

## **REGULATIONS**

# **Support of the State of Salzburg for commercial film productions**

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## TABLE OF CONTENTS

<b>1</b>	<b>OBJECTIVE.....</b>	<b>3</b>
<b>2</b>	<b>APPLICANTS FOR SUPPORT .....</b>	<b>3</b>
<b>3</b>	<b>SUPPORT REQUIREMENTS .....</b>	<b>3</b>
	3.1 „SALZBURG EFFECT“ AND „SALZBURG FILM INDUSTRY EFFECT“.....	3
	3.2 INTERNATIONAL USABILITY .....	4
	3.3 ADDITIONAL SELECTION CRITERIA.....	4
<b>4</b>	<b>TYPE AND AMOUNT OF SUPPORT.....</b>	<b>5</b>
	4.1 PRODUCTION SUPPORT .....	5
	4.2 SCREENPLAY COMPETITION .....	5
	4.3 EXCLUSION FROM SUPPORT.....	5
<b>5</b>	<b>PROCEDURE.....</b>	<b>5</b>
	5.1 CONSULTING AND PREPARATION BY FILM LOCATION SALZBURG .....	5
	5.2 APPLICATION AND SUPPORT PROCEDURE .....	6
	5.3 FILM SUPPORT COMMITTEE AS ADVISORY CAPACITY .....	6
	5.4 DECISION.....	6
<b>6</b>	<b>PAYMENT OF SUPPORT FUNDS .....</b>	<b>6</b>
<b>7</b>	<b>MULTIPLE SUPPORT.....</b>	<b>6</b>
<b>8</b>	<b>DUTIES OF RECIPIENTS .....</b>	<b>7</b>
<b>9</b>	<b>SUSPENSION AND REPAYMENT OF FUNDS .....</b>	<b>7</b>
<b>10</b>	<b>LEGAL BASES AND EFFECTIVENESS .....</b>	<b>7</b>

## **1 Objective**

The variety of Salzburg's natural as well as cultural landscape with its many historic buildings, picturesque villages and towns offers a wide range of unique film shooting locations. Moreover, Salzburg also serves as an attractive location for international film and TV productions due to its successful film history (e.g. Sound of Music). The location of Salzburg, located right in the middle between the two important film locations of Vienna and Munich, boasts a small but exquisite film and media industry. Due to excellent educational institutions and knowledge carriers such as the University of Applied Sciences Salzburg for "Multimedia Art", "Interactive Services and Digital TV" and the University Department of Communication Studies, Salzburg is home to many professional and creative film and media makers. Besides that, the digital media cluster constitutes a vital precondition for a competitive film location. The support of the State of Salzburg for commercial film productions subsidizes film-makers in realizing their film projects by offering a competent consulting and service centre at Innovation Salzburg GmbH (Film Location) as well as providing financial resources. The State of Salzburg assumes that the municipalities in which the shooting locations are located take an appropriate financial stake in the film support.

The support of the State of Salzburg for commercial film productions wants to invite national as well as international film and TV producers to take advantage of the City and State of Salzburg as a traditional and well-established film location. The main aim of the film support program is to promote the development of Salzburg's cultural as well as film landscape and to support film and TV productions that are expected to yield a high macroeconomic profit for Salzburg and to achieve the "Salzburg film industry effect", particularly by means of increased job opportunities in Salzburg's film industry. A further objective is to convince national as well as international, but particularly local film producers, directors, screenplay writers and other film-makers of the special advantages of the City and State of Salzburg as traditional and attractive film production locations.

## **2 Applicants for support**

To be eligible for support, applicants must be screenplay writers or film producers in the legal form of physical or legal persons or commercial law partnerships undertaking a film or TV project in the State of Salzburg that is expected to have sustained macroeconomic or film-economic effects.

### **3 Support requirements**

#### **3.1 „Salzburg effect“ and „Salzburg film industry effect“**

The Salzburg film support is not restricted to certain film lengths or genres. The variety of eligible projects ranges from films of artistic quality such as program-filling feature films, movies and documentary films to TV entertainment productions. In any case, to be eligible for support the submitted project must be expected to achieve a strengthening of the economic added value of the location of Salzburg (Salzburg effect) and the economic promotion of the Salzburg film industry including increased job opportunities (Salzburg film industry effect).

As a general guideline, the Salzburg effect is reached if at least 200% of the film support funds granted by the State of Salzburg are proven to be spent in the State of Salzburg by means of direct profitability (direct production added value such as accommodation and catering for the film crew, products and services purchased at the film location, work force required for regional production). A sufficient Salzburg effect is also given by achieving relatively high regional added value effects, especially regional tourism added value effects resulting from the film production / the screenplay as well as from broadcasting or publishing.

The Salzburg film industry effect (subset of the macroeconomic Salzburg effect) is achieved if 100 % of the film support funds granted by the State of Salzburg are used for the purchase of relevant supplies and services of the Salzburg film industry. As an exception, the Salzburg film industry effect does not have to be achieved if an unusually high macroeconomic added value effect in relation to the granted film support funds is to be expected of the project.

#### **3.2 International usability**

To qualify for support, eligible projects must prove international usability. International usability can for instance be achieved by:

- 1) International film and TV productions disposing of contracts for worldwide distribution, in which case special priority is given to distribution within the English-speaking market;
- 2) Film and TV productions produced for the entire German-speaking market
  - a) film productions disposing of a distribution contract with major German distributors

b) TV productions disposing of a contract with a television company (e.g. ZDF, ARD, SAT 1, RTL, etc.) for the prime time program

c) productions disposing of a contract with an international distributor for worldwide evaluation.

The economic and film-cultural effects mentioned under section 3.1 and 3.2 are to be set out in the draft budget.

### ***3.3 Additional selection criteria***

Applicants with a residence or business location in the State of Salzburg are preferred.

## **4 Type and amount of support**

### ***4.1 Production support***

The main financial film support focuses on production support, i.e. the financial support of the production costs of TV and movie productions in the City and State of Salzburg, provided that strengthening effects on particularly the economic added value as well as promotion of the Salzburg film industry according to the support requirements are to be expected.

The production support consists of the granting of non-repayable subsidies. In order to decide on the amount of support, the subsidies granted by other institutions for the same film project as well as the availability of support funds granted by the State within the annual film support budget are to be taken into account. Besides that, the determined amount of funds has to comply with the relevant EU regulations for competition and financial assistance of film projects.

### ***4.2 Screenplay competition***

The State of Salzburg rewards the best screenplays with a sustained image effect for Salzburg and a special connection to the City or State. The best screenplays are selected on the occasion of a regular (e.g. annual) competition during which the film support committee acts in an advisory capacity. The criteria for the special connection to Salzburg are determined in the advertising documents for the competition.

The reward for the best screenplay with a special connection to Salzburg can consist of financial as well as material prizes and is determined in the advertising documents of the competition.

### ***4.3 Exclusion from support***

Projects that do not comply with the objectives and support requirements of these guidelines or that have been started before submitting the support application cannot be subsidized.

## **5 Procedure**

### ***5.1 Consulting and preparation by Film Location Salzburg***

The service and consulting centre Film-Location Salzburg is part of the location promotion services of Innovation Salzburg GmbH and serves as a “first stop shop” especially for economically interesting film and TV productions and offers bundled assistance and services from a single location. Offered services include high-quality consulting regarding possible film support and unbureaucratic help in finding suitable shooting locations as well as information and support in contacts with official agencies or arrangements of technical services for the film industry.

### ***5.2 Application and support procedure***

Applicants must submit a signed application form including all required project documents to Film Location Salzburg. Film Location Salzburg’s task is to appropriately prepare the support projects for further processing by Department for Economy, Tourism and Communities (in short: economy department), to check if application and documents are complete, to demand required additional documents and, if required, to support the economy department in the support procedure. Moreover, Salzburg’s Film Location transmits the prepared project documents to the economy department.

### ***5.3 Film support committee as advisory capacity***

The film support committee consists of four members sent by the State of Salzburg. In any case, the (co-) financing departments must be represented in the committee.

If the projects submitted for subsidizing are mainly offering an economic effect for the provincial capital and if they are also considered for funding by the City, a representative of the City of Salzburg is added to the committee.

If required, the committee can also consult experts.

Based on the documents prepared by Salzburg’s Film Location department, the committee discusses the project applications and draws up a support proposal considering the available resources.

### ***5.4 Decision***

The final decision on support applications is made by the support authority. Applicants will be informed on said decision in writing.

## **6 Payment of support funds**

Provided that the application meets the conditions and requirements of the support guidelines and under consideration of the budgetary opportunities of the State of Salzburg, applicants receive non-repayable film subsidies.

## **7 Multiple support**

Multiple support of the same project is possible. It must be indicated in the application and proved in the where-used list. An over-financing is not allowed.



## **8 Duties of recipients**

Applicants or recipients must grant the provincial organs and particularly the Salzburg State Court of Accounts as well as representatives of the donor the right of access to the financial documents and, if required, submit additional documents and required interim billings and reports.

Moreover, applicants or recipients in compliance with the relevant regulations of the data protection law BGBl Nr. 165/1999 (DSG 2000) declare their consent to the publication of their name and address as well as the purpose and amount of support funds in the subventions report of the Federal State Government of Salzburg.

## **9 Suspension and repayment of funds**

Support is discontinued or recipients are informed in writing by the economic Department on the immediate repayment if

- a) contrary to the initial project planning, the film project has been relocated to another State,
- b) the realization of the project substantially deviates from the submitted relevant documents,
- c) the donor was wrongly or incompletely informed on circumstances relevant to the application decision,
- d) one of the regulations mentioned in these guidelines has not been met,
- e) planned obligations, especially those regarding the guaranteed purpose of the subsidies, have not been met,
- f) planned reports or proofs have not been submitted,
- g) the support recipient hinders or prevents planned supervisory actions, or
- h) the granted funds have partly or entirely been used adverse to their original purpose.

## **10 Legal bases and effectiveness**

The Salzburg film support came into force as of January 1st, 2014.

There is no legal entitlement to the granting of support funds. Rights and obligations resulting from the confirmation of subsidies may only be transferred to third parties with permission of the State of Salzburg.