

Documentary Production Funding Frequently Asked Questions (FAQ)

How does Screen Australia define 'Direct-to-Audience'; 'Television'; and 'Theatrical' documentary'?

Direct-to-Audience is:

- Direct-to-Audience is the first and primary release window. It is inclusive of Virtual Reality (VR), Extended Reality (XR) Augmented Reality (AR) and social media platforms such as You Tube, Facebook and TikTok).
- Projects that have <u>not</u> been commissioned by any third party anywhere and for which the first and primary window is a social or direct-to-audience platform.
- In simple terms, the creators of the work are in control of self-distributing the work and taking it to audience.

Screen Australia recognises that Direct-to-Audience pathways are rapidly evolving, so additional release platforms may also be eligible.

Television is:

 Single documentary, series or feature length documentary projects for which Television (including SVOD or BVOD) is the first and primary release window, and a local Commissioning Platform and Rest of World (ROW) Sales Agent have been, or are intended to be, secured.

Theatrical is:

- Feature length project for which theatrical / cinema exhibition is the first and primary release window in Australia;
- an ANZ Distributor had been, or is intended to be, secured; and
- a Rest of World (ROW) Sales Agent has been, or is intended to be, secured.

What does Screen Australia mean by 'platform'?

- Direct-to-Audience projects that are not commissioned, rather produced and selfreleased.
- Television projects that are commissioned by free-to-air or streaming platforms.
- Theatrical documentary projects that are to be distributed to and exhibited in cinemas.

How much can I apply for?

Direct-to-Audience

- Funding will be provided by way of a grant for a percentage of the project's total budget, generally up to 80%. Funding may cover all elements of the project through to release, including post- production funding.
- Applications for post-production funding only are generally expected to be for lower amounts.
- Applications solely for marketing funds are not eligible.

Platform First and Producer First

- Screen Australia's maximum contribution per project is \$500,000 (including any previous Screen Australia development funding).
- However, there may be exceptional projects for which Screen Australia may consider funding for an amount greater than \$500,000. Support for these projects would be provided as a recoupable equity investment.
- Support from Screen Australia should account for no more than:
 - o 35% of the budget for projects with a budget of \$500,000 or less; or
 - 65% of the budget (including the Producer Offset) for projects with a production budget of more than \$500,000.

Note: The amount of funding provided will depend on the scale of your project, the first and primary platform and the amount of additional finance required or secured from other sources.

For Official Co-Productions the percentage caps set out above apply only to the Australian components and proportion of the budget. That is, if the Australian financial contribution to the Official Co-Production is 30% of the production budget, then the cap on funding from Screen Australia (including the Producer Offset, if applicable) is X% of that 30% Australian portion.

Screen Australia may decide to provide funding at a different level than that applied for based on the assessment of all projects submitted to each funding round.

Can I apply by myself?

For projects applying for **Direct-to-Audience** Production funding only, Screen Australia will accept applications from individuals (sole traders) that are an Australian citizen or permanent resident. However, if successful, the applicant will need to incorporate a company to make the project before contracting with Screen Australia.

For **Producer First** and **Platform First**, applications must come from an incorporated company carrying on business in Australia, with its central management and control in Australia;

Applicants and projects must meet Screen Australia's <u>Terms of Trade</u>, any general eligibility or other requirements set out on Screen Australia's website (see <u>Information for Applicants</u> and <u>Information for Recipients</u>), as well as the specific eligibility criteria set out in the Documentary Production Funding guidelines

When is the best time to apply?

There are four (4) competitive deadline-based application rounds of funding per year. The deadlines for Documentary Production Funding are available on the Screen Australia website.

Applicants are strongly encouraged to apply when their project is ready, the story is production ready, they meet all eligibility criteria and have all submission materials in place. Screen Australia expects the project to intend to commence pre-production no sooner than approximately six (6) months after the relevant application deadline to allow time for assessment and contracting.

Projects that intend to be in pre-production or principal photography on either the application deadline date or decision date will not be eligible as Screen Australia does not fund retrospective costs.

Can I apply with more than one project at the same time?

There are no limits on the number of projects that an applicant can apply for. However, Screen Australia's expects applicants to be strategic about when they apply.

Projects should be rigorously thought through, meet all application requirements, and be strong against all stated assessment criteria.

If a project has multiple audience touchpoints i.e.: a Theatrical with a VR component, what funding program does it apply to?

Please contact an Investment Manager to discuss. If applicants are unsure who to speak with, contact our Program Operations team at documentary@screenaustralia.gov.au or on 1800 507 901.

Can I apply with a panel/reality/game show/variety show/light entertainment project?

 No, Screen Australia does not fund these genres. Please refer to the <u>ACMA</u> <u>Guidelines</u> for the definition of a documentary.

Do I need to supply a Video Pitch?

No

Can I apply for Direct-To-Audience Production funding if I don't have an audience following/subscribers?

Yes. While having a strong audience following can be beneficial to your application, it
is not a requirement of this fund. We are interested in projects where the applicants
know who the target audience is, how to reach them and why this audience will
engage with their project

Will my application have a better chance of being approved if I ask for less money?

 You should apply for the amount of funding you need in order to undertake and complete your project within the context of the funding caps for this program.

Can I have volunteers/students/unpaid practitioners as part of my project?

 Screen Australia expects all recipients of funding to pay at least award minimum rates or, where applicable, any minimum agreed between the relevant guilds, for all work performed by third parties on their project, including key creatives, cast and crew, as per the Terms of Trade (see <u>Information for Recipients</u>)..

What is an Impact documentary?

• A film that's designed not just to inform or entertain, but to create social or cultural change. Through community engagement, they generally aim to inform, inspire action and create change in public opinion and government policy.

Are there any minimum credit requirements?

<u>Direct-To-Audience</u>

- The team must include at least two key creatives covering the roles of writer, director or producer.
- The application must have at least one key creative (writer, producer, director) with one credit on a comparable project which has been primarily released on a direct-toaudience platform.

Platform First

For features, series or single documentaries with a budget of over \$500,000:

 the creative team responsible for the project must include one producer, director or writer who has at least two eligible credits across different projects in their respective role.

For features, series or single documentaries with a budget between \$125,000 and \$500,000:

no prior credit requirements are required

Producer First

For features, series or single documentaries with a budget of over \$500,000:

 the creative team responsible for the project must include one producer, director or writer who has at least two 'eligible credits' across different projects in their respective role.

For features, series or single documentaries with a budget between \$125,000 and \$500,000:

- the producer or director should have at least one credit in respective roles on an equivalent project which has been publicly released; or
- if there is confirmed, arms-length market attachment with a licence fee and/or distribution guarantee as a part of the finance plan, then there will be no prior credit requirements.

Note for Platform First and Producer First: An 'eligible credit' is

- a documentary that is 30 minutes or longer in duration, and has:
- been broadcast by a recognised Commissioning Platform or channel; or
- had a commercial theatrical release; or
- been invited to screen at an internationally recognised festival such as Sundance, Toronto International Film Festival (TIFF), SXSW, International Documentary Film Festival (IDFA), Hot Docs, CPH:Dox, Sunny Side of the Doc, Sheffield or equivalent.

Are there any Minimum Licence Fees?

Platform First

For feature length, series or single documentaries for which Television (including FTA, Pay TV, SVOD, AVOD or BVOD) is the first and primary window, applicants must have:

- a confirmed local Commissioning Platform secured on terms acceptable to Screen Australia, including meeting minimum licence fee requirements, and in accordance with all other relevant industry agreements.
- for a single documentary, series or TV feature length documentary, a confirmed minimum licence fee of \$150,000 per broadcast hour allocated toward the initial licence period against the primary rights for the platform on which the program premieres in Australia.
- minimum licence fees cannot include equity investment; broadcast rights for New Zealand or any Rest of World territory (ROW); secondary rights; distribution rights; or ancillary rights;
- if further rights or extended licence periods (after the initial licence period) are sought from the Commissioning Platform, they must be negotiated in good faith, in line with current market rates on terms acceptable to Screen Australia; and
- a ROW distributor with a Letter of Interest (LOI) or Deal Memo including commercial deal terms and forecast sales figures for all major territories including an estimate for a Worldwide buyout excluding Australia.

Producer First

The following apply once the project secures a local presale:

- for a single documentary, series, or TV Feature length documentary a confirmed minimum licence fee of \$150,000 per broadcast hour allocated toward the initial licence period against the primary rights for the program being on the Commissioning Platform on which the program premieres in Australia.
- for feature film documentaries with a theatrical release, a theatrical distributor must be secured for at least the Australian territory. Whilst there is no minimum distribution guarantee amount, the key deal terms for such theatrical distribution arrangement must be provided to Screen Australia.

Do I need to have applied for a Producer Offset Provisional Certificate at the time of application?

No, you do not need to lodge an application for the Producer Offset Provisional Certificate at the time of applying for funding unless specifically requested by your Investment Manager.

In the instance where a Producer Offset Provisional Certificate has been issued to the project provisional approval must not be more than two years old (from the date of your application for Narrative Content Production Program).

If approval was granted over two years ago, a reassessment by the Producer Offset and Co-Production Unit (POCU) will be required.

For projects utilising the Producer Offset that are approved for direct funding, you will need to lodge your Producer Offset application and receive your certification prior to contract execution.

- Producer Offset FAQ
- Producer Offset Guidelines 2024

What is Significant Australian Content (SAC)?

'Significant Australia Content' for Production Funding has the same meaning as is set out and applied with respect to the Producer Offset. Please refer to section 2.2 of the <u>Producer Offset Guidelines 2024</u>.

Generally, to meet the SAC test, Australians will need to be the key creative contributors, responsible for the project's core origination and there will need to be significant involvement by Australians in the creative development of the project.

The SAC test is a holistic one and no single element is determinative. In deciding whether or not a project meets the SAC test, Screen Australia must have regard to each of the elements set out in section 376-70(1) of the *Income Tax Assessment Act 1997*, which are:

- the subject matter of the film;
- the place where the film was made;
- the nationalities and places of residence of the persons who took part in the making of the film;

- the details of the production expenditure incurred in respect of the film; and
- any other matters that Screen Australia considers to be relevant.

What is Qualifying Australian Expenditure (QAPE)?

This is a term used when talking about the Producer Offset. It stands for Qualifying Australian Production Expenditure (QAPE). QAPE is a subset of production expenditure. It has a dual role for the purposes of the Producer Offset.

It is the basis for determining whether the minimum expenditure thresholds have been met, and it provides the basis of the Producer Offset itself, as the amount of the refund is a fixed percentage (30% or 40%) of QAPE on a certified project.

Screen Australia expects the producer to contribute towards the production budget for Offset-eligible projects. The contribution must be at least 90% of the projected value of the Offset rebate. See Terms of Trade <u>Information for Recipients</u>.

For more information click https://www.screenaustralia.gov.au/funding-and-support/producer-offset/qape here or email POCU@screenaustralia.gov.au to organise to speak to someone.

What if my project intends to be an Official Co-Production?

- An Official Co-Production is a project made under a formal co-production Treaty or a Memorandum of Understanding (MOU) between Australia and another country.
- Projects approved as **Official Co-Productions** are eligible for, but not automatically guaranteed, direct Screen Australia support.
- For Official Co-Production projects, you will need to provide evidence that an application for Provisional Approval as an Official Co-Production has been lodged.
- Official Co-Production provisional approvals must not be more than two years old (from the date of your application for Narrative Content Production Program). If approval was granted over two years ago, a reassessment by the Producer Offset and Co-Production Unit (POCU) will be required.
- We strongly recommend, where applicable, that all applicants for Documentary Production funding familiarise themselves with the Screen Australia International Co-Production Program Guidelines. Applicants can contact POCU at pocu@screenaustralia.gov.au for further information.

What if my project is an unofficial co-production?

Screen Australia requires any unofficial co-production to have a co-production agreement (or a similar document, such as a joint venture agreement) where the rights in the project may be shared between multiple parties. The applicant company must be Australian with its central management and control in Australia and must adhere to the Screen Australia Credit Policy in any signed or future deals with any partners.

What is the Crew Placement Scheme?

The Crew Placement Scheme provides opportunities for genuine career advancement in a mid, senior crew or below-the-line leadership/HOD role.

Projects that receive over \$300,000 in production funding from Screen Australia must budget for, and engage, one emerging or mid-career crew Placee in consultation with Screen Australia. For more information see Crew-Placement-Scheme-FAQ.pdf

Do I need a Study Guide?

Screen Australia requires all Theatrical and Television projects to budget for a Study Guide as a deliverable to Screen Australia.

How will my project be assessed?

- Your project will be assessed by Screen Australia staff with Industry Specialists as required.
- All projects involving First Nations content or participation will be assessed or coassessed by First Nations Assessors.
- Some projects involving representation of communities and cultural groups may be assessed by Specialist or Cultural Assessors.
- Applications will be assessed against the aims of the program, the assessment criteria for the program, other applications in the round, and in the context of Screen Australia's Terms of Trade.

Decisions on application outcomes are final.

How long will I have to wait for a funding decision?

Applicants will be notified of the outcome of their application within ten (10) to twelve (12) weeks from the submission closing date.

What happens if I'm successful?

- Where an application is successful, Screen Australia will advise the applicant of the decision verbally (including detail of any conditions of funding), after which the decision will be notified in writing.
- Successful applicants will enter into a Production Grant Agreement (PGA) or Production Investment Agreement (PIA) with Screen Australia.

- Applicants must adhere to the <u>Screen Australia Credit Policy</u> in any executed or future deals with any partners.
- Projects utilising the Producer Offset must have the Producer Offset Provisional Certificate approved and issued prior to contract execution.
- Official Co-Production projects must have the Provisional Approvals issued by both competent authorities prior to contract execution.

Successful Producer First applications:

After being notified of the successful outcome, the application will progress to contracting once the applicant has:

- secured all other elements of your finance plan on terms and conditions acceptable to Screen Australia and approved by us;
- demonstrated that you meet the Documentary Production Producer Program Guidelines; and
- fully satisfied any Special Conditions.

You need to complete these three requirements within four months of approval notification. If you are unable to do so we reserve the right to withdraw our funding from this project.

Once contracting commences (subject to the above requirements being met) we will commence drafting the Production Grant Agreement (PGA), which includes standard Conditions Precedent (CP). These include:

- providing an opinion from a suitably qualified solicitor;
- signing and delivering the National Film and Sound Archive (NFSA) Deed to the NFSA Library;
- engaging and budgeting for an inclusive attachment (SA to approve); and
- any other CPs or Special Conditions in your PGA.

If I have been in receipt of Development funding from Screen Australia, do I have to repay that funding to Screen Australia if my application is successful?

Yes, where the project goes into production, with or without Screen Australia production funding, Screen Australia generally requires the producer to repay the development funding previously provided by Screen Australia.

If a project has received development funding from Screen Australia and later goes into production with production funding from Screen Australia, the previous development funding must be recognised in the production budget (as an above-the-line cost) and will become part of Screen Australia's total grant or investment in the project.

You do not need to repay Screen Australia's Development funding if your project is not produced.

If my project is approved, does that mean Screen Australia approves all the deal terms of my Finance Plan and any credits I have agreed to in financing my project?

No, by approving production funding for a project, it does not mean Screen Australia approves your financing deal terms, or credits. Through the contracting process, Screen Australia will advise you of any terms that sit outside of Screen Australia's Terms of Trade or those which are not acceptable to Screen Australia.

What if my project changes after being funded?

While we expect some project elements to change, some changes require review and approval from the Screen Australia's Documentary Department. Your Production Grant Agreement (PGA) or Production Investment Agreement (PIA) will outline your obligations.

What happens if I'm unsuccessful?

- Where an application is unsuccessful, the applicant will be advised and provided with feedback.
- Due to the high volume of applications Screen Australia is unable to provide further feedback to unsuccessful applicants.

If I am unsuccessful, can I apply again with the same project?

- If an applicant's first application for a project is not approved, they can make a further
 application for the same project if significant changes have been made. Changes will
 generally be in relation to creative, team, pathway to audience, marketplace and/or
 budget. The applicant will need to outline these in a statement of changes and discuss
 it with an Investment Manager before submitting.
- Screen Australia will not consider more than two funding applications for the one project.

How is my project announced?

Successful projects will be contacted by a member of the Screen Australia
 Communication Team to discuss the announcement. This will most likely take the
 form of a media release or an announcement in the Screen Australia Newsletter
 along with multiple other development projects. We provide a draft to you for input
 prior to any announcement. All funding decisions are embargoed until an
 announcement strategy is confirmed and agreed.

Further questions

If applicants have questions about this program or accessibility requirements relating to submitting an application, contact Screen Australia's Program Operations team at documentary@screenaustralia.gov.au, or on 1800 507 901.