

**Regulation establishing the criteria and procedure applicable to the award and the payment of regional grants referred to in Article 10 paragraph 2 of Regional Law No. 21 of 6 November 2006 (Regional provisions governing the promotion, support and development of film culture and heritage, for the development of audiovisual productions and for the location of cinemas in Friuli Venezia Giulia), pursuant Article 10, paragraph 4 of Regional Law 21/2006.**

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*This is an English courtesy translation of the original documentation prepared in Italian language. Please consider that only the original version in Italian language has legal value.*

## **Article 1. Aims and purpose**

1. This regulation establishes and governs the criteria and procedure applicable to the award and the payment of regional grants financed by the Film Fund and allocated to the Associazione Friuli Venezia Giulia Film Commission hereinafter the “Film Commission” in compliance with Article 10 of Regional Law No. 21 of 6 November 2006 (Regional provisions governing the promotion, support and development of film culture and heritage, for the development of audiovisual productions and for the location of cinemas in Friuli Venezia Giulia) aimed at supporting film productions, audiovisual productions and similar initiatives supporting employment, the development of tourist economy and the promotion of cultural, natural and environmental resources of the region.

## **Article 2 Beneficiaries**

1. The grants are awarded to film production, audiovisual companies and companies with similar activities .
2. Undertakings in difficulty as described in article 2, paragraph 18 of Regulation (EU) No. 651/2014 of 17 June 2014 are excluded from the grants referred to in paragraph 1.

## **Article 3 Initiatives eligible for funding**

1. Grants are awarded for the making in the region of film, audiovisual productions and similar initiatives such as
  - a) feature films;
  - b) animated films;
  - c) TV dramas, TV series, web series
  - d) documentaries;
  - e) short films and
  - f) music videos.
2. Each film or audiovisual production or similar initiative can be awarded only one grant with the exception of series productions where each single series or each yearly edition can be financed.
3. Productions for the purposes of advertising, productions of a pornographic or discriminatory nature or which defend violence, and programmes promoting an organisation or its work shall not be eligible for grants.

## **Article 4 Application for a grant**

**1.** The application for a grant shall be submitted using the application form approved by decree of the Director of the Tourism Service and published on the “Film Commission” website.

**2.** The application must be signed by the legal representative of the company applying for the grant and to be accepted it must be sent to the “Film Commission” by certified electronic mail (PEC) by applicants having their registered office in Italy or an equivalent means guaranteeing the certainty of the date, in the case of all other applicants at least one day before the scheduled start date of the filming

**3.** The grant application for the initiatives described in Article 3, 1, a), b) and c) must be accompanied by the following documents:

a) a statutory declaration in lieu of an oath or an equivalent document setting out the company identification details, the corporate purpose and the name of the legal representative;

b) the subject and the screenplay of the work for which the application is submitted;

c) the professional CV of the producer and the director;

d) a copy of a distribution agreement or broadcasting agreement of the work - where such an agreement is in place - together with a list of the works distributed in the last three years;

e) a copy of contracts or letters of interest - if there are any - agreed on with actors together with their CVs;

f) a copy of a valid identification document of the legal representative;

g) a copy of co-production contracts or agreements, where they are in place;

h) a summary of the total estimated costs of the production, including the budgetary expenditure to be made in the region drawn up in line with the sheet published on the institutional site of the “Film Commission”;

i) a declaration stating the award of the Fondo per l’Audiovisivo del Friuli Venezia Giulia;

l) documents stating the award of other international or national territorial funding.

**4.** The grant application for the initiatives described in Article 3, paragraph 1, d), e) and f) must be accompanied by the following documents:

a) a statutory declaration in lieu of an oath or an equivalent document setting out the company identification details, the corporate purpose and the name of the legal representative;

b) the subject and the screenplay of the work ;

c) the CV of the producer and the director;

d) a copy of a distribution agreement or broadcasting agreement of the work - where such an agreement is in place - together with a list of the works distributed in the last three years;

e) a copy of a valid identification document of the legal representative;

f) a copy of co-production contracts or agreements, where they are in place;

g) a summary of the total estimated costs of the production, including the budgetary expenditure to be made in the region drawn up in line with the sheet published on the institutional site of the “Film Commission”;

h) a declaration proving the award of the Fondo per l’Audiovisivo del Friuli Venezia Giulia;

i) documents stating the award of other international or national territorial funding

**5.** If the application is submitted again for any reason all the accompanying documents must be submitted again as well.

**6.** The documents provided and the material handed over to comply with this regulation will not be returned in any case at the end of the procedure.

## **Article 5 Aid intensity and eligible costs**

**1.** Grants for initiatives referred to in Article 3, a), b) and c) are allocated subject to the following maximum amounts:

- a) 280,000.00 euros when filming takes place in the region for more than 72 days;
- b) 200,000.00 euros when filming takes place in the region between 24 and 71 days;
- c) 70,000.00 euros when filming takes place in the region for 24 days or less.

**2.** Grants for initiatives referred to in Article 3, 1, d), e) and f) are allocated subject to the following maximum amounts:

- a) 30,000.00 euros when filming takes place in the region for more than 10 days;
- b) 10,000.00 euros when filming takes place in the region for 10 days or less.

**3.** The grants in paragraph 1 and 2 are funded for the maximum amount of 50% of the total costs of the production.

**4.** The following costs incurred in the region are eligible:

- a) accommodation costs including board and lodging ;
- b) hiring of equipment and technical materials including means of production;
- c) costs of audio, video and lighting services;
- d) any other cost other than those referred to in a), b) and c) including prop hire, costume hire, the purchase of items necessary to fit out the set, office rental, location rental and rental of studios, equipment, wardrobe, vehicle storage, fees relating to permits and licenses, insurance, catering, casting, fuel and travel costs, audio and video production costs, executive production costs or costs for the employment of local staff for a limited period of time.

**5.** The grant intensity is established according to Annex A that is an integral and substantial part of this regulation.

## **Article 6 Community aid regime applied**

**1.** The grant referred to in this regulation is awarded in compliance with the provisions of Article 54 of Regulation (EU) of 17 June 2014 No. 651/2014 (Commission Regulation declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (General Block Exemption Regulation) published in the Official Journal of the European Union, 26 June 2014, No. L 107.

## **Article 7 Cumulation of grants**

**1.** The grants awarded in accordance with this regulation may be cumulated up to a maximum of 50 percent of the total costs of the production referred to in Article 5, 3 with other aids provided for by EU, state or regional legislation, unless otherwise specified.

## **Article 8 General prohibition on the award of grants**

**1.** In compliance with Article 31 of Regional Law of 20 March 2000 No. 7 (single text on norms concerning administrative procedures and right of access) grants cannot be awarded where there is a legal relationship of any kind between companies, legal persons, directors, shareholders or between spouses, relations and in-laws up to the second degree if the legal relationship is relevant to the allocation of grants.

## **Article 9 Evaluation of productions eligible for a grant**

**1.** The grants referred to in this regulation are awarded in accordance with the evaluation and ranking procedure referred to in Article 36 of Regional Law 7/2000.

**2.** The selection of eligible productions is carried out by the Technical Committee on the basis of a comparative evaluation in the framework of specific rankings by 31 March, 31 July and 31 October of each year.

**3.** In the framework of the ranking of the production initiatives referred to in Article 3, 1, a), b) and c) the selection will take place on the basis of the following criteria and keeping in consideration that the minimum total points required in order to qualify for the award of a grant is 40 points:

a) relevance to the promotion of the region: 1 to 3 points;

b) original and innovative character of the production: 1 to 10 points;

c) effectiveness, meaning the potential of the production to reach the audience target it aims at: 1 to 5 points;

d) credentials of the production, author, director and actors: 1 to 10 points;

e) economic impact of the production (financial regional promotion): 1 to 15 points;

f) "FVG effect", meaning the ratio between the duration of filming in Friuli Venezia Giulia and the total number of filming days: 1 to 5 points;

g) feasibility: from 1 to 10 points;

h) any feature different from those in letters from a) to g) aimed at promoting the image of Friuli Venezia Giulia in Italy and abroad: from 1 to 10 points;

i) award of the Fondo per l'Audiovisivo del Friuli Venezia Giulia: 2 points.

**4.** In the framework of the ranking of the production initiatives referred to in Article 3, 1, d), e) and f) the selection will take place on the basis of the following criteria and keeping in consideration that the minimum total points required in order to qualify for the award of a grant is 23 points:

a) relevance to the promotion of the region: 1 to 5 points;

b) original and innovative character of the production: 1 to 10 points;

c) effectiveness, meaning the potential of the production to reach the audience target it aims at: 1 to 5 points;

d) credentials of the production, author and director: 1 to 5 points;

e) feasibility: from 1 to 10 points;

f) award of the Fondo per l'Audiovisivo del Friuli Venezia Giulia: 5 points.

## **Article 10 Technical Committee**

**1.** The Technical Committee responsible for the evaluation of productions is appointed by decree issued by the Central director of Production activities, trade, cooperation, agricultural and forestry resources and it includes:

a) the Director of the Tourism Service acting as President;

b) the Director appointed by the Central direction for culture, sport and solidarity or his delegate;

c) an official from the Tourism Service also acting as Secretary.

**2.** The President of the Film Commission or a delegate on his behalf can take part in the Technical Committee as external member with consultation functions.

## **Article 11 Procedure for the allocation, award and payment of grants**

1. Within 30 days from the drawing up of the ranking by the Technical Committee on the basis of the selection criteria laid down in Article 9, the Director of the regional Tourism Service issues a decree approving the ranking that is then published within the following 30 days on the institutional site of the "Film Commission".
2. The "Film Commission" notifies to the beneficiaries the award of the grant.
3. The grants are paid after the "Film Commission" is granted the regional funding, as follows:
  - a) 50 percent following the approval of the reporting of the costs eligible for the grant;
  - b) 50 percent following the screening or broadcasting of the production testified by a statutory declaration in lieu of an oath within the time limit laid down in Article 13, 1, b).
4. The grant is paid after the beneficiary submits a declaration stating it is not subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market;

## **Article 12 Reporting of the costs**

1. Within 60 days from the last day of filming in the region the beneficiary shall submit to the "Film Commission" the documents referred to in Article 41 and 41 b of Regional Law 7/2000.
2. The time limit referred to in paragraph 1 can be extended upon the grounded request of the beneficiary made before the deadline.
3. The amount of reported costs shall equal at least :
  - a) 150 percent of the grant for the initiatives referred to in Article 3, 1, a), b) and c);
  - b) 100 percent of the grant for the initiatives referred to in Article 3 1, d), e) and f).The infringement of the percentages will result in the withdrawal of the grant.
4. Failure to provide the reporting within the established or extended time limit and failure to provide the statutory declaration in lieu of an oath referred to in Article 11, 3, b) will result in the withdrawal of the grant.
5. False declarations in the documents will result in the withdrawal of the grant and the report to competent authorities.

## **Article 13 Obligations of the beneficiary**

1. During the making of the film work the beneficiary must comply with the following conditions:
  - a) filming must start in the region within 12 months from the communication of eligibility for the grant and must be duly notified to the "Film Commission" in advance before the start;
  - b) the screening or broadcasting of the production shall take place within 36 months from the date of the communication of eligibility;Failure to comply with the above-mentioned conditions will result in the withdrawal of the grant.
2. Furthermore, the beneficiary shall comply with the following obligations:
  - a) the beneficiary will submit a declaration stating it is not subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market;
  - b) for the productions referred to in Article 3, 1, a), b) and c) the beneficiary shall notify daily by e-mail and for the whole filming period in the region the agenda of the production;
  - c) for the productions referred to in Article 3, 1, a), b) and c) the beneficiary shall organise before or during filming a press conference in the region attended by the director, the main

- cast, the regional Councillor for production activities and the President of the “Film Commission” or their deputies and the representative of the media, to the exclusion of none;
- d) the beneficiary shall allow the presence on set of a “Film Commission” representative at any time during the making;
- e) the beneficiary shall grant to the “Film Commission” the right to use free of charge the production, the pictures taken on set and on the backstage only for institutional purposes and for the institutional promotion of the “Film Commission” and the region;
- f) the beneficiary shall allow a “Film Commission” authorised operator to take pictures and to film the making only for documentation purposes;
- g) the beneficiary shall deposit in compliance with Article 6, 4 of Regional Law 21/2006 within 60 days from the screening or the broadcasting of the work, 5 high quality copies of the said work, one copy of the backstage and two copies on CD of set pictures at the “Film Commission” as well as a high quality copy of the said work at the Cineteca del Friuli granting the Cineteca the right of use other than for commercial gain. Upon grounded request the time limit may be extended;
- h) for the productions referred to in Article 3.1 a) and b) the beneficiary shall organise a screening of the production in the region attended by the director, at least one of the main cast even if the production has already been screened at national or international film festivals;
- i) the beneficiary shall invite a “Film Commission” representative to the press conferences for the presentation of the production, to the premiere and to the press conferences of all national and international film festivals where the production is screened;
- l) the beneficiary shall include the logo of the tourist promotion of region Friuli Venezia Giulia and the “film Commission” logo in all the advertising material and any other material of dissemination of the production;
- m) the beneficiary shall include the wording “with the support of Friuli Venezia Giulia Film Commission” in the opening credits of the productions referred to in Article 3, 1, a), b) d) and e) only if filmed in the region for more than 18 days;
- n) the beneficiary shall include in the initial thanks the wording “to Region Friuli Venezia Giulia” and “to Friuli Venezia Giulia Film Commission” or their respective logos and include the “Film Commission” logo in the closing credits of all the productions referred to in Article 3, 1, a), b), c), d) and e) in every single part of the TV series.
- 3.** The time limits referred to in paragraph 1 of this article may be extended upon presentation of a grounded request by the beneficiary.
- 4.** Checks to establish compliance with the conditions set out in paragraph 1 and 2 will be carried out by the “Film Commission”.

## **Article 14 Checks**

- 1.** At any time the “Film Commission” can carry out checks and inspections, also at random, concerning the allocated grant to establish the stage reached in the production work and that declarations made and the information provided by the beneficiary are truthful.
- 2.** At any time the Region can request through the “Film Commission” further specific checks concerning the allocated grant.

## **Article 15 Revocation and suspension**

1. Without prejudice to the cases for withdrawal referred to in Article 12 and 13, the grant shall be withdrawn if the production differs from the production for which the grant is awarded.
2. Suspension of payment and repayment of grants paid shall be governed by Section III Part II of Regional Law 7/2000.

## **Article 16 Transitional provision**

1. Procedures underway that have already been awarded a grant on the date of entry into force of this regulation shall remain subject to the regulation issued by decree of the President of the Region of 25 October 2011, No. 0253/Pres. (Regulation regarding criteria and procedure in relation to the allocation of grants supporting cinema and television productions to the Film Fund allocated to the Associazione Friuli Venezia Giulia Film Commission pursuant Article 10 of Regional Law of 6 November 2006, No. 21).
2. With regard to the procedures referred to in paragraph 1 the regional funding is allocated to the "Film Commission" upon request on the basis of the allocation needs of each production referred to in Article 11, 1 of the Decree of the President of the Region 0253/Pres. of 25 October 2011.
3. Procedures underway that have not yet been awarded a grant on the date of entry into force of this regulation shall be subject to this regulation.

## **Article 17 Allocation of the funding**

1. The Management Financial Statements (*BFG - Bilancio Finanziario Gestionale*) defines the allocation shares reserved for initiatives pursuant to art. 3.
2. The Management Financial Statements (*BFG - Bilancio Finanziario Gestionale*) also defines the allocation shares reserved for the various evaluation sessions of the Technical Committee that selects the eligible initiatives through a comparative assessment within the specifications ranking lists, pursuant to art. 9.

## **Article 18 Referral clause**

1. To the extent that no express provision is made by this regulation, the provisions of Regional Law 7/2000 shall apply.
2. The references to laws, regulations and EU acts contained in this regulation refer to the current texts of these pieces of legislation.

## **Article 19 Repeal**

The Decree of the President of the Region of 25 October 2011 No. 0253 is hereby repealed.

## **Article 20 Coming into force**

This regulation shall come into force on the day following its publication in the Bollettino Ufficiale della Regione.



**ANNEX A  
(referring to Article 9 of the Regulation)**

**INTENSITY OF GRANT**

| Total number of Points                             |    | Grant intensity percentage to apply to the ceilings set out in Article 5 |
|--|----|--|
| Initiatives referred to in Article 3 a), b) and c) |    |  |
| from   | to |  |
| 40   | 50 | 50%  |
| 51   | 60 | 75%  |
| 61   | 70 | 100%   |
| Initiatives referred to in Article 3 d), e) and f) |    |  |
| 23   | 28 | 50%  |
| 29   | 34 | 75%  |
| 35   | 40 | 100%   |