

Provision of financial incentives to productions

Regulations

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1. General Provisions

1.1 PREAMBLE AND SCOPE OF APPLICATION

These regulations govern the procedures for the disbursement of financial incentives for productions by the Ticino Film Commission.

The Ticino Film Commission aims to:

- Promote, attract and strengthen audiovisual content productions of all kinds and media, intended for cinema, electronic media, publishing, web and the visual arts circuit within the region. At the same time, it aims to accompany productions in order to generate economic spin-offs of various kinds such as increased activity for local businesses, job creation and tourism development.
- Encourage, support and promote the local audiovisual industry and the emergence of specialised industry professionals who, in turn, increase the attractiveness of the area for professionals.

1.2 ADMINISTRATIVE AND FINANCIAL MANAGEMENT

The Ticino Film Commission has an annual budget dedicated to financial incentives to support audiovisual productions. The management is responsible for the budget and strategy planning. The supervision and the decision on the final amount of the grant are responsibilities of the Foundation Board of the Ticino Film Commission.

2. General Rules

The following rules apply to all applications for financial incentives.

2.1 BENEFICIARIES

All independent production companies or service providers in charge of the local production of the film project are eligible to make requests for financial incentives. Grants to individual professionals, television broadcasters, schools or other public institutions are excluded.

The Ticino Film Commission requires compliance with the law in the following fields:

- Federal and cantonal provisions relating to labour law and collective labour agreements, especially for minimum wage compliance and work permit applications.
- Professional codes of conduct and tax provisions.

The Ticino Film Commission also requires that the beneficiaries comply with professional insurance obligations for the company and for all the artistic and technical staff of the production. It is also required that the production company has taken out a Civil Liability insurance policy covering any damage to property and persons. In specific cases, a copy of the policy may be requested¹.

At the time the application is submitted, Swiss production companies or service providers must be up to date with the payment of cantonal, municipal and withholding taxes as well as with the payment of the social security contributions

¹ In accordance with federal law, a copy of the Civil Liability Insurance Policy may be requested, which provides cover for property and personal damages of CHF 5,000,000.00 per claim.

AVS/AI/IPG, SUVA, pension fund (LPP), compensation for loss of earnings in the event of illness and statutory occupational contributions or specific requirements within their industry and undertake to fulfil these obligations throughout the duration of the production. Confirmation to this effect may also be requested from production companies with registered offices abroad.

If the above provisions are not complied with, the Ticino Film Commission may terminate its offer of financial incentives at any time and with immediate effect.

2.2 ELIGIBLE PROJECTS

All formats of audiovisual projects that carry out part or all of the work's production in Ticino are generally eligible for a financial incentive.

The following are excluded:

- Diploma/post-diploma school short films produced by specialised schools; these projects are subject to a specific regulation (see 'Provision of financial incentives for the production of diploma and/or post-diploma short films);
- Promotional and commercial spots and all commissioned projects;
- Projects that offend human dignity, that portray a demeaning image of men or women or of persons belonging to a particular group, that glorify or minimise violence or are pornographic in nature.

In the case of transmedia projects, only the audiovisual production part of the project will be considered.

In exceptional cases, the Ticino Film Commission may also grant limited support to projects involving only significant post-production expenses within the region.

2.3 SUBMISSION AND DECISION DEADLINES

Requests may be submitted at any time by e-mail to info@ticinofilmcommission.ch, enclosing the documents listed in the following paragraph.

At the time of the request, work within the region must be guaranteed and confirmed.

The Ticino Film Commission carries out an initial internal assessment and, if necessary, contacts the production company to complete the documentation. The request is then forwarded to the Foundation Board of the Ticino Film Commission, which meets at regular intervals and decides on the request, accepting or rejecting it. It determines the amount of the incentive granted.

The main criteria taken into account for the decision are:

- Visibility of the region
- Amount of expenses in the region
- Employment of local professionals/services
- Planned distribution of the project

The Ticino Film Commission is not required to justify its decision. It is final and cannot be appealed.

2.4 INFORMATION TO BE PROVIDED WHEN SUBMITTING THE APPLICATION

The application must be completed with the following documents:

1-Script or treatment

2-Production dossier consisting of:

- Synopsis
- CV/biofilmography of the director with links to previous works
- CV of the production company(ies)
- Note of intent concerning production within the region, including moodboards or other documents illustrating the style and how the region will be incorporated into the project
- Overall production schedule
- List of regional locations

- List of main Cast & Crew and Ticino-based personnel hired
- Budget with indication of expenses in Ticino
- Financing plan including confirmations of funding obtained

An area-specific production plan and contacts with the on-site production coordinators are required before filming begins.

The Ticino Film Commission reserves the right to request further documentation.

2.5 DISBURSEMENT OF THE FINANCIAL INCENTIVE AND COUNTER-PERFORMANCE REQUIRED

If the request is accepted, the Ticino Film Commission then signs collaboration agreements in which the amount and terms of the financial incentives are defined.

As a general rule, the incentive will be disbursed upon completion of the shooting in the region, after presentation of the following documents and counterparts:

- Completion of the “online data collection form”, sent by the Ticino Film Commission, within 120 days of the end of filming or post-production in the region;
- Submission of the final statement of expenses related to filming in the region and, upon request, evidence of the main elements of expenditure;
- Submission of a selection of backstage pictures, including exteriors of the region, locations used and portraits of the leading actors, and any backstage videos documenting the shooting, accompanied by copyright notices. These images are offered to the Ticino Film Commission free of rights for non-commercial use without time limits and on all types of media;
- Submission of a copy of the film credits. The support of the Ticino Film Commission must be made explicit with the wording “with the support of the Ticino Film Commission (LOGO)” in the end credits and in the opening credits if other equal financing institutions are mentioned.

An advance of 50% of the incentive may be paid in preparation for the shooting if a written application and a valid invoice are submitted and only if the financial coverage of the work is at least 80% of the total budget.

Production companies must issue an invoice for the agreed amount in full (including VAT, if applicable).

Entitlement to the incentive lapses two years after the agreement is concluded. Beneficiaries may apply for an extension by submitting a written request in advance justifying their reasons.

2.6 COMMUNICATION CONCERNING SUPPORTED PROJECTS

As part of the promotion of the supported projects, the beneficiaries also agree to

- expressly mention the collaboration of the Ticino Film Commission in any press release and online communication (press kit, press-book, website), as well as in all information materials relating to the film;
- inform the Ticino Film Commission of the dates of distribution and/or broadcasting of the work and to provide, if requested, a list of screenings of the work;
- share the promotional material produced with the Ticino Film Commission (teaser, trailer, poster, publications on social media, etc.).

2.7 MAJOR CHANGES TO THE PROJECT

Beneficiaries undertake to promptly notify the Ticino Film Commission of any major changes concerning the supported project. The Ticino Film Commission may subsequently reassess or cancel its support with immediate effect.

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