



::: Guidelines :::

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

The World Cinema Fund (hereafter referred to as '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 referred to as 'IFB') is the legal entity of this initiative.

::: 2. Aims of the Fund :::::::::::::::::::::::::::::::::::::::

The World Cinema Fund's goal is to support films from regions in which film production is threatened by political and/or economic instability. With the WCF's support, these films are to be produced with a German partner and their chances of being seen by an international audience strengthened. Furthermore, the aim is create diversity in German cinemas.

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

The main criterion for selection is the artistic quality of the projects. The preference is to fund projects that tell strong stories, that are creatively and visually innovative, that have the potential to enjoy international success - as well as being of cultural and political relevance.

::: 3. WCF Entitled Regions :::::::::::::::::::::::::::::::::::::::

The following regions are eligible for funding under these guidelines: Latin America, Africa, the Near and Middle East/Central Asia, South East Asia and the Caucasus.

A film will be considered to be from a particular region if it is shot there and if the director comes from that region.

:: 4. Funding Programme :::

- Production funding for theatrically released feature films (must be at least 70 minutes long) and creative feature-length documentaries (must be at least 70 minutes long)
- Distribution funding for theatrically released feature films and feature-length documentaries

The allocation of funds for the production of a film does not automatically include funding for the film's distribution. Distribution support, however, can be allocated even if the production has not been supported by the WCF.

:: 4.1 Production Funding

The amount of funding should not normally exceed 50% of the total production costs. The maximum amount of funding per project is € 80,000. The current submission deadlines can be found at www.berlinale-worldcinemafund.de

:: 4.1.1 Entitled applicants and recipients:

- Registered film production companies based in Germany, as well as other EU countries, as long as these have a branch or place of business in Germany, and can prove a working relationship with a director from the regions eligible for WCF funding.
- Registered world sales and distribution companies based in Germany, as well as other EU countries, as long as these have a branch or place of business in Germany, that are financing part of the production, and can prove a working relationship with a director from one of the regions eligible for WCF funding.
- Film production companies from WCF eligible regions who can confirm collaboration with a director from a WCF region. The cooperation with film production, sales and distribution companies registered in Germany can take place after the application has been made, but no later than three months after a funding recommendation has been made and must happen before payment of the first funding instalment. If not, the recipient will no longer be entitled to receive the funding. The contracting party, and the recipient of the WCF funding, must always be the German partner. The WCF funding must be attributed to the project's German spend.

The funds must be used for the film project that has been earmarked to receive the funding and should be spent for the production of the film in the abovementioned WCF eligible regions. Exceptions can only be made with the prior written consent of the WCF. If the funding is not used for the project it was earmarked for, it must be paid back immediately.

The funding recommendation normally expires if the complete financing of the project cannot be confirmed six months after the initial approval of the WCF. Any exceptions on behalf of the funding applicant must be applied for in writing to the WCF and are subject to approval.

:: 4.1.2 Payment of funding:

The WCF funding recipient and contracting party must always be the German partner. The WCF funding must be spent on costs incurred on production in one of the WCF's eligible regions (minus 7.5%, that the German partner can spend on their own expenses incurred on the production).

50% upon signing the funding agreement and after positive verification of the total film financing

42,5% upon submission of the rough cut of the film that must be delivered at the latest 12 months after first day of principal photography

7,5% upon approval of the examination of expenditures by an recognised auditing company (whereby proof of expenditure must be provided to the WCF at the latest 18 months after the production funding agreement is executed - if not, the recipient will no longer be entitled to receive the final funding instalment).

Any exceptions on behalf of the funding applicant must be applied for in writing to the WCF and are subject to approval.

:: 4.1.3 Repayment of funding:

Once the funding recipient has recouped, the WCF takes a share of the funding recipient's net proceeds, from domestic and international income. This takes place over the duration of seven years, starting from the date of the film's world premiere.

50% of the funding recipient's income is to be recouped by the WCF. If other funding bodies have contributed to the financing of the film, proportional repayment in line with the amount of the funds granted can be negotiated

Producers' net proceeds can be defined as all remaining income from sales of the film both domestically and internationally, after those parties named in the finance plan have recouped, including the funding recipient.

The WCF's recoument share is relative to the percentage of the WCF funding of the German share in the film's financing plan, and can be up to the total amount of the

funding granted. The share of the funding recipient's own investment is defined by the Film Subsidies Act (Filmförderungsgesetz or FFG) in its current edition.

German producers can claim up to 7.5% for expenses, relative to their share in the financing of the film.

Any funds recouped by the WCF are to be invested in future WCF projects.

:: 4.1.4 Non-Commercial Rights:

The funding recipient hereby commits to assigning non-commercial exploitation rights in the funded film to the WCF, by means of the funding agreement. The final terms of assignment are to be outlined in the funding agreement. Pursuant to the funding agreement, the WCF is entitled to assign these rights to other partner organisations. The WCF can, where appropriate and as stated in the funding agreement, also exploit the film for limited purposes, such as to create a DVD edition or to upload the film to the WCF VOD Selection (VOD platform for select production or funding partners and individuals).

:: 4.1.5 Commercial Rights:

The WCF aims to create a WCF video on demand platform, a non-commercial and free service for selected funding partners and individuals - as well as for the commercial international distribution of the films. Any profits from the site will go back to the funding recipient/rights holder.

:: 4.2 Distribution Funding

The maximum amount of funding per project is €10,000.

WCF funding can not amount to more than 50% of the film's German release costs.

The current submission deadlines can be found at www.berlinale-worldcinemafund.de

:: 4.2.1 Eligible to apply and receive funding are:

Registered distribution and worldwide sales companies - and in exceptional cases, production companies - with an office in Germany, as well as those companies from other EU countries with a branch or office in Germany who intend to release a film from one of the WCF eligible regions theatrically in German cinemas. The funding can only be used to cover costs incurred by the release of the film in Germany.

:: 4.2.2. Payment of funding:

75% upon signing the funding agreement and upon positive verification of the film's total distribution financing

25% upon proof of expenditure (with a certificate from a recognised auditor), where the expenditure report must be provided at the latest 10 months after the film's German release, and 12 months after the funding agreement has been executed. If not, the recipient will no longer be entitled to receive the funding.

In exceptional cases, and with approval from the WCF, recipients can provide a certificate from an accountant with copies of all receipts.

Approved funding normally expires if the German release does not take place within six months after the funding recommendation or at the latest six weeks after payment of the first instalment. Funds already allocated must be paid back in such an eventuality.

Any exceptions on behalf of the funding applicant must be applied for in writing to the WCF and are subject to approval.

:: 4.2.3 Repayment of funding:

After recoupment of the distributor's own initial investment in the release of the film in Germany, the WCF will participate in the proceeds arising from the theatrical exploitation in Germany according to the percentage of the WCF funding of the total distribution costs. These proceeds will be used by the WCF in the funding of future film projects.

In accordance with the individual distribution agreement, the funding recipient can - until the approved costs of distribution are met - recoup distribution expenses from the revenue. The total amount is agreed with the licensor, but must be capped at 35%.

Subsequently, the funding recipient's equity (as agreed by the WCF) is recouped. After this, the funding recipient's costs - if incurred - are recouped for a possible minimum guarantee.

Once these costs are covered, the WCF is then in line to recoup their funding from income from German theatrical revenue, to the extent that the WCF has invested in the distribution costs vis a vis other funds received, up to the total amount of WCF funding provided, and for the duration of the sales period acquired by the funding recipient, starting with the first day of theatrical release in Germany.

The equity share is defined by the Film Subsidies Act (Filmförderungsgesetz or FFG) in its current edition.

:: 4.2.4 Non-commercial Rights :

The funding recipient hereby commits to assigning non-commercial exploitation rights in the funded film to the WCF, by means of the funding agreement - insofar as they are entitled to do so. The final terms of assignment are to be outlined in the funding agreement. Pursuant to the funding agreement, the WCF is entitled to assign these rights to other partner organisations.

:: 5. Procedural Matters ::

:: 5.1

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

:: 5.2

The WCF sets application deadlines for production funding. Applications for distribution funding can be made at any time. These will be updated on www.berlinale-worldcinemafund.de

:: 5.3

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 programme management team of the WCF as well as three other members. The jury meetings will be convened by the WCF. The jury will make its decisions in closed sessions. Its recommendations will be made solely on the grounds of artistic merit of the projects applying for funding. The WCF is solely responsible for adherence to all other requirements regarding funding and makes the final decisions.

:: 5.4

The WCF reserves the right to grant a recipient a smaller amount of funding than applied for. There is no legal right to a WCF funding. Legal claims to payment can only enter into effect upon the signing of the funding agreement. The WCF is under no obligation to explain its reasons for declining any funding application.

:: 5.5

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). Details will be listed in the funding agreement.

:: 5.6

Utilisation of the funds received from the WCF will be audited according to the laws of the Federal Republic of Germany. The WCF can therefore 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. A breach in any of the guidelines in the funding agreement by the funding recipient can result in the WCF reclaiming, in part or totally, funding previously granted.

