



::: Guidelines :::

Production Funding

::: 1. World Cinema Fund - Responsible Body :::::::::::::::::::::::::::::::::::::::

The World Cinema Fund (hereafter 'WCF') is an initiative of the German Federal Cultural Foundation (*Kulturstiftung des Bundes*) and the Berlin International Film Festival. The *Kulturveranstaltungen des Bundes in Berlin GmbH/division Internationale Filmfestspiele Berlin* (hereafter 'IFB') is the legal entity of this initiative.

These guidelines also apply to the special programme *WCF Africa*, which is organised with the support of the Federal Foreign Office.

::: 2. Funding Aims :::

The World Cinema Fund aims to support films from regions/countries in which film production is threatened by political and/or economic instability. By receiving WCF support, these films can be produced with a German partner, which improves their chances of being seen by an international audience. The WCF also aims to nurture diversity in German cinemas.

Funding is granted to cooperation between German production companies and production companies in WCF eligible regions/countries. The director of the project must also come from a WCF eligible region/country.

Projects eligible for support should deal with the cultural identity of their regions and contribute to developing their local film industry.

The main selection criterion is the project's artistic quality. Preference is given to projects that tell strong stories, that are creatively and visually innovative, that have the potential

to enjoy international success or be a driver for developing film culture in their home region. Consideration is also given to projects of particular cultural and political relevance.

:: 3. WCF entitled Regions/Countries ::

The following regions and countries are eligible for funding under these guidelines: Latin and Central America, the Caribbean, Africa, Near and Middle East/Central Asia, Southeast Asia, and also Caucasus-region countries, Sri Lanka, Bangladesh, Pakistan, Nepal, Bhutan and Mongolia.

A film is considered to be from a particular region/country when it is primarily shot there and the director comes from that region.

:: 4. Funding ::

Production and post-production funding for full-length fiction films and creative documentaries (both at least 70 minutes) for theatrical release.

The maximum amount of funding granted per project is € 60.000,- for production and € 40.000,- for post-production.

Funding is granted to films with a budget between € 200.000,- and € 1,4 million.

Up-to-date information about WCF funding can be found on the website www.berlinale-worldcinemafund.de, including application deadlines and application form.

:: 4.1 Entitled Applicants and Recipients

- Registered film production companies based in Germany (in the commercial register or registered trade) and those from other EU member states, provided they have a branch or place of business in Germany and can prove a working relationship with a director from the regions/countries eligible for WCF funding.
- Film production companies from WCF-supported regions/countries that can confirm their collaboration with a director from a WCF-supported region/country.

::4.2 Conditions

4.2.1 The contracting party and funding recipient for WCF funding is always the project's German partner. The WCF funding counts first and foremost as part of the financing from Germany.

4.2.2 Should the application through a film production company in WCF eligible regions/countries be successful, the **cooperation** with a film production company

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registered in Germany can be established after the application process, provided a co-production contract can be presented within maximum **three months after funding has been approved** and definitively prior to closing on a funding agreement. If not, the recipient is no longer entitled to the funding. A production company applying from Germany must also fulfil the aforementioned conditions and present a contract proving their cooperation with a film production company in WCF eligible regions/countries in order to finalise the funding agreement.

- 4.2.3 At least 92,5% of WCF funding must be spent on production for the supported film in the WCF eligible regions/countries, in accordance with WCF guidelines. Otherwise the funding must be paid back.
- 4.2.4 Up to 7,5% of the funding can be allocated to partially covering the production company's own expenses and/or overhead.
- 4.2.5 The funding recommendation expires if the project's complete **financing** is not proven within **six months after the funding recommendation**.
- 4.2.6 **Principal photography/film shooting** must begin within **one month** following the payment of the first instalment.

:: 4.3 Payment of funding

The WCF funding recipient and contracting partner is always the project's German partner.

First instalment: 50% upon signing the funding agreement and after positive verification of the total film financing.

Second instalment: 42,5% upon submission of the rough cut, which must be delivered at the latest 12 months after the first day of principal photography.

Third instalment: 7,5% once the final report has been reported to and approved by WCF. The report of expenditure of funds must be submitted to the WCF at the latest 18 months after signing the funding agreement.

:: 4.4 Repayment of funding/WCF recoupment

After covering the priority repayable funds, deferrals and the own contribution of the German funding recipient/German partner stated in the German financing share, the WCF will participate in the producer's net proceeds received by the German funding recipient domestically and internationally for a period of seven years beginning with the world premiere of the film. For the repayment to the WCF 50% of the net proceeds due to the funding recipient will be used.

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Producer's net proceeds can be defined as all income that the funding recipient receives from the film's exploitation both domestically and internationally, after the priority repayable funds, deferrals and own contribution of the funding recipient are recouped. If other funding bodies have contributed to financing the film, proportional repayment in line with the amount of the funds granted can be negotiated.

The final finance plan submitted as part of the report of expenditure of funds will, upon approval by the WCF, be integrated to the funding agreement and constitutes a baseline for calculating the producer net proceeds received by the funding recipient. Should a special recoupment arrangement be negotiated between co-producers, this can also be used as a baseline for calculations.

The WCF's share can be up to the full amount of funding granted. The funding recipient's own contribution is defined according to the most current definition and/or application of the *Filmförderungsgesetz* (FFG - Film Subsidies Act). The amount funded by WCF counts essentially as part of the film's German financing.

:: 4.5 Report of Expenditure of WCF Funds

The report of expenditure must detail, amongst others, the final reported budget with a table for actual and anticipated spending, the definitive financing plan with actual and anticipated financing, a voucher list of the WCF instalments, and receipts / invoices, a narrative report and 9 DVD copies.

:: 4.6 Non-commercial Rights

By signing the funding agreement, the funding recipient commits to assigning the WCF non-commercial exploitation rights for the funded film that are in his/her/their power to hold, the final terms of which are agreed upon in detail in the funding agreement. The object and scope of this rights transfer arise from the funding agreement. Pursuant to the funding agreement, the WCF is entitled to assign these rights to other partner organisations.

:: 5. Procedure ::

:: 5.1

Funding must be applied for in order to be received. Applications must be submitted to the WCF complete with all documents mentioned in the application forms. Application forms for funding are available at the website: www.berlinale-worldcinemafund.de

A project can only be submitted one time for WCF funding.
An exception can be made for applicants who are expressly invited by the WCF to submit their project again at a later date when their project is in a more advanced stage.

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A production company can submit up to two projects per application period.

:: 5.2

The WCF assembles a jury of independent film-related professionals who make recommendations regarding the films to be funded. The international jury consists of the WCF project manager as well as three other external members. The jury meetings are convened by the WCF. The jury makes its decisions in closed sessions.

:: 5.3

The WCF reserves the right to grant a recipient a smaller amount of funding than applied for. The WCF is under no obligation to explain why an application has been declined. There is no legal right to a WCF funding. Legal claims to payment only enter into effect upon signing a funding agreement.

:: 5.4

In the opening and closing credits of the funded film, as well as in all printed and digital promotional material, the WCF is to be named as an initiative of the German Federal Cultural Foundation (Kulturstiftung des Bundes) and the Berlin International Film Festival (Berlinale), in cooperation with the Federal Foreign Office and with further support by the Goethe-Institut. Details will be listed in the funding agreement.

:: 5.5

Utilisation of the funds received from the WCF will be audited according to the laws of the Federal Republic of Germany. This includes the *ANBest-P* (General Incidental Provisions for Project Promotion Grants), the *Bundesreisekostengesetz* (Federal Travel Expenses Act), the *Auslandsreisekostenverordnung* (Ordinance Governing the Reimbursement of Costs Associated with Foreign Travel), public procurement law and, if required, the *BNBest-AA* (Special Auxiliary Conditions for Allocations Provided by the Federal Foreign Office). The *ANBest-P* provisions are included in the production funding agreement appendix, and the *BNBest-AA* is also included in the production funding agreement appendix for the WCF Africa special programme.

The WCF can only make funding payments upon the signature of a funding agreement it has drawn up. The funding agreement contains conditions relating to the utilisation of funds, the execution of the project, and proof that the funding is used for its intended purpose. Individual deadlines will be determined in the funding agreement for funding received through the *WCF Africa* programme.

In general, the funding cannot account for more than 50% of the total production costs.

