



PREMIUM PRODUCTIONS FOR INTERNATIONAL AUDIENCES FUND

Te Puna Kairangi (‘Premium Fund’)

FAQ

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I. DEVELOPMENT RELATED

Q. The attachment of non NZ creatives is often required but not necessarily at development stage – will you accept NZ writers only for this stage?

Projects with key roles filled by New Zealanders will be preferred. Subject to co-production requirements, where there is only one writer, it must be a New Zealander. where there is more than one writer, at least one must be a New Zealander.

Premium Development will only be available to fund NZ writers, however we will allow co-investment from other development funding sources including international.

It is anticipated that if using a Showrunner, they may come from overseas. We note that co-productions are able to apply for the fund, and due to points requirements, there may be a requirement to balance key creative roles.

Q. Can international holders of the Edmund Hillary Fellowship Global Impact Visas also apply?

No, although we recognise this partnership as valuable in terms of international engagement with New Zealanders, eligibility to apply for funding is required by the NZ Film Commission Act 1978 to be limited to NZ residents or citizens only. However, they would be eligible to join existing teams with noted provisos around non-NZ creatives.

Q. For applications from Asian, Pacific and other diverse groups (including BIPOC) will appropriate cultural consultants be involved?

Our assessors will include relevant assessor perspectives to ensure projects with cultural context are adequately assessed.

Q. Will applications with an Asian or Pacific story need to have filmmakers from those backgrounds attached, as provided for Māori?

Ideally yes. Te Puna Kairangi - Premium Fund Criteria notes consideration will be given to:

- productions supporting opportunities for new, diverse and Māori talent
- applications that can demonstrate mentoring and internship commitments to New Zealanders, including Māori and diverse and under-represented groups

Q. Will there be representation for cultural authenticity not just at assessment level but also at decision making level?

The final makeup of the decision-making panel is yet to be determined, but tangata whenua will be included in this panel, and in the fund's management and funding assessment panel.

Q. Why do we need to have international assessors if this fund is for New Zealand stories?

As per the stated global audience ambition of the fund, we need to have international assessors to ensure there is a global market perspective and an understanding of international audiences, including ways for funded content to reach and be financed for international audiences.

Q. Would a project be eligible if it included foreign (say Samoan or Chinese) spoken languages with English subtitles?

Yes, as long as the film is available in at least one of New Zealand's official languages and is able to fulfil other criteria and meet the broader purpose of the fund – Premium Productions for Global Audiences.

Q. Will economic control and ownership of IP be defined for Māori and other BIPOC projects? 2 out of 3 key creatives criteria often leads to pākehā producers controlling funds and rights?

Authenticity of the storytelling perspective will be a priority in the assessment process. For Māori stories, two of the three key creatives (producer, director and writer) must be Māori. In cases where the producer or production company attached to a proposal with Māori content are not Māori, demonstration of meaningful collaboration with the creative team will be expected (i.e. how the partnership came together, nature of the collaboration, potential sharing of Intellectual Property ownership).

Q. Do you need a script to apply for development funding?

For TV Series, a bible with a pilot treatment will be acceptable at application stage. However, preference may be given to applications which submit a Pilot Script depending on the key story creatives' experience and track record.

For feature films you will need a draft script, a Treatment will not be eligible in either the first or second round.

Q. Do Producer, Director and Writer all need to be attached at development stage, or just by financing stage?

Every team must have a NZ Producer, Director and Writer attached at production finance stage.

Directors may not need to be attached at early development stage, although for feature film and single episode programmes we would expect directors would be attached at advanced development stage when projects are being packaged. For series, if directors are not attached, then we would want to see a strategy for attaching directors and interest to date.

Q. Is the date of the second round of development funding fixed?

No, it may be extended if required, based on the timing of the other funding rounds.

Q. Will assessments be provided to all applicants?

All three agencies will be meeting shortly to review the assessment requirements for the fund. We have taken on board your feedback around cultural representation as well as feedback requirements and will be looking to develop a process that can be effectively and fairly resourced to deliver to these issues.

Q. Will NZ assessors be used – for other than cultural assessment?

The makeup of the external assessors is yet to be finalised, but we will consider the overall assessment needs as appropriate to deliver best outcomes for the fund.

Q. How will conflict of interest with assessors be dealt with?

There will be a clear conflict of interest policy that will be provided to applicants and assessors. This will allow conflicts to be identified and assessed prior to assessors receiving documentation, or whether that assessor should not receive information at all.

Q. How will you ensure that fair fees are paid for writers, directors and other creative roles?

We will require that applicants warrant that industry Guild minimums and any legislative requirements are complied with.

Q. Do you need to have market attached at the development funding stage?

No, but a narrative on market attachment should be included outlining progression to date and plans to secure market attachments.

Q. Are applicants going to be able to submit different packages or request funding for different development line items as appropriate for different genres eg animation?

Yes, we have taken on feedback and will make sure the form is flexible so you can identify the most appropriate development tools and costs to best support your project. Note there may be some items that we think are out of scope so please check the Guidelines when published.

Q. Is there room for brand new ideas or scriptwriters – as opposed to “bottom draw” or package-ready projects.

We have increased the flexibility of the type of the material we will consider for development in order to best support production-ready bold and ambitious concepts, as well as supporting the aim of developing projects that have the best chance of being ready for Round 2 of Production Financing.

Therefore, dramatic feature films and single episode programmes will require scripts, not only because of the timeline to package them, but also to best convey the tone of the project. Given the different development process for episodic, we will accept series bibles with pilot treatments only. Documentaries – feature, single episode and episodic may be applied for with treatments.

Q. Where does *creative excellence* come into the five key criteria?

Creative excellence is embodied across many of the elements considered within the criteria including key creatives attached, market partners attached and key collaborators. Projects need to also demonstrate they are delivering to the overall purpose of the fund, which is supporting premium productions for global audiences. The criteria also states we are looking for ambitious and bold concepts.

Q. What about TV projects that are already tagged to networks and already on a specific timeline?

Every project coming in for Premium Fund will need to provide a realistic timeline which demonstrates how the project is to be cash flowed through to

delivery. The Premium Fund is not able to accelerate the contracting but may accept a proposal which varies the drawdown and risk.

Q. Will overseas writers be eligible?

The majority of key creative roles (writer, director and producer) 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 fund.

Q. NZ doesn't really have Showrunners. Is it intended that we engage with experienced offshore Showrunners?

As above, if you do engage offshore showrunners you will need to demonstrate how they will enhance the project meeting the key objectives of the fund.

Q. How will the development funds be spread over the 2 rounds?

There is no fixed percentage to be spent in each round, so it will depend on the quality of the applications.

Q. If I am unsuccessful in the first development round can I resubmit for the second?

You may resubmit a declined application, but you will need to demonstrate how it has materially changed from the original submission.

Q. Under what circumstances can we spend development funds on key casting?

Spend on casting should be for packaging purposes, therefore the cast should be to enable the project to be financed. Your application should make it clear that the purpose of casting, and evidence of strategy and personnel to support your approach to key casting. Funding pre-production activities such as general casting that's not essential (ie. not directly related to finance and packaging) will not be supported by Premium Development funding.

Q. Is there a weighting in distribution of funds between television and film projects?

No. Funding decisions are made in line with the published criteria and purpose of the fund and all eligible formats are considered on that basis.

Q. Are childrens' and family projects eligible to apply?

Yes, as long as they are within the eligible formats.

II. PRODUCTION RELATED

Q. Can documentary makers with “produced by” credits be eligible to apply if they are also the director?

Documentary makers with a ‘produced by’ credit may be eligible to apply.

The Premium Fund requires that the applicants for production financing be experienced with multi-party financing; and have at least one ‘produced by’ credit in the producing team in the format applied for that has been commercially released.

The panel may also give regards to (as assessed by the Panel) that the applicant:

- have the capacity and resources to carry out the project that is the subject of the application;
- and other factors as relevant (see p.9 Te Puna Kairangi - Premium Fund Terms of Trade).

Q. If I am unsuccessful in the first production round, can I resubmit for the second?

You may resubmit a declined application, but you will need to demonstrate how it has materially changed from the original submission.

Q. The applicant must be able to demonstrate that the submitted project is ‘Production ready’. How is the readiness of the project is measured?

There are number of factors that will be used to measure ‘production readiness’ which are laid out in detail in Te Puna Kairangi - Premium Fund Terms of Trade*, but there is flexibility in eligibility to allow projects to apply that may not be able to meet all factors.

Where there is flexibility in eligibility it will be stated in the Submission Checklist, for example it is acceptable for documentaries to submit a treatment instead of a script.

If you do not have finance or market elements in place at the time of application, the requirement will need to be requested to be waived (see pg.8 Te Puna Kairangi - Premium Fund Terms of Trade).

Q. Does a TV Series where Season One is complete and an outline for Season Two is drafted, qualify as production ready?

Firstly, this fund is a significant one-off opportunity to drive a step-change for the sector by allowing productions at a scale and ambition not previously possible. You will need to be able to provide a narrative around how the project represents a 'step change' from domestic productions able to be funded from existing funding agency opportunities.

In other words, if you are applying with a TV Series with a season already funded through existing opportunities, then a further season (at a similar level of reach, scale, structure and creative) will not be considered as meeting the purpose and criteria of the Premium Fund.

If you believe you are eligible to apply after considering the above then you will still be required to provide evidence of the production-readiness as listed above for the submission under consideration, including financing and audience engagement plan.

For clarity, submitted documentation needs to support your submission directly (e.g. documentation provided from previous season/s where not relevant will not be accepted).

Q. Can an application for Premium Fund cover two seasons?

Yes, the panel will consider that as long as the creative and financial elements are in place.

Q. If the finance plan includes NZSPG, is it required to have applied for a NZSPG Provisional Certificate at Premium Productions Fund application stage?

No, a NZSPG Certificate is NOT required as part of an application for Premium Fund. Applicants should also take into account that Principal Photography must commence within six months of issue of a NZSPG Provisional Certificate.

Q: Is it mandatory for projects to have a NZ release window (whether theatrical, broadcasting or streaming)?

What we are looking for is to maximise interest from international investors and the market (here and overseas) for New Zealand screen stories.

A holdback window is not required ie. it could be day and date, or following an international release. Domestic theatrical rights should be reserved or

committed for feature films that partner with a global entity that distributes digitally only.

Feature films require commitment from either a local or international distributor/s, 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.

If a market commitment is not secured at the time of application this criterion will need to be requested to be waived, however noting that preference will be given to projects with the strongest level of market engagement.

An audience engagement plan is required for domestic and international audiences. Preference will be given to projects that have a clear plan for strong audience discoverability and reach internationally and in New Zealand.

For projects seeking funding from other government sources including the NZ Screen Production Grant, their criteria around domestic release should be also checked as it may vary from the Premium Fund.

Q: It is required for applicants to have at least one produced by credit, does this include associate producer or executive producer credits?

For feature films, the required 'produced by' credit does not include associate producer or executive producer credits. For Series Production, we may consider an executive producer credit as an acceptable producing credit given the differential in meaning and level of involvement in that format.

For production financing the applicant must have multiparty financing experience. This may not be required for development funding, as they may team up later with a more experienced producer for the financing application.

Q: What is the 10% of Private International Investment based on for Series production applications?

The minimum requirement of Private International Investment for Series Production is 10% of the production budget for the scope of the project applied for and must be for unproduced costs. The Premium Fund will not retrospectively fund production costs.

Q. How many applications can one company make – can they have more if there are different producers?

The number of applications for development or production financing is limited to two for company and producer and is capped at the total over both ie. if limit is two it is for company and individual limited by which is reached first.

For clarity, the maximum that a production company/producer can submit is:

- Round 1 Production: 2 applications
- Round 1 Development: 2 applications
- Round 2 Production: 2 applications
- Round 2 Development: 2 applications

The number of applications (across entity and/or applicant) may be increased for Premium Development rounds, to allow a wider range of applications across genre and format to be considered for support prior to Production. This may also help to support cultural and diversity ambitions of the sector and fund.

Q: Does “Details of confirmed lead cast including short bio and recent screen credits and written evidence of attachment” means that lead cast has to be in place by the time of application?

Lead cast does not have to be attached by the time of application but if any names are confirmed, you will be required to provide written evidence to support it.

Applicants can indicate if there are lead cast they wish to attach, and what the status is. This can be supplied in various forms (e-mail correspondences with cast and/or agents, list from sales agent, commissioner, or partner or simply a Wishlist from the producer of cast preferences).

As outlined in the Premium Fund Terms of Trade, status of key cast attachment will be considered to determine the readiness of your submitted production.

Q: What about Above the Line roles – do you need directors attached?

Every team must have at least one NZ producer (the applicant), and a director and writer attached at production finance stage. The majority of key creative roles must be held by NZers. For roles proposed to be held by non-New Zealanders, you will be required to strongly demonstrate how they will enhance the project meeting the key objectives of the Fund.

Subject to co-production requirements, where there is only one director, it must be a New Zealander. Where there is more than one, at least one must be a New Zealander. This rule also applies for writers where there is more than one.

Q: Is it required to have a Completion Bond on all formats?

For Feature Film, a letter of interest from an established Completion Bond which makes reference to the same budget, production schedule and script/treatment provided as part of your application, although other scenarios may be considered subject to drawdown timing.

For Single Episode Programmes and Series Production, you may have an established Completion Bond attached as per Feature Film, or alternatively the fund will consider a proposed alternative viable production and financial risk management plan (e.g. risk managed by the commissioning partner).

Q: Does the Official Co-production Certification have to be delivered at the time of production application?

It is not required to have the Official Co-production Certification at the time of application, but you may optionally provide evidence that the application has been lodged to all relevant countries/authorities.

As a reminder, in the case of government or similar investment (if not already secured) you should provide details around registration of funding, intended date of full submission and expected date of decision. This should be included clearly in your production timeline with expected confirmation dates leading up to commencement of financial close.

Q: How should I represent the Premium Fund in my recoupment plan?

The Premium Fund will offer funding as equity recoupable to itself (or nominated entity). It should recoup parri passu and pro-rata alongside other investors of a 'similar nature' to the Premium Fund.

If other equity investors of a similar nature request to recoup ahead of the Premium Fund, and or charge a premium or interest, then the Premium Fund may require all or a portion of their investment to be on the same terms.

More details around the Premium Fund Production investment terms are available on p.9 Te Puna Kairangi - Premium Fund Terms Of Trade.

Appendix 1

* Te Puna Kairangi - Premium Fund Terms of Trade (pg. 6)

To be eligible for production funding from the Premium Fund, the project applied for must be 'production ready'. Factors used to determine production-readiness to the satisfaction of NZFC (as administrators of the Premium Fund) **may** include:

- having advanced script/s (this may include evidence of endorsement through market comment and attachment)
- attachment of key personnel (director, writer and producer) and key cast roles (as applicable)
- attachment of market partners, and provide evidence of the attachment by way of including but not limited to, international sales agent, distributor, broadcaster or streaming platform, and provide evidence of the attachment by way of letters of offer (LOO) or draft agreement
- attachment of financiers other than the Premium Fund, and no less than ten percent (10%) of the production's budget must be from Private International Investment (as detailed in section 8 below)
- having a viable production timeline
- having a viable shooting schedule
- having a viable cultural benefits strategy
- having necessary rights warranties
- having a current letter of intent from a completion bond that references
- the current finance plan and production details, or proposed alternative viable production and financial risk management plan
- having a viable budget incorporating Guild recommendations where applicable (there is no minimum budget level to be eligible for funding from the Premium Fund) that matches the finance plan
- having a viable cashflow and drawdown schedule which reflects draft terms of investors and Premium Fund requirements
- having a viable audience engagement plan for domestic and international audiences
- having a viable COVID-19 risk mitigation plan