

Direzione Generale Economia della conoscenza, del lavoro e dell'impresa (Directorate General for the Knowledge Economy, Employment and Enterprise) – Servizio Cultura e Giovani (Culture and Young People's Service)

Article 10, Regional Law no. 20/2014

Call for applications for funding for the production of films and audiovisual works by Italian and international companies – 2018

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1. PURPOSES, AIMS AND NATURE OF THE INITIATIVE

1. The Emilia-Romagna Region (**the Region**) recognises that the film and audiovisual sector is a strategic factor in the area's economic and cultural development and in promoting tourism. The sector can generate spin-off effects for the regional economy, creating jobs and attracting tourists. To that end, by establishing the Audiovisual Fund under article 10 of Regional Law no. 20 of 23 July 2014, the Region wishes to support the production of films and audiovisual works of cultural interest made in Emilia-Romagna that can contribute to developing the regional supply chain and foster greater professionalism in its various players.
2. This call for applications sets out the rules for awarding grants towards the production of films and audiovisual works made at least partly in Emilia-Romagna by Italian and international companies. It continues and reinforces the efforts between 2015 and 2017 in implementing section 3.5 of the Regional film and audiovisual plan for 2018–20 approved by legislative assembly resolution no. 134/2018.
3. Grants under this call for applications are considered as aid for the production of audiovisual works under article 54 of Regulation (EU) no. 651/2014, as amended.

2. WHO MAY APPLY

1. Individual audiovisual and film production companies, whether European or non-European, may apply for a grant only if:
 - a) they are the sole producer;
 - b) or they are the co-producer with a majority stake in the submitted project;
 - c) or they are the producer nominated by their co-producer(s) for grant-application purposes (for co-productions in which the co-producers have an equal stake);
 - d) or they have an executive-producer role on the project, as documented in the contract, deal memo or letter of commitment with the lead producer. If, when the grant application is submitted, the signed production contract is not yet available, that document must be submitted to the Region at most 60 days after the grant application deadline in order for the application to be eligible for a grant.
2. For applications to be valid, applicant companies must:
 - a) operate with **primary economic-classification code 59.11.00**, or with the equivalent NACE Rev. 2 classification 59.11 if they are based in another European Union country. Non-European companies must provide up-to-date documentation to show that their work is relevant to the film, audiovisual or television production;
 - b) be registered on the Commercial Register at the chamber of commerce for their geographical area or an equivalent body in the country where they are based;
 - c) not be in difficulty, as defined in article 2(1), point 18, of Regulation (EU) no. 651/2014, as amended;
 - d) be active, not in liquidation or bankruptcy, and not subject to bankruptcy procedures or composition agreements (approved going-concern agreements excepted);
 - e) have correctly paid their due taxes and national-insurance, social-security and welfare contributions to the INPS and INAIL national-insurance offices and have a correct DURC (single insurance-contribution payment certificate);
 - f) not have had a grant under Regional Law 20/2014 cancelled in the 12 months before applying (excepting withdrawals submitted by the pre-set project completion deadline).
3. The DURC and company search record will be used to certify the requirements in points 2a, 2b, 2d and 2e. For Italian companies, the Region will automatically check in the databases available online that the above conditions are met. Foreign companies must produce the supporting documentation themselves.
4. Applicants must meet all the requirements in points 1 and 2 from the application date at least until the grant award is paid.

5. Applicants must promptly notify the Region of any change affecting the eligibility requirements stated in this section that may arise after an application has been submitted.
6. Each company may submit one grant application only, in only one of the two application windows for 2018; any subsequent applications will be ruled ineligible.
7. Companies cannot apply if a previous grant has been completely cancelled because of their non-compliance in the previous 12 months under Regional Law no. 20/2014.

3. ELIGIBLE PROJECTS

3.1 Eligible audiovisual works

1. The Region's initiative under article 10 of Regional Law no. 20/2014 provides grants towards the production of audiovisual works in Emilia-Romagna (from preparation and filming to post-production). The following types are eligible:
 - a) **feature films** (with running time over 52 minutes) or works mainly for viewing in cinemas;
 - b) **television programmes**, namely films (with running time over 52 minutes) or series (of at least two episodes with a combined running time of 90 minutes or more) mainly for broadcast by a television channel;
 - c) **web works**, for distribution via audiovisual-media service providers (with running time over 52 minutes);
 - d) **documentaries**, namely audiovisual works where the creative emphasis is mainly on real events, places or activities, which may include library pictures, and where any invented or imagined elements serve to present and document actual facts and situations.
2. Any production may be animated or may use animation techniques.

3.2 Ineligible audiovisual works

1. Works will not be accepted if they contain:
 - pornography or incitement to racial hatred or violence;
 - advertising or purely commercial, promotional or educational material, including for tourist or corporate purposes;
 - entertainment content designed to promote or sell an artist or piece of music.
2. Grants are not available for factual-entertainment works based on non-original formats or for talent shows, reality shows and television programmes such as:
 - information and current-affairs programmes and cultural and popular-science programmes;
 - live or time-shifted programmes covering sporting events, games or results shows for sporting and other competitions and lotteries;
 - variety shows, quizzes and talk shows;
 - events broadcast live or time-shifted, including musical, artistic, theatre, cultural, sporting and celebratory events;
 - purely educational programmes.

3.3 Geographical constraints

1. To be eligible, **feature films** and **television programmes** must involve at least 6 days' filming in Emilia-Romagna, where:
 - a) at least 30% of the total filming days take place in Emilia-Romagna;
 - b) and/or at least 30% of the budgeted production costs are incurred in Emilia-Romagna.
2. To be eligible, **web works** and **documentaries** must meet at least one of the following criteria:
 - a) at least 30% of the total filming days must take place in Emilia-Romagna;

- b) at least 30% of the budgeted “below-the-line” expenditure must be incurred in Emilia-Romagna.
3. Projects with eligible costs (as defined in section 5.2 below) of less than €30,000.00 are not eligible.

3.4 Starting and ending projects

1. For an application to be eligible, work in the region (pre-production, filming, post-production or other work) must begin:
 - between the application date and **31/07/2018**, for projects submitted in the first application window;
 - between the application date and **30/11/2018**, for projects submitted in the second application window.
2. **The project must be completed by 31 December 2019.** Projects are completed when a notification that work has concluded is received, signed by the legal representative, along with 2 sample DVD copies or the master of the audiovisual work. No extensions will be given.

4. AVAILABLE FUNDING AND LEVEL OF GRANT

4.1 Available funding

1. €1,500,000.00 of funding is available to cover this initiative from the relevant budget under Regional Law no. 20/2014. These funds will be fairly split between the two application windows planned for 2018.

4.2 Awarding the funds

1. The available funding for each application window will be allocated to eligible projects in order of merit until the funds run out.
2. To ensure fair treatment of the various types of work stated in article 10(3) of Regional Law no. 20/2014, none of the types of audiovisual work stated in point 1 of section 3.1 above may receive more than 75% of the funds available in this call for applications, as stated in point 3.5 of the Regional film and audiovisual plan for 2018–20.
3. If some money is left over after funding has been allocated in the first application window, then the remainder will be added to the funding available for the second window.

4.3 Level of grant

1. Awards under this call for applications take the form of a grant towards the eligible expenses.
2. The grant amount will be set based on the score awarded to the project and will cover 35–50% of the eligible expenses.
3. The maximum grant is:
 - €150,000.00 for feature films and television programmes;
 - €50,000.00 for documentaries;
 - €25,000.00 for web works.
4. If not enough funds remain to finance the minimum percentage contribution stated above for a project, then the recipient will be asked if a smaller grant would be acceptable.

5. TIMETABLE OF WORK AND ELIGIBILITY OF EXPENSES

5.1 Timetable of work

1. The planned project activities must be carried out approximately in line with this timetable:
 - for projects submitted in the first application window, 90% of the work must be completed by 31/12/2018 and the remaining 10% by 31/12/2019;
 - for projects submitted in the second application window, 60% of the work must be completed by 31/12/2018 and the remaining 40% by 31/12/2019.
2. Applicants that would struggle to meet that timetable can ask for different implementation percentages, giving reasons. The Region will assess the request in line with budgetary constraints.

5.2 Eligibility of expenses

1. Expenses incurred before the work begins or after the project ends are not eligible. Work cannot begin before the application is submitted.
2. When calculating the grant using the method in section 4.3 (Level of grant), the production expenses listed in Annex c) sheet c2 (Project cost budget) are eligible if incurred in Emilia-Romagna – except for storyline and script costs, general expenses and the producer fee.
3. Expenses sustained in Emilia-Romagna may comprise:
 - a) gross pay for employees resident in Emilia-Romagna, as stated on their pay packets;
 - b) work done by freelance professionals resident for tax purposes in Emilia-Romagna, in the amount stated on the invoice, before any withholding tax and/or social-security contribution (INPS);
 - c) fees for occasional work by Emilia-Romagna residents, up to a limit of 15% of the total eligible costs;
 - d) expenses for services rendered by the owner, partners and anyone with a position in the applicant company, if resident in Emilia-Romagna, as long as the accounting records show that those expenses relate to a specific project activity (consultancy excepted) and are documented in line with current tax and accounting law;
 - e) library images bought from suppliers with operating headquarters in Emilia-Romagna;
 - f) non-durable consumer goods or services bought from suppliers with operating headquarters in Emilia-Romagna;
 - g) durable consumer goods rented from suppliers with operating headquarters in Emilia-Romagna;
 - h) rental of locations, offices and associated services exclusively for use on the project and for a set period (for eligibility purposes, expenses are considered in relation to the location's headquarters);
 - i) licence and permit costs.
4. The eligible expenses may also include any costs incurred by the co-producer(s) or executive producer stated in the contract(s) attached to the grant application (as long as the tax documentation shows that the expenses relate to the same project). The grant recipient must submit copies of all eligible expenses, even those not incurred by them directly; expenses where this evidence is not provided will be ruled ineligible.
5. During scrutiny, only expenses approved as eligible will be taken into account; any amounts considered disproportionate may be reduced.
6. Value-added tax (VAT) may be an eligible cost only if the company has actually paid it. VAT that can somehow be reclaimed is not eligible even if it is not actually reclaimed in practice.
7. To be eligible, every expenditure record except employee pay slips must state the project name.
8. The following costs are not eligible:
 - a) scriptwriting costs and the costs of developing and promoting or distributing the finished product;
 - b) fuel costs;
 - c) expense claims;
 - d) postal and telephone expenses;
 - e) motorway tolls or travel tickets;
 - f) expense receipts for amounts under €30;

- g) expenses relating to day-to-day management by the owner, partners and anyone with a position in the applicant company;
 - h) expenses for goods and services supplied by the co-producers or third parties funding the work;
 - i) any form of self-accounting;
 - j) contributions in kind (including professional credits);
 - k) purchases of durable capital goods;
 - l) damage and compensation costs;
 - m) general expenditure;
 - n) the producer fee.
9. Expenditure is eligible for reimbursement under the grant only if accompanied by a copy of the proof of payment.

6. AID SCHEME

1. Grants under this call for applications are awarded under Regulation (EU) no. 651/2014 of 17 June 2014 (Commission Regulation stating some categories of aid that are compatible with the internal market in application of articles 107 and 108 of the treaty), published in OJEU L187 of 26 June 2014.

7. CUMULATION OF AID

1. A grant under this call for applications can be cumulated with other state aid, as long as the amounts concern different eligible costs. This grant may be cumulated with other state aid towards the same eligible costs, as long as the level of aid stated in Regulation (EU) no. 651/2014 is not exceeded
2. Equally, a grant under this call for applications can be cumulated with other “de minimis” aid if the latter relates to unspecified eligible costs. If the costs are individually specified, then aid can be cumulated up to the maximum level stated in Regulation (EU) no. 651/2014.

8. APPLICATION PROCEDURES AND DEADLINES

1. A grant application constitutes a self-declaration under articles 46 and 47 of Presidential Decree no. 445 of 28 December 2000, as amended. Any false declarations in an application are subject to the criminal and other penalties stated in articles 75 and 76 of that decree.

8.1 Grant application

1. Applications must be submitted using the approved form shown in Annex a). This can be downloaded with all the necessary forms from the website <http://cinema.emiliaromagnacreativa.it/it/finanziamenti/bandi>. Applications submitted in any other way will be rejected.
2. Applications, with stamp duty duly paid, must include the following documentation, using the forms provided, where stated:
 - a) the project artistic and technical sheet, using the form in *Annex b)*;
 - b) an economic and financial plan for the project, using the form in *Annex c)*, including the financial plan to cover projected costs (*sheet C1*) and the project cost budget (*sheet C2*) with a breakdown of the costs to be incurred in Emilia-Romagna;
 - c) a copy of the company search or equivalent document issued by the chamber of commerce or, for overseas companies only, an equivalent body competent in the geographical area concerned;

- d) an original certification of correct payment of due taxes and national-insurance, social-security and welfare contributions (only for overseas companies that pay their contributions exclusively in their country of origin);
 - e) a copy of the legal representative's current valid identity document (for declarations made by overseas companies or without a digital signature);
 - f) a storyline, treatment or screenplay for the work;
 - g) the CV of the applicant company and of all parties involved in the production (any co-producers and/or executive producers);
 - h) the director's and screenwriter's filmographies;
 - i) contracts, draft contracts, deal memos or letters of commitment setting out the production resources;
 - j) any contracts, draft contracts, deal memos or letters of commitment for distributing the work;
 - k) any other material that would help to present the project.
3. Applications submitted using forms other than that provided by the Region will be rejected.
 4. Annexes *a)*, *b)* and *c)* are essential material for the scrutiny stage; applications omitting these annexes will be rejected.
 5. Grant applications are subject to stamp duty of €16.00. Applicants exempt from stamp duty must quote the laws or regulations under which they are exempt.
 6. Stamp duty must be paid as follows:
 - a) buy a revenue stamp worth €16.00;
 - b) state the revenue stamp's 14-digit serial number on page 1 of the grant application;
 - c) keep a hard copy of the grant application bearing the €16 revenue stamp for at least 5 years after payment of grant and show it on request to the Region or the competent national bodies.

8.2 Application procedure

1. Italian companies applying for a grant must send applications from their company's certified email (PEC) address to the PEC address servcult@postacert.regione.emilia-romagna.it. Applications sent in any other way will be rejected. Applications can be accepted only if sent from a PEC address, signed by the legal representative and accompanied by the associated annexes. The email title must be "*Bando nazionale 2018*" (national call for applications, 2018).
2. Non-Italian companies applying for a grant must send applications from their company email address to the PEC address servcult@postacert.regione.emilia-romagna.it. Applications sent in any other way will be rejected. To be eligible, applications must be signed by the legal representative and accompanied by a photocopy of their current identity document. The email title must be "*Bando nazionale 2018*" (national call for applications, 2018).
3. The body of the email should also list the annexes attached.

8.3 Application deadlines

1. This call for 2018 has two time windows for the submission of applications.
2. Companies may submit a grant application in one window only; if a company applies in the second window as well as the first, the second application will be rejected. Applications must be received by the following final deadlines:
 - First window: **11 April 2018** at 4.00 p.m.;
 - Second window: between 4.00 p.m. on **4 July 2018** and 4.00 p.m. on **4 September 2018**.

9. REASONS FOR INELIGIBILITY AND SCRUTINY OF APPLICATIONS

9.1 Reasons for ineligibility

1. The possible reasons for ineligibility are:
 - a) failure to submit the application in line with the timescales and instructions stated respectively in sections 8.3 and 8.2 of this call;
 - b) failure to send the mandatory accompanying documentation stated in section 8.1;
 - c) failure to use the Region's official forms;
 - d) failure to provide the additional details and/or clarifications requested by the Region or providing them more than 10 days after the request;
 - e) failure to meet one or more of the eligibility criteria in sections 2 and 3.

9.2 Scrutiny of applications

1. The projects submitted will be selected for funding by evaluating them and ranking them into a classification.
2. Scrutiny is a 2-step process:
 - a) the Culture and Young People's Service formally scrutinises applications to determine whether they meet the requirements and eligibility conditions in the call for applications;
 - b) only proposals that pass step a) are then assessed on their merits.
3. The Culture and Young People's Service formally examines applications against the eligibility criteria in section 9.1 above.
4. The Culture and Young People's Service may ask for additional material and/or for clarification of the information provided. This must be supplied within 10 days; otherwise, the application will be ruled ineligible;
5. Applications meeting the formal eligibility criteria will then be assessed on their merits.
6. Applications will be assessed on their merits by a dedicated evaluation panel appointed by order of the Director General of the Directorate General for the Knowledge Economy, Employment and Enterprise.
7. The evaluation panel will decide:
 - how much money the Region can award as a grant (the panel assesses whether the cost items are realistic and consistent; it may decide to offer reduced funding for those amounts, giving reasons);
 - the score used to rank the projects eligible for regional funding into a classification based on the criteria in section 10 below;
 - the list of projects ineligible for a regional grant, giving reasons.
8. The evaluation panel will propose a percentage grant for each project based on its score, within the limits stated in section 4.3 above.
9. The evaluation panel will remain active even after the classification has been approved, to examine and assess any modifications or alterations to the applicants and the projects funded by the Region.

10. EVALUATION CRITERIA

1. To assess the projects submitted and to rank the approved applications, the evaluation panel will consider the criteria below. The maximum total score is 100; the maximum scores for each criterion are as shown.

Criteria		Max score – films and TV programmes	Max score – web works and documentaries
1. Quality and originality of the project	The following aspects will be taken into account: the originality of the story, the artistic vision and cinematic language; the quality and originality of the script (the storyline and themes covered); any animation techniques used and any other artistic materials accompanying the application	35	50
2. Economic impact and prominence given to the region	The following aspects will be taken into account: the direct economic impact on the region; the degree of involvement of the regional audiovisual production chain; the benefit to the local economy and the degree of involvement of local bodies and businesses in the project; the script/treatment's ability to convey and give prominence to the region's historical, cultural and social tradition and its landscape, events and key figures	30	20
3. The production's robustness and financial sustainability	The following aspects will be taken into account: the project's financial structure; the existence of co-financiers, sponsors, etc.; the production plan's suitability in light of the financial plan, the financial cover (including any direct investments by the producers), other public funding, any external funding, and any sale or presale of rights to the work; the production team's CVs and experience	20	15
4. Innovation and marketing strategy	The following aspects will be assessed: the innovativeness of the filmic or audiovisual language proposed; any distribution agreements (deal memos, letters or signed contracts); a plan of suitable marketing tools and activities; the effectiveness and innovativeness of the product and the production process; the innovativeness of the strategies for distributing and circulating the work; a sensibility to and ability to innovate on accessibility and environmental-sustainability issues (green set)	15	15
TOTAL		100	100

2. To qualify for a grant, projects must score at least 70 points.

3. After scrutiny is completed, the eligible projects will be ranked in a classification, showing those that can be funded. Where projects have equal scores, the one with the higher score on criterion no. 1 will be ranked higher.

11. PROCEDURE FOR DETERMINING THE RANKING CLASSIFICATION, AWARDING GRANTS, AND NOTIFYING THE APPLICATION SCRUTINY OUTCOME

1. Based on the scrutiny process described in section 9 and the funding allocation set out in section 4, within 90 days of the final application submission deadline, the Regional government will issue an order:
 - a) to confirm the ranking classification of the projects approved for a regional grant, including the projects that will receive funding and any not funded because of insufficient funds;
 - b) to set the percentage grant payable by the Region towards the eligible expenses and to quantify the grants awarded to each successful applicant, taking account of section 2(1d);
 - c) to approve the list of any projects rejected, including the reasons.
2. Grants under this call for applications are awarded, until the total funds under section 4 above run out, to approved applications based on their position in the classification.
3. The head of the Culture and Young People's Service will issue a ruling to award the grant and to commit to the expenditure, taking account of the work timetables for the successful projects, in line with budgetary constraints.
4. The classification will be published on the Region's website at <http://cinema.emiliaromagnacreativa.it/it/finanziamenti/bandi>, and applicants will be informed.

12. PAYMENT OF GRANTS

1. The Region will pay grants at the approved recipient's express request and according to the timescales set out in the above grant-award notice, taking account of the time schedule for the work involved. Payments are made in one of two ways:
 - 1) in 2 instalments:
 - a) an initial tranche of up to 50% of the grant when an initial milestone is achieved, as documented by a report and evidence of the expenses incurred;
 - b) the balance on project completion, against suitable accounting documentation (as stated in section 13 below), which must be received at most 50 days after the project is completed;
 - or
 - 2) as a single payment at the end of the project, made as stated for the balance above.
2. If the actual costs for the expense items funded by the Region's grant come in under budget, then the head of the Culture and Young People's Service will proportionately reduce the Region's grant.
3. The grants in section 4.2 are paid only if the recipient declares that it has not received an outstanding recovery order under an earlier ruling by the European Commission declaring an aid illegal or incompatible with the internal market, except for types of aid to remedy the damage caused by particular natural disasters. This declaration, made under article 47 of Presidential Decree no. 445/2000, as amended, must be attached to any request for payment.

13. FINAL ACCOUNTING

1. Recipients must produce the final accounting documentation at most 50 days after project completion, to enable the grant balance to be paid.

2. The project is considered complete when a notification of the end of the work signed by the legal representative is sent along with 2 DVDs of the sample copy or the master of the audiovisual work.
3. The accounting documentation accompanying that stated in point 2 above must be submitted using the forms to be approved by the Region and must contain:
 - a) the request to pay the grant balance;
 - b) a financial statement for the project covering the costs incurred in producing the master/sample copy;
 - c) a detailed breakdown of the eligible expenses incurred in Emilia-Romagna;
 - d) a digital copy of the accounting documentation for the approved expenses incurred in Emilia-Romagna, with suitable proofs of payment. This documentation must include a description that enables the expenses to be matched immediately to the funded project – e.g. a stamp or a clear statement of the project title in the expense document and in the proof-of-payment documentation;
 - e) a report describing the completed project, with the actual filming schedule and an update to the distribution and marketing plan;
 - f) a detailed list of the cast and technical crew employed in the region (with Emilia-Romagna residents clearly shown) and of the goods and services suppliers based in Emilia-Romagna, as a declaration in lieu of sworn affidavit;
 - g) 1 copy of the “making of” video (or promotional specials) and the trailer plus 1 CD with at least 20 still photos.

14. RECIPIENTS' OBLIGATIONS

1. Grant recipients must:
 - a) start work in Emilia-Romagna by the dates stated in section 3.4 above (notifying via PEC the exact date when work began), complete the project by 31 December 2019, and send the Region 2 copies on DVD of the sample or master work at no extra charge;
 - b) deliver the updated timetable of the work done at 31/12/2018 (to arrive by 31 January 2019), according to the arrangements agreed with the Region;
 - c) deliver the final accounting documentation stated in section 13 to the Region at most 50 days after project completion;
 - d) give at least a week's notice of the exact date when filming in Emilia-Romagna (if the project requires it) will begin;
 - e) allow a representative of the Region to be present at any time during the work;
 - f) allow the Region to conduct interviews or take photographs or video footage during the work, purely for documentation and/or promotional purposes, in the agreed ways and timeframes;
 - g) inform the Region of any change from what was envisaged at the time of application;
 - h) (for feature films and television programmes) give the Region notice of the dedicated press conference attended by the director and/or the main actors, to enable the Region to participate;
 - i) include the Emilia-Romagna Film Commission logo in the opening credits or, alternatively, as the first frame of the closing credits and on all the information, advertising and promotional documents for the work (the pressbook, etc.), with the wording “*con il sostegno della Regione Emilia-Romagna*” (supported by the Emilia-Romagna Region);
 - j) hold a screening of the work (for feature films or documentaries / docu-fictions) in Emilia-Romagna attended by the director and at least one of the main actors;
 - k) allow the Region to use all or part of the delivered work, the still photos, the trailer, and the “making of” film free of charge for institutional purposes and to promote the Region, the Emilia-Romagna Film Commission's work, and the region's culture, heritage and image as a tourist destination. If the entire work is used, then the means of doing so and the terms of use will be agreed with the producer;
 - l) inform the Region about press conferences to present the work at Italian or international festivals, if entered;

- m) keep a copy of all the accounting documentation at its registered office, as required for statutory purposes and under tax law, for 5 years after project completion.

15. CHECKS -CANCELLING AND REPAYING THE GRANT

15.1 Checks

1. The Region may make all checks and inspection visits, both before and in the 5 years after the project ends, to verify and confirm that:
 - a. the conditions for obtaining the grant have been met, and the work done conforms to the description of the project that was approved for a grant;
 - b. the expenses stated are real and were actually incurred, and they correspond to the accounting records and the supporting documents kept by the recipient.
2. Grant recipients must allow and enable the Region to make its checks and must not hinder them in any way. They must make available all supporting documents for the expenses approved for the grant.

15.2 Cancellation

1. Grants will automatically be completely cancelled and any money already paid will be recouped if:
 - a) the recipient does not start work in Emilia-Romagna by the dates stated in section 3.4;
 - b) the recipient fails the checks or inspection visits carried out by the Region;
 - c) the content and results actually produced do not correspond to the project submitted in the grant application, because of changes during production that were neither reported to nor approved by the Region;
 - d) the recipient does not complete the project and submit the final accounting documentation by the deadline stated in this call for applications;
 - e) the project's total actual fundable cost is less than the minimum eligible cost stated in section 3.3;
 - f) during execution of the project and before the date for paying the grant balance, the recipient ceases to meet certain eligibility requirements stated in section 2, namely:
 - it is no longer a duly established and registered company on the Commercial Register in its geographical area;
 - it no longer operates with primary economic-classification code 59.11.00, or with equivalent NACE Rev. 2 classification 59.11 if based overseas;
 - it is no longer an active company;
 - it is in liquidation or subject to bankruptcy procedures or a composition agreement (approved going-concern agreements excepted);
 - it is a company in difficulty under article 2(1), point 18, of Regulation (EU) no. 651/2014, as amended;
 - g) or the recipient refuses the grant.
2. If the recipient does not fulfil its obligations under points 14b), 14h) and 14j) (Recipients' obligations) and then fails to meet the Region's formal request to comply within 20 days, then the grant will be cancelled in full.

15.3 Repaying the grant

1. Grants paid to recipients that are not entitled to them will be cancelled. The recipient must repay the grant to the Region, plus interest at the legal rate accrued from the date when the grants were received to the date when they were repaid. The above interest is calculated at the rate set under article 1284 of the Civil Code at the date when the grant was formally cancelled.
2. The Region will act to recover the money.

16. REFUSING THE GRANT

1. If any impediment prevents the work from being completed, then the grant recipient must inform the Region promptly of that impediment and must submit a formal statement refusing the grant.
2. If a grant is refused, then the Region will cancel the entire grant awarded and will begin the process of recovering any money already paid to the recipient, plus interest at the legal rate accrued in the meantime

17. CHANGES REGARDING THE RECIPIENT

1. Grant recipients must promptly inform the Region if they cease operating or if, after the application is submitted, the company ceases to meet some of the grant eligibility requirements.

18. MONITORING AND EVALUATION

1. The Region monitors to check that funded projects are actually carried out and that the planned objectives are achieved. To that end, recipients must cooperate fully and provide full information as and when requested by the region about the projects' progress status and what the projects have achieved.

19. NOTIFYING THE START OF THE PROCEDURE

1. The particulars and content of the notice of the start of the procedure under articles 7 and 8 of Law 241/1990 are as stated below:
 - Competent administration: Emilia-Romagna Region, Direzione Generale Economia della conoscenza, del lavoro e dell'impresa (Directorate General for the Knowledge Economy, Employment and Enterprise);
 - Subject of the procedure: Call for applications for funding for the production of films and audiovisual works by Italian and international companies – 2018;
 - Responsible official: Mr Gianni Cottafavi, Responsible for Culture and Young People Service;
 - Grants are paid 90 days after the date of filing the payment request;
 - The scrutiny procedure will begin the day after the application submission deadline and will end indicatively within 90 days (unless the time limit is suspended under article 17(3) of Regional Law 32/1993).
2. This section of the call for applications is effective for all purposes as the “notice of the start of the procedure” under articles 7 and 8 of Law 241/1990

20. PRIVACY POLICY STATEMENT

1) Background

Under article 13 of Legislative Decree no. 196/2003 – the personal data protection code (the Code) – as data controller, the Region must give you information about the use of your personal data.

As a non-profit public body, the Region does not need your permission to process your data for institutional purposes.

2) Where your personal data comes from

The personal data that you yourself supply, as the interested party, is recorded when your application is received.

3) Purposes of processing your data

Personal data is processed for the following purposes:

- a. to award grants under the “Call for applications for funding for the production of films and audiovisual works by Italian and international companies –2018” under Regional Law no.20/2014;
- b. to produce statistics;
- c. to monitor and perform research studies on activity in the sector.

Your data may also be used for technical checks and for testing purposes to keep the service operating effectively.

4) How the data is processed

The personal data is processed using manual, electronic and computerised means, via methods strictly related to the above purposes .

The data is kept secure and confidential. The data will be deleted or anonymised once the agreed purposes have been fulfilled.

5) Providing data is optional

You do not have to provide your data; if you do not, however, it will not be possible to fulfil the purposes described in point 3 (“Purposes of processing your data”).

6) Parties to which the data may be disclosed or that may come into contact with it as Data Supervisors or Processors

Your personal data can be seen exclusively by the operators of the Emilia - Romagna Region Directorate General for the Knowledge Economy, Employment and Enterprise, who are appointed as data processors.

Exclusively for the purposes stated in point 3 (“Purposes of processing your data”), your personal data may be seen by third-party companies that supply services to the Region and that have been appointed as data supervisors, assuring the same level of security.

Some of the personal data that you provide to the Region under articles 26 and 27 of Legislative Decree no.33/2013 may be published on the Region’s institutional website.

Specifically, under the above decree, when economic benefits are awarded, the Region publishes the following information:

- a) the name of the company or other recipient and their tax details;
- b) the amount;
- c) why the recipient qualifies for or is entitled to the award;
- d) the office and the manager or officer responsible for the administrative procedure involved;
- e) the procedure used to select the recipient;
- f) the link to the selected project, your CV, (if you are the assignee) and the contract and specification for the work, service or supply involved.

7) The data subject’s rights

The personal - data protection regulations give specific rights to data subjects, as stated in article 7 of the Code (reproduced below):

1. The data subject has the right to be informed of whether personal data about them exists, even if it has not yet been recorded, and to be given access to this data in an intelligible form.
2. The data subject has the right to be told:
 - a) where their personal data came from;
 - b) how it is processed and for what purposes;
 - c) how electronic devices are used in processing the data;
 - d) the particulars of the data controller, the data supervisors and the designated representative under article 5(2);
 - e) the parties or types of party to which their personal data may be disclosed or to whose attention it may come as managers, data processors or designated representatives in Italian territory.
3. The data subject has the rights:
 - a) to have their data updated, corrected and (when in the data subject’s interest) added to;
 - b) to have data deleted, anonymised or frozen where it has been handled illegally, including data that does not need to be held for the purposes for which it was collected or later processed;
 - c) to obtain formal confirmation that those to whom the data has been disclosed or notified have been informed of the operations under points a) and b), including their content, except where this would be impossible or would require efforts clearly disproportionate to the protected right.

4. The data subject has the right to object, wholly or in part:

- a) for legitimate reasons, to the use of the personal data about them, even if the data is relevant to the purposes for which it was collected;
- b) to the use of personal data about them for market- research purposes or for sending advertising material or marketing messages or for direct sales purposes.

8) Data controller and supervisors

The data controller of the personal data under this statement is the Emilia-Romagna Region, of Viale Aldo Moro no. 52, 40127 Bologna (Italy).

The Region has appointed the Director General for the Knowledge Economy, Employment and Enterprise as its data supervisor.

The data supervisor is responsible for answering requests to exercise the above rights.

To simplify the means of making requests under the previous paragraphs and to facilitate a faster response, please make such requests to the Emilia-Romagna Region Public-relations office (URP) in writing or in person at the URP counter.

The URP is open from Monday to Friday from 9 am to 1 pm at Viale Aldo Moro no.52, 40127 Bologna (Italy), tel. +39 800662200, fax +39 (0)51 5275360, email urp@regione.emilia-romagna.it.

Requests under article 7, paragraphs 1 and 2, of the Code can also be made orally.

21. PUBLICATION OF THE DATA UNDER LEGISLATIVE DECREE NO. 33/2013

The salient information on the recipients and the projects is published as required by Legislative Decree no. 33 of 14 March 2013, based also on the interpretation guidelines and obligations stated in Regional government resolution 93/2018

22. INFORMATION

For any information, please send an email to filmcom@regione.emilia-romagna.it or call the Emilia-Romagna Film Commission: Roberto Bosi – tel. +39 0515273318, Davide Zanza – tel. +39 051 5273581, Emma Barboni - tel.+39 051 5278753, Fabio Abagnato - +39 051 5278543.