FAQ - Semaine 13 : 23-27 mai 2011 Week 13 : 23-27 May 2011

1. Eligibilité des demandeurs | Eligibility of the applicants

1.1. Type de structure | Type of structure

1	Our intended applicant company was established on 9th of March 2009 - will it be eligible? **According to §2.1.1.1 of the Guidelines, the applicant must be a legal entity registered for at least two years before the publication of the Call for proposals (28 February 2011).**
2	Our intended applicant company is based in South Africa, however we intend to setup and run the project through a SPV (special purpose vehicle) out of the UK. Essentially this will mean that the project is run with its own set of UK based, offices, bank accounts, employees. The project would be lead by a project leader and it would operate on a fairly autonomous basis but frequently reporting back to the applicant company on matters relating to the project, i.e. financial, administrative and in terms of project progress reporting. **§2.1.1 of the Guidelines states that the applicant must be directly responsible for preparing and managing the action with their partners and not acting merely as an intermediary. It cannot delegate its responsibilities to another entity. Please consult the conditions regarding participation of South Africa organizations (§2.1.1.1. and §2.1.3.4.) and also the partnership requirements (§2.1.2.)**
	Est-ce que dans votre programme vous pensez aux personnes physiques ? **Non. Le §2.1.1.1 des Lignes directrices indique que les demandeurs et partenaires doivent, entre autres critères d'éligibilité, être des personnes morales.**

1.2. Capacité à mettre en œuvre les actions | Capacity to implement the actions

1.3. Nationalité | Nationality

1	We also understand that the goal of the project is helping the emergence of local production and the professionalisation of local artists and technical experts. Does it mean that only film projects having at the same time a writer, producer and director coming from an APC country elegible? Or to put it in another way: does a documentory having a Hungarian author, a French director, a French, a Liberian, a Sierra Leonean producer and a French-Sierra Leonean technical staff eligible? **Please see FAQ, Week 9, section 1.1, question 4.**
2	Un projet qui aurait des partenaires à Maurice et à la Réunion est il considéré comme une coopération Sud Sud ou Nord Sud? **La coopération sud-sud n'est pas directement liée à la seule composition du partenariat, mais vise à développer des synergies au niveau Intra ACP, dans le cadre du présent programme.**

2. Eligibilité des partenaires | Eligibility of the partners

1	The collaboration is for now between a French production company and a Sierra Leonean NGO. As

	the author of the film is Hungarian we have started to make some steps even in Hungary to find a co-producer. For the ACP call we could therefore easily present a partnership of 3 entities. However, as we understand, ACP partners must me in majority. We understand that this can be an interesting way to create regional networks but it does not seem to us serving the interest of helping the emergence of local projects. The question here : would it be enough to engage a production company from a neighboring country (from Liberia or Guinea) in order to stay eligible? The role of this partner though would be quite limited as compared to the others, as he would be responsible only for assuring the promotion and the distribution of the film. Are we in line with the call for proposal's aim in this way? **§2.1.2 of the Guidelines states that the applicant must work in partnership with at least two partners based in two different ACP states; if all the ACP partners are based in Africa, they must be established in at least two of the four regions: East Africa, West Africa, Central Africa, Southern Africa. Each partner must have a precise role to be specified in the partnership cooperation agreement.** **To guarantee fair treatment of applicants, the contracting authority may not give a prior opinion on the eligibility of an applicant, a partner, an action or a specific activity.**
2	Nous venons d'apprendre que la société Dominicaine, nommons la « A », avec laquelle nous souhaitions travailler n'aura qu'un an et demi d'existence à la date de la commission. Souhaitant vivement l'associer à notre demande ACP nous souhaiterions savoir au plus vite, si une dérogation était possible. De plus nous pourrions ajouter comme partenaire une seconde société dominicaine, ayant elle l'âge requis, qui viendrait en « renfort » de la société « A » . Dans cette configuration la société « A » pourrait elle être alors considérée comme un partenaire à part entière malgré son jeune âge ? **Non. Aucune dérogation n'est possible. Nous vous rappelons que comme indiqué au §2.1.2 des Lignes directrices, les conditions d'éligibilité ne s'appliquent pas aux associés.**
3	Société de production de film de droit français, nous souhaitons déposer une proposition pour le Lot 1- ACP Films III (production de film). Le demandeur sera donc une société française de production de film. Le partenariat sera formé avec deux autres sociétés, situées dans des pays ACP différents. L'une de ces sociétés Partenaires, partage avec la société Demandeur le même actionnaire majoritaire et mandataire social. Les deux sociétés (l'une Partenaire et l'autre Demandeur) sont cependant distinctes, de droit différent et n'ont pas de lien capitalistique entre elles. Notre question est donc: un partenariat est-il éligible si deux des trois sociétés le composant sont détenues majoritairement et dirigées (mandat social) par une même personne physique? **Les critères d'éligibilité concernant le demandeur (§2.1.1 des Lignes directrices) et les partenaires (§2.1.2) indiquent que le demandeur et les partenaires doivent être des personnes morales enregistrées depuis au moins deux ans. L'identité des dirigeants n'est pas prise en compte.**
4	I´m working on a documentary about Surinam art together with one co-producer and one art institute in Surinam. That makes three co-organizers in two countries (Netherlands and Surinam). Is this enough to apply for a grand to produce this documentary? **§2.1.2 of the Guidelines states that 'Applicants must apply from and work within a partnership that involves at least three partners, one of which is the applicant, with their head offices in at**

	least two different ACP States'.
5	En plus des subventions, l'apport propre peut provenir d'un prêt bancaire? Une banque peut être citée comme partenaire stratégique pour garantir la planification d'une trésorerie dans l'exécution du programme afin de pallier aux retards de versement du fonds? **Le §1.3.2 des Lignes directrices spécifie que "Le solde doit être financé sur les ressources propres du demandeur ou des partenaires, ou par des sources autres que le budget de l'Union européenne ou le Fonds européen de développement". Toute autre source de financement est admise. Le §2.4 spécifie que les demandeurs provisoirement sélectionnés doivent fournir les "lettres d'intention, lettres d'accord ou autres documents justifiant la contribution des autres partenaires financiers annoncés dans le plan de financement".**

3. Eligibilité des actions | Eligibility of the actions

3.1. Début et durée des actions | Start and duration of the actions

3.2. Secteurs ou thèmes | Sectors or themes

3.3. Couverture géographique | Geographic coverage

3.4. Type d'action | Type of action

1	In the framework of Lot 1 distribution of films, we developing a market where film producers and filmmakers can showcase their films. This market will also include some training for filmmakers on it. First of all, we would like to know, therefore, whether we would need to submit 2 different applications (one for distribution and other one for training). **A project must cover only one lot, either Lot 1- ACPFilms II or Lot 2-ACPCultures II (§1.3.1 of the Guidelines). However it may cover one or more categories or domains. If it does, the main category should be indicated.**
2	Second, we appreciate if you could answer whether the distribution (in the market) of short films will be eligible as short films are not eligible on the production Lot 1 strand. **§2.1.3.3 of the Guidelines – Lot 1-Distribution/Promotion projects must have as objectives "to create opportunities for the international development of ACP cinema and audiovisual works and to encourage access for local ACP populations to ACP cinema and audiovisual works." Short films are considered as cinema works.**
3	Are there any guidelines under Lot 1 for the production of documentaries that are less than 30 minutes long? **§2.1.3.4 of the Guidelines state that Documentaries must be longer than 30 minutes.**

4. Eligibilité des coûts | Eligibility of costs

1	A propos des taxes sur la pollution de l'air est il obligatoire de le mentionner lorsque le projet prévoit effectivement des voyages internationaux avec avion ? A propos de toutes les autres taxes, peut -on présenter un projet Hors Taxes ? **Conformément au paragraphe 2.1.4.1. des Lignes directrices et sous réserve d'une communication sur l'éligibilité des taxes avant la date limite de soumission du 30/06/2011, les taxes, y compris la TVA, seront en principe acceptées comme coûts éligibles uniquement lorsque le bénéficiaire (ou, le cas échéant, ses partenaires) peut prouver qu'il ne peut pas les récupérer. Dans ce cas, les coûts reportés dans le budget devront inclure les taxes. L'Union européenne**

	financera, selon les cas, 40% ou 80% maximum de ces coûts éligibles (taxes comprises). La rubrique "Taxes" <u>ne doit donc pas</u> être utilisée, comme spécifié dans le modèle de budget à la note de bas de page n° 11. **Pour ce qui concerne les voyages en avion, les coûts liés à la compensation des émissions CO_2 pour les voyages aériens peuvent être inclus. Cette compensation sera réalisée en supportant des projets MDP/"Gold Standard" (la preuve doit être mentionnée dans les pièces justificatives) ou via les programmes des compagnies aériennes, le cas échéant (voir modèle de budget, note en bas de page n° 6).**

5. Présentation de la demande | Submission of the application

1	As we are speaking about a documentary with a live and highly volatile subject, we do not necesserily imagine a detailed synopsis with all the scenes developed in advance. Is such a synopsis a requirement only for fiction films or is it necessary also for a documentary? **No, a general synopsis is enough.**
2	J'ai l'intention de postuler pour la production d'une série télévisée ? alors il est demandé que les séries doivent comporter un minimum de 50 épisodes. Je voudrais savoir si dans le dossier que je dois fournir à présent (avant le 30juin 2011), doit contenir les scénarii des 50 épisodes ou plutôt les synopsis des 50 épisodes ? **Voir FAQ, semaine 9, section 5, question 6.**
3	We meet all the criteria according to the guidelines except for the pilot episode. We want to submit a drama series but we are currently in development, which means we cannot submit a pilot episode. The drama series is 15 episodes with a possible expansion of up to a full season. Can u advise us on those two please? **§2.2.1. of the Guidelines lists all the documents that applicants must submit together with their applications.**
4	Can we as an organisation submit two applications one to Lot 1 and another to Lot 2 as the primary applicant? **Yes (§2.1.3.6 of the Guidelines).**
5	If so, and if both applications are successful, can we receive two grants one from Lot 1 and one from Lot 2? **No (§2.1.3.6 of the Guidelines).**
6	Can we apply for multiple project per application for each Lot - in other words, we have four projects that fit - could we apply for two projects under Lot 1 and a further two projects under Lot 2? **No. According to §2.1.3.6 of the Guidelines, "An applicant may not submit more than two applications in the framework of this call for proposals."**
7	In the guidelines point 2.2.1.1. Lot 1: ACP Films II - Cinema / Audiovisual it states that depending on the lot concerned the applicant may have to attach additional documents - on the guidelines under Production - it does not mention what documents are needed for Radio Programmes - in other words what evidentuary documentation is required to be submitted with the application? **You must submit the same documents as for cinema or TV production project, but replace the DVD by a recording of previous radio programmes.**

6. Déroulement de l'appel à propositions et de la suite | Call for proposals procedure

6.1. Modalités de l'évaluation | Evaluation modalities

1	Do we have interest to try to push for the film development/production lot despite all the constraints or shall we focus more on the aspect of local training, trying to get a partial funding already for that part of our project. **According to §2.2.4, 'To guarantee fair treatment of applicants, the contracting authority may not give a prior opinion on the eligibility of an applicant, a partner, an action or a specific activity'.**

6.2. Contrats, paiements, obligations des deux parties | Contracts, payments, and obligations of the parties

1	If our intended applicant company is based in South Africa, and our application is successful is the EU able to send money to the applicant's South African bank account or does the applicant need to opening an account outside of South African but within the EU/ACP region? **No, the beneficiary may use his bank account as long as the funds received from the grant are clearly identified.**

7. Autres | Other