



Australian Government



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# ROUND 2 DRAFT GUIDELINES FOR COMMENT DOCUMENTARY PROGRAMS

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## Tell us what you think

Feedback on these draft guidelines is open until **10 October 2014**.

Send to [feedback@screenaustralia.gov.au](mailto:feedback@screenaustralia.gov.au)

We'll publish your comments on the website as we receive them, unless you tell us otherwise.

## Summary of Comments on Draft guidelines for comment: Documentary programs

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This page contains no comments

Notes in the margin are provided throughout to help readers understand the context and thinking behind key aspects of these draft guidelines.

# ROUND 2 DRAFT GUIDELINES: DOCUMENTARY PROGRAMS

## 1 Aims of funding:

These objectives were set out in the discussion paper *Stories That Matter* (Feb 2014), and expanded in *Taking Stock* (July 2014), which outlined Screen Australia's response to reduced Government funding.

## 2 Funding allocations:

The original 2013/14 allocation was \$19.5 million (including an allowance for PEP). However, the total actually approved was less (\$19.1 million), largely because of a lower call on funds for multiplatform projects.

## 3 Program overview:

The proposed suite of programs aims to respond to industry's desire for both certainty and flexibility.

On the one hand, the broadcasters are seen to be able to offer certainty for a number of projects if provided with a notional allocation of SA funds to work within.

On the other hand, many producers seek opportunities to:

- attract broadcasters without the constraint of fixed presales,
- develop new funding models,
- reach both TV and other audiences, and
- drive deals with the benefit of SA's funding and the Offset (or PEP) as the cornerstone of their finance plans.

Incentives for international projects are built into both programs.

PEP continues to be available in conjunction with other SA funding.

Screen Australia's direct funding for documentary aims to support: 1

- **Quality** – premium Australian content that resonates with contemporary audiences in a global marketplace
- **Cultural value** – screen stories that shape our cultural imagination, contribute to our national belonging, and create an enduring legacy for all Australians now and into the future
- **Innovation** – risk-taking and creativity that grows and evolves content across different forms and business models
- **Diversity** – Australian content across a variety of subjects, styles and approaches, reflecting a range of viewpoints.

Screen Australia anticipates allocating direct funding of approximately \$18 million for documentary in 2014/15, down from \$19.1 million in 2013/14. 2

Three programs supporting **documentary production** are offered: 3

- **Producer program:** Supports singles and series for distribution across broadcast, festival, theatrical, digital, i-doc and transmedia platforms. Minimum budget of \$120,000 per hour. Maximum Screen Australia contribution of \$750,000. Finance does not have to be confirmed at application (Screen Australia is 'first in'). 1  
*Notional allocation: \$5–6 million*
- **Broadcast program:** Supports singles and series intended specifically for broadcast television release. Minimum budget of \$250,000 per hour. Maximum Screen Australia contribution of \$1 million. Minimum licence fees apply. Broadcaster contribution and any other finance must be in place at application (Screen Australia is 'last in'). 2  
*Notional allocation: \$9–10 million (45 per cent for projects to be broadcast on the ABC, 40 per cent for SBS projects and 15 per cent for other platforms)*
- **Producer Equity program (PEP):** Provides a direct payment of funds to producers of eligible low-budget Australian documentaries, equal to 20 per cent of the approved budget. Projects are not assessed beyond establishing eligibility. Available in conjunction with any other Screen Australia documentary production funding. 3  
*No specific allocation, but has averaged around \$2 million annually*

To help 'grow the pie' with **international sources of finance**, a minimum of 20 per cent of funding through the Producer program will be allocated to projects with international finance, and the Broadcast program will incentivise international projects through a lower required domestic licence fee. 4

Funding for **documentary development** and discretionary **sector building initiatives** is also available, with a notional allocation of around \$1 million for 2014/15.

Number: 1 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:41:19 PM

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Very sensible to reduce the min budget. Allows clever online and other delivery platforms. Also having SA first in lends a big leg up to a project.

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Number: 2 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:41:57 PM

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Seems unchanged from existing guidelines. good to have min licence fee from broadcaster.

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Number: 3 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:42:51 PM

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Seems fine on the face of it. Not sure how it works in practice. Eligibility criteria are the key.

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Number: 4 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:44:11 PM

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EXCELLENT IDEA!!! i WOULD LIKE TO SEE STRONGER EMPHASIS ON INTERNATIONAL COPRODUCTION.

### 1 Cap on hours:

Screen Australia does not see its role as funding an indefinite number of seasons of series. Under the current guidelines the cap is 26 hours.

Most of the series funded by Screen Australia have been 3 x 1-hour projects.

Reducing the maximum number of hours to 15 (up on the initially proposed 12 hours) allows producers to establish long-running series that have the potential for funding beyond Screen Australia.

Both one-off documentaries and series are eligible for all programs. **However, more than 15 broadcast hours of any one project, which may include multiple series, will not be eligible for funding unless exceptional circumstances can be demonstrated.** ①

Foreign formats are eligible, although the assessment criteria for the Producer program take originality of format into account.

Other sources of finance are encouraged, and the assessment process will take into account the level of Screen Australia funding requested as a proportion of overall budget. In this way Screen Australia hopes to be able to continue its support for a large, diverse and high-quality slate of documentary projects.

### Investment and slate management principles ②

In an environment where the Producer Offset provides the primary means of government support for projects with commercial potential, Screen Australia's investment and slate management principles are governed by its enabling legislation, the *Screen Australia Act 2008*, to:

*ensure the development of a diverse range of Australian programs that deal with matters of national interest or importance to Australians, or that illustrate or interpret aspects of Australia or the life and activities of Australian people.*

Further, where projects seeking Screen Australia support are intended for television broadcast, Screen Australia needs to work closely with both broadcasters and producers in order for its limited funds to have maximum impact.

Screen Australia thus proposes to manage its broadcast documentary slate in collaboration with producers and broadcasters, according to the following principles:

- Consultation with producers and broadcasters about the year's slate and upcoming priorities ①
- Recognition of broadcaster expertise in connecting with audiences as part of the broadcaster's commissioning process ②
- Reserving the right to make investment decisions based on published assessment criteria (see pages 5 and 11) that reflect the requirements of the *Screen Australia Act*, and the over-arching aims of its documentary funding programs (see page 2).

### 2 Investment and slate management principles

Screen Australia first published these principles in the 2009 guidelines.


They are an important way of acknowledging the broadcaster's role in connecting with audiences as well as clarifying Screen Australia's position as an investor with public accountability for its funding decisions.

With the reinstatement of broadcaster allocations in these guidelines, the principles have been further clarified and reflected in the decision-making criteria for the Broadcast program.


The aim here is to balance the broadcaster's commissioning expertise, Screen Australia's accountability for its funds, and the producer's ultimate responsibility for the project.

See also Broadcast program Funding Decisions page 11.

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:45:10 PM  
Great. More communication is good.

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 Number: 2 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:45:44 PM  
Fine in principle as long as it doesn't mean more Lush Houses.

The intention of the Producer program is to provide producers with the flexibility to drive projects both creatively and commercially, with Screen Australia funding as the foundation for growing and securing deals.

# Documentary production: Producer program

The Producer program is designed to support innovative documentaries with a strong creative vision in the context of today's evolving media and distribution landscape and the commercial realities of increasingly fragmented sources of finance.

The program supports singles and series intended for broadcast, festival, theatrical, digital and transmedia audiences. Minimum budget is \$120,000 per hour (or \$120,000 in total for non-linear projects).

Screen Australia aims to fund 25–35 hours of content a year through this program.

Marketplace commitment is not required at application but projects will need to demonstrate a highly developed understanding of how they will reach and engage their target market and audience. See 'Pathways to audience', page 7.

## Funding available

\$5–6 million to be distributed in four rounds, with a minimum of 20 per cent (\$1–1.2 million) reserved for projects with international finance. ①

② Any amount up to \$750,000 may be requested. (For projects eligible for the Producer Equity program, the PEP payment will automatically form part of the Screen Australia contribution.)

There are no limits on the proportion of the budget Screen Australia can contribute under this program. However, other sources of finance are encouraged, and the assessment process will take into account the level of Screen Australia funding requested as a proportion of overall budget. Contributions might come from marketplace entities, as well as from state agencies, other government organisations, cultural institutions, international sources, private investors or other partners.

## Eligibility

In order to be competitively assessed for funding through this program, applicants and projects must meet the general eligibility requirements under Screen Australia's Terms of Trade.

In addition, the **project that is the subject of the application** must:

- be a documentary (see definition page 17)
- be intended for public release
- have a total budget of at least \$120,000 per hour (or \$120,000 in total for non-linear projects)
- not be
  - primarily a game
  - an extension to a film or TV program, or
  - content made for primarily for educational or training purposes.

### ① International projects

There is no requirement for a minimum level of international finance for a project to request funds from the international reserve of 20%. (and a local broadcaster is not required, although there must be a credible path to Australian audiences.)

### ② Project funding

To allow for a range of different types of project, the cap on Screen Australia funds is quite high, and there is no limit as a proportion of budget. However, the assessment criteria take into account the level of ask from Screen Australia and the pathway to Australian audiences.

Note that SA funds of \$500,000 or less are grants and no copyright is taken.

#### Broadcast projects

No minimum licence fee is required. We anticipate that the public broadcasters and subscription TV will be able to work with producers to maximise the outcomes for projects funded through this program.

#### Theatrical docs

Projects intended for cinematic release could request up to \$750k in addition to 40% Offset (where eligible).

Festivals docs and interactive projects can also be supported under this program.

This page contains no comments



### 1 Applicant eligibility:

These requirements differ from the Signature program, with the level of experience raised from one credit to two.

Only one member of the team needs to have this experience, however.

The intention is not to exclude new talent, but encourage them to team up with more experienced practitioners.

### The creative team responsible for the project must: 1

- include one key principal who has at least two 'eligible credits' in their respective role (this may be the producer or director, or equivalent role relevant to the type of project).

For linear documentaries, and linear projects with multiplatform elements, an 'eligible credit' is a linear documentary which is not more than 10 years old, is half hour or longer in duration, and has:

- been broadcast by a recognised broadcaster or channel; or
- had a commercial theatrical release; or
- been invited to screen at IDFA, Hot Docs or equivalent.

For interactive documentaries, an 'eligible credit' must be an equivalent project which has been publicly released.

Note that corporate, education, training or community access programs are not acceptable credits for eligibility purposes.

Less experienced practitioners may be part of the team, as long as at least one key principal is eligible as above.

**Broadcaster involvement:** Screen Australia will not finance a production where the project has been developed by a broadcaster and sub-contracted at a later stage to a producer, except where chain of title resides with the producer. In addition, Screen Australia expects that key creatives (producer, writer, director, director of photography, editor) are not sourced from the staff of a free-to-air or pay television broadcaster or channel.

### 2 Industry specialists

Screen Australia's Documentary Unit generally uses industry professionals along with an internal assessor for projects with no market attachment.


We'll publish the names of potential assessors for this program on the website so applicants are aware of who may be considering their project.

Screen Australia has a Conflict of Interest Policy which applies to industry specialists as well as to all Screen Australia staff involved in funding decisions.

### 3 Two-stage process

To ease the burden on producers, we're proposing an initial application stage, asking for the minimum of materials that will allow us to consider the project's potential.

## Application and assessment process



Applications will be considered by Screen Australia executives in conjunction with industry specialists as required<sup>2</sup> (documentary specialists are listed on the [Screen Australia website](#)). 

The assessment process will be in two stages. <sup>3</sup>

### STAGE 1

#### Application materials:

You must apply using the application form on the Screen Australia website, providing the following materials:

- a two-page (maximum) outline or treatment of the proposed documentary project making clear reference to structure, characters, and stylistic and visual approach (a good reference guide for what is a synopsis/outline can be found on the Screen Australia website)
- a simple talk-to-camera 'video pitch' of no more than two minutes, where key principals present their vision for the project and how they plan to get it made 
- 200-word bios and CVs for the creative team – the producer, writer and director, or equivalent key roles relevant to the project, and any other confirmed key personnel (DOP, editor, etc)
- sample footage or sizzle reel (five minutes maximum) if available. 

Number: 1 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:49:56 PM

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this link does not list any Documentary Specialists..only feature film.

Number: 2 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:05:29 AM

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This is a good package and the Whathisasynposos on the website is relevant. However not everyone can present well to camera. Is there an imbalance here?

Number: 3 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:06:47 AM

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there is a danger that this becomes a requirement and will prejudice applications not offering a sizzle. Since it costs money to create a sizzle, the smaller filmmakers will be at a distinct disadvantage. This strongly favours the established, well funded companies

## Shortlisting:

Eligible applications will be considered for shortlisting against the following criteria:

- Track record and capacity of the creative team
- Creative strength of the project, including:
  - the concept/idea: its distinctiveness, clarity of objectives,
  - the proposed realisation: level of boldness or innovation
  - the project's cultural significance and ability to endure beyond the first viewing

## STAGE 2

### Application materials:

If your project is shortlisted, you will be invited to provide the following within two weeks: ①


- a project proposal and/or scripts that demonstrate the project is production ready
- a one-page marketing and release plan, including, as relevant, broadcast, film festival pathway, theatrical release and/or innovative distribution strategy (see *Pathways to audience*, page 7)
- a production schedule and methodology, including appropriate milestones
- a detailed budget and budget summary using the standard A-Z Budget format, available from the Screen Australia website ([www.screenaustralia.gov.au/a-zbudget](http://www.screenaustralia.gov.au/a-zbudget)) ②. Budgets should comply with industry standards. They will be considered in the context of the budget and track record of the personnel.
- supporting quotes (camera hire, insurances, picture post, sound post)
- a draft finance plan in the standard format available from the Screen Australia website, indicating which sources are confirmed.
- a one-page narrative that explains how you intend to secure the finance
- evidence of any confirmed sources of finance or marketplace commitment
- all chain of title documents, including all rights and development agreements, as well as releases from key subjects as applicable, and any other releases or access agreements
- visual material, such as rushes or a rough cut of the film, where available
- where there is Indigenous community participation or content involved in the project:
  - a statement setting out how you are approaching the Indigenous content or participation with regard to appropriate protocols, even if the content is not specific to a particular community or individual. You must demonstrate that you have a consultation plan covering the full production process and are following it. The statement should be based on the checklists available in Screen Australia's guide [Pathways & Protocols: a filmmaker's guide to working with Indigenous people, culture and concepts](#)
  - evidence of consultation to date
  - if the project will involve particular Indigenous individuals or communities, signed letters of consent confirming their willingness to participate. ②

Please note materials, including all AV materials, will not be returned, so applicants must ensure they keep copies of everything.


### ① Stage 2 materials

Producers will need to be ready to provide full project information within two weeks if they're shortlisted.

Note that the project must be fully budgeted and production-ready, with a plan for how finance can be raised. But finance does not all have to be in place.

 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:08:02 AM

This budget format should be reviewed and brought in line with international standards to facilitate smooth production and introduce international standards.

 Number: 2 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:51:47 PM

I suggest we need to think about some professional development to help producers, particularly emerging producers, to understand what is needed here. Not a lot of expertise in business among them.

### 1 Pathways to audience

To allow maximum flexibility in this program, we have avoided specifying particular market attachment requirements.

This means it is critically important for applicants to establish the project's pathway to audience, especially where this is not a 'traditional' attachment.

Producers should have a well-thought-through approach to finding an audience. For example, a VOD release on an obscure website would not be sufficient by itself. You may need to support this with proof of an established community of interest or audience being driven to the website by a marketing campaign.


Likewise festival, theatrical, digital and interactive documentaries will improve their funding potential with a cogent marketing plan.

### Funding decisions:

Shortlisted applications will be considered against the following criteria, taking into account the additional Stage 2 supporting materials:

- Creative strength of the project, including
  - the concept/idea: its distinctiveness, originality of format, clarity of objectives,
  - the proposed realisation: depth of research, boldness of approach or level of innovation,
  - quality of submitted production materials (script, treatment, footage, EPOC, etc as relevant)
- The project's relevance and resonance to audiences, including
  - cultural significance for Australian audiences
  - ability to endure beyond the first viewing
  - ability to engage, challenge, entertain, inform and/or enlighten
- Viability of the project, including:
  - understanding of audience, release plan and demonstrated pathway to viewers,
  - viability of the budget
  - strength of the finance plan, including the amount requested from Screen Australia as a proportion of the total budget
  - revenue potential
- Track record and capacity of the creative team.

Other factors, including availability of funds and diversity of slate, will also influence Screen Australia's funding decisions.

Decisions on applications are final. Screen Australia will advise applicants in writing of the outcome of their application. Where an application is declined, the applicant will be advised of the reason. 


### Pathways to audience 1


Projects should be able to demonstrate a clear pathway to audience as part of their Stage 2 application. There should always be a credible pathway to Australian audiences, even for international projects.

For content with traditional marketplace attachments such as broadcast presales, festival investment or distributor guarantees, relevant agreements or letters of interest should be provided.


For non-traditional attachments, a described pathway to audience could involve:

- demonstrated community of interest in topic
- marketing plans
- existing database and promotional channels
- existing and potential partnerships with organisations tied to significant communities of interest
- analytics of audience engagement in existing program related content and platforms (eg websites, social media channels and trailers).

Applicants proposing alternative pathways should submit copies of any marketing plans as well as provide detail on relevant mailing lists, audience analytics and/or existing partnerships with organisations. 

 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:10:18 AM

The level of material required is beyond the capacity of smaller independent film makers who have traditionally formed the base of documentary makers. They are the innovators and challengers. This makes it very hard for them to compete effectively for funding.

 Number: 2 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:11:12 AM

All good

Very important that the films are planned as having audience relevance and reach. Great!

### 1 Letters of approval

This program is designed to allow the producer to build the finance for the project around a Screen Australia Letter of Approval.

All finance will then need to be in place before final funding sign off and start of contracting.


Given the nature of the program, Screen Australia will not be able to give unlimited extensions to producers to secure their finance and it's expected that some approval letters will lapse.

## Terms of funding


Screen Australia will provide a letter of approval to successful applicants,<sup>1</sup> to allow producers to complete the project's finance plan. This letter will set out the amount of Screen Australia's contribution, which will not be varied other than in exceptional circumstances. The producer needs to secure the total finance plan or have a revised finance plan and budget approved by Screen Australia within an agreed period, generally four months from date of issue of the letter of approval.

Where Screen Australia's total contribution (including any development funds) is **\$500,000 or under**, funding will be in the form of a grant:

- Screen Australia does not take a share of receipts from projects funded under a grant, which means the funds do not have to be repaid other than in circumstances set out in the Terms of Trade.
- The amount of the Screen Australia grant will be agreed upfront and not varied, other than in exceptional circumstances.
- Screen Australia does not require a share of copyright in productions that it funds under a grant.

Where Screen Australia's total contribution (including any development funds) is **more than \$500,000**, funding will be in the form of recoupable equity investment, with copyright and recoupment terms in accordance with the agency's Terms of Trade. 

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 19/09/2014 1:57:20 PM  
This is a sensible scheme and works for both parties.



# Documentary production: Broadcast program

**1** In focusing this program on projects intended for broadcast, Screen Australia is responding to feedback on the previous draft guidelines. Those guidelines proposed removing the notional funding allocations for domestic broadcasters.

The new program reintroduces these allocations, acknowledging the benefits of the certainty they provide.

In addition, we've enhanced the program's flexibility for producers compared to the current broadcast-focused programs, with SA funding no longer limited to matching broadcaster contributions, and no special deliverables or content area requirements.

We have also taken the opportunity to clarify the way we make decisions about what broadcast projects relevant to Screen Australia's objectives.

It's important to remember that many factual and documentary projects go into production without Screen Australia funding. In fact around half the projects made by production companies 2008/09 to 2012/13 were produced without us.

**The Broadcast program is designed to support the production of a diverse range of quality projects for television broadcast that offer a compelling vision and have clear enduring cultural value beyond their initial broadcast. 1**

**The program targets projects at least commercial half-hour in duration, with a minimum budget of \$250,000 per hour, and a confirmed attachment from a local broadcaster. 1**

**Screen Australia aims to fund 30–40 hours of content a year through this program.**

## Funding available

\$9–10 million to be distributed in four rounds.

These funds will be allocated across broadcasters, with an indicative 45 per cent available to projects made for the ABC, 40 per cent for SBS, and 15 per cent for commercial broadcasters and subscription television channels. 2

Any amount up to \$1 million may be requested per project. However, the amount of direct Screen Australia support is limited so that total Federal Government funds, including the Producer Offset or Producer Equity payment where relevant, do not account for more than 75 per cent of the project's total budget.

Co-funding with state agencies, other government organisations, cultural institutions, private investors or other partners is encouraged, and the assessment process will take into account the level of Screen Australia funding requested as a proportion of overall budget.

## 2 Funding available

The broadcaster allocations currently in place apply to the domestic programs only: NDP (\$7m) and GDP (\$3.5m), ie a total of \$10.5m in 2013/14.

The \$9–10m anticipated for this program is thus slightly down on 2013/14, in line with the overall cuts to Screen Australia's documentary funding.

It's also important to note that projects intended for broadcast may also apply through the Producer program, without affecting the allocation available in the Broadcast program.

## Eligibility

Applicants and projects must meet the general eligibility requirements under Screen Australia's Terms of Trade.

In addition, the project that is the subject of the application must:

- be a documentary (see definition page 17), comprising a single episode at least a commercial half hour in duration, or a series of any number of episodes at least a commercial half hour in total duration
- have an approved budget/finance plan of at least \$250,000 per hour
- be intended for distribution via Australian free-to-air or subscription television, with the required broadcast presale confirmed (see below)



## 1 Presale requirements

Current minimum for the NDP is \$150,000/ hr. This level is proposed where Screen Australia funding is a grant of \$500,000 or less. Where Screen Australia invests more than this, a higher presale of \$180,000 is expected.

Note that Screen Australia's minimum licence fees have not increased since 2009.

## 2 International projects

Under this program, international projects are encouraged via the incentive of a lower domestic licence fee requirement.

We intend to monitor this incentive over the next nine months. If fewer projects with international partners end up being funded, we will consider other options for helping 'grow the pie' through international finance.

## Broadcast presale requirements

A local presale for Australian free-to-air or subscription television rights is required, with a minimum licence fee as follows: ①

- \$180,000 per hour, where Screen Australia funding is more than \$500,000
- \$150,000 per hour, where Screen Australia funding is \$500,000 or less 
- \$100,000 per hour, where at least 10 per cent of the budget comprises:
  - advances from sales agents for the international market, and/or
  - international territory presales
 irrespective of the level of the Screen Australia funding. ②

The required local presale must not include:

- any equity component for the broadcaster
- broadcast rights for New Zealand or another Rest of World territory
- subscription television or exclusive satellite rights (if the presale is to be free-to-air broadcast), or free-to-air rights (if the presale is to subscription television).

**Broadcaster involvement:** Screen Australia will not finance a production where the project has been developed by a broadcaster and sub-contracted at a later stage to a producer, except where chain of title resides with the producer. In addition, Screen Australia expects that key creatives (producer, writer, director, director of photography, editor) are not sourced from the staff of a free-to-air or pay television broadcaster or channel.

## Application process and materials

You must apply using the application form available on the Screen Australia website, providing all the materials set out on that form.

### Pathways to audience

For this program, projects must have commitment from a local broadcaster in place, and a copy of the relevant agreement must be included in the application.


However, enhancing audience reach through new pathways is also encouraged.

This could involve:

- demonstrated community of interest in topic
- access to an existing database and promotional channels
- existing and potential partnerships with organisations tied to significant communities of interest
- analytics of audience engagement in existing related content and platforms (eg websites, social media channels and trailers).

Marketing plans can demonstrate how these new pathways will enhance the project's audience – and ongoing revenue potential where relevant – by providing detail on relevant mailing lists, audience analytics, and/or any existing partnerships with relevant similar interest organisations.

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:03:07 AM

I think this threshold is too high and will militate against broadcaster coming in for the lower budget films. If a producer is making a film at \$300,000 an hour it challenging to suggest the licence fee should be \$150,000. Better make is a % of the budget where the

1 Screen Australia's documentary funding decisions have always been based on published assessment criteria, as well as the 'investment and slate management principles' first introduced in 2009.

Our previous draft guidelines had attempted to spell out these criteria in more detail, which we thought was particularly relevant as we had opened up all the proposed new programs to allow paths to audience beyond broadcast television.

However, for projects intended for broadcast, the feedback indicated that there was too much confusing overlap with the broadcasters' decision-making.

We agree. And have taken the opportunity to better focus our criteria.

The aim is to avoid doubling up on decisions already made by the broadcasters while still ensuring that the projects we fund meet our program objectives.

## Funding decisions 1

As a 'last in' investor to a television documentary project, Screen Australia acknowledges that other parties, including the broadcaster, have already committed funds to the project. However, Screen Australia's resources are limited, and not all projects can be supported.

In line with its investment and slate management principles (see page 3), Screen Australia reserves the right to provide less funding than the amount requested, or to decline funding altogether, based on the following criteria:

- The relevance of the project to Screen Australia's objectives, which are to support:
  - *Quality* – premium Australian content that resonates with contemporary audiences in a global marketplace
  - *Cultural value* – screen stories that shape our cultural imagination, contribute to our national belonging, and create an enduring legacy for all Australians now and into the future
  - *Innovation* – risk-taking and creativity that grows and evolves content across different forms and business models.
- The appropriateness of the amount requested from Screen Australia, taking into account:
  - the size and viability of the project's budget
  - the contributions and investment positions of other parties, including the producer
  - the Screen Australia funds available .
- The track record and capacity of the creative team.

Diversity of funded projects will also be taken into account, reflecting Screen Australia's aim to support Australian content across a variety of subjects, styles and approaches, reflecting a range of viewpoints.

Applications will be considered by Screen Australia executives, and decisions are final. Screen Australia will advise applicants in writing of the outcome of their application. Where an application is declined, the applicant will be advised of the reason.

## Terms of funding

Where Screen Australia's total contribution (including any development funds) is **\$500,000 or under**, funding will be in the form of a grant:

- Screen Australia does not take a share of receipts from projects funded under a grant, which means the funds do not have to be repaid other than in circumstances set out in the Terms of Trade.
- The amount of the Screen Australia grant will be agreed upfront and not varied, other than in exceptional circumstances.
- Screen Australia does not require a share of copyright in productions that it funds under a grant.

Where Screen Australia's total contribution (including any development funds) is **more than \$500,000**, funding will be in the form of recoupable equity investment, with copyright and recoupment terms in accordance with the agency's Terms of Trade.

This page contains no comments

# Producer Equity program

The Producer Equity program (PEP) was introduced following reforms to the Producer Offset announced in May 2011. The reforms replaced the 20% Offset for low-budget documentaries with a more accessible and efficient Producer Equity payment administered by Screen Australia.

PEP is only available to documentaries.

**The Producer Equity program provides a direct payment of funds to producers of eligible low-budget Australian documentaries, equal to 20 per cent of the approved budget. The payment is available in conjunction with any other Screen Australia documentary production funding.**

**Projects are not assessed beyond establishing eligibility.**

**The program is administered by Screen Australia's Documentary Unit, and is subject to Screen Australia's Terms of Trade (section 1 only).**


## Eligibility<sup>1</sup>

To be eligible, a project must:

- have Significant Australian Content
- be a documentary, having regard to the guidelines compiled by the Australian Communications and Media Authority (ACMA)
- be a single-episode program of at least a commercial half hour in length, or a series of at least two episodes each of which is at least a commercial half hour in length (interstitials or series of interstitials are *not* eligible)
- be intended for distribution to the Australian public, with a clear and demonstrable path to audience
- have an approved budget/finance plan of \$500,000 or less in total and at least \$250,000 per hour. Applicants should note that:
  - all funding (including state agency funding) must be confirmed and all long-form agreements must be attached to the application. Letters of offer, letters of intent or deal memos are not sufficient;
  - deferred fees or in-kind support are not covered. Although they may form a part of a budget, deferred fees will not be included in the PEP calculation.

Applications for series must demonstrate that the series is the whole series and not part of a larger series.

Note that the production of whole websites is not covered by this program. PEP eligibility and the amount of the PEP payment will be determined based on the linear documentary content of a website.

The project and the applicant/s must also be eligible under Screen Australia's Terms of Trade. 

## Application process

Applications can be submitted at any time. The average turn around for decision is six weeks **from receipt of a complete application**.

### ***Projects with Screen Australia investment***

Producers applying to Screen Australia for documentary production funding (grant or equity investment) will apply for the Producer Equity payment in the context of their funding application.

### **Budget allocation**


Given that an application for PEP is not assessed beyond establishing eligibility, it is effectively not possible for Screen Australia to cap the funds allocated to this program.

### **1 Eligibility**

The Round 1 draft guidelines proposed that the program be confined to projects not seeking other Screen Australia funding. This idea was conceived in the context of Screen Australia's new policy of providing all funding \$500,000 and under as a grant, which effectively provides more equity to the producer.

However, in response to industry feedback, these Round 2 guidelines propose no change to the Producer Equity program, ie for PEP-eligible projects, finance, including funding from Screen Australia, can be built on the 20% PEP as a foundation.

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:13:18 AM  
This is a valuable stepping stone program and should work well to grow the sector

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Projects with Screen Australia funding approved on or after 1 July 2011 are eligible.

The project's finance plan should include the Producer Equity payment as 20 per cent of the total budget (minus any deferred fees or in-kind support). For example, the Producer Equity included in a budget of \$400,000 would be \$80,000.

Once investment is approved, Producer Equity will flow automatically and be rolled into the agreed drawdown schedule.

### ***Projects without Screen Australia Investment***

Producers not applying to Screen Australia for documentary production funding will need to satisfy the eligibility criteria above as well as the following provisions in order to access the Producer Equity Program.

- The project must have commenced pre-production on or after 1 July 2011.
- The project may be in pre-production, production, post-production or complete when an application is made. However, an application cannot be submitted more than six months after the project is completed.

Successful applicants will need to sign an agreement outlining the producer's obligations. If the project is not yet complete, the successful applicant will invoice Screen Australia for:

- 50 per cent of the approved amount on signing the agreement; and
- 50 per cent of the approved amount on delivery of a copy of the completed film, a final cost report, and proof of public distribution.

If the project is already complete, the successful applicant will invoice Screen Australia for:

- 100 per cent of the approved amount on delivery of the completed film, a final cost report, and proof of public distribution.

Screen Australia may require an audit of the final cost report. Screen Australia may also withhold payment/s until satisfied that the film is/will be genuinely available to the Australian public.

### **Important points to note**

- We will not vary the amount of the Producer Equity payment, once decided, even if your budget subsequently changes. Note also that if you receive Producer Equity for your project, you may not subsequently apply for the Producer Offset even if the project budget increases to the level of the applicable QAPE threshold.
- Projects approved for Producer Equity cannot apply for the Producer Offset under any circumstances.

This may affect projects:

- with duration changes e.g. from a commercial hour to a feature-length documentary with cinematic release; and
- that attract further production funding after the Producer Equity payment has been approved by Screen Australia.

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This program is substantially the same as the current Documentary Development program.

The only changes proposed are to:

- open up the minimum credit requirements to allow for interactive projects
- remove the requirement that applications for series development must have a broadcaster's letter of interest or matching marketplace funds .

# Documentary development

**Screen Australia's Documentary Development program assists experienced documentary makers to achieve planned outcomes for the development of their projects.**

**This could include further research, writing the next draft of a script or treatment, strategic shooting and/or editing to attract marketplace development or production finance, or compiling a sizzle reel.**

**The program is primarily focused on providing development support to one-off projects.**

**Interactive or web-based projects:** Producers of interactive or web-based projects must discuss their project with an Investment/Development Manager to explore what development may be possible, before applying for development funding.

## **Time-critical funding – by invitation only**

Producers must consult with an Investment/Development Manager about applying for time-critical funding (including funding for time-critical shooting) and applications outside of the scheduled rounds can only be made by invitation.

A comprehensive rationale will be required, setting out:

- what the funding is to be used for,
- why the expenditure is vital to the realisation of the film, and
- why the timing is critical.

Strong marketplace, including broadcast, interest must be demonstrated.

Unsolicited applications will not be accepted for consideration outside a development funding round.

## **Funding available**

Applicants may apply for any amount up to \$30,000.

## **Eligibility<sup>1</sup>**

Applicants must meet the general eligibility requirements set out in Screen Australia's Terms of Trade. In addition:

- Sole applicants must have at least three 'eligible credits' in the role of producer or director.
- In the case of teams, one of the key principals must have at least three 'eligible credits' in their respective role (this may be the producer or director, or equivalent role relevant to the type of project).

For linear documentaries, and linear projects with multiplatform elements, the three 'eligible credits' must include at least two eligible linear documentaries.

For interactive documentaries, the three 'eligible credits' must include at least one eligible interactive project equivalent to the one for which funding is sought.

### **1 Eligibility for less experienced filmmakers**

As with the Producer program, only one of the key principals needs to have the required credits.

The intention is not to exclude new talent, but encourage them to team up with more experienced practitioners.

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An 'eligible credit' under this program must be either

- a linear documentary which is not more than 10 years old, is half hour or longer in duration, and has:
  - been broadcast by a recognised broadcaster or channel; or
  - had a commercial theatrical release; or
  - been invited to screen at IDFA, Hot Docs or equivalent.

or

- an interactive project which has been publicly released.

Note that corporate, education, training or community access programs are not acceptable credits for eligibility purposes.

Less experienced practitioners may be part of the team, as long as at least one key principal is eligible as above.

- Current recipients of Screen Australia's Enterprise funding are not eligible.

In addition:

- Generally, projects funded under this program may only reapply for further development investment if they have confirmed **matching marketplace funds** (ie from broadcaster(s), distributors, sales agents or other credible marketplace entities), and such applications will be considered in the light of the advancement and the overall viability of the project.

## Funding decisions

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Funding decisions will be made against the following criteria:

- the distinctiveness of the idea and its cultural significance
- the quality of the submitted materials (script, treatment, proposal etc as relevant)
- track record and capacity of the creative team
- the creative team's vision for realisation of the project
- the likelihood that the project will reach and engage its target audience
- the appropriateness of the proposed development strategy and use of Screen Australia funds at this stage of development.

Other factors, including availability of funds and diversity of slate, may also influence Screen Australia's funding decisions.

Decisions on applications are final. Screen Australia will advise applicants in writing of the outcome of their application. Where an application is declined, the applicant will be advised of the reason.

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## Terms of funding

Funding through this program is provided as a limited recourse loan.

Where Screen Australia subsequently provides production funding, its contribution to the development phase will be recognised in the production budget and will become part of Screen Australia's total funding for the project. Screen Australia's total contribution will then be treated as a grant or recoupable investment according to the terms of trade and guidelines for production funding.

Where the project goes into production without further Screen Australia support, the development funding provided by Screen Australia is not repayable.

Refer to *Doing Business with Us* for more information.




### **Sector-building Initiatives**

Screen Australia will also continue to seek ways to strengthen and advance Australian documentary storytelling and its practitioners through special initiatives such as workshops, forums and other events, conducted by Screen Australia or in partnership with state bodies, industry organisations or other entities.

Stay in touch via Screen Australia's e-news, like us on Facebook and or follow us on Twitter.

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:15:57 AM

The Development program is probably the most important of the initiatives since it is the foundation of all film. Without development, nothing happens. I would urge more support in this area.



# General information for applicants

## What is a documentary?

For the purposes of these guidelines, Screen Australia will have regard to the guidelines compiled by the Australian Communications and Media Authority (ACMA). These guidelines are available on the ACMA website.

Screen Australia does not invest in programs such as reality or magazine television, light entertainment, panel shows, infotainment, current affairs, cooking, 'how to', sports programs, or projects whose primary market is the education sector.

## Applying for funding

Applicants and projects must meet the general eligibility and delivery requirements set out in Screen Australia's Terms of Trade, as well as the specific requirements of these guidelines.

Applications must be made on the relevant application form, and include **all** supporting material listed on that form.

Incomplete applications will not be accepted. This includes those without finalised finance plans in place with associated letters of offer.

Unless invited to reapply (in the context of managing available funds), projects can only be submitted more than once if substantial changes have been made, and more than two applications for the same project will not be accepted.

## Budgets



**Format:** Budgets must be presented in the A-Z Budget format, available from the Screen Australia website ([www.screenaustralia.gov.au/a-zbudget](http://www.screenaustralia.gov.au/a-zbudget)). Fees should comply with industry norms. They will be considered in the context of the budget and track record of the personnel.

Production budgets must include:

- **Contingency:** Contingency is set at 10 per cent.
- **Completion Guarantor:** Screen Australia reserves the right to require a completion guarantor.
- **Delivery items:** Allowance must be made for delivery items specified for Screen Australia, the broadcaster and NFSA, **1** as well as for sales company deliverables and other delivery items as required. See Terms of Trade for details.
- **Study guides:** The cost of a study guide must be included in the budget as a line item of \$2,500 per hour. If the publisher decides not to create a study guide, the \$2,500 can be applied to marketing expenses. The

### **1 NFSA deliverables**

Special deliverables related to the NFSA's Documentary Collection Library, which were previously part of NDP funding, will no longer be required.

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 Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:16:50 AM

Reiterating...this needs to change to become an international industry standard and move away from the isolationist approach.

producer must seek Screen Australia’s approval of the choice of publisher (ATOM is pre-approved).

- **Promotions and marketing:** Budgets should allocate an appropriate marketing spend fit for purpose.
- **Legal and administration fee:** No fee is charged for applications to Screen Australia programs. However, as per our Terms of Trade, where an application for production funding is approved, Screen Australia will charge a legal and administration fee at 2 per cent of the value of the Screen Australia support. This amount should be included in the budget and finance plan of any application.

### **Indigenous community participation or content**

Where there is Indigenous community participation or content involved in the project: applicants should provide:

- a statement setting out how you are approaching the Indigenous content or participation with regard to appropriate protocols, even if the content is not specific to a particular community or individual. You must demonstrate that you have a consultation plan covering the full production process and are following it. The statement should be based on the checklists available in Screen Australia’s guide *Pathways & Protocols: a filmmaker’s guide to working with Indigenous people, culture and concepts*
- evidence of consultation to date
- signed letters of consent confirming their willingness to participate if the project will involve particular Indigenous individuals or communities,.

### **Official co-productions**

- Projects approved as official co-productions are eligible for, but not automatically guaranteed, Screen Australia support.
- As co-productions have access to more than one domestic market, they must bring a higher level of genuine market attachment to the budget.

**IMPORTANT:** The Australian co-producer must lodge an application for provisional approval as a co-production with Screen Australia before applying for production funding. Provisional approval is required before the decision meeting at which the project will be considered for funding, although some flexibility is allowed if approval is delayed due to circumstances outside the control of the producer or Screen Australia.

See [www.screenaustralia.gov.au/coproduction](http://www.screenaustralia.gov.au/coproduction).

Number: 1 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:18:40 AM

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Caution is necessary here to avoid providing rights of veto to non film makers or politically motivated individuals. The goal should be for valuable consultation and inclusion, not veto rights. The concept that only indigenous people can make films about indigenous matters will marginalise them and the issues. These issues are important for society as a whole. This requires careful management.

Number: 2 Author: Stuart Subject: Sticky Note Date: 21/09/2014 9:21:01 AM

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This is glossed over in these guidelines but should be emphasised as a major potential source of funds and material for Australian documentary. With an expanding number of treaties, there is cultural and creative overlap with many partners. I would like to see much more emphasis on Official Co Production with particular note of the need for development which should include meeting international partners at markets and conferences