

Development of Audiovisual Content - Single Project
Call for Proposals EACEA/22/2017



CREATIVE EUROPE

MEDIA Sub-programme

DEVELOPMENT OF AUDIOVISUAL CONTENT - SINGLE PROJECT

GUIDELINES

Please note that the standard grant agreements/decisions of the Agency are currently under revision due to the entry into force of the new Financial Regulation and its Rules of Application in 2018. For this reason the draft grant agreements/decisions related to this call are published as an example and consequently the Agency reserves the right to introduce changes or additional details subject to the adoption of the final text of the Financial Regulation and Rules of Application. In this case the Agency will announce the changes as soon as possible and at the latest before the signature of the grant agreements or grant decisions.

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Annexes:

All the annexes are available on the EACEA/MEDIA website:

https://eacea.ec.europa.eu/creative-europe/funding/support-for-development-single-project-2018_en

GUIDELINES – EACEA 22/2017

Development of Audiovisual Content – Single Project

1. INTRODUCTION – BACKGROUND

These guidelines are based on Regulation No 1295/2013 of the European Parliament and of the Council of 11/12/2013 concerning the implementation of a programme of support for the European cultural and creative sector (CREATIVE EUROPE)¹ and its corrigendum of 27/06/2014.²

The European Commission is responsible for the implementation of the Creative Europe Programme and for the decision to grant individual European Union funds. The Education, Audiovisual and Culture Executive Agency, hereafter "the Agency", manages the Culture and MEDIA Sub-programme on behalf of and under the supervision of the European Commission.

General background information about the Creative Europe Programme can be found on the following link: http://ec.europa.eu/programmes/creative-europe/index_en.htm

2. OBJECTIVES – THEMES – PRIORITIES

2.1. Objectives

Within the specific objective of reinforcing the European audiovisual sector's capacity to operate transnationally and internationally, one of the priorities of the MEDIA Sub-programme is to:

- increase the capacity of audiovisual operators to develop European audiovisual works with a potential to circulate in the Union and beyond, and to facilitate European and international co-production, including with television broadcasters.

The MEDIA Sub-programme shall provide support for the following measures:

- the development of European audiovisual works, in particular films and television works such as fiction, documentaries, children's and animated films, as well as interactive works such as videogames and multimedia with enhanced cross-border circulation potential;
- activities aiming at supporting European audiovisual production companies, in particular independent production companies, with a view to facilitating European and international co-productions of audiovisual works including television works.

Under this support scheme, the applicant submits a proposal with a view to developing audiovisual content in the form of a Single Project intended for commercial exploitation through cinematic release, television broadcasting, commercial exploitation on digital platforms or a multi-platform environment in the following categories: animation, creative documentary and fiction.

2.2. Targeted projects

The MEDIA Sub-programme supports European independent audiovisual production companies with proven experience interested in developing content in the form of a Single Project presenting:

- high creative/artistic value and cultural diversity,
- wide cross-border exploitation potential able to reach audiences at European and international levels,
- greater cooperation between operators from different countries participating in the MEDIA Sub-programme,

¹ Published in the Official Journal of the European Union on 20/12/2013 (OJ L347/221).

² Published in the Official Journal of the European Union on 27/06/2014 (OJ L 189/260).

- enhanced audience reach based on strategies for marketing and distribution envisaged as from the development phase.

3. TIMETABLE

	Stages	Date and time or indicative period	
a)	Publication of the call	September 2017	
b)	Deadline for submitting applications	<i>1st deadline</i> 23 November 2017 – 12:00 (noon, Brussels time)	<i>2nd deadline</i> 19 April 2018 - 12:00 (noon, Brussels time)
c)	Evaluation period	December 2017 – February 2018	May - August 2018
d)	Information to applicants	March 2018	September 2018
e)	Signature of grant decision/agreement	April 2018	October 2018
f)	Starting date of the action	Date of submission	Date of submission
g)	Duration of the action	Maximum 30 months from the date of submission	Maximum 30 months from the date of submission

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects is estimated at EUR 5.4 M.

This budget is subject to the availability of the funds after the adoption of the budget for 2018 by the budgetary authority.

The contribution per action under these guidelines is:

- a lump sum of EUR 60.000 in case of animation,
- a lump sum of EUR 25.000 in case of creative documentary,
- a lump sum of EUR 50.000 in case of fiction if the estimated production budget is equal/above EUR 1.5 M
- a lump sum of EUR 30.000 in case of fiction if the estimated production budget is below EUR 1.5 M.

The Agency reserves the right not to distribute all the funds available.

The indicative split of the available budget between the different genres (animation, creative documentary and fiction) will be established according to the proportional share of received applications.

A minimum of 27% of the budget allocated under this scheme will be earmarked to applications originating from countries with a low production capacity³, provided that the applications reach a minimum score under the award criteria of 75/100.

³ The low production capacity countries are all MEDIA participating countries **except** France, Germany, Italy, Spain, UK (i.e. the high production capacity countries) and Austria, Belgium, Denmark, Finland, Ireland, Norway, the Netherlands, Poland, Sweden, Switzerland (the medium production capacity countries).

5. ADMISSIBILITY REQUIREMENTS

Applications shall comply with the following requirements:

- they must be received no later than the deadline for submitting applications referred to in section 3 of the present guidelines;
- they must be submitted (see section 14 of the present guidelines) using the online application form;
- they must be drafted in one of the EU official languages, preferably in English or French.

The application form must be accompanied by all the other documents referred to in the application form.

Failure to comply with those requirements will lead to the rejection of the application.

In order to submit an application, applicants must provide their Participant Identification Code (PIC) in the application form. The PIC can be obtained by registering the organisation in the Unique Registration Facility (URF) hosted in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal. The Unique Registration Facility is a tool shared by other services of the European Commission. If an applicant already has a PIC that has been used for other programmes (for example the Research programmes), the same PIC is valid for the present call for proposals.

The Participant Portal allows applicants to upload or update the information related to their legal status and attach the requested legal and financial documents (see section 14.2 for more information).

6. ELIGIBILITY CRITERIA

Applications which comply with the following criteria will be subject to an in-depth evaluation.

6.1. Eligible applicants

This call for proposals is open to independent European audiovisual production companies which have been legally constituted for at least 12 months prior to the submission date and that can demonstrate a recent success.

A **European company** is a company owned, whether directly or by majority participation (i.e. majority of shares), by nationals of Member States of the European Union or nationals of the other European countries participating in the MEDIA Sub-programme and registered in one of these countries.

Applications from legal entities established in one of the following countries are eligible as long as all conditions referred to in Article 8 of the Regulation establishing the Creative Europe Programme are met and the Commission has entered into negotiations with the country:

- EU Member States and overseas countries and territories which are eligible to participate in the Programme pursuant to Article 58 of Council Decision 2001/822/EC;
- Acceding countries, candidate countries and potential candidates benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective Framework Agreements, Association Council Decisions or similar agreements;
- EFTA countries which are members of the EEA, in accordance with the provisions of the EEA Agreement;
- The Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;

- Countries covered by the European Neighbourhood Policy in accordance with the procedures established with those countries following the framework agreements providing for their participation in European Union programmes.

The Programme shall also be open for bilateral or multilateral cooperation actions targeted at selected countries or regions on the basis of additional appropriations paid by, and specific arrangements to be agreed upon with those countries or regions.

The Programme shall permit cooperation and joint actions with countries not participating in the Programme and with international organisations which are active in the cultural and creative sectors such as UNESCO, the Council of Europe, the Organisation for Economic Cooperation and Development or the World Intellectual Property Organisation on the basis of joint contributions for the realisation of the Programme's objectives.

Proposals from applicants in non EU countries may be selected, provided that, on the date of the award decision, agreements have been signed setting out the arrangements for the participation of those countries in the programme established by the Regulation referred to above.

An updated list of countries that fulfil the conditions referred to in Article 8 of the Regulation and that the Commission has started negotiations with can be found on the following link:

http://eacea.ec.europa.eu/creative-europe/library/eligibility-organisations-non-eu-countries_en.

For applicants from the United Kingdom: Please be aware that eligibility criteria must be complied with for the *entire* duration of the grant. If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article II.16.2.1(a) of the grant agreement.

An **independent company** is a company which does not have majority control by a television broadcaster, either in shareholding or commercial terms. Majority control is considered to occur when more than 25% of the share capital of a production company is held by a single broadcaster (50% when several broadcasters are involved).

An **audiovisual production company** is a company whose main objective and activity is audiovisual production as indicated in the official national registration documents.

A **legally constituted company** is a company which has been founded by a legal act compliant with the relevant legislation.

A **company with a recent success** is understood as follows: The applicant must prove it has produced a previous eligible work, as described in section 6.2, in the five years preceding the submission of the application and prove that this work has been released or broadcast in at least one country other than that of the applicant in the period between 1/01/2015 and the date of submission of the application.

The date taken into account in verifying that commercial exploitation has taken place during the reference period (between 1/01/2015 and the date of submission of the application for funding) is the date on which the international commercial exploitation took place (date of official release in cinema or broadcast date). Commercial distribution online and distribution from international sales agent should be documented by a revenues report related to the reference period.

Concerning the production of a previous eligible work, the applicant must prove in any case:

- that it was the sole production company; or
- that it was, in the case of a co-production with another production company, the major co-producer in the financing plan or the delegate producer; or
- that its Chief Executive or one of its shareholders has a personal onscreen credit on the work as producer or delegate producer.

The applicant must also own the majority of rights related to the project. No later than on the date of submission, the applicant must show that it holds the majority of the rights relating to the project for which support is being sought. It is required to provide a duly dated and signed contract covering the rights to the artistic material included in the application. This must include at least: concept, subject, treatment, script or bible. This contract⁴ must be duly dated and signed by the author(s).

If the project is an adaptation of an existing work (novel, biography etc.), the applicant must also show that it holds the majority of the rights relating to the rights of adaptation to this work with an option agreement or transfer of rights contract duly dated and signed.

Natural persons **may not apply** for a grant.

6.2. Eligible activities

Only the development activities for the following projects are eligible:

- Feature films, animations and creative documentaries of a minimum length of 60 minutes intended primarily for *cinematic release*;
- Fiction projects (one-off or series) of a total duration of minimum 90 minutes, animation (one-off or series) of a total duration of minimum 24 minutes and creative documentaries (one-off or series) of a total duration of minimum 50 minutes intended primarily for the purposes of *television*;
- Fiction projects of a total duration or user experience of minimum 90 minutes, animation of a total duration or user experience of minimum 24 minutes and creative documentaries of a total duration or user experience of minimum 50 minutes intended primarily for the purposes of *digital platform exploitation*. For projects presenting a user experience in a non-linear format (e.g. Virtual Reality), these minimums do not apply.
The digital platform is addressing the following types of projects: animation, creative documentaries and fiction projects intended for multiple screen-based devices, interactive projects, linear and non-linear web-series and narrative virtual reality projects.

The day of principal photography⁵ (or equivalent) of the submitted project must not be scheduled to occur within 8 months from the date of submission of the application.

⁴ The following types of contracts will be accepted:

- an option agreement concerning the transfer of rights between the author and the applicant company, of an adequate duration to cover the whole development schedule and clearly setting out the conditions for exercising the option;
- a contract transferring the rights from the author to the applicant company.

The option agreement or transfer of rights contract can be replaced by:

- a unilateral declaration of the transfer of rights to the applicant company where the author is the producer, a shareholder or an employee of the company;
- a co-production or co-development agreement duly dated and signed by the parties and clearly showing that the applicant company holds the majority of the rights at the date of the application.

⁵ For creative documentary the first day of principal photography can be defined as the day on which the filming starts, with the contracted crew present on set/location, within the framework of an established period of employment, as stated and confirmed in written agreements. Activities aimed at the acquisition of footage and preliminary shooting are eligible.

The following projects are ineligible:

- live recordings, TV games, talk shows, reality shows or educational, teaching and 'how-to' programmes;
- documentaries promoting tourism, "making-of", reports, animal reportages, news programmes and "docu-soaps";
- projects including pornographic or racist material or advocating violence;
- works of a promotional nature;
- institutional productions to promote a specific organisation or its activities;
- video games, e-books and interactive books.

A company that has an on-going Slate Funding grant **cannot apply** for support for a Single Project.

Creative Europe MEDIA publishes calls for proposals for Single Projects and Slate Funding annually. **Applicants may make only one application** either for Slate Funding (call for proposals EACEA 23/2017) or for one of the two deadlines of the Single Project Call (call for proposals EACEA 22/2017).

Activities may not start before the date of submission of the application and must end at the latest 30 months after this date. If the project enters into production before the end of this period, the action ends on the date of entry into production of the project.

However, if after the signing of the decision/agreement and the start of the project it becomes impossible for the beneficiary, for fully justified reasons beyond its control, to complete the project within the scheduled period, an extension to the action and the eligibility period may be granted. A maximum extension of 6 additional months will be granted, if requested before the deadline specified in the decision/agreement. The maximum duration will then be 36 months after the submission of the application.

If the project has an interoperable standard identifier, such as ISAN or EIDR, it must be indicated in the application. In any case, if the project is selected for funding, such an identifier must be created before the end of the action.

Only applications that fulfil the eligibility criteria will be considered for a grant. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

7. EXCLUSION CRITERIA

7.1. Exclusion from participation

An applicant will be excluded from participating in the call for proposals procedure if it is in any of the following situations:

- a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
- b) it has been established by a final judgement or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the authorising officer is located or those of the country of the implementation of the grant;
- c) it has been established by a final judgement or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

- (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract, a grant agreement or a grant decision;
 - (ii) entering into agreement with other persons with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the Agency during the award procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- d) it has been established by a final judgement that the applicant is guilty of any of the following:
- (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 - (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the authorising officer is located, the country in which the applicant is established or the country of the implementation of the grant;
 - (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - (iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;
 - (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
 - (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;
- f) it has been established by a final judgement or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- g) in the absence of a final judgement or where applicable a final administrative decision, the applicant is in one of the cases provided in (c) to (f) above based in particular on :
- (i) facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - (ii) non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 - (iii) decisions of the ECB, the EIB, the European Investment Fund or international organisations;
 - (iv) decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law.
 - (v) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.
- (h) where a person who is a member of the administrative, management or supervisory body of the applicant, or who has powers of representation, decision or control with regard to that applicant (this covers the company directors, members of the management or supervisory bodies, and cases where

one person holds a majority of shares), is in one or more of the situations referred to in points (c) to (f) above.

(i) where a natural or legal person that assumes unlimited liability for the debts of that applicant is in one or more of the situations referred to in point (a) or (b) above.

If an applicant is in one of the situations of exclusion listed above, it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. They may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. This does not apply for the situations referred in point (d) of this section.

In the cases provided in (c) to (f) above, in the absence of a final judgement or where applicable a final administrative decision, the Agency may exclude an applicant provisionally from participating in a call for proposals where their participation would constitute a serious and imminent threat to the Union's financial interests.

7.2. Rejection from the award procedure

An applicant will not be awarded a grant for this procedure if

- (a) it is in an exclusion situation established in accordance with the above section 7.1;
- (b) it has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information;
- (c) it was previously involved in the preparation of a call for proposals where this entails a distortion of competition that cannot be remedied otherwise.

Rejection from this procedure and administrative sanctions (exclusion or financial penalty) may be imposed on applicants or affiliated entities where applicable, if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

The applicants should be informed that the Agency may publish on its internet site the following information related to the exclusion and, where applicable, the financial penalty in the cases referred to in points (c), (d), (e) and (f) of the section 7.1⁶:

- (a) the name of the applicant concerned;
- (b) the exclusion situation;
- (c) the duration of the exclusion and/or the amount of the financial penalty.

In case of a preliminary classification in law (i.e. absence of a final judgement or a final administrative decision), the publication shall indicate that there is no final judgement or final administrative decision. In those cases, information about any appeals by the applicant, their status and their outcome, as well as any revised decision of the authorised officer, shall be published without delay. Where a financial penalty has been imposed, the publication shall also indicate whether that penalty has been paid.

The decision to publish the information is taken by the Agency either following the relevant final judgement, final administrative decision or preliminary classification in law, as the case may be. That decision shall take effect three months after its notification to the economic operator.

⁶ This information shall not be published in any of the following circumstances:

- (a) where it is necessary to preserve the confidentiality of an investigation or of national judicial proceedings;
- (b) where publication would cause disproportionate damage to the applicant concerned or would otherwise be disproportionate on the basis of the proportionality criteria and to the amount of the financial penalty;
- (c) where a natural person is concerned, unless the publication of personal data is exceptionally justified, inter alia, by the seriousness of the conduct or its impact on the Union's financial interests. In such cases, the decision to publish the information shall duly take into consideration the right to privacy and other rights provided for in Regulation (EC) No 45/2001.

The information published shall be removed as soon as the exclusion has come to an end. In the case of a financial penalty, the publication shall be removed six months after payment of that penalty.

In accordance with Regulation (EC) No 45/2001, where personal data is concerned, the Agency shall inform the applicant of its rights under the applicable data protection rules and of the procedures available for exercising those rights.

7.3. Supporting documents

Applicants must sign a declaration on their honour certifying that they are not in one of the situations referred to in the above sections 7.1. and 7.2, filling in the relevant form attached to the application form accompanying the call for proposals. If applicable, the relevant documentary evidence which appropriately illustrates any remedial measures taken should be provided in annex to this declaration.

The declaration is available (under the heading "annexes") at https://eacea.ec.europa.eu/creative-europe/funding/support-for-development-single-project-2018_en

8. SELECTION CRITERIA

Applicants must submit a declaration on their honour, completed and signed, attesting to their status as a legal person and to their financial and operational capacity to complete the proposed activities.

8.1. Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out or the year for which the grant is awarded and to participate in its funding. The applicants' financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

- a declaration on their honour.

8.2. Operational capacity

Applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. In this respect, applicants have to submit a declaration on their honour.

9. AWARD CRITERIA

Eligible applications will be assessed on the basis of the following criteria:

	Criteria	Definitions	Max. Weighting
1	Relevance and European added-value	Quality of the project and the potential for European distribution	50
2	Quality of the content and activities	Quality of the development strategy	10
3	Dissemination of project results	The European and international distribution and marketing strategy	20
4	Organisation of the project team	Distribution of the roles and responsibilities of the creative team vis-à-vis the specific objectives of the proposed action	10
5	Impact and sustainability	Quality of the financing strategy and feasibility potential of the project	10

Automatic award criteria (only for fiction and creative documentary):

Description	Extra points
A project specifically targeted at young audience ⁷	5

Detailed description of the award criteria and breakdown of points:

1. Quality of the project and the potential for European distribution	50 points
Fiction and animation: 1a) Quality, premise, strength and distinctiveness of idea and dramatic potential of the project Creative documentary: 1a) Strength and distinctiveness of the subject matter, purpose and quality of the project focus	10
1b) Quality of the writing, narrative choices, character development and the world of the story	10
Fiction and Creative documentary: 1c) Creative potential of the project Animation: 1c) Quality of the visual approach and art work as well as the creative potential of the project	10
1d) Potential of the European and international distribution <ul style="list-style-type: none"> • transnational appeal of the project concept <ul style="list-style-type: none"> ○ subject • potential to cross borders taking into account <ul style="list-style-type: none"> ○ the team, ○ the cast, ○ the proposed execution and the strategies and collaboration methodology presented, especially with non-national co-production partners 	20
2. Quality of the development strategy	10
<ul style="list-style-type: none"> • adequacy of the development plan and development budget to the needs of the project, • sufficiency of detail, • adequacy of development schedule planned 	
3. The European and international distribution and marketing strategy	20
3a) The European and international distribution strategy <ul style="list-style-type: none"> • Relevance of the distribution strategy regarding <ul style="list-style-type: none"> ○ the identified target audience, ○ distribution methods foreseen, ○ partners in place or envisaged and awareness of the markets, European/international vision ○ relevance of choice of territories (neighbouring countries and regions, Europe, other continents) 	10
3b) The European and international marketing strategy <ul style="list-style-type: none"> • relevance of the marketing strategy in terms of 	10

⁷ Young audience is understood as up to 16 years old; this category of automatic points is not applicable to animation projects.

<ul style="list-style-type: none"> ○ the distribution strategy, ○ segments targeted, ○ unique selling points, ○ the marketing channels, ○ the benefits to the selected market, ○ the promotional activities planned <ul style="list-style-type: none"> ● Adequacy of the communication and marketing plan and tools 	
4. Distribution of the roles and responsibilities of the creative team vis-à-vis the specific objectives of the proposed action	10
<ul style="list-style-type: none"> ● distribution of the roles and responsibilities to the different members of the creative team ● adequacy of the team to the project ● potential for further talent escalation 	
5. Quality of the financing strategy and feasibility potential of the project	10
<ul style="list-style-type: none"> ● Level of commitment (Letter of Intent versus deal-memo or contract) and share of non-national funding, especially from countries with a different language ● awareness of the suitable potential partners and territories targeted, ● experience or ability of the applicant to secure the necessary co-financing ● sufficiency and realism of the financing plan ● adequacy of the production costs to the project and to the development budget described ● adequacy of the financing strategy compared to the estimated production costs 	

10. LEGAL COMMITMENTS

In the event of a grant awarded by the Agency, a grant agreement or a grant decision drawn up in euro and detailing the conditions and level of funding will be sent to the beneficiary, as well as the procedure in view to formalise the obligations of the parties.

Agreement: the 2 copies of the original agreement must be signed first by the beneficiary and returned to the Agency immediately. The Agency will sign them last.

Decision: the decision must not be returned to the Agency. The general conditions applicable to the decision (General Conditions II.b) are available in the 'Documents register' of the Agency website: https://eacea.ec.europa.eu/sites/eacea-site/files/ii_a_3.pdf.

As regards grant decisions, beneficiaries understand that submission of a grant application implies acceptance of these General Conditions. These General Conditions bind the beneficiary to whom the grant is awarded and shall constitute an annex to the Grant Decision.

Please note that the award of a grant does not establish an entitlement for subsequent years.

11. FINANCIAL PROVISIONS

11.1. General principles

a) Non-cumulative award

An action may only receive one grant from the EU budget.

In no circumstances shall the same costs be financed twice by the Union budget. To ensure this, applicants shall indicate in the application form the sources and amounts of Union

funding received or applied for the same action or part of the action or for its functioning during the same financial year as well as any other funding received or applied for the same action.

b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed.

A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the grant agreement is signed or the grant decision is notified.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application.

c) Co-financing

Co-financing means that the resources which are necessary to carry out the action may not be entirely provided by the EU grant.

Co-financing of the action may take the form of:

- the beneficiary's own resources,
- income generated by the action,
- financial contributions from third parties.

d) Balanced budget

The estimated budget of the action is to be attached to the application form. It must have revenue and expenditure in balance.

The budget must be drawn up in euros. Applicants which foresee that costs will not be incurred in euros shall use the exchange rate published on the Infor-euro website available at: http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm on the date of the publication of this call for proposals.

e) Implementation contracts/subcontracting

Where the implementation of the action requires the award of procurement contracts (implementation contracts), the beneficiary must award the contract to the bid offering best value for money or the lowest price (as appropriate), avoiding conflicts of interests and retain the documentation for the event of an audit.

Entities acting in their capacity of contracting authorities in the meaning of Directive 2014/24/EU⁸ or contracting entities in the meaning of Directive 2014/25/EU⁹ shall abide by the applicable national public procurement rules.

Sub-contracting, i.e. the externalisation of specific tasks or activities which form part of the action as described in the proposal and which cannot be performed by the beneficiary itself

⁸ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.

⁹ Directive 2014/25/EU (repealing Directive 2004/17/EC) coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32014L0025>.

must satisfy the conditions applicable to any implementation contract (as specified above) and in addition to them the following conditions:

- it may only cover the implementation of a limited part of the action;
- it must be justified having regard to the nature of the action and what is necessary for its implementation;
- it must be clearly stated in the proposal or prior written authorisation from the Agency must be obtained.

f) Financial support to third parties

The applications may not envisage provision of financial support to third parties.

11.2. Funding forms

The EU grant is based on lump sums for the different genres of projects for which the support is sought for and established by way of Commission decision.

➤ **Maximum amount requested**

The grant requested is calculated on the basis of the genre of the project:

- a lump sum of EUR 60.000 in case of animation;
- a lump sum of EUR 25.000 in case of creative documentary;
- a lump sum of EUR 50.000 in case of fiction if the estimated production budget is equal/above EUR 1.5 M
- a lump sum of EUR 30.000 in case of fiction if the estimated production budget is below EUR 1.5 M.

The amount requested must be based on the list above, in accordance with the activities/deliverables planned in the application.

The grant amount may not exceed the amount requested. Amounts are indicated in euros. Acceptance of an application by the Executive Agency does not constitute an undertaking to award a grant equal to the amount requested by the beneficiary.

➤ **Calculation of the final grant amount**

The final amount of the grant to be awarded to the beneficiary is established after completion of the action, upon:

- approval of a payment request accompanied by a final report providing details of the implementation and results of the action;
- verification of the implementation of the activities and/or of the production of the deliverables planned in the application.

In the event of non-execution or clearly inadequate execution of an activity planned in the application attached to the funding decision/agreement, the final grant will be reduced accordingly.

Whereas the beneficiary delivers outputs in both categories of Creative Development and Financing and Marketing Research, and that the total reaches

- at least 70% of the outputs as weighted below, 100% of the grant shall be paid;
- between 50 and 69% of the outputs as weighted below, 70% of the grant shall be paid.

Under this threshold and/or if the applicant delivers outputs in only one of the two categories below (even if in full), the beneficiary is deemed to have failed to prove the proper implementation of the

corresponding tasks or part of the action, and the Agency reserves the right to terminate the grant agreement/decision.

OUTPUTS to be delivered:

WEIGHTING (%)	
1. CREATIVE DEVELOPMENT	
Updated creative development (treatment, script, bible, episodes outline or others)	50%
Research work undertaken and visual material	10%
Key artistic crew/casting involved	10%
2. FINANCING AND MARKETING RESEARCH	
Updated financing and production budgets and schedules	10%
Distribution and marketing strategies described	20%

11.3. Payment arrangements

A pre-financing payment corresponding to 70% of the grant amount will be transferred to the beneficiary within 30 days either of the date when the last of the two parties signs the agreement, or of the notification of the grant decision, provided all requested guarantees have been received.

The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the calculation of the final grant amount (see section 11.2 above). If the total of earlier payments is higher than the final grant amount, the beneficiary will be required to reimburse the amount paid in excess by the Commission through a recovery order.

12. PUBLICITY

12.1. By the beneficiaries

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used.

In this respect, beneficiaries are required to give prominence to the name and logo of the Creative Europe - MEDIA Sub-programme on all their publications, posters, programmes and other products realised under the co-financed project. This also includes a mention of the development support on onscreen credits of the final produced project when applicable.

To do this they must use the text, the logo and the disclaimer available at https://eacea.ec.europa.eu/about-eacea/visual-identity_en, which will be provided by the Agency.

If this requirement is not fully complied with, the beneficiary's grant may be reduced in accordance with the provisions of the grant agreement or grant decision.

12.2. By the Agency and/or the Commission

With the exception of scholarships paid to natural persons and other direct support paid to natural persons in most need, all information relating to grants awarded in the course of a financial year shall be published on the Internet site of the European Union institutions no later than the 30th of June of the year following the financial year in which the grants were awarded.

The Agency and/or the Commission will publish the following information:

- name of the beneficiary,
- locality of the beneficiary: address of the beneficiary when the latter is a legal person, region when the beneficiary is a natural person, as defined on NUTS 2 level¹⁰ if he/she is domiciled within the EU or equivalent if domiciled outside EU,
- the amount awarded,
- nature and purpose of the grant.

Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

12.3. Communication and dissemination

To maximise impact, projects should have a clear and strong strategy for communication and dissemination of their activities and results, and applicants must provide enough time and resources to communicate and interact appropriately with peers, audiences and local communities as appropriate.

Beneficiaries may be required to attend and to participate in events organised by the European Commission or the Agency to share their experience with other participants and/or policy makers.

13. DATA PROTECTION

All personal data (such as names, addresses, CVs, etc.) will be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the European Community institutions and bodies and on the free movement of such data.¹¹

Unless marked as optional, the applicant's replies to the questions in the application form are necessary to evaluate and further process the grant application in accordance with the specifications of the call for proposals. Personal data will be processed solely for that purpose by the department or Unit responsible for the Union grant programme concerned (entity acting as data controller). Personal data may be transferred on a need to know basis to third parties involved in the evaluation of applications or in the grant management procedure, without prejudice of transfer to the bodies in charge of monitoring and inspection tasks in accordance with European Union law. In particular, for the purposes of safeguarding the financial interests of the Union, personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office and between authorising officers of the Commission and the executive agencies. The applicant has the right of access to, and to rectify, the data concerning him or her. For any question relating to these data, please contact the Controller.

Applicants have the right of recourse to the European Data Protection Supervisor at any time. A detailed Privacy statement, including contact information, is available on EACEA's website:

http://eacea.ec.europa.eu/about/documents/calls_gen_conditions/eacea_grants_privacy_statement.pdf

Applicants and, if they are legal entities, persons who are members of the administrative, management or supervisory body of that applicant or who have powers of representation, decision or control with regard to that applicant, or natural or legal persons that assume unlimited liability for the debts of that applicant, are informed that, their personal data (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or

¹⁰ European Union Official Journal L39, of 10 February 2007.

¹¹ Official Journal L 8, 12.1.2001.

control, if legal person) may be registered in the Early Detection and Exclusion System (EDES) by the Authorising Officer of the Agency, should they be in one of the situations mentioned in the Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298 of 26.10.2012, p. 1) as amended by the Regulation (EU, Euratom) No 2015/1929 of the European Parliament and of the Council of 28 October 2015 (OJ L 286, 30.10.2015, p. 1).

14. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

14.1. Publication

The call for proposals is being published on the Internet site of the Agency at the following address: https://eacea.ec.europa.eu/creative-europe/funding/support-for-development-single-project-2018_en

14.2. Registration in the Participant Portal

Before submitting an electronic application, applicants will have to register their organisation in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal and receive a Participant Identification Code (PIC). The PIC will be requested in the application form.

The Participant Portal is the tool through which all legal and financial information related to organisations will be managed. Information on how to register can be found in the portal under the following address: <http://ec.europa.eu/education/participants/portal/>

The tool also allows applicants to upload different documents related to their organisation. These documents have to be uploaded once and will not be requested again for subsequent applications by the same organisation.

Details on the supporting document that need to be uploaded in the portal can be found on the following link (under the heading 'How to apply'): https://eacea.ec.europa.eu/creative-europe/funding/support-for-development-single-project-2018_en

14.3. Submission of the grant application

Proposals must be received in accordance with the admissibility requirements set out under section 5 and by the deadline set out under section 3.

No modifications to the application are allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or for the correction of clerical mistakes, the Agency may contact the applicant for this purpose during the evaluation process.

Applicants submitting projects for different actions should provide separate applications for each action.

All applicants will be informed by electronic mail with receipt about the results of the selection process.

An online application system has been set up. Grant applications must be drawn up in one of the official EU languages, using the online form (eForm) specifically designed for this purpose. To facilitate the assessment of the application, an English, French or German translation of the documents relevant to the assessment of the project must be submitted.

The eForm can be obtained on the Internet at the following address: <https://eacea.ec.europa.eu/PPMT/>

Proposals must be received by the deadline mentioned in the call for proposals and in Section "3. Timetable" of the present guidelines **before 12:00 CET/CEST (Midday, Brussels time)**, using the online application form.

Applicants should note that no applications received after 12.00CET/CEST on the deadline will be accepted. They are very strongly encouraged not to wait until the final day to submit their application.

Please note that no other method of submission of an application will be accepted. Applications submitted in any other way will be automatically rejected. No exceptions will be made.

Make sure that you have officially submitted your electronic application form and that you have received an e-mail acknowledging receipt of your submission with a project reference number.

Applicants shall ensure that all the documents requested and mentioned in the eForm are provided electronically.

Only applications that fulfil the eligibility criteria will be considered for a grant. If an application is deemed ineligible, a letter indicating the reasons will be sent to the applicant.

14.4. Evaluation procedure

The eligible proposals will be ranked in each genre (fiction, creative documentary, animation) according to the award criteria defined and weighted in section 9 of the present guidelines. Within the limit of the available budget, applications obtaining the highest scores in each genre will be selected.

The assessment is made solely on the basis of the documents received by the relevant deadline. Nevertheless, the Agency reserves the right to request additional information from the applicant regarding the eligibility criteria set out under section 6 of these guidelines.

14.5. Award decision

Only after completion of the procedure mentioned above, is the selection process finalised and the award decision adopted by the Agency.

Applicants will be informed of the results of the selection by electronic mail with receipt within two weeks of the date of adoption of the award decision.

Unsuccessful applicants will receive a letter stating the reasons why their application was not selected.

Once applicants are informed, the list of selected proposals will be published on the websites of the Commission/Agency: http://eacea.ec.europa.eu/creative-europe/selection-results_en

14.6. Rules applicable

Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L 298, 26.10.2012, p.1) as amended by the Regulation (EU, Euratom) No 2015/1929 of the European Parliament and of the Council of 28 October 2015 (OJ L 286, 30.10.2015, p. 1).

Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p.1) as amended by the Commission Delegated Regulation (EU) No 2015/2462 of 30 October 2015 amending Delegated Regulation (EU) No 1268/2012 on the rules of application of

Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 342, 29.12.2015, p. 7).

Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) concerning the implementation of a support Programme for the European creative sector (Creative Europe) (OJ L 347/221, 20 December 2013) and the corrigendum of the 27/06/2014 (OJ L189/260).

14.7. Contacts

For any further information please contact your Creative Europe desk:

http://ec.europa.eu/culture/tools/creative-desks_en.htm

Contact within the Agency:

EACEA-MEDIA-DEVELOPMENT@ec.europa.eu

If you encounter a technical problem in relation to the e-Form, please ensure that you contact the HelpDesk well in advance of the deadline for submission: EACEA-HELPDESK@ec.europa.eu

Annexes:

- (1) Annex 1 - Detailed description of the project. A free word or pdf document containing the artistic material related to the project. For more details, please refer to the eForm Operational User guide
- (2) Annex 2 - Budget form - Single project
- (3) Annex 3 - Declaration on applicant's honour (The declaration on the applicant's honour must be attached to the eForm)
- (4) Annex 4 - Track record of the applicant company/producer
- (5) Annex 5 - Supporting documents of co-production and financing
- (6) Annex 6 - Expert guide
- (7) Annex 7 - Model agreement/decision