



Made in NSW – TV Drama

Program Guidelines

Overview of the program

The Made in NSW - TV Drama Fund will support high-end feature film and television drama productions, produced by Australian production companies, which are genuinely footloose and can shoot in NSW. Supported productions will have the potential to travel internationally and reach new audiences whilst also creating significant employment opportunities for NSW based practitioners.

Screen NSW will conduct up to 5 competitive rounds per financial year and round opening and closing dates will be published annually. If the applicant is intending to apply for this fund along with the Regional Filming Fund or NSW PDV Rebate, applications must be made concurrently and declared in the application.

The total budget of a project must be between \$5 million (AUD) and \$18 million (AUD). Applicants can apply for up to 10% of their Qualifying NSW Spend, capped at \$1 million.

Applicants are encouraged to read these guidelines thoroughly before applying.

Key information

- Funding amount: \$0 – \$1,000,000.
Funding will be determined on a case-by-case basis based on the Qualifying NSW Production Expenditure (QNSWPE) but will not exceed 10% of the QNSWPE or \$1,000,000 - whichever is the lesser.
- Applications open: 14 October 2024
- Applications close: 5pm, 11 November 2024
- Application outcome date: Within 4 weeks of the assessment meeting
- Decision-maker: Secretary, Department of Creative Industries, Tourism, Hospitality and Sport
- Type of funding opportunity: Open, competitive
- [Funding page](#)
- [Apply here](#)

Purpose and objectives

The purpose of the program is to attract and create a pipeline of high-end feature film and television drama production in NSW, build on the success of previous investments and create opportunities for production companies to finance their projects with international partners to find new audiences, both within Australia and internationally.

The program will also support the sustainable employment of cast and crew in NSW by creating high value jobs whilst contributing significantly to the NSW economy.

The fund will support feature film and television drama projects by Australian companies that have the potential to travel internationally and reach new audiences.

In the case of TV drama productions, projects will have the capacity to premiere on digital platforms and play to large audiences via traditional media outlets. They will be must-see, event TV with the potential for returning series and air in a prime-time slot on Australian TV - either free-to-air or via subscription channels and online platforms.

Funding Value

Funding from \$0 to 1,000,000 per production is available through the program.

Individual funding is determined on a case-by-case basis based on the Qualifying NSW Production Expenditure (QNSWPE) but will not exceed 10% of the QNSWPE or \$1,000,000 - whichever is the lesser. Applicants should discuss their funding requests with a Screen NSW Investment Manager prior to submitting an application.

Our investment is cash flowed into the production and the equity remains with the producer. In the case of previous development funding from Screen NSW, this amount will be rolled over into producer equity,

Screen NSW requires a minimum amount of 10% contingency to be included in a project's budget. However, in some cases where co-investors or broadcasters agree, Screen NSW may approve a slightly lower amount.

In the case where a lower contingency amount is approved, Screen NSW may elect to withhold producer overheads until completion.

Selection criteria

Eligibility criteria

Eligible projects are those between \$5-18M production budgets in the following formats:

- Feature films, excluding documentaries
- Television drama and narrative comedy, including miniseries.

The applicant must:

- Fulfil one of the following:
 - o Be an Australian company based in NSW and actively operating in NSW for at least six months prior to the funding application, or
 - o Be an Australian company not based in NSW in a genuine co-production arrangement with a NSW production company and/or the project is created by a NSW creative or is substantially driven by NSW key creatives, or
 - o Be a non-NSW based Australian Company, meeting at least a minimum level of NSW spend of 80% of total production costs.
- Have at least one NSW based Key Creative; and
- Be compliant with our [Terms of Trade](#), and
- Maintain ownership or control of the rights necessary (or have shared ownership and/or joint control of copyright under a co-production arrangement) to carry out the project that is the subject of the application (including having ownership or control of any relevant copyright and appropriate clearances from all significant participants).

The project must:

- Have Significant Australian Content (SAC). SAC is evidenced by a Provisional Producer Offset Certificate or official co-production certification and where a project is successful for funding, must be received prior to contracting. For more details on the SAC test see [here](#)
- Be fully financed at the time of application (other than the contribution from Screen NSW, or contributions that are being considered concurrently by other similar State or Federal agencies)
- Have not commenced pre-production prior to the date of application
- Be genuinely footloose.

Assessment criteria

Applications will be competitively assessed against the following criteria. Screen NSW will apply weightings to each assessment criteria, which will apply to all applications considered in a round equally, at its discretion.

Criteria	Examples of information or evidence required
Economic and Employment Impact	<ul style="list-style-type: none"> – Total Qualifying NSW Production Expenditure.
Opportunities for Above and Below the Line skills development for NSW practitioners	<ul style="list-style-type: none"> – Number of NSW based Key Creative personnel in Above and Below the Line Roles. – Detail of training or educational programs that will be delivered during the production. – Number of NSW practitioners who will be trained through these program(s).
The proportion incentive requested as part of Qualifying NSW Production Expenditure	<ul style="list-style-type: none"> – Total amount of incentive requested.
Project Viability	<ul style="list-style-type: none"> – Viability of finance plan, budget, production methodology (execution process i.e., logistics and strategy to conform with the team’s production readiness and track record).
Quality and feasibility of the project	<ul style="list-style-type: none"> – Quality of submitted materials relative to creative vision. (e.g. Script, Bible, Pitch Deck). – Description of how any under-represented, or Screen NSW priority groups, will be authentically represented as part of the production.
Audience and Delivery	<ul style="list-style-type: none"> – The project’s ability to reach a clearly defined audience and/or potential for innovation in distribution/delivery.
Marketplace Attachment	<ul style="list-style-type: none"> – Level of marketplace commitment to the project – How will the marketplace entity support the project to find the audience? Please note that market attachments must also meet the minimum thresholds published by Screen Australia and must include ANZ and ROW territories

Other relevant factors and risks may also be considered, as determined by Screen NSW, in its sole discretion, including:

- The availability of funding for the program and the perceived funding requirements of an applicant’s project
- The diversity of slate of applications Screen NSW receives in a financial year
- The geographical distribution of funding, the composition of the team and alignment to the [Screen NSW priorities](#)
- Assessment of the applicant’s management, its directors and officers and entities or individuals that exercise control over an applicant against the eligibility criteria
- Assessment of other factors that may cause applicants to be unsuitable for support, such as any personnel or business activities that could cause reputational or other risk to the NSW Government.

Application process

How to apply

Familiarise yourself with the requirements set out in these guidelines and determine if you are eligible.

If you consider your production to be eligible, or require further clarification on eligibility, contact Screen NSW at investment@screen.nsw.gov.au to discuss your application in further detail. Made in NSW - TV Drama is run in parallel with the Production Finance rounds. Please see [here](#) to see dates for upcoming rounds.

Complete and submit your Application via the SmartyGrants portal available [here](#).

As part of your application, you will need to provide the following documents:

1. Completed SmartyGrants application.
2. A copy of the project finance plan:
 - a. If the finance plan for a project includes Screen Australia finance, evidence that Screen Australia is concurrently considering the project for finance, or Screen Australia’s finance has already been confirmed.
 - b. Written evidence that reflects the proposed finance plan by way of signed Deal Memos/Letters of Offer/Short or Long Form Agreements that need to specify the commercial terms and the level of financial commitment to the project.
 - c. If the finance plan includes finance from overseas, then the producer must provide Screen NSW with written assurances about how they will deal with any currency fluctuations.

3. For projects accessing the Producer Offset, a copy of the Provisional Certificate for the Producer Offset or a copy of the completed application form for the Producer Offset and distribution and broadcast agreements that meet the criteria for public exhibition in relation to the Producer Offset
4. If the application is based on an underlying work, evidence that an appropriate option is in place and current.
5. Evidence that allowances for production attachments within the production budget.
6. Other documents as outlined in **Annexure A**.

Please note these guidelines should be read in conjunction with the application form which provides details of requested supporting documentation.

Acknowledgement of receipt of application will be via return email.

Note: If you intend to apply to both the Made in NSW - TV Drama and the Regional Filming Fund for your project, please submit these applications concurrently (within the one form).

Note also: Applicants should check the contracting timeframes of all funding agencies whose contributions appear in their finance plan and build these timeframes into their schedule for closing and cashflow.

Support available to applicants

Screen NSW staff are available to provide technical advice and general information to potential applicants on the interpretation of these guidelines, including the types of activity eligible for funding and support with the online application process.

For further information or clarification, please contact Screen staff on:
investment@screen.nsw.gov.au.

Screen NSW staff cannot help directly with your application. To maintain a fair and equitable process, staff cannot edit or correct any applications or provide advice on the content or choices required against the Assessment Criteria.

Assessment process

Eligibility Assessment

Your application will be checked by Screen NSW for eligibility against the published Eligibility Criteria. If eligible, your application will proceed to the next assessment stage in accordance with the Assessment Criteria. If ineligible, you will be advised via email within 10 business days and your application will not proceed to assessment.

Screen NSW reserves the right to provide applicants with an opportunity to provide clarification or additional information regarding the Eligibility Criteria provided the principles of probity are not breached.

Incomplete applications will be deemed ineligible unless otherwise determined by Screen NSW.

Application Assessment

Stage 1

Eligible applications will be assigned to a Screen Investment Manager to undertake an assessment against the Assessment Criteria and present the project to the Screen Investment Committee. The Screen Investment Committee is comprised of the Screen Investment Team, the Senior Screen Investment Manager, and the Head of Screen NSW. An independent probity advisor may also be engaged to attend meetings as appropriate.

Where considered appropriate, the Screen Investment Team may seek external industry specialists to undertake assessments or provide external reports to help inform decision-making. For example, where a project has elements that require the consideration of [diversity](#), Screen NSW may seek advice from an independent expert.

Projects requiring a First Nations assessment will be assessed with reference to Screen Australia's Pathways & Protocols: a filmmaker's guide to working with Indigenous people, culture and concepts (<https://www.screenaustralia.gov.au/about-us/doing-business-with-us/indigenous-content/indigenous-protocols>) by an external First Nations consultant

The Screen Investment Committee will shortlist projects for progression to Stage 2 of the assessment process based on outcomes of this assessment.

Stage 2

Shortlisted applications will be considered by the Film and Television Advisory Committee (FTIAC) at the next available meeting. Details on the membership of the FTIAC are available [here](#), and meetings dates are published [here](#).

The FTIAC will consider all applications shortlisted by the Screen Investment Committee, including any external reports prepared, and the available budget.

They will consider the assessment criteria, distribution, range and scale of the applications. This may include prioritising applications and activities with outcomes that better meet the Program objectives or address and ensure equity and the best outcomes for NSW Government investment.

The FTIAC may also recommend a funding amount that is less than that requested in the application.

Decision Making

Screen NSW will provide the FTIAC's advice and recommendations to the Secretary of the Department of Creative Industries, Tourism, Hospitality and Sport or their delegate for final consideration and approval.

Notification of application outcome

You can expect a decision within 4 weeks of the assessment meeting.

An Investment Manager will contact you to advise the outcome of your application.

Feedback on applications

Applicants can seek feedback on their application from Screen NSW by emailing investment@screen.nsw.gov.au.

Publication of grants information

The Grants Administration Guide (Guide) requires that certain information is published in relation to grants awarded no later than 45 calendar days after the funding agreement takes effect (see section 6.5 of the Guide and Appendix A to the Guide).

This information is also open access information under the Government Information (Public Access) Act 2009 (NSW) (GIPA Act), which must be made publicly available unless there is an overriding public interest against disclosure of the information.

In accordance with these requirements, relevant information about the funding awarded will be made available on the NSW Government Grants and Funding Finder as soon as possible after the funding agreement is executed.

All records in relation to this decision will be managed in accordance with the requirements of the State Records Act 1998 (NSW).

Successful applications

Funding agreement

Successful applicants will be required to enter into a funding agreement with Screen NSW. The funding agreement will set out the obligations of the recipient of the funding, including but not limited to, copyright, monitoring and reporting, project completion, and payment.

The NSW Government makes no binding funding commitment to an applicant unless and until both parties sign a funding agreement.

A funding agreement will also have clauses, including but not limited to, non-disclosure and non-disparagement.

Contracting can take up to 12 weeks, however this period is contingent upon receipt of valid transaction documents identified in the funding document Screen NSW provides to successful applicants or in a funding document from another funding entity that Screen NSW is a party to.

Payment

The funding agreement will outline the process for the recipient to receive milestone payments during the production process.

Unspent funds

Unspent funds are required to be returned to Screen NSW.

Acquittals

Successful applicants will be required to submit project progress reports to the NSW Government as outlined in the funding agreement.

Recipients will be required to:

- Provide the acquittal data as outlined in the funding agreement.
- Provide a final project completion report via SmartyGrants at the completion of production.

Program Evaluation

The Program will be evaluated to measure how well the outcomes and objectives have been achieved. We may collect and use information from your application and reports for this purpose. We may also interview you or ask you for more information to help us understand how the Program impacted your organisation and to evaluate how effective the Program was in achieving its outcomes.

We may contact your organisation up to three years after you receive the final payment associated with the Program for more information to assist with this evaluation. Screen NSW and the NSW Audit Office reserves the right to undertake an audit of Program funding and support within seven years.

Additional information and resources

Conflict of interest management

Any conflicts of interest will be managed in accordance with NSW Government Grants Administration Guide.

A conflict of interest, or perceived conflict of interest, may be identified if staff, any member of a committee or advisor and/or you or any of your personnel:

- Has a professional, commercial, or personal relationship with a party who can influence the application selection process, or
- Has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently, or
- Has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation received funding under the program.

If you identify an actual, apparent, or perceived conflict of interest at any time, you must inform Screen NSW immediately. Screen staff can be contacted by email:

investment@screen.nsw.gov.au.

NSW Government staff, committee members and other officials including the decision maker must declare any conflicts of interest and ensure they are managed as per the DCITHS Code of Ethics and Conduct and the Grants Administration Guide.

Complaint handling, access to information and privacy

Details on how Screen NSW handles complaints, access to information and your private information is available [here](#).

Glossary

Footloose

- A project that is not already locked into production in NSW, and which can be readily established or relocated in different jurisdictions, as it is not dependent on resources, labour or capital specific to a particular jurisdiction.

Qualifying NSW Production Expenditure (QNSWPE) includes:

- Payroll subject to NSW Payroll Tax excluding payroll to non-NSW residents
- NSW workers' compensation payments
- Payments to a supplier of goods and services whose principal place of business is in NSW. Suppliers include independent contractors who are not subject to NSW Payroll Tax.
- Payments to a supplier of goods and services which, although its principal place of business is outside NSW, has an office or branch in NSW which is supplying the goods or services, including fees and charges relating to the use of land within NSW
- Fees and charges relating to the use of land within New South Wales
- Inbound international or interstate travel to a NSW destination. Where a return fare is purchased fifty per cent (50%) of the fare qualifies as QNSWPE.
- Costs associated with a non-NSW resident coming to NSW to work on a production after two weeks in the state (travel, accommodation, etc.)
- Inbound freight to a NSW destination
- Fringe Benefits Tax relating to benefits provided in NSW
- NSW Payroll Tax.

But excludes:

- Goods or services which are sourced from outside NSW from a non-NSW supplier, even though they are used in the production of the project in NSW
- Remuneration for non-NSW residents.
- Financing Costs

Currency exchange - Where production expenditure is incurred in foreign currencies, the exchange rate will be the RBA rate averaged across the period in which Qualifying NSW Production Expenditure is incurred.

Goods that are resold - For goods that have an ongoing value at the end of the project's production, Qualifying NSW Production Expenditure is the purchase price less the sale price.

Also see the glossary published at the [Screen NSW website](#) for non-program specific definitions.

Annexure A

1. Story Materials
 - a. One page synopsis
 - b. Features: Script; TV: At least 2 scripts and the outline or series bible
2. Legal
 - a. Certificate of Incorporation for company
 - b. Key Chain of Title documents
3. Completion Guarantor
 - a. Letter of Interest from Completion Guarantor or letter from applicant requesting waiver of the requirement for a Completion Guarantor
4. Cast Agreements (where finance is cast dependent)
5. Finance
 - a. Finance Plan
 - b. Sales projections
 - c. Recoupment waterfall and narrative
 - d. All documents/contracts evidencing different sources of finance as per finance plan
 - e. Terms of cashflow providers and/or accountants letter verifying solvency of company to cover cashflow in Finance Plan
6. Marketing & Distribution Agreements
 - a. All deal memos, agreements and draft agreements re. marketing, distribution, license agreements and presales, aligning to finance plan
7. Investment, Loans and Gap funding
 - a. All deal memos, agreements and draft agreements
8. Budget
 - a. Detailed budget and summary – must include QNSWPE and QAPE as separate columns
9. Co-Production
 - a. Australian Budget with QAPE
 - b. NSW Budget with QNSWPE
 - c. Screen Australia Report or notes on official co-production status
10. Offset Projects
 - a. Provisional + application
11. Creative Statement



12. Key production personnel – CVs

13. First Nations Content

- a. Statement regarding First Nations consultation and consent
- b. Written confirmation of the willingness of subject(s) and the community
- c. First Nations consultant's CV