



**MEDIA Plus (2001-2006)**

**CALL FOR PROPOSALS 09/05**

**GUIDELINES FOR**

**SUPPORT TO DEVELOPMENT OF SINGLE PROJECTS**

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## **Purpose of the guidelines for support to development of single projects**

- To inform you of the conditions for access to the mechanism and the conditions for selecting applications.

You are wondering whether your company is entitled to apply, whether your project can benefit from MEDIA funding, what amount you can expect to receive, how the selection procedure works. These guidelines will answer your questions as comprehensively as possible.

- To help you to prepare the application forms, by indicating clearly the information the Commission needs to evaluate your project properly and the documents that must be attached.

Before reading the detailed information in these guidelines, please consult the next page, which provides an overview of the conditions which must be met to apply for development support for single projects. This will help you to find out quickly whether or not this funding is available to you. If so, the subsequent pages will help you to prepare your application.

## **Call for proposals 09/05 - Summary of the access conditions for support to development of single projects**

- When to apply?

During the period of the call for proposals. The call for proposals 09/05 will be open from 12 November 2005 to 31 May 2006. Two MEDIA award procedures will run during this period. See 2.1.1.

- Support mechanism for single projects, slates of projects (Slate Funding) or “MEDIA New Talent”?

Slate Funding is aimed at medium-sized companies which already have international experience and have the financial capacity to contemplate the simultaneous development of several projects. “MEDIA New Talent” is aimed at projects which have been the subject of a MEDIA Training activity. If you do not meet these conditions, please consider the support mechanism for single projects. See 1, “Call for proposals 09/05 – Guidelines Slate Funding” and “Call for proposals 09/05 – Guidelines MEDIA New Talent”.

- What kinds of companies are accepted ?

Applicants for funding for the development of single projects must be independent European production companies and must have been registered for at least 12 months. There are no minimum requirements in terms of the company’s turnover or profit, but the company must provide evidence of its financial capacity. See 3.

- Is it necessary to have previous experience in audiovisual production?

Yes. However, the previous experience required (international or national distribution, during the 24 or 18 months prior to the date of submission of the application) varies depending on companies’ country of origin and whether or not they have already received support from MEDIA. See 3.2.

- Which categories of projects are eligible for MEDIA funding?

Drama, animation, creative documentaries and multimedia concepts. For all these projects, minimum conditions regarding their length must be met, and the applicant company must hold the copyright. See 4.

- What is the amount of funding for the development of single projects?

MEDIA Plus support may cover up to 50% or 60% of the eligible development costs for a project, subject to the ceiling laid down for each type of project. See 5.

- What are the chances of being awarded funding for the development of single projects?

The applications received by the Commission are ranked, at the end of the selection procedure, according to their merit. The best ones are funded, until the available budget is exhausted.

## **1. THE MEDIA PLUS PROGRAMME - DEVELOPMENT: FUNDING OBJECTIVES AND CONDITIONS**

The aim of MEDIA Plus - Development is to provide funding to promote the development of production projects for the European and international markets submitted by independent European production companies in the following categories: dramas, creative documentaries, animations and multimedia concepts.

Three types of funding are available under the programme:

- support for the development of a slate of projects (Slate Funding 1 or 2, 1<sup>st</sup> or 2<sup>nd</sup> stage): the applicant submits an application for funding for the development of a slate of projects.
- support for the development of single projects: the applicant submits an application for the development of a single project.
- support to projects which have been the subject of a MEDIA training activity (“MEDIA New Talent”).

Funding has been designed to meet the needs of three kinds of companies:

- medium-sized companies with previous experience at an international level and the financial capacity to develop several projects simultaneously (Slate Funding);
- small companies with limited financial capacity wishing to invest in the development of just one project;
- companies with limited previous experience that have focused on training activities.

The conditions for accessing these two instruments in terms of previous experience and financial and technical capacity are different.

These guidelines apply to applications for single projects. If you would like to apply for Slate Funding or “MEDIA New Talent”, please refer to the relevant guidelines, and check that you fulfil the access criteria.

## **2. TIMETABLE AND BUDGET FOR THE CALL FOR PROPOSALS 09/05**

### **2.1. When and how to submit an application for support to development of single projects?**

#### *2.1.1. When?*

The call for proposals for the award of the 2006 MEDIA Plus - Development budget was published in OJ N° C280 of 12.11.2005.



**This call for proposals is open from 12 November 2005 to 31 May 2006.**

This means that you can submit your applications to the Commission between 12 November 2005 and 31 May 2006 inclusive.

Applications sent before or after these dates will not be accepted by the Commission (see 6.1.1.).

The relevant date is the date of posting (not the date of receipt by the Commission). The Commission cannot under any circumstances be held responsible for the shortcomings of courier services, and it is up to the applicant alone to ensure that the proposal is sent off in good time.

#### *2.1.2. How?*

Applications must:

- include two unbound copies of forms and annexes A to L and 4 bound (1 unbound and 3 bound) copies of forms and annexes 1 to 7;
- be submitted using exclusively the application forms for the call for proposals 09/05, which can be downloaded in French or English from the site: [http://europa.eu.int/comm/avpolicy/media/index\\_en.html](http://europa.eu.int/comm/avpolicy/media/index_en.html); these forms must be used even if the project was eliminated in the framework of a previous call for proposals;
- not include any documents other than those requested in the application. Any additional documents submitted by applicants will not be considered in the evaluation;
- include all the forms and all the supporting documents and information requested.
- not contain any handwriting (apart from the signatures required);
- be submitted on numbered A4 pages printed on one side only;
- be completed in one of the official languages of the European Union. However, we would advise you to complete your application in English as far as possible, in order to facilitate the evaluation.

Any application that does not meet these requirements will be declared ineligible and will not be evaluated by the Commission (see 6.1.1.).

**NB: the Commission will not give applicants an opportunity to complete their application after submission**, so do not submit your application if any one of the required documents is unavailable or does not meet the criteria.

Applications must be sent exclusively by registered mail or express courier to the following address:

AGENCE EXECUTIVE pour l'éducation, l'audiovisuel et la culture  
M. Costas Daskalakis  
Rue Colonel Bourg 135/139  
B-1140 Bruxelles

Applications delivered directly in person Rue du Colonel Bourg 135/139 will not be accepted.

Envelopes must be clearly marked:

'MEDIA PLUS - DEVELOPMENT CALL N° 09/05'

Company Name

Country

Category (drama, creative documentary, animation or multimedia)

## **2.2. No more than one application per company for support under development is allowed for the 2006 budget**

Please note that no more than one application (Single project, Slate Funding or "MEDIA New Talent") may be submitted by a production company for the 2006 budget.

This rule also applies where a company wishes to resubmit a project rejected under the call for proposals 09/05. It must wait until a future call for proposals and must then demonstrate, on the relevant form, that substantial changes have been made compared to the previous version.

Moreover, a company which has a current Slate Funding agreement cannot apply for support for a single project or for "MEDIA New Talent".

## **2.3. Budget and award timetable**

In 2005, the budget earmarked for the Development sector (Single Projects, Slate Funding and "MEDIA New Talent") was €17,580 million. The Commission expects the budget for 2006 to be around the same amount. In 2005, €6,375 million was awarded to single projects. The proportion could be slightly different concerning the call for proposals 09/05. For information, the following table shows the number of proposals received and selected in 2005 and the budget awarded to the various categories.

	MEDIA New Talent				Single projects				Slate Funding		
	Drama	Animation	Documen- tary	Multime- dia	Drama	Animation	Documen- tary	Multime- dia	SF1 1 <sup>er</sup> stage	SF2 1 <sup>er</sup> stage	SF 2 <sup>ème</sup> stage
<b>Applications received</b>	36	0	10	1	199	33	141	28	96	44	41
<b>Applications selected</b>	17	0	4	1	83	13	63	14	48	30	25
<b>MEDIA Funding (€)</b>	670.000	0	75.000	30.000	3,475 million	750.000	1,470 million	680.000	3,99 million	3,770 million	2,670 million

The 2006 budget will be awarded in two rounds.

**All applications sent between 12 November 2005 and 28 February 2006 will be evaluated in the first round, during which 50% maximum of the 2006 budget will be allocated. The results of this first round will be available in June 2006. The agreements will be sent to the selected companies in the two months following the selection.**

**All applications sent between 1 March 2006 and 31 May 2006 will be evaluated in the second round, during which the remaining budget will be allocated. The results of this second round will be available in October 2006. The agreements will be sent to the selected companies in the two months following the selection.**

Applicants are strongly encouraged to apply as soon as the call for proposals opens, so that the two award rounds are balanced. We would remind you that development costs can be considered eligible from the date of submission of the application (see 5.1.3.).

### **3. COMPANIES THAT MAY APPLY FOR SUPPORT TO DEVELOPMENT OF SINGLE PROJECTS**

NB: All the criteria below must be met, and supporting evidence provided. The compliance with the criteria will only be assessed on the basis of the documents provided in the application.

#### **3.1. Independent European companies whose main activity is audiovisual and/or multimedia production and which have been registered for at least 12 months**

Companies submitting an application must have as their main object and activity audiovisual and/or multimedia production. Foundations, Institutes, Universities, associations and other legal bodies acting in the public interest cannot apply.

They must have been registered for at least 12 months.

They must be established in one of the Member States of the European Union or in one of the other countries participating in the MEDIA Plus programme. They must also be owned and continue to be owned, either directly or by majority shareholding, by nationals of these countries.

The participating countries that are not members of the European Union are Iceland, Liechtenstein, Norway (EEA countries) and Bulgaria. Switzerland (a Member of EFTA) will become a participating country in the MEDIA Plus Programme from 1 January 2006.

Applications from groups of companies will not be accepted.

A company submitting an application must not have majority control by a broadcaster, either in shareholding or commercial terms.

‘Majority control by a broadcaster’ is considered to occur where more than 25% of a production company's share capital is held by a single broadcaster (50% where several broadcasters are involved) or where, over a three-year period, more than 90% of a production company's revenue is generated from sales to a single broadcaster. The Commission reserves the right to apply this criterion by taking into account the specific characteristics of the different audiovisual and/or legal systems of the Member States and other participating countries.

The Commission will check companies’ compliance with the criteria on the basis of the information provided in application Form D ‘Legal status of the Applicant Company’ and the following supporting documents, which must be attached:

- Annex D1 to the application: a recent extract from the company’s registration stating the company’s date of registration, company’s legal full name, the registered office address, the legal status, objects and the names of its authorised legal representatives;
- Annex D2 to the application: the company’s up-to-date memorandum of association (or equivalent official document), stating in particular the shareholder’s names, nationalities as well as division of shares between shareholders.

### **3.2. Companies able to provide evidence that they have produced and distributed a previous work – principle and derogations**

*3.2.1. Principle: majority production of a previous work and distribution thereof outside the company's country of origin during the 18 months prior to submission of the application*

In principle, companies submitting an application must show that they have completed, as the major production company, an audiovisual and/or multimedia production belonging to a category compatible with that of the project submitted and that the production has been distributed outside their country of origin during the 18 months prior to the date of submission of the application.

- A production company is considered the major producer when it has financed the majority of the production budget of a work. In respect of series, the applicant company must be the majority producer for the entire series.
- A production (one-off project or series) is regarded as completed on:
  - the date of official delivery by the laboratory of the copy zero (for cinema films)
  - the date of official delivery of the master copy (for works intended for television)
  - the date of official delivery by the laboratory the master (for offline multimedia productions)
  - the date of placing on the website (for online multimedia works)
  - in respect of series, the entire series must be completed on the date of submission.

- What is meant by ‘audiovisual and/or multimedia production belonging to a category compatible with that of the project submitted’?

Companies submitting:

- a drama project: must have produced a previous drama project of no less than 50 minutes or a creative documentary project of no less than 25 minutes (duration per episode in the case of series)
- a creative documentary: must have produced a previous creative documentary of no less than 25 minutes (duration per episode in the case of series) or drama project of no less than 50 minutes
- an animation project: must have produced a previous animation project of no less than 24 minutes or two animation shorts
- a multimedia concept: must have produced a previous multimedia project or animation project of no less than 24 minutes.

**NB: the previous production must meet the same criteria as the work for which support is requested (see 4). In particular, applicants’ attention is drawn to the requirements in terms of eligible projects.**

- What is meant by ‘distribution outside the country of origin’?

The term ‘distribution’ covers all forms of commercial release of the work to the public: cinema, television, offline and online distribution for multimedia works. It may be the first commercial release, or it may be a case of re-release or re-publishing. Broadcasts in cinema museums, cultural associations and other comparable structures as well as online distribution (except for multimedia works) are not considered to be a commercial release.

- In the case of online distribution of multimedia works (e.g. websites), distribution is considered to have taken place outside the company's country of origin if the work is placed online on a site accessible in at least two languages.
- Distribution envisaged under a contract or effectively realised through an international channel (TV5, Arte, 3SAT, TVE Internacional...) is regarded as distribution outside the company's country of origin.
- Contracts with sales agents do not constitute proof of distribution. However, sales statements from international agents are accepted as proof of distribution.
- If the previous experience is the production of two animation shorts, exhibition at festivals will be considered as “distribution outside the country of origin”.
  - Which date is taken into account in verifying that distribution has taken place during the 18 months prior to the date of submission of the application?
- The date on which the distribution contract was signed, OR
- The effective distribution date (date of cinema release, broadcast date...)

- If the applicant company cannot demonstrate a sufficient track record to be eligible, can the experience of persons belonging to the company be taken into account?

As far as dramas, creative documentaries, animations and multimedia works are concerned, only the personal experience of the producer within the applicant company can be taken into account subject to the two following conditions:

- The producer whose experience is taken into account:
  - must be a shareholder of the company OR
  - must be managing director/CEO of the company OR
  - must have been on the pay roll of the company as producer at the date of submission for at least 12 months prior to the date of submission.
- He/she must have been significantly involved in the production of the previous work. Only the following personal credits are considered significant roles in the production of a work:
  - producer (except co-producer)
  - delegate producer
  - executive producer

Only for multimedia, the experience of persons having one of the following functions both in the previous work and the project submitted can be taken into account:

- author
- director/project leader
- head of computer graphics
- head of interactive programming.

Only official credits that appear in the onscreen credits or employment contracts for multimedia works are accepted as proof of personal credits. Declarations of third parties will not be taken into account.

3.2.2. *Derogations: companies from countries with a low production capacity and/or limited language area, and companies which have never been selected under MEDIA*

- The reference period for distribution outside the country of origin is increased from 18 to 24 months prior to the date of submission of the application in the case of companies in countries or regions with a low production capacity and/or a restricted linguistic area.

The following countries are considered to have a low audiovisual production capacity: Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Sweden and Switzerland.

- In the case of companies which have never been selected under MEDIA II (1996–2000) or MEDIA Plus (2001–2006), national distribution, envisaged under a contract or effectively realised during the relevant reference period, is regarded as sufficient. However, this derogation does not apply in case of website content. In this case, the website must be in at least two languages of countries participating to the MEDIA Plus programme.

In both cases all the other conditions listed in point 3 must be fulfilled.

The Commission will check the company's compliance with criteria on the basis of the information provided in application Form F 'Experience of the applicant company' and the following supporting documents, which must be attached:

- Annex F1 to the application: distribution contract or document testifying to the international or national distribution of the reference production during the 18/24 months prior to the application.

Only the following evidence will be accepted: distribution agreement with a theatrical distributor, broadcasting agreement/co-production agreement with a television, sales report signed and certified by an international sales agent (the name of the purchaser, the territory and the date of sale must be clearly stated), video or DVD publishing contract, proof of theatrical exhibition (screening programme clearly showing source and date; box office statement mentioning exhibition period and made by a public entity, proof of broadcast (TV programme with visible source and date); TV rating. For multimedia projects: website URL (the content of the website must be in two languages), agreement with the provider/operator/distributor, official sales/exploitation statement.

If the reference work is a creative documentary: supporting evidence (author's statement of intent, press article, video, etc.).

- Annex F2 to the application: Evidence of the status of the majority producer (certified financing plan, co-production contract, etc.) OR, where it is necessary to take account of the experience of the producer or another person in the case of multimedia works, evidence of his/her status within the applicant company and official credit that appears in the onscreen credits or employment contract for multimedia works.

### **3.3. Companies with stable and sufficient sources of funding to maintain their activity throughout the lifetime of the project**

The Commission will check the company's compliance with the criteria on the basis of the information provided in application Form E 'Financial status of the applicant company' and the following supporting documents, which must be attached:

- Annex E1: balance sheet and profit and loss accounts of the last financial year.

In the case where the company does not have a balance sheet and profit and loss account for its first year of existence, an estimate certified by an accountant of the data required in Form E must be provided.

### **3.4. Companies with the professional skills and qualifications required to complete the proposed project**

The Commission will check the company's compliance with the criteria on the basis of the information provided in application Form 1 'Information concerning the applicant company' and the following supporting documents, which must be attached:

- Annex 1 and 2 to the application: CVs of the members of the applicant company who will be working directly on the development of the project, in particular the managing director, the authorised signatory, the head of development and the key members of the creative team (author, director, director of photography, etc.).

### **3.5. Exclusion criteria**

The financial regulation governing the award of Commission funding provides for the automatic exclusion of applicants where:

- 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, 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 Commission can justify;
- d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Community's 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;
- g) they are subject to a conflict of interest;
- h) they are guilty of misrepresentation in supplying the information required by the Commission or fail to supply this information.

Applicants must declare on their honour, using Form B, 'Declaration on the applicant's honour', that they are not in any of the situations listed in points a) to h) above. The Commission may request further proof from applicants that they are not in one of the above situations.



#### **4. PROJECTS QUALIFYING FOR DEVELOPMENT SUPPORT**

##### **4.1. Drama projects, creative documentaries, animation projects and multimedia concepts**

The Commission will check that the project submitted meets the conditions set out below, based on the information provided in Form 2 'Information concerning the project submitted'.

###### *4.1.1. Conditions applicable to all categories of projects*

Both one-off projects and series are eligible.

IMAX format is permitted.

MEDIA Plus support will not be granted for any other form of live recordings, TV games, talk shows, reality shows or educational, teaching and 'how-to' programmes.

Projects submitted must not promote, directly or indirectly, messages that are at odds with the policies of the European Union. For example, all grants for projects that may be contrary to the interests of public health (alcohol, tobacco, drugs), respect for human rights, people's security, freedom of expression, etc. are prohibited.

Projects promoting violence and/or racism and/or with a pornographic content, or institutional productions to promote a specific organisation or its activities, will not be considered.

###### *4.1.2. Drama projects for cinema or television*

The total duration of projects submitted (whether a one-off or a series) must be no less than 50 minutes.

###### *4.1.3. Creative documentaries for cinema or television*

Creative documentaries take a real-life subject as their starting point but require substantial original writing and set out an author's and/or director's point of view. The creative aspect of the documentary must be explicitly demonstrated and described by the applicant company in Form 2. The Commission will decide on the eligibility of the documentaries submitted on the basis of this information.

MEDIA Plus support will not be granted for "making-of", documentaries made to promote tourism, reports, animal reportages, news programmes and magazines or 'docusoaps'.

The total duration of projects submitted must be no less than 25 minutes (duration per episode in case of series).

###### *4.1.4. Animation projects for cinema or television*

Total duration of projects submitted (whether a one-off or a series) must be no less than 24 minutes.

#### 4.1.5. *Multimedia concepts*

MEDIA Plus - Development support may be requested for the following:

- concepts for animation series specifically designed for online distribution (excluding individual short films);
- edutainment programmes for children/teenagers, character-based adventure games for individual or multiple players, where interactivity and narrative elements are significant;
- new concepts for drama, games or formats for digital television, the Internet or mobile devices, where interactivity and narrative elements are significant;
- MEDIA Support will not be granted for:
  - reference works (encyclopaedias, atlases, catalogues, databases...),
  - “how to” products (school programmes, manuals...),
  - software tools and services,
  - news content, magazines,
  - projects intended to promote tourism
  - multimedia art works

#### **4.2. On the date of submission of the application, the applicant company must hold at least 50% of the rights to the project submitted.**

The applicant company must demonstrate in the application (Form H and Annex H1) that it has, at the latest on the date of submission of the application, a contractual agreement with the author(s) permitting development of an audiovisual work based on the author’s work.

This contractual agreement, duly dated and signed, must set out the extent of the transfer, the length and any remuneration. Where there are several rights holders, the company must, in any event, hold at least 50% of the rights to the project submitted.

The contractual agreement with the author must cover at least the artistic material included in the application: elaboration of concepts or subjects, treatments, scripts. Contractual agreements relating to rights to ideas as well as non binding agreements of the authors are not accepted.

The contractual agreement may be subject to an option. In this case, it must make a direct reference to the applicant company and the author(s), be of an adequate duration to cover the whole development schedule and clearly set out the conditions for exercising the option. Where there are several rights holders, the company must, in any event, have an option on at least 50% of the rights to the project submitted.

The contractual agreement with the author must cover at least the artistic material included in the application: elaboration of concepts or subjects, treatments, scripts.

Contractual agreements relating to rights to ideas as well as non binding agreements of the authors are not accepted.

If the project is an adaptation of an existing work, the company must provide both the following :

- the agreement covering the rights to adapt the original work (with the author or holder of the rights to the original work);
- the agreement covering the rights to the artistic material included in the application (elaboration of concepts or subjects, treatments, scripts).

Even if the author is also a producer or shareholder in the applicant company, a contractual agreement assigning the rights from the author to the company must be in place.

In the case where the author is employed by the applicant company, the copy of his/her employment contract establishing the assignment of rights can be provided to demonstrate the contractual agreement.

For multimedia projects, the proof of Intellectual Property Registration of the project can also be provided (where applicable).

The Commission will check that the project meets the above conditions, based on the information provided in Form H 'Copyright' and the following document:

- Annex H1 to the application: copy of the option agreement, duly dated and signed, including the conditions for exercising the option, or the agreement for the transfer of rights, duly dated and signed, setting out the extent of the transfer, the length and any remuneration, including any co-development/co-production contracts and/or contracts relating to the right to adapt an existing work.

#### **4.3. Cases in which projects meeting the above criteria cannot benefit from the development support for single projects**

- Projects which have already benefited from MEDIA - Development support cannot benefit from further support.
- Projects which have already benefited from European development support other than MEDIA cannot benefit from further support.
- Projects where production has started before the date of signature of the agreement with the Commission (see 7.2).

## **5. ESTABLISHING THE DEVELOPMENT BUDGET ESTIMATE AND CALCULATING THE COMMUNITY CONTRIBUTION**

### **5.1. Eligible costs**

#### *5.1.1. Eligible costs*

Only costs directly associated with developing the project are eligible, i.e.

- acquisition of author rights;
- research;
- archive research;
- scriptwriting, including treatments, up to and including the final draft;
- storyboards;
- research and identification of key cast and crew;
- preparation of the provisional production budget;
- preparation of a financing plan;
- search and identification of industry partners, co-producers and financiers;
- preparation of the production schedule up to delivery;
- initial marketing and sales plans (target markets and buyers, foreseen releases, presentation at festivals and markets, etc.);
- for creative documentaries: the production of a video treatment;
- for animation projects: graphics research and production of a pilot;
- for multimedia projects: creation of programme content (treatment), creation of basic audio and video graphic elements, software programming necessary to run the project, programming logic (flow-chart), production of a demo.

These costs must be incurred by the applicant company itself and correspond to actual expenditure, i.e. payments made by the applicant company which can be proved on the basis of settled invoices.

VAT may be included in the costs submitted if the company cannot recover it.

#### *5.1.2. Ineligible costs*

The following costs are ineligible:

- production costs;
- capital investment costs;
- debts and bad debts;
- interest on debts owed;
- contributions in kind;
- expenditure on luxuries;
- exchange rate losses;
- general provisions (for losses, possible future liabilities, etc.);

purchase of equipment (except depreciation of IT equipment relating to Multimedia projects). See 5.2.5.

### *5.1.3. Period of eligible costs*

In principle, the date from which costs can be considered eligible is the date of signature of the agreement between the Commission and the beneficiary company. See 7.2.

#### Exception:

Where the applicant company establishes that the project had to start before the signature of the agreement (Form I ‘Detailed development budget estimate’), costs incurred after the date of submission of the application may be considered eligible.

Only costs associated with the reservation or acquisition of rights incurred up to 12 months prior to the date of submission of the application (Chapter 1 of the forward budget – Artistic rights) may be considered eligible with retroactive effect.

The submission date is established officially in the acknowledgement of receipt (Form A) sent to the applicant by the Commission on receipt of the application.

The period of eligible costs will end on the date of entry into production of the projects or at the latest 26 months after the signature of the agreement with the Commission.

## **5.2. Establishment of the detailed development budget estimate**

The detailed development budget estimate must be established using Form I. It must only include eligible costs.

It must be in euro and rounded up or down to the nearest euro. Where projects are in non-EMU currencies, the rate used for the budget estimate must be the official exchange rate published in the Official Journal of the European Union on the first day of the month in which the project is submitted (see site <http://europa.eu.int/comm/budget/inforeuro/index.cfm>).

All costs higher than €10 000 must be broken down and explained in detail.

When implementation requires the publication of a call for tender, the following principles must be respected: transparency, equal treatment and no conflicts of interests.

Costs must be broken down according to the categories below.

### **1. Artistic rights (including social security/fringes)**

Only obligations generated, payable and paid during the development period are eligible. Payments associated with option agreements and/or copyright must be justified.

Any payments associated with options or copyright or payments due to the director which depend on the entry into pre-production, production and first day of principal photography should not be included.

## 2. Personnel costs (including social security/fringes)

Personnel costs must be calculated on the basis of the actual daily remuneration/fee paid to the employee/service provider, multiplied by the number of days worked on the project.

Application of the various eligible functions must correspond to the descriptions in Form 4 'Description of the development strategy' and especially the description of the creative team.

Bonuses, incentive payments and profit-sharing schemes should not be included in personnel costs.

The different types of staff engaged should be shown in detail in the budget.

## 3. Other costs

### 3.1. Travel and expenses

Only travel directly associated with the development of the project and specific, clearly identifiable activities can be considered. With regard to air travel, only economy class fares are accepted. In the case of travel by car, the eligible amount is the cost of the equivalent first class rail ticket.

The following maximum subsistence allowances, per person and per day, are eligible:

Country	Maximum in €	Country	Maximum in €
BE Belgium	201	IS Iceland	245
DA Denmark	239	LI Liechtenstein	175
DE Germany	171	NO Norway	220
GR Greece	165	BG Bulgaria	275
ES Spain	195	CZ Czech Republic	230
FR France	169	EE Estonia	190
IE Ireland	220	CY Cyprus	160
IT Italy	174	LV Latvia	250
LU Luxembourg	188	LT Lithuania	250
NL Netherlands	210	HU Hungary	215
AT Austria	203	MT Malta	175
PT Portugal	193	PL Poland	270
FI Finland	233	RO Romania	230
SU Sweden	234	SI Slovenia	170
UK United Kingdom	235	SK Slovakia	175
		Switzerland	220

### 3.2. Technical equipment

The costs entered here must have a clearly identifiable link with the development activities of the project in question.

For multimedia projects, the depreciation of IT equipment (new or second-hand) which is indispensable to the implementation of the project is eligible as long as it corresponds to the market rate and the equipment concerned is written down in accordance with the tax and accounting rules applicable to the applicant company. Only the proportion of depreciation corresponding to the duration of the project can be taken into account by the Commission, except where the nature and/or use of the item justifies otherwise. It is up to the applicant company to prove this, using Form I 'Detailed development budget estimate'.

### 3.3. Miscellaneous

A flat rate of up to 7% for overheads (based on the total for Headings 1 to 3.3.5 of the development budget estimate) is allowed.

Total:

The amount of the detailed development budget estimate must be covered in full by the sources of finance indicated in Form K. The total in Form I 'Detailed development budget estimate' must therefore be equal to the total in the table summarising the sources of finance in Form K.

### 5.3. Calculation of the Community contribution

The Community contribution is calculated using Form I 'Detailed development budget estimate'. It must also be stated in Form A 'Acknowledgement of receipt of the project submitted', and Form K 'Sources of finance'.

- First of all, financial support from MEDIA Plus - Development may not exceed 50% of your development budget. However, a derogation is possible for projects highlighting Europe's cultural diversity, in which case MEDIA Plus funding may be 60% of the development budget. NB: it is up to the applicant to prove that the project meets this criterion, using Form I 'Detailed development budget estimate'. The Commission will decide on the basis of the arguments submitted.
- Secondly, depending on the type of project submitted, you must request an amount between the minimum and maximum given below.

Category	Minimum			Maximum
<b>Drama</b>	€20 000	€30 000	€40 000	€50 000
<b>Creative documentary</b>	€10 000	€15 000	€20 000	€30 000
<b>Animation</b>	€10 000	€20 000	€30 000 €40 000	€50 000 €80 000 (feature-length films for cinema release only)

<b>Multimedia concepts</b>	€10 000	€20 000	€30 000 €40 000	€50 000
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#### **5.4. Sources of finance**

The development budget estimate must be balanced in respect of revenue and expenditure. You must therefore state in Form K 'Sources of finance' how you intend to fund the development budget estimate presented in Form I. The grant of a Community contribution cannot have as its aim or effect to create a profit for the beneficiary.

You must state your other sources of funding, in addition to the Community grant requested, and whether this funding has already been obtained or is being considered. If you state that the funding has been confirmed, you must enclose the contract or confirmation letter from the funding provider (Annex K1 to the application). If the funding has not yet been confirmed but you have received letters expressing interest, you can also enclose them (Annex K2 to the application, optional). In any event, if your project is selected and whatever the outcome of the requests for funding made to third parties, you undertake, by signing Form B, 'Declaration on the applicant's honour', to match the full amount of the Community funding.

With regard to the summary table of sources of finance:

- Financial contributions from public or private funds such as advances repayable from revenues, loans and subsidies. This funding may be national, regional or local.
- Support funds or automatic support, generated by the producer's previous work, should be mentioned in line 1.4 'Others'.
- The following items must not be included in the 'Producer's investment' (4.):
  - overheads;
  - commercial loans/inputs;
  - profit-sharing;
  - contributions in kind.

NB: other sources of Community funding for the development of the same project (e.g. funding obtained under the MEDEA programme) must not be included in your financing plan. In fact, the Community rules state that no project may benefit from two sources of Community funding. You undertake on your honour to respect this rule by signing Form B.

#### **5.5. In the event of selection**

If your project is selected, the Commission will re-examine your development budget estimate to check that all the costs declared are duly eligible and justified by the quality and nature of the project. The Commission is not obliged to grant you support amounting to the sum you requested and may therefore reduce the amount of the



Community contribution. Under no circumstances can the Commission grant you an amount that is higher than what you requested.

The final Community contribution will be expressed both as a percentage of the development budget and as an absolute amount.

## **6. HOW ARE THE PROJECTS TO BE FINANCED UNDER MEDIA PLUS - DEVELOPMENT SELECTED?**

The applications received by the Commission are assessed on the basis of three types of criteria.

### **6.1. Eligibility criteria**

#### *6.1.1. Is the application file complete?*

The Commission will check that ALL the following elements have been respected in the application:

<b>Presentation of the application</b>	Use of the forms for call for proposals 09/05. A4 pages, printed on one side only and numbered. Two unbound copies of forms and annexes A to L and 4 copies (1 unbound and 3 bound) of forms and annexes 1 to 7. No handwriting. All the signatures required. All the required forms and annexes are present. Use of one of the 20 official languages.
<b>Respect for the start and end dates of the call for proposals</b>	Application sent on or after 12 November 2005 and no later than 31 May 2006. Just one application for the 2006 budget (the first one received in the case of multiple applications) will be considered by the Commission.
<b>Complete application file</b>	All the application forms are present and complete and the obligatory annexes attached, <i>in particular</i> : <ul style="list-style-type: none"><li>- balance sheet and profit and loss accounts for the last financial year</li><li>- CVs of company members</li><li>- signed declaration on the applicant's honour</li><li>- proof of experience giving access to MEDIA</li><li>- copyright</li><li>- extract from the company's registration</li><li>- memorandum of association</li><li>- treatment or script</li></ul>

The Commission will not ask applicants for additional documents. If just one of the above elements is missing or cannot meet the criteria, the applicant company will be notified by mail that its application is ineligible and therefore has been rejected. The applicant company may resubmit the application, but only under another call for proposals and if substantial changes have been made to remove the reasons for

rejection. The applicant company will have to explain the changes in the form provided to this effect. The Commission may ask to confirm the information provided in the application.

*6.1.2. Does the project submitted meet the programme access criteria?*

The Commission will check that the project meets ALL the criteria below (see 4):

It is a drama project, a creative documentary, an animation project or a multimedia concept.
It meets the minimum duration criteria.
On the date of submission of the application, the applicant company holds at least 50% of the rights to the project submitted or an option with the author(s).
The project does not come under any of the exclusion criteria in 4.3.

If just one of these criteria is not met, the project will be regarded as ineligible and will be eliminated from the selection process. The applicant company may resubmit the rejected application, but only under a different call for proposals and provided that changes have been made to remove the reasons for rejection. The applicant company will have to explain this in the form provided to this effect.

*6.1.3. Is the budget submitted really a development budget?*

If the Commission takes the view that the detailed development budget estimate (Form I) contains costs other than development costs, the project will not be considered eligible and will be eliminated from the selection process. The applicant company may resubmit the rejected application, but only under a different call for proposals and provided that changes have been made to remove the reasons for rejection. The applicant company will have to explain this in the form provided to this effect.

**6.2. Selection criteria – is the company able to successfully implement the project?**

On the basis of the selection criteria, the Commission will evaluate if the applicant company is able, both technically and financially, to successfully implement the project.

<b>Is the company able to successfully implement the project technically?</b>	Is it an independent European company whose objective and main activity is audiovisual and/or multimedia production, registered for at least 12 months? See 3.
	What are the skills and professional qualifications of the members of the company? This evaluation is based on the CVs provided with the application and on Form 1 'Information concerning the applicant

	company’.
	Can it provide evidence of production and distribution of a previous work? See 3.2. What is its general experience? This evaluation is based on Form F ‘Experience of the applicant company’.
<b>Does the company have the financial resources to successfully implement the project?</b>	Does the applicant company have the financial capacity to carry out the project? (Form E ‘Financial status of the applicant company’)
	Does the company come under any of the exclusion criteria in 3.5? (Form B ‘Declaration on the applicant’s honour’)

If the Commission takes the view that the applicant company is not able to properly implement the project, either technically or financially, the application will be rejected. The applicant company will be able to resubmit the rejected application, but only under a different call for proposals and provided that changes have been made to remove the reasons for rejection. The applicant company will have to explain this in the form provided to this effect.

### **6.3. Award criteria - quality of the project**

Only applications considered eligible and fulfilling the selection criteria (see 6.1 and 6.2) will have the award criteria evaluated. The evaluation of the award criteria, unlike the eligibility and selection checks, involves awarding marks which are used as a basis for ranking projects. All the award criteria have an identical weight in the evaluation process.

Applications will be evaluated in terms of the award criteria with the help of independent experts. This evaluation will serve as an opinion for the Commission, which is the sole body authorised to decide on the award of funding.

On the basis of the independent experts’ opinions, the Commission will establish a list of projects, ranked according to merit, and will award funding to the best projects until the available budget is exhausted.

The Commission selects experts on the basis of their independence, professional experience and quality. Their identity may not be communicated to applicants, for reasons of confidentiality and impartiality. In countries or regions with a low production capacity and/or a limited language area or geographic area, the Commission reserves the right to recruit a non-national expert who meets the three criteria of independence, competence and specific knowledge of the country concerned.

#### *6.3.1. Quality and originality of the concept, script or narrative structure*

- In the case of drama projects, creative documentaries and animation projects, this criterion includes, in particular, an examination of the subject, the narrative structure and the visual approach.

In the case of drama projects, the characters and dialogues are examined; in the case of a creative documentary, its degree of creativity; for animation projects, the characters, graphics and dialogues.

- For multimedia concepts, the visual, audio and graphic components, the level of interactivity, the technology, the studio work and the preliminary version of the flow chart are examined in particular.

Evaluation of this criterion is based on Forms 2 ‘Information concerning the project submitted’ and 3 ‘Description of the project’, together with Annex 3 (treatments, scripts, visual documents, statements of intent, etc.).

#### *6.3.2. Quality of the project development strategy*

Including, in particular, an examination of the following aspects:

- the description and timetable of development activities;
- - the development budget and the financing plan for this budget.

Forms 4 ‘Description of the development strategy’, I ‘Detailed development budget estimate’ and K ‘Sources of finance’ together with Annexes K1, K2 and 4 will serve as a basis for evaluation of this criterion.

#### *6.3.3. Quality of the financing strategy and the project’s production potential*

Including, in particular, an examination of the following aspects:

- - the production financing plan and the status of co-funding (planned or confirmed)
- the information on possible co-production interest or agreements.

This criterion will be evaluated by taking account of Form 5 ‘Description of the distribution strategy’ together with the supporting documents provided (Annex 5 containing contracts, letters of interest, etc.).

#### *6.3.4. European and international potential and quality of the marketing and distribution strategies of the project*

Including, in particular, an examination of the following aspects:

- transnational potential and sales potential (national and international);
- reasons for the choice of country (or countries) for co-production and/or distribution;
- suitability of the chosen format (genre, duration, shooting format) for the intended market and audience;
- information on possible distribution interest or agreements.

Forms 3 ‘Description of the project’ and 5 ‘Description of the distribution strategy’ together with the supporting documents provided in Annexes (contracts, letters of interest, etc.) will be taken into account in evaluating this criterion.

*6.3.5. Results of previous MEDIA support granted to the applicant company*

This criterion will be evaluated solely in the case of companies which have already been granted MEDIA support, on the basis of Form F “Experience of the applicant company”.

Results in terms of projects having entered into production and reinvestment on the one hand and compliance with the contractual obligations on the other hand will be taken into account.

*6.3.6. Others*

Particular attention will be paid to applications from countries or regions with a low production capacity and/or a limited language or geographic area, as well as those submitted by small and medium-sized enterprises (SMEs).

## **7. AT THE END OF THE SELECTION PROCEDURE**

### **7.1. Notification of the results to applicants**

The list of companies, ranked according to merit, which may benefit from a MEDIA grant, depending on the budget available, is prepared by the Commission services and adopted by a Commission decision.

Once the decision has been adopted, applicant companies are informed of the outcome of their application. No information, not even off-the-record, can be provided before adoption of the decision by the Commission. If a project is rejected, the Commission will inform the unsuccessful applicant of the reasons.

**NB:** Applications (including any accompanying cassettes, CD-ROMs, drawings, etc.) will not be returned to the applicants at the end of the selection procedure.

### **7.2. Conclusion of agreements between the Commission and beneficiary companies in the event of selection**

The Commission will send beneficiary companies an agreement specifying the amount of MEDIA support granted and the payment arrangements. The agreement is available on <http://europa.eu.int/comm/avpolicy/media/index.html>

Unless the beneficiary provides reasons to the contrary, the name and address of the beneficiary, the subject of the financial support, the amount awarded and the rate of funding will be published on the MEDIA programme website as soon as the decision referred to in 7.1 has been adopted.

### **7.3. Payments**

The final amount of the MEDIA contribution is calculated as explained in 5.3.

The beneficiary company must open a dedicated bank account exclusively for the purpose of managing the MEDIA contribution. The contribution will be paid into this account by the Commission in two instalments:

- 70% within 45 days of signature of the agreement between the beneficiary and the Commission (pre-financing)
- the balance following submission and approval by the Commission of the certified final development expenditure accounts (no later than 27 months after the date of signature of the agreement).

If the Commission takes the view that there is a financial risk, it may make payment of all or part of the Community contribution subject to the provision of a bank guarantee or decide to grant the support without pre-financing.

Beneficiary companies have a development period of no more than 26 months from the date of signature of the agreement to use the contribution awarded for the selected projects.

### **7.4. In the event of entry into production of the project supported by MEDIA**

In the event of entry into production of the project supported by MEDIA, the beneficiary company must repay the amount of the Community support into the dedicated bank account, no later than at the end of production (delivery of the zero copy for cinema films, master copy for works intended for television, or putting online in the case of multimedia projects).

The company then has six months to reinvest the amount of Community funding in one or more new development projects. Reinvestment projects can belong to any category (drama, creative documentary, animation, multimedia), as long as they meet the criteria in point 4. They must be submitted to the Commission for approval.

- What is the Commission's objective underlying this mechanism?
- to encourage companies to have a medium-term strategic vision of their activity
- to increase the leverage effect of the Community funds.

## **8. CONTACTS**

### **8.1. Commission departments responsible for implementing the MEDIA Plus - Development programme**

Please contact the following people for more information on the Development sector of MEDIA Plus.

- For questions relating to selection:

Corinne MIMRAN  
[Corinne.Mimran@cec.eu.int](mailto:Corinne.Mimran@cec.eu.int)  
Tel. + 32 2 295.33.71

- For questions relating to agreements and their follow-up:

Domenico RANERI  
[Domenico.Raneri@cec.eu.int](mailto:Domenico.Raneri@cec.eu.int)  
Tel. + 32 2 296.21.20

## **8.2. The Technical Assistance Office (until 31 December 2005)**

The Technical Assistance Office is responsible for helping the Commission to evaluate projects and follow them up. You may contact the Office for any practical information.

MEDIA Programme Technical Assistance Office  
Rue Colonel Bourg 135/139  
B-1140 Bruxelles  
Belgium  
Tel. : + 32 2 743 20 87 or 88  
Fax : + 32 2 743 27 27

## **8.3. The MEDIA Desks and Antennae**

There are MEDIA Desks and Antennae in all the participating states. They are the closest to you and are the best placed to provide you with appropriate information and advice. You will find a complete list of MEDIA Desks and Antennae in Annex 1.

## Annex 1 : list of MEDIA Desks and MEDIA Antennae

### BELGIË/BELGIQUE/BELGIEN (BE)

*Vlaamse Gemeenschap:*

MEDIA Desk België  
Vlaamse Gemeenschap  
Bijlokekaai 7 F  
B-9000 Gent  
Tel. (32-9) 235 22 65  
Fax (32-9) 235 22 66  
E-mail:  
[Info@mediadesk-vlaanderen.be](mailto:Info@mediadesk-vlaanderen.be)  
Internet:  
<http://www.mediadesk-vlaanderen.be>  
**Nathalie Goethals**

*Communauté française:*

MEDIA Desk Belgique  
Communauté française de Belgique  
44, bd Léopold II  
B-1080 Bruxelles  
Tel. (32-2) 413 22 45  
Fax (32-2) 413 20 68  
E-mail: [mediadesk.belgique@cfwb.be](mailto:mediadesk.belgique@cfwb.be)  
Internet:  
<http://www.cfwb.be/mediadesk>  
**Thierry Leclercq**

### BALGARIJA (BG)

MEDIA Desk Bulgaria  
2 - A Kniaz Dondukov Blvd.  
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B u l g a r i a  
Tel.: + 359 2 988 32 24 or 987 03 25  
Fax: + 359 2 987 53 69  
E-mail : [info@mediadesk.bg](mailto:info@mediadesk.bg)  
Internet: <http://www.mediadesk.bg>  
**Kamen Balkanski**

### KYPROS / KIBRIS (CY)

MEDIA Desk Cyprus

Othellou 9  
CY-1016 Nicosia  
Cyprus  
Tel: +357 22 305 367  
Fax: +357 22 305 368  
E-mail: [mediadesk@pio.moi.gov.cy](mailto:mediadesk@pio.moi.gov.cy)  
**Ioanna Americanou**

### ČESKA REPUBLIKA (CZ)

MEDIA Desk CZ  
Česka filmová komora o.p.s.  
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110 00 Prague 1  
The Czech Republic  
Tel. : +420 221 105 209 or  
+420 221 105 210  
Fax. : +420 221 105 303  
[Info@mediadesk.cz](mailto:Info@mediadesk.cz)  
[www.mediadesk.cz](http://www.mediadesk.cz)

**Daniela Kucmasova**

### DANMARK (DK)

MEDIA Desk Danmark  
Vognmagergade, 10  
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<http://www.mediadesk.dk>  
**Søren Stevns**

### DEUTSCHLAND (D)

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**Cornelia Hammelmann**

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Fax (49-211) 93 05 05  
E-mail: [media@filmstiftung.de](mailto:media@filmstiftung.de)  
Internet: <http://www.mediadesk.de>  
**Heike Meyer Döring**

MEDIA Antenne Berlin-Brandenburg  
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Internet: <http://www.mediadesk.de>  
**Susanne Schmitt**

### ESPAÑA (E)

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Ciudad de la Imagen  
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**Alex Navarro**

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**Verónica Sánchez**

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Internet:

<http://www.antenamediaandalucia.com>  
**Catalina González**

### EESTI (EE)

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Estonian Film Foundation  
Department of International Relations  
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E s t o n i a  
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Fax: +372 6 27 60 61  
E-mail: [marge.liiske@efsa.ee](mailto:marge.liiske@efsa.ee)  
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**Marge Liiske**

### HELLAS/GREECE (EL)

MEDIA Desk Hellas  
44, Vassileos Konstantinou Street  
GR-11635 Athinai  
Tel.: (30-210) 725 40 56  
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Internet: <http://www.mediadesk.gr>  
**Christina Panagopoulou**



## FRANCE (F)

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**Françoise Maupin**

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E-mail: [media@cus-strasbourg.net](mailto:media@cus-strasbourg.net)  
Internet: <http://www.strasbourg-film.com>  
**Olivier Trusson**

## IRELAND (IRL)

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6, Eustace Street  
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