

South Australian Film Corporation General Guidelines

Prologue

The General Guidelines included in this document provide the basic framework for all of the South Australian Film Corporation's programs and initiative guidelines.

They provide definitions of standard terms included throughout the South Australian Film Corporation's individual guidelines, outline the general conditions that apply across the South Australian Film Corporation's programs, and describe the standard procedures for making an application.

They are a central reference point that aims to provide clarity and certainty for potential film and digital media practitioners.

The Guidelines should be read in conjunction with the specific program guideline and the South Australian Film Corporation's Terms of Trade documents.

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These General Guidelines are not exhaustive and should be read in conjunction with the relevant South Australian Film Corporation program guidelines, Standard Terms & Conditions and the program application form.

All guidelines and application forms, along with the contact details of the appropriate project officer, can be found at www.safilm.com.au.

01 Overview

About the South Australian Film Corporation

The South Australian Film Corporation is a statutory body established under the 1972 South Australian Film Corporation Act for the specific purpose of supporting the growth and development of the screen industry in South Australia.

Operating under the auspices of the South Australian Strategic Plan, the South Australian Film Corporation takes an active role in providing leadership, assistance and advice to people, projects and businesses, as well as ensuring South Australia remains an attractive destination for filmmaking.

Uniquely the South Australian Film Corporation also provides production and post-production facilities, a locations service and other assistance to productions working in South Australia.

Strategy 2012

Purpose

To empower the South Australian screen production industry to achieve success

By success the South Australian Film Corporation means creative, critical, cultural and commercial achievement in the production of either feature film, television, documentary, animation and digital media projects.

We will achieve this commitment by partnering with the local industry and by fostering an environment that encourages creativity and is open to doing things differently. We will make ourselves distinct by understanding our strengths and playing to them. And we will focus our resources on delivering innovative programs, services and development opportunities to our key stakeholders.

South Australia has a well-deserved reputation as the home of independent filmmaking and the South Australian Film Corporation is committed to maintaining this reputation, primarily for the benefit of the South Australian screen production sector, but also for the benefits that this has for the rest of the South Australian economy and community.

Vision

To be recognised globally as the most dynamic screen agency in Australia

To the South Australian Film Corporation, *dynamic* means: engaged, leading, energetic, active and entrepreneurial in developing and changing the screen production landscape.

We understand that to be recognised as dynamic, we need to 'live it' in our behaviours, values, systems, communications and operations.

Furthermore, we need acknowledge the prior achievements of the Corporation and focus on building on the past to move to the future.

Strategy

The South Australian Film Corporation 2012 strategy is defined by four strategic drivers and two operational directives.

Strategic drivers

- / Deliver innovative programs
- / Position South Australia as a premium film location
- / Introduce boutique filmmaking facilities
- / Foster a vibrant and healthy screen industry culture

Operational directives

- / Operate with integrity and communicate openly
- / Take a bold approach to new opportunities

Industry Development & Production programs

Summary

The State Government, through Arts SA and the Department Trade and Economic Development, provides funding for all of the South Australian Film Corporation programs.

The Industry Development & Production division is responsible for managing and delivering the industry funding programs.

Industry Development & Production is the key point of contact for industry practitioners seeking development and production assistance for feature films, television drama, short films, documentaries, animation, screen culture and digital media projects.

Applicants are expected to first discuss their project with the appropriate project officer in the Industry Development & Production division before making a formal application.

Division of programs

In line with its new strategic plan, and in order to provide clarity regarding the outcomes that it expects from each program, the South Australian Film Corporation has divided its industry support programs into four key areas:

- Production Finance
- Project and Business Development
- Professional Development
- Content Attraction

These programs form the backbone of the South Australian Film Corporation's support for the production sector, which are complemented by the provision of studio services that are soon to be upgraded for the overall benefit of the South Australian industry.

It is important to note that these programs will be enhanced by development and production initiatives that the South Australian Film Corporation instigate from time to time, and the opportunities that it responds to in order to foster the local sector.

The South Australian Film Corporation will, for example, seek to be more active in the development area, in order to assist writers, directors and producers at this crucial stage. Over the past few years the South Australian Film Corporation has taken advantage of a range of development programs run throughout the country, placing South Australian key creative teams in a variety of schemes, from T-Vis through to the well-regarded Aurora scheme in NSW. The

Corporation will continue to look to these opportunities alongside the specific programs included in these guidelines.

The complete list of the South Australian Film Corporation's support programs is as follows:

1. Production Finance

- 1.01 Drama and Documentary Investment
- 1.02 Digital Media Investment
- 1.03 Revolving Film Fund

2. Project and Business Development

- 2.01 Producer Business Development
- 2.02 Drama Project and Script Development
- 2.03 Documentary Project and Script Development
- 2.04 Digital Media Project Development
- 2.05 Enterprise Development

3. Professional Development

- 3.01 Practitioner Development
- 3.02 Interstate Business Travel
- 3.03 International Business Travel
- 3.04 Emerging Writer and Producer Development
- 3.05 Attachment Scheme
- 3.06 Digital Media Attachment Scheme
- 3.07 Short Film Development
- 3.08 Short Film Production
- 3.09 Interstate Internship
- 3.10 International Fellowships

4. Content Attraction

- 3.11 4.01 Film Services
- 3.12 4.02 Payroll Tax Exemptions

02 Definitions and terms of reference

The following are definitions and terms of reference for South Australian Film Corporation program guidelines.

animation	The South Australian Film Corporation uses the established Australian Communications and Media Authority definition, as outlined in the Broadcasting Services (Australian Content) Standard 2005.
control of copyright	To be eligible for funding, the applicant / must either be the copyright owner or be able to deal in all rights relevant to the project prior to making a formal application.
co-production	A co-production is any production undertaken involving more than one producer, from different states or different countries. Co-productions can take many forms, and involve different levels of creative and financial control between the co-producing partners.
co-production (genuine)	A genuine co-production is one where a South Australian producer and a non-South Australian co-producer share: / creative control, / copyright and profit entitlements / credit entitlements
credited	The term “credited” refers to writers, directors and producers (and in the case of digital media, “teams”) who have a track record in screen production. To be considered “credited”, the applicant must have obtained, / For feature film, television broadcast documentary or drama - a credit for a minimum of two (cumulative) hours of documentary or drama that has been commercially released / For digital media projects - a track record in digital media production, that is appropriate to the type of project seeking funding
digital media	The term digital media is a broad one that is continually evolving in line with developments in the production and delivery of digital content that incorporates moving images and sound. Given the speed of change within this sector, the South Australian Film Corporation recognises that having too hard-and-fast definition of digital media runs the risk of its guidelines becoming outdated and not being able to respond to opportunities that present themselves. For the purposes of these guidelines, digital media refers to audiovisual projects that are generated digitally, that are <u>narrative-rich</u> and that display high levels of audience interactivity. Projects that are included in this definition could include: / cross-platform projects / interactive websites / interactive online or mobile-based dramas, documentaries and animations / narrative-rich gaming environments / “serious games” (as defined in the ABC/Screen Australia initiative) / traditional films that have been extended to have a genuinely interactive

	<p>or cross-platform dimension</p> <p>While the South Australian Film Corporation prioritises such projects, it will also consider other digitally generated projects in exceptional circumstances where there are strong marketplace attachments.</p> <p>Digital media projects that are primarily educational in nature are excluded from the general guidelines, as the South Australian Film Corporation intends to run ongoing initiatives focusing on educational digital media.</p>
documentary	The South Australian Film Corporation uses the established Australian Communications and Media Authority definition, as outlined in the Broadcasting Services (Australian Content) Standard 2005.
feature film	The South Australian Film Corporation uses the established Australian Communications and Media Authority definition, as outlined in the Broadcasting Services (Australian Content) Standard 2005.
industry committee	<p>All eligible applications are assessed by a South Australian Film Corporation industry committee. The committee includes experienced Australian producers, industry practitioners and representatives from the South Australian Film Corporation.</p> <p>The South Australian Film Corporation aims to have at least one South Australian representative on all committees</p>
interactive	The South Australia Film Corporation considers a project to be interactive when it provides the user with an experience, which at a minimum allows the user to search, browse and choose which elements are to be presented and the sequence in which they are presented.
interstate partnerships	<p>The South Australia Film Corporation encourages genuine co-productions between South Australian and non-South Australian companies.</p> <p>When a genuine co-production is not possible the South Australian Film Corporation will look favourably on projects that have high levels of South Australian involvement, particularly in the engagement of credited South Australian key creatives.</p>
key creative	The South Australian Film Corporation defines a key creative as either a writer, director or producer.
market attachment	<p>Some schemes require the applicant to include market attachments. These could include:</p> <ul style="list-style-type: none"> / license fees / pre-sales / distribution guarantees or advances provided by reputable (national or international) distribution companies / development funds from the genuine industry marketplace or broadcasters, excluding private funds <p>The South Australian Film Corporation recognises that digital media does not have established market attachments in the same form as established media forms, and that it will need to remain open to different forms of third party attachments for this form of production, such as (for example):</p> <ul style="list-style-type: none"> / development or investment funds from game publishers, telecommunications companies or bone fide content portals
market interest	<p>Market interest is defined by the South Australian Film Corporation as formal feedback from industry marketplace in a particular project that they may be interested in pursuing (ie. a letter of interest); compared to a market attachment (or demonstrated market interest) whereby formal commitment of investment is required.</p> <p>On a case-by-case basis other non-marketplace investment commitments will be considered, including from other film agencies such as Screen Australia, and film festival investment funds.</p>

meetings	A confirmed schedule of meetings is essential criteria for a number of development programs. Appropriate meetings for applicants could include those with agencies, financiers, broadcasters, distributors, sales agents, production companies, producers, executive producers, casting agents and creative agents.
producer (South Australian)	A producer who meets all South Australian resident requirements (refer to <i>South Australian resident</i>).
producer equity scheme	A scheme by which the South Australian Film Corporation reverts recoupment rights to South Australian producers who make a South Australian production (or a genuine co-production) that the Corporation invests in. The scheme is a pilot scheme and is outlined as an attachment in the South Australian Film Corporation's Terms of Trade document.
series/mini-series	The South Australian Film Corporation uses the established Australian Communications and Media Authority definition, as outlined in the Broadcasting Services (Australian Content) Standard 2005.
South Australian post production company	A South Australian post production company is defined by the South Australian Film Corporation as a registered company that meet all of the following: <ul style="list-style-type: none"> / have their principal place of business in South Australia / have at least 50% beneficial ownership by a South Australia resident(s) / engages South Australian facilities and personnel. / have been in operation for a minimum of six (6) months prior to submitting the application.
South Australian production company	A South Australian production company is defined by the South Australian Film Corporation as a registered company that meet all of the following: <ul style="list-style-type: none"> / have their principal place of business in South Australia / have at least 50% beneficial ownership by a South Australia resident(s) / have been in operation for a minimum of six (6) months prior to submitting the application.
South Australian resident	Resident South Australians are defined as individuals who meet all of the following: <ul style="list-style-type: none"> / have their principal place of abode in South Australia / are professionally based in and carry on their business in South Australia / have been registered on the state electoral role for at least six months prior to submitting their application.
significant Australian content certificate	In general film and television projects must be qualifying Australian projects as defined by Significant Australian Content (SAC) Certification. Where there is no Provisional SAC Certification, the South Australian Film Corporation will refer to the SAC Guidelines to assess the likelihood of the project qualifying. Television projects must qualify as Australian Content.
telemovie	The South Australian Film Corporation uses the established Australian Communications and Media Authority definition, as outlined in the Broadcasting Services (Australian Content) Standard 2005.
three-sixty (360) degrees	Is the term used to describe the extent to which a film, program or digital media project can be distributed across a multiplicity of delivery platforms. A project that is considered to have met its 360 degrees potential is one that not only can be delivered across different platforms but that has exploited to the fullest the opportunities for interactivity and audience engagement on the new digital platforms.
track record	For most of the South Australian Film Corporation's programs, an applicant's credit(s) are used to determine their level of experience or 'track record'

when applying for funding (refer to *credit*).

The South Australian Film Corporation recognises that in digital media that credits are not used in the manner developed for traditional media forms, and will make assessments about the track record of digital media producers on a case-by-case basis for digital media applications.

Importantly the relevance of the credit, in respect to the type of funding the applicant is applying, will also be reviewed when establishing eligibility for the funding.

The South Australian Film Corporation reserves the right to request proof of credits in applications for funding.

For inexperienced practitioners, the South Australian Film Corporation will require the inclusion of a more experienced mentor, consultant, producer, script developer or director. Applicants will require South Australian Film Corporation approval for proposed consultants.

03 General Conditions

alternate sources of funding	<p>As the South Australia Film Corporation’s funding is limited, it encourages applicants to maximise alternate sources for funding for their projects.</p> <p>The South Australia Film Corporation recommends applicants make applications to other funding sources where appropriate or similar funding schemes are available including, Screen Australia, other State agencies (if any one of the writer, producer or director or a team is based in that state) and broadcasters in the case of television projects.</p> <p>It is important to note that the outcome of such applicants will not determine the South Australian Film Corporation decision but may be a pre-request to any funding consideration.</p>
co-productions	<p>The South Australian Film Corporation is open to supporting co-productions where a South Australian production company has entered into a genuine co-production relationship with an interstate or international production company.</p>
collaborations	<p>Where appropriate, collaboration between credited and emerging or developing practitioners that have entered into genuine business relationships are encouraged.</p> <p>The South Australia Film Corporation may make ask emerging practitioners to investigate these relationships as a precondition to consideration for funding.</p>
corporate entities	<p>Corporate entities cannot be applicants, but the South Australia Film Corporation will contract with such entities (ie. individual applicants can subsequently contract under a company name).</p> <p>For contracting purposes corporate entities must be incorporated in Australia and carry on its business in Australia, and have its central management and control in the hands of Australian citizens or residents.</p> <p>Shareholders who are citizens or residents of Australia must also control its voting power.</p> <p>Applicants and/or the subsequent contracting party must at least have an Australian Business Number (ABN) prior to lodging an application.</p>
credits	<p>The South Australian Film Corporation reserves the right to request proof of credits, as part of the application process</p>
disclosing funding sources	<p>Applicants must disclose:</p> <ul style="list-style-type: none">/ applications for funding from other sources/ funding already secured at the time of application/ any conditions that attach to either of these sources of funding.
discussion about funding sources	<p>As part of the application process, the South Australian Film Corporation may need to hold discussions with the proposed marketplace and other third party players about their involvement in the project.</p> <p>While the South Australian Film Corporation will make best endeavours to notify the applicant prior to contacting other sources listed in the application finance plan, it reserves the right to contact and discuss a project with all parties associated with an application – including but not limited to the broadcasters, distributors, sales agents, crew and or funding bodies approached by the applicant.</p> <p>The content of these discussions will be held in confidence by the South Australian Film Corporation.</p>

GST	<p>The South Australian Film Corporation requires the applicant to have an Australian Business Number (ABN).</p> <p>The South Australian Film Corporation will require the applicant to issue a tax invoice as a precondition to draw down of the South Australian Film Corporation Investment.</p>
reports	<p>For some development programs, successful applicants are required to submit a detailed report on the outcome of the course, workshop, conference or event and any industry meetings held detailing their benefits to the applicant's career within 21 days of the events conclusion.</p> <p>With the practitioner's consent an edited version of the report may be posted on the South Australian Film Corporation website for the benefit of the film, television and digital media community.</p> <p>Applicants may also be required to share information and skills learnt at events facilitated by the South Australian Film Corporation.</p>
resubmissions	<p>Industry committees may deem that a project that has not received funding cannot be resubmitted for consideration unless the project can either:</p> <ul style="list-style-type: none"> / demonstrate substantial further development / produce evidence of significant marketplace interest <p>The South Australian Film Corporation will only fund one phase of development without marketplace attachments.</p>
working with Aboriginal and Torres Strait Islander content and communities	<p>Applications involving or dealing with Aboriginal and Torres Strait Islander material should include appropriate permission from the relevant community.</p> <p>An Aboriginal and Torres Strait Islander consultant may be appointed by the South Australian Film Corporation to provide an assessment of the application to ensure that appropriate consultation is taking place and that the use of the material is appropriate and acceptable to the relevant community and Aboriginal and Torres Strait Islander communities generally.</p> <p>The South Australian Film Corporation recommends that applicants refer to the guidelines developed by Screen Australia entitled "A Guide to Protocols for Screen based practitioners Working with Indigenous Content and Indigenous Communities" (http://www.afc.gov.au/downloads/indig_prot_draft.pdf).</p> <p>This guide is intended to provide practical advice about the ethical and legal issues involved in transferring Indigenous cultural material to the screen.</p>

04 Eligibility

03.01 Key eligibility criteria

- / Applicants must be Australian citizens or permanent residents of Australia and be 18 years of age or older.
- / Applicants must have an Australian Business Number (ABN)
- / Applicants must be individuals (ie not corporate entities)

03.02 Priority and preference with applications

The South Australian Film Corporation gives priority to:

- / applicants who are South Australian residents.
- / applicants with track records in film, television and digital media productions (or applicants supported by teams with significant and appropriate track records)
- / projects intended for production and post production in South Australia, using principally South Australian resident key creatives, cast and crew.

While the South Australian Film Corporation will remain open to innovative financing and production methodologies, preference is given to projects where:

- / third party marketplace attachment/s or expressions of market interest are in place

03.03 Non South Australian production companies

Non South Australian production companies are eligible for consideration for production funding:

- / when they employ one or a number of key creatives from the state.
- / when they can demonstrate that they are bringing strong economic, cultural and/or creative benefits to the state. This will be assessed by the extent to which the production:
 - employs substantially South Australian head of departments, crew and creative personnel
 - generates professional development opportunities for the local production industry

And in the case of feature film, documentaries and television programs:

- is primarily filmed/post-produced in South Australia

03.04 Specific eligibility

Specific eligibility applies to all South Australian Film Corporation programs and are listed in the program guidelines. In addition to meeting general eligibility criteria, applicants must meet the program eligibility requirements to apply.

03.05 Ineligible applications

The following applicants will not be considered and are not eligible for program funding by the South Australian Film Corporation:

- / Any party who is in default of any contractual obligations to the South Australian Film Corporation is not eligible for funding.

- / Applicants who are not in default but who in the opinion of South Australian Film Corporation management have a number of concurrent outstanding projects in development that may impact on the quality and hamper the timely delivery of the work.
- / Applications for retrospective funding.
- / Projects that have been previously declined funding unless the project can either demonstrate substantial further development or produce evidence of significant marketplace interest before re-submission (refer to resubmitted projects)
- / Applications for commercial videos, advertisements, current affairs, reality television, infotainment, infomercials, game shows, serials/soaps, P-classification children's TV, corporate sponsored, sport, educational, non narrative games, DVD Books, training, lifestyle, magazine style, music videos, non narrative experimental, performance, video art, or 'how to' programs.
- / Screen events or cultural activities that occur outside South Australia.
- / Applications which include purchase of equipment, capital works or publication costs of film journals, books or magazines.
- / In the case of digital media projects applications for enabling technology including the purchase of hardware, software or platform developer's kits.
- / Applications from secondary students and tertiary undergraduates (however part-time and post graduate students will be assessed on a case by case basis).
- / Applications from practitioners employed on a full time basis by television networks or educational or training institutions are considered on a case by case basis.
- / State or federal bodies or entities.
- / Applications which include funding for the purchase of rights in the work, or for the costs of options in the work.
- / Full-time students are not eligible to apply. Part-time and post graduate students are eligible only where the film does not form part of the assessable material for the course and were the applicant holds all the copyright.
- / Any combination of the above or without limitation any other factors or circumstances deemed relevant in the South Australian Film Corporation's reasonable opinion.

05 Application and assessment process

05.01 Working with a South Australian Film Corporation project officer

Prior to submitting a formal application, applicants must discuss their project with the relevant project officer in the Industry Development and Production (IDP) division. In some cases, applicants may be required to discuss their applications with the Manager of IDP.

Depending on the scheme or initiative it is recommended that applicants need to discuss their submission well in advance of any closing date to allow for any modifications required.

The project officer may refuse applications that do not conform to guidelines or may ask applicants to submit the project at a future round based on recommendations made by the project officer.

The allocation of project officers is subject to availability and workload and the South Australian Film Corporation reserves the right to re-assign the application to another project officer at any stage of the project's evaluation or progression.

05.02 Submitting an application

Formal applications should be forwarded to the South Australian Film Corporation and marked to the attention of the relevant project officer.

Applications must be received no later than close of business (5pm) on the day outlined the schemes guidelines or be post marked on that day.

It is imperative that the application form is fully completed and that any other additional requested items are supplied. Incomplete or late applications will not be considered.

The application materials must be printed on one side only and NOT bound or stapled. Curriculum vitae's submitted should be limited to one page and list only experience relevant to the application.

The South Australian Film Corporation will provide a prompt written acknowledgement that the application has been received within five (5) working days of the closing date. Should applicants not receive acknowledgement within this timeframe it is recommended that they contact the program coordinator.

Applicants should keep their own copy of the application and should not under any circumstances submit original supporting material. Once assessment is complete, the South Australian Film Corporation will retain one copy of the application for its records and confidentially destroy copies.

The South Australian Film Corporation will not return any materials.

05.03 Request for further information

Project officers may at any stage of the assessment or funding process request further information from the applicant or suggest amendments to strengthen an application. This process of consultation may extend over a period of weeks, and applicants should allow sufficient time for this process.

Failure to deliver the requested material in a timely manner will result in the application being withdrawn from consideration or declined funding. Withdrawn applications cannot be resubmitted without the prior approval of the project officer.

05.04 External analysis

The project officer will, where appropriate, commission an external analysis from industry professionals to assess the application material and provide a written assessment of the project to be presented to the funding committee.

- / Industry professionals are selected from a list held by Industry Development and Production. The South Australian Film Corporation will advertise yearly for external assessors.
- / External assessors will be free of any conflict of interest with the applicant or project.
- / The written reports provided by external assessors inform but do not determine the funding outcome of the project.
- / The written reports are provided to applicants for their information only and applicants should not presume that any feedback or suggestions in the report be used for subsequent re-submissions of the project.
- / The reports may not be reproduced or used (including extracts) for any purpose without the prior written consent of the South Australian Film Corporation.

05.05 Key assessment criteria

In assessing applications the South Australian Film Corporation will consider the following:

- / quality, originality and the creative ambition of the project
- / track record of the applicant(s) and principal(s)
- / viability and direction for the next draft as outlined in the writers, producers and director notes
- / marketability and market potential of the project including the strength and reliability of any market attachments
- / proposed financing and recoupment structure, and the prospect of recoupment
- / likelihood of the project being financed
- / economic benefits including spend in South Australia and employment of key crew
- / the outcome of previous South Australian Film Corporation support;
- / cultural and creative benefits of the project to South Australia
- / nature and level of funding requested
- / quality and rigor of supporting materials
- / strength of the 360 degree cross-platform content development and its proposed marketing and distribution plan (where applicable)
- / career development benefits to the principals and the South Australian industry development benefits of the project
- / overall diversity of projects funded by the South Australian Film Corporation
- / availability of South Australian Film Corporation funds

In addition, some programs are assessed on additional criteria related to the specific program. Additional criteria is listed in the application form.

05.06 Interviews

The Industry Committee may request an interview or meeting with the creative team prior to a decision being made.

05.07 Funding approvals and conditions

The South Australian Film Corporation is committed to communicating funding decisions in the most timely manner.

Depending on the applicable scheme, applicants should allow between two (2) to eight (8) weeks for a formal decision. Specific timelines will be communicated at the release of the program round.

South Australian Film Corporation staff are unable to provide feedback about funding decisions until all necessary paperwork, including the Decision Minutes has been ratified by the Committee.

05.08 Letter of Commitment

If the application is approved by the South Australian Film Corporation Board, applicants will receive a Letter of Commitment detailing the level of the South Australian Film Corporation's proposed funding, the timeframe for contracting and any applicable special conditions. Applicants should note that the Letter of Commitment does not constitute a binding offer on behalf of the South Australian Film Corporation until such time as the formal contracting process has been concluded to the South Australian Film Corporation's satisfaction.

05.09 Unsuccessful submissions

Unsuccessful applications will receive a pro forma letter advising the outcome of the application. Except where external assessments are commissioned, in general feedback will not be provided.

Assessment decisions made by South Australian Film Corporation industry committees in respect to any funding application is absolute and final and not subject to appeal.

The South Australian Film Corporation will not make public its reasons for funding decisions.

If required, unsuccessful applicants should discuss their concerns with Manager Industry Development and Production.