



# **CREATIVE EUROPE**

## **MEDIA Sub-programme**

### **SUPPORT FOR THE TRANSNATIONAL DISTRIBUTION OF EUROPEAN FILMS**

#### **THE "SELECTIVE SCHEME"**

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## **1. INTRODUCTION**

These guidelines are based on Regulation No EU (2013) 1295 of the European Parliament and of the Council of 20/12/2013 concerning the implementation of a programme of support for the European cultural and creative sector (CREATIVE EUROPE).<sup>1</sup>

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 and under the control of the European Commission.

General background information about the Creative Europe programme can be found on the following link: <http://ec.europa.eu/creative-europe/>

## **2. OBJECTIVES - PRIORITIES**

### **2.1 Objectives and priorities**

Within the specific objective of promoting transnational circulation, one of the priorities of the MEDIA Sub-programme shall be the following:

- supporting theatrical distribution through transnational marketing, branding, distribution and exhibition of audiovisual works;

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

- establishing systems of support for the distribution of non-national European films through theatrical distribution and on all other platforms as well as for international sales activities; in particular the subtitling, dubbing and audio-description of audiovisual works.

### **2.2 Targeted Projects**

The aim of the "Selective scheme" is to encourage and support the wider trans-national distribution of recent non national European films by encouraging theatrical distributors in particular to invest in promotion and adequate distribution of non-national European films.

The scheme also aims to encourage the development of links between the production and distribution sector thus improving the competitive position of non national European films.

These guidelines are aimed at European companies whose activities contribute to the realisation of the above objectives, and in particular at cinema distribution companies.

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<sup>1</sup> published in the Official Journal of the European Union on the 20/12/2013 (OJ L347, pp 221).

### 3. TIMETABLE

	Stages	Date or indicative period	
a)	Publication of the call	December 2013	
b)	Deadline for submitting applications	<b>28 February 2014, 12:00</b> (noon, Brussels Time)	<b>2 July 2014, 12:00</b> (noon, Brussels Time)
c)	Evaluation period	March-June 2014	July-October 2014
d)	Information to applicants	July 2014	November 2014
e)	Signature of grant agreement or notification of grant decision	August 2014	December 2014
f)	Starting date of the action (first release of the film)	The film can be released from the date of application	The film can be released from the date of application, and at the earliest on <b>2<sup>nd</sup> May 2014.</b>
g)	Max. duration of the action / Period of eligibility	From date of the application until 18 months after the deadline.	From date of the application until 18 months after the deadline.

### 4. BUDGET AVAILABLE

The total budget available for the co-financing of projects is estimated at EUR 8M for 2014.

The EU financial contribution will take the form of a lump sum. See details in section 9.4.1

A maximum support of 5% of the available budget will be allocated to projects joining an existing grouping. Approximately 25% of the remaining budget will be allocated to films with a production budget below EUR 3M.

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

### 5. ELIGIBILITY CRITERIA

Only applications which comply with the following criteria will be the subject of an in depth evaluation.

#### 5.1 Formal criteria

In order to submit an electronic application, applicants must provide their Participant Identification Code (PIC) in the application form. The PIC can be obtained by registering the organisation in the Education, Audiovisual, Culture, Citizenship and Volunteering Participant Portal.<sup>2</sup>

<sup>2</sup> the organisation has to register 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

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 the section on Registration in the Participant Portal for more information.

Only proposals submitted in one of the EU official languages, preferably in English or French, using the official application form, completed in full, signed (original signatures or equivalent required) and received by the specified deadline, will be considered.

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

## **5.2 Eligible 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;
- 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 of the European neighbourhood area in accordance with the procedures defined with those countries following the framework agreements providing for their participation in European Union programmes.

The Agency may select proposals from applicants in non EU countries, 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.

(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://ec.europa.eu/culture/creative-europe/documents/eligible-countries.pdf>)

### *Countries with a low production capacity*

The following countries are considered as countries with a low audiovisual production capacity: Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark,

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services of the European Commission. If your organisation 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.

Estonia, Finland, Greece, Hungary, Ireland, Iceland, Latvia, Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland.

The following countries are considered as high production capacity countries: France, Germany, Italy, Spain, and United Kingdom.

### **5.3 Eligible applicants**

#### European company:

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.

#### Cinema / theatrical distributor:

A cinema / theatrical distributor is involved in commercial activity designed to bring to the attention of a wide audience a film for the purpose of exploitation in cinema theatres. This should be the principal activity of the company or division of the company. Such activity shall include aspects of the technical publishing of an audiovisual work (dubbing and subtitling, striking of prints, circulation of prints, etc.) as well as marketing and promotional activities (production of trailers and publicity material, the purchase of advertising space, the organisation of promotional events etc.).

Digital distribution is supported as long as it is of a minimum quality (=1.3K). This excludes DVD, DVIX, Digital Beta or any other support whose resolution is below 1.3K as a copy or source of the films for theatrical release.

A cinema / theatrical distributor must fulfil the following criteria:

1. be the holder of the theatrical distribution rights for the film in the country concerned;
2. carry out the theatrical distribution of the film in the country (determines the release date, plans, controls and executes the distribution and promotion campaign);
3. pay the associated distribution costs; and
4. be registered and have theatrical distribution operations (i.e. operating staff) in the country for which a grant is requested.<sup>3</sup>

Limited sub-contracting, such as booking and billing, is allowed, provided that:

- it has been disclosed to the Agency,
- it is substantiated by receipted invoices,
- it complies with the sub-contracting rule set out in section 10.

In the event that distribution activities are shared between several companies, the contracts/agreements between these companies must be disclosed to the Agency. The Agency will normally consider as eligible the company which actually executes the distribution of the film in the country. The decision of the Agency will be final.

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<sup>3</sup> This requirement is waived for the following countries as they are linked for distribution purpose: Belgium and Luxembourg; Greece and Cyprus; United Kingdom and Ireland.

Physical distributors shall not be eligible for support.

#### **5.4 Eligible activities**

The activities to be funded are campaigns for the trans-national distribution of eligible European films, submitted as part of an eligible grouping of distributors coordinated by the sales agent of the film.

The film must comply with the following criteria:

- it must be a work of fiction (including animated films) or documentary, with a minimum duration of 60 minutes
- it must have its first copyright established in 2011 at the earliest.
- it must not consist of alternative content (operas, concerts, performances, etc.), advertising, pornographic or racist material or advocate violence
- Films from DE, ES, FR, IT, and UK must have a production budget of maximum 10M€<sup>4</sup>
- it must have been majority produced by a producer or producers established in the countries participating in the MEDIA Sub-programme. To be considered as the actual producers the production companies must be credited as such. Other elements such as creative control, ownership of exploitation rights and share of profits may also be taken into account to determine who the actual producer is;
- it must be produced with the significant participation of professionals who are nationals/residents of countries participating in the MEDIA Sub-programme. ‘Significant participation’ is defined as having more than 50% of the points on the basis of the table below, (e.g. having 10 or more points in the case of a work of fiction or the biggest share of points if the total is less than 19 as is normally the case for documentaries or animation films where all of the categories are not usually included in the credits):

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<sup>4</sup> The monthly rates applicable at the date of publication must be used

+	Points
Director	3
Scriptwriter	3
Composer	1
Actor 1	2
Actor 2	2
Actor 3	2
Artistic Director/Production Design	1
Director of Photography	1
Editor	1
Sound	1
Shooting location	1
Laboratory	1
<b>Total</b>	<b>19</b>

In order to verify the eligibility of the films, coordinators must provide a copy of the film (DVD or any other format) for which support is sought. Failure to do so, may lead to the ineligibility of the proposal.

#### National / Non-national European film

European films will be considered as "national" in that country participating in the MEDIA Sub-programme whose nationals / residents have participated in the highest proportion in the making of the film, on the basis of the points table shown above. They will be considered as "non-national" in all the other countries.

#### Eligible grouping

All groupings must have an application from the coordinator (the sales agent of the film) and include at least seven eligible applications from different eligible distributors operating in different countries.

The theatrical release of the film (not including previews or special screenings) shall take place in the country concerned at the earliest on the same day as the date of submission and within 18 months after the relevant deadline for submission.

However, if after the signing of the Agreement/Decision and the start of the action it becomes impossible for the beneficiary, for fully justified reasons beyond his control, to complete the action within the scheduled period, an extension to the period of release may be granted. A maximum extension of 6 additional months to the latest release date may be granted if requested before the deadline specified in the agreement.

It is possible for a distributor to join a grouping that has been supported for the proposed film in the course of the previous deadline of the Selective scheme (a written confirmation from the grouping's coordinator acknowledging the participation of the distributor to the grouping is requested). This measure is not applicable for DE, ES, FR, IT and UK projects.

The Selective scheme cannot be cumulated with reinvestment in distribution costs (Module 3) under the MEDIA Sub-programme Automatic scheme for the same film. Applications for distribution costs may only be made to one scheme at a time. A second application for the same film can be eligible only if the



applicant has been officially informed that the first application under the other scheme has been unsuccessful.

The distribution agreements should not have any contractual conditions which would lead to the Union grant being considered as revenue for the film, or change the terms and conditions of payments, calculations or any other contractual terms in any manner whatsoever which may have the effect of taking the Union grant into account. Conditional clauses (such as execution only if the subsidy is awarded) are also not permitted. Distributors should ensure that their agreements are free of such clauses before submission and will be, in any event, obliged to remedy any such clause before being selected.

## **6. EXCLUSION CRITERIA**

### **6.1. Exclusion from participation**

Applicants will be excluded from participating in the call for proposals procedure if they are in any of the following situations:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they or persons having powers or representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member States which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the responsible authorising officer can justify including by decisions of the EIB and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the responsible authorising officer or those of the country where the grant agreement is to be performed;
- (e) they or persons having powers or representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union' financial interests;
- (f) they are currently subject to an administrative penalty referred to in Article 109(1) of the Financial Regulation.

### **6.2 Exclusion from award**

Applicants will not be granted financial assistance if, in the course of the grant award procedure, they:

- (a) are subject to a conflict of interests;
- (b) are guilty of misrepresentation in supplying the information required by the Agency as a condition of participation in the grant award procedure, or fail to supply this information.
- (c) find themselves in one of the situations of exclusion referred to in the above section 6.1.

Administrative and financial penalties may be imposed on applicants who are guilty of misrepresentation or are found to have seriously failed to meet their contractual obligations under a previous grant award procedure.

### **6.3 Support documents**

Applicants for a grant exceeding EUR 60.000 must sign a declaration on their honour certifying that they are not in one of the situations referred to in the above sections 6.1. and 6.2, filling in the relevant form attach to the application form accompanying the call for proposals and available at [http://ec.europa.eu/culture/media/fundings/creative-europe/call\\_5\\_en.htm](http://ec.europa.eu/culture/media/fundings/creative-europe/call_5_en.htm)

## **7. SELECTION CRITERIA**

Applicant organisations must have stable and sufficient sources of funding (financial capacity) 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. They must have the professional competencies and qualifications required to complete the proposed action (operational capacity).

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.

### **7.1. Operational Capacity**

In order to permit an assessment of their operational capacity, applicant organisations applying for a grant above EUR 60.000 must submit, together with their applications, such documents as:

- the curriculum vitae of the legal representative of the company and
- the curriculum vitae of the Head of Distribution (if they are not the same person).

The Agency will request such information from all new applicant organisations.

### **7.2. 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) Low value grants ( $\leq$  EUR 60 000):
  - a declaration on their honour.
- b) Grants  $>$  EUR 60 000:
  - a declaration on their honour
  - the financial statements (including the balance sheet, the profit and loss accounts and the annexes) of the last two financial years for which the accounts have been closed

- financial capacity form provided for in the application form, filled in with the relevant statutory accounting figures, in order to calculate the ratios as detailed in the form.

On the basis of the documents submitted, if the Agency considers that financial capacity is not satisfactory, it may:

- request further information;
- propose a grant agreement or decision without pre-financing;
- propose a grant agreement or decision without pre-financing but an interim payment based on expenses already occurred;
- propose a grant agreement or decision with a pre-financing covered by a bank guarantee (see section 9.2 below);
- reject the application.

The required documents and forms should be provided at least once per year for the Cinema Selective and Cinema Automatic Schemes.

## 8. AWARD CRITERIA

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

### **1) In the case where a grouping of distributors has not yet been supported for the proposed film under the Selective scheme:**

The groupings will be grouped into 2 categories:

- **Small film category:** groupings presenting a film with a production budget below 3M€
- **Medium film category:** groupings presenting a film with a production budget equal to or above 3M€ (up to 10M€ for films from DE, FR, ES, IT and UK).

Within the limits of the budgetary resources available and in line with the budget allocation for each category, the groupings of distributors which score the highest number of points in each category, on the basis of the following criteria, will be selected:

Number of eligible distributors in the grouping (minimum 7)	1 point per eligible distributor
Number of distributors that have generated a potential fund under the last Automatic Distribution Call for Proposals.	1 additional point per eligible distributor
Film produced in a country participating in the MEDIA Sub-programme, with the exception of DE, ES, FR, IT and UK	2 points

Nb: only the eligible applications are taken into account in the calculation of the award criteria.

Under each session, the grouping that presents the live-action children's film with the highest score will be selected, regardless the ranking of applications in the entire selection process.

To qualify for this measure, the film must comply with the following criteria:

- the target audience must be 12 years-old or under
- the film must be a live-action fiction feature
- the film must be primarily focused on children, excluding family entertainment
- A justified request must be submitted by the coordinator (target audience, theme of the film, details of the specific campaign towards children, presentation in a children festival, etc.).

The qualification as live-action children film will be decided by the Evaluation Committee on the basis of the information and material provided by the coordinator.

## **2) In the case where a grouping of distributors has been supported for the proposed film in the course of the last deadline of the Selective scheme:**

If applicants join a grouping of distributors that has been supported for the proposed film in the course of the previous deadline of the Selective scheme (including the MEDIA 2007 programme), within the limits of 5% of the budgetary resources available at each session, the selection will be automatic, provided that they meet the conditions defined in the guidelines.

This provision does not apply to distribution projects in DE, ES, FR, IT, and UK.

## **9. FINANCIAL CONDITIONS**

An EU grant is an incentive to carry out activities that would not be possible without the support of the Union. It is based on the principle of co-financing. The EU grant supplements the applicant organisation's own financial involvement and/or any national, regional or private support it may have obtained.

Acceptance of an application by the Agency does not constitute an undertaking to award a grant equal to the amount requested by the beneficiary. Furthermore, under no circumstances may the amount awarded exceed the amount requested.

The award of a grant does not establish an entitlement for subsequent years.

Any support from the MEDIA Sub-programme shall remain the exclusive property of the beneficiary and cannot be considered as revenue for the film. There cannot be any contractual conditions or other agreements which change the terms and conditions of payments, calculations or any other contractual terms in any manner whatsoever which may have the effect of taking the Union grant into account. Distribution agreements cannot have any conditional clauses linked to the award of the subsidy. Union Law and the general conditions of any eventual Grant Agreement or Grant Decision offered to a distributor clearly lay down the fact that the Union Contribution (grant) "shall be used by the Beneficiary solely, exclusively and directly in discharging eligible expenses incurred".

### **9.1 Contractual provisions and payment procedures**

In the event of definitive approval 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.

- In case of beneficiaries established outside the European Union: the 2 copies of the original agreement must be signed by the beneficiary and returned to the Agency immediately. The Agency will sign them last.
- In case of beneficiaries established within the European Union Member States: the Grant Decision must not be returned to the Agency. The general conditions applicable to the decision are available in the 'Documents register' of the Agency website (Calls for proposals II.b) [https://eacea.ec.europa.eu/about-eacea/document-register\\_en#calls](https://eacea.ec.europa.eu/about-eacea/document-register_en#calls)  
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.

A pre-financing payment of 60% will be transferred to the beneficiary within 30 days:

- of notification of the grant decisions,
- of the date when the last of the two parties signs the agreement (for grant agreements) and all the possible guarantees are received.

Pre-financing is intended to provide the beneficiary with a float.

The account or sub-account indicated by the beneficiary must make it possible to identify the funds transferred by the Agency.

The Agency will establish the amount of the final payment to be made to the beneficiary on the basis of the final reports.

#### Small Awards & Consolidation.

All those awards per film and country which are equal to or less than 60.000€ are considered to be small awards.

As a simplification and adaptation of the administrative modalities of issuing Grant Agreements and Grant Decisions, a consolidated Agreement/Decision can be issued in the case of multiple small awards for a single beneficiary. The consolidated Agreement/Decision will contain the small awards for each beneficiary granted at the same deadline and for the same country. The list of awarded projects will be enclosed with the Agreement/Decision (annex I) and no modification to this list will be possible. In case a film is not released, the related granted amount will be reduced accordingly.

## **9.2 Guarantee**

In the event that the applicant's financial capacity is not satisfactory, a pre-financing guarantee for up to the same amount as the pre-financing may be requested in order to limit the financial risks linked to the pre-financing payment.

The financial guarantee, in euro, shall be provided by an approved bank or financial institution established in one of the Member State of the European Union. When the beneficiary is established in a third country, the authorising officer responsible may agree that a bank or financial institution established in that third country may provide the guarantee if he considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts shall not be accepted as financial guarantees.

The guarantee may be replaced by a joint and several guarantee by a third party or by a joint guarantee of the beneficiaries of an action who are parties to the same grant agreement

The guarantee shall be released as the pre-financing is gradually cleared against interim payments or payments of balances to the beneficiary, in accordance with the conditions laid down in the grant agreement.

### **9.3 Double financing**

Subsidised actions may not benefit from any other Union or Eurimages funding for the same activity. (Eurimages. i.e. European cinema support from the Council of Europe).

To ensure this, they must give details in their application form of any other grant requests other than those submitted to the MEDIA Sub-Programme which they have submitted or intend to submit to the European Institutions or to Eurimages during the same budgetary year, stating in each case the budget heading, the European Union programme and the amount requested.

### **9.4 Funding method**

#### 9.4.1 Lump-sum grant

✓ General provisions

Under this system, approved by Commission Decision, the grant is calculated on the basis of the size of the release in each specific country.

✓ Calculation of the grant

A lump sum is set according to the country and the size of the release that is quantified on the basis of the maximum number of screens covered at the widest point of release:

	<b>Countries</b>	<b>A (1-2) screens</b>	<b>B (3-7) screens</b>	<b>C (8+) screens</b>	<b>D (15+) screens</b>	<b>E (25+) screens</b>	<b>F (40+) screens</b>	<b>G (60+) screens</b>	<b>H (100+) screens</b>	<b>I (200+) screens</b>
1	Bulgaria, Estonia, Croatia, Ireland, Iceland, Lithuania, Luxembourg, Latvia, Romania, Slovenia, Slovakia, other countries <sup>5</sup> .	3.000€	5.300€	8.700€						
2	Czech Republic, Denmark, Finland, Greece, Hungary, Norway, Portugal, Sweden.	4.500€	8.800€	15.500€	21.300€	31.600€				
3	Austria, Belgium, Poland, Switzerland, The Netherlands.	4.800€	8.500€	14.200€	22.300€	33.700€	59.100€			
4	France, Germany, Italy, Spain, United Kingdom	2.800€	13.200€	22.800€	35.700€	45.700€	64.400€	99.600€	125.000€	150.000€

The grant calculator shows the maximum amount of grant that may be requested in relation to the forecast number of screens at the widest point of release. The grant calculator indicates amounts in euros.

The widest point of release is the week where the most screens are reached. To be taken into account, the screens must show the film minimum 2 times during the week declared, as part of a commercial release that is advertised as such in the cinemas' listings and where a normal ticket price is paid. Special events are excluded. A maximum of one screen per cinema can be declared.

Where more than one commercial release is made in a territory with different language zones, separate reports for each release can be submitted. Results will be combined for the calculation of the lump sum.

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<sup>5</sup> See section 5.2

- ✓ Calculation of the final award

The Agency will consider the number of screens covered during the widest point of release in order to determine the final grant.

Documents to be submitted for lump sum financing with the final payment request:

- Final report on the implementation of the action,
- the Royalty Statement

EACEA will request evidence such as box-office reports, cinema invoices or cinema listings, on a sample basis, in order to substantiate the declaration of the distributors. It is advised that distributors have this evidence available in case of verification.

The verification of the implementation of the action will be focused on the number of screens actually reached. In the event of non-execution or clearly inadequate execution of the project, the final grant will be reduced according to the above lump sum table, and where applicable, the beneficiary will be required to reimburse any excess amounts paid by the Agency in the form of pre-financing.

#### 9.4.2 Budget-based financing

*Not applicable*

## **10. SUB-CONTRACTING AND AWARD OF PROCUREMENT CONTRACT**

Where the implementation of the action or the work programme 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.

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



## **11. PUBLICITY, COMMUNICATION AND DISSEMINATION**

### **11.1 Publicity**

All grants awarded in the course of a financial year must be published on the Internet site of the European Union institutions during the first half of the year following the closure of the budget year in respect of which they were awarded. The information may also be published using any other appropriate medium, including the Official Journal of the European Union.

The beneficiary authorises the Agency to publish the following information in any form and medium, including via the Internet:

- the beneficiary's name and locality,
- the amount awarded
- the nature and purpose of the grant.

Upon a reasoned and duly substantiated request by the beneficiary, the Agency may agree to forgo such publicity, if disclosure of the information indicated above would threaten the safety of the beneficiaries or harm their business interests.

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used. The name and logo of the programme must appear on all publications, posters, programmes and other products created in relation to the co-financed action.

The logo of the Creative Europe Programme can be downloaded from the following address:

[http://ec.europa.eu/dgs/education\\_culture/promo/creative-europe/eps/eps.zip](http://ec.europa.eu/dgs/education_culture/promo/creative-europe/eps/eps.zip)

### **11.2 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.

The Commission together with the Agency may identify good practices and prepare relevant dissemination materials to be shared within and across all participating countries and beyond.

Data and results from projects will be made freely available to be used by stakeholders, policy makers and others in a wide range of ways.

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.

## **12. 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 Union institutions and bodies and on the free movement of such data.

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. 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 the Agency's website:

[http://eacea.ec.europa.eu/about/documents/calls\\_gen\\_conditions/eacea\\_grants\\_privacy\\_statement.pdf](http://eacea.ec.europa.eu/about/documents/calls_gen_conditions/eacea_grants_privacy_statement.pdf)

Applicants and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- the Commission Decision of 16.12.2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125), or
- the Commission Regulation of 17.12.2008 on the Central Exclusion Database – CED (OJ L 344, 20.12.2008, p. 12),

their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the EWS only or both in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned Decision and Regulation, in relation to the award or the execution of a procurement contract or a Grant Agreement/Decision.

## **13. PROCEDURE FOR THE SUBMISSION OF PROPOSALS**

### **13.1 Publication**

Following the adoption of the Annual Work Programme, the call for proposals will be published in the Official Journal of the European Union and will be accessible on the MEDIA Sub-programme website at the following address:

[http://ec.europa.eu/culture/media/fundings/creative-europe/call\\_5\\_en.htm](http://ec.europa.eu/culture/media/fundings/creative-europe/call_5_en.htm).

### **13.2 Registration in the Participant Portal**

Before submitting an electronic application, applicants [and partners] 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: [http://ec.europa.eu/culture/media/fundings/creative-europe/call\\_5\\_en.htm](http://ec.europa.eu/culture/media/fundings/creative-europe/call_5_en.htm).

### 13.3 Submission of the grant application

For this action, 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 or French 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 submitted by the relevant deadlines 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.

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 eForm 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 eForms are attached to the eForm.

In addition, a set of compulsory annexes that cannot be submitted online have to be sent to the Agency by post.

#### Coordinators:

- a copy of the film (DVD or any other format) for which support is sought
- for live-action children's' films: any material that can support the qualification of the film

#### Distributors (if applicable):

- if you are a new company: the curriculum vitae of the legal representative of the company and the curriculum vitae of the Head of Distribution (if they are not the same person).
- If you are joining a grouping that has already been selected at a previous session: a letter from the grouping's coordinator acknowledging your participation to the grouping

The package must indicate:

the name of the company:

PIC number

the country of distribution:

the title of the film:

the E-form confirmation number:

Address to which the documents must be sent:

#### **Education, Audiovisual & Culture Executive Agency**

Creative Europe Programme (2014–2020)

MEDIA Sub-programme – SELECTIVE SCHEME

Avenue du Bourget 1

BOUR 03/66

BE – 1049 Brussels

Belgium

Only applications submitted on the correct form, duly completed, dated and signed by the person authorised to enter into legally binding commitments on behalf of the applicant organisation will be accepted.

No changes to the dossier can be made after the deadline for the submission of applications. However, if there is a need to clarify certain aspects, the Agency may contact the applicant for this purpose.

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.

### **13.4 Evaluation procedure**

Within each film category (small and medium films), eligible groupings will be ranked according to the award criteria defined and weighted in section 8 of the present Guidelines. Within the limit of the available budget, and in accordance with the budget allocation set under section 4, actions obtaining the highest scores will be selected.

The assessment is made solely on the basis of the documents sent by the relevant deadline. Nevertheless, the Agency reserves the right to request additional information from the applicant.

### **13.5 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 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 the 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](http://eacea.ec.europa.eu/creative-europe/selection-results_en)

### **13.6 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).

Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU) 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).

Regulation (EU, Euratom) No 1295/ 2013 of the European Parliament and of the Council of 11th 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 L347, 20.12.2013, p.221).

Commission Decision C(2013)9199 of 18/12/2013 authorising the use of lump sums under the MEDIA Sub-programme within the Creative Europe Programme.

### **13.7 Contacts**

If you have any questions, please contact:

[EACEA-DISTRIBUTION-SELECTIVE@ec.europa.eu](mailto:EACEA-DISTRIBUTION-SELECTIVE@ec.europa.eu)

Additional information is available at Creative Europe Desks and Antennae as per the list on the following website:

[http://ec.europa.eu/culture/creative-europe/creative-europe-desks\\_en.htm](http://ec.europa.eu/culture/creative-europe/creative-europe-desks_en.htm)

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](mailto:eacea-helpdesk@ec.europa.eu)