

Call for applications for funding for the production of films and audiovisual works by national and international enterprises - 2019

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1. GOALS, PURPOSES AND SUBJECT OF INTERVENTION

1. The Emilia-Romagna Region recognises the film and audiovisual sector as a strategic factors for the area's economic, cultural and tourist development, able to promote identity and social cohesion, create internal economic repercussions, stimulate job growth and enhance the area in terms of tourist presence. To that end, by establishing the Audiovisual Fund under article 10 of Regional Law no. 20 of 23 July 2014, it intends 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 improve the professionalism of the various players.
2. This call for applications sets out to continue and increase the actions taken in 2018 and establishes the rules for the awarding of grants to support the production of films and audiovisual works made at least partly in the region by national and international companies, implementing section 3.5 of the Regional Film and Audiovisual Plan for the three-year period 2018-20, approved by the legislative assembly resolution no. 134/2018.
3. The grants included in this call for application are considered to be aid for the production of audiovisual works, pursuant to article 54 of the EU Regulation no. 651/2014, as amended.

2. SUBJECTS WHO CAN APPLY

1. Grant applications can only be submitted by European or non-European film and audiovisual production companies, individually, who fall under one of the following positions:
 - a) they are the sole producer;
 - b) they are the co-producer with a majority stake in the submitted project;
 - c) they are nominated as the producer by the co-producer(s) for the purpose of applying for the grant, for co-productions with equal stakes;
 - d) they appear as executive producer of the project. This requisite must be stated in the contract, deal memo or letter of undertaking with the main producer. If, when the grant application is submitted, the signed contract between the parties is not yet available, said document must be submitted to the Region within 60 days of the application deadline, otherwise the application will be ineligible.
2. To be eligible, applicant companies must:
 - a) operate with the primary Ateco code "59.11.00", or with the equivalent NACE Rev. 2 "59.11" if based in a European Union member state. Non-European countries must provide up-to-date documentation to show that their work is relevant to the film, audiovisual or television production;
 - b) be enrolled on the Register of Companies at the local Chamber of Commerce for their area, or similar body, in the country where they are based;
 - c) not be classifiable as companies in difficulty, as set out in article 2, par. 1, section 18 of the EU Regulation 651/2014/UE, as amended;
 - d) be active and not be in liquidation or bankruptcy and not be subject to bankruptcy procedure or arrangements with creditors, except for going-concern agreements;
 - e) have correctly paid their taxes, national insurance, social security and pension contributions;
 - f) not have had a grant cancelled, under the Regional Law 20/2014, in the 12 months prior to application, except in the case of refusals sent by the set deadline for completion of the project.
3. The DURC (single insurance contribution payment certificate) and company search record will be used to certify the requirements as set out in letters a), b), d) and e) of paragraph 2. For Italian companies, the Region will automatically check that the above requisites are met in the databases available online. Overseas companies must provide the supporting documentation themselves.
4. All the requisites stated in paragraph 2 above must be satisfied by the applicant on the data on which the application is submitted. The requisites set out in letters a), b), c) and d) of paragraph 2 must be also be satisfied at the time when the allocated grant is paid out.

5. Each company can submit one grant application only in each of the two evaluation windows for 2019, referring to this call for applications. Any applications sent after the first window will be considered to be ineligible. For any TV or web series, only one application is possible, or rather no more than one grant application for the same work is eligible.
6. A project submitted during the first application window cannot be submitted again, also if by a different producer, during the second session.
7. Any changes to the eligibility requisites stated in this section of the call for application, which occur after an application is submitted, must be promptly communicated to the Region.

3. ELIGIBLE PROJECTS

3.1 Eligible audiovisual works

1. The region's intervention, pursuant to article 10 of the Regional Law no. 20/2014, aims to provide grants for the production (pre-production, filming/editing, post-production) of the following audiovisual works in the Emilia-Romagna region:
 - a) **feature films**, (with a running time of more than 52 minutes), or works that are mainly for viewing in cinemas;
 - b) **television programmes** namely films (with a running time of more than 52 minutes) or series (at least two episodes with a total running time of 90 minutes or more) mainly for broadcasting by a television channel;
 - c) **web works**, with narrative content, for distribution via audiovisual service providers (with a running time of more than 52 minutes);
 - d) **documentaries**, or series of documentaries, i.e. audiovisual works where the creative emphasis is mainly on real events, place or activities, which may include library images, and where any invented or creative elements are in order to portray and document actual situations and facts.
2. Any of the genres above can be made, either in part or fully, using animation techniques.

3.2 Ineligible audiovisual works

1. For this call for application, the following works will not be accepted if they contain:
 - pornography or incitement to racial violence or hatred;
 - advertising or purely commercial, promotional or educational material, even for tourist or corporate purposes;
 - promotional and entertainment material for a piece of music or an artist.
2. Grants are also not available for *factual entertainment* works based on non-original formats, *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 games, sports competitions or competition, sports contest or lottery results;
 - Variety shows, quizzes and talk shows;
 - Events broadcast live, including theatrical, musical, artistic, cultural, sports and celebratory events;
 - Purely educational and training programmes.

3.3 Territorial constraints

1. To be eligible, **films** and **television programmes** must include at least 6 days of filming in the Emilia-Romagna region and meet at least one of the following criteria:
 - a) at least 30% of the total filming must take place in Emilia-Romagna;
 - b) at least 30% of the estimated production costs must be incurred in Emilia-Romagna.

Project that involve at least 18 days of filming in the region are not obliged to meet the criteria listed in points a) and b) above.

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 must take place in Emilia-Romagna;
 - b) at least 30% of the estimated “below the line” costs must be incurred in Emilia-Romagna.
3. Projects that total eligible costs, as set out in section 5.2 below, of less than Euro 30,000.00 are not eligible for application.

3.4 Start and end of projects

1. **Activities** in the regional area (pre-production, filming/processing or post-production), **must start only after the grant application has been submitted and however during 2019, otherwise the application will be ineligible.**
2. **The final deadline for completing the project is set at 31 December 2020.** Completing the project means: communication (by certified email) of completion of activities, signed by the legal representative and simultaneous transmission of 2 sample copies on DVD or of the audiovisual work master copy. No extensions will be granted.

4. AVAILABLE FUNDING AND LEVEL OF GRANT

4.1 Available funding

1. The financial resources available for implementation of this intervention will be covered by relevant budgetary chapters referring to Regional Law no. 20/2014`, with the maximum limit of 1,500.000.00 for the year 2019, while for the year 2020 the financial endowment will be updated to time-scales of supported projects. Available funds will be divided as follows:
 - 900,000.00 Euro for the first evaluation session;
 - 600,000.00 Euro for the second evaluation session.

4.2 Allocation of funding

1. The available funding, for each of the two evaluation windows that the call for applications is divided into, will be allocated to eligible projects, until said funding has been exhausted, based on the relative classification ranking.
2. To ensure a fair balance between the various types of works as set out in article 10, paragraph 3, of the Regional Law no. 20/2014, none of the types of audiovisual works stated in paragraph 1 of the above section 3.1 can receive more than 75% of the available funding for this call for applications, as provided for in point 3.5 of the Regional Film and Audiovisual Programme for the three-year period 2018-2020.
3. If the available funding is not all used by the projects included in the first evaluation window of the call for applications, the remaining amount will be added to the available funding for the second window.
4. Any funding freed by a refusal and available by 15/10/2019, may be used for other rankings in the same classification as the project that has refused the grant by the Head of the Culture and Young People's Service, who will also grant and assume the relative expenditure undertaking for the amount of the grant as quantified by the regional council, after obtaining an updated timetable of activities.

4.3 Level of grant

1. The subsidy provided for in this announcement consists of a grant, valid on admissible costs.

2. The grant amount will be decided based on the score given to the project, which will be between 35% and 50% of eligible expenses. Applying for the grant implies acceptance of the allocated grant, also if the latter is lower than the amount requested, without this affecting the quality of the project.
3. If insufficient funds remain to finance the minimum percentage of grant as stated above (35%), the funding of the recipient of the first eligible project, which cannot be funded due to lack of resources, will be checked to see if a smaller grant is acceptable.
4. The maximum grant that can be allocated is:
 - 150,000.00 Euro for films and for television works;
 - 50,000.00 Euro for documentaries;
 - 25,000.00 Euro for web works.

5. TIMETABLE FOR ACTIVITIES AND ELIGIBILITY OF EXPENDITURE

5.1 Timetable of activities

1. **A minimum of 65% of the activities** planned in the project in the region **must, approximately, be carried during 2019.**

5.2 Eligibility of expenditure

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 and amounts as set out in section 4.3 "Level of grant", the listed production expenses in annex d) "Estimate of project costs", actually incurred in Emilia-Romagna, are eligible, except for storyline and script-writing costs, general expenses and the producer's fee .
3. Expenses incurred in Emilia-Romagna may comprise:
 - a) Fees for employees resident in Emilia-Romagna. For this type of expense, the gross amount stated on the pay slip is used;
 - b) work done by professional resident for tax purposes in Emilia-Romagna. In this case, the amount stated on the invoice, before any withholding tax and/or social security payments, is used;
 - c) Fees for occasional work by residents of Emilia-Romagna, only permitted to the limit of 15% of the total of 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, bound by a contract, on the condition that accounting records show that those expenses relate to a specific project activity (except consultancy) and are documented according to current accounting and taxation laws;
 - e) library material purchased, on the condition it is from suppliers based in Emilia-Romagna;
 - f) purchase of non-durable consumables or services from suppliers based in Emilia-Romagna;
 - g) Rental of locations, spaces, offices and relative services used exclusively for the project and for a limited period (in this case, the site of the location is used for the purpose of eligibility of the cost);
 - h) Rental of durable goods from suppliers based in Emilia-Romagna;
 - i) costs for permits and licences.
4. Eligible expenses may also included any costs incurred by the producer, co-producer(s) or by the executive producer as named in the contract(s) / annex(es) to the grant application or communicated at a subsequent time, as set out in section 14, paragraph 1 letter g) (on the condition that the fiscal documentation shows that the expenses refer to the same project). The grant recipient must produce a copy of all eligible expenses, even if not all incurred by the former, otherwise said expenses will not be included in calculations.

5. During the scrutiny stage, only expenses approved as eligible will be taken into account and any amounts considered to be disproportionate may be reduced.
6. Value-added tax (VAT) may be an eligible cost, but only if it is actually and finally incurred by the company. VAT that can in some way be reclaimed cannot be considered as eligible, even if not actually reclaimed.
7. Every record of expenditure, except for employees' pay slips and till receipts, must carry the name of the project, otherwise said cost will not be included in calculations.
8. The following are not eligible costs:
 - a) Costs for writing scripts and its development;
 - b) Costs for the promotion or distribution of the finished product;
 - c) expenditure for fuel;
 - d) reimbursement of expenses;
 - e) Postal and telephone costs;
 - f) Motorway toll fees or the purchase of travel tickets;
 - g) Receipts for amounts below 30 Euro, excluding VAT;
 - h) Expenditure for services provided by the owner, partners and all those with a role in the applicant company, if referring to ordinary management;
 - i) Expenditure for the provision and supply of goods and services by co-producers or third party funders of the work;
 - j) Any type of self-invoicing;
 - k) Contributions in kind (including professional credit);
 - l) purchase of long-lasting core assets;
 - m) costs relating to damage and compensation;
 - n) General costs;
 - o) Producer's fee
9. It is herein stated that any expense, while eligible, is not considered admissible for the purpose of the payment of the grant if not covered by a receipt, or supported by a copy of the documentation proving completed payment.

6. AID SCHEME

1. The grant as set out in this announcement is provided in observance of the EU Regulation no. 651/2014 dated 17 June 2014 and subsequent amendments (Commission Regulation that declares some aid categories that are compatible with the domestic market in application of articles 107 and 108 of the treaty), published in the EUOJ L187 dated 26 June 2014.

7. CUMULATION OF AID

1. The grant as per this call for applications can be cumulated with other state aid, on the condition that the aid concerns different eligible costs. This grant can be cumulated with other state aid, relating to the same eligible costs, on the condition that said cumulated amount does not exceed the level of grant stated by the EU Regulation no. 651/2014 as amended.
2. Likewise, the grant in this call for applications can be cumulated with other "de minimis" aid if the latter refers to unidentified eligible costs. If the costs are individually specified, aid can be cumulated up to the maximum level stated by the EU Regulation no. 651/2014 as amended.

8. APPLICATION SUBMISSION PROCEDURES AND DEADLINES

1. The grant application is a self-declaration pursuant to articles 46 and 47 of the Presidential Decree no. 445 of 28 December 2000, as amended. Any false declarations made in the application are subject to criminal punishment and penalties as set out in articles 75 and 76 of the above decree.

8.1 Grant application

1. The **grant application** must only be submitted (otherwise it will be rejected) using the official form as in *annex a)* which can be downloaded, together with all necessary forms, from the website <http://cinema.emiliaromagnacreativa.it/> .
2. The following documents must be attached to the grant application, with paid stamp duty, using - where indicated - the prepared forms:
 - a) a currently valid copy of the legal representative's identity document, if declarations are not made with digital signatures or are submitted by foreign companies;
 - b) **the technical and artistic sheet** for the project, using the form as found in *annex b)*;
 - c) **budgeted financial plan** for covering the project's costs, using the form as found in *annex c)*;
 - d) **Project budget**, with a break-down of costs to be incurred in Emilia-Romagna, using the form as found in *annex d)*;
 - e) Form for certifying payment of stamp duty, using the form found in *annex e)* (only for subjects obliged to pay the duty);
 - f) copy of Chamber of Commerce certificate, or similar document, issued by the Chamber of Commerce or approved body responsible for such matters in the area (**only for foreign companies**);
 - g) Original certificate showing completed payment of all taxes and national insurance, social security and welfare contributions (**only for overseas companies that pay their contributions solely in the country of origin**);
 - h) Storyline or adaptation or screenplay for the work;
 - i) curriculum of the applicant company and all parties involved in the production (any co-producers and/or executive producers);
 - j) director's and script writer's filmographies;
 - k) Any contract, letters, deal memos confirming joint-funding and/or sponsorship;
 - l) any contracts, draft contracts, deal memos or letters of undertaking aimed at showing the production set-up of the work;
 - m) any contracts, draft contracts, deal memos or letters of undertaking for the distribution of the work;
 - n) any material that can illustrate the project.
3. The use of forms other than the ones provided by the Region will result in the application being ineligible.
4. The grant application, technical and artistic sheet, project financial plan and project budget are considered to be essential documents, which cannot be provided at a subsequent stage. Without these, the application will be considered ineligible.
5. Financial amounts declared as confirmed but not documented by contracts, draft contracts, deal memos or letters of undertaking cannot be taken into consideration when evaluating the application.
6. Grant applications are subject to stamp duty of Euro 16.00. Duty-exempts parties must state the regulatory references that justify their exemption on their application.
7. The stamp duty must be paid in one of the following ways:
 - a) Buy a revenue stamp for the amount of Euro 16.00;
 - b) Apply the revenue stamp to the space on the grant application;
 - c) fill out the form certifying payment of stamp duty, using the form found in *annex e)*;
 - d) Keep a paper copy of the grant application, on which the 16 Euro revenue stamp has been placed, for at least 3 years after any grant has been paid out and show it to the region or relevant state bodies on request.

8.2 Application procedure

1. **Italian companies** applying for the grant must send applications from their company certified email address, otherwise it will be rejected, to the following certified email address: **servcult@postacert.regione.emilia-romagna.it**. Only applications (and relative attachments) sent from a certified email address and signed by the legal representative can be considered. The email title must be: "*Bando nazionale 2019*".
2. **Overseas companies** must send their grant application (and relative attachments) from the company's email address (otherwise they will not be considered) to the certified email address: **servcult@postacert.regione.emilia-romagna.it**. Only applications signed by the legal representative and accompanied by a photocopy of the latter's valid identity document can be considered eligible. The email title must be: "*Bando nazionale 2019*".
3. The body of the email should also list the annexes attached.

8.3 Deadlines for submitting application

1. This call comprises two time windows for submitting applications.
2. Grant applications must be sent, otherwise they will be considered to be ineligible, by the final deadlines below:
 - First window: by 16:00 on **28 February 2019**;
 - Second window from 16:00 on **1 July 2019** to 16:00 on **31 July 2019**.

9. CAUSES OF INELIGIBILITY AND SCRUTINY OF APPLICATIONS

9.1 Causes of ineligibility

1. The following constitute causes of ineligibility:
 - a) Failure to submit the application in line with the deadlines and modes stated in section 8.2 and 8.3 respectively of this call for applications;
 - b) Failure to send the mandatory accompanying documentation to the application as set out in section 8.1;
 - c) Failure to use the Region's official forms;
 - d) Failure to provide additional details and/or clarifications requested by the Region or submitting the latter after the maximum deadline of 10 days after the request;
 - e) Failure to meet even one of the eligibility requisites set out in section 2 and section 3.

9.2 Scrutiny of applications

1. The projects submitted will undergo a selection procedure that will evaluate them and rank them in a final classification.
2. Scrutiny is in two stages, during which the second stage will only be carried out if the first stage is passed:
 - a) Formal scrutiny, to check the existence of the requisites and conditions of eligibility as set out by the call for applications;
 - b) Evaluation of merit.
3. Formal admission of the applications, made by a specific team comprising collaborators of the Culture and Young People's Service, is subject to verification of the fact that no reasons for ineligibility exist, as listed in section 9.1 above.

4. The team can ask for additional documents and/or clarifications concerning information contained in the documentation already received, that must be provided by the maximum deadline of 10 days, otherwise the application will be rejected.
5. One formal eligibility has been verified, the evaluation of merit will be conducted on the applications.
6. Applications will be evaluated on merit by a specific evaluation panel by order of the Director General of the Directorate General For the Knowledge Economy, Employment and Enterprise.
7. The Evaluation Panel will then decide:
 - a) the amount of money that the Region can grant (the Evaluation Panel assesses whether the items included in costs are realistic and consistent; it may decide to reduce funding for those amounts, providing reasons for that);
 - b) The score used to rank the projects in the classification as eligible for the regional grant based on the evaluation criteria set out in section 10 below;
 - c) The list of ineligible projects for the regional grant, including reasons for rejection.
8. The Evaluation Panel will also draw up a proposal for deciding the percentage grant to apply to each project according to the score,, within the maximum limits stated in section 4.3 above.
9. The Evaluation Panel will continue its work after approving the classification, and will examine and evaluate any amendments or variations to subjects and projects funded by the Region.

10. EVALUATION CRITERIA

1. To evaluate the submitted projects and to draw up the ranking classification for the projects eligible for the grant, the Evaluation Panel will take into consideration the following criteria, with relative scores, up to a maximum of 100 points:

Criteria		Max score for film and television works	Max score for web works and documentaries
1. Quality and originality of the project	In particular, the originality of the story, the artist's vision and the film language will be analysed. The quality and originality of the screenplay, or the storyline or topics handled; any animation techniques used and any other artistic materials sent with the application	35	50
2. Economic impact and enhancement given to territory	In particular the following aspects will be analysed: economic impact on the region; the degree of involvement of the regional audiovisual production chain, the analysis of the enhancement of the production system and setting up of a project shared with local companies and bodies for the project; the screenplay's or subject's ability to enhance and further knowledge of historical, cultural, social and landscape aspects of the region's traditions, and also	30	20

	of personalities, facts and regional events		
3. Financial sustainability and production solidity	The following aspects in particular will be analysed: financial structure of the project; presence of joint-funding, sponsors etc; consistency of production project with financial plan, level of financial coverage even with reference to investments from producers, other public funding, and any external funding and the sale or pre-sale of the copyright to the works; analysis, history and CV of the production members	20	15
4. Marketing innovation and strategy	The following aspects in particular will be evaluated: innovative style of film or audiovisual language proposed; distribution agreements (deal memo, letter or signed contract); planning for suitable marketing tools and activities; analysis of efficacy and innovation of the production process and the product; innovative nature of diffusion strategies and distribution of the product; attention and innovation in the matters of accessibility and environmental sustainability (green productions)	15	15
TOTAL		100	100

2. The **minimum score** necessary to be eligible for the grant is **70 points**.

3. After scrutiny is completed, the eligible projects will be ranked in a classification, showing the ones that can be funded. If there are projects with the same score, the project with the highest score in criterion no. 1 "Quality and originality of the project" will take precedence for the position in the ranking classification.

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

1. The regional council, based on the scrutiny as explained in section 9 and taking into consideration the contents of section 4, will issue an order, within 90 days of the final deadline for applications:
 - a) approving the ranking classification of eligible projects for the regional grant, including the ones that will receive funding and any not funded due to insufficient funds available;
 - b) to decide the percentage of the regional grant to be made for eligible expenses, and to quantify the grants awarded to each successful applicant, taking into consideration the contents of section 2, paragraph 1, letter d);
 - c) To approve the list of any projects rejected, including the reasons for said rejection.

2. The grants provided for in this call for applications are awarded until the total amount of the funding available as set out in section 4 above has been allocated, based on the ranking position in the classification, for the projects considered to be eligible.
3. The head of the Culture and Young People's Service will subsequently issue an order to allocate the grant and to commit to said expenditure, taking into consideration the timetables for the successful projects for which the grant has been allocated, in line with budget constraints.
4. The classification will be published on the regional website "<http://cinema.emiliaromagnacreativa.it>". Applicants for the grant will be informed of the publication of the classification.

12. PAYMENT OF GRANTS

1. The awarded grant will be paid out by the Region, on express request from the recipient, in the following manner:
 - a) first tranche, relating to an initial progress of activities at 31/12/2019, supported by a detailed report and certification of expenses incurred. This request must reach the Region by 31/01/2020;
 - b) the final balance for the project, further to submitting the detailed final accounting report documentation, as set out in section 13 below, must reach the Region within 30 days of completing the project.
2. If the project is completed by 31/12/2019 and the final report is completed by 30/01/2020, the entire grant will be paid out in one instalment.
3. If changes occur which reduce the costs incurred per item of expense as stated for the project on which the grant is paid out, the head of the Culture and Young People's Service will alter the regional grant amount proportionately when paying the balance.
4. The grants in section 4.2 are only paid if the recipient declares that it has not received an outstanding recovery order under an earlier ruling from the European Commission that declares an aid illegal or incompatible with the internal market, except for aid schemes that are allocated to remedy damage caused by certain natural disasters. This declaration, made pursuant to article 47 of the Presidential Decree no. 445/2000 as amended, must be attached to any request for payment.

13. FINAL ACCOUNTING REPORT

1. Recipient must produce the final accounting documentation within 30 days of completing the project in order for the balance of the allocated grant to be paid.
2. Completion of the project means the sending of no. 2 DVDs of a sample copy or the master copy of an audiovisual work, with communication by certified email of completion of activities, signed by the legal representative.
3. The final accounting report documentation must include:
 - a) Request form for payment of the grant balance;
 - b) Economic-financial report for the project covering the costs incurred, for producing the sample/master copy;
 - c) Analytical report of the eligible expenses incurred in Emilia-Romagna;
 - d) A digital copy of the accounting documents, regarding eligible expenses incurred in Emilia-Romagna, with suitable proof of payment. This documentation must include a description that enables the expenses to be immediately matched to the funded project: whether by 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 actual filming schedule and update of the distribution and marketing plan;

- f) a detailed list of technical staff and cast employed in the region, with clear highlighting of those resident in Emilia-Romagna, and of the suppliers of goods and services based in Emilia-Romagna, drawn up as a self-declaration in lieu of a sworn affidavit;
- g) 1 copy of the backstage (or promotional specials) and trailer, and 1 copy on CD of at least 20 still photos and 20 location photos used.

14. RECIPIENTS' OBLIGATIONS

1. The grant recipients must:
 - a) complete the project by 31 December 2020, sending the Region 2 DVD copies of the sample or master work, at no additional cost;
 - b) Send the final accounting documents as listed in section 13 of this call for application to the Region within 30 days of completing the project;
 - c) Communicate the exact date of start of filming in the region with at least one week's notice;
 - d) allow the presence of a representative of the Region during filming at any time;
 - e) For solely documentation and/or promotion purposes, allow interviews to be recorded, videos to be filmed and photographs to be taken by the Region, during filming, in times and ways that are agreed;
 - f) Notify the Region of any change that may arise compared to what was planned at the time of application;
 - g) For film and television works, inform the Emilia-Romagna region about the planning of the specific press conference, with the presence of the director and/or main interpreters, also to allow the Region itself to take part;
 - h) use the Emilia-Romagna Film Commission logo in the opening credits or, alternatively as the first frame of the closing credits and in all information, advertising and promotional material for the work (pressbook etc), together with the wording "supported by the Emilia-Romagna Region";
 - i) organise at least one screening of the work in the region, for films and documentaries/docu-fiction, with the presence of the director and at least one of the main actors;
 - j) allow the Region to use all or part of the delivered work, the scene photos, the trailer and the backstage film free of charge, for institutional and promotion purposes for the Emilia-Romagna Region and the Emilia-Romagna Film Commission's work, and also for the cultural promotion and enhancement of the region's heritage and image, and for tourist purposes. If the entire work is used, the modes and terms of use must be agreed with the producer;
 - k) If the work is included in national or international festivals, inform the Region about the invitation to the official section (or other sections) and any press conferences that may be held;
 - l) Keep a copy of all accounting documentation at the company's registered offices, as per civil, taxation and fiscal law, for a period of 5 years starting from completion of the project.

15. CHECKS, CANCELLATIONS AND REFUSALS OF THE GRANT

15.1 Checks

1. The Region reserves the right to carry out all checks and on site inspections, both before and in the first 5 years after the project is completed, in order to check and verify what is stated below:
 - a) The conditions for obtaining the grant were met, and the work carried out conforms to the project submitted for the grant;
 - b) That the declared expenses are real and actually incurred and that they correspond to the accounting documents and receipts kept by the recipient.
2. The grant recipients must allow, aid and not hinder, in any way, the checks by the Region and must make all receipts regarding expenditure covered by the grant available.

15.2 Cancellations

1. Grants will automatically be cancelled and the amounts will be recouped if:
 - a) The checks and inspections carried out by the Region are failed;
 - b) If the project is not carried out in compliance, either in content or results achieved, with the project for which the grant application was made, if this is due to changes during the project which were not communicated to the Region and not approved by the latter;
 - c) The recipient does not observe the deadline set by this call for applications for conclusion of the project (31 December 2020) and for submitting the final accounting report;
 - d) the project has a total eligible cost at final statement of less than 30,000.00 Euro, equivalent to the minimum eligible cost for applying for the grant for the project, as set out in section 3.3;
 - e) In the opening or closing credits of the project, the Emilia-Romagna Film Commission logo is not used, and the wording “supported by the Emilia-Romagna Region” is not included;
 - f) at the time when the request is made for payment of the grant the recipient loses the following requisites for eligibility for the grant as described in section 2, i.e.:
 - It is no longer a regularly established company enrolled in the Company Register for the area;
 - It no longer operates with the primary Ateco code “59.11.00”, or with the equivalent NACE Rev. 2 “59.11”, if a foreign company;
 - It is no longer an active company;
 - It has been placed in liquidation (including voluntary liquidation), bankruptcy, arrangement with creditors, receivership or other ongoing insolvency procedures;
 - It has the characteristics of a company in difficulty pursuant to article 2, section 18, of the EU Regulation 651/2014 as amended;
 - g) the recipients communicates that it is refusing the grant.
2. Also, if the obligations as per letters g) and i) of section 14 “The recipient’s obligations” are not observed, this will bring about the total cancellation of the grant, if the recipient, after 20 days from the reminder from the Region, has not fulfilled said obligations.

15.3 Repayments of grants

1. Grants paid but that are found to not be due will be cancelled and must be returned by the company to the Region, with legal interest accrued during the period between the date the grant was received and the date it was returned. Legal interest is calculated at the rate set out in article 1284 of the civil code, in effect at the date when the grant cancellation notification is adopted. The Region will take action to recover the monies.

16. REFUSING GRANTS

1. The grant recipient must immediately inform the Region, if any impediment occurs that will not allow it to complete the activity, about the impediment and submit a formal declaration of refusing the grant.
2. If the grant is refused, the Region will then totally cancel the grant allocated and will set up the procedure for recouping any payments already made to the recipient, plus legal interest accrued in the meantime.

17. CHANGES REGARDING THE BENEFICIARY

1. The grant recipients must immediately inform the Region of any ceased activity and any other fact that occurs after the application has been submitted, which concerns the subjective requisites of the company, that may determine the loss of any of the requisites for being eligible for the grant.
2. The regional grant cannot be transferred to third parties.

18. MONITORING AND ASSESSMENT

1. The Region carries out monitoring, in order to check the actual carrying out of the projects provided with a grant, and to achieving the set goals. To this end, the recipients must provide full collaboration and information, in the ways and times stated by the Region, regarding the implementation of the projects and the effects produced by the latter.

19. NOTICE OF START OF PROCEDURE - PROCEDURE MANAGER

1. Below is a list of the elements and contents of the start up notice for the procedure as per articles 7 and 8 of the Law 241/1990:
 - Competent administration: Emilia-Romagna Region - Directorate General for the Knowledge Economy, Employment and Enterprise;
 - Subject of the procedure: Call for applications for funding of the production of films and audiovisual works by national and international companies - 2019;
 - the deadline for payment of recipients is 90 days from the date on which the payment request is filed;
 - The procedure manager is Mr Gianni Cottafavi, head of Culture and Young People's Service;
 - The scrutiny procedure will be started on the day after the deadline for submitting applications and will be completed within 90 days (except for suspension of the deadline, provided for by article 17, par. 3 of the Regional Law 32/1993);
2. This section of the call for applications is to all effects and purposes valid as a “notice of start of the procedure”, as set out in articles 7 and 8 of Law 241/1990.

20. PRIVACY POLICY STATEMENT

1. Introduction

Pursuant to article 13 of the European Regulation no. 679/2016, the Emilia-Romagna Regional Council, as Data Controller, must provide you with information regarding the use of your personal data.

2. Identity and contact data of data controller

The Data Controller of personal data as per this information sheet is the Emilia-Romagna Regional Council, with offices in Bologna, Viale Aldo Moro no. 52, post code 40127.

In order to simplify sending modes and reduce reply times, we would ask you to send the requests as per section no. 10, to the Emilia-Romagna Regional Council, Public Relations Department, in writing or by going directly to the Public Relations desk.

The Public Relations desk is open from Monday to Friday from 9 am to 1 pm in Viale Aldo Moro 52, 40127 Bologna (Italy): telephone 800-662200, fax 051-527.5360, e-mail urp@regione.emilia-romagna.it.

3. The Data Protection Officer

The Data Protection Officer appointed by the association can be contacted at the email address dpo@regione.emilia-romagna.it or at the Emilia-Romagna Regional Administration offices in Viale Aldo Moro no. 30.

4. Data processors

The body can use third party subjects to carry out the activities and relative processing of personal data processing for which we maintain control. In compliance with what is stated in legislation, said subjects guarantee such levels of experience, skills and reliability as to guarantee the observance of provisions in force on the matter of processing, including the data security profile.

We formalise instructions, tasks and duties for said third-party subjects by appointing the latter as “data processors”. Said subjects undergo regular checks to ensure that guarantee levels recorded when the initial appointment was made are maintained.

5. Authorised processing subjects

Your personal data are processed by internal staff previously authorised and appointed as data processors, who are given suitable instructions on measures, stratagems and modus operandi, all aimed at the tangible protection of your personal data.

6. Purpose and legal basis of processing

Your personal data is processed by the Emilia-Romagna Regional Council for the purpose of carrying out institutional tasks, and therefore, pursuant to article 6 paragraph 1 letter e), it does not need your consent. Personal data are handled for the following purposes:

- a. awarding of grants as set out in the “Bid for the support of the production of cinema and audiovisual works created by national and international enterprises - 2019”, pursuant to Regional Law no. 20/2014;
- b. statistical processing;
- c. monitoring, studies and research on sector trends.

7. Recipients of personal data

Your personal data will not be communicated or diffused. Some personal data you provide Emilia-Romagna Region with, pursuant to articles 26 and 27 of the Leg. Decree no. 33/2013, are subject to publication on the Region's institutional website. Specifically, pursuant to the legislation referred to, if awarded any economic advantages, the following will be published:

- a) the name of the company or other recipient and its fiscal data;
- b) the amount
- c) the law or procedure behind the allocation;
- d) the department or official or manager responsible for the relative administrative procedure;
- e) the method used to identify the recipient;
- f) the link to the selected project.

8. Transfer of personal data to non-EU countries

Your data will not be transferred outside the European Union.

9. Period of storage

Your data will be stored for a period of no more than the time required to pursue the purpose as stated above. To this end, also using regular checks, the strict relevance, non-excess and necessity of the data regarding the relationship will be constantly checked, for the ongoing, to be established or terminated service or appointment, also in reference to data that you have provided of your own accord. The data that, after verification, is found to be in excess or irrelevant or not essential, will not be used, except for any storage of the document or deed containing it, as required by law.

10. Your rights

As the data subject, you have the right to:

- access your personal data;
- obtain rectification or erasure of the data or restriction of processing thereof;
- to object to processing;
- to lodge a complaint with the data protection authority.

11. Providing data

Providing your data is discretionary, but necessary for the purposes stated above. Not providing the data will mean it is impossible to access regional grants.

21. PUBLICATION OF DATA PURSUANT TO LEG. DECREE NO. 33/2013

1. The beneficiaries' and projects' distinguishing data are subject to publication as provided for in Leg. Decree No 33 dated 14 March 2013, and also on the basis of the interpretation guidelines and obligations contained in the regional council resolution no. 93/2018.

22. INFORMATION

1. For any information, please send an email to: filmcom@regione.emilia-romagna.it or contact the Emilia-Romagna Film Commission: Roberto Bosi – tel. +39 0515273318, Emma Barboni - tel.+39 051 5278753.