

APPLICANT: _____

PROJECT TITLE: _____

GUIDE TO SUBMITTING YOUR APPLICATION

1. Read the **Cash Flow Facility Producer Offset Loans** –guidelines and check that you're eligible to apply.
2. Complete all details required in this form, including the application checklist and all warrantees.
3. Supply copies of all documentation in the quantities required. Note: All documentation must be submitted in both hard and soft copy. Please ensure that all hard and soft copy items are named in reference to your project title and the documents listed in the application checklist below e.g. **1 sentence synopsis, budget, statement of benefits** etc.
4. Hard copies can be posted or hand delivered to Film Victoria. Please ensure that hard copy submissions are not bound. Materials may be printed double sided/duplex. Mail delivery should be addressed to:

Genevieve Gaffy
Administrative Co-ordinator
Cash Flow Facility Producer Offset Loans
Film Victoria
GPO Box 4361
Melbourne Vic 3001

Hand delivered applications should be addressed to:

Genevieve Gaffy
Administrative Co-ordinator
Cash Flow Facility Producer Offset Loans
Film Victoria
Level 7, 189 Flinders Lane
Melbourne Vic 3001

5. Soft Copies may be supplied via email or on disc. If supplying via email, please address to genevieve.gaffy@film.vic.gov.au and ensure that the subject line is titled: Cash Flow Facility for Producer Offset - **[your project title]**
6. If you have any queries about your submission, please contact Victoria Pope victoria.pope@film.vic.gov.au or on our main switchboard number 03 9660 3220
7. When supplying updated or revised documents in hard or soft copy, all applicants must ensure that all copies are **dated**, as well as continuing to follow the above naming conventions, e.g. **[your project title], budget, revised [date]**. This should also be noted in email subject lines.
8. All applicants are also required to complete the Film Victoria Diversity Form available at the end of this form,
9. Applicants will receive an email acknowledging their submission within 5 business days, and a result approximately 8 – 10 weeks after the application deadline. Film Victoria will not return application materials by mail. However, submissions will be held for collection for **one month** beyond the notification date, after which application materials will be disposed of confidentially

APPLICATION CHECKLIST

Please confirm that you have supplied the information we require to assess your application by checking the boxes below

SECTION ONE: READING MATERIALS (1 HARD COPY AND 1 SOFT COPY REQUIRED)

- 3 – 4 sentence project synopsis
- 1 paragraph biography for key project team members
- 1 paragraph applicant company overview
- A Project Overview comprising:
 - 3 – 4 line project synopsis; and
 - 1 page summary detailing the history of the project.
- A 1 – 2 page document detailing the full production history of the Parent Entity(ies)/Rights Holding Company(ies). This document must include the establishment date, all production credits, awards, the names and contact details of all company directors and any other pertinent information.
- A 1 -2 page document detailing the history of the distributor / broadcaster providing market attachment to the project, together with the contact details of the relevant personnel from whom additional information may be sought.
- A statement detailing the economic and cultural benefits of the project to Victoria and the Victorian screen industry.
- A statement indicating full production timeline from preproduction to repayment of the Producer Offset from the ATO.
- A proposed drawdown schedule indicating cash flow requirements from preproduction to completion and lodgment of tax return and payment of Offset refund by ATO.
- CVs of all key project team members. This must include the Producer, Director, Line Producer or Production Manager, Production Accountant and Post Production Supervisor.

DO YOU INTEND TO SUBMIT AN APPLICATION TO FILM VICTORIA TO CASHFLOW A DISTRIBUTION GUARANTEE / LICENCE FEE / SALES OR PUBLISHING AGREEMENT FOR THIS PROJECT IN THIS CURRENT FUNDING ROUND?

- NO** **YES** Please ensure you have discussed your intentions with the [Program Manager](#) prior to submission and read the program guidelines carefully. You need only complete this application form and provide the materials requested herein

SECTION TWO: SUPPORTING DOCUMENTATION (1 HARD COPY AND 1 SOFT COPY REQUIRED)

- Fully **completed and signed** application form.
- Provisional Certificate for the Producer Offset from Screen Australia.
- The accompanying letter from Screen Australia confirming the producer's estimate of QAPE and for Feature Film projects, the sighting of evidence of intent to distribute.
- A detailed QAPE spreadsheet indicating the estimated total QAPE and subsequent total Producer Offset available to the project (see the Screen Australia website for templates).
- A statement, addressed to Film Victoria, from a Film Victoria approved third party independent production accountant confirming the estimated QAPE.
- A signed long form, legally binding agreement or a signed, legally binding deal memo with a Film Victoria approved distributor, exhibitor or broadcaster providing evidence, in a form acceptable to Film Victoria, that the film is produced for Australian public release:

SECTION TWO CONTINUED:

- For Feature Films:** Evidence of an agreement for distribution via exhibition in commercial cinemas in Australia where an admission fee is charged. This should evidence a bona fide intent of commercial release; a contrived arrangement for release on one or a very small number of screens will not evidence a bona fide intent of commercial release.
 - For formats other than feature films:** Evidence of an agreement for distribution on a commercial basis to the public in Australia, which may include Australian television broadcast agreement or commercial delivery via a new media platform (such as online or mobile content) where access to the content is available to Australians.
 - For feature films and formats other than feature films proposing self distribution:** Evidence of bona fide self-distribution or arm's length distribution arrangements in a form approved by Film Victoria.
 - Any other cashflow agreements or arrangements in place for the project.
 - ASIC certificate of company registration for the SPV company (the applicant company).
 - ASIC Company Extract.
 - Names and contact details of the directors of the SPV.
 - ASIC Certificate(s) of registration for the Parent Entity(ies)/Rights Holding Company(ies) directly related to the SPV.
 - The latest draft of the film script or documentary treatment (series projects should submit 1 script, a series bible and overview).
 - The production schedule.
 - List of Chain of Title documents.
 - Project budget which **must:**
 - Be expressed in Australian dollars;
 - Include notes on any unusual budget items;
 - Include 85% of the total estimated Producer Offset;
 - Include details of Victorian spend, highlighting any non - Victorian budget items;
 - Include allowances for completion bond, insurances, sound and picture post production;
 - Include allocation of funds for any Film Victoria repayments due;
 - Include sufficient allocations for FV interest and fees to the end of the financial year in which the film is due to be completed, plus additional time for lodgment of tax return and receipt of Producer Offset.
 - A letter of intent provided by a Film Victoria approved completion bond company to bond the film and guarantee a quantified minimum QAPE.
 - Finance Plan detailing investors, the amounts being contributed by each, that contribution expressed as a percentage of the budget and recoupment and copyright share – complete the table on page 8 of this application form.
 - The letters of offer / intent from all investors in the project, indicating the level of their investment.
- | | | |
|--|-----------------------------------|--|
| Copies of any co-production agreement or joint venture agreements pertaining to the project | <input type="checkbox"/> Supplied | <input type="checkbox"/> Not Applicable |
| The letter of approval for co-production status issued by Screen Australia or the Australian Film Commission if applicable. | <input type="checkbox"/> Supplied | <input type="checkbox"/> Not Applicable |
| All Chain of Title documentation evidencing the applicant's ownership of relevant rights for the project unless these documents have been provided to Film Victoria for a Production Investment application within the last six months. (Chain of Title may be provided as soft copy only) | <input type="checkbox"/> Supplied | <input type="checkbox"/> Supplied for Production Investment within last 6 months |
| The Production Investment Agreement pertaining to the project | <input type="checkbox"/> Supplied | <input type="checkbox"/> Not yet available |

SECTION THREE: APPLICATION WARRANTIES

Please tick ✓ the boxes below to indicate you warrant:

- That the production entity that will incur the QAPE is a new Special Purpose Vehicle (SPV) company with no tax history.
- That the SPV is not a member of a Tax Consolidated Group or GST Group.
- That the production company is eligible to apply for the Producer Offset (i.e. that it is a *company* that is an Australian resident with a permanent establishment in Australia and an ABN).
- That in relation to the project that is the subject of this application the production company has not:
 - (a) claimed a tax deduction under Division 10B;
 - (b) been issued with a Final Certificate under Division 10BA;
 - (c) been issued with a Location Offset or PDV Offset certificate;
 - (d) been issued with a Refundable Film Tax Offset certificate;
 - (e) received Investment from a FLIC;
 - (f) received a production drawdown from the FFC, AFC, AFTRS or Film Australia prior to 1 July 2007.
- That the project budget does not include more than 75% Federal Funding (Screen Australia plus total Producer Offset including Producer Margin).
- That the signatory has the authority to warrant the above on behalf of the applicant company, the parent company(ies) and rights holding company(ies).

SIGNATURE OF APPLICANT (or authorised representative) _____

PRINT NAME _____

DATE _____

ELIGIBILITY CRITERIA

1. THE APPLICANT COMPANY

Is the applicant company Australian owned and incorporated in Australia? (if no, ineligible) YES NO

Is the applicant company formed solely for the purpose of the production? (if no, ineligible) YES NO

State date of incorporation: _____

Is the applicant company part of any tax consolidated group? (if yes, ineligible) YES NO

2. OWNERSHIP OF THE PROJECT

Can the applicant company demonstrate control of 100% of copyright in the project? YES NO

If not, does the applicant share control under an official co-production arrangement?

YES (please provide details of these arrangements below) NO

What is your percentage share of control over the project? _____ %

Please provide the details of your co-production partner/s:

(eg. company name, company address and origin, and contact details for relevant personnel):

Note: You must include copies of any co-production agreements with your application.

3. CHAIN OF TITLE DOCUMENTATION

Please attach a list of **all** available Chain of Title documentation to this application form. You must also submit **all** documentation unless it has been submitted to Film Victoria during a Production Investment round within the last 6 months. Chain of Title documents may be submitted on disk.

4. AUSTRALIAN DISTRIBUTION/ BROADCAST

1. Name of Distributor / Broadcaster _____

Amount of financial commitment specified in agreement/s \$ _____

Please list the agreement/s you have provided to evidence this market attachment below:

4. MARKET ATTACHMENT continued...

2. Name of Distributor / Broadcaster (if applicable): _____

Amount of financial commitment specified in agreement/s: _____ \$ _____

Please list the agreement/s you have provided to evidence this market attachment below:

Note: Applicants applying to cashflow a Distribution Guarantee or Licence Fee on the project may be required to submit the signed (and preferably audited) accounts of the Distributor / Broadcaster / Publishing Company for the last 2, (preferably 3) years.

5. EQUITY INVESTORS

Does the applicant company have confirmation of all Equity Investors in this project? YES NO

Please list all confirmed Equity Investors and the documents submitted with your application confirming their investment. **Note:** You must include copies of all agreements or letters of offer with your application.

NAME EQUITY INVESTOR 1: _____
Agreement provided with this application: _____

NAME EQUITY INVESTOR 2: _____
Agreement provided with this application: _____

NAME EQUITY INVESTOR 3: _____
Agreement provided with this application: _____

NAME EQUITY INVESTOR 4: _____
Agreement provided with this application: _____

5. EQUITY INVESTORS continued....

NAME EQUITY INVESTOR 5: _____

Agreement provided with this application: _____

NAME EQUITY INVESTOR 6: _____

Agreement provided with this application: _____

NAME EQUITY INVESTOR 7: _____

Agreement provided with this application: _____

NAME EQUITY INVESTOR 8: _____

Agreement provided with this application: _____

6. AUDITOR

Please list the details of the auditor who will audit the project.

COMPANY NAME: _____

CONTACT NAME: _____

POSTAL ADDRESS _____

STREET ADDRESS _____

PHONE _____ FAX _____

MOBILE _____ EMAIL _____

APPLICANT DETAILS

1. THE APPLICANT COMPANY

COMPANY NAME:

Please note:

The Applicant Company must be a Special Purpose Vehicle (SPV) formed to produce this project. If in the process of forming the SPV, the applicant may be the parent company, please complete at 2.

CONTACT PERSON

CONTACT POSITION

POSTAL ADDRESS

STREET ADDRESS

PHONE

FAX

MOBILE

EMAIL

ACN

□ □ □ □ □ □ □ □ □ □

ABN

□ □ □ □ □ □ □ □ □ □

Is The Applicant Company Registered For GST?

YES

NO

2. RIGHTS HOLDING COMPANY

ENTITY NAME

CONTACT PERSON

CONTACT POSITION

POSTAL ADDRESS

STREET ADDRESS

PHONE

FAX

MOBILE

EMAIL

ACN

□ □ □ □ □ □ □ □ □ □

ABN

□ □ □ □ □ □ □ □ □ □

PROJECT DETAILS

Type:

Television/ Mobile/ Online

- Fiction miniseries (6 eps or less)
- Fiction series – long form (eps over 15 mins)
- Fiction series – short form (eps under 15 mins)
- Fiction One Off
- Factual miniseries (6 eps or less)
- Factual series – long form (eps over 15 mins)
- Factual series – short form (eps under 15 mins)
- Factual One Off

Film

- Fiction Feature
- Factual Feature

Production Format

- Animation – stop motion
- Animation – CGI
- Animation and Live Action
- Live Action

Release Format:

- Television Free to Air Online/ Downloadable
- Television Pay Mobile/ Downloadable
- Cinema

Genre:

- Action
- Adventure
- Comedy
- Horror
- Drama
- Children (P) Classification
- Children (C) Classification
- Thriller/Suspense
- Musical/Music
- Sci-Fi
- Fantasy
- Biography
- Western
- Romance
- Social Realism
- Other (please specify): _____

Themes:

- Arts/Culture
- Community & Social Welfare
- Crime & Justice
- Environment & Sustainability
- Family
- Health & Medicine
- Labour & Industry
- Natural History
- Natural History (Australia)
- Politics
- Science & Technology
- Sport & Recreation
- Travel & Tourism

LOAN AMOUNT REQUESTED

\$ _____

VICTORIAN SPEND

\$ _____

LENGTH (in mins): _____

NO OF EPISODES (if applicable): _____

SHOOTING FORMAT: _____

FINISHING FORMAT: _____

FINANCE PLAN

Equity Investors	\$ Amount contributed	% of Budget	% of Profit	% Copyright
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
TOTAL EQUITY	\$			
Producer's contribution (eg. DG's presales, loans)				
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
TOTAL PRODUCER'S CONTRIBUTION	\$			
BUDGET TOTAL	\$			
		100%	100%	100%

PLEASE SPECIFY THE PERCENTAGE OF THE TOTAL OFFSET INCLUDED IN THE FINANCE PLAN: _____ %

PLEASE NOTE: APPLICANTS ARE REQUIRED TO EXCLUDE 15% OF THE TOTAL ESTIMATED PRODUCER OFFSET FROM THE FINANCE PLAN, UNLESS THE COMPLETION GUARANTOR HAS AGREED TO BOND A HIGHER AMOUNT.

REPAYMENTS TO FILM VICTORIA

WILL YOU HAVE REPAYMENT OBLIGATIONS TO FILM VICTORIA IF THIS APPLICATION IS SUCCESSFUL?

YES – Please complete the table below: **NO**

Date (Year) Funds Received	Type of Funding Received (e.g. funding program name)	Amount Repayable
		\$
		\$
		\$
		\$

KEY PROJECT PERSONNEL

POSITION/TITLE	NAME
PRODUCER*	
DIRECTOR*	
LINE PROD. / PROD. MANAGER*	
PRODUCTION ACCOUNTANT*	
POST PRODUCTION SUPERVISOR	

NOTE: You must submit CVs for all personnel asterisked in this table.

Please note that the Production Accountant listed here must not be the same accountant that provided the QAPE assessment contained in this application.

TAX AGENT

Please list the details of the registered Tax Agent who will lodge the tax return in order to claim the Producer Offset.

COMPANY NAME: _____

CONTACT NAME: _____

POSTAL ADDRESS _____

STREET ADDRESS _____

PHONE _____ FAX _____

MOBILE _____ EMAIL _____

DISTRIBUTION GUARANTEE / LICENCE FEE DETAILS FOR EACH MARKET ATTACHMENT

COMPANY NAME: _____

AMOUNT OF DISTRIBUTION GUARANTEE / LICENCE FEE \$ _____

- | | |
|---|--|
| <input type="checkbox"/> AUSTRALIAN SALES AGENT | <input type="checkbox"/> INTERNATIONAL SALES AGENT |
| <input type="checkbox"/> AUSTRALIAN DISTRIBUTOR | <input type="checkbox"/> INTERNATIONAL DISTRIBUTOR |
| <input type="checkbox"/> AUSTRALIAN BROADCASTER | <input type="checkbox"/> INTERNATIONAL BROADCASTER |

POSTAL ADDRESS _____

STREET ADDRESS _____

CONTACT PERSON _____

CONTACT PERSON POSITION _____

TELEPHONE _____ FAX _____

MOBILE _____ EMAIL _____

ACN

ABN

PAYMENT SCHEDULE (as per Sales / Distribution / Broadcaster Agreement)

TRANCHE #	AMOUNT PAYABLE (AUD)	PAYABLE ON (Date)

PRIVACY STATEMENT

All personal information submitted to Film Victoria will be dealt with in accordance with our Privacy Statement, <http://film.vic.gov.au/www/html/33-privacy.asp>

APPLICANT DECLARATION Please tick the boxes below to indicate you agree to these declarations

- The applicant declares they have read and understood Film Victoria's current guidelines, in particular acknowledging that Film Victoria reserves the right to vary any of its terms and conditions without notice.
- The applicant agrees and understands that any funding is discretionary and that the final interpretation of the guidelines and the decision to approve applications rests with the Film Victoria Board and/or the Minister for Innovation.
- The applicant has the firm intention and is able to proceed with the project included in this application and declares that the information given herein and in all attachments is, to the best of the applicant's knowledge and belief, true and correct.
- The applicant undertakes to advise Film Victoria of any significant changes to the proposed project, the information supplied or the materials submitted regarding the project/s.
- The applicant warrants that it owns or holds all relevant rights in the original works and or copyright materials necessary to proceed with the proposed project as envisaged by this application and will keep Film Victoria indemnified against all actions, suits, proceedings, claims or demands made against Film Victoria by reason of any breach of the above.
- It is agreed that Film Victoria will not be liable for any action or claim based on any industrial or intellectual property of the applicant arising out, or in connection with Film Victoria's receipt, custody or consideration of the applicant's submission.

SIGNATURE OF APPLICANT (or authorised representative)

PRINT NAME

DATE

ABOUT THIS SECTION

As a statutory body, Film Victoria contributes to State Government of Victoria reporting. The information collected on this form is used for State Government of Victoria reporting and research purposes and will be disclosed to State Government of Victoria employees or its authorised representatives. Such employees and representatives are required to protect and handle your personal information in accordance with the *Information Privacy Act 2000 (Vic.)* and any other applicable legislation regulating the collection, use, disclosure, storage and destruction of personal information.

Please note that while you are required to answer these questions for reporting and research purposes, **your responses to this section will in no way affect the assessment of your application.**

Please Complete The Boxes Below And Include All Information Relevant To Your Application

1. Key Personnel - Individual Questions

Role In This Application	Producer	Writer	Director	Other
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Country of birth				
Age range	<input type="checkbox"/> 18-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36 +	<input type="checkbox"/> 18-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36 +	<input type="checkbox"/> 18-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36 +	<input type="checkbox"/> 18-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36 +
Are you of Aboriginal or Torres Strait Islander descent?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you speak a language other than English at home? If yes, please specify:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Project Questions

2a. Please identify any of the following issues that your project **significantly** addresses. Tick more than 1 if applicable

<input type="checkbox"/> Children’s Issues (Under 12)	<input type="checkbox"/> Religion/Ethics
<input type="checkbox"/> Disability	<input type="checkbox"/> Seniors
<input type="checkbox"/> Ethnic issues / Multiculturalism	<input type="checkbox"/> Sexuality
<input type="checkbox"/> Indigenous issues	<input type="checkbox"/> Women’s issues
<input type="checkbox"/> Men’s Issues	<input type="checkbox"/> Youth issues (Over 12)
	<input type="checkbox"/> None of the above

2b. How does your project significantly address or impact on this/these issues?

By completing and signing this form, you confirm that you are authorised to:

- provide the information on this form; and
- consent to the collection and disclosure of personal and sensitive information in the manner specified on this form;

on behalf of all parties whose details are included on this form.

Signed by: _____

Name: _____

Date: _____