

## MAKING AN APPLICATION FOR FEATURE FILM FUNDING

### Can I apply?

This application process relates to 'single project' film development or production funding, including applications for completion funding, and the development of films with associated digital and cross-media components. It covers fiction and documentary, first-time or experienced filmmakers, but if you want funding for your **documentary** please look at the additional information for **documentary filmmakers** first; if you are a **first-time film director** (or planning to apply on behalf of one) please look at additional information **here** as we have developed special assessment processes for both categories.

We don't fund **short** films through this application process. For more information about our funding for short film-making and talent development via the BFI NET.WORK **click here**

You must have a screenwriter already attached to your project (even if you are applying for development funding) and you must own or be in the process of obtaining the rights and any underlying rights in the project. We only fund development applications with a screenwriter attached because we need to know if the screenwriter is capable of executing the idea as a screenplay.

Applications for production funding must have a director and producer attached to the project.

We strongly encourage applications from producer-writer-director teams and usually an active producer will lead the application. We will not consider applications for production funding from an individual acting as sole writer, director and producer. If the project is at an early stage, we are happy to consider applications for development funding from producer-writer teams without a director attached. We are also happy to receive development applications from writer and writer-director teams without a producer (as long as they apply through a company), if the director or writer knows how to drive a project forward, but they need to demonstrate strong previous production experience on short films, features or television in the strategic film proposal and in the producer CV section of the application. In exceptional circumstances we may fund applications we have solicited directly from writer-directors without producers or production companies at the development seed stage, but this is by invitation only.

In order to be eligible for our funding your film project must be:

- a. capable of being developed as a feature-length fictional or documentary theatrical film (it cannot be for a short film, or a programme, series or serial intended primarily for television)
- b. capable of obtaining theatrical and video release certificates no more restrictive than BBFC '18'
- c. capable of qualifying for certification as a British film through:

- i. Schedule 1 to the Films Act 1985 (The Cultural Test);
- ii. one of the UK's official co-production treaties; or
- iii. the European Convention on Co-Production.

As a guide, and in order to determine whether a development project may be potentially capable of qualifying as a British film, we will look at the following main criteria:

- whether the project is set in the UK
- whether the lead characters are British
- whether the film is based on British subject matter or underlying material
- whether the script is intended to be developed in the English language (or in a recognised regional or minority language)
- whether there is a significant representation/reflection of British cultural heritage
- whether there is a significant representation of British cultural diversity
- whether there is a significant representation/reflection of British culture through a novel and creative approach to filmmaking
- nationality or residency of the writer (European Union or EEA)
- nationality or residency of the director (European Union or EEA).

All applications in this process must be made by or through a production company registered and centrally managed in the UK or another state of the European Union.

Our funding is only a contribution towards the costs of your film. Whether you are looking for development or production funding, we are not a commissioner, nor will we fully fund your project. For development this means that, for instance, we only make a set contribution towards your fees and overheads. For production we never fully finance the costs of the film and expect you to find other finance towards the costs of the project. So if you ask for 100% production finance, or full financing except for the UK Film Tax Relief, your application will be automatically rejected before we even look at the creative and strategic proposals.

## **WHAT DO I NEED TO DO?**

To make an application for funding you must complete the **online application**.

You need to submit two written proposals - one creative, one strategic - that make the case for your film being selected above the majority of others. Your proposals need to outline briefly and concisely your initial ideas for the film. You must include proof that you can secure or have secured any underlying rights in the idea proposed. While we don't ask to see a script or samples of previous work at this stage, you should have them ready to send immediately if requested.

Remember that the selectors will be reading and viewing a considerable number of applications. You need to make yours stand out. Your creative proposal needs to be exciting, original and feasible to be worth choosing. Why is your idea more exciting than those of other filmmakers? Why should you be selected above others? Will you be able to deliver on your promises? Does your budget make sense when compared to the likely box office?

Below are some areas you could discuss in your creative proposal:

- What is the film about (synopsis, story, themes)? The clarity of your story and ideas are key
- What stage is it at?
- What direction will your film take?
- What is the track record and previous work of the writer/director?
- Why do you want to make (write/direct) this film? These comments should ideally be written by the screenwriter or director
- What audience are you aiming to appeal to?
- How would you go about achieving your ideas and interpretation on film?
- Have you any casting ideas at this stage and how are you planning to approach that cast?
- Where and when are you hoping to shoot the film?

The strategic proposal is your chance to strengthen your application by demonstrating an ability to pull the project together. It can describe your initial practical, financial and publicity ideas.

As examples of specific questions you could address in relation to production funding:

- What budget do you anticipate needing to develop the film and then get it made?
- At this stage can you foresee any unusual or challenging technical or budgetary requirements?
- What is the finance plan for the film and how do you envisage raising that investment?
- Do you propose to adopt the **BFI proposed joint venture** arrangement for this project?
- How will you go about managing production resources and the budget?
- How will you ensure the film finds its audience and gets distributed?
- Do you see it as a festival-driven film or a film driven by its opening weekend?
- We welcome both, but we need you to be clear about what you are trying to achieve and that you can deliver accordingly.
- What might you say in an advertising blurb to sell the film?
- Does your project have digital and cross-media potential?
- Is your project intended to be a minority co-production?

Feel free to include a web link to any visual materials, eg artwork, images, shorts, etc.

When first using the online application you will need to create an account which allows applications to be saved and reviewed before submission. Once the account is set up future applications will be pre-populated with your contact details. You will be able to access all your past online applications and in-progress applications at any point by logging into your account.

The BFI will confirm by email that the application has been received and a unique Application ID number will be assigned to the application.

## WHAT HAPPENS NEXT?

First of all we will check that your application is eligible for funding (**Can I apply?**). If it is ineligible we will send you an email to confirm that your application is not being processed. We don't normally allow re-submission to the Film Fund, but we may at this stage allow you to rectify an error on your application if this is the sole reason that it is ineligible.

If your project is eligible we will assess your application and it will be assessed against some or all of the following criteria:

- The creative merits of the creative proposal
- The feasibility of the strategic proposal
- The track record of the filmmaking team
- The audience potential for the film, including its UK distribution and international sales potential
- The project's cultural value

Bear in mind that unfortunately we have to turn down many more applications for funding than we are able to support (less than one in 10 applications are successful), and we are also looking to invest Lottery funds across a diverse mix of projects and filmmakers working in different genres and at different budget levels.

With the exception of First Features and Documentary applications, we will send you an email within 8 weeks to tell you either:

- (i) That we have reviewed your application and are not considering it further and that your application is now closed; or
- (ii) That we would like to see further information for consideration (eg for development this might include writing samples, treatment or draft script if appropriate, proposed development budget; for production this is likely to include script, showreel, detailed budget, finance plan, casting lists, sales estimates, previous work) or we would like you to meet with us to discuss the project further. If you are invited for a meeting all members of the team making the application should attend.

That meeting is an opportunity for us to discuss your application and for you to ask any questions you may have. You will have the chance to explain in person why you want to make the film and to outline your ideas in more detail. We will have questions about the application and may ask you to develop some of your ideas further or address aspects of the production. It is important to understand that having a meeting does not mean there is a commitment to funding your project at that point.

If you've asked for production funding we might sometimes suggest that you need to do some more development (for instance, another draft of the script, or shooting some test scenes) before we consider the production funding request. In those instances we will ask you to withdraw your production

application and reapply for development funding. You will still then be able to re-submit for production funding at a later stage.

You may need to supply further information to us after the meeting (particularly if you are asking for production funding) so we do not have a set deadline for letting you know whether we are taking your application forward. If you think you've supplied all the information we've asked for and you don't hear from us within 6 weeks then do get in touch.

If we decide to take your application forward for production funding, then we will issue you with a formal but conditional expression of interest in funding your film (a 'Letter of Intent'). This may be useful in helping you to secure other investment. The funding will be available for a specified period of time after which point the expression of interest and funding will lapse. We will not keep the offer 'open' beyond this period of time as we want to ensure that funds are not tied up. However, we will consider extending the period of time for which the Letter of Intent remains valid, or we will place the application on 'hold'.

If you have not been issued with a Letter of Intent, you should not assume that we have made a formal expression of interest to fund your project.

Subsequent to either the issuing of the Letter of Intent for production funding, or at the appropriate moment in time for development funding, further internal discussion with our Business Affairs and Production Finance Departments and other advisers will take place before we are able to formally commit to the project. Recommendations to fund film projects are made to an internal Lottery Finance Committee for approval.

Due to the amount of time and resources needed to agree documents with other financiers ahead of production then if, for whatever reason, we are unable to present a film project to the Lottery Finance Committee at least 6 weeks prior to the start of Principal Photography, we may also withdraw our expression of interest to fund your project.

Successful and unsuccessful applications will be informed in writing of our decisions as soon as possible. Our decision on whether we wish to support your project is final.

All successful awards are listed on our website once our decision to invest is made.

## **FEEDBACK**

We aim to make the application process as transparent as possible, but given the volume of applications we receive, we do not have the resources to provide feedback on projects where we are not requesting further material or a meeting.

In these circumstances, we will send you a standard rejection email and documentation held on file for the assessment of these projects will simply state "pass".

On projects that have received further consideration or that we have met to talk about, we will try to provide some limited feedback, if requested, and if we have some constructive advice to offer beyond the meeting. Similarly, we welcome constructive feedback from you on our application process, so we can continue to improve.

## **RESUBMISSION**

No resubmissions can be made to the Film Fund for projects that it rejects (unless there is a substantial and significant change in elements, which is usually the director), or in respect of a project previously rejected by the UK Film Council, unless we invite you to resubmit (which we may do when we've suggested that you needed to do more development on the project or where we've issued a Letter of Intent that has lapsed).

## **SPECULATIVE SUBMISSIONS**

We do not read scripts or consider projects that have not been formally received as part of the application process.

## **OFFER OF FUNDING**

If you are successful:

You will be required to enter into an agreement with the BFI setting out the terms and conditions of our funding. These conditions will include the following:

### General

1. The BFI will pay the funding to a limited company registered by you in the UK (either as a company incorporated in the UK or incorporated in the European Union or European Economic Area and registered as a branch in the UK).
2. The finance agreement will include standard termination provisions.

### Development finance

3. You will need to establish rights ownership of your film project and the BFI will require certain approvals over the project including all chain of title or clearance documents, or sources and amounts of other funding. You must disclose all documentation already in place in relation to the film.
4. You will be required to repay development funding to the BFI (no later than the first day of principal photography of the film) and provide us with a profit participation from any films that go into production. If you do repay the development funding on time then, effective from 1 April 2013, and provided that

you are an independent UK film producer, we will ring-fence that money and you will be able to spend it on the development or production funding of your next project as if it was your own investment in that project (ie you will not then have to repay it) or on staff skills training. Some conditions apply to this recycling of development monies:

- a. You must apply to draw down these recycled monies within 5 years of repayment
  - b. This offer isn't available when our funding is for pre-production activity
  - c. There is a cap of £100,000 on the amount that can be ring-fenced per project against any repayment sum
5. You will be required to assign a share of all rights including copyright to the BFI. These rights will be reassigned to you on repayment of the development funding and ahead of production of the film.
  6. You will be required to provide a credit to the BFI.
  7. You will need to complete the development work by specified dates or the funding will have to be repaid.

#### Production finance

8. Production finance will be recoupable by the BFI. You will be allowed to be paid a 25% share of the BFI's recouped investment (rising to 50% once the BFI has recouped 50% of its investment) provided that it is spent by you on further development or production of film projects or on staff skills training and subject to certain caveats. This producer corridor entitlement is capped at the amount of the UK tax credit advance included in the finance plan for the film and will not be available where the producer is entitled to receive an amount equal to the UK tax credit advance payable alongside the BFI's recoupment from receipts of the film (so-called "producer equity"). Further information on this producer entitlement can be supplied on request.
9. You will be required to provide the BFI with a net profit share.
10. You will be required to provide the BFI with a presentation credit and a closing credit. Where a Film Fund Executive has engaged with your project in a meaningful and creative manner through both development and production, you may choose to provide an Executive Producer (EP) credit to the Executive, which will be granted at the discretion of the Director of the Film Fund.
11. You will be required to assign a share of copyright in the film to the BFI.
12. The BFI will generally take a security interest over the company producing the film and may take a security interest over any co-producer.
13. You will need to establish clear title to your project, ie demonstrate you have or can trigger all the rights necessary to produce and exploit the film.

14. If other production finance in your film is being contributed by a party who expects some form of UK tax benefit, that party will be required to provide direct undertakings and warranties to the BFI on a standard form and the BFI may disclose to Her Majesty's Revenue and Customs any information it receives in relation to any tax structure(s) or scheme(s) utilised in connection with your film. The BFI may withdraw any offer of funding if it has reasonable concerns relating to the terms of any third-party finance.
15. You will be required to provide a contribution to the Skills Investment Fund of 0.5% of the film's production budget (subject to a cap of £39,500).
16. You will be expected to put in place all customary production insurances (including errors and omissions insurance) on which the BFI must be named as an additional insured.
17. You will usually be expected to have a completion guarantee in place for your film.
18. All revenues for the film must be collected by an independent collection agent and any irrevocable payment instructions issued by the sales agent on your film to sub-distributors must cite and direct payment of any minimum guarantee and overages to the collection account.
19. The BFI will require certain approvals over your film including in relation to the terms of other finance, the identity and terms of appointment of the sales agent and all distributors, and all documentation prepared in relation to the film.
20. The BFI will not normally agree to contribute funding to a production budget that includes interest, premium or overhead fees charged by other financiers or investors other than bank interest where gap financing is in place or where sales are being discounted.
21. The BFI is keen to ensure that you receive your full entitlement to a reasonable producer fee and production company overhead from within the production budget and does not encourage deferral of any such amounts.
22. If you deliver your film within budget the BFI will support your participation in underspend of up to 50%.
23. Your film's budget should include sufficient funds to clear worldwide rights in all media from all individuals or organisations who are contributing to, or whose material is to be featured in, the film.
24. You will be required to ensure that your film is produced in accordance with the requirements of all unions and guilds having jurisdiction and with all applicable laws and statutes.

25. You will be required to ensure that any agreement for the distribution of your film in the UK provides for distribution of soft-subtitling and audio-description materials in cinemas and on any DVD release of the film.
26. You will be required to provide certain delivery materials to the BFI, the costs of which must be included in the budget of the film.
27. The BFI will not commence cashflow until it is satisfied that you have complied with certain conditions as set out in the finance agreement. At our discretion, we may provide an advance in the form of 'pre-closing cashflow' but there will be no automatic entitlement to this. The BFI will hold back 10% of its funding until delivery to us of specified materials and a final audited cost report certified by an independent auditor.
28. The BFI funding will be paid into a separate dedicated trust account.
29. During production of your film the BFI will want access to information about the film and to be able to attend any stages of production.
30. The BFI will have consultation rights over assembly and all cuts of the film and a shared approval over the final cut (alongside other financiers as is customary).
31. You may be required to appoint a supervisor of marketing and distribution (SMD) to the production team in instances where we believe that the film would benefit from incorporating marketing and distribution expertise at an early stage. The costs of such a supervisor would be incorporated into the film's production budget from the BFI investment.
32. The BFI promotes the new BS8909 Standard, a specification for a sustainability management system for film, which has been designed to help the film industry run its business in a more sustainable way. As we investigate the feasibility of making BS8909 compliance a requirement of funding you may be asked about what sustainability initiatives you already employ, or how you might make your production more sustainable, or 'green'.
33. You will be required to comply with certain requests in relation to interns or trainees and you may be expected, if asked and where feasible and within reason, to participate in any apprenticeship schemes run by the Film Fund, during production or at some point in the future.
34. You will also be asked to provide access to the production, or the film, to other BFI activities such as film education and fundraising screenings and/or from time to time to make yourself or the writer and/or director of your film available, subject to professional commitments, to provide industry training or mentoring if the BFI reasonably requests.

## **GENERAL INFORMATION**

- i. The information in these guidelines can change. The law and Government regulations on distributing National Lottery funds may also change. The BFI therefore reserves the right to review this programme and/or change its policies, procedures and assessment criteria.
- ii. The application form does not necessarily cover all the information the BFI will need in order to decide which applications to support. The BFI reserves the right to ask applicants for additional information.
- iii. All applications are made at the applicant's own risk. The BFI will not be liable for loss, damage or costs arising directly or indirectly from:
  - the application process
  - the BFI's decision not to provide an award to an applicant; or
  - dealing with the application.
- iv. The BFI decision on applications is final.
- v. The BFI will not pay the award until it has received a fully executed copy of the offer of funding and all conditions precedent to that offer have been met.
- vi. The BFI will publicise information on the number of applications it receives and the awards made.
- vii. Sometimes the BFI's Board of Governors (Trustees) or members of staff may be involved in some way with applicants. This interest has to be declared in applications from such applicants. The relevant Board Trustee or staff member will not be involved in assessing the application or the decision to make an award. Applicants are advised not to try to influence the success of their application by approaching a Board Trustee or staff member.
- viii. It is important that applicants carefully check the information given in the application form. The BFI standard terms and conditions entitle it to withhold or reclaim an award in the following circumstances:
  - If the application was filled in dishonestly or with incorrect or misleading information about the organisation or the project whether deliberately or accidentally; and
  - If during the term of the agreement the awardee acts dishonestly or negligently to the disadvantage of the project.The BFI will follow up cases of suspected fraud and will pass information to the police.

## **COMPLAINTS & APPEALS**

The BFI decision is final. Inevitably, applicants may have to be turned down and will be disappointed by this result. Formal appeals against the final decision will not be considered unless the applicant has good cause to believe that the procedures for

processing the applications were not adhered to, or applied in such a way as to prejudice the outcome of the application. A copy of the BFI's Complaints and Appeals procedure can be downloaded from the website or obtained on request from the BFI's Communications Office.

## **FIRST FEATURES: ADDITIONAL INFORMATION SHEET**

The Film Fund now selects features from first-time directors, and where the budget is expected to be under £2,000,000, in quarterly rounds.

Supporting new filmmakers is a priority for us and, since we receive such a high volume of applications, we have found it beneficial to look at these applications at the same time. We believe that a more structured approach allows us to provide successful applicants with the right level of editorial collaboration and support in raising finance.

Applications are welcomed at any time but will be assessed after the relevant deadlines for submissions and according to a set process, which will include meetings with short-listed filmmakers.

Applications for First Features should be made on the Film Fund online application form.

### **WHO ARE WE LOOKING FOR?**

This Film Fund process is aimed at producers working with a director on their first feature. As with all applications, they must be made by the producer through a company registered in the UK or another state of the European Union or European Economic Area and registered as a branch in the UK.

You must be able to express in your application the reasons why you feel the director is ready to make their first feature film, and we would ask you to describe the experiences they bring with them.

We will assess your application alongside examples of the director's work. This could be short films, music videos, pilots, or whatever is applicable to their previous experience and supports your reasons for applying to this strand of the Fund.

Your film must be feature length and intended for theatrical release.

We accept applications in any genre. Please note that funding for documentaries is treated differently, and you should read the separate **documentary funding sheet** for more information.

You will need to have a finance plan in place and if possible identify the financial partners that would be willing to invest in your feature, alongside the BFI.

Please read the **Can I apply?** section of the Film Fund guidelines for other eligibility criteria.

### **THE PROCESS**

After each deadline, applications will be read and assessed by Film Fund executives.

A number of projects will be shortlisted over the course of the next 8 weeks.

Shortlisted filmmakers will be invited to meetings at the BFI to discuss their project further.

Decisions will be made based upon the filmmaker meetings, and Letters of Intent issued in accordance with the standard process for the Film Fund. We may make an announcement after issuing those Letters.

### **WHEN TO APPLY**

Applications can be made at any time but will not be assessed until the next deadline for applications has passed (this list will routinely be updated):

#### **WINTER/SPRING 2014**

Deadline for applications	January 24th
Longlist meeting	March 10th
Shortlist meeting	March 24th
Filmmaker meetings	w/c March 31st
Awards meeting	w/c April 7th

## **DOCUMENTARY FUNDING: ADDITIONAL INFORMATION SHEET**

The Film Fund is committed to supporting documentary filmmaking, and specifically documentary films with theatrical potential. In recognition of the greater volume of applicants with theatrical documentary proposals, the current industry interest in the form, and the more specialised consideration that this genre requires particularly for emerging talent, we will now consider applications from documentary filmmakers through twice-yearly pitching sessions - in London and Sheffield - with a panel of Fund executives and industry experts. Filmmakers wishing to apply for production funding for documentaries should read this additional information and apply through this new process.

In conjunction with Sheffield Doc/Fest, we will invite a shortlist of the strongest applicants to a pitching session in which they will have the opportunity to present their projects to a panel including a number of Film Fund executives. This may be done in front of an audience or on camera, the more public and transparent engagement intended to benefit the documentary filmmaking community at large. Awards will be made on a bi-annual basis with pitching sessions in Sheffield in June and in London later in the year.

### **THE PROCESS**

Applications should be made through the BFI Film Fund online application mechanism. Eligibility conditions for documentary funding are set out in the standard Film Fund guidelines.

After the application deadline, an initial assessment of eligible projects will be made by personnel from the BFI Film Fund and Doc/Fest. Projects will be assessed on their creative vision and the perceived ability of the team to deliver that vision. Criteria will include strength of story and characters and the theatrical resonance of the project - ie why does it have to be a big screen project?

A shortlist of up to eight projects will be invited to present their projects at the pitching sessions.

Prior to the pitching session, the shortlisted filmmaking teams will be invited to attend a pitching workshop. This workshop is not mandatory, but is advised. The pitch workshop will be a 1-day (8-hour) event taking place in London approximately 2 weeks before the formal pitching sessions, led by Doc/Fest's pitch trainer. At this workshop, the selected pitch teams will be guided as to how to best deliver their 10-minute pitch - how to clearly communicate their story and characters, how to structure their presentations for most impact on the panel, and what audience they expect to interest with their documentary. They will also be supported in developing the best teaser clips to screen at the pitching session. The day will consist of delivering each pitch a number of times, with critique from the trainer and the rest of the group in order to make the pitch presentation iteratively better each time. After the workshop each team will have a short time before the Pitch to re-cut their teaser clips based on feedback received, and practise their presentations in order to ensure that the presentation in front of the

panel is both confident and persuasive.

On request from shortlisted applicants showing hardship, the BFI may provide travel bursaries for attendance at both the pitch training workshops and the pitching sessions.

After the Pitch, the panel will meet to decide which of the shortlisted applications it wishes to support financially, and we will then issue a formal but conditional expression of interest in funding your documentary (Letter of Intent). This may be useful in helping you to secure other investment as we cannot fully fund your documentary. The offer will be available for a specified period of time. Subsequent to the issuing of the Letter of Intent and at the appropriate moment in time (typically when the balance of finance is secured) further internal discussion with our Business Affairs and Production Finance Department will take place before we are able to formally commit to the project. Recommendations to fund the documentary are made to an internal BFI Lottery Finance Committee for approval in line with the standard guidelines for applicants.

By applying to the Film Fund for documentary funding you are agreeing to:

- Submit your project for consideration through this new process
- Attend the relevant pitching session
- Disclose details of your proposed project in a public forum and display clips from the project.

The BFI may, at its discretion, assess certain feature documentary applications according to the Film Fund standard assessment process.

Filmmakers who wish to apply for documentary development funding and are not at the stage to apply for production funding will not be considered for the pitching sessions and the application will be assessed in the same ways as any other development application.

## **NEXT PITCH DATES**

The next Film Fund Pitch will take place in London in early December, and key dates and deadlines are as follows:

Deadline for Applications	September 20 <sup>th</sup> 2013
Pitching Projects Announced	November 8 <sup>th</sup>
Workshop	TBA (no later than November 25 <sup>th</sup> )
Pitch	December 9 <sup>th</sup>
Announcements	December 13 <sup>th</sup>