



Australian Government



PROGRAM GUIDELINES

CONVERGENT

TELEVISION:

DOCUMENTARY

PROGRAMS

FIRST RELEASED 3 MAY 2011

This version issued 10 June 2011 (see below for update log)

Convergent Television: Documentary programs.....	2
Doing business with us	17

UPDATE LOG

10 JUNE 2011:

Documentary development: Clarification of time-critical funding provisions

CONVERGENT TELEVISION DOCUMENTARY PROGRAMS

Overview

Screen Australia's investment in documentaries aims to engage audiences with Australian culture, identity, and an Australian viewpoint on the world.

Four production investment programs are offered:

- Domestic programs
 - National Documentary Program (NDP)
 - General Documentary Program (GDP)
- International Documentary Program
- Signature Documentary Program (SDP)

An Australian free-to-air or subscription television licence fee is required, except in the case of the Signature Program, and the content must also be distributed on at least one other digital media platform, which could include catch-up television services, mobile phone or other online release.

Minimum licence fees are specified in each program. Screen Australia expects that an appropriate holdback period between the first and any subsequent release will be negotiated case by case between the producers and broadcasters involved.

Both one-off documentaries and series are eligible. However, more than 26 broadcast hours of any one program, which may include multiple series, will not be eligible for funding unless exceptional circumstances can be demonstrated. (This includes hours already funded as of 30 June 2011.)

Preference will be given to original Australian content over foreign formats.

A program for documentary development support is also available, and funds are set aside for documentary under the All Media Programs.

What is a documentary?

For the purposes of these guidelines, Screen Australia will have regard to the guidelines compiled by the Australian Communications and Media Authority (ACMA). These guidelines are available on the ACMA website.

Screen Australia does not invest in programs such as reality television, infotainment, current affairs, cooking, 'how to' or sports programs.

General information for applicants

Applying for funding

Applicants and projects must meet the general eligibility and delivery requirements set out in Screen Australia's Terms of Trade, as well as the specific requirements of these guidelines.

Applications must be made on the relevant application form, and include **all** supporting material listed on that form.

Incomplete applications will not be accepted. This includes those without finalised finance plans in place with associated letters of offer.

Unless invited to reapply (in the context of managing available funds), projects can only be submitted more than once if substantial changes have been made, and more than two applications for the same project will not be accepted.

Budgets

Format: Budgets must be presented in the A-Z Budget format, available from the Screen Australia website (www.screenaustralia.gov.au/a-zbudget). Fees should comply with industry norms. They will be considered in the context of the budget and track record of the personnel.

Production budgets must include:

- **Contingency:** Contingency is set at 10 per cent.
- **Completion Guarantor:** An allowance should be made for a completion guarantor unless Screen Australia agrees otherwise in writing.
- **Delivery to digital platform:** Where relevant, an allowance should be identified in the budget for distribution to one other digital platform. This may include a catch-up television service, mobile phone or other online release.
- **Delivery items:** Allowance must be made for delivery items specified for Screen Australia, the broadcaster and NFSA, as well as for sales company deliverables and other delivery items as required. See Terms of Trade for details.
- **Study guides:** The cost of a study guide must be included in the budget as a line item of \$2,500. If the publisher decides not to create a study guide, the \$2,500 can be applied to marketing expenses. The producer must seek Screen Australia's approval of the choice of publisher (ATOM is pre-approved).
- **Promotions and marketing:** Budgets should earmark a minimum of \$10,000 for the first hour and \$5,000 per subsequent hour of domestic (ie NDP and GDP) projects, and \$15,000 for the first hour and \$5,000 per subsequent hour for international projects. Line items for specific promotional materials must include professional stills photography and press kit.

Terms of Trade

Details of Screen Australia and NFSA delivery items, recoupment, rights and other requirements, including special requirement for projects that involve Indigenous Australians, are available in Screen Australia's Terms of Trade.

Refer to *Doing Business with Us* (page 17) for more information about the Terms of Trade and Screen Australia's funding agreements for documentary production.

Official co-productions

Projects approved as Official Co-productions are eligible for, but not automatically guaranteed, Screen Australia support.

As co-productions have access to more than one domestic market, they must bring a higher level of genuine market attachment to the budget. As well as satisfying all the normal criteria for Screen Australia production investment, the co-production partners must also secure acceptable offers to broadcast the project in each co-production territory from appropriate domestic broadcasters.

The Australian co-producer must also have received a letter of preliminary compliance or provisional approval as a co-production from Screen Australia. See www.screenaustralia.gov.au/coproduction

Theatrical documentary features

Screen Australia will consider financing documentaries designed for theatrical release on a case-by-case basis. These projects will be considered according to the criteria set down in the Feature Film section of these guidelines.

Documentary funding allocation 2011/12

The total allocation for documentary programs for 2011/12 is set at \$16.5 million, distributed as follows:

- Domestic Programs
 - National Documentary Program (NDP) \$7 million
 - General Documentary Program (GDP) \$3.5 million
- International Documentary Program \$3.5 million
- Signature Documentary Program (SDP) \$1.4 million
- Documentary Development Program \$0.6

\$500,000 is also set aside for innovative non-linear documentary under the All Media programs.

Investment and slate management principles

In an environment where the Producer Offset provides the primary means of Government support for projects with commercial potential, Screen Australia's investment and slate management principles are governed by its enabling legislation, the *Screen Australia Act 2008*, to:

“ensure the development of a diverse range of Australian programs that deal with matters of national interest or importance to Australians, or

that illustrate or interpret aspects of Australia or the life and activities of Australian people.”

In this context, and given the need to allocate its limited funds fairly and effectively, Screen Australia proposes to manage its documentary slate in collaboration with producers and broadcasters, according to the following principles:

- Consultation with producers and broadcasters about the year’s slate and upcoming priorities
- Recognition of broadcaster expertise in connecting with audiences as part of the broadcaster’s commissioning process
- Reserving the right to make investment decisions based on published criteria that reflect the requirements of the *Screen Australia Act*, including placing an emphasis on programs with a high level of artistic and cultural merit and promoting the development of commercially focused screen production businesses.

Screen Australia anticipates working productively with broadcasters and producers, based on these principles. Where broadcasters need to prioritise projects due to the limits on Screen Australia’s funding, consideration should be given to Screen Australia’s investment decision criteria for the relevant program.

Funding schedule

There will be five documentary funding rounds in 2011/12. All rounds will incorporate applications to the NDP and Documentary Development programs. Applications for the other programs will be scheduled as per the table below.

Access to funds in the domestic programs (NDP and GDP) will be split between broadcasters, with an indicative allocation of 50 per cent to the ABC, 40 per cent to SBS and 10 per cent to ‘other’ including commercial broadcasters and subscription television channels. This allocation will be reviewed in two years based on track record of the broadcaster including historical delivery against any charter obligation, connection with audiences and critical acclaim.

The 2011/12 allocation will be re-assessed before the final round based on broadcaster demand.

The International and Signature programs are fully contestable and not subject to broadcaster allocations.

Round*	Domestic programs		International Program (\$3.5m)	Signature Program (\$1.4m)	Development Program (\$0.6m)
	NDP (\$7m)	General (\$3.5m)			
1. June/July 2011	Up to 1.8m	Up to 900k	up to 1.4m		Up to 130k
2. Aug/Sept 2011	Up to 1.8m			1.4m	Up to 130k
3. Oct/Nov 2011	Up to 1.8m	Up to 900k	up to 1.4m		Up to 130k
4. Feb/Mar 2012	At least 1m	Up to 900k	Balance of funds		Up to 130k
5. April/May 2012	Balance of funds	Balance + unspent from Int’l			Balance of funds

* Proposed application/decision dates: allowing approximately six weeks between closing date and decision

Domestic programs: National Documentary Program

The National Documentary Program (NDP) aims to provide a comprehensive and strategic slate of projects across time, involving a diversity of styles and formats, and encompassing a broad range of themes of national and cultural significance with heritage value. These documentaries will have a sense of cultural ambition and a budget scale that separates them from other Screen Australia documentary investments.

Screen Australia aims to invest in around 20–30 hours of broadcast television a year through the NDP.

Note that special terms of trade apply to NDP documentaries. For these projects, Screen Australia requires:

- meaningful consultation to ensure that the themes or core content remain in keeping with what was envisaged when Screen Australia committed to the project
- approval of contractual arrangements of investors, licensors and distributors
- a non-exclusive licence in the project for the right to use original documentary footage and out takes, production stills and other materials for use as Library material for educational purposes and future productions by Australian filmmakers.

Producers who wish to apply to the NDP should discuss the project's suitability with a Screen Australia Investment Manager well in advance of submitting an application.

Funding allocation

\$7 million for 2011/12, to be distributed in five rounds.

Eligibility

Content areas

Applications to the NDP should explain the project's relevance to one or more of the following four content areas:

- art and culture
- contemporary and social issues, including social history
- science and the environment
- national history and identity

Format and duration

Both one-off projects and series are eligible.

Screen Australia will not fund more than 26 broadcast hours of any one program, which may include multiple series.

Projects based on foreign formats are not eligible for funding through the NDP.

Market attachment requirements

A local presale for Australian free-to-air or subscription television rights is required, with a minimum licence fee (floor price) of \$150,000 per broadcast hour for projects with production budgets up to and including \$650,000. For budgets greater than \$650,000, a higher fee will be negotiated case-by-case.

The floor price must not include:

- any equity component for the broadcaster;
- broadcast rights for New Zealand or another Rest of World territory;
- subscription television or exclusive satellite rights (if the presale is to a free-to-air broadcaster), or free-to-air rights (if the presale is to subscription television).

Screen Australia expects the project to be made available on at least one digital media platform other than broadcast television (free-to-air or subscription). At a minimum, this could be a catch-up television service, but producers are also encouraged to consider mobile or other online platforms as part of their release strategy.

No international marketplace attachments are required but producers are encouraged to develop a marketing strategy for international sales, and where applicable an educational distribution strategy for Australia.

Project funding available

There is no cap on the maximum amount that Screen Australia can invest in a one-off program or series under the NDP. However, producers should be mindful of the fact that Screen Australia's funding is finite, and the aim is to invest in around 20–30 hours of broadcast television each year through this program.

Limits apply to the level of direct funding as a proportion of the project's budget; these limits are set out in Screen Australia's Terms of Trade.

Investment decision-making

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Investment decisions will be made against the following criteria, and in the context of the slate management principles outlined on page 4:

- strength of the proposal, including its national and cultural significance, relevance to NDP core content areas and value to the Screen Australia Library;
- the project's potential to connect with its target audience;
- track record and capacity of the creative team;
- strength of the marketplace (ie level of co-finance excluding Screen Australia and the state agencies);
- diversity of slate, including balance of one-off documentaries and series.

Screen Australia will advise applicants of the success or otherwise of their application. Where an application is unsuccessful, the reasons will be

conveyed to the applicant, with a written statement of reasons provided on request.

Domestic programs: General Documentary Program

The General Documentary Program (GDP) supports quality, audience-engaging projects that have cultural relevance. The program is based on matched funding with a broadcaster, acknowledging the key role played by free-to-air and subscription television in providing access to Australian documentaries.

Post-production funding

Applications for matched post-production funding will be considered up to a maximum of \$100,000, provided that the project has a post-production presale to a domestic broadcaster with a licence fee of at least \$30,000 per broadcast hour or part thereof.

Funding allocation

\$3.5 million for 2011/12 to be distributed in four rounds.

Eligibility

Format and duration

Both one-off projects and series are eligible.

Screen Australia will not fund more than 26 broadcast hours of any one program, which may include multiple series. (This includes hours already funded as of 30 June 2011.)

Marketplace attachment requirements

A local presale for Australian free-to-air or subscription television rights is required, with a minimum licence fee of \$135,000 per broadcast hour. This floor price must not include:

- any equity component for the broadcaster;
- broadcast rights for New Zealand or any other Rest of World territory;
- subscription television or exclusive satellite rights (if the presale is to a free-to-air broadcaster), or free-to-air rights (if the presale is to subscription television).

Screen Australia expects the project to be made available on at least one digital media platform other than broadcast television (free-to-air or subscription). At a minimum, this could be a catch-up television service, but producers are also encouraged to consider mobile or other online platforms as part of their release strategy.

No international marketplace attachments are required but producers are encouraged to develop a marketing strategy for international sales.

Project funding available`

The domestic licence fee will be matched by Screen Australia up to a maximum of \$250,000 for a one off program and \$500,000 for a series. For example, a five-part (5 x 1 hour) series will require a licence fee of at least \$675,000 to which Screen Australia may invest to its maximum of \$500,000.

Limits also apply to the level of direct funding as a proportion of the project's budget; these limits are set out in Screen Australia's Terms of Trade.

Third-party finance can be used to enhance the budget, but the contributions of the broadcaster and Screen Australia must remain equal and must not drop below the minimum requirements.

Although no international marketplace attachments are required, producers are encouraged to develop a marketing strategy for international sales, and where applicable an educational distribution strategy for Australia.

Investment decision-making

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Investment decisions will be made against the following criteria and in the context of the slate management principles outlined on page 4:

- strength of the proposal, including its national and cultural significance;
- the project's potential to connect with its target audience;
- track record and capacity of the creative team;
- strength of the marketplace (ie level of co-finance excluding Screen Australia and the state agencies);
- diversity of slate, including balance of one-off documentaries and series.

Preference will be given to original formats over programs based on foreign formats.

Screen Australia will advise applicants of the success or otherwise of their application. Where an application is unsuccessful, the reasons will be conveyed to the applicant, with a written statement of reasons provided on request.

International Documentary Program

The International Documentary Program supports Australian projects with international finance as well as a domestic broadcast licence fee.

Screen Australia expects the project to be made available on at least one digital media platform other than broadcast television (free-to-air or subscription). At a minimum, this could be a catch-up television service, but producers are also encouraged to consider mobile or other online platforms as part of their release strategy.

Funding allocation

\$3.5 million for 2011/12 to be distributed in three rounds. Funds remaining after the final round will be reallocated to the final round of the General Documentary Program and subject to the provisions of that program.

To encourage domestic support of projects with international finance and help producers enhance their business sustainability, domestic broadcast attachments for this program are not subject to the funding split formula which applies to the domestic programs (NDP and GDP).

Eligibility

Format and duration

Both one-off projects and series are eligible.

Screen Australia will not fund more than 26 broadcast hours of any one program, which may include multiple series. (This includes hours already funded as of 30 June 2011.)

Marketplace attachment requirements

The project must have a confirmed international sales agent, as well as an international territory presale and/or an advance from the sales agent. The combined value of the international presale and/or advance from the sales agent must equal at least 10 per cent of the budget;

A local presale for Australian free-to-air or subscription television rights is also required, with a minimum licence fee of \$120,000 per broadcast hour. This floor price must not include:

- any equity component for the domestic broadcaster
- broadcast rights for New Zealand or another Rest of World territory;
- subscription television or exclusive satellite rights (if the presale is to a free-to-air broadcaster), or free-to-air rights (if the presale is to subscription television).

Whilst international distribution guarantees from a domestic broadcaster are welcome they do not qualify as the international contribution.

Screen Australia will not reduce the domestic broadcaster licence fee even where projects have a more substantial international marketplace attachment.

Project funding available

There is no absolute cap on Screen Australia funding under this program. However, limits apply to the level of direct funding as a proportion of the project's budget; these limits are set out in Screen Australia's Terms of Trade.

Investment decision-making

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Investment decisions will be made against the following criteria, and in the context of the slate management principles outlined on page 4:

- strength of the proposal, including its national and cultural significance;
- the project's potential to connect with its target audience;
- track record and capacity of the creative team;
- strength of the marketplace (ie level of co-finance excluding Screen Australia and the state agencies);
- diversity of slate, including balance of one-off documentaries and series.

Preference will be given to original formats over programs based on foreign formats.

Screen Australia will advise applicants of the success or otherwise of their application. Where an application is unsuccessful, the reasons will be conveyed to the applicant, with a written statement of reasons provided on request.

Signature Documentary Program

The Signature Documentary Program supports projects that are bold in form and/or content, with a strong creative vision. The stories can be local or international with Australian authorship. Broadcast presales are not a prerequisite.

The program can also provide post-production funds.

Funding allocation

\$1.4 million for 2011/12, to be distributed in a single round.

Eligibility

Applicants should meet the general eligibility requirements set out in Screen Australia's Terms of Trade. In addition:

- the producer and the director must have at least one broadcast documentary credit in their respective role (half hour or longer) or a commercial theatrical release or invitation screenings at IDFA, Hot Docs, or equivalent
- practitioners experienced in other genres may apply so long as either the producer or director has the required documentary credits
- credits must not be more than 10 years old.

Projects based on foreign formats are not eligible for funding through the Signature Documentary Program.

Project funding available

Funding for each project is expected to be up to \$300,000.

It should be noted that successful applications may not receive the full amount requested. The level of Screen Australia's funding commitment will be determined by the decision making process and the amount of funds available.

Limits apply to the level of direct funding as a proportion of the project's budget; these limits are set out in Screen Australia's Terms of Trade.

Investment decision-making

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Investment decisions will be made against the following criteria

- strength of the proposal, including its national and cultural significance, distinctiveness of the idea, quality of the script or treatment, and creative vision for its realisation;
- the project's potential to connect with its target audience;
- track record and capacity of the creative team;

- project viability, particularly in terms of the proposed budget and financing strategy;
- diversity of slate.

Screen Australia will advise applicants of the success or otherwise of their application. Where an application is unsuccessful, the reasons will be conveyed to the applicant, with a written statement of reasons provided on request.

Documentary Development Program

Screen Australia's Documentary Development Program assists experienced documentary makers to achieve planned outcomes for the development of their projects.

This could include further research, writing the next draft of a script or treatment, strategic shooting and/or editing to attract marketplace development or production finance, compiling a sizzle reel.

Time-critical funding – by invitation only

Producers must consult with an Investment/Development Manager about applying for time-critical funding (including funding for time-critical shooting) and applications outside of the scheduled rounds can only be made by invitation.

A comprehensive rationale will be required, setting out what the funding is to be used for, why the expenditure is vital to the realisation of the film and why the timing is critical.

Strong broadcast or marketplace interest must be demonstrated.

Unsolicited applications will not be accepted for consideration outside a development funding round.

Funding allocation

\$600,000 has been allocated to this program for 2011/12, to be distributed in five rounds (check the website for deadline dates).

Project funding available

Applicants may apply for any amount up to \$30,000.

Projects that come with an offer of cash development funding from a genuine arm's length marketplace entity are encouraged. However, matched funding is not automatic. (For the purposes of these guidelines, a marketplace entity is defined as an entity whose core business is the financing, sales, distribution, exhibition or broadcast of films/programs.)

Eligibility

Applicants should meet the general eligibility requirements set out in Screen Australia's Terms of Trade in addition to the following:

- Sole applicants must have at least three broadcast documentary credits (half hour or longer) in their role of producer or director.
- In the case of teams, either the producer or the director needs at least three broadcast documentary credits (half hour or longer) or a commercial theatrical release or invitation screenings at IDFA, Hot Docs, or equivalent

- Credits must not be more than 10 years old and the projects must have screened with a recognised broadcaster or channel.
- Practitioners, experienced in other genres, may apply so long as either the producer or director has the required documentary credits.
- Recipients of Screen Australia's Enterprise funding are not eligible.

In addition:

- Applications for series development must have a letter of interest from a domestic broadcaster.
- Projects funded under this scheme may only reapply for further development investment if they have confirmed **matching marketplace funds** (ie from broadcaster(s), distributors, sales agents), and such applications will be considered in the light of the advancement and the overall viability of the project.

Funding decisions

Applications are considered by Screen Australia executives, with industry specialists consulted as required. Funding decisions will be made the following criteria:

- strength of the proposal, including its national and cultural significance, distinctiveness of the idea, quality of the script or treatment, and creative vision for its realisation
- the project's potential to connect with its target audience
- track record and capacity of the creative team
- diversity of slate, including balance of one-off documentaries and series
- the appropriateness of the proposed development strategy and use of funds at this stage of development.

Screen Australia will advise applicants of the success or otherwise of their application. Where an application is unsuccessful, the reasons will be conveyed to the applicant, with a written statement of reasons provided on request.

Terms of funding

Where Screen Australia subsequently invests in the production, its investment in the development phase will be added to the production financing amount and the total investment will be recouped in accordance with the terms of trade for production financing.

Refer to *Doing Business with Us* (page 17) for more information.

DOING BUSINESS WITH US

Terms of Trade

Screen Australia's Terms of Trade outline the core terms on which the organisation will transact its business.

Contracts entered into between Screen Australia and applicants for funding reflect both the terms of trade and the specific requirements relating to each program as set out in program guidelines.

Screen Australia reserves the right to vary its Terms of Trade and program guidelines from time to time.

Indigenous content or participation

Specific requirements apply to projects that involve Indigenous Australians. All Screen Australia funding application forms state: "Where there is Indigenous community participation or content involved in the project, written confirmation of the willingness of both the subject(s) and the community to be involved in the project is essential."

Indigenous content means: a film or program based on an Indigenous story, with Indigenous characters or featuring Indigenous culture and heritage in any form.

Written confirmation means: a signed letter of interest stating that the community and/or individual involved has agreed to participate in the development of your project.

More information is available on the Screen Australia website.

Funding provided as a grant

For documentary and some other projects, Screen Australia funding of \$200,000 or under is now provided as a grant, rather than recoupable investment, and will not have to be repaid unless the terms of the grant agreement are breached. Screen Australia's contribution will be agreed upfront and not varied, other than in exceptional circumstances.

'Screen Australia funding' in this case means production finance through the National Documentary Program, General & International Documentary programs, the Signature Documentary Program, Indigenous Department documentary programs and other special initiatives, as well as production finance under the AllMedia Program. If a project has received development funding from Screen Australia or its predecessor agencies, the development funds will be added to the production funds for the purpose of determining whether the \$200,000 grant threshold has been reached. Support provided through Screen Australia's marketing programs is not included.

Screen Australia will hold 1 per cent copyright in all documentary projects where its investment is greater than \$100,000.

Contracting

To help streamline the contracting process, Screen Australia has developed core conditions for its drama and documentary production investment agreement (PIA) and documentary production grant agreement (PGA). The complete agreement will comprise the core conditions together with a series of schedules.

How it works:

- The core conditions in place at the time a project is approved for funding will apply.
- The goal is to keep the core conditions unchanged, with any exemptions addressed in the Special Conditions Schedule.
- Once all schedules are agreed to, the schedules and the core conditions will be merged into one fully executed pdf with approved budget and drawdown schedule (if applicable).

You can download the core conditions for agreements from the Screen Australia website.