



# FILM FUND GUIDELINES

Making an application to the

## **BFI PRODUCTION FUND**

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Awarding funds from  
**THE NATIONAL LOTTERY®**

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# INTRODUCTION

Thank you for your interest in the BFI Production Fund and welcome to our guidelines. Please read them carefully before applying as they include important information as well as useful links to other programmes that may be of interest to you.

We invest National Lottery funds in original filmmaking from adventurous storytellers, with a focus on projects which respond to our core objectives which are to support:

- The early careers of ambitious filmmakers
- Work with cultural relevance or progressive ideas
- Filmmaking that takes risks on talent, form and content, where the more commercial sector cannot
- Work that recognises the quality of difference – in perspective, in talent, in recruitment
- An increase in the number of active projects originated by filmmakers outside London & the South East.

We believe that, in order to have a healthy, resilient and world-class film industry, we need to invest in, develop and promote the best talent we have in the UK. This means that diversity sits at the heart of our decision-making. We recognise the ability of diversity to raise the bar and set the standard, and one of our funding priorities is to support projects that seek to increase the diversity of the UK's film industry.

We have developed the [BFI Diversity Standards](#) to gauge the ability of projects to contribute to these aims. We ask applicants to embrace these Standards and explore the implications and opportunities of working with a more diverse workforce, not just for their productions but for the industry as a whole.

The BFI's Production Fund, covered by these guidelines, is intended for projects that are unlikely to be fully commercially financed and would therefore benefit from National Lottery support. We aim to award funding to distinctive fiction film projects across a range of genres, approaches and perspectives, and typically invest in around 15 to 20 projects a year, including a significant number of first and second features.

In order to apply for production funding, your team needs to include a director and a writer (who can be the same person) and at least one dedicated producer who is neither the director or writer. Applications must be made by the lead producer on the project.

For projects without a producer, or filmmakers without demonstrable experience (e.g. in short film), or relevant experience in another medium (such as TV), we encourage you to consider whether the opportunities available through the [BFI NETWORK](#), our UK-wide programme for new and emerging filmmakers, might be more suitable. As part of our BFI2022 strategy, the BFI NETWORK is growing. Please visit the [dedicated website](#) to see how we and our partners across the UK might be able to support you and your ideas.

# CAN I APPLY?

The BFI Production Fund is intended for live action and animated fiction films.

If your film is a Documentary, please visit the BFI website's [Funding for Documentaries page](#).

We are unable to provide funding for filmed productions such as a theatre show, filmed sporting or music event, artist installation work, or material intended primarily for broadcast television.

However, you may be eligible for funding from The Arts Council so should check their guidelines for [England](#), [Northern Ireland](#), [Scotland](#) and [Wales](#).

Applications to the BFI Production Fund must be made by the project's dedicated producer. We are unable to provide production funding for writers and directors without a producer.

Production Fund awards are recoupable by the BFI. Subject to conditions, some of those recouped funds may be held in a BFI Locked Box for the benefit of the filmmakers (producer, writer and director) to use for future filmmaking activities. The purpose of the BFI Locked Box is to reward success, ensure revenue from successful BFI backed films is invested directly back into the British film industry, and reduce reliance on National Lottery funds.

If you have a BFI Locked Box, which is accumulating funds from other BFI funded projects, you should tell us this in your application. If you have, or are likely to have more than £20,000 accrued in a BFI Locked Box at the point of financial closing of your new film, we will require you to invest all sums over £20,000 in the project ahead of additional funding from the BFI. Please read our [BFI Locked Box](#) fact sheet for further details.

To be eligible to apply to the BFI Production Fund, you must be able to tick all of the following statements before submitting an application for funding.

**MY FILM IS A 'SINGLE PROJECT' WORK OF FICTION IN LIVE ACTION OR ANIMATION WHICH WILL BE AT LEAST 60 MINUTES IN LENGTH. (IF YOUR FILM IS BELOW 60 MINUTES YOU SHOULD VISIT THE BFI NETWORK WEBSITE)**

**I AM THE PRODUCER OF THE PROJECT (ACTING ONLY AS THE PRODUCER, NOT WRITER OR DIRECTOR) AND HAVE A DEMONSTRABLE ABILITY TO DRIVE A PROJECT THROUGH PRODUCTION TO DELIVERY.**

**THE PRODUCTION BUDGET IS NOT LESS THAN £250,000 AND NOT MORE THAN £15,000,000.**

**MY TEAM (PRODUCER, WRITER AND DIRECTOR) ARE ALL 18 YEARS OF AGE OR OVER.**

**MY APPLICATION IS BEING MADE BY OR THROUGH A COMPANY<sup>1</sup> REGISTERED AND CENTRALLY MANAGED IN THE UK OR ANOTHER STATE OF THE EUROPEAN UNION OR EUROPEAN ECONOMIC AREA.**

**MY FILM IS CAPABLE OF OBTAINING A BBFC CERTIFICATE WHICH IS NO MORE RESTRICTIVE THAN BBFC '18'.**

**MY FILM IS CAPABLE OF QUALIFYING FOR CERTIFICATION AS A BRITISH FILM THROUGH:**

- I. SCHEDULE 1 TO THE FILMS ACT 1985 (THE CULTURAL TEST<sup>2</sup>);**
- II. ONE OF THE UK'S OFFICIAL CO-PRODUCTION TREATIES; OR**
- III. THE EUROPEAN CONVENTION ON CO-PRODUCTION.**

**I HAVE SECURED, OR CAN SECURE, THE RIGHTS (INCLUDING ANY UNDERLYING RIGHTS) IN THE IDEA PROPOSED AND WILL BE ABLE TO PROVIDE PROOF OF THIS AT A LATER STAGE.**

**I HAVE CONSIDERED HOW MY PROJECT WILL MEET THE BFI DIVERSITY STANDARDS.**

**IF, AT THE POINT OF FINANCIAL CLOSING FOR THIS PROJECT, I HAVE MORE THAN £20,000 IN MY BFI LOCKED BOX, I WILL USE THE AMOUNT OVER £20,000 AS MY OWN FINANCIAL CONTRIBUTION TO THIS PROJECT AND REDUCE THE AMOUNT REQUESTED FROM THE BFI COMMENSURATELY.**

If you have read these guidelines thoroughly and are still unsure if you are eligible to apply, please email us at [productioncoordinator@bfi.org.uk](mailto:productioncoordinator@bfi.org.uk) or call the Film Fund on 020 7173 3232.

<sup>1</sup> The BFI is not able to offer advice on setting up a company, but advice can be found at [Companies House](https://www.gov.uk/companies-house).

<sup>2</sup> A summary of how points for the Cultural Test for film are allocated and full guidance on British certification and tax relief can be found on the BFI website at: [bfi.org.uk/film-industry/british-certification-tax-relief](https://www.bfi.org.uk/film-industry/british-certification-tax-relief).

# WHAT CAN I APPLY FOR?

As part of your application you will need to state the total budget for your film and the amount you are requesting from the BFI. We encourage being economical with budgets but we still want to ensure that the projects we support are produced in accordance with all applicable UK laws, including in relation to minimum cast and crew payments.

## THE PRODUCTION PACKAGE

At the time of application we will require a preliminary production package to include:

- The script
- An overall timeline for the film to include prep, shoot, post (with at least 10-12 weeks edit) and a delivery date
- An industry standard production budget e.g. Movie Magic
- An industry standard production schedule
- A proposed finance plan that matches the budget
- A proposed recoupment schedule.

## Budget

You will be required to submit a production budget based on industry norms and market rates. When you submit your production budget it must contain provision for the following costs and expenses:

- At least national minimum wage for crew
- At least equity minimums for cast
- Clearance of all rights in the film worldwide in all media in perpetuity (except for those sums due in respect of music public performance rights)
- Repayment of any BFI Development Awards and/or Vision Award (if applicable)

- Producer/production fees proportionate to the proposed budget
- All customary production insurances (including errors and omissions) on which the BFI will require to be named as an additional insured
- All the delivery materials (see below) required by BFI including access materials relating to exhibition to people with sensory impairments or disabilities
- Adequate delivery materials for delivery to an international sales agent and all other financing partners
- Adequate unit publicity, stills, EPK
- A mandatory SIF levy of 0.5% of UK core expenditure (subject to the SIF cap)
- Sufficient allowance for accounting and audit costs including those related to the final audit and the UK tax credit
- Adequate legal costs for the production and financiers
- All financing costs
- Provision for a completion bond
- A 10% contingency.

### **Delivery materials for BFI funded films**

Below is a summary of the delivery materials that are required for BFI funded films, the cost of which must be contained in the budget for the film. A more detailed list of delivery requirements is available on request.

#### *Film and Video Materials*

- 1 uncompressed and unencrypted clone of the Digital Cinema Distribution Master ('DCDM') delivered on a portable hard drive
- 1 unencrypted Digital Cinema Package ('DCP') delivered on a CRI or portable hard drive



- 1 Pro Res 422 (HQ) file ('Pro Res') delivered on portable hard drive or uploaded direct to a secure client account
- 2 PAL DVD copies of the final film
- Hard of Hearing ('HOH') subtitle files for all formats/platforms
- Audio Description ('AD') tracks for all formats/platforms
- If any other financier of the film requires 1 (one) 35mm print (final version as used for UK theatrical release) the BFI shall have the option to request delivery to the BFI of 1 (one) 35mm print in addition to that party. If the film has been produced in a foreign-language the print should incorporate dialogue subtitles in the English language.

## **Finance Plan**

You do not need to have all your funding in place before you apply to us but for your application to be eligible for consideration, you will need to have a feasible draft finance plan showing how your film could be funded.

As part of your finance plan you will be required to include an initial calculation of the UK tax credit (if applicable) and any other incentives or subsidies available to the production.

Further guidance on UK film tax relief can be found on the [UK Creative industry tax reliefs](#) page of the BFI website.

## FULL FINANCING

On a limited basis, we are now able to provide a full-financing facility for debut and lower budget films under £750,000. Our decision to fund up to 100% of the production budget (excluding the UK film tax credit, where applicable) will be made at a point after application and during our discussions with you. It will be determined by a number of factors, such as:

- The likelihood of being able to secure alternative sources of upfront financing
- Time sensitivities of the production schedule
- Whether the production can be realistically achieved at the proposed budget level.

Even if you think you might require your project to be fully-financed by the BFI, you will still need to submit a draft finance plan with your application which considers other potential sources of funding, but you will be able to detail in the application form why you think securing alternative sources of funding will be challenging. We will determine during our assessment process whether we can undertake to fully fund your project or whether you will need to secure other finance. All projects will be encouraged to continue seeking alternative sources of funding up to the point where we seek approval for the award from the BFI Lottery Finance Committee.

## MARKETING & DISTRIBUTION AWARD

If your project is a debut or a lower budget film under £750,000, and regardless of whether or not you have partnered with a UK distributor at the point of financing, you can include an additional request for a £25,000 (non-recoupable) marketing and distribution award from the BFI, to be held for the initial release of the film in the UK. This must be passed to the UK distributor or, if a UK distributor cannot be found for the film, will be released to the producers to assist with the costs of direct exploitation of the film, subject to an agreed plan.

Distributors may still be able to apply to the BFI's Audience Fund for additional support once a plan has been determined closer to release.

## CREATIVE MINORITY UK CO-PRODUCTIONS

Some of the BFI Production Fund's awards are made to international co-productions. Specifically, we allocate some of our funds to support up to 10% of the budget on creative 'minority' UK co-productions (fiction and animation) where the majority of the creative input comes from one of the UK's partner countries.

In addition to our core objectives, this funding is intended to support:

- World-class, non-British filmmakers working with UK creative talent and cultural content; or
- International projects that give an opportunity to an outstanding, emerging talent from the UK; or
- International projects originating outside of the UK that will be enhanced by UK involvement.

If relevant to your project, please consult the [International Co-productions](#) page of the BFI Film Fund website prior to submitting your funding application. The application form and assessment process are the same as for other production applications, but you will be asked to indicate on the form if the film is a minority UK co-production.

## **NUMBER OF PROJECTS IN PRODUCTION**

There are no restrictions on the number of applications you can make for different projects but we expect the lead producer to be dedicated to the project during production and you should bear this in mind when applying.

## **SPECULATIVE SUBMISSIONS**

As a National Lottery Fund we can only consider funding projects that have been submitted to us through the formal National Lottery application process. This means that we cannot accept, or read, informal submissions such as scripts or application materials submitted by any means other than via the online application portal.

# HOW DO I MAKE AN APPLICATION?

Applications can be made at any time, and further details on the timeline of assessment can be found later in these guidelines. To apply for funding you will need to complete an application [online](#).

When first using the online application tool you will need to create an account which will allow your applications to be saved and reviewed before submission. You will be able to access all of your past online applications and in-progress applications at any point by logging into [your account](#).

If you need additional support using the application form please contact us at [productioncoordinator@bfi.org.uk](mailto:productioncoordinator@bfi.org.uk)

## CONTENTS OF THE APPLICATION

The application form consists of a series of questions regarding your company, the filmmaking team and the project itself. You will be asked to include links to relevant samples of the director's previous work along with any other visual materials you think might be relevant, e.g. mood reels, images etc, and your preliminary production package.

Please remember that we will be reviewing a considerable number of applications and have to turn down many more projects for funding than we are able to support, so it is important to make an impact with your application.

Your application should cover both your creative and strategic ideas for the project. You will be asked to detail in, or attach to, your application:

- The synopsis, story and themes
- Biographies and the key examples of the director's previous work which are most relevant to your project
- The filmmakers' reasons for wanting to make the film e.g. why this story? And why now?
- Preliminary casting ideas and how you are planning to approach potential cast
- Where and when you are hoping to film
- Your potential or actual financial partners and any expenditure to date
- The preliminary production package and the amount you are requesting from the BFI
- Your plans for managing production resources and the budget
- Any anticipated unusual or challenging technical or budgetary requirements.

## BFI DIVERSITY STANDARDS FORM

As part of your application, we ask you to complete a [BFI Diversity Standards](#) form. You should use this form to describe your plans and intentions for diversity in your project, responding to the BFI Diversity Standards. This means detailing how you will address industry under-representation in relation to disability, gender, race, age, sexual orientation and socio-economic status.

If your plans are not fully developed at the point of application, then please state the stage you are currently at and explain how you will turn your aims into actions. If we are interested in supporting your project we may ask you to further develop your ideas before we make a funding decision.

If your team or organisation has a long-standing commitment to diversity, enabling you to meet the BFI Diversity Standards by continuing your current practice, your application should outline how you will build on past achievements and show leadership to the wider industry.

Successful applicants will be required to submit an **Equality Monitoring Report** before final credit sign off. This will request information on the contributors to your project and will be used to measure success against the BFI Diversity Standards. Projects achieving a high level of good practice will be able to display the Screen Diversity mark of good practice in the end credits to advertise to the industry and audiences the contribution that their film has made to sector diversity.

Please note that the information provided by applicants within both their Diversity Standards and Equality Monitoring forms will be anonymised and used to help inform future funding decisions, research and strategy.

## ENVIRONMENTAL SUSTAINABILITY

We do not ask you to detail environmental sustainability at application stage but you should be aware, before you apply, that it is a requirement of our funding.

The BAFTA albert certification scheme and carbon calculator introduces greener ways of working for film productions, allowing teams to measure their efforts in mitigating their film's impact on the environment.

Star ratings, determined by the range and effectiveness of green initiatives implemented, are awarded to productions for their sustainable production techniques and achieving carbon reduction.

Starting at the pre-production stage, teams can work through a range of ideas and suggestions from a bespoke checklist, decide which aspects work for them, and then put them into practice. To ensure the rating system is robust and meaningful, each action must be supported with evidence or other auditable information to verify the process. Productions should follow these core principles:

- Seek to reduce the negative environmental impact of film production wherever possible
- Share and embed sustainable values and behaviour with cast, crew and their supply chain
- Promote sustainable production to colleagues within the production and across the wider industry.

All productions in receipt of BFI funding are required to complete and submit an albert report and carbon calculator to us at the end of the production: <https://calc.wearealbert.org/uk/>.



To help you achieve this, BAFTA albert delivers free carbon literacy training to understand climate change, the environmental impacts of film production, how to calculate the carbon footprint of your film, and understand what actions can be taken to create a more sustainable production. We encourage at least one person from your team to attend one of these sessions. Please check here for upcoming training dates:

[wearealbert.org/help/get-trained](https://wearealbert.org/help/get-trained).

## **SUPPORTING MATERIALS**

We ask you to submit relevant supporting materials (e.g. script, visual materials, mood boards, reels and your preliminary production package) at application stage. We may decide not to review all of these before making a decision. If we decline your application, all supporting materials will be deleted from your submitted application in line with our record retention policy.

# WHAT HAPPENS TO MY APPLICATION?

Your application will go through the following steps:

- Confirmation of Receipt
- Eligibility Check
- Stage I Assessment (Application)
- Stage II Assessment (Script, Production Package, Materials, Filmmaker meetings)
- Letter of Intent
- Lottery Finance Committee

Once you have submitted your application, we will confirm by email that it has been received and a unique ID number will be assigned to the application.

You should receive this acknowledgement within two weeks of submission.

## A. ELIGIBILITY CHECK

We will check that your application is eligible for funding, against the criteria set out in these guidelines. If it is ineligible, we will send you an email to inform you that your application will not be progressing further. We may at this stage allow you to rectify an error on your application, if this is the sole reason that it is ineligible.

Incomplete applications will be considered ineligible and rejected, so please make sure you complete all sections on the application form with the information requested.

If your application is eligible, it will progress automatically to a Stage I Assessment.

## B. STAGE I ASSESSMENT

If your project is eligible, we will assess your application against the following criteria:

- Does the application respond to one or more of our core objectives for the fund?
- How compelling and feasible are the filmmakers' creative and strategic statements?
- Has the application engaged meaningfully with the BFI Diversity Standards?
- Do the ambitions of the project feel realistic for the experience of the team?
- Does the application make a compelling argument for National Lottery support?
- Would the project be a distinctive addition to a balanced slate of projects?

The assessment process will also take into account how you have managed any previous BFI funding you have received.

Projects which are not progressing to the Stage II Assessment will be declined by email stating that we have reviewed your application, that we are not considering it further and that your application is now closed.

The timeline for this decision is as follows:

STAGE	TIMELINE
Decision to progress or decline your application	Within eight weeks of initial acknowledgement

## C. STAGE II ASSESSMENT

If your application progresses to Stage II, we will undertake a more detailed review of information supplied with the application - with a view to making a decision on whether to either offer support for the project in principle or decline the application. The information we review is likely to include the script along with any, filmmaker mood boards, showreels, examples of previous work and the preliminary production package. We may use external readers to provide us with coverage of scripts.

As part of this detailed assessment stage, projects which we consider have responded most successfully to our core objectives, and have also garnered initial support based on the assessment of the script and support materials, will progress to consideration at a monthly Team Read discussion. We only expect to read and discuss a limited number of projects per month, which means we will not be able to progress a significant number of projects beyond this point.

As part of our assessment, and typically following the monthly Team Read discussion, you might be invited to a meeting to discuss the project further, where all members of the team making the application should try to attend. Please note that applicants who are invited to a meeting with the BFI Film Fund, but may need assistance with the financial costs of travel or childcare in order to attend the meeting, may apply for a bursary. More details can be found [here](#).

It is important to understand that having a meeting does not mean that we have made a commitment to funding your project. The meeting is an opportunity for us to discuss the project with you in more detail, to ask any outstanding relevant and practical questions we might have about your approach, and it will give your team the opportunity to outline your ideas in more detail. You may need to supply further information after the meeting and we will need to review this before we can make a final decision.

**If we have requested further materials or work from you and have not received this after six months, your application will automatically be marked as 'withdrawn'. You will be able to reapply at a later stage if you wish.**

Projects which are not progressing after the Stage II Assessment will be declined by email stating that we have reviewed your application, that we are not considering it further and that our application is now closed.

## E. LETTER OF INTENT

If we decide in principle to take your application forward for production funding, we will issue a formal but conditional expression of interest in funding your film (a 'Letter of Intent'). This may be useful in helping you to secure other investment or talent for your project. The funding will be available for a specified period of time, normally six months, after which point the expression of interest and proposed funding will lapse and your application will be marked as 'withdrawn'. We will not keep the offer 'open' beyond this period of time as we want to ensure that funds are not tied up.

If you have not been issued with a Letter of Intent, you should not assume that we have made any formal expression of interest to fund your project.

Subsequent to issuing the Letter of Intent for production funding, further internal discussion with our Production, Business Affairs and Production Finance departments will take place before we are able to formally commit to the project and submit it for approval through the Lottery Finance Committee. This will involve reaching agreement on all of the following:

- Production budget
- Shooting script
- Main elements (such as key cast and crew)
- Production timelines and schedules
- Proposed finance plan that matches the production budget
- Recoupment schedule
- Sales agent (if on board) estimates and commercial terms
- UK distributor (if on board) and commercial terms.

Owing to the amount of time and resources needed to agree documents with other financiers ahead of production, if, we are unable to present a film project to the BFI Lottery Finance Committee (see below), for whatever reason, at least six weeks prior to the start of Principal Photography, we may withdraw our expression of interest to fund your project.

## **F. LOTTERY FINANCE COMMITTEE**

Once the above elements are agreed, funding recommendations are then made to the BFI Lottery Finance Committee for approval.

Successful and unsuccessful applicants will be informed in writing of our decisions as soon as possible. Our decision on whether we wish to support your project is final.

# FEEDBACK

We aim to make the application process as fair and transparent as possible, but as a result of the volume of applications we receive, we do not have the resources to provide detailed feedback on projects where we are not requesting further material or a meeting.

In these circumstances, we will send you a standard rejection email and the documentation held on file for the assessment of these projects will simply state 'pass'.

If we have met with you to discuss your project and then declined it, we will try to provide some feedback, if requested, and if we have some constructive advice to offer beyond the meeting.

We are only able to support a very small percentage of the applications we receive so have to say 'no' far more often than we are able to say 'yes'. Applications may be declined for a number of reasons. For example:

- The project was not eligible for funding
- We felt it did not align with our core objectives for this funding
- We felt the material was too ambitious for the budget
- We felt the material was too familiar or derivative
- We felt that the filmmakers didn't yet have sufficient experience
- We felt that the project was not sufficiently prepared to move towards production
- We didn't feel that the project 'needed' National Lottery support, i.e. it should be financeable by other means
- There was insufficient engagement with the BFI Diversity Standards.

We welcome constructive feedback from you on our application process so that we can continue to improve.



# RESUBMISSION

No resubmissions can be made to the Film Fund for projects that it declines, unless there is a substantial and significant change in elements. This is usually a change of director, or a significant rewrite of the material with a different writer.

We will also allow a resubmission in situations where we have directly recommended further development of the project, or where projects have been withdrawn, or where a previous Letter of Intent has lapsed and we have confirmed that we remain interested in the project.

If you meet one of the above criteria and submit a new application for the same project, please ensure that you clearly identify the revised elements of the project in the new application.

# SUCCESSFUL APPLICATIONS

If your application is successful, you will be made an **offer of funding**.

You will be required to enter into an agreement with the BFI that sets out the Terms and Conditions of our production funding. These conditions will include the following:

- 1** The BFI will pay the funding to a limited company registered in the UK (either as a company incorporated in the UK or incorporated in the European Union or European Economic Area and registered as a branch in the UK).
- 2** The BFI funding will be recoupable by the BFI.
- 3** The BFI Locked Box initiative will apply to the BFI's production funding. This is a 25% share of the BFI's recouped investment in the film until the BFI has recouped 50% of its total investment, rising to 50% of the BFI's recouped investment until the BFI has recouped 100% of its investment. This corridor of revenues is payable into a Locked Box bank account held by the BFI for the benefit of the UK production company, writer and director of the film who may draw-down those funds and spend them on development or production of film projects or on staff skills training, subject to certain conditions.

- 4** The BFI supports the UK production company being entitled to recoup an amount equal to the UK Tax Credit advance included in the final finance plan for the film (subject to a cap of the actual amount of the UK Tax Credit proceeds, if lower). This is known as the UK Tax Credit Entitlement, and it will only be available to the UK production company if the other recouping financiers of the film agree. If available, the UK Tax Credit Entitlement will be payable, either alongside or (if required by the other recouping financiers of the film) after the BFI's recoupment of its production funding, into the Locked Box for the sole benefit of the UK Production company, who may draw-down those funds for future development or production activity, or on staff skills training, subject to conditions.

Further information on the BFI's Locked Box initiative is available on the [Locked Box](#) page of the BFI website.

- 5** The BFI will require a proportionate share of financier net profits.

- 6** You will be required to include the BFI/National Lottery animated logo and presentation credit at the start of the film and certain closing credits and logos at the end of the film. The BFI Film Fund may have up to two Executive Producer credits at the producer's discretion.
- 7** You will be required to assign a share of all rights (including copyright) in the finished film to the BFI, which the BFI shall hold in perpetuity and license back to you to make and exploit the film.
- 8** You will be required to clear worldwide rights in all media in perpetuity from all individuals or organisations who are contributing to, or whose material is to be featured in, the film (save only for music public performance rights).
- 9** The BFI will generally take a security interest over the company producing the film and may take a security interest over any co-producer.
- 10** The BFI may withdraw any offer of funding if it has reasonable concerns relating to the terms of any third party finance.
- 11** You will be required to pay the SIF levy of 0.5% of the film's UK core expenditure (subject to the SIF cap).
- 12** You will be expected to put in place all customary production insurances (including errors and omissions insurance) on which the BFI must be named as an additional insured.
- 13** You will be required to provide certain delivery materials to the BFI, the costs of which must be included in the budget of the film.
- 14** You will usually be expected to have a completion guarantee in place for your film.
- 15** All revenues for the film must be collected by an independent collection agent, and the sales agent will be required to direct all distributors of the film to make payment of all minimum guarantees and overages in respect of the film to the collection account.
- 16** The BFI will require certain approvals over your film including in relation to the terms of all other finance, the identity and terms of appointment of the sales agent and all distributors, and all key production and financial documentation prepared in relation to the film.
- 17** You will need to establish clear title to your project i.e. demonstrate you have or can acquire all the rights necessary to produce and exploit the film.
- 18** If you deliver your film within budget the BFI will support you in being able to receive up to 50% of any production underspend after payment to any UK Tax Credit funder of an amount equal to the reduction in the UK Tax Credit as a result of the underspend.

- 19** You will be required to ensure that your film is produced in accordance with the requirements of all unions and guilds having jurisdiction and with all applicable laws and statutes.
- 20** You will be required to ensure that any agreement for the distribution of your film in the UK provides for the availability of soft-subtitling and audio-description materials in cinemas and on any video-on-demand, DVD or Blu-ray disc release of the film.
- 21** The BFI will not commence cashflow until it is satisfied that you have complied with certain conditions as set out in the agreement. At our discretion, and subject to specific conditions, we may provide an advance in the form of 'pre-closing cashflow' up to a maximum amount of 10% of our funding, but there will be no automatic entitlement to this.
- 22** The BFI will hold back 5% of its funding (capped at £50,000) until delivery to the BFI of specified delivery materials, including disability access materials (and a letter from the UK distributor or sales agent confirming receipt of the same), an Equality Monitoring Report (which helps us to measure against the BFI Diversity Standards form that you submitted), a BAFTA albert report and carbon calculator and a final audited cost report certified by an independent auditor.
- 23** The BFI funding must be paid into a separate dedicated production account.
- 24** The BFI will expect to be provided with information about the progress of the production e.g. regular production reports and dailies, and to be able to attend any stages of production.
- 25** The BFI will have consultation rights over the assembly and all cuts of the film and a shared approval over the final cut (alongside other financiers, as is customary).
- 26** You will be required to comply with certain requests in relation to interns or trainees. You may be expected, if asked and where feasible and within reason, to participate in any apprenticeship schemes run by the Film Fund, either during production or at some point in the future.
- 27** You may also be asked to provide access to the production, or the film, for other BFI activities such as film education or fundraising screenings and/or from time to time to make yourself, the writer and/or the director of your film available (subject to professional commitments), to provide industry training or mentoring, if the BFI reasonably requests.
- 28** You will be required to deliver against the undertakings made by you in relation to the BFI Diversity Standards. Failure to deliver against those undertakings without good cause may affect your ability to receive future project funding from the BFI.
- 29** The finance agreement will include standard termination provisions.

# BFI NATIONAL LOTTERY FUNDING GENERAL CONDITIONS

- 1 The information in these guidelines can change. The law and Government regulations on distributing National Lottery funds may also change. The BFI therefore reserves the right to review this funding scheme and/or change its policies, procedures and assessment criteria.
- 2 The application form does not necessarily cover all the information the BFI uses to decide which applications to fund. The BFI can ask applicants for extra information.
- 3 All applications are made at the applicant's own risk. The BFI will not be liable for loss, damage or costs arising directly or indirectly from:

  - the application process;
  - the BFI's decision not to provide an award to an applicant; or
  - dealing with the application.
- 4 Please check your application form carefully. The BFI will not process applications which are incomplete or which do not comply with these guidelines.
- 5 The BFI's decisions on applications are final.
- 6 The BFI will not pay any funding until it has received a fully executed copy of the funding agreement and any conditions precedent to that agreement have been satisfied or waived by the BFI.
- 7 The BFI will publicise information on the number of applications it receives and the awards made. This information will include the name of the successful applicant, award amount, project name and project details.
- 8 The Freedom of Information Act 2000 gives members of the public the right to request certain information held by the BFI. This includes information held in relation to applications to the BFI's National Lottery funding programmes or schemes. Therefore if you choose to apply to the BFI you should be aware that the information you supply, either in whole or in part, may be disclosed under the Freedom of Information Act.
- 9 Sometimes the BFI's Governors or members of staff may be involved in some way with applicants. This interest has to be declared in applications from such applicants. The relevant Governor or staff member will not be involved in assessing the application or the decision to make an award.

Applicants are advised not to try to influence the success of their application by approaching a Governor or staff member.

**10** It is important that applicants carefully check the information given in the application form. The BFI Standard Terms and Conditions entitle it to withhold or reclaim an award in the following circumstances:

- if the application was filled in dishonestly or with incorrect or misleading information about the organisation or the project whether deliberately or accidentally; and
- if the award recipient acts dishonestly or negligently to the disadvantage of the project. The BFI will follow up cases of suspected fraud and will pass information to the police.

**11** The BFI requires that any measures taken by applicants to address underrepresentation are fully in compliance with the Equality Act 2010 – see more at [equalityhumanrights.com](http://equalityhumanrights.com)

**12 Complaints and Appeals:**

The BFI's decision is final. Inevitably applications will be turned down and applicants may be disappointed by this result. Formal appeals against the final decision will not be considered unless the applicant has good cause to believe that the procedures for processing the applications were

not adhered to, or applied in such a way as to prejudice the outcome of the application. A copy of the BFI's Complaints and Appeals procedure can be obtained on request from the BFI's Communications Office.

**13 Recognition of the National**

**Lottery:** The BFI distributes 'good cause' National Lottery Funding. We ask all of our partners and award recipients to increase the visibility of the National Lottery by:

- Promoting and proudly displaying the National Lottery logo; and
- Warmly and energetically finding ways to get all beneficiaries to spread the word.

It is therefore an important condition of BFI funding that the source of the funding (being the National Lottery) is prominently acknowledged through conspicuous use of the BFI/ National Lottery lock up logo and through agreed verbal and written acknowledgement. Also that partners and beneficiaries take frequent opportunities to highlight not just the fact of the funding but why it is funded and therefore the good work that is possible through the National Lottery.