

## **Art. 1**

### *Subject*

1. This regulation, in execution of paragraph 4 of art. 6, of regional law no. 69 dated 24 December 2008 (Finance Law for the year 2009), by which the fund for the production of short or full-length films and assimilated audiovisual works was set up, defines the methods for evaluating interventions and managing the fund.

## **Art. 2**

### *Definition*

1. For the purposes of this regulation, the following definitions apply:
  - a) A full-length film is one that lasts more than seventy-five minutes;
  - b) A short film is one that lasts less than seventy-five minutes;
  - c) Assimilated audiovisual works are those devised for television having the characteristics of a dramatization, TV film or fiction;
  - d) First work means a first work by a certain director;
  - e) Second work implies any work by a director who is no longer a novice and whose first work has already been produced;
  - f) Production cost means the cost of production up to the realization of a sample copy, inclusive of overheads, the cost of financing loans and the payment of production;
  - g) Co-production means participation in production costs;
  - h) Economic utilization rights means those rights as specified in Art. 5, paragraph 10, of the decree of the Ministry for the cultural heritage and activities of 12 April 2007;

## **Art. 3**

### *Typology of realisable interventions*

1. Applications concerning dramatization and first works are financed by capital account contributions, within the limits of (EC) regulation no. 1998/2006 of the Commission, dated 15 December 2006, regarding the application of arts. 87 and 88 of the Treaty to "de minimis" aid.
2. Applications concerning second works are actuated by signing contracts for the purchase of rights in a share of the ownership of the work or the pre-purchase of individual utilisation rights or shares in said rights. The procedure for disbursement and participation by the Regione in proceeds is specified in the contracts. Disbursement for second works is subject to the submission of a guarantee policy in favour of the Regione Toscana, issued by the subjects



set out in art. 107 of legislative decree no. 385 dated 1 September 1993 (Consolidation Act of banking and credit laws), as a guarantee of realization of productions.

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#### **Art. 4**

##### *Dramatizations*

1. The application should regard an original and hitherto unseen dramatization and must be submitted by a novice author, who is a citizen of the European community.
  2. The dramatization should cover themes that valorise the regional identity, making reference to Tuscany's historical-cultural, landscape-environmental, literary or anthropological heritage.
  3. Maximum financeable contribution per dramatization is 15,000 EUR.
  4. Up to 6 dramatizations can be financed in one year.
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#### **Art. 5**

##### *Production of first works*

1. The application should regard a first work dealing with themes that valorise the regional identity, making reference to Tuscany's historical-cultural, landscape-environmental, literary or anthropological heritage and of which at least 50 per cent of the external scenes are shot in Tuscany.
  2. The application should be submitted by a small or medium Italian or Community concern, set up in company form, with a fully-paid up capital and a net worth of not less than 40,000 EUR.
  3. The contribution for first works shall not exceed 50 per cent of the cost of production and in no case shall exceed 200,000 EUR per work.
  4. The concern benefiting from the contribution shall undertake to spend in Tuscany. not less than 100 per cent of the contribution received.
  5. Up to six first works are financeable in one year.
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#### **Art. 6**

##### *Production of second works for the cinema and assimilated audiovisual works*

1. The application should regard a second work for the cinema or an assimilated audiovisual work dealing with themes that valorise regional identity, with reference to Tuscany's historical-cultural, landscape-environmental, socio-economic, literary or anthropological heritage, of which at least 50 per cent of the external scenes are shot in Tuscany.
2. The application should be submitted by a small or medium Italian or Community concern, set up in company form, with a fully-paid up capital and a net worth of no less than 40,000 EUR.
3. The producer should already have produced either directly, through his partners or through his chosen executive producer, at least another two full-length films, already distributed in Italy during the last five years.
4. The contribution for second works may cover up to 10 per cent of the cost of production but shall in no case exceed 450,000 EUR per work.
5. The concern benefiting from the contribution shall undertake to spend in Tuscany not less than 150 per cent of the Region's intervention.



6. Up to six interventions for second works for the cinema may be realized per year.
  7. Intervention by the Region in assimilated audiovisual works is only a possibility and in this case by departing from the provisions in paragraphs 4 and 5.
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## **Art. 7**

### *Documentaries*

1. The application should regard a documentary dealing with themes concerning the history, landscape and/or the traditions and current events in the region of Tuscany.
  2. The application should be submitted by a small or medium Italian or Community concern, set up in company form, with a fully-paid up capital and a net worth of not less than 10,000 EUR.
  3. The producer should have proven experience in the production sector, acquired either directly or through his partners and have the necessary technical means to realize the work.
  4. The contribution for documentaries may cover up to 70 per cent of the cost of production and may in no case exceed 50,000 EUR per documentary.
  5. Up to three interventions for documentaries may be realized per year.
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## **Art. 8**

### *Intervention Assessment Committee*

1. For assessing and selecting applications for finance the Regional Council avails itself of an Intervention Assessment Committee consisting of:
    - a) Two regional executives of which one acting as chairman and one as deputy chairman;
    - b) A film critic registered with the national trade union of Italian film critics;
    - c) A cinema festival director, backed by the Regione;
    - d) A documentary festival director, backed by the Regione;
  2. Members of the committee are appointed by the Chairman of the Regional Council and remain in office for three years.
  3. Members of the Committee are not entitled to an indemnity
  4. The committee meets after being convened by the chairman and is validly established with the presence of five members. The committee decides by majority vote of those present.
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## **Art. 9**

### *Assessment criteria*

1. The intervention assessment committee evaluates the works on the basis of the following requisites:
  - a) The quality of the film/audiovisual project submitted;
  - b) The effective valorization of regional identity;

- c) The stage of development and effective feasibility of the project submitted, including the presence of international co-producers, direct participation of the proposer in financing the work and adequate financial cover for production and distribution in Italy;
  - d) The economic repercussions on regional territory in terms of services, employment of local workers and professionals;
2. In the case of applications regarding second works for the cinema or audiovisual works, the committee also assesses the prospects of a return on intervention and adequate remuneration of the risk undertaken.
  3. The notice for the selection of interventions specifies the score attributed to the individual criteria, giving priority to those under paragraph 1, letters a) and b).
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## **Art. 10**

### *Procedure*

1. The Regione approves the notice for selecting interventions;
  2. Applications for intervention may be submitted at any time during the year and assessment of projects by the Committee takes place three times a year.
  3. The committee examines applications received during the session and identifies the interventions to be actuated in conformity with the numerical limits specified in arts. 4, 5, 6 and 7 and the availability of funds;
  4. Projects that exceed the minimum score as envisaged in the notice, but are not admitted for intervention during the session in which they are submitted, may be re-presented by those concerned in subsequent sessions.
  5. Only one application for intervention may be submitted by the same subject during one solar year, except in the case envisaged in paragraph 4.
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## **Art. 11**

### *Obligations of the Beneficiary*

1. The selection notice establishes that beneficiaries are subject at least to the following obligations:
  - a) Granting of the non-exclusive licence for the use of the film archive to the Regione Toscana;
  - b) Precautionary informative report to the Regione Toscana in the event of diffusion of the work in exhibition or review circuits, to enable adequate participation by the Regione;
  - c) Other undertakings regarding advertising aspects.

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