Producer Offset and Co-Production Unit - Final Co-production Approval – Step by Step Guide to Assessment Process

Official Co-production Approval is a two-step process. Provisional Co-production Approval is required prior to the project going into production and Final Co-production Approval is granted after completion of the project. Both stages are mandatory under the Co-production program.

*This Step-by-Step Guide sets out the general assessment process for Final Co-production Approval applications. We recommend that you reach out to the Producer Offset and Co-production Unit (**POCU**) with any questions about this process or your project. Any information provided by POCU prior to a determination is strictly non-binding, and applicants are advised to seek independent advice on their applications.*

This Step-by-Step Guide may be updated from time to time and is non-binding.

1. **Submission:** Australian Co-Producer submits a Final Co-production Approval application form and the relevant attachments to Screen Australia (SA) via the Smarty Grants portal. The link is here: Co-Production Final Approval - Screen Australia

   This must be submitted once the project is completed and audited. This allows POCU to ensure that the project was made in accordance with the Provisional Co-production Approval.

2. **Preliminary review:** The POCU Administrator reviews the application materials to ensure that all required information is provided. The POCU Administrator may send a 'missing materials' email to request outstanding materials and will generally allow a two-week timeframe to respond. Information required to be submitted includes the following:

   - Fully executed chain of title documents (including PIA, writer, script editor and director agreements);
   - Copy of solicitor's opinion letter on chain of title (if available);
   - Applicant company ASIC Search/Company Extract;
   - Copy of the final executed Co-producer's Agreement;
   - Completed final Co-production Eligibility Tool;
   - Final Cost Report (in Australian dollars) with the Australian elements and their costs clearly identified
   - Production audit for the Australian co-producer;
   - Production audit for the partner co-producer(s) – this is the audit the partner co-producer(s) submits to its relevant Competent Authority (if applicable);
   - Copies of all fully executed financing agreements;
   - A complete list of front and end credits, with nationality and residency listed against each credit listing. For series, the credits for the first and last episodes should be provided as well as a list of any credits that differ in other episodes.
     For documentaries this must include a narrator or on-screen presenters (if applicable), and for animated projects this must include lead voices.
   - Completed Declaration of Non-Party elements for expenditure on non-party / third party elements such as non-party cast, location filming and licensing costs outside the co-producing countries;
   - A full production schedule, including pre and post production.
   - DVD or USB copy of the film.

- Statement outlining any changes since the Provisional Co-production Approval was granted. This may include changes to the finance plan, Co-production financial or creative contribution splits or level of non-party spend.
- a Statutory Declaration to certify the accuracy of all the details contained within the application (a template of which is available on the Screen Australia website here).

3. **Allocation to an Assessor** - Once the POCU Administrator receives any missing materials, the application will be allocated to a POCU Assessor to review. The POCU Assessor may request additional information to ensure compliance with the Screen Australia Co-production Guidelines and the applicable Treaty or MOU (**Arrangement**).

4. **Timing of Assessment -** POCU generally assesses Final Co-production Approval applications within 12-16 weeks of receipt of a complete application. However, larger or more complex applications, such as multi-partite Co-productions, may require a more detailed review and those timelines are lengthier. An application will be deemed to be 'complete' only when all of the relevant information and documents required for POCU to make its assessment is provided, including any late information or documents provided to POCU.

   It is important to remember that Final Co-production Approval can only be granted once all the relevant Competent Authorities have approved the project.
   Applicants should ensure their Co-producer is lodging an application to its Competent Authority at the same time to avoid delays. In the instance of a multi-partite co-production, lodging to all the relevant Competent Authorities is required.

5. **Engage with other Competent Authority:** POCU Assessor will reach out to the Competent Authority of the partner country(ies) to ensure that a similar application has been lodged by the non-Australian co-producer(s). The Competent Authorities will liaise directly and discuss the details of the project.

6. **Legal:** A SA Lawyer will review any documents if there has been a change in the Co-producer's Agreement or any other elements that may affect the requirements of the relevant Arrangement.

7. **Ongoing assessment:** The POCU Assessor will continue to conduct the assessment and liaise with the applicant company and the other Competent Authority(ies) regarding any outstanding queries.

8. **Approval:** If there have been no material changes to the structure of the Co-production or budget since the Provisional Approval was granted, the POCU Assessor presents the application for consideration by the Senior Manager, POCU. Projects that include material changes since Provisional Approval was granted will be referred to the POCU Committee for consideration. Once approved (and once SA has received email confirmation that the other Competent Authority(ies) has similarly approved the application), letters of approval will be sent to both the applicant company and the other Competent Authority(ies). The Competent Authority of the country that is the majority partner will issue their approval letter first.

9. **Producer Offset Final Certificate:** A Producer Offset Final Certificate cannot be issued until the project's Final Co-production Approval status has been approved by all Competent Authorities. As a result, SA's assessment of the Final Co-production Approval application may be prioritised over the Producer Offset Final Certificate application, but the Final

Certificate application will otherwise be assessed concurrently. For information on the Producer Offset, refer to the Producer Offset Guidelines.