

## Netherlands Film Production Incentive

### **General Outline**

- Applications are made by a **production company** which, at the time of the application, has been based in the Netherlands, a Member State of the EU or a State that is party to the Agreement in respect of the EEA or Switzerland for a minimum period of two years prior to the application. During this period the production company will have been demonstrably and consistently operating in the area of **producing** and **exploiting** film productions aimed primarily at cinema release in the Netherlands, a Member State of the EU or a State that is party to the Agreement in respect of the EEA or Switzerland.
- The **applicant** is legally represented by a producer who, from the time of the application, has, as a **majority producer**, been the main party responsible for the production of at least **one film production** (reference film) in the Netherlands, a Member state of the EU or a State that is party to the Agreement in respect of the EEA or Switzerland. The reference film must have been released in a cinema in the Netherlands.
- The scheme is open to applications for feature films, feature-length documentaries and feature-length animated films that upon application have a **distribution guarantee** for theatrical release in the Netherlands. For Dutch **minority** co-productions a **dispensation** request for theatrical release in the Netherlands may be filed if a theatrical release in the country of origin is guaranteed. The application must include a detailed plan for the guaranteed non-theatrical release in the Netherlands.
- A minimum production budget of at least **250,000 euros** for a feature-length documentary and **600.000 euros** for a feature film and a feature-length animated film is required.
- At least **50%** of the total production budget has to be unconditionally and demonstrably committed by third parties upon application (excluding deferrals).
- In order to ensure the cultural objectives of the measure, applications should meet at least **three of the ten cultural criteria**.
- In each round eligible applications are ranked according to a points system. Only applications reaching a **minimum of 75** out of the 200 points are taken into consideration, including points for at least **two HODs** (Heads of Department). The Fund may add points to determine the **Impact** of a film production on the audiovisual infrastructure and film culture in the Netherlands, the (cross-border) development of creative and technical talent and the promotion of the Netherlands as a production location. Under certain circumstances (such as a minimum eligible production spend in the Netherlands of one million euros) Dutch minority co-productions with just one HOD may be applicable.
- The film production should be fully financed within **six months** of the Film Fund's decision on the grant. The film production should be released within **24 months** of conclusion of the Production Agreement.
- The Film Fund may decide to **exempt** the applicant from the obligation to commence principal photography - or in the case of an animated film, its realisation - until after the conditions set out in the Fund's decision have been met. The applicant will have to demonstrate that the other financiers involved agree to any changes to the financing plan they have approved. A financial contribution may not lead to an increase in the budget or the over-financing of a film production.
- The production costs taken into consideration in calculating the financial contribution must be **directly** related to the film-making process. The costs of activities from the **date of**

**application** onwards are eligible, but only if the application file is completed in full and meets all the conditions (otherwise the fixed application date is used to define the eligible costs for the corresponding application). The Qualification Test indicates the specific costs that are not considered eligible.

- The amount of the grant (cash rebate) is determined by the production costs that are both **eligible and demonstrably and directly spent** on parties that are subject to Dutch taxation, multiplied by 30%. For international film (co)productions a cash rebate of **35%** can be obtained if at least 75% of the digital production costs are spent on parties subject to Dutch taxation and 25% in the case of a feature-length documentary or feature-length animated film (10% is sufficient for a Dutch minority co-produced feature-length animated film). A 35% cash rebate can also be obtained if no other Dutch state aid is part of the financing of the film production.
- The maximum grant is **1.5 million euros** per film production. A grant will only be awarded if there is a **minimum** eligible production spend in the Netherlands of **150,000 euros**. The maximum amount for film productions per applicant per year is **three million euros**.
- The annual budget available will be allocated across **several different application rounds**. Application deadlines are published on [filmfonds.nl](http://filmfonds.nl). Rejected applications will be given a one-off opportunity to submit a new application in a subsequent application round.
- A grant will be **conditional**. The final grant will not be determined and paid until all of the qualifying spend incurred has been verified. The financial contribution determined cannot be higher than the amount of the financial contribution awarded. The recipient of the financial contribution is obliged to produce the film production for which a contribution is awarded in accordance with the characteristics included in the application, including the approved points system.
- An **advance payment** of up to **30%** of the financial contribution may be possible following conclusion of the Production Agreement between the applicant and the Film Fund. The advance payment has to be allocated to **payment of Dutch production spend** according to the cash flow scheme. Two further interim payments are possible: **following the (main) shoot** and **following picture lock**, based on the actual spend of eligible production costs. Advance payment turnaround: **one week** following receipt of the invoice. Interim payments turnaround: **within six weeks** of receipt of all the required documents. The total of the advance payment and the interim payment(s) combined may not exceed 90% of the total financial contribution. The remaining 10% becomes available following the determination decision and is subject to all the required information in accordance with the Financial & Production Protocol of the Incentive and the corresponding Financial Accounting Manual.

**Please check the guidelines and application deadlines at [filmfonds.nl](http://filmfonds.nl)  
Amsterdam, 1 January 2019**