

« MEDIA Plus Development, Distribution and Promotion (2001-2005) »

***Measures to support the participation of European works
and professionals in film festivals
organised in third countries***

Call for Proposals EAC/03/2003

<p>Guidelines for the submission of proposals to obtain financial support</p>
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1. Introduction – Objectives of the Programme.

A. Introduction

This call for proposals is based on the Council Decision (2000/821/CE) concerning the implementation of a programme to encourage the development, distribution and promotion of European audiovisual work (MEDIA Plus - Development, Distribution, Promotion 2001-2005), adopted by the Council on 20th December 2000 and published in the Official Journal of the European Communities n° L13 of January 17, 2001.

Among the objectives of the above mentioned Council Decision are:

- To facilitate and encourage the promotion and movement of European audiovisual and cinematographic works at trade shows, fairs and audiovisual festivals in Europe and around the globe, insofar as such events may play an important role in the promotion of European works and the networking of professionals (**art. 4**) ;
- To encourage the networking of European operators, by supporting joint activities on the European and international markets by national, public or private promotion bodies (**art. 4**)
- To foster the wider trans-national dissemination of non-domestic European films , on the European and international markets, through incentives to stimulate their distribution and their screening in cinemas, inter alia by encouraging coordinated marketing strategies (**art.3**)

This call for proposals is aimed at European organisations whose activities contribute to the achievement of the objectives mentioned above. It explains how to submit a proposal with a view to obtaining a financial contribution from the Community.

The Commission department in charge of the implementation and management of the MEDIA Programme is Unit C/3 of the Directorate General for Education and Culture.

B. Objectives and expected activities:

1-General objectives

The objectives of this Call for Proposals are to facilitate and improve the promotion and circulation of European audiovisual and cinema works in those countries not participating in the MEDIA Programme. It is aimed at building-up of an economic partnership between countries inside and outside the MEDIA programme and facilitating better mutual knowledge and understanding.

2. Specific Objective

The specific objective of this call for proposals is to provide an efficient mechanism of support in order:

- to improve the conditions governing access by European works and professionals to new audiovisual markets outside Europe and foster dialogue with the local audiovisual sector;
- to promote and support the participation of European films to film Festivals organised in third countries (countries outside the EU, the EEA and the associated countries members of MEDIA);
- and, finally and in the context of an effort to encourage trade, economic partnership, and creative exchanges with the audiovisual sector of these countries, to facilitate local distribution and screenings of the European films after their presentation at the Festivals.

3- Description of the activities.

Support will be given to one or more European organisations, or networks of European organisations, that will produce, implement and deliver the following actions:

Action 1. Festivals Kits:

Action 1 will provide support to activities aimed at encouraging the dialogue between professional from the MEDIA countries and those from the other countries and an increased attention of the Film Festivals organised in Third Countries towards the European cinema, including:

- 1.1 a professional advice and assistance in the programming of recent European films with good potential on the respective local market, including access to a package of rights-cleared films, guidelines and information on right owners and export sales agents, on the basis of a dynamic data-base constantly updated;
- 1.2 the production, implementation and delivery of complete pre-programmed model festival packages of European films (including a selection of films of prime interest - like the ones awarded prizes by the national/European film academies - to be ready available for the local organisers). These films packages should tour in festivals each year in a specific region.
- 1.3 the organisation of Round-tables and meetings of professionals enhancing the promotional activities of the film packages (including the travel costs of professionals to the respective festivals) in the framework of the eligible festivals.

Action 2. Promotion of the participation of European Films

The selected applicant will have to facilitate the support to the participation of EU works and professionals to eligible Festivals. The operators will describe its plan of activity (i.e. operational plan, methodology, rules and guidelines) supporting the costs outlined below to eligible festivals for eligible films.

The eligible costs shall be those costs related to the actual participation of the films in the festival together with the costs for the provision of this support.

The costs covered in relation to the participation of the films shall be:

- the duplication of prints, transport of copies and related expenses
- subtitling and dubbing
- the production of promotional and advertising materials
- publication costs
- public relations activities
- the travel and subsistence costs of the professionals i.e. talent attached to the films selected.

The costs of possible screening fees charged by the licensor of the films shall not be eligible.

Action 3. Follow-up measures

Action 3 will support the costs of facilitating the wider public distribution of those European films successfully programmed in the festivals supported under Action 2 above.

The eligible costs shall be those costs related to the actual theatrical distribution of the European films programmed in the festivals together with the costs for the provision of this support.

The costs covered in relation to the distribution of the films shall be:

- the duplication of prints, transport of copies and related expenses
- subtitling and dubbing
- the production of promotional and advertising materials
- publication costs
- public relations activities
- screenings related to the launching of the films
- the travel and subsistence costs of the professionals i.e. talent attached to the films selected.

The costs for the acquisition of the rights for the distribution of the film shall not be eligible.

C. Festivals and Films concerned with the support measures foreseen for this call for proposals

The actions undertaken by the successful applicants (beneficiaries) will concern Festivals and Films that fulfil the following criteria:

Festivals

- The festival shall be based in countries which do not participate in the MEDIA Programme.
- The festival can be organised by a local organisation or association, an EU Delegation or a Cultural or Film Institute from a Media member state.
- The programming of the festival must contain a minimum of 35% of European films in at least three different European languages. The programming of the festival should contain a significant and clearly identified European section programming recent European films
- The absolute majority of the European films presented in the Festival will have to be recent ones (with their original Copyright established on or after 1997).
- The programming of the festival should contain a significant presentation of local films from the country or region where the festival is taking place.
- The festival must include both a strong promotional element and events intended to encourage exchanges in audiovisual goods and services.
- The festival must target the general audience as well as the local film professionals.
- Absence of alternative well-established festivals ensuring better visibility for the European works in the same country will also be a preferential condition.
- Priority will be given to well established International Film Festivals with a clear promotional potential.

Films

- Support will only be given to the participation of package of recent films (with their original Copyright established on or after 1997) originated from the MEDIA Countries and representing at least three different European languages.
- Priority will be given to the support of the participation of films coming from country with a low audio-visual production capacity.
- The package of films to be supported will be defined by the organisation according the above criteria and priority, ensuring the greatest variety of the countries of origin of the films supported. Maximum total eligible costs of for co-financing for each festival in the list will be 80.000 EUR for large-size festivals, and 40.000 EUR for medium-size ones (please refer to the Section 2-B for definitions).

The applicant will have to define a precise list of Festivals proposed for hosting the support foreseen in action 2. The Commission will made available by Internet (http://europa.eu.int/comm/avpolicy/media/index_fr.html) to all applicants , two weeks before the deadline for submission of proposals, an indicative list of Festivals having expressed their readiness to fulfil the above criteria. The Commission reserves its right to approve or not the proposed list at the time of the evaluation of the proposals received. Any change of the list of Festivals after the signature of the contract will require a specific exchange of letter, stating the agreement of both parties.

The applicant will also have to propose a list of countries proposed to receive the Festival Model Package within the Year 2004. An indicative list of countries having expressed their interest to host it will also be made available on the Commission Web-site (http://europa.eu.int/comm/avpolicy/media/index_fr.html). The Commission reserves its right to approve or to ask for modification of the proposed list. The Commission reserves its right to approve or not the proposed list at the time of the evaluation of the proposals received.

2. Eligibility Criteria.

A. Formal Criteria :

Applications duly signed (by the legal representative of the applicant, and/or the leading organisation if the application is submitted by a network of organisations) must be submitted before the relevant deadline and use the applications forms annexed hereto.

B. Definitions :

1. Participating countries :

This call for proposals is addressed to bodies registered in and owned by nationals from the Member States of the European Union and of the European Economic Agreement participating in the MEDIA Plus Programme (Iceland, Liechtenstein and Norway) and those countries that satisfy the conditions laid down in Article 11 of Council Decision 2000/821/EC (at the date of the publication, Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Poland, Slovakia).

Applications from organisations registered in and owned by nationals of countries¹ which are candidates to join the European Union will be eligible for this Call for Proposals, subject to the coming into force of their country's participation in the Media Plus Programme before the signature of contracts with successful applicants from these countries.

2. Countries with a low production capacity:

For the purposes of this Call for Proposals, the following countries will be considered as countries with a low audiovisual production capacity: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Greece, Iceland, Ireland, Latvia, Lithuania, Luxembourg, Norway, Netherlands, Poland, Portugal, Slovakia, Slovenia and Sweden, as well as those other countries which are candidates to join the European Union which fulfil the conditions defined in the above paragraph ("Participating countries").

¹ It is foreseen that the following countries will also be members of the MEDIA Plus Programme in 2003: Slovenia and Cyprus.

3. European body:

Body registered in one of the Member States of the European Union or of the countries participating in the MEDIA Plus Programme as defined in this Call for Proposals, and which is owned and continues to be owned, whether directly or by majority participation, by nationals from these countries.

4. European work:

The definition of "European work or film" follows the provisions of article 6 of Council Directive 89/552/EEC of 3rd October 1989 on the co-ordination of certain provisions, legislative, regulatory or administrative, in the Member States concerning the pursuit of television broadcasting activities as amended by the European Parliament and Council Directive 97/36/EC of 30th June 1997.

This include all films produced by a majority of producer(s) registered in and owned by nationals of a State participating into the MEDIA Programme or having ratified the Convention "Television Transfrontiers" of the Council of Europe.

5. Film Festival with special focus on European films :

An event aimed at showcasing a substantial number of European films to a significant audience. At least 35% of the films planned for showing should be from the MEDIA countries and/or a special section should be dedicated to the European Cinematography, accompanying a relevant number of films coming from the local, national or regional production. The festival may be organised by a local organiser (a commercial establishment or any non-profit bodies), an EC Delegation or one or more cultural or film institute.

6. Medium-size / large-size festival

A festival is defined as :

- medium-size when the number of length-features (fiction, documentary, animation) screened during the last edition of the festival does not exceed 50.
- large-size when the number of length-features (fiction, documentary, animation) screened during the last edition of the festival exceeds 50.

7. Festival organizer:

Any organizer, organisation or association (or other type of legally registered organization), EC Delegation, national film/cultural institute, - active in countries which do not participate in the MEDIA Programme.

8. National film/cultural institutes:

Public, semi-public or private bodies or associations from a MEDIA participating country that are entrusted with the mission of promoting their national culture abroad and that participate in the implementation of public policy measures.

9. Sale agents:

A European-based company responsible for the sale, distribution and promotion of European films.

C. Situations of Exclusion :

1) Applicants are excluded from participation in this Call for Proposals if:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the project is to be performed;
- (e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) following another grant award procedure or procurement procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Applicants must certify that they are not in one of the situations listed above (by signing the declaration in the Application Form at Annexe 3).

2) Applicants shall be excluded from the participation at this call for proposals if:

- (a) they are subject to a conflict of interest;
- (b) they are guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in the relevant call for proposals or fail to supply this information.

Administrative and financial penalties of an effective, proportionate and dissuasive nature may be imposed by the Commission on applicants who excluded under the above grounds, in accordance with the provisions of Articles 93 to 96 of the Financial Regulation (Council

Regulation 1605/2002 of 25/6/02) and Articles 133 and 175 of the Implementing Regulation (Commission Regulation 2342/2002 of 23/12/02).

This call for proposals only concerns projects proposing to initiate the actions referred to above for events taking place from 1st July 2003 to 30th December 2004.

1. Formal Criteria.

- The applicant must be a European body as defined at Section 2 above.
- Administration and staff costs, except in special circumstances, must not exceed 40% of the total costs of the project and must be kept to a minimum.
- The proposal must contain draft rules and guidelines providing a clear framework for the action or actions outlined at Section 1 above and conforming to the criteria set out therein.

2. Operational Criteria.

These criteria make it possible to assess the applicant's financial and operational capacity to complete the proposed project.

The applicants must provide evidence of:

1) Stable and sufficient sources of funding to maintain his activity throughout the period during which the project is being carried out.

The proposal submitted must include the certified audited accounts for the last fiscal year.

In the event that the contribution sought from the European Commission is higher than 300,000€, then the certified audited accounts should be accompanied by an opinion of the auditor who certified the accounts. This opinion, based upon the work which was executed for the certification of the accounts, should outline the judgement of the auditor on the financial capacity of the applicant to execute the project specified in the application.

In the event of an application being submitted by a new body (which is therefore unable to comply with the conditions set out above), then the new body should supply documentary evidence of stable and sufficient sources of funding to the satisfaction of the Commission.

2) Professional competencies, qualifications and/or experience required to complete the proposed project.

The proposal submitted must include:

- the curriculum vitae of the legal representative of the organisation;
- the curriculum vitae of the person in charge of the project;
- details of the activities of the applicant over the last three years.

The Commission reserves the right not to select proposals submitted by applicants who have not fulfilled their obligations in the framework of contracts signed in the framework of the MEDIA I, MEDIA II and MEDIA Plus Programmes or other EC-funded programmes.

4. Award Criteria.

The award criteria make it possible to assess the quality of the proposals submitted in the light of the objectives and priorities set. The European Commission will decide to award grants within the limit of the budgetary resources available on the basis of the following criteria listed below in order of importance. The criteria will be given the weighting indicated below:

- The European dimension of the project(s) (20%)
In terms of greatest variety of origins of films shown at the specific festivals and themes of the activities organised around the festival.
- Impact on the promotion and circulation of European audiovisual works (20%)
The strategy and the quality of the business plan explaining the actions that need to be implemented in order to improve the circulation of European audiovisual works from a promotion point of view;
- The quality of the plan of activities within the proposal (20 %)
The quality and clarity of the guidelines and rules proposed for the execution of the various action lines.
- Cost-effectiveness (20%)
The cost/efficiency ratio in relation to the services offered, respecting the principle of sound financial management, particularly according to overhead and personnel costs. (The Commission has the right to inspect the amount of those costs.)
- Inter-cultural dialogue (10%)
Projects including a strong dimension of inter-cultural dialogue and promoting works from countries or regions with low production capacity and/or a restricted geographical and linguistic area (see 2.B.2.).
- Quality of the festivals targeted (10%)
Well-established festivals ensuring better visibility for the European works in the specific area and/or country should be targeted.

5.	Financial Support.
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1. Financial support:

The financial support granted in the framework of this call for proposals will take the form of subsidies as defined in Articles 5 and 6 of Council Decision 2000/821/EC.

The Commission intends to award financial contributions to European organisations presenting projects which correspond to these objectives and fulfil the detailed criteria set out in this Call for Proposals.

The award granted to each beneficiary and for each proposed project is determined with regard to the cost and nature of each project. The financial contribution will normally be limited to 50 % of the total costs. Projects which enhance European linguistic and cultural diversity (i.e. through a special focus upon works from countries with a low production capacity) may apply for a grant of 60 % of the total costs. The final percentage of the financial contribution to be awarded will be determined by the European Commission in consideration of the nature of project.

The beneficiary must guarantee the remaining funds.

N.B. “In Kind” contributions and expenses cannot be supported by the MEDIA Plus Programme, but are taken into account when assessing the overall budget and must therefore be included in the appropriate sections of the Budget Summary Form.

2. Amount and payment of the financial contribution

The amount of the financial contribution awarded by the European Commission is determined in consideration of the cost and nature of projects.

Under no circumstances may the amount of the financial contribution awarded by the Commission to each organisation or event for actions exceed 50% of the overall cost of the operation. However the percentage of the Commission support may be raised to 60% in certain cases specified under the point 5.1.

The recipient organisation must provide guarantees for the remaining finance.

The Commission is not bound, by sole act of selecting a particular applicant, to agreeing to the level of financial support requested. Under no circumstances may the amount awarded be greater than that applied for.

Under normal circumstances, payment will be made in three instalments:

- a first advance of 40% of the total financial support on signature of the contract between the Commission and the beneficiary;
- a second advance of 40% of the total financial support following the acceptance by the Commission of an Interim Activity Report and Financial Statement giving a breakdown of the costs and revenues of the project and certified by an independent Chartered Accountant. The Financial Statement must detail expenditure of a minimum of 150% of the first advance;
- the remaining part of the financial support following the acceptance by the Commission of the Activity Report, a breakdown of the final costs and revenues of the project as well as all proper accounting documents for the expenses made following the Commission's requirements. The amount of this contribution depends on real costs incurred by the beneficiary and the levels of co-financing ultimately obtained. The final costs and revenues of the project(s) shall be certified by an independent Chartered Accountant.

Under no circumstances may the contribution of the Commission give rise to a profit for the beneficiary.

In order for the Commission to agree to a payment, additional information may be requested from applicants when the activities report and the breakdown of final costs and revenues are submitted.

The Commission reserves the right to request a Bank Guarantee in respect of any payment to be made following the conclusion of a contract with an applicant, especially in relation to advance payments.

The beneficiary is committed to carrying out the project as presented in the application form.

6. Evaluation and Award Procedures.

Duration and validity of the Call for Proposals

This call for proposals only concerns projects proposing to initiate the actions referred to above for events taking place from 1st July 2003 to 30th December 2004.

Deadline for the submission of proposals: 12/05/2003

Timetable for award procedures

All complete proposals sent before the deadline specified above will be examined by the Commission. The outcome of the award procedure may normally be expected 12 weeks after deadline.

Available funds

The amount of the financial contribution awarded to each organisation by the Commission is determined with respect to the cost and nature of each project. For this call for proposals a maximum amount of 800.000 € is available. A majority of the available funds will be allocated to actions 2 and 3.

Evaluation and award procedure

A Selection Committee will examine applications for funding and will select those applications that most effectively meet the objectives and priorities of the programme within the limits of the budgetary package assigned to the programme by the European Commission. The European Commission will chair the meetings of the committee.

Within the limits of the budgetary resources available, the European Commission will select the beneficiaries of the Community support.

The Commission reserves the right not to process proposals which lack the required documentation (documents listed in the application forms) at the deadline.

The Commission reserves the right to request additional information from applicants before taking any final decision on granting a financial support.

The Commission will be assisted by a Technical Assistance Office in the processing of applications and the assessment of projects. Proposals which meet the eligibility and selection criteria will be submitted to an evaluation process, including in particular recourse to experts.

Applicants will be informed as soon as possible whether or not the Commission has decided to grant them a financial contribution. This decision will be final.

In order to grant a financial contribution, the Commission will offer beneficiaries contracts which set out the maximum amount of the award, the percentage of the support, payment arrangements and all the commitments undertaken by the beneficiary.

No file or document submitted will be returned to applicants at the end of the evaluation and award procedure.

Miscellaneous

The Commission will publish the name and address of the beneficiary, the subject of the grant and the amount and the rate of financing. This will be done, in agreement with the beneficiary, and unless publication of the information may threaten the safety of the beneficiary or harm their business interests

7. Presentation and Submission of Proposals.

Presentation of proposals

Applicants are required to carefully consider the contents of the guidelines for this Call for Proposals, as well as the documents in annex, and follow them precisely.

The applicants are requested to follow carefully the instructions in:

- the guidelines of the present Call for Proposals
- the grant application form
- the budgetary and financial guide
- the budget form
- the information sheet relating to the applicant

Applicants may seek clarification of any question before submitting their proposals.

European organisations interested in applying for this type of support must submit their proposals to the Commission, giving **full details** of the following:

- The promotion action(s) for which the applicants wish to submit a proposal
- the list of Festivals with which the applicant plans to work and/or structure facilitating the participation of European works and professionals and the proposed criteria to change or add names to the list;
- a detailed and comprehensive presentation of the project(s) and actions to be carried out;
- the selection criteria and requirements for films and professionals benefiting from these services, taking into account the objective of the MEDIA Programme to improve the access of all independent distribution and production companies;
- a detailed budget and financing plan for the activities proposed (in EURO), presented in accordance with the attached model in Annex III ; any item over € 10,000 must be broken down in detail within the main budget (giving unit costs and quantities). The original financial fiche must be used. All applicants must submit their forecast budget in €, applicants from non-euro-zone States must also complete their budget in their national currency in the columns provided. The forecast budget must not contain any errors.
- guarantees for the financing of the part of the budget not covered by the Commission's contribution (guarantee letters from the organisation, letters from partners, official documents, etc.) ; should some of these documents not be available by the deadline for applications, a guarantee letter signed by the applicant should be provided, covering all own investment and outstanding revenues
- the applicant's previous experience in the relevant field

- the list of the people who will be in charge of carrying out the activity proposed and a description of their professional expertise.
- the articles of association or the statutes of the applicant organisation including proofs of the organisation registration number, legal representative and members of the management board.
- a completed, signed applicant identification form, certified by the applicant's bank

The Commission reserves the right to request additional information from applicants before taking any final decision on granting support.

Applicants will be required to give prompt and full responses to any such requests.

The Commission reserves the right to request additional information from applicants before taking any final decision on granting support. Applicants must give prompt and full responses to any such requests.

NB. The Commission reserves the right not to consider applications which:

- do not respect the requirements of the guidelines of the call for proposals,***
- are not correctly and fully completed and signed,***
- do not present a detailed, balanced, correct and complete financial form,***
- do not contain all the requested documents.***

Submission of proposals

The guidelines of this call for proposals are available from the European Commission in English and French.

Applications may be submitted in any official language of the European Union. In order to be of assistance to the evaluators, translation of the executive summary in English or French will have to be included in the case neither of these languages is used to compile the proposal.

Proposals should preferably be submitted in English or French and must be submitted in duplicate. Copies must be signed and initialled, dated and clearly identified.

Proposals must be submitted in three copies.

All copies must be signed and clearly identified by the applicant.

Deadline for sending proposals: 12.05.2003

All applications sent after the deadline (the postmark will be used to this effect) will be automatically considered as ineligible and will be rejected.

Proposals must be sent by registered post, express courier or hand-delivered (with proof of timely delivery) to the following address :

European Commission
DG EAC/C/3 MEDIA Programme
Mr Jacques DELMOLY
Head of the MEDIA Programme
Office : B100 - 4/20
B-1049 Brussels

Office address (if delivered by hand):

Rue Belliard 100 (B-100 4/20)
B-1049 Brussels

The proposals delivered by hand must be delivered by the applicant in person or by an agent, including courier-service- before 17:00 hours on the relevant deadline, against a signed and dated receipt.

For proposals sent by post, the relevant date proving that the proposal has been sent by the deadline is to be the date of despatch by registered post, as evidenced by the postmark.

All envelopes should be clearly marked:

"Call for Proposals 03/2003 - MEDIA PLUS: FESTIVALS THIRD COUNTRIES".

Applicants submitting a proposal by post are asked to send to the Commission, before the deadline, a fax of their intention to submit a proposal.

Any requests for clarification should be addressed to :

MEDIA Desks and Antennae (see list attached)

European Commission
M. Giorgio Ficarelli
DG EAC / C3
Office: B100 – 4/38
B-1049 Brussels
Tel. +32 2 295 83 20
Fax. +32 2 299 92 14
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Appendixes:

I. Financial guide

- II. Information Points (MEDIA Desks & Antennae)
- III. Application Forms