



Production Finance

Program Guidelines

Overview of the program

The Screen NSW Production Fund invests in NSW production companies, NSW screen projects and NSW creatives to produce or post produce in NSW – feature films, longform adult and children’s drama series; factual and documentary television or online, animation and interactive online screen entertainment.

Screen NSW supports a diverse slate of culturally relevant, distinctive, high quality, original screen storytelling that resonates with local and global audiences and delivers exceptional cultural impact.

Applications can be received any time during funding round cycle dates and must clearly address all the assessment criteria. Applications are assessed in the funding rounds published on [Screen NSW’s website](#).

You will need to submit all the required documents in the Application Materials Checklist.

Screen NSW [Terms of Trade](#) must be read in conjunction with the application form and these Guidelines and applications must be compliant with the Terms of Trade.

Key information

- Funding amount: \$0 - \$850,000.
- Applications open: 4pm, 14 August 2024
- Applications close: 5pm, 4 September 2024
- Application outcome date: Within 4 weeks of the assessment meeting
- Decision-maker: Secretary, Department of Creative Industries, Tourism, Hospitality and Sport, or their financial delegate
- Type of funding opportunity: Open, competitive
- [Funding page](#)
- [Apply here](#)

Purpose and objectives

The purpose of funding is to maximise cultural and economic benefits to the state by supporting NSW screen practitioners to create new intellectual property that assists them to realise commercially sustainable businesses and grow the NSW screen sector.

The objectives of the Program are to fund exceptional quality, diverse and engaging fiction and non-fiction screen content that will:

- Generate employment and economic activity for NSW
- Make a contribution to Australian culture and storytelling, nationally and internationally
- Grow the number and size of NSW production companies and provide increased opportunities for NSW key creatives
- Meet the objectives of Screen NSW's diversity commitment.

Funding Value

Individual funding is determined on a case-by-case basis based on the Qualifying NSW Production Expenditure (QNSWPE).

Projects must have a production budget of less than \$20,000,000.

Applicants should discuss their funding requests with a Screen NSW Investment Manager prior to submitting an application.

Funding Amounts Available

Successful projects will be entitled to the following percentage of their QNSWPE capped at \$850,000:

Project Type	Percentage
Features	10%
One-off documentaries	10%
Documentary series	10%
TV drama including children's	5.5%
Digital Online Interactive	10%

Low Budget Projects for:

- Documentary series and Digital Online Interactive content under AU\$1 million; or
- Features/television series under AU\$2 million.



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

The applicant must fulfil one of the following:

- Be an Australian company based in NSW and actively operating in NSW for at least six months prior to the funding application, meeting at least a minimum level of NSW spend of 50% of total production costs; or
- 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
- Be a non-NSW based Australian Company, meeting at least a minimum level of NSW spend of 80% of total production costs. Please note, if you are a non-NSW based company, strong consideration will be given to the level of spend in NSW (and must at least meet the minimum expenditure threshold of 80%) and number of NSW key creatives. Where rounds are competitive, preference will usually be given to NSW applicants. Please speak to an Investment Manager before applying.

The 50/80% requirement above will not apply, if any of the following circumstances are met:

- Where the eligible NSW Spend is at least \$5 million
- Where the below-the-line eligible NSW post-production spend is at least \$3 million.
- Where a producer intends to conduct 100% of the project's post-production in NSW with NSW-based post-production personnel. (Please see definition of [100% Post Production requirements and Allowable Post Exclusions](#) in the Screen NSW Glossary to confirm your eligibility).

The applicant must also fulfil all of the following:

- Have a production budget of less than \$20,000,000
- Have at least one [NSW based Key Creative](#)
- Be compliant with our [Terms of Trade](#)
- 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).

Eligible projects

This project must:

- Have Significant Australian Content (SAC). SAC is evidenced by a Provisional Producer Offset Certificate or official co-production certification. 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 Commonwealth agencies).
- Be substantially ready to go into production and (with the exception of Creative Interactive Online Screen content) and have marketplace commitments (please see [Market Attachments](#) below) and accord with Screen Australia’s appropriate presales or licence fees.
- Not have commenced official pre-production before the closing date of the round. Screen NSW does not fund retrospectively. Documentary projects with time critical filming issues may still be considered – applicants must contact the Screen Investment team before applying to confirm this exception.
- With the exception of development expenditure, only expenditure incurred after the Application has been submitted will be recognised as eligible for funding.
- Have completed principal photography and be able to demonstrate a post-production path to delivery and audience if the application is for post-production funding.
- Reflect diversity in the creative team, relevant to the content genre, format, platform, storylines, characters, and target audience. More details on Screen NSW’s expectations on diversity and inclusion can be found in our [Diversity Commitment](#) section below.
- Fulfil necessary requirements for Authenticity (See *Creating authentic screen content* in Screen NSW’s [Guide to Understanding Diversity and Creating Authentic Screen Content](#))
- Be compliant with one of the Eligible Project formats noted below:
 - Features – fiction
 - Documentary (documentary television, features or online and series with a total minimum duration of a commercial half hour) that meet the definition of a ‘documentary program’ under the [Australian Communications and Media Authority \(ACMA\) Documentary guidelines](#)
 - Series – television drama and narrative comedy, including miniseries
 - Animation series
 - Creative Interactive online screen content Digital – Series, interactive or XR intended for public access on a screen-based device.

Ineligible Projects

Please note that certain project formats and arrangements are not eligible and Screen NSW does not fund the following:

- Projects that are part of assessable materials for a course of study or that will contribute to credits for a course of study
- Infotainment, infomercials, lifestyle, light entertainment, travel, ‘how-to’; magazine, sports, education, game shows, serials/soaps, music videos, and other programs primarily intended for corporate, educational, training or promotional purposes, or magazine style projects or advertisements; reality television; non-narrative experimental, performance programs (see [Screen Australia’s website](#))
- Current affairs and news, community television
- Shorts, short features (under 60 minutes duration) and interstitials
- Digital games
- Art installation projects
- Projects that attract an X18+ or RC as described on the Australian Classification website.

Re-submitted projects that have previously been declined twice must demonstrate that substantial changes have been made since the previous submission.

Market Attachments

- Projects must have a market attachment from a recognised distributor or exhibition platform (e.g., a broadcaster, exhibitor, or major online content provider) that includes key financial commitments and, where possible, dates of funds drawdown and licence term.
- Market attachments must meet the minimum thresholds published by [Screen Australia](#)
- Documentation demonstrating market attachments must show a clear commitment to distribute or exhibit the project rather than showing interest in supporting or funding the project.
- Market attachments must include evidence of the intention to screen the project in territories outside Australia. Without that evidence, the applicant must demonstrate their strategy or pathway to achieving this.
- Online narrative projects or completion funding applications unable to meet the above requirements may be eligible to apply if they can demonstrate a persuasive business case for an alternate distribution strategy or pathway to audience.

Diversity Commitment

Screen NSW is dedicated to promoting fairness and equality in its programs and its interactions with the community. Our priority is to support increased industry participation by people from underrepresented groups, including:

- Residents of Regional NSW
- Residents of Western Sydney
- First Nations people
- People from culturally and linguistically diverse backgrounds
- People living with disability
- LGBTQIA+ people.

Diversity encourages authentic storytelling and fosters inclusivity.

Screen NSW believes it is crucial for the narratives and characters in projects it funds to reflect the authentic, lived experiences of diverse communities. When evaluating applications, we consider the cultural authorship of the creative team to be a significant factor.

To strengthen the cultural and economic well-being of the state of NSW, screen content should resonate with and cater to our audiences. Embracing diverse ideas and fostering a diverse workforce will enhance our local screen industry and make it more competitive locally and globally.

For further information, please see Screen NSW's [Guide to Understanding Diversity and Creating Authentic Screen Content](#).

Please note that where a project has elements that may involve the consideration of diversity, Screen NSW may elect to seek the advice of an independent consultant with expertise in the relevant area.

That advice will be used to evaluate the project.

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.

1. Quality and Feasibility of the Project (70%)

- Quality of submitted materials relative to creative vision
- Track record and ability of the creative team to practically deliver &/or to support professional development
- 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)
- The team's understanding of the project's intended audience; the strength of the stated pathway to such audience and the potential for the project to appeal to a significant audience in Australia and internationally or the potential for innovation in distribution/delivery
- Level of marketplace commitment to the project including demonstration of sufficient commitment.

2. The Ability of the Project to Meet Screen NSW Production Fund Objectives (20%)

- Provide economic benefits to NSW by generating a high level of Qualifying NSW Expenditure
- Create significant employment opportunities for NSW screen practitioners
- Cultural value in terms of NSW storytelling (content and/or authorship)
- Be NSW led in terms of generating IP for NSW companies and/or be driven substantially by NSW key creatives
- Be a project that escalates growth for the production company in terms of scale and/or international competitiveness and/or contributes to industry development – growing other businesses, driving innovation and creating skills development opportunities for training/mentoring/career progression.

3. Contribution of the Project Towards Diversity (10%)

- How diversity (specifically Screen NSW's Key Priority Areas) is addressed across meaningful on-screen representation, themes and narrative.

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



- The geographical distribution of funding, the composition of the team and alignment to the Screen NSW priorities (see [Diversity Commitment](#) above)
- 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.

Please be aware that funding is competitive, and Screen NSW will consider both the availability of its funding and the perceived funding requirements of an applicant’s project.

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. Please see [here](#) for dates of upcoming rounds.

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

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 outline 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 the Production Finance, Regional Filming Fund and PDV Rebate for your project, please submit these applications concurrently.

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.

Applications can be received any time during funding round cycle dates published on Screen NSW's website and must clearly address all the assessment criteria.

Please note that Screen NSW Terms of Trade must be read in conjunction with the application form and guidelines and applications must be compliant with the Terms of Trade.

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 of applications

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 from the closing date of the round you have applied for 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 financial delegate for final consideration and approval.

Notification of application outcome

You can expect a decision within 4 weeks of the FTIAC Date published on Screen NSW's website. 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 or the Investment Manager assigned to the application which you will be notified of shortly after the closing date of the round.

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.

The following will apply to successful funding applications:

- Funding is provided as a grant (i.e. Screen NSW's equity, copyright and recoupment position is assigned to the producer). Offers will specify how the grant will be cash flowed and the deliverables required by Screen NSW.
- Commitments made in the application with regard to minimum NSW spend and employment will be a contractual obligation. Screen NSW reserves the right to require repayment of funds in certain circumstances where the Applicant has not met the minimum NSW contractual obligations.
- The Applicant must demonstrate they have made best endeavours to employ all heads of department and key creative from NSW unless this has been discussed and agreed with a Screen NSW Screen Investment Manager
- Attachments - all projects receiving production finance must comply with the production attachment requirements in our [Terms of Trade](#) and in the approved budget. Attachments must be employed at industry award minimum rates and be for a specified duration. The attachment should reflect the theme or content of the project: for example, Screen NSW's [priority areas](#) (e.g. First Nations, people living with a disability, LGBTQIA+, culturally and linguistically diverse) OR be targeted at providing experience to emerging practitioners. Please discuss potential attachments with your Investment Manager.

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:

1. Provide the acquittal data as outlined in the funding agreement.
2. 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.

Variations

Any variations to the funding agreement, including project scope or activities, location or timeframes outlined in the application form and Grant Guidelines must be submitted in writing for approval from Screen NSW. Failure to do so may result in the withdrawal of the grant offer.

Screen NSW has the discretion to approve or reject any variation request from a grantee where the grant agreement has already been executed.

To submit a variation request please contact the investment manager assigned to your grant.

If you are unsure if your enquiry qualifies as a variation, contact the Screen Investment team at investment@screen.nsw.gov.au.

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

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 <https://www.screen.nsw.gov.au/resources/glossary-of-terms> for non-program specific definitions.

Annexure A

1. Story Materials
 - a. One page synopsis
 - b. Features: Script; TV: At least 3 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