of the undertaking and the transmission ensures adequate marketing. The applicant's own investment may include personal contributions which the producer contributes towards the production of the film as a creative producer, production manager, director, actor in a leading role or cinematographer.

Additional approved personal contributions by the applicant, where they are directly linked to the production of the film, may be entered into the calculation of the production cost at the current market rates less 20 per cent discount (cf. art. 13.5.2).

Within the applicant's own investment towards the financing of production cost, the **private resources** (available cash) shall amount to at least 2.5 per cent of the production cost. In case of an Austrian-foreign co-production the applicant's own investment shall be calculated based on the participation to be financed by the Austrian producer.

6.1.3. ...the following documents are submitted:

- auditable **financing and time schedule**
- **disposition and exploitation schedule** and, where required and appropriate to current market conditions, distribution commitments commensurate with the scope of the project, as well as an overview of finalized, current and future negotiations with the aim of ensuring the best possible exploitation of the film at home and abroad
- **producer's statement** as well as the **marketing concept**, if it is already available, which also needs to include information on the intended cinema release, especially the provisional number of copies and the expected minimum attendance as well as the intended festival and film market participation. These exploitation measures will be evaluated by the Film Institute on the occasion of the showing of the rough cut.

6.1.4. ...production technology services, studios and technical service companies for post-production are used that have their registered office in Austria or in another contracting party of the Agreement on the European Economic Area.

6.1.5. ...the applicant commits irrevocably to delivering free of charge and no later than one year after completion of the film to the Federal Authorities a new or technically unexceptionable release print (**archival copy**) as well as one voucher copy of the script and film-related advertising material for documentation purposes regarding Austrian film. Such prints will be archived by "Filmarchiv Austria" to preserve the film-related heritage. In addition, the applicant shall supply free of charge to the Austrian Film Institute, after completion of the film and before cinema release, a DVD or a copy produced by a comparable technical process.

6.1.6. ...the producer furnishes proof that the agreement with a co-financing television provider provides for **television transmission rights** to completely revert to the producer after a maximum of seven years. In individual cases a maximum period of ten years for complete reversion of television rights may be fixed, particularly if the producer has received an above-average financial participation from the television provider.

6.2. Calculation of expected total production costs:

6.2.1. Production costs include the costs listed in the calculation table declared binding by the Film Institute. In the calculation of the production costs, value added tax (deductible input tax) shall not be taken into account.

6.2.2. Advance costs include costs for location scouting, casting, screen tests, preliminary negotiations, contact meetings, where they relate to the project, and other project development costs (except for any producer's fee and production overhead), where these are approved within the context of project development cost.

6.2.3. In the calculation, fees and wages shall at least be in line with **collective bargaining agreements** but must not exceed minimum tariffs by more than 20 per cent. In exceptional cases up to 30 per cent may be accepted in case of adequate qualification and experience. Script fees and director's fees need to be in compliance with the **standard rates stated in Attachment B**.

Preliminary funding granted (remuneration for script or project development) is generally taken into account for the standard rates, but an allowance of 15,000 Euro applies (see 5.1.) to direction and script. If no preliminary funding for script or directing services has been granted, these allowances can be added to the standard rates. Overpayment is possible up to a maximum of 30 per cent under the condition that at least two feature length cinema films have already been realized as author/director. Overpayment exceeding this limit can only be accepted if corresponding third-party funds are provided.

The Film Institute has to verify if the script and director's fee are in line with the principles of economy, efficiency and cost-effectiveness, and needs to decide on a case to case basis following these principles. The director's fee includes the activities from pre-production to post-production and promotion measures until completion of the film. Where the calculation includes cost items for natural or legal persons identical to or economically linked with the applicant, a co-producer, a partner or the manager of a production company acting as a legal person, these cost items of **internal service charges** shall be marked clearly.

The rates of the collective bargaining agreement apply to the **line producer** for feature and documentary films. Generally, the principles of economy, efficiency and cost-effectiveness are to be taken into consideration with regard to the length of employment of all employees calculated on basis of collective bargaining agreements. The provisions of the Working Time Act (Arbeitszeitgesetz) need to be observed, in particular art. 9 para. 4 (period for the averaging of working time). The requirement of proper qualification and the clear separation of responsibilities (four-eyes principle) needs to be observed when filling leading staff functions. In the case of overlapping multiple functions the compatibility of these multiple functions need to be clearly explained. The producer's fee is limited to a maximum of 5 per cent of the production costs (see attachment B). For **one-person-businesses** (OPB) the producer's fee is fixed at 7.5 per cent in the case of production costs of up to 200,000 Euro. From there the producer's fee is gradually adapted, reaching the value of 5 per cent for production costs of 600,000 Euro. If additional services of the producer have to be accepted in the framework of smaller production constellations (in particular in the case of documentaries with a very limited number of employees and reduced requirements regarding project accounting; production costs of up to a maximum of 500,000 Euro as standard value), they are limited to a maximum of 30 percent of the producer's fee. Travel costs will only be accepted if they are in line with collective bargaining agreements or tax regulations.

6.2.4. Production overhead expenses are accepted at a continuously decreasing percentage rate of the net production costs or the Austrian share of the total net production costs pursuant to **Attachment B**. Exceptions from the ceiling amount can be approved upon submission of a reasoned application. The following costs in

particular count towards production overheads and may therefore not be included as individual production costs in the calculation:

- expenditure for the setting up and maintenance of permanent premises as well as
- general office supplies
- general mailing and telephone costs
- general staff expenditure (administration)
- general insurance
- expenditure in connection with balance-sheet audit
- interest and bank charges for general loans
- general representation expenses
- travel expenses and expenditure not verifiably used for the respective project, especially in connection with meetings, negotiations and visits, etc.

6.2.5. Accepted **costs of financing** are usually accepted at the interest rate (including incidental charges) applied by the Austrian banks granting the film loans, but in no case at more than 8 per cent above the respective valid Euro central rate.

6.2.6. Expenditure for a **completion bond** in line with industry practice shall be accepted as project costs.

6.2.7. Costs for German subtitles for hearing impaired and German audio description for visually impaired people ("**Accessibility for disabled**") for DVDs or comparable data carriers will be acknowledged within the frame of the production calculation and shall be listed accordingly.

6.3. The Film Institute reserves the right to make the award of funding contingent upon the provision of **security measures**. In particular it may oblige the applicant to conclude a completion bond for international co-productions with net production costs exceeding three million Euro, unless all the main Austrian financing partners agree on a different verifiable type of security.

New talent films

6.4. New talent films are the first (debut film) and second film (cf. art. 1.8.) of a director who just starts his*her career if he*she assumes sole directing responsibility for the film. As a rule, the funds awarded by the Film Institute shall not exceed two thirds of the calculated total production costs. Budgetary restrictions apply to new talent films (maximum production costs of 1.5 Mio Euro). If in exceptional cases an exceedance of this limit is accepted, these new talent films lose all advantages (e.g. eased access to reference funding, advantage concerning producer's own investment). First films of people who have gained enough experience in other film related disciplines (e.g. editing, cinematography, acting etc.) are not subject to the regulations for new talent films. Directing experience in the field of full-length TV-films is considered equal. In the case of debut films, the rates resulting from the allowed maximum costs for new talent films, shall be reduced by 15 per cent regarding for script and directing.

Cost overrun reserve

6.5. If net production costs increase after approval through no fault of the applicant due to unforeseeable circumstances, the Film Institute has to accept and co-finance the increase on a pro rata basis (in line with its share) within the cost overrun reserve. This overrun reserve may not exceed 8 per cent of the production costs and has to be

included in the calculation with at least 5 per cent. A maximum cost overrun reserve of 10 per cent is accepted if this is required by a completion bond.

The cost overrun reserve is put up jointly by all financing partners of a project (producers, financiers, public funding). The Film Institute will provide an additional funding amount corresponding to the percentage share of its initial grant, if proof of the complete financing of the total overrun reserve has been established.

7. Automatic funding on performance basis (reference film funding)

7.1. Based on the production of a successful cinema film (**reference film**) complying with the funding prerequisites the Film Institute will support the production and development of a new film in the form of non-repayable contributions (reference funds), if the film has reached at least 40,000 reference points (reference film). The reference points will be determined by the national admissions (see Attachment E) as well as the success at internationally recognized festivals and prizes (see festival list Attachment D).

7.1.1. As a matter of principle, reference funding shall be used only for the realization of a new, unfinished film. An amount of up to 80,000 Euro may be freely used for **script- and project development** as well as any measure concerning the exploitation. A film is considered as not completed if no public (e.g. festivals) or commercial screening or replay (e.g. cinema release, streaming) has taken place and a theatrical release has not been waived.

7.1.2. Based on a reasoned application the Supervisory Board can decide that exceptionally reference funding up to an amount of 150,000 Euro can be used to cover additional costs of films in production or finished films for which commercial exploitation has not started if they have received production funding from the Film Institute. Such an approval requires that the additional costs were, inspite of applying due diligence, neither foreseeable nor avoidable or are cases of **force majeure**. If reference funds are granted, they can be transformed into selective funds by the Supervisory Board. There is no legal claim to such an exceptional approval.

7.2. The **number of reference points** due to audience success (Attachment E) corresponds to the number of entrances for money within a year of the first showing in a national film theatre, with a limit of 260,000 tickets being taken into consideration. Prevailing for reference entrances are the admissions accounted for by the exhibition location towards the distributor. In cases where less than an average Austrian ticket price as valid in the previous year, after prices for 3D movies and extended length-movies are deducted, is accounted for, admissions will be calculated based on the box office divided by this basis.

7.2.1. For **children's movies**, the average ticket price of the previous year reduced by 10 per cent is always used as basis for the calculation.

7.3. Prizes and participation in festivals will be considered with the points stated in the **festival list** (Attachment D).

7.3.1. For the calculation of the reference points with regard to artistic aspects, only the most high-grade award will be considered; that means that the nomination for an award in the festival will not earn any points if a film receives the award at the same festival. Participation in the listed festivals under the title "Out of Competition" is treated equally to the participation in the official festivals.

7.3.2. For films which have attained a right to reference funds due to the commercial and/or artistic success and which also reach the target value according to **attachment F** (impact-oriented points system for the employment of female professionals), the success-based calculated reference funds will automatically be increased by 10 per cent.

7.4. The **maximum amount of funding** is 800,000 Euro.

7.5. If a **children's, new talent or documentary film** earns at least 20,000 points solely due to admissions but does not reach 40,000 reference points, it will be rated at 40,000 reference points.

7.5.1. Films which reach at least 5,000 reference points due to admissions and another 30,000 reference points due to their artistic success will also be rated at 40,000 reference points. These **reduced funding requirements** (pursuant to § 2 para. 4 lit c) Film Funding Act) are only applicable to new talent and documentary films with production costs up to a maximum of 1.5 Mio Euro.

7.5.2. For documentary and children's films also the admissions at non-commercial exhibition sites will be taken into account. In case of a reasoned application of the producer of a documentary or children's film, a longer time frame after the initial showing at a national film theatre may be considered for the assessment of the reference points based on national admission success. The time limit of this extended monitoring is 30 months at most, starting with the cinema release.

7.6. In order to create an **entitlement to reference funds**, at least two out of the following three prerequisites need to be fulfilled for the acknowledgement of the artistic as well as the economic success of the film:

- **Austrian direction** (main responsibility)

- **Austrian majority participation** (the artistic and the technical participation need to correspond to the financial share)

- Austrian main responsibility in at least two of the three areas **script, camera or editing**.

7.6.1. Reference film funding may in any case – regardless of the following regulations - only be used for film projects for which at least two of the three criteria mentioned above are fulfilled.

7.6.2. In case that the film only complies with one of these three criteria, only the commercial success of the film will be taken into account for reference film funding. In this case a minimum attendance of 60,000 in Austria needs to be proven. This minimum attendance requirement also applies to otherwise privileged films (children's, new talent and documentary films).

7.7. Films which have **not received production funding from the Austrian Film Institute** may receive an equivalent to the half of the amount of reference film funding provided that the Supervisory Board considers them particularly worthy to receive funding.

7.8. Where a project is to be co-financed by the Film Institute **solely through reference funds**, the Project Commission need not be involved again, but the Film Institute shall check compliance with the funding prerequisites as defined by these

Funding Guidelines. Reference film funds shall only be used for new film projects complying with the principles of art. 7.6. of the Film Funding Guidelines. TV-projects are not eligible for reference film funding.

7.9. With the agreement of the Project Commission, reference funds may be **converted into selective funds**, in order to allow participation in films which comply with the general funding requirements but which do not entitle to receive reference funds pursuant to art. 7.6.

7.10. In case of a valid funding commitment for reference film funding, selective funding may only be granted – apart from reasoned exceptions to be acknowledged by the Film Institute – if the reference funds are **primarily** used for the production or development of a new film.

7.11. Reference funds need to be used within 36 months of the cinema release by means of a funding agreement. Reference funds which are not taken up within this delay expire. In any case, the application for the **earmarking of reference funds** has to be submitted by January 15th at the latest of the year of the planned call.

7.12. Reference film funding may also be used for participation in a **national Austrian co-production** provided that the beneficiary raises his own investment accordingly and assumes proportionate liability for the adequate and orderly execution of the project. In the event that the joint project becomes eligible for reference film funding again, the funds need to be split between the co-producers according to their share in the reference film.

Script development ("incentive funding")

7.13. On the basis of a successful cinema film (reference film) that complies with the funding prerequisites, the Film Institute also supports the development of new scripts through additional funds ("incentive funding").

7.14. Eligible for the granting of these additional funds are the author and the director of the reference film. The amount of the relevant additional funds is defined in Attachment E.

7.15. The application for script development may only be submitted after first cinema release but no later than 24 months after cinema release. After that, the funding commitment and the concomitant earmarking of the funds expire.

8. Gender incentive for script and project development

8.1. Basis for the funding decision is the evaluation of the project regarding the qualitative content (artistic and commercial).

8.2. If the film reaches the target value of female staff as set out in **attachment F**, the production company will receive an automatic gender incentive of 30,000 Euro in the case of production funding which leads to a funding agreement. This amount can only be used for the development (script/project development) of new projects with female participation in at least two of the three areas production/direction/screenplay. These reference funds have to be contractually tied up within 24 months (starting with the date of the funding agreement for the project triggering the gender incentive), otherwise they expire.

9. Exploitation funding

Cinema release funding

9.1. Applications may be submitted by the commercial distributor or the producer of the film to be funded. The application for cinema release funding has to be submitted in due time before the planned release date. Funding is granted for the distribution and exploitation of Austrian films provided that the general prerequisites are fulfilled (in particular pursuant to art. 3 of the Funding Guidelines). In **exceptional cases** a cinema release may be omitted.

9.2. According to their dedication, funds are to be used to cover especially the following **expenses** related to the Austrian cinema release:

9.2.1. Release prints (analogue or digital) of the film (including teaser/trailer, DVD and digital distribution master)

9.2.2. Standard **advertising material** (e.g. photos for display, posters, press kit, website etc.)

9.2.3. Advertising measures directly addressed to the movie audience which are appropriate to increase the audience success of the film, as well as film-related advertisements or campaigns in the print or other electronical media and including reasonable costs for the premiere

9.2.4. Coverage of these costs, for which the applicant needs to prove their use for the intended purpose, is granted in the form of a non-repayable grant (**basic amount**) and a conditionally repayable loan (**additional funding**). In exceptional cases a reasoned application for additional funding may be submitted by the producer. For additional funding to be granted, the applicant's own investment must at least equal the funding amount. After coverage of the own investment, repayment of these funds to the Film Institute will be executed based on the gross-proceeds from the distribution.

9.2.5. Materials stated under arts. 9.2.1. to 9.2.3. which are already included in the cost report of the production funding will be taken into account for the assessment of the distribution funding.

Other measures of dissemination

9.3. Eligible for funding are measures to improve the dissemination and market-driven exploitation of Austrian film in Austria and its economic and cultural impact abroad, particularly through promoting the presentation of Austrian film nationally and internationally, as well as **foreign-language dubbing** or **subtitles** and the participation in **international film festivals** and **film markets**.

Applications can be submitted by the producer of the film to be funded respectively the entity/person carrying out the measure to be funded provided that they own the exploitation rights. Funding takes the form of non-repayable contributions and conditionally repayable contributions, provided that the prerequisites particularly as specified in art. 3 of the Funding Guidelines are met.

10. Continuous vocational training grants

Applications can be submitted by professionals working in the creative, technical or commercial fields of the film business or their representations of interests. **Continuous** film related **vocational training** is supported through non-repayable contributions (exempt from income tax). Funding prerequisites are the completion of relevant professional training or proof of relevant professional experience of the applicant. Continuous vocational training grants shall account in particular for the possibility of the applicant's gaining international experience for later use in Austria. Re-training and initial-training measures are therefore excluded.

In general, grants are limited to **two thirds of accepted project costs**.

11. Picture carrier and television broadcasting rights

11.1. To ensure protection of the individual exploitation stages of a film, whoever receives funding is not permitted to exploit the German-language version (including synchronised or subtitled versions) of the funded film or allow others to exploit it through picture carriers or any other means within the German-language exploitation area prior to the expiry of the following **holdback periods**:

11.1.1. The holdback period **for picture carrier exploitation** is **6 months** from the regular first cinema exploitation in Austria (regular first run).

11.1.2. The holdback period for individual access and retrieval schemes for individual films ("**video-on-demand**" and "**near-video-on-demand**") or for **pay-per-view schemes** is **6 months** following regular first run.

11.1.3. The holdback period for exploitation by **pay TV** is **12 months** following regular first run.

11.1.4. The holdback period for exploitation by **free television** is **18 months** following first regular run.

11.2. The Film Institute may upon a reasoned request by the producer **reduce** the **holdback periods** listed in art. 11.1. The holdback periods may be reduced as follows:

11.2.1. to **4 months** following first run for **exploitation by picture carrier**

11.2.2. to **4 months** following first run for individual access and retrieval schemes for individual films ("**video-on-demand**" and "**near-video-on-demand**") or for **pay-per-view schemes**

11.2.3. to **8 months** following first run **for pay TV**

11.2.4. to **12 months** following first run **for free television**.

11.3. In addition, the Supervisory Board may **further reduce** the holdback periods in exceptional cases based on a detailed and a specially developed exploitation concept by the producer. This requires that a closely spaced marketing with various exploitation steps – taking into consideration the design and the content of the films as well as the main targeted audience - does neither endanger the existing priority of the cinema exploitation nor other film business related issues:

11.3.1. to **3 months** following first regular run **for exploitation by picture**

carrier

11.3.2. to **3 months** following first regular run for individual access and retrieval schemes for individual films ("**video-on-demand**" and "**near-video-on-demand**") or for **pay-per-view schemes**. In order to gain experience concerning innovative multimedia based exploitation concepts, the Supervisory Board may still further reduce this period in very exceptional cases and in line with the project, if this is necessary for the best possible exploitation of the film and if it does not endanger the cinema exploitation.

11.3.3. to **4 months** following first regular run **for pay TV**

11.3.4. to **6 months** following first regular run **for freely accessible television**. For films which have been produced with participation of a television provider, the holdback period may in exceptional cases and in the event of a particularly high financial participation of the television provider be reduced to **4 months** after first regular showing.

11.4. Holdback periods may not be reduced any more if exploitation of the film has already started prior to the decision on the reduction of the holdback period in the exploitation stage applied for.

11.5. If the **holdback periods** are **violated**, the funding pledge shall be revoked. Funds already disbursed shall be reclaimed.

11.6. In individual cases and following a reasoned request by the applicant, the Supervisory Board may refrain partially or entirely from the measures pursuant to art. 11.5. if this seems justified when taking into account the protective purpose of the holdback periods with a view to the manner and time of exploitation and the precautions taken to ensure compliance with the holdback periods.

11.7. The insignificant showing of film clips, especially for the purpose of advertising and promoting the funded film, shall not be considered a violation of holdback periods.

12. Disbursement of funds

12.1. The applicant shall submit a **financial needs plan** which illustrates the temporal sequence of use of funds. The disbursement of funds granted requires proof of overall financing of the project to have been established. Funds will only be released upon appropriate proof by the applicant not earlier than and only to the extent that they are required for due payments in the context of the intended purpose with appropriate consideration of applicant's private resources and outside funds.

Script development

12.2. The recipient of funding for a script/shooting outline shall in any case be the author, or the producer in the case of a script development by a team. Funds granted shall be disbursed in **two instalments**, with the first instalment being transferred to the applicant upon conclusion of the funding contract, the second instalment upon submission to/acceptance by the Film Institute of the funded script. Disbursement of the first instalment shall not constitute a claim to the granting of the second instalment.

Project development

12.3. Funds granted are disbursed in instalments as appropriate to the progress of the project (**financial needs plan**).

Production funding

12.4. Funds granted are usually disbursed in six instalments as appropriate to the progress of the project (**financial needs plan**). When shooting starts and prior to the disbursement of funds, the applicant shall establish proof that the crew and cast listed in the application, upon which funding is based, are actually recruited within the anticipated shooting period (work contracts). This relates particularly to the director, the cinematographer, the production manager and actors in leading roles. Deviations referring to the team members mentioned require the approval of the Film Institute.

Reference film funding

12.5. Funds granted are usually disbursed within the course of a new film project (production, project development, script development, exploitation measures).

Miscellaneous

12.6. Funds granted will **not be disbursed** if...

12.6.1. ...proper financing of the project is not ensured

12.6.2. ...the principles of economy and efficiency have been violated in the financing or execution of the project

12.6.3. ...the amount of funding exceeds the production cost or the Austrian share in the production cost of the project minus the applicant's own investment.

13. Use of funds

13.1. The funds granted shall be administered according to the **principles governing the due diligence of a prudent businessperson**. To establish proof of the use of funds for the intended purpose, the applicant shall maintain separate records pertaining to all revenues and expenditure of the project, with cost-reducing proceeds from insurance and/or return of premium, sale of assets (props and similar) and rights (music and similar), advertising and sponsor benefits to be included and shown separately. Funds granted shall be used exclusively for the intended purpose. Claims to granting or disbursement of funds can neither be assigned nor seized or pledged.

A report shall be submitted to the Film Institute on the **use of funds** no later than six months after disbursement of the last instalment. The report shall include a numerical proof (post calculation) and original receipts as booked, whereby the facts stated in the report and the post calculation shall include any proceeds and expenses of the applicant relating to the funded project. In the final account, rebates and discounts shall be deducted from the appropriate cost items. For projects extending over several years, the applicant shall submit without further request at least one interim progress and financial report per year.

13.2. The applicant shall carry out the project according to the agreed **time schedule** and shall immediately inform the Film Institute in writing of any events which delay

project implementation or render it impossible or which would engender a diversion from the agreed funding purpose, requirements or conditions.

13.3. For the purpose of **monitoring** the use of funds for the intended purpose, the applicant shall grant officers of the Film Institute access to relevant documents, agreements, business records and receipts as well as agree to on-site visits and answer their queries. The Film Institute shall be informed regularly in writing about the status quo of the project and any exploitation contracts concluded for the funded project.

13.4. Within the context of production funding, the applicant shall, without further request, regularly and at least on the dates of disbursement of instalments inform the Film Institute in writing of the **costs and financial situation** of the funded project, and he*she shall submit copies of the **weekly and daily schedules** and the **daily reports**. Surpluses from calculated and actual cost can be transferred to other cost items, provided that this measure appears economically reasonable and necessary and that the respective item (of the calculation) is not explicitly excluded from such a transfer by the funding agreement.

13.5. To establish **proof** that funds have been used for the intended purpose the applicant shall, upon completion,...

13.5.1. ... submit to the Film Institute a copy of the script, the project concept or the project documentation in the case of script or shooting outline development, script development in a team or project development, which thus become the property of the Film Institute

13.5.2. ... in the case of production funding the applicant shall exhibit prior to receipt of the last instalment of the funds a technically unexceptionable combined cinema print and shall also submit no later than six months after receipt of the last instalment a **final itemized account** (according to the preliminary calculation) together with the original receipts as booked. The final account shall cover all proceeds and expenses of the applicant relating to the funded project. The Film Institute will at least perform random checks of the final account, using for its audit the original receipts and/or the records relating to valued personal contributions. In case of internal service charges, the performance of services exceeding the applicant's own investment shall be approved at market rates or, where available, at recommended retail price, minus a deduction of 20 per cent.

This provision also applies to expenditure outside of the applicant's own investment for services delivered by natural and legal persons identical with or significantly economically linked to the applicant, a co-producer, a partner or managing director of a production company acting as a legal person. If several funding bodies are involved, a joint audit may be agreed upon.

13.6. The applicant is obliged to provide the Film Institute with the information required for the assessment of whether the funding objective pursuant to the Film Funding Act ("Filmförderungsgesetz" - FFG) has been achieved and for reporting pursuant to § 7 para. 4 lit. h and i Film Funding Act and to submit records, particularly concerning the number of admissions, the **costs and proceeds** of the films funded by the Film Institute.

14. Repayment of funding within the context of production funding

14.1. Funding shall be repaid from domestic and foreign proceeds from the exploitation of the funded film. Distributor's commission charges are only taken into account at an appropriate level.

In the case of international co-productions, especially in case of a minority participation, the applicant is urgently recommended to conclude **collecting agreements**. The associated costs will be accepted as deductible advance costs at the usual industry rates.

The funds granted shall be repaid from the exploitation proceeds within a period of 72 months from the start of the theatrical window. 5 per cent of the proceeds of the recipient need to be repaid to the Film Institute as first priority and 95 per cent of the proceeds shall be used to cover the applicant's own investment in the financing of the production costs, as acknowledged by the Film Institute and as proven by the recipient.

As soon as the proceeds of the applicant from the exploitation of the funded project exceed the level of the applicant's **own investment**, repayment of the funds shall be on a pro rata basis using the share of the proceeds which corresponds to a half of the participation of the Film Institute in the overall financing.

In the case of Austrian-foreign **co-productions**, repayment is subject to analogous provisions but only involves the Austrian share.

For projects with an expected longer or shorter exploitation period because of the producer's rights situation, an appropriate repayment deadline may be agreed on.

If a lower priority for producer's own investment recoupment and/or a **repayment corridor** have been agreed with another funding body involved in the project or another financing party, this also applies to repayments to the Film Institute. Exceptions from this rule apply, in any event, to financial funding where priority repayment is either accepted by the Film Institute as a matter of principle, e.g. EURIMAGES grants, or if the Film Institute explicitly accepts it in the course of project financing.

14.2. The applicant shall ensure appropriate exploitation of the funded project and without further reminder shall submit a written **report** to the Film Institute at least once a year no later than April 30th about the **proceeds** from the exploitation of the funded project and shall attach documentary evidence (particularly the settlement of accounts with the distributor). This obligation of unprompted reporting to the Film Institute expires at the end of the repayment period. The obligation for discovery with regard to enquiries by the Film Institute remains unaffected. If the applicant fails to comply within a reasonable delay fixed by the Film Institute, despite a written request from the Film Institute, with his contractual liabilities and especially the reporting duty, the Film Institute will suspend any current disbursements, no applications by the recipient will be considered for funding and no contracts based on former funding commitments will be made until the applicant has fulfilled his*her obligations.

14.3. The Film Institute accepts license shares to distributors of up to 40 per cent of net distribution proceeds, any **distributor's commission charges** for European and non-European countries of up to 30 per cent of the licensing proceeds actually and definitively generated by the funded film. In special cases the Film Institute may grant exceptions from these maximum rates upon a reasoned request. The remaining producer's share in the proceeds, after covering advance cost and recoupment of the producer's own investment, serves to ensure pro-rata repayment of the funding granted by the Film

Institute. Sales and distribution pre-costs (see Attachment C) are only accepted as **deductible cost** where they correspond to usual market and industry rates. In all cases, value added tax shall not be taken into account.

14.4. Exploitation is considered **appropriate** if the applicant has done everything to ensure repayment of funding granted from the proceeds of domestic and foreign exploitation within the period stated in art. 14.1. Upon the request of the Film Institute the applicant shall establish proof of his/her efforts in this respect.

All proceeds from the exploitation of the rights of use in the funded project including ancillary rights shall account for the revenue of the applicant, with sales and distribution guarantees being considered as revenue.

14.5. If production cost after completion of the project is lower than the approved project cost, the lower cost shall be binding. Where funding has already been disbursed, the applicant shall promptly repay the difference from the lower cost to the Film Institute, regardless of the proceeds from the exploitation of the film to which the Film Institute is entitled.

15. Repayment of funding

15.1. Funding becomes prematurely due upon cancellation if...

15.1.1. ...the Film Institute has been deceived or incompletely informed about material circumstances

15.1.2. ...the project has not or not completely been implemented or not been implemented in a timely manner through the applicant's own fault

15.1.3. ...a portion of or the whole grant has not been used for the intended purpose, required reports have not been submitted despite an appropriate grace period through the applicant's own fault, proof has not been established, examination of proof has been prevented or conditions have not been met

15.1.4. ...the amount of funding exceeds the production cost of the undertaking minus the applicant's own investment or

15.1.5. ...the applicant fails deliberately or negligently to transfer exploitation proceeds for repayment of funds to the Film Institute.

15.2. An annual interest rate of 3 per cent above the disclosed base rate of the Austrian National Bank shall be applied to funds repayable on the grounds of art. 15.1. as from the day of disbursement to the applicant. The base rate valid on the last calendar day of one half-year is decisive for the next half-year.

16. Legal basis for application

The Funding Guidelines are based on § 14 Film Funding Act (Filmförderungsgesetz) (version of November 21st, 2014, Federal Law Gazette - BGBl. I Nr. 81/2014) and are subject to Regulation (EU) No 651/2014 of the Commission of June 17th, 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union. Therefore, the Funding Guidelines are not applicable in cases pursuant to Article 1 para. 4 lit. a) and b) of the Regulation.

17. Entry into force

These guidelines shall be in force as of **January 1st, 2020**.



Attachments A - F

Attachment A

Maximum and standard rates for funding

The following maximum or standard rates for individual funding projects apply to the following funding categories depending on the budget available to the Film Institute:

Script Development funding

Script/Shooting outline:

Euro 12,000 (maximum rate) – applicant: qualified author

Euro 12,500 (maximum rate) – applicant: qualified author and producer

Euro 15,000 (maximum rate) – applicant: qualified author and dramatic adviser and/or director or a team of appropriately qualified authors

Script development by a team:

Euro 15,000 (maximum rate)

Project Development Funding

Euro 50,000 (maximum rate): This maximum rate may be augmented by available reference funds (up to a total amount of Euro 130,000). This maximum rate does not apply to animation films.

Film Production Funding

Euro 440,000 (standard rate): The approval of the Supervisory Board is required if the funding amount granted exceeds 10 per cent of the budget (2020: Euro 1.778.000) in the case of selective funding, or 15 per cent of the funds allocated in the respective annual budget (2020: 2.667.000 Euro) in the case of cumulative funding based on automatic and selective funding;

Exploitation Funding

Distribution funding (cinema release funding):

- Basic amount **Euro 40,000** (maximum rate; non-repayable grant)
- additional funding **Euro 50,000** (maximum rate; conditionally repayable contribution; own investment in accordance with art. 6.1.2.)

Other measures of dissemination:

- **Festival participation(s):**
flat rate **Euro 20,000** (standard rate; non-repayable grant)
- **Foreign-language dubbing:**
Euro 26,000 (maximum rate; non-repayable grant)
- **DVD-release:**
flat rate **Euro 3,000** (standard rate; non-repayable grant)

Continuous vocational training grants

Euro 1,000/month for individuals (standard rate)

Attachment B Producer's flat fees, script & directing standard rates

| Production costs | Producer's fee | | | Production overheads | | Script | | Directing | |
|------------------|----------------|---------|-------|----------------------|-------|---------------|-------|---------------|--------|
| | 09/2019 | OPB | % | 01/2019 | % | Standard rate | % | Standard rate | % |
| 200.000 | 10.000 | 15.000 | 7,50% | 18.000 | 9,00% | 14.000 | 7,00% | 26.250 | 13,13% |
| 300.000 | 15.000 | 18.750 | 6,25% | 27.000 | 9,00% | 15.850 | 5,28% | 28.313 | 9,44% |
| 400.000 | 20.000 | 22.500 | 5,63% | 36.000 | 9,00% | 19.550 | 4,89% | 32.438 | 8,11% |
| 500.000 | 25.000 | 26.250 | 5,25% | 45.000 | 9,00% | 23.250 | 4,65% | 36.563 | 7,31% |
| 600.000 | 30.000 | 30.000 | 5,00% | 54.000 | 9,00% | 26.950 | 4,49% | 40.688 | 6,78% |
| 700.000 | 35.000 | 35.000 | 5,00% | 63.000 | 9,00% | 30.650 | 4,38% | 44.813 | 6,40% |
| 800.000 | 40.000 | 40.000 | 5,00% | 72.000 | 9,00% | 34.140 | 3,89% | 44.613 | 5,58% |
| 900.000 | 45.000 | 45.000 | 5,00% | 79.500 | 8,83% | 33.430 | 3,71% | 47.488 | 5,28% |
| 1.000.000 | 50.000 | 50.000 | 5,00% | 87.000 | 8,70% | 35.710 | 3,57% | 51.025 | 5,10% |
| 1.100.000 | 55.000 | 55.000 | 5,00% | 94.500 | 8,59% | 38.000 | 3,45% | 54.200 | 4,93% |
| 1.200.000 | 60.000 | 60.000 | 5,00% | 102.000 | 8,50% | 40.290 | 3,36% | 57.038 | 4,75% |
| 1.300.000 | 65.000 | 65.000 | 5,00% | 108.500 | 8,35% | 42.570 | 3,27% | 59.525 | 4,58% |
| 1.400.000 | 70.000 | 70.000 | 5,00% | 115.000 | 8,21% | 44.860 | 3,20% | 63.063 | 4,50% |
| 1.500.000 | 75.000 | 75.000 | 5,00% | 121.500 | 8,10% | 47.140 | 3,14% | 66.588 | 4,44% |
| 1.600.000 | 80.000 | 80.000 | 5,00% | 128.000 | 8,00% | 49.430 | 3,09% | 69.975 | 4,37% |
| 1.700.000 | 85.000 | 85.000 | 5,00% | 134.611 | 7,92% | 51.710 | 3,04% | 73.238 | 4,31% |
| 1.800.000 | 90.000 | 90.000 | 5,00% | 141.222 | 7,85% | 54.000 | 3,00% | 76.375 | 4,24% |
| 1.900.000 | 95.000 | 95.000 | 5,00% | 147.833 | 7,78% | 56.290 | 2,96% | 79.375 | 4,18% |
| 2.000.000 | 100.000 | 100.000 | 5,00% | 154.444 | 7,72% | 58.570 | 2,93% | 82.238 | 4,11% |
| 2.100.000 | 105.000 | 105.000 | 5,00% | 161.056 | 7,67% | 60.860 | 2,90% | 84.975 | 4,05% |
| 2.200.000 | 110.000 | 110.000 | 5,00% | 167.667 | 7,62% | 63.140 | 2,87% | 87.588 | 3,98% |
| 2.300.000 | 115.000 | 115.000 | 5,00% | 174.278 | 7,58% | 65.430 | 2,84% | 90.063 | 3,92% |
| 2.400.000 | 120.000 | 120.000 | 5,00% | 180.889 | 7,54% | 67.710 | 2,82% | 92.413 | 3,85% |
| 2.500.000 | 125.000 | 125.000 | 5,00% | 187.500 | 7,50% | 70.000 | 2,80% | 94.625 | 3,79% |
| 2.600.000 | 125.000 | 125.000 | 4,81% | 195.000 | 7,50% | 71.200 | 2,74% | 96.713 | 3,72% |
| 2.700.000 | 125.000 | 125.000 | 4,63% | 202.500 | 7,50% | 72.400 | 2,68% | 98.663 | 3,65% |
| 2.800.000 | 125.000 | 125.000 | 4,46% | 210.000 | 7,50% | 73.600 | 2,63% | 100.488 | 3,59% |
| 2.900.000 | 125.000 | 125.000 | 4,31% | 217.500 | 7,50% | 74.800 | 2,58% | 102.175 | 3,52% |
| 3.000.000 | 125.000 | 125.000 | 4,17% | 225.000 | 7,50% | 76.000 | 2,53% | 103.738 | 3,46% |
| 3.100.000 | 125.000 | 125.000 | 4,03% | 232.500 | 7,50% | 77.200 | 2,49% | 100.956 | 3,26% |
| 3.200.000 | 125.000 | 125.000 | 3,91% | 240.000 | 7,50% | 78.400 | 2,45% | 102.204 | 3,19% |
| 3.300.000 | 125.000 | 125.000 | 3,79% | 247.500 | 7,50% | 79.600 | 2,41% | 103.332 | 3,13% |
| 3.400.000 | 125.000 | 125.000 | 3,68% | 255.000 | 7,50% | 80.800 | 2,38% | 104.328 | 3,07% |
| 3.500.000 | 125.000 | 125.000 | 3,57% | 262.500 | 7,50% | 82.000 | 2,34% | 105.192 | 3,01% |
| 3.600.000 | 125.000 | 125.000 | 3,47% | 270.000 | 7,50% | 83.200 | 2,31% | 105.936 | 2,94% |
| 3.700.000 | 125.000 | 125.000 | 3,38% | 277.500 | 7,50% | 84.400 | 2,28% | 108.096 | 2,92% |
| 3.800.000 | 125.000 | 125.000 | 3,29% | 285.000 | 7,50% | 85.600 | 2,25% | 111.012 | 2,92% |
| 3.900.000 | 125.000 | 125.000 | 3,21% | 292.500 | 7,50% | 86.800 | 2,23% | 113.940 | 2,92% |
| 4.000.000 | 125.000 | 125.000 | 3,13% | 300.000 | 7,50% | 88.000 | 2,20% | 116.856 | 2,92% |
| 4.500.000 | 125.000 | 125.000 | 2,78% | 337.500 | 7,50% | 94.000 | 2,09% | 131.460 | 2,92% |
| 5.000.000 | 125.000 | 125.000 | 2,50% | 375.000 | 7,50% | 100.000 | 2,00% | 146.076 | 2,92% |
| 5.500.000 | 125.000 | 125.000 | 2,27% | 412.500 | 7,50% | 110.000 | 2,00% | 160.680 | 2,92% |
| 6.000.000 | 125.000 | 125.000 | 2,08% | 450.000 | 7,50% | 120.000 | 2,00% | 175.284 | 2,92% |

| ASSESSMENT BASIS FOR INTERNATIONAL CO-PRODUCTIONS | |
|---|--------------------------|
| Austrian production costs | Overall production costs |

Attachment C

Advance distribution costs

Advance distribution costs include the following individual cost items, provided that they have been included in the world distribution agreement and submitted by the distributor:

- Cost of production of release print and sample video tapes, packaging and transport from the film laboratory to the registered company offices
- Cost of the interpositive and internegatives of the film as well as of video and TV master tapes of all required formats and systems
- Cost of foreign-language dubbing
- Cost of subtitling
- Maintenance cost and report on negative and interpositive; renewal cost if any
- Cost of advertising in international industry journals as well as advertising cost at film festivals and markets, provided it was approved by the producer
- Transport and screening cost for participation in film festivals and markets, provided it is not defrayed by a third party
- Cost of production and transfer of IT tapes
- Cost of producing foreign-language sales catalogues or press brochures as well as cost of producing trailers for film markets
- Cost of legal counsel, court fees, collection and auditing related to the collection of license fees, as well as cost of legal counsel acting abroad in connection with the conclusion and execution of license agreements
- Cost of required insurance for rights and material

Attachment D

Reference film funding – international film festivals

Feature Film

Prizes (260,000 points)

Cannes ("Palme d'Or")
Academy Awards Oscar ("Best International Feature Film", "Best Motion Picture", "Best Director")

Prizes (220,000 points)

Berlin ("Goldener Bär")
Cannes ("Grand Prix", "Prix du Jury", "Prix de la Mise en Scène")
Venice ("Leone d'Oro")

Prizes (175,000 points)

Berlin ("Jury Grand Prix – Silberner Bär", "Award for the Best Director - Silberner Bär", Encounters – "Best Film")
Cannes ("Caméra d'Or")
European Film Awards ("Best European Film", "Best European Director")
Golden Globe Awards ("Best Foreign Language Film")
Venice ("Leone d'Argento – Gran Premio della Giuria", "Leone d'Argento – Premio per la migliore Regia", "Premio Speciale della Giuria")

Prizes (110,000 points)

Berlin (Encounters "Best director", "Special Prize")
Cannes ("Prix Un Certain Regard")
European Film Award ("European Discovery-Prix FIPRESCI")
Karlovy Vary (Grand Prix "Crystal Globe")
Locarno ("Pardo d'Oro")
Rotterdam ("Hivos Tiger Award")
San Sebastian ("Concha de Oro")
Sundance ("World Cinema Grand Jury Prize")
Toronto ("Platform Prize")

Prizes (60,000 points)

Berlin ("Preis für den besten Erstlingsfilm" – Prize for the Best Debut Film, "Caligari-Prize", "Panorama Audience Award", "Teddy Award")
Busan ("Busan Bank Award")
Karlovy Vary ("Special Jury Prize")
Locarno ("Premio Speciale della Giuria", "Premio speciale della giuria cineasti del presente")
Rotterdam ("Jury Tiger Award")
Saarbrücken ("Max Ophüls Preis")
San Sebastian ("New Directors Award")
Shanghai ("Golden Goblet Award")
Tokyo ("Tokyo Grand Prix")
Venice ("Premio Orizzonti", "Premio Luigi De Laurentiis per un'Opera Prima" – Award for a Debut Film, "Hearst Film Award for Best Female Director")

Prizes (40.000 points)

Créteil Films de Femmes ("Best Narrative Feature Film")
Hong-Kong ("Firebird Award")
London BFI FF ("Best Narrative Film Award")
Mumbai ("Golden Gateway trophy")
Mar Del Plata ("Astor de Oro")
New York Tribeca Film Festival ("Nora Ephron Prize")
Seoul International Women´s Film Festival ("Golden Wolf Award")
Toronto ("People´s Choice Award")

Participation (220,000 points)

Academy Awards - Oscar (Nomination "Best International Feature Film", "Best Motion Picture", "Best Director")

Participation (200,000 points)

Cannes (Competition)

Participation (110,000 points)

Berlin (Competition)
Golden Globes (Nomination "Best Foreign Language Film", "Best Motion Picture", "Best Director")
Venice (Competition)

Participation (60,000 points)

Cannes ("Quinzaine des Réalisateurs", "Semaine de la Critique", "Un Certain Regard")
Berlin ("Encounters")

Participation (30,000 points)

Berlin ("Panorama", "Forum", "Berlinale Special")
European Film Awards ("Best European Film", "Best European Director")
Locarno (Competitions, "Piazza" if it is a world premiere)
New York Tribeca Film Festival ("International Competition")
San Sebastian ("Competition", "New Directors")
Sundance ("World Dramatic Competition")
Venice ("Orizzonti", "Settimana della Critica", "Giornate degli Autori")

Additional list for Documentary Film

Prizes (260,000 points)

Academy Awards - Oscar ("Best Documentary Feature")

Prizes (110,000 points)

Amsterdam ("Best Feature Length Award")
Berlin ("Dokumentarfilmpreis" Documentary Film Prize)
European Film Awards ("Best European Documentary")

Prizes (60,000 points)

Copenhagen CPH:DOX ("DOX: AWARD", "NEW: VISION Award")
Leipzig ("Goldene Taube")
Nyon ("Sesterce d'Or", "Prix du Jury")
Sundance ("Grand Jury Prize")
Yamagata ("The Grand Prize - The Robert and Francis Flaherty Prize")

Prizes (40,000 points)

Créteil Films de Femmes ("Best Documentary Feature Film")
London BFI FF ("Grierson Award for Best Documentary")
Marseille ("Grand Prix")
Toronto Hot Docs ("Best International Documentary")

Prizes (30,000 points)

Karlovy Vary ("Grand Prix for Best Documentary Film")
Paris-Cinéma du Réel Paris ("Grand Prix Cinéma du Réel")
Sheffield ("Grand Jury Award")

Participation (220,000 points)

Academy Awards - Oscar ("Best Documentary Feature")

Participation (30,000 points)

Amsterdam (Competition)
European Film Awards (Nomination "Best European Documentary")
Copenhagen CPH: DOX (Competition)
Leipzig (Competition)
Nyon (Competition)
Sundance (World Documentaries)
Toronto Hot Docs (International Spectrum)
Venice (Venice Classics Documentary Films)

Additional list for Children's Film

Prizes (60,000 points)

Berlin, children's film festival "Generation" ("Gläserner Bär für den besten Film" – for the best film)

Prizes (40,000 points)

Amsterdam, Cinekid ("Cinekid Lion", "Jury Award")
Chicago ("Adult Jury Prize for Live Action Feature Video")
Gera children's film festival ("Goldener Spatz")
Giffoni ("Goldener Gryphon", "Jury Grand Prix")
Zlin ("Golden Slipper")

Participation (30,000 points)

Amsterdam, Cinekid
Berlin, children's film festival "Generation"
Chicago CICFF

Editorial note: Prizes and participations for feature films also apply without exception to both documentary and children's films. We also want to clarify that participation "**Out of Competition**" in the competitions of Cannes, Berlin or Venice are considered equal to a "regular" participation (see 7.3.).

Attachment E

Reference Film Funding (article 7 of the Guidelines)

Production funding: between **Euro 300,000** (for 40,000 reference points) up to a **maximum of Euro 800,000** (for 260,000 reference points) – see chart

| Reference points | Reference funding Euro | Reference points | Reference funding Euro |
|------------------|------------------------|------------------|------------------------|
| 40,000 | 300,000 | 155,000 | 561,364 |
| 45,000 | 311,364 | 160,000 | 572,727 |
| 50,000 | 322,727 | 165,000 | 584,091 |
| 55,000 | 334,091 | 170,000 | 595,455 |
| 60,000 | 345,455 | 175,000 | 606,818 |
| 65,000 | 356,818 | 180,000 | 618,182 |
| 70,000 | 368,182 | 185,000 | 629,545 |
| 75,000 | 379,545 | 190,000 | 640,909 |
| 80,000 | 390,909 | 195,000 | 652,273 |
| 85,000 | 402,273 | 200,000 | 663,636 |
| 90,000 | 413,636 | 205,000 | 675,000 |
| 95,000 | 425,000 | 210,000 | 686,364 |
| 100,000 | 436,364 | 215,000 | 697,727 |
| 105,000 | 447,727 | 220,000 | 709,091 |
| 110,000 | 459,091 | 225,000 | 720,455 |
| 115,000 | 470,455 | 230,000 | 731,818 |
| 120,000 | 481,818 | 235,000 | 743,182 |
| 125,000 | 493,182 | 240,000 | 754,545 |
| 130,000 | 504,545 | 245,000 | 765,909 |
| 135,000 | 515,909 | 250,000 | 777,273 |
| 140,000 | 527,273 | 255,000 | 788,636 |
| 145,000 | 538,636 | 260,000 | 800,000 |
| 150,000 | 550,000 | | |

Repayment of Production Funding (according to art. 14.1. para. 3)

Yearly available amount from doubled repayment:
max. Euro 200,000

Script Development Funding per reference film („incentive funding“):

Author **Euro 15,000**

Director **Euro 20,000**

Director (if also author) **Euro 25,000**

Reference point deductions are cancelled as of July 1st, 2014.

Attachment F

Gender Incentive (article 8 of the Guidelines)

This effect-oriented point system is to be considered for the evaluation of a project if production support is sought. It is based on the employment of female audiovisual professionals:

For feature and documentary films:

| | |
|---------------------------------------|---------------|
| <i>Production</i> | <i>16 pts</i> |
| <i>Directing</i> | <i>14 pts</i> |
| <i>Script</i> | <i>14 pts</i> |
| <i>Line Producer</i> | <i>7 pts</i> |
| <i>Production manager</i> | <i>6 pts</i> |
| <i>Cinematography</i> | <i>9 pts</i> |
| <i>Editing</i> | <i>4 pts</i> |
| <i>Dramaturgy</i> | <i>6 pts</i> |
| <i>Production Design</i> | <i>5 pts</i> |
| <i>Music</i> | <i>9 pts</i> |
| <i>Sound</i> | <i>9 pts</i> |
| <i>Sound design</i> | <i>8 pts</i> |
| <i>Sound editing</i> | <i>8 pts</i> |
| <i>Lighting</i> | <i>10 pts</i> |
| <i>VFX, Animation, Visual Effects</i> | <i>8 pts</i> |
| Target value: | 44 pts |

For animation films:

| | |
|------------------------------------|---------------|
| <i>Production</i> | <i>14 pts</i> |
| <i>Directing</i> | <i>14 pts</i> |
| <i>Script</i> | <i>14 pts</i> |
| <i>Design</i> | <i>5 pts</i> |
| <i>Character Design</i> | <i>13 pts</i> |
| <i>Environments</i> | <i>4 pts</i> |
| <i>Props</i> | <i>4 pts</i> |
| <i>Storyboard (Leica/Animatic)</i> | <i>5 pts</i> |
| <i>Animation</i> | <i>5 pts</i> |
| <i>Compositing</i> | <i>5 pts</i> |
| <i>Voice recording</i> | <i>4 pts</i> |
| <i>Editing</i> | <i>4 pts</i> |
| <i>Music</i> | <i>5 pts</i> |
| <i>Sound Design</i> | <i>4 pts</i> |
| Target value: | 20 pts |

Note: Basis for the funding decision is the evaluation of the project regarding the qualitative (artistic and commercial) quality (see article 8.1 of the guidelines). The unequal distribution of points does not reflect a valuation but seeks to contribute to the goal to counteract the underrepresentation of women in the areas concerned.