

ANNEX XIII

SUPPORT PROGRAM FOR CINEMATOGRAPHIC DISTRIBUTION

1. Program and Sections

1.1. The Support program for Cinematographic Distribution includes the following sections:

- a) Section I - Distribution in Portugal of works supported by the ICA;
- b) Section II - Distribution in Portugal of other national works and of non-national works by less divulged cinematographers;
- c) Section III - Distribution of national works outside of Portugal.

1.2. The same beneficiary may not receive more than 25% of the total amount of the budget available in each year for each of the sections of this Program.

2. SECTION I – DISTRIBUTION IN PORTUGAL OF WORKS SUPPORTED BY THE ICA

2.1. Conditions of eligibility

Plans for distribution in Portugal of films supported by the ICA, whether relating to a single work or relating to a number of works.

2.2. Applicants and beneficiaries

Producers or distributors currently registered in the ICA.

2.3. Support

The support granted to each work may not be greater than 50% of the expenses with copies and promotion, set out in the distribution budget, and may in no event be greater than € 2,000 per copy up to a maximum of € 40,000.

2.4. Applications

- a) The support is an option which is automatically open to the producer or to the distributor of any work supported by the ICA under the support programs for production, and where the respective producer has fulfilled all of the contractual obligations related with this support.
- b) The applicant can exercise his/her right to benefit from the support through a notification to the ICA, up until the time when the producer fulfils the obligation to deliver the synchronous copies.
- c) The request is to be accompanied by the identification of the locations and dates of the débuts, budget and other information considered relevant.

2.5. Payments

Payment of the financial support is made against demonstration of execution of the support within the terms approved by the ICA and after delivery of the report and accounts signed by a chartered accountant.

3. SECTION II – DISTRIBUTION IN PORTUGAL OF OTHER NATIONAL WORKS AND NON-NATIONAL WORKS OF LESS DIVULGED CINEMATOGRAFHERS

3.1. Conditions of eligibility

Distribution plans covering at least 5 films which cumulatively have the following conditions:

- a) Their nationality is from amongst the following countries:

Member State of the EU, Member State of the Council of Europe which has ratified the European Convention on Cinematographic Co-Production or the European Convention on Cross-Border Television;

Member State of the Community of Portuguese-Speaking Countries;

States participating in the IBERMEDIA Program.

- b) The initial *début* was held less than four years ago;
- c) They are exhibited for a least seven consecutive days, with a minimum of 10 sessions in each one of at least three municipalities, necessarily including one municipality with a population of less than 100,000 inhabitants.

3.2. Applicants and beneficiaries

Distributors currently registered in the ICA.

3.3. Support

Support granted may not be greater than 50% of the expenses relating to the acquisition of rights (which should include the rights for digital distribution and exhibition), translation, sub-titling, copies and promotion, set out in the distribution budget, and may in no case be greater than € 7,500 for each of the eligible works included in the plan.

3.4. Applications

- a) Every year, the ICA sets the date or deadlines for the delivery of applications.
- b) Support is granted by way of a tender in which part of the score awarded to each application is determined automatically according to number of quantitative parameters while the remaining part results from the qualitative appreciation of um jury, as referred to in point 6.
- c) The application is made using a specific on-line form and necessarily includes the following information and documents:

Distribution plan of a minimum of 5 eligible works, with identification of the works, its nationality, number of copies distributed, *début* locations and dates;

Promotion plan for each of the works;

Indication of the rights acquired (means of exploitation and duration);

Contracts which prove the information provided on rights and on planned *débuts*.

3.5. Criteria of selection and respective application

In the evaluation of the projects referring to the Section II, the following criteria are applied:

- a) Automatic scoring of the projects (maximum 45 points per project)

The services of the ICA attribute a score to each project from the following quantitative classifications:

1 Point for each municipality covered by the distribution plan (maximum 10 points);

1 Point for original language (maximum 5 points);

1 Point per country (maximum 5 points);

1 Point for each film of a Member State of the Community of Portuguese-Speaking Countries, with the exception de Portugal (maximum 5 points);

1 Point for each country with which Portugal, or the ICA has celebrated a reciprocity agreement in the area of Cinematographic Distribution (maximum 5 points);

1 Point for each film from a European state (with the exception of: Spain, France, the United Kingdom, Germany and Italy) or of a State which participates in the IBERMEDIA Program (maximum 5 points);

1 Point for each form of exploitation, besides cinema, for which rights are acquired and publication or broadcasting (DVD, TV, Pay-TV, video on demand, etc.) is planned under contract (maximum 2 points per film).

b) Evaluation by the jury

The jury awards a score from 1 to 5 to each project, based on the following criteria:

Contribution of the distribution plan towards increasing, diversifying and enriching cinematographic production;

Investment assumed by the distributor;

Performance of the applicant in previous years (how s/he fulfilled the plans presented, results achieved and relationship with the ICA) – this parameter only starts to be taken into account as from the second year of application of the Program, or rather, 2008.

c) Projects are placed in decreasing order in the final classification, this being obtained from the sum of the automatic scores with the score awarded by the jury.

d) Within the maximum period of 20 days after the date of notification of the final ordered list, and according to the budget available, the ICA will set the amount and conditions of the support.

3.6. Payments

Payment of the financial support is made against demonstration of the execution of the support within the terms approved by the ICA and after delivery of the report and accounts signed by a chartered accountant.

4. SECTION III - DISTRIBUTION OF NATIONAL WORKS OUTSIDE OF PORTUGAL

4.1. Conditions of eligibility

Distribution plans abroad of national films, whether relating to a single work or relating to a number of works.

4.2. Applicants and beneficiaries

Producers or distributors who are currently registered in the ICA, of the national work which has contracted its début in the foreign country(ies) in question and which is contractually obliged to participate in the expenses related with the distribution and début of the work in this (these) country(ies). If the work was produced by way of an international co-production, the support to be granted will be proportional to the participation of the national producer in the work.

4.3. Support

The support granted to each work and per country may not be greater than 50% of the expenses relating to the translation, sub-titling, overdubbing, copies, transport of copies and promotion, set out in the distribution budget, and may in no case be greater than € 12,500.

4.4. Applications

a) Applications may be presented at any time between 1 January and 31 December.

b) Support is granted for applications admitted, within budgetary availability.

4.5. Payments

Payment of the financial support is made against demonstration of the execution of the support within the terms approved by the ICA and after delivery of the report and accounts signed by a chartered accountant.