INTERNATIONAL CO-PRODUCTION FUND (ICOF) GUIDELINES

AS PER MARCH 11, 2021





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ACRONYMS

Committee	The FilmPhilippines Committee assesses and evaluates the FilmPhilippines Incentive schemes applications for either FLIP, ICOF or ACOF and Provisional Application or Final Verification
FDCP	Film Development Council of Philippines, the national film agency responsible for film policies and programs to ensure the economic, cultural and educational development of the Philippine film industry
FP0	FilmPhilippines Office, the office of the brand developed by the FDCP to facilitate the location promotions program of the country and provide a one-stop-shop assistance program for foreign film and television production in the Philippines
FPI	FilmPhilippines Incentive schemes is composed of the FLIP, ICOF and ACOF financial support for international production
FLEX	Film Location Engagement Desk, a one-stop-shop service provided by the FilmPhilippines Office, for government permits including visas, special working permits (SWP), conditionally-free importation and exportation of qualified production-related equipment and goods, location permits and other available production and logistical support
FLIP	Film Location Incentive Program, a selective cash rebate for international production companies filming in the Philippines
ACOF	ASEAN Co-production Fund, a selective fund for ASEAN co-productions with a Filipino Co-producer
ICOF	International Co-production Fund, a selective fund for international co- productions with a Filipino co-producer
QPPE	Qualifying Philippine Production Expenditures, the expenditure incurred in the Philippines for the purposes of producing and making the project
MOA	Memorandum of Agreement
NR	FDCP National Registry
SF	FDCP Safe Filming Program
PHP	Philippine Pesos, local currency





The Film Development Council of the Philippines (FDCP), through its FilmPhilippines Office (FPO), introduced the International Co-production Fund (ICOF) to provide additional financial incentive for the production and post-production of creative content within the Philippines and to support the Filipino content production industry through out both local and international film production.

ICOF also supports FPO's missions to promote the Philippines as a filming destination and propose a one-stop-shop services desk for foreign and local audiovisual productions aiming to film in the Philippines.

ICOF is a selective fund that will support each selected project up to ten (10) million PHP.

DISCLAIMER

- 1. FilmPhilippines may decline to accept and/or reject an application if it does not follow and/or comply with these Guidelines. These Guidelines are designed to be read in conjunction with the relevant application form. As the guidelines and application form are subject to changes and updates, the applicant should ensure that he/she has the most current version of these documents by checking at www.filmphilippines.com/incentives prior to submitting his/her application.
- 2. All the information provided by the applicant producer will be held by the FPO on a strictly commercial-in-confidence basis. Information will only be provided to the Committee, the Philippine government and an independent film production consultant if necessary.
- 3. Applicant producers should also contact FPO early, before production commences, to discuss their project and to explore details surrounding FPI. Contact details for FPO are listed further



Address

Film Development Council of the Philippines 855 Kalaw Avenue, Ermita, Manila 1000 Metro Manila, Philippines

Telephone

+63 2 8256-8331

<u>Telefax</u>

+63 2 7087920

filmphilippines@fdcp.ph

www.filmphilippines.com

ELIGIBILITY

1. ELIGIBLE PROJECTS

- Feature films (more than eighty (80) min): live action, IMAX, documentary, animation
- The project can be initiated by the foreign or the Filipino production company.
- The project is not eligible if it has already received another grant from the FDCP:
 FLIP, ICOF or ACOF. However, if the project was rejected, it can apply to one of the other FPI.
- A project cannot apply to several funds at the same time.

2. ELIGIBLE CONTENTS

- · The project can be of any genre.
- The project must not contain issues insulting, offensive and/or portraying the Philippines in a negative light as well as threaten the national security.
- The project must not be pornographic in nature or promote violence.

3. ELIGIBLE ACTIVITIES

- Project wholly or partly made in the Philippines for development, pre-production, production (studio, on-set shootings) and/or post-production (animation, visual effect, 3D conversion, editing, music and scoring, sound design, editing and mixing, voice overs, color grading, etc.)
- The project must **spend at least five (5) Million PHP** (approx. 98 000 USD) on QPPE (See Section 14).

4. ELIGIBLE APPLICANTS

A company organized and registered as a business in the Philippines may apply for the ICOF, and said company must be a production company accredited by the FDCP NR in a coproduction with a foreign production company.

The project can be initiated by the foreign or the Filipino production company.

The list of the Filipino production companies accredited by the FDCP NR are listed at www. filmphilippines.com/services.

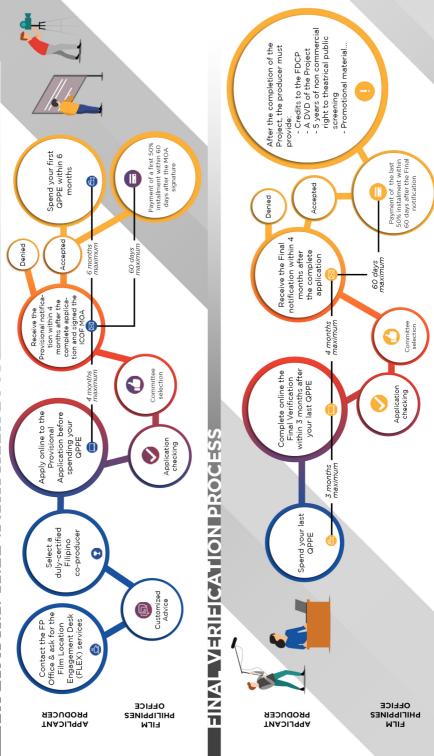
PROVISIONAL APPLICATION PROCESS

- 1. Applicant producers should contact the FPO early to discuss their project and to explore details surrounding ICOF. As part of the ICOF application, the project can also avail of the Film Location Engagement Desk at www.filmphilippines.com/film-now.
- 2. Before spending any QPPE in the Philippines, applicants must fill out and submit the ICOF Provisional Application Form and all required documents at http://www.filmphilippines.com/incentives.
- 3. The FPO will verify all the documents and may ask the applicant to provide further supporting documents.
- 4. After confirming the completion of the application, the FPO will then submit your project to one of the Committee considerations, held three (3) times per year.
- 5. The Committee may ask the applicant to provide further supporting documents, should the Committee decide that the submitted documents contain inadequate details.
- 6. The applicant will be notified of the Committee decision after the Deliberation meeting. He/She will receive either a rejection letter with arguments or an approval letter indicating the approved amount of the grant/fund.
- 7. Upon approval, a meeting with the FDCP, applicant company and the foreign production company will be set up to discuss the project and sign the ICOF Memorandum of Agreement. After securing all signatures in the ICOF Memorandum of Agreement, the applicant producer will receive the first fifty percent (50%) down payment of the fund, the balance of fifty percent (50%) after the approval of the Final Verification Process.
- 8. Once the incentive Committee has approved the application, **the first QPPE must be spent within six (6) months**. Should there be a delay, the applicant must notify the Committee and give clear and reasonable explanations for the delay.

FINAL VERIFICATION PROCESS

- 1. Within a maximum of three (3) months after the last QPPE spent, the applicant company must fill out the ICOF Final Verification Form and submit all required documents at www. filmphilippines.com/incentives
- 2. The FPO will verify all the documents and may ask the applicant to provide further supporting documents, if the submitted documents contain inadequate details.
- 3. After confirming the completion of the application, the FPO will then submit the project to the administrative department for audit and to one of the Committee considerations, held three (3) times per year.
- 4. The Committee and the administrative department may ask the applicant to provide further supporting documents, should they decide that the submitted documents contain inadequate details.
- 5. The applicant will be notified of the Committee's final decision within four (4) months after the submission of the Complete Verification application. If approved, the applicant will receive the Final Notification indicating that the remaining fifty percent (50%) of the fund is due and payable within the next two (2) months.

PROVISIONAL APPLICATION PROCESS



TECHNICAL REQUIREMENTS

- 1. Submit the soft copy of the full application to filmphilippines@fdcp.ph with the subject field labeled "ICOF PROVISIONAL APPLICATION/ ICOF FINAL VERIFICATION < name of project>".
- 2. Submit your excel sheet application form and either a single PDF file with all annexes grouped and labelled with the name of the project in all capital letters (compress the file size to around 10MB if possible) or a file-sharing link well organized with all the annexes properly named as per the requirement checklist and the name of your project.
- 3. DO NOT send any element or item from your application individually or in separate emails. The FDCP will disregard these and consider your application incomplete.
- 4. Ensure all the requirements on the checklist are supplied in English
- 5. The official date of submission will be the date the FPO confirms that your application is complete.
- 6. Once the Provisional Application is verified complete, please send the hard copy of your signed and notarized statutory declaration and MOA to: FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES 855 Kalaw Avenue, Ermita, Manila, 1000, Metro Manila, Philippines.
- 7. Once the Final Verification is verified complete, send the hard copy of all your official receipts corresponding to the declared QPPE (see QPPE section of the guidelines to see the eligible supporting documents) to: FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES 855 Kalaw Avenue, Ermita, Manila, 1000, Metro Manila, Philippines.

PROVISIONAL APPLICATION CHECKLIST

CHECK	DOCUMENT			
	Complete each page of the ICOF Provisional Application Form as much as possible depending on the type of project and its production stage			
	Attach the applicant bank certificate			
	Attach evidence proving that the foreign company is eligible to conduct business: business or working permit/clearance			
	Attach evidence proving that the foreign company is eligible to conduct business: business or working permit/clearance			
	Attach the co-production agreement between the applicant and the foreign company (bilateral or multi-party) showing the partners announced in the financing plan and presenting the respective contributions as well as expected revenue streams			
	Provide in English a copy of the script (except for documentary) OR previous script if it is a rewritten work with source material for adaptation OR the treatment of the project (8-10 pages) if the project is at an early development stage			
	Provide an artistic portfolio of the project (mood board, storyboard, URL to teaser or inspired short film)			
	Attach vision statements from the producer and filmmaker			
	Provide the worldwide distribution plan (theatrical release, broadcast, VOD platform)			
	Attach the Statutory Declaration signed by the applicant company and notarized			
If available				
	Attach the insurance coverage of the applicant company's responsibilities for all the activities required to make the project in the Philippines			
	Provide quotes from the projected main Filipino suppliers corresponding to the QPPE			
	Attach agreement letters for the already confirmed key cast and crew (first cameraman, head stereographer, cinematographer, art director, sound engineer, wardrobe director, hair stylist director, stunt coordinator, head sound mixer, film editor, first assistant director, production director, post-production manager, stage manager, visual effects supervisor)			
	Provide a copy of all of the documents relating to the "Chain of Title" and underlying rights			
	Attach letters of agreement of the principal financial resources (mandatory for all confirmed financial resources in the application form)			
	Provide evidence of an international sales agent attached to the project			
If applicable				
	For original work, attach a copy of the scriptwriters' authorized agreement OR for adapted works, authorization letter for the adaptation issued by the copyright holder			
	For applicant to post-production expenses only : a screening link to a 30 min rough cut			

FINAL VERIFICATION CHECKLIST

CHECK	DOCUMENT
	Complete each page of the ICOF Final Verification Form as much as possible depending on the type of project and its production stage
	Attach the co-production contract between the applicant and the foreign company (bilateral or multi-party) showing the partners announced in the financing plan and presenting the respective contributions as well as expected revenue streams
	Attach the final production schedule AND the final travel spreadsheet
	Attach the shooting bible AND/OR the daily production reports
	Attach the list of the full personnel, cast & crew with nationalities detailing the ones under a Filipino contract
	Provide all official receipts corresponding to the QPPE declared (see QPPE section of the guidelines to see the eligible supporting documents)
	Provide the certification of true copy (template attached with the forms) signed by the applicant company and notarized
	Provide the existing communication material (poster(s), flyer(s), press release kit)
	Provide the worldwide distribution plan (theatrical release, broadcast, VOD platform)
If Available	
	Attach the contract(s) for distribution, theatrical release/VOD platform in the Philippines and abroad
	Attach the international sales agreement or contract
	Attach agreement letters with film festivals
If Applicabl	e
	For shootings on public locations: attach all the Filipino filming permits from the local authorities

PROJECT EVALUATION

1. PROJECT EVALUATION

The project will be evaluated on the following:

- Degree to which the work promotes the Philippine culture & territory and contributes to the Philippine film industry.
- Degree to which the Filipino producer participates in the creative production of the work.
- · The global quality of the project.
- · The financial strength and stability of the project.
- The international distribution potential through festival, theatrical release and plateform in order to reach international audiences.

When necessary, FPO will seek the advice of one or more independent film production consultants on a strictly commercial-in-confidence basis to provide an independent assessment on the expenditures and budget of the project.

One committee will evaluate all applications.

The applicant producer will be notified of the Committee decision within four (4) months after the application with the amount granted if the project has been selected, or a statement of reasons in case the project has been denied. The decision of the Committee is final and irrevocable. The FPO is not obliged to give any further explanation on the results.

2. INCENTIVE CALCULATION

Successful applicants can receive a fund up to ten (10) Million PHP (approx. 198 000 USD).

A fixed amount of ten thousand (10 000) PHP (approx. 200 USD) will be deducted from the last tranche of the applicant's fund to cover the administration processing cost of the FDCP.

PAYMENT

- 1. In the event of a legal dispute, arbitration procedure or court orders, the Committee reserves the right to withhold the approved incentive payment, until the matter is settled, or the incentive Committee decides, after assessment of the dispute, that it is satisfied to release the payment.
- 2. The incentive measure can be nullified with immediate effect, and the Committee can ask for the fund reimbursement under the following conditions:
 - The applicant is unable to produce any documents or details asked for in the Final Verification.
 - The applicant submitted false information and documents that was obtained by fraud, material inaccuracies or misrepresentation.
 - The Final Verification Form doesn't comply fully with the provisional approval with key details of the project that changed significantly: creative or financial.
 - The QPPE incurred in the Final Verification is more or less than ten percent (10%) of the approved production costs indicated in the Provisional Application.
 - The film caused a negative impact to the natural resources and environment.
- 3. The Committee reserves the right to ask for the reimbursment of the fund upon reception of the DVD of the project, in case the content is not suitable to the eligible content as set per section V.2.
- 4. The approval of the Provisional Application and the Final Verification is mandatory for the final installment. In case the Committee denied the Final Verification, the approved fund from the Provisional Application will be nullified and the Committee can ask for the reimbursement of the first 50% down payment of the Provisional Application.
- 5. The Commission on Audit (COA) reserves the right to exclude any incorrect and ineligible receipts and ask for the corresponding refund.
- 6. The payment shall be made in two installments. The first fifty percent (50%) of the fund will be paid within sixty (60) days after the Provisional Notification and signature of the ICOF Memorandum of Agreement and the remaining fifty percent (50%) will be paid within sixty (60) days after the Final Verification Notification. It will be transferred to the applicant's bank account.

QUALIFYING PHILIPPINE PRODUCTION EXPENDITURES

- 1. The expenses will include periods from development, pre-production, production to post-production of the film.
- 2. QPPE starts at the date the FPO confirms the reception of the complete Provisional Application and ends at the date of receipt of the complete Final Verification by the FPO.
- 3. The applicant producer's fee must not exceed the 10% QPPE spent on the production.
- 4. All expenses (VAT and non VAT) are eligible production expense provided they are presented with valid and properly accomplished BIR registered official receipt/s.
- 5. Applicants must submit all the official receipts and supporting documents corresponding to the QPPE declared.
- 6. All receipts must be in the local currency, Philippine Pesos.
- 7. Each receipt must correspond to a specific expense, used for the project needs only.
- 8. Apportionment calculations can be used when the service provider's invoice does not distinguish the services provided in or outside the Philippines. The amount to claim as QPPE will be based on a daily rate calculation multiplied by the number of days the service was provided in the Philippines.
- 9. The FDCP Audit and Collection Unit reserves the right to exclude any incorrect or ineligible receipt and withhold the same from the computation of the eligible expenses.
- 10. The local spending must be spent in the Philippines and for Filipino registered businesses and/or other Filipino services and individuals, excluding a foreigner who works in the Philippines.
- 11. Invoices and Official Receipts must be issued in the name of the Filipino Applicant Company only except for the following:
 - Services from the government offices e.g. Bureau of Immigration.
 - Applicant Company Service fee.
- 12. The administration processing fee from the FDCP for each application is not eligible as a OPPE.

13. SALARIES AND WAGES OF FILIPINO ACTORS AND WRITERS UNDER FILIPINO CONTRACT

- Wages and related social contributions, paid to scriptwriters (advances on earnings), script consultants and director(s).
- Wages and related social contributions paid to actors.
- Wages and related social contributions paid to commentary, voice-overs, postsynchronization, recording of the soundtrack.

Eligible supporting documents:

• submit a deal memo OR fully executed Service Contract (see template) and a proof of payment (bank transfer/deposit slip or payslip) and a valid government ID.

14. SALARIES PAID TO FILIPINO DIRECTION AND PRODUCTION STAFF UNDER FILIPINO CONTRACT

- Production crew members responsible for: development and writing direction, storyboarding, artistic direction; direction and administrative, technical, and accounting production management; direction; direction preparation and assistance; technique and artistic quality of shots; technique and artistic quality of soundtrack recordings; set design and construction; artistic design of costumes, wigs, and clothing accessories; creation of costumes and accessories; dressing and care for costumes; actors' make up; creation of wigs and hairpieces, as well as hairstyling; props for the set; preparation and creation of special effects, including stunts.
- Production workers responsible for: machinery; lighting; set construction.
- Team members in charge of: rigging and animation set up; character conception and modeling; set conception and modeling; exposure sheets; pre-visualization; rotoscopy; tracking; motion capture; lay out; animation; set construction; tracing opaquing; colorization; lighting and rendering; compositing; visual effects; image and sound editing, mixing.
- The salaries and social contributions of the applicant permanent staff members can be taken into account proportionally to the period during which they are working on the project.

Eligible supporting documents:

• submit a deal memo OR fully executed Service Contract (see template) and a proof of payment (bank transfer/deposit slip or payslip) and a valid government ID.

15. EXPENDITURES INCURRED TO SPECIALIZED FILIPINO COMPANIES FOR TECHNICAL GOODS AND SERVICES

- Development and pre-production: script-related research costs, translation costs, extensions to rights costs, preliminary casting, preparation of advanced production budget and schedule.
- Renting sound stages and adjoining premises.
- Renting locations specifically rented for shooting, excluding residential areas.
- · Set construction on the shooting sites.
- Furniture rental (only that specifically needed for building or creating the set).
- Preparation and production of special effects, including stunts.
- · Renting and creating costumes, hairstyles, and makeup.
- · Equipment needed for shots, machinery, lighting, and sound pickup.
- · Animation (preparation and creation).
- Equipment, supplies, computer hardware and software used directly for the animation process. The aforementioned computer software must be paid off during the production of the work for which it was designed or purchased.
- Post-production: image lab, image editing, voice recording, sound effects and sound design, mixing, sound editing, credits and trailers.
- · Digital visual effects.
- Negative image film, magnetic sound film, and in general, all digital or non-digital image and sound media; filming, finishing, video, and subtitling studios.

Eligible supporting documents:

- submit the cash invoice OR official receipt (see the notice on "scanning official receipt") and brief description of the item purchased on the same page of the scanned copy of the official receipt.
- For Rentals: submit the rental contract with official receipt (see the notice on "scanning official receipt")

16. TRANSPORTATION, TRAVEL, CATERING EXPENDITURES

All travel bookings have to be done in the Philippines or via a Filipino travel agency for flights within the Philippines and/or to/from the Philippines.

- Transport and travel of artistic and technical materials and supplies.
- Transport and catering for the artistic and technical teams (nothing lavish).

Eligible supporting documents:

- For transportation and travel: submit paper OR electronic plane tickets, with official receipt (see the notice on "scanning official receipt")
- For catering only: submit the catering service agreement with official receipt (see the notice on "scanning official receipt")

17. ACCOMMODATION EXPENDITURES IN THE PHILIPPINES

• Capped at fifteen thousand (15 000) PHP per night in Metro Manila and up to ten thousand (10 000) PHP per night elsewhere.

Eligible supporting documents:

• submit hotel room/lodging bills with official receipts (see the notice on "scanning official receipt")

18. PROMOTION EXPENDITURES IN THE PHILIPPINES

Publicity and promotion material incurred by the applicant producer company before completing the production.

Eligible supporting documents:

• submit the billing statement with Official Receipt

APPLICATION PERIOD

The application periods for submission for FPI are as follows:



In the event that the FPI budget for the year has already been spent, the application period of that year will be closed.



Any production that receives the FPI must:

- 1. Register the production under the Safe Filming program: www.safefilming.ph.
- 2. Allow the FPO team to visit the shooting or post-production work and to take pictures, videos (interviews, testimony) of the production set, cast and crew.
- 3. Mention as follows in the beginning or ending credits, either in English or original language of the production:
 - "This film benefited from the International Co-production Fund from the FilmPhilippines
 Office of the Film Development Council of the Philippines"
 - "Part of the film has been shot in the Philippines, in the Province of XXX..."
- 4. Add the logo of FPO, FDCP in all prominent places on promotion materials, posters, DVD, commercials, promotional clips and all versions of the project screened/broadcasted internationally.
- 5. Provide to the FPO for documentation and promotion purposes, the promotional material of the project with non commercial communication rights, to the extend allowable by agreements concerning confidentiality and the timing of release or broadcast: trailer(s), poster(s), behind the scene videos, photos and interviews, making of videos...
- 6. Upon completion of the project, the applicant producer must provide an offline DVD copy of the project.
- 7. For feature films, provide the FDCP:
 - a five (5) year non-commercial right to public screening limited to the Philippine territory, reckoned five (5) years from the initial public exhibition of the film either local or international whichever comes first
 - in case of a direct On Demand release, a five (5) year non-commercial right to release the same on demand view (i.e. TVOD, NVOD or SVOD) limited to the Philippine territory, reckoned five (5) years from release of the first demand view in its Country of Origin.

Public non-commercial rights shall cover film screenings cultural or educational in nature and/ or purpose; Provided that prior consent from the producer is duly obtained and shall not disrupt the ROI streams of the producer. These screenings shall be free of charge and open to the general public.

8. Within two (2) years after the conclusion of the project, provide a full report of domestic and international box office, including corresponding incomes.

FILM LOCATION ENGAGEMENT DESK

- 1. ICOF application automatically entitles the applicant to avail of the FLEX.
- 2. To help audiovisual projects, foreign and local, aiming to work in the Philippines, FLEX taps into FDCP's interagency government support network, and may assist your project with:

• FINDING YOUR PARTNER:

Connecting with local film companies: production (line production, co-production), post-production, animation studio, distributors...

· LOCATION SCOUTING:

Connecting with local location managers or local government units to facilitate location scouting.

SOURCING OF SKILLED CAST & CREW

Assistance in sourcing Casting Director and Filipino seasoned actors and performers as well as film crew through the FDCP National Registry

SOURCING OF EQUIPMENT TECHNICAL FACILITIES

Assistance with securing better rates for accommodations, transportation, suppliers, production equipment and technical facilities

SECURING VISA AND SPECIAL WORKING PERMITS

Coordinating with the Philippine foreign affairs and immigration offices to obtain visas and special working permits for foreign crew

• OBTAINING LOCATION PERMITS:

Issuance of various government permits expedited by way of our agency's endorsement.

PRODUCTION LOGISTICS

Coordinating with local government units regarding production logistics (traffic re-routing, security detail, and other on-ground logistic aspects)

SPECIAL GOVERNMENT PRODUCTION ASSETS

Coordinating with government agencies regarding special production requirements (i.e. military vehicles, armory and weapons)

CONDITIONALLY FREE IMPORTATION AND EXPORTATION:

Importing and/or exporting equipment necessary for the production of your project.

IMPLEMENTING HEALTH AND SAFETY PROTOCOL

Assisting and orienting in the implementation of the Covid 19 Safety and Health quidelines with FDCP Safe Filming registration

Contact for your FLEX concerns: filmphilippines@fdcp.ph

NATIONAL REGISTRY AND SAFE FILMING PROGRAMS



Founded in 2017, the National Registry is a program under the Film Development Council of the Philippines (FDCP) that aims to organize a veritable database of all active film and television workers, audio-visual companies, audio-visual organizations, and film festivals all over the country, and open avenues for opportunities and activities that will promote the growth and development of the local audio-visual industry and promote its participation in both domestic and world markets.

NR also seeks to consolidate efforts as an empowered community of stakeholders so that film and audiovisual workers' voices may be heard and real action may be realized through the development of legislation and policy, education, social welfare, training, protection of intellectual property (IP), and freedom of expression, with active participation from all the sectors and stakeholders in the audiovisual industry.

https://nationalregistry.fdcp.ph/

Contact for NR inquiries: nationalregistry@fdcp.ph

SE SAFE FILMING

The Safe Filming Program is a program by the Film Development Council of the Philippines in partnership with the Department of Health and the Department of Labor and Employment, which implements the strategies and guidelines of the FDCP-DOLE-DOH JOINT ADMINISTRATIVE ORDER NO. 2020-001. It provides a global resource website that outlines the principles of safe production and provides information about systems, resources, forms, and all related documents and issuances to ensure working safely in the Philippines for both local and international film and audiovisual productions.

Safe Filming is also a platform that allows for active collaboration with stakeholders through the project registration process, which FDCP coordinates with government agencies such as DOLE, DOH, DILG, and LGUs for the monitoring of compliance to the guidelines of the FDCP-DOLE-DOH JOINT ADMINISTRATIVE ORDER NO. 2020-001. Other OSH-related concerns from the OSH Officers or workers, including work-related injuries, illnesses, and any unsafe working conditions, may also be coursed through the Safe Filming for proper inspection.

www.safefilming.ph

Contact for SF inquiries: safefilming@fdcp.ph