



# PREMIUM PRODUCTIONS FOR INTERNATIONAL AUDIENCES FUND

## Te Puna Kairangi (‘Premium Fund’)

### He Aratohu mā ngā Kaitono **Guidelines for Applicants**

January 2021

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Īmera mai, mēnā he pātai tāu.

If you have any questions, please e-mail the fund

[premiumfund@nzfilm.co.nz](mailto:premiumfund@nzfilm.co.nz)

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- A detailed list of documentation required to make an application can be found in the ***PREMIUM FUND SUBMISSION CHECKLIST***.
- The core conditions of the Premium Fund are set out in the ***PREMIUM FUND TERMS OF TRADE***.

## KUPU WHAKATAKI - INTRODUCTION

The purpose of the Premium Productions for International Audiences Fund (**'Premium Fund'**) is to support the Aotearoa New Zealand (**'NZ'**) production sector to recover from COVID-19 by supporting high-quality productions that tell New Zealand stories for global audiences.

To capitalise on New Zealand's current production advantage and support the sector with employment opportunities, the Premium Fund will have up to \$50,000,000 available to invest. This is a significant one-off opportunity to drive a step-change for the sector by allowing production at a scale and ambition not previously possible.

There will **two** rounds of production funding decisions, the first available for submission in the 2020/2021 financial year and with the second before the end of the 2021/2022 financial year.

The **first round** is intended to provide financial support to production ready projects to help mitigate impacts of COVID-19 for New Zealand production companies in the short term.

The **second round** will be for projects with longer production lead times and additional guidelines for this, if necessary, will be published closer to the time.

The amount of funding available for any one round of production financing is flexible.

Te Tumu Whakaata Taonga New Zealand Film Commission (**'NZFC'**), Irirangi Te Motu New Zealand On Air (**'NZ On Air'**) and Te Māngai Pāho (**'TMP'**) (**'The Agencies'**) have worked closely on the design of the Premium Fund and will continue to work together throughout the implementation stages.

The NZFC will be responsible for administering the Premium Fund, and all applications must be made through the NZFC's online portal. The portal will be accessed through the funding page on NZFC's website once available. There is a capped administration fee available to The Agencies of up to 2% deductible from the total \$50M.

## KO WAI KA ĀHEI KI TE TONO - WHO CAN APPLY?

To be eligible for the Premium Fund, applicants must comply with the requirements set out in the **Premium Fund Terms of Trade**, including:

- ✓ Be a NZ citizen or permanent resident; and
- ✓ Be the (one of the) NZ producer/s of the project; and
- ✓ Be experienced with multiparty financing; and
- ✓ Have at least one 'produced by' credit in the producing team in the format you are applying under that has been commercially released (*Executive and Associate Producer credits on feature films are not considered a 'Produced by' credit*); and
  
- ✓ either:
  - (i) apply through a NZ company that is an established NZ screen business; or
  - (ii) apply through, and be a director and majority shareholder of a NZ Special Purpose Vehicle (SPV) (that is a NZ screen business) who can demonstrate an appropriate level of credited producer experience; and
  
- ✓ be able to demonstrate that the project is ready for production; and
  
- ✓ be able to demonstrate that the project has, or is to have, significant New Zealand content (as determined in accordance with the New Zealand Film Commission Act 1978); and
  
- ✓ have (or share, if a co-production or partnership) all, or the ability to obtain all, necessary rights/copyright/intellectual property to develop, produce and distribute the project; and
  
- ✓ provide required documentation as outlined in these *Premium Fund Guidelines*, the *Premium Fund Submission Checklist* and the *Premium Fund Terms of Trade*.
  
- ✓ Where applicable, be able to demonstrate that cultural considerations, protocols, and personnel relating to Māori interests have been appropriately considered and established.

## HE AHA NGĀ KAUPAPA TONO - WHAT CAN I APPLY FOR?

Eligible formats are in three categories, but have **exclusions to be noted:**

- **Feature films** including but not limited to drama, documentary, children's and animation being no less than 80 minutes (exclusive of credits), commonly screened as the main attraction in commercial cinemas and recorded in one of New Zealand's three official languages –Māori and/or English, and/or New Zealand Sign Language.
- **a single episode programme** (including a telefeature or feature length content that is not primarily intended for exhibition to the public in cinemas) of at least 80 minutes (exclusive of credits) in length, including but not limited to drama, documentary, children's and animation;
- **a series or season of a series** including but not limited to drama, documentary, children's and animation being a programme with a common theme or themes consisting of at least two episodes that are intended for release together in national and international markets.

### **Exclusions to be noted:**

- There are no restrictions on genre and content (subject to the conditions of the *Premium Fund Terms of Trade*), but some productions are not eligible for this Fund:
  - × Projects that are registered or will register for International NZSPG;
  - × Advertising programmes or commercials;
  - × News or current affairs programmes;
  - × Productions of a public event or live event, including sports events, stage plays, music concerts, dance performances or comedy shows;
  - × Lifestyle and Reality TV;
  - × a discussion programme, current affairs programme, news programme, panel programme, or a programme of a like nature;
  - × pornography;
  - × a training programme;
  - × Interactive and Gaming projects;
  - × Content exclusively for video sharing websites or social media.

## NGĀ ĀHEINGA KAUPAPA - KEY CONDITIONS

- The majority of **key creative roles** (e.g. producer, director, script writer, series creator, showrunner, animation director) should be held by New Zealanders. For roles proposed to be filled by non-New Zealanders, you will be required to strongly demonstrate how they will enhance the project meeting the key objectives of the Premium Fund.
- The number of applications per production company is limited to **two**. An individual producer also can only submit up to two applications (even if they are with different entities).
- Even though the Premium Fund is positioned to support a high-level of ambition, there is **no requirement for a minimum budget threshold**. There is also no cap on the amount of funding you can apply for from the Premium Fund.
- The proportion of Private International Investment for all applications must be at least **10%** of the production budget. **Private International Investment** means genuine market money from, but not limited, to Distributors, Sales Agents, Commissioners, Broadcasters, Streaming platforms, Licensors and Private Investors located outside of New Zealand. Related parties' transactions cannot be part of this 10%, subject to parameters defined in the *Premium Fund Terms of Trade*.
- An **audience engagement plan** will be required for domestic and international audiences which demonstrates a clear path to market. Feature films require commitment from local and international distributors, and for series will require commitment from broadcaster or streaming platform with a NZ presence. Noting that while a Free-To-Air window for a New Zealand broadcaster is supported, it is not a requirement.
- Applicants, or a special purpose company owned or controlled by the applicant, must **own** (or in the case of a co-production or partnership, share) **the copyright in the production**.
- **Official Co-productions** are eligible to apply.

- While the majority of filming must be in New Zealand, positive consideration will be given to projects with all filming to be done in New Zealand.
- The Premium Fund will provide each award as an **equity investment** (or development, if applicable) and therefore is recoupable and will have a profit position appropriate for the type of production which is commensurate with the value of the equity investment. For certain structures the Premium Fund may consider alternative models.
- Like any investor, conditions will be attached to the investment, and the Premium Fund (or any administrator on its behalf) will expect to be involved in certain decisions.
- You will be required to provide a **COVID-19 Risk Mitigation Strategy** as part of your application which deals with the lack of insurance cover (if applicable). This should include the proposed terms of all investors regarding proceeding on risk, or requirements to mitigate.
- There is **no minimum requirement** for 'Aotearoa New Zealand Content' (subject to compliance with the *Premium Fund Terms of Trade* requirements around Significant New Zealand Content). \*Aotearoa New Zealand Content is commonly interpreted as content that reflects settings, stories, places and people that are recognisably from Aotearoa New Zealand.
- Applications that involve a Māori Story must have Māori attached in **two out of three key creative roles** (e.g. producer, director, script writer, series creator, showrunner, animation director). The application should also reflect Intellectual Property ('IP') sharing and commitment to capacity and capability building to achieve mutually agreed aspirations as informed by the principles of Te Tiriti o Waitangi and Te Ao Māori.
- Applications will have to demonstrate how they support each of the Premium Fund's objectives (specified in the **Premium Fund Assessment Criteria** section below) but will be assessed for their total benefit to New Zealand and New Zealanders. For example, a production may have scored

exceptionally highly on its cultural criteria but provide a more limited increase in economic factors compared to other productions, or vice versa. Other factors including availability of total funds, diversity of projects and the diversity of the team will be taken into account.

- You will be required to comply with the Premium Fund credit requirements if you are successful in receiving funding.
- The Agencies reserve the right at any time to review and vary the *Premium Fund Guidelines*, *Premium Fund Checklist* and *Premium Fund Terms of Trade*.

### **Relationship to other NZFC / NZ On Air / Te Māngai Pāho funding**

- Investment from other government agencies such as NZFC, NZ On Air and Te Māngai Pāho is **permitted** alongside the Premium Fund. The usual terms and requirements from other funding avenues remain in full effect. (e.g. a NZ broadcaster attachment with a free-to air window is necessary to apply for NZ On Air production investment).
- If you are applying to NZSPG-NZ as well as to the Premium Fund, you will need to fulfil all the NZSPG-NZ criteria in addition to the criteria to this Fund (e.g. Proportion of non-New Zealand Government Production Funding, Significant New Zealand Content test, minimum Qualifying New Zealand Production Expenditure requirements).
- If the project you are looking to apply with has previously been granted any development funding from TMP, NZ On Air and/or NZFC, you are still eligible to apply for the Premium Fund.
- Applications may be ineligible for funding if the applicant (whether that is as an individual or under a company) have outstanding reports or deliverables to NZFC, TMP, and/or NZ On Air funding or are otherwise in breach of any contract with NZFC and/or TMP and/or NZ On Air.



## KAUPAPA AROMATAWAI - ASSESSMENT CRITERIA

Key Objectives	What are we looking for
<p><b>Boost economic growth</b> through the attraction of international investment and market partners in New Zealand's screen sector.</p>	<p><b>Maximise interest from international investors and the market for New Zealand screen stories here and overseas</b></p> <ul style="list-style-type: none"> <li>● Preference will be given to projects with the highest level of private investment.</li> <li>● Preference will be given to projects with the strongest level of market engagement.</li> <li>● Preference will be given to projects that have a clear plan for strong audience discoverability and reach internationally and in New Zealand.</li> </ul>
<p><b>Increase employment</b> through providing jobs to New Zealanders in the screen sector.</p>	<p><b>Facilitate job opportunities for outstanding people, projects and businesses.</b></p> <ul style="list-style-type: none"> <li>● Preference will be given to projects with a high percentage of New Zealand cast, crew and suppliers.</li> <li>● Preference will be given to large scale productions that provide maximum employment opportunities for New Zealanders.</li> <li>● Special consideration will be given to projects with New Zealanders in key creative (being producer/director/writer) and lead cast roles.</li> </ul>
<p><b>Create cultural benefit</b> through providing the resources to tell New Zealand screen stories at a scale not previously possible and support <b>Māori cultural aspirations.</b></p>	<p><b>Activate high impact, authentic and culturally significant New Zealand screen stories.</b></p> <ul style="list-style-type: none"> <li>● Preference will be given to proposals that demonstrate the highest level of New Zealand cultural content.</li> <li>● Preference will be given to projects that are creatively assessed as having bold and ambitious concepts with international reach.</li> <li>● Preference will be given to those productions that can demonstrate established consultation, engagement with or inclusion of Māori creative/s, Māori advisor/s and where applicable hapū and/or Iwi across the production to ensure authentic stories and representation of Māori.</li> </ul>

<p><b>‘Speed to market’ Respond to COVID-19</b> by distributing money quickly in the wake of the lockdown period to support the NZ screen sector.</p>	<p><b>Sustain and strengthen economic growth for our thriving screen industry.</b></p> <ul style="list-style-type: none"> <li>● Preference will be given to those applications most capable of going into production quickly.</li> <li>● Cultural Benefits Strategy would include the consultation/ inclusion and/or engagement of Māori and how the Production values and reflects these benefits to the distinct and significant content in the project.</li> <li>● Narrative around how the project represents a ‘step change’ to national productions from those currently able to be funded through existing opportunities.</li> <li>● A clear business case demonstrating how the production delivers to the purpose of the Premium Fund from a cultural and/ or economic perspective.</li> </ul>
<p><b>Develop the skills and capability</b> of people in the NZ screen sector.</p>	<p><b>Build and create opportunities for innovation and training.</b></p> <ul style="list-style-type: none"> <li>● Preference will be given to those applications that show the highest capacity to develop skills and talent in the industry.</li> <li>● Consideration to be given to benefits to the New Zealand screen sector from innovation, regional, technology, cultural and infrastructure perspectives.</li> <li>● Considerations to be given to applications that can demonstrate mentoring and internship commitments to New Zealanders, including of Māori and diverse and under-represented communities.</li> <li>● Consideration will be given to productions supporting opportunities for new, diverse and Māori talent.</li> </ul>

## ME PĒHEA E TONO - HOW TO APPLY

- The **Premium Fund Submission Checklist** in advance of the online portal opening is available now on the NZFC's website for your information only.
- Applications will only be accepted if they are submitted through the portal on the funding page of NZFC's website before the published deadline. The portal is now available for submissions. If you have not applied for NZFC funding before you will need to create an account on the portal first.
- The deadline for applications for the first round of production financing is **1pm, 17th February 2021**.
- Your application will autosave on the portal as you work on it and will be available for you to update or change when you go back into the portal before the published deadline. You will be asked to check your application before you finally submit it. You will receive a confirmation of submission by e-mail.
- Once the deadline is reached, the funding round will close, and the portal will no longer be available for submissions. Late or incomplete applications will not be considered. Any unsolicited additional information provided after the deadline will not be accepted.
- Please note that by submitting your application, you acknowledge and agree that your application may be reviewed by External Assessor/s, and you also accept that their identity may be required to be kept strictly confidential.
- The Agencies will use reasonable efforts to maintain the confidentiality of the information provided by the applicant. Any information you provide to the Agencies, or any Agency, in connection with the Premium Fund, is subject to Official Information Act 1982 (OIA) requests. In processing a request under the OIA, the relevant Agency will consult with the relevant applicant prior to making a decision to release or withhold the information.

## WHAKARITENGA TONO - APPLICATION PROCESS

### SUBMISSION DEADLINE

- Applications for the first round to be submitted through the portal to NZFC by 1pm on the 17th of February 2021.
- Late or incomplete applications will not be accepted.

Application window: 9 weeks

### ELIGIBILITY

- Once your application is received, it will be checked for eligibility in line with these guidelines. If you are informed that your application still does not meet requirement it will be deemed ineligible for this funding round. Incomplete applications will be considered ineligible.

Subject to the volume of applications to process, agencies aim for a week to process eligibility

### ASSESSMENT

- The assessment of eligible applications will be done by NZFC, NZ On Air and TMP (as appropriate) who may engage external NZ and international assessors to provide independent assessments. The applications will be assessed against the Assessment Criteria set out in these guidelines.
- Applicants may be required to provide additional documentation as part of this process. Applicants and key creatives may also be requested to attend a videoconference meeting with personnel from NZFC, NZ On Air and TMP.
- Following such assessment the Chief Executives of NZFC, NZ ON Air and TMP will make joint funding recommendations to the Premium Fund Panel.

Assessment phase:  
8 to 10 weeks

### DECISION

- The Panel will include Board Members from each of the three agencies and an independent chair. Representatives from each of MCH and MBIE may attend the funding panel meetings as observers.
- NZFC staff will notify successful applications following funding panel decisions. Decisions will be made at the discretion of the Panel after consideration of the recommendations put forward to it. In all cases the decision of the Panel is final.

Mid to late-April 2021

## TE HUARAHI WHAKAMUA - NEXT STEPS

- Successful applicants will be notified of the decision outcome by an approval letter advising when the Premium Fund Letter of Conditional Offer (**'Premium Fund LOCO'**) letter will be presented to them.
- Unsuccessful applicants will be notified of the decision outcome by a decline letter. We may not be able to provide individual written feedback to all applicants.
- For successful applicants, the conditions required to be met before commencement of closing and other terms associated with the offer will be set out in the Premium Fund LOCO.
- Funding offers are valid for a **limited period**, dated from receipt of the Premium Fund LOCO from the NZFC portal.

## ĒTAHI ATU PŪTEA - OTHER FUNDING

While the Premium Fund has primarily been established to support New Zealand screen production, \$2,000,000 has also been set aside to support development of New Zealand screen projects. Guidance for accessing the Premium Fund's development funding will be provided separately.

If you feel like your project does not meet the key objectives and criteria of the Premium Fund, you should instead consider applying through other funding avenues that NZFC, NZ On Air and TMP offer, depending on the structure of your project. Please get in touch via the relevant email addresses listed below for more information about other funds offered:

- NZFC - [info@nzfilm.co.nz](mailto:info@nzfilm.co.nz)
- NZ On Air – [info@nzonair.govt.nz](mailto:info@nzonair.govt.nz)
- Te Māngai Pāho – [Lynne@tmp.govt.nz](mailto:Lynne@tmp.govt.nz)

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A final reminder that If you have any questions, please e-mail [premiumfund@nzfilm.co.nz](mailto:premiumfund@nzfilm.co.nz) as far in advance of the application deadline as possible.

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*CHANGE LOG: Updated 11 January 2021 to:*

- *Update with the revised Māori name of the Fund.*
- *Fix typos.*