



**FEATURE FILM DISTRIBUTION ASSISTANCE
GUIDELINES AND APPLICATION**

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FEATURE FILM DISTRIBUTION ASSISTANCE

a. *Purpose*

Film Nova Scotia (the “Corporation”) may contribute to the theatrical release costs of a Nova Scotia produced dramatic, documentary or animated feature film (the “Film”), in the form of a recoupable advance, with the goal of enhancing the marketing campaign for the Film and increasing the Canadian box office returns.

b. *Eligible Applicants*

1. Joint applications will be accepted from the Producer and the Distributor.
2. The Producer applicant must be a production company incorporated pursuant of the laws of Canada or the laws of the Province of Nova Scotia, whose principal business is the development and production of film and video programs for television broadcast, theatrical release, and general distribution.
3. A majority of the shares of the production company must be owned and controlled by Nova Scotia residents, or the production company or one of its wholly owned production companies must have a full production office facility based in Nova Scotia for at least 12 consecutive months immediately prior to the date of application.
4. The Distributor applicant must be a recognized company incorporated in Canada whose principal business is the distribution and release of film and television productions in Canada, that is acceptable to the Corporation, and which is not a related party to the Producer applicant (the “Canadian distributor”).
5. The Producer applicant and the Distributor applicant must be in good standing with the Corporation.

c. *Eligible Projects*

1. The Film must be a dramatic, documentary or animated feature film production not less than 70 minutes in length.
2. The Producer applicant must have secured a theatrical release distribution commitment from a Canadian distributor.
3. The Film must be owned and controlled by the Producer applicant. An exception may be made for international treaty or inter-provincial co-productions, on a case-by-case basis.
4. The Film must be one in which the Corporation has an Equity Investment.

d. *Ineligible Productions*

1. A Film in which the applicant production company, the principals of the company, and any related entities, are in default of any contractual obligations to the Corporation.
2. A Film that contains explicit sex, excessive violence, sexual violence or sexual exploitation or any matter which is libellous, obscene or in any other way unlawful or which, in the Corporation's opinion, does not comply with the spirit and intent of the Act to Incorporate Film Nova Scotia.
3. A Film in which the applicants have failed to comply, in any manner, with the Corporation's policies, programs and guidelines.
4. A Film in which the applicants have deliberately misrepresented, failed to disclose information, or failed to provide documentation requested by the Corporation.

e. *General Conditions*

1. The Corporation's marketing advance may match the Canadian distributor's contribution to the marketing budget for release of the Film in Canada up to a maximum recoupable advance of \$50,000.
2. The Canadian distributor must be pre-approved by Telefilm Canada.
3. The minimum marketing budget for the Film's theatrical release must not be less than \$150,000.
4. The Film will be released theatrically in Halifax for not less than one week.
5. The marketing budget for the Film must include:
 - (a) The production of a short promotional trailer for the Film for release in Canadian theatres; and
 - (b) The production of a poster for the Film.
6. The Canadian distributor and the applicant production company must demonstrate that they have engaged in a meaningful consultation on the Film's release strategy.
7. The eligible costs associated with the marketing budget are those approved by Telefilm Canada.

f. *Recoupment of Advance*

The Distributor will recoup 100% of its marketing advance on the first tier. After the distributor has fully recouped its financial contribution to the marketing budget and its minimum guarantee, the Corporation will then recoup 100% of its marketing advance, prior to any advance of net revenues to the applicant production company. Any overages in the final marketing costs will also be recouped after the Corporation.

g. *Application Process*

Applications are accepted during the Corporation's regular funding rounds, in the winter, spring and fall. Applicants must submit a completed application form, together with the required supporting materials and a \$100 plus HST non-refundable processing fee. Incomplete applications will not be considered.

h. *Reporting Requirements*

The Producer applicant and the Canadian distributor must maintain complete and accurate books of accounts and records relating to all aspects of the exploitation of the Film, and all revenue and payments received by the Canadian distributor in relation to the exploitation of the Film. Such books and records must be prepared in accordance with generally accepted accounting principles applicable to the motion picture industry in Canada. A copy must be maintained in the applicant production company's Nova Scotia head office, where they may be viewed at any time by the Corporation.

Film Nova Scotia
Feature Film Distribution Assistance Application

Application will be considered incomplete if form is altered in any manner.

A. GENERAL INFORMATION

1. Title of project: _____

2. Applicant NS Production Company (Legal name): _____

Producer: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____ Website: _____

3. Applicant Distribution Company (Legal name): _____

Representative: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____ Website: _____

4. Has this project ever received development or production financing from Film Nova Scotia? Yes No

Amount \$ _____ Date received _____

5. Has this project had any other title(s)? Yes No

If yes, specify:

6. Is the Production Company a related party of the Distribution Company? Yes No

7. (a) Date of Distribution Agreement between NS Production Company and the Distribution Company: _____
(d/m/y)
- (b) Date of amendment, if applicable: _____
(d/m/y)
- (c) Duration of rights: _____ years, commencing _____
(d/m/y)
8. Is this production an international treaty or interprovincial co-production? Yes No
- If yes:
- (a) Name of non-Nova Scotia Production Company: _____
- (b) Copyright ownership of the Applicant NS Company: _____%
- (c) Copyright ownership of the non-NS Company: _____%

B. PROJECT INFORMATION:

1. Please provide a two-sentence synopsis of the project to be included in Film Nova Scotia database:

<u>Confirmed Production staff:</u>	<u>Name</u>	<u>Canadian Citizen/ Landed Immigrant</u>	<u>NS Resident</u>
Producer	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Executive Producer	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Director	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Production Manager	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Director of Photography	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Prod. Design./Art Dir.	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Sound Design/Post Audio	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Editor	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Music Composer	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Writer	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Researcher	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Principal Performers	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

3. Anticipated Schedule of Delivery & Release:

(a) Principal photography or key animation start date: _____
(d/m/y)

(b) Release print available on: _____
(d/m/y)

(c) Delivery date of completed production: _____
(d/m/y)

(d) Initial release date: _____
(d/m/y)

C. PROPOSED FINANCING OF THE THEATRICAL RELEASE:

	<u>Projected</u>	<u>Committed</u>
Film Nova Scotia	\$ _____	\$ _____
Telefilm	\$ _____	\$ _____
Distributor	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____

Note: Total combined financing, excluding Film Nova Scotia portion, must not be less than \$100,000.

D. DOCUMENTATION REQUIRED

Applicant must provide the following documentation:

1. \$100 plus HST application fee;
2. Fully executed long form Distribution Agreement and any Amendment(s) thereto;
3. Evidence of all committed financing of theatrical release;
4. Detailed sales projections;

5. Detailed marketing strategy;
6. Detailed theatrical release budget;
7. List of booked or anticipated cities, screens and dates (The film must be theatrically released in three major Canadian cities in addition to release in Halifax.)
8. Theatrical exhibitor letter confirming the projected initial release date;
9. VHS copy of the film (locked picture cut or delivered cut);
10. Proof of Canadian content certification;
11. For both the NS Production Company and the Distribution Company please provide corporate information, as follows:
 - (a) *Most recent financial statement of applicant corporation and any related corporations;
 - (b) *Incorporation certificate and Memorandum and Articles of Incorporation;
 - (c) *Name, address, province of residency and number of shares (common and preferred) for all shareholders;
 (* Note: This information will be kept confidential – it must be provided for each application, if not on file with the Corporation. It is the responsibility of the applicant to ensure, prior to applying, that the information is on file with the Corporation.)
12. A final credit list for the completed production.
13. Letter of permission to discuss the project with other financial participants and broadcasters/distributors;
14. Any additional information relevant to this application.

The undersigned certifies that the information provided herein and attached is accurate and complete and that he/she has read and complied with Film Nova Scotia's guidelines.

Signature of Authorized Representative
of Production Company

Title

Print Name

Date

Signature of Authorized Representative
of Distribution Company

Title

Print Name

Date

Film Nova Scotia

Funding Round Application Checklist for Feature Film Distribution Assistance Applications

Please ensure that you have included the items listed below with your application submission. Failure to do so will identify your application as incomplete and **incomplete applications will not be processed.**

Did you supply *all* the information requested in the application form including, **but not limited to**, the following?

- Synopsis of the Production
- Anticipated schedule of delivery and theatrical release
- Financial structure breaking out projected and committed funding
- Distribution Agreement, including any amendment(s)
- Evidence of all committed financing of theatrical release
- Detailed sales projections
- Detailed marketing strategy
- Detailed theatrical release budget
- List of booked or anticipated cities, screens and dates
- Theatrical exhibitor letter confirming the projected initial release date
- VHS copy of the film (locked picture or delivered cut)
- Proof of Canadian content certification
- Most recent financial statements, shareholder information, incorporation certificate, memorandum and articles of incorporation for both the Nova Scotia Production Company and the Distribution Company
- A final credit list for the completed production
- Letter of permission to discuss project with other financial participants
- Additional relevant information about Production Company or Distribution Company
- All other information specifically requested in long-form application

Please enclose this checklist at the front of your application package.

Incomplete packages will be returned to the applicant with the missing information identified on the application checklist. These applications cannot be resubmitted until the next funding round.