

# **Project Development Fund GUIDELINES 2021-22**

# PROJECT DEVELOPMENT FUND

## WHAT IS THE PROJECT DEVELOPMENT FUND?

Creative BC will provide funding for the development of independent film and television productions, on a project-by-project basis, in the form of a non-recoupable development advance. Funding is based on a commitment from an eligible triggering agent (the “Triggering Agent”) to advance funds for the development of a specific project.

Applications will be evaluated on a first come, first served basis until the budget has been fully committed for the fiscal year.

## ELIGIBLE APPLICATIONS

The applicant must meet the following minimum eligibility criteria in order to be considered an “eligible applicant”:

- The applicant must be a company incorporated in British Columbia or Canada with its head office in British Columbia. A majority of the issued common voting shares must be held by BC residents (Canadian citizens or Permanent Residents who have resided in BC for at least 200 of the 365 days preceding the date of application and who have filed income tax returns in BC in the taxation year prior to the date of application);
- The applicant company may own 10% or less of the shares of a broadcaster and may have 10% or less of its shares owned by a broadcaster or by a distributor;
- The principals, directors, officers and shareholders of the applicant company are in good standing (i.e. not in default) with Creative BC;
- The market trigger must be at arm’s length from the applicant company, and cannot be a related or associated company;
- 100% of the copyright of the project being developed must be owned, optioned, or controlled by the applicant.

Exceptions regarding copyright may be granted for inter-provincial or international treaty co-productions. In these cases, the BC applicant must retain at least 51% of the copyright interest if interprovincial, and 15% to 30%, as per the terms of the applicable treaty for international treaty co-productions; and demonstrate that the copyright ownership is equal to the BC applicant’s financial, technical and creative contribution and control as specified in the co-production agreement entered into between the parties.

## ELIGIBLE FILM AND TELEVISION PROJECTS

Eligible projects may include British Columbia owned and/or controlled:

- Feature films destined for theatrical release (live action or animated);
- Television movies, pilots, television series and mini-series (live action, animation, variety, human interest,

lifestyle and performing arts and entertainment);

- **Short films and webseries (live action or animated)\*;**
- Documentaries and docudramas for television broadcast or theatrical release.

The applicant must obtain the prior written consent of Creative BC if they plan to sell, assign, transfer, option or otherwise dispose of or encumber any right, interest or property of the applicant in the project, in any materials created during the development of the project or in the underlying rights agreements.

If the eligible project is produced, the production must be produced in British Columbia by the applicant unless the applicant has entered into an interprovincial co-production or international treaty co-production as specified under eligible applications.

A production that contains any elements of serious or gratuitous sexual violence or exploitation, obscene, indecent or pornographic content within the meaning of the Criminal Code, or elements which are libelous or in any other way unlawful, are ineligible.

**\* Webseries and Short Films Funding:** Creative BC supports the production of short films and webseries through the Project Development Fund, as these projects are seen as a “calling card” or development for future long form projects. Funding granted under this project type is limited to the support of a total of ten (10) short films and webseries during our fiscal year. Funding will be granted on a first come, first served basis. If the funding for this project type is depleted before the end of our fiscal year, and funding remains in the Project Development Fund, applicants will be invited to place their application in a “queue”. Applications will be processed if additional funding becomes available, and based on the position in the queue.

## **FINANCIAL PARTICIPATION**

Eligible applicants may apply to Creative BC for a total non-recoupable development advance of up to 50% of the committed cash amount from one or more of the following Triggering Agents for the development of an eligible project:

- An arm’s length bona fide distribution entity (Canadian and international distributors);
- National Film Board of Canada (NFB co-productions only; 100% owned and controlled NFB productions are not eligible);
- A licensed public or private broadcaster (Canadian and international broadcasters);
- Over the top (OTT) subscription-based services (Netflix, Crave, Amazon, Hulu, YouTube Premium originals, Vimeo On-Demand originals);
- The Harold Greenberg Fund;
- Telus Originals;
- Bell Fund Slate Development; and
- Telefilm Canada Feature Film Fund (CFFF) Development Program \*

NOTES: Creative BC will no longer participate in funding the television component of projects receiving support

through the convergent stream of the Canada Media Fund.

The total development funding available to an eligible project for the fiscal year 2021/22 is capped at \$10,000, except for television series, which include dramatic, animated, lifestyle or documentary, which are capped at \$20,000; the cap for Telefilm is different and is further detailed in the Appendix. The total development funding available to each eligible applicant (including affiliated and related companies) may not exceed \$50,000 in the fiscal year 2021/22. The maximum cumulative funding an eligible project can receive throughout its development history is \$30,000, except for television series which are capped at \$50,000.

Eligible applicants must have a written agreement with one or more of the Triggering Agents confirming their commitment to provide a development advance for the eligible project. Applications must be submitted to Creative BC no later than 30 days after the date that the BC applicant receives the letter of commitment or agreement with the Triggering Agent. Exceptions to the 30 days may be given. Advances by the Triggering Agent must be relevant to the current phase of development.

\* Through a special joint initiative with Telefilm (the Telefilm Development Top-Up), the Telefilm Canada Feature Film Fund Development Program, can trigger top-up funding through the Project Development Fund. Further details will be announced shortly.

## **PROGRAM EVALUATION**

The review and analysis of each application is based on program eligibility and does not include a creative evaluation. Successful applicants are notified in writing of the amount of the non-recoupable development advance awarded and will subsequently be forwarded a Non-recoupable Development Advance Agreement (the "Agreement") that, upon execution, shall be binding upon the eligible applicant and Creative BC.

~~Following analysis, if a project or applicant is deemed ineligible, the applicant will be notified via telephone or email of the reasons.~~

## **ELIGIBLE COSTS**

The following eligible costs must be bona fide third-party costs directly related to the film or television project in development:

- Acquisitions of rights including option payments and license fees for platforms or formats;
- Research including the creation of a report, bible, outline and/or treatment;
- Writing of a script stage including editing and various breakdowns (i.e.: outline, treatment, first draft, second

draft, final draft and polish and applicable fringes);

- Production of a demotape including, but not limited to, creation of a sizzle reel, presentation pilot, webisode or storyboards;
- Creation of a character model pack (for animated projects);
- Polishing, packaging, and a casting phase including creation of a casting reel;
- Travel costs necessary for creative work (i.e. interviewing, demotaping and travel by/to/from the director); and
- Creation and implementation of a crowdfunding campaign.

Producer fees and corporate overhead can be calculated as a combined maximum 40% of the above approved direct development costs (the base budget).

Inflated, excessive, and/or unreasonable allocation of expenditures may be deemed ineligible and deducted from the proposed development budget.

## **ADVANCE OF FUNDS**

The advance of funds (the “Advance”) is non recoupable (except as noted below under Forfeiture and Default and within the Agreement) and will be released through one drawdown if the Creative BC commitment is \$5,000 or less; and if the Creative BC commitment is over \$5,000, over two drawdowns (75% and 25% of the Advance, respectively), according to the conditions

## **RESPECTFUL WORKPLACE**

Applicants must confirm that they are in compliance and will comply with their obligations to ensure they maintain a respectful workplace free of bullying and harassment, including compliance with the Workers’ Compensation Act, and applicable Occupational Health and Safety Regulations, Policies and Guidelines. Applicants will make available to Creative BC, on request, all their policies, procedures and guidelines, as well as evidence that such policies, procedures and guidelines are being implemented in compliance.

## **INDIGENOUS INITIATIVES**

It is required that any applicant applying with a project containing Indigenous content or components read: [On Screen Protocols & Pathways: A Media Production Guide To Working With First Nations, Métis and Inuit Communities, Cultures, Concepts and Stories](#) (available on the imagineNATIVE website) prior to submitting their application.

## **REEL GREEN**

Sustainable production efforts in British Columbia were formalized in 2016 through the [Reel Green Initiative](#), a resource centre with a collection of best practices to help productions reduce their environmental impacts and improve their overall environmental footprint.

Successful applicants to the Project Development Fund are encouraged to adhere to sustainable practices throughout the development process of their project and beyond. We also strongly urge applicants to take the [Climate and Sustainable Production Training Course](#).

## **FORFEITURE AND DEFAULT**

A completion date is noted on the Agreement by which all deliverables will be submitted. Should all materials not be provided by the completion date, the eligible applicant forfeits any outstanding drawdown amounts and the commitment will be reduced by this amount.

Should an eligible applicant be placed in default- according to the terms of the Agreement, this limits the applicant, its principals and any parent or subsidiary companies from accessing further funding from Creative BC. In addition, Creative BC reserves the right to request immediate repayment of any funds advanced.

## **FOR MORE INFORMATION**

Please contact Mathew Parry, Program Analyst - Development, at (604) 730-2239 or [mparry@creativebc.com](mailto:mparry@creativebc.com)