



## PROJECT DEVELOPMENT FUND GUIDELINES 2010-2011

### WHAT IS THE PROJECT DEVELOPMENT FUND?

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British Columbia Film will provide funding for the development of independent film and television productions, on a project-by-project basis, in the form of a non-recoupable development advance. Funding is based on a commitment from an eligible triggering agent (the “triggering agent”) to advance funds for the development of a specific project. Applications will be evaluated on a first come/first served basis.

Note: Digital media projects (both standalone and convergent with a film or television project) are eligible to apply for funding through the Digital Media Development Fund. Please refer to those guidelines for more information.

### ELIGIBLE APPLICANTS

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The applicant must meet the following minimum eligibility criteria in order to be considered an “eligible applicant”:

- The applicant must be a company incorporated in British Columbia or Canada with its head office in British Columbia. A majority of the issued common voting shares must be held by BC residents (Canadian citizens or Permanent Residents who have resided in BC for at least 200 of the 365 days preceding the date of application and who have filed income tax in BC in the taxation year prior to the date of application);
- The applicant company may own 10% or less of the shares of a broadcaster and may have 10% or less of its shares owned by a broadcaster or by a distributor;
- The principals, directors, officers and shareholders of the applicant company are in good standing (i.e. not in Default) with British Columbia Film; and
- 100% of the copyright of the project being developed must be owned (or optioned) and controlled by the applicant. Exceptions may be granted for inter-provincial or international treaty co-productions where it can be demonstrated that the copyright ownership granted to the BC applicant is equal to the BC applicant’s financial, technical and creative contribution and control as specified in the co-production agreement entered into between the parties. At minimum the BC applicant must retain 20% of the copyright interest.

**Note: Current recipients of a Slate Development Fund envelope are not eligible to access further funding through this program. This includes projects being co-produced with a Slate funded company.**

### ELIGIBLE FILM & TELEVISION PROJECTS

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Eligible projects may include British Columbia owned and/or controlled:

- Feature films destined for theatrical release (live action or animated);
- Television movies, pilots, television series and mini-series (live action, animation, variety, talk show, game show, reality, lifestyle and performing arts & entertainment); and
- Documentaries and docudramas for television broadcast or theatrical release.

A production that contains any elements of serious or gratuitous sexual violence or exploitation, obscene, indecent or pornographic content within the meaning of the Criminal Code, or elements which are libelous or in any other way unlawful, are ineligible.

NOTE: British Columbia Film will no longer participate in funding the television component of projects receiving support through the convergent stream of the Canada Media Fund. However, the digital media components for those projects are eligible to receive support through the Digital Media Development Fund. Please refer to those guidelines for more information.

## **FINANCIAL PARTICIPATION**

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Eligible applicants may apply to British Columbia Film for a total non-recoupable development advance of up to 50% of the committed cash amount from one or more of the following triggering agents for the development of an eligible project:

- An arm's length bona fide distribution entity (NOTE: this includes international distributors)
- National Film Board of Canada (NFB co-productions only; 100% owned and controlled NFB productions are not eligible);
- A licensed public or private broadcaster (NOTE: this includes international broadcasters);
- The Harold Greenberg Fund; and
- The Canwest-Hot Docs Development Fund.

The total development funding available to an eligible project for the fiscal year 2010/11 is capped at \$10,000, except for television series (including dramatic, animated, lifestyle or documentary) which is capped at \$20,000. The total development funding available to each eligible applicant (including affiliated and related companies) may not exceed \$50,000 in the fiscal year 2010/11. The maximum cumulative funding an eligible project can receive throughout its development history is \$30,000, except for television series which is capped at \$50,000.

A written agreement with one or more of the eligible triggering agents dated April 1, 2010 or later, confirming its commitment to provide a development advance for the project, will enable an eligible applicant to access the Project Development Fund up to and including July 9, 2010. Commencing July 10, 2010, British Columbia Film must be in receipt of applications no later than 30 days after the date of the letter of commitment or agreement with the eligible triggering agent. Advances by the triggering agent must be relevant to the current phase of development.

Funds administered by COGECO will not trigger access to Project Development Fund.

## **TELEVISION CONVERGENT MEDIA READINESS "TOP UP" FUNDS**

Applicants receiving support from the Project Development Fund are also eligible to apply for additional funding to develop a proposal for interactive convergent multi media content related to the film or television project. A separate application must be made to British Columbia Film through the Digital Media Development Fund. Please refer to those program guidelines for more information and how to apply.

## **PROCEDURES**

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Applications will be accepted beginning Wednesday June 9, 2010. Applications are evaluated on a first come/first served basis, until funds budgeted are exhausted.

Applicants must submit a complete application together with the required supporting materials to British Columbia Film. Application forms are available on the BC Film website at [www.bcfilm.bc.ca/projectdevelopment.php](http://www.bcfilm.bc.ca/projectdevelopment.php). A \$100 application fee (plus GST/HST) is payable to British Columbia Film with each submission. Incomplete applications will not be processed.

Review and analysis of the application does not include a creative evaluation. A review is conducted to determine eligibility and upon verification, the eligible applicant is notified in writing of the amount of the non-recoupable development advance awarded and subsequently forwarded a Non-recoupable Development Advance Agreement for execution.

Following analysis, if a project or applicant is deemed ineligible, the applicant will be notified via telephone or email of the reasons and an opportunity to pick up the application materials will be offered. The application fee is non-refundable.

## **ELIGIBLE COSTS**

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The following eligible costs must be bona fide third party costs directly related to the film or television project in development:

- Rights acquisition or optioning (payments to related parties or co-production partners not eligible)
- Research fees and materials (any proposed non-arm's length research fees will be approved on a case-by-case basis; in-house researchers must have prior experience and relevant credits)
- Writing fees (any proposed non-arm's length writing fees will be approved on a case-by-case basis; in-house writers must have prior experience and relevant credits)
- Applicable fringes
- Script editing or consultation fees
- Script reader fees and workshops
- Character model pack (for animated projects)
- Script breakdown, scheduling and preliminary budget preparation (final draft stage or later only; any proposed non-arm's length fees paid for these services will be approved on a case-by-case basis)
- Location scouting (final draft stage or later only)
- Casting (polish/pre-production phase only)
- Packaging and marketing (polish/pre-production phase only)
- Storyboards (polish/pre-production phase only)
- Interviewing or demo-taping costs including equipment rental, director fee, camera operator, editor and tape stock (*NOTE: must be requested and/or approved by the commissioning broadcaster in writing*)
- Travel costs including accommodation, return airfare based on economy fare, transportation (rental car, vehicle fuel costs, taxi, shuttle bus, ferry), and per diem. *NOTE: travel expenses must be necessary for creative work (e.g. in the case of documentaries – interviewing and demo-taping, pre-production shooting, or in the case of dramatic work, travel by/to/from the writer, producer and/or story editor). Some exceptions may apply in the final draft/polish/pre-production phase or in the case of inter-provincial or international treaty co-productions. Travel expenses to market the project are not eligible budget expenditures.*

Producer fees and corporate overhead can be calculated as a combined maximum 40% of the above approved direct development costs (the "base budget").

Inflated, excessive, and/or unreasonable allocation of expenditures may be deemed ineligible and deducted from the proposed development budget.

## **ADVANCE OF FUNDS**

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The Advance is non-recoupable (except as noted below under Default and within the Agreement) and will be released over two drawdowns (75% and 25% of the Advance, respectively) according to the conditions laid out in the Agreement.

## **FORFEITURE AND DEFAULT**

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A completion date is noted on the Agreement by which all deliverables will be submitted. Should the eligible applicant not provide all materials by this date, British Columbia Film will provide one written reminder. Should all materials not be provided following this reminder, the eligible applicant forfeits any outstanding drawdown amounts, and the commitment will be reduced by this amount.

Should an eligible applicant be placed in Default according to the terms of the Agreement, this limits the applicant, its principals and any parent or subsidiary companies from accessing further funding from British Columbia Film. In addition, British Columbia Film reserves the right to request immediate repayment of any funds advanced.