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REGULATIONS ON SUPPORT FOR AUDIOVISUAL PRODUCTIONS

[FOR-2009-09-07-1168]

Delivered by the Royal Norwegian Ministry for Cultural and Church Affairs

on 7 September 2009

with legal base in Parliament's annual decisions on State appropriations

Consolidated version, incorporating amendments by Regulations of 16 April 2010 no. 526

Chapter 1: GENERAL PROVISIONS

Article 1-1. Scope

These Regulations provide rules for the allocation of support for audiovisual productions by the Norwegian Film Institute, as provided for under budget chapter 334 – Film and media purposes – in the [annual] budget of the Ministry for Cultural and Church Affairs.

Conditions for the application of State allocations for regional film purposes will be determined in the [annual] Letters of Appropriations issued to the individual regional film enterprises.

Article 1-2: Overarching Objectives

The purpose of the [government] support schemes is to foster audiovisual productions as expressions of culture and to contribute to attain current political goals in the audiovisual field.

Support allocations shall contribute to a continuous and cost effective production of a diversity of audiovisual productions that

- are based on Norwegian or Sami language, culture and social conditions,
- are recognised as being of high quality, artistic daring and innovation,
- challenge and reach a large audience in Norway and internationally

Support allocations shall furthermore contribute to a professional and strong environment for audiovisual production in Norway, to Norwegian audiovisual productions attaining a strong position among children and young people, and over time contribute to the goal of gender balance in the film business.

Article 1-3: Administration

The support schemes are administered by the Norwegian Film Institute. Individual decisions made with legal base in these Regulations may be appealed to the Ministry for Cultural and Church Affairs, in accordance with the Public Administration Act ("forvaltningsloven", fvl 1967-02-10)¹, Article 28.

The Ministry will annually determine the main distribution of [financial] means between the support scheme, as provided for in the Statutes of the Norwegian Film Institute, and may designate priority fields of intervention or particular considerations to be emphasised in the administration of the support schemes. The Ministry may furthermore deliver more detailed instructions about case management in the Norwegian Film Institute.

¹ "Act relating to procedure in cases concerning the public administration". Unofficial translations of legal texts referred to may be accessed by using the search engine at <http://www.ub.uio.no/ujur/ulov/english.html>. Texts of Norwegian statutes are at <http://www.lovdatab.no/cgi-wift/wiftloksok?sys=1&felt=titt&emne=forvaltningsloven&button=S%F8k&PROS=02>

NOTE

The Norwegian Film Institute has issued subordinate Regulations with more detailed provisions in relation to each type of support, providing guidance on application procedures, deliverables, payment of support installments, eligible costs, crediting and other technical and administrative issues. These Regulations exist in Norwegian only and may be accessed through links under the various supports schemes on the home pages of the Norwegian Film Institute, see <http://www.nfi.no/Bransje+%26+tilskudd/Tilskudd+og+stipend>

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Article 1-4: Definitions

For the purposes of these Regulations the following definitions will apply:

- a) *audiovisual production*, a fiction film, documentary film or interactive production manufactured for public exhibition or commercial exploitation.
- b) *cinema feature*, an audiovisual production with a screening time of no less than 60 minutes, which has been produced for [the purpose of] cinema exhibition. The Norwegian Film Institute may, in particular cases, determine that films of shorter duration may fall within the definition of a cinema feature.
- c) *short film*, an audiovisual production with a screening time of less than 60 minutes, produced for [the purpose of] cinema, television or other exhibition.
- d) *children's film*, a cinema feature that in particular addresses children under 11 years of age and that has been classified "free admission" or "[approved for children] under 7", in accordance with the Act relating to films and videograms ("film og videogramlova", film 1987-05-15), Article 5.
- e) *television series*, an audiovisual production in several parts, produced for [the purpose of] television screening.
- f) *interactive production*, an interactive ["data"] game or other digital interactive production that requires user participation.

Article 1-5: Announcement of and Information about the Support Schemes

The Norwegian Film Institute shall, in an appropriate manner, announce the possibility for applying for support in accordance with these Regulations, as defined by the Provisions for State Financial Management ("Bestemmelser om økonomistyring i staten")², item 6.3.2. The announcement shall contain information on deadlines for application, application procedure and where applicants may access further information about the support schemes.

The Norwegian Film Institute shall provide for applicants, in simple fashion, to have access to further information about the rules and regulations governing the support schemes, application procedures, goals and priorities imposed [in relation to the schemes], appeals procedures, specifications for deliverables and for accounting [for support received], and other information necessary for the applicant.

Article 1-6: General Conditions

Unless otherwise stipulated under these Regulations the following conditions for support apply:

- a) The applicant must be an independent audiovisual production enterprise, established in Norway, another EEA country³ or Switzerland. The enterprise must be registered in the Norwegian Business Register⁴. By independent audiovisual production enterprise is understood an enterprise that has audiovisual production as its main vocation, and that is not majority owned by [a] public body [bodies] and is not to any considerable degree connected to a broadcasting enterprise. A considerable degree of connection exists when one single broadcasting enterprise holds ownership shares or voting rights at 25 per cent or more in the production enterprise. When several broadcasting enterprises are owners, the limit is 50 per cent.

² Original at http://www.regjeringen.no/Upload/FIN/Vedlegg/okstyring/Reglement_for_ekonomistyring_i_statens.pdf; no translation available.

³ European Economic Area, comprising the EU Member States, plus Iceland, Liechtenstein and Norway.

⁴ <http://www.brreg.no/english/>

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- b) The applicant must, when requested, be able to document adequate financial capacity to carry out the production.
- c) The application must concern a cultural product. An audiovisual production is a cultural product when it fulfils at least three of the following criteria:
 - 1) The manuscript or literary work [on which the manuscript is based] has originally been written in Norwegian or Sami language.
 - 2) The main theme is connected to Norwegian history, culture or social conditions.
 - 3) The action takes place in Norway, in another EEA country or in Switzerland.
 - 4) The work contains significant contributions from rights holders or artists resident in Norway, another EEA country or in Switzerland.

Support in accordance with Article 2-4 (below) may also be awarded if the audiovisual production [in question] has been defined as a cultural product in its country of origin.

- d) The applicant is the responsible party in relation to the Norwegian Film Institute and must be able to assume obligations on behalf of the production. The applicant shall maintain the accounts of the production.
- e) An application for support shall be dated, signed and completed on an application form determined by the Norwegian Film Institute. All necessary supporting documents must accompany the application, and all application documents shall be in Norwegian. The Norwegian Film Institute may, under particular circumstances, derogate from the demand for application language.

Article 1-7: Evaluation and Prioritisation among Applications

Unless otherwise stipulated under these Regulations the evaluation of and the prioritisation among applications shall be based on a combined evaluation of artistic, production-related, economic, technical and market-related considerations. Emphasis will, in this context, be placed on

- a) The objectives of the support schemes, as stipulated by Article 1-2,
- b) More detailed aims and considerations specified under regulations for the different support schemes, and
- c) Priority fields of intervention or considerations determined by the Ministry in accordance with Article 1-3.

In evaluating and prioritising among applications according to Article 2-1, 3-1 and 3-2 the Norwegian Film Institute may prioritise projects that contribute to the development of talented directors and scriptwriters.

Article 1-8: Cumulation of Public Support

In the case that the production receives public support from several sources in addition to support from the Norwegian Film Institute, total support shall not exceed the limits determined for each support scheme.

By public support is meant support that falls under the EEA Agreement⁵, Article 61 (1), including support from municipal and regional authorities, and public investments not made at market terms. Support from supranational or international bodies is not considered as public support.

⁵ Available at <http://www.efta.int/content/legal-texts/eea/EEAtext/EEAgreement/view>

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Article 1-9: Communication of Decision

When the Norwegian Film Institute has made a decision, the applicant shall be informed in writing of this fact as soon as possible, in accordance with the Public Administration Act, Article 27.

The communication in regard to the decision shall contain a motivation for the decision, including reference to those rules and factual particulars on which the decision is based, in accordance with the Public Administration Act, Article 25.

The communication shall furthermore contain information about conditions for appeal, deadlines for appeal, appellate body and details of the procedure for appeal, as well as about the rights pertaining to insight into the documents of the case, in accordance with the Public Administration Act, Article 27.

When the decision applies to an undertaking to grant support, this shall be confirmed by a Letter of Support, in accordance with the Provisions for State Financial Management, item 6.3.3.

At the time of payment of support the applicant is considered to have accepted those terms for support and the conditions for the use of the support that appear from the Letter of Support.

Article 1-10: Transparency Requirements

The applicant is under obligation to provide the Norwegian Film Institute with all information necessary to process and evaluate the application, including, if applicable, information on other public support for the production; see Article 1-8.

Following the communication of an undertaking to grant support, the recipient of support is under obligation, by his own volition, to report any possible changes to the premises for the granting of support. The recipient of support may not make substantial changes to the project or action in question, unless such changes have been presented in writing to the Norwegian Film Institute and approval in writing has been given by the Norwegian Film Institute. A reduction in approved budget that affects the support intensity will always be considered a substantial change.

Article 1-11: Review and Control

The Norwegian Film Institute shall ensure that necessary control is made of the support funding. The recipient of support shall, within a time limit determined by the Norwegian Film Institute, report on the use of the support funding.

The Ministry [for Culture] and the National Auditing Authority may initiate control measures to determine whether the support funding is being used as intended, in accordance with the Regulations on State Financial Management⁶, Article 15, and the National Audit Authority Act ("riksrevisjonsloven", rrevl 2004-05-07-21)⁷, Article 12, 3rd section.

The recipient of support is under obligation to keep the accounts for a period of ten years and shall during this period be obliged to present the accounts to the Norwegian Film Institute, the Ministry for Cultural and Church Affairs, or the National Audit Authority, at their request.

⁶ At http://www.regjeringen.no/Upload/FIN/Vedlegg/okstyring/Reglement_for_ekonomistyring_i_staten.pdf; no translation available.

⁷ At http://www.lovdatab.no/cgi-wift/wiftldles?doc=/usr/www/lovdatab/all/nl-20040507-021.html&emne=riksrevisjon*&&, no translation available

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Article 1-12: Repayment of Excess Support Payment

The Norwegian Film Institute shall, in accordance with the Provisions for State Financial Management, item 6.3.5, demand repayment of support if final accounts demonstrate that the recipient has received a too large payment.

Support awarded in conformity with these Regulations is an appropriation against settled accounts, i.e. the amount of support is determined as part of a budget or actual expenditure. If actual expenditure is lower than budgeted, repayment will be demanded to the extent that support intensity is maintained.

Article 1-13: Sanctions

The Norwegian Film Institute may withdraw undertakings to provide support, withhold support or demand repayment of paid support if

- a) the recipient has violated the transparency requirements of Article 1-10,
- b) the support has not been used in accordance with provisions set out in the Letter of Support, as stipulated by Article 1-9, or
- c) the recipient has, in any other substantial way, violated the provisions of these Regulations or conditions determined by the Norwegian Film Institute in conformity with these Regulations

In the case of demand for repayment interest may be charged in accordance with the Act relating to Overdue Payments etc.⁸ (“forsinkelsesrenteloven”, rental 1976-12-17-100)⁹.

In the case of gross violation the Norwegian Film Institute shall, with immediate effect, terminate all draft orders on [*ex ante*] support and *ex post* support to the project or action in question.

If the project is wholly or partially not completed, or in case of gross violation or bankruptcy, the Norwegian Film Institute may demand that all rights to the production and exhibition of the film be transferred to the Norwegian Film Institute.

If withdrawn support funding is not repaid, the recipient may be excluded from the support schemes for up to three years. This also applies to repeated violations of rules or breaches of conditions mentioned in the first section.

Sanctions imposed must be appropriate and proportionate to the breach of rules or other conditions that the recipient of support may have rendered himself guilty of.

Article 1-14: Screening Rights

It is a precondition for support that the recipient enters into agreement with the Norwegian Film Institute to transfer rights for the non-commercial screening of the film in festivals or cultural events outside Norway.

The Norwegian Film Institute shall satisfy itself in advance that screenings in accordance with the first section does not come into conflict with the commercial interests relating to the film.

⁸ At <http://www.ub.uio.no/ujur/ulovdata/lov-19761217-100-eng.pdf>

⁹ At http://www.lovdatab.no/cgi-wift/wiftldles?doc=/usr/www/lovdatab/all/nl-19761217-100.html&emne=forsinkelsesrente*&&

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Article 1-15: Cost Control

The recipient shall, when purchasing or renting equipment, choose the option which is less costly to the production. Reimbursement of own services or rent for own equipment shall not exceed market rates.

Equipment procured [for the production in question] shall be liquidated at market rates upon termination of the production.

Article 1-16: Price Index Adjustment

Where these Regulations specify criteria or maximum amounts in [Norwegian] kroner, these amounts shall be adjusted, effective as of 1 January every year, in accordance with the Consumer Price Index (main index)¹⁰, as determined by Statistics Norway. Calculation [of the adjustment] shall take as point of departure the index level of January 2010, and in the index level published in the month of January in the year in question.

Article 1-17: Further Provisions

The Norwegian Film Institute may, by Regulation, determine more detailed rules for

- a) requirements relating to the application,
- b) what costs are eligible in relation to development, production and promotion expenditure,
- c) payment of instalments and requirements for documentation before payment of instalments,
- d) requirements for the accounting of film expenditure,
- e) requirements for material for the promotion of the film abroad,
- f) reporting on the use of support and goal attainment. The requirements for reporting shall be proportionate to the type of support and the amount of support awarded,
- g) documentation of revenue that form the basis for the calculation of *ex post* support in accordance with Articles 2-5 to 2-7, and
- h) crediting of the Norwegian Film Institute.

CHAPTER 2: SUPPORT FOR CINEMA FEATURE FILMS

Article 2-1: *Ex ante* Support for the Development and Production of Cinema Features According to Artistic Evaluation

The purpose of this support scheme is to stimulate to the production of cinema feature films of high artistic and production quality.

Support may be awarded for the development and production of cinema feature films. Development support may cover script development, research, funding operations, and similar. Production support may be awarded for production [costs] up to and including the finished answer print, or similar.

In order to be eligible for support the applicant must be organised as a limited company. Furthermore, key staff on the production must have considerable professional experience from film production.

¹⁰ At <http://www.ssb.no/kpi/tab-01.html>

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Article 2-2: *Ex ante* Support for the Production of Cinema Feature Films According to Market Criteria

The purpose of this support scheme is to stimulate to the production of cinema feature films with a high audience potential.

Support may be awarded for the production of cinema feature films. Production support may be awarded for production [costs] up to and including the finished answer print, or similar.

In order to be eligible for support the applicant must be organised as a limited company. The producer in charge of, as well as key staff on, the production must have considerable professional experience from film production. The film must, according to the estimation of the Norwegian Film Institute, be expected to generate high theatrical admissions in Norway.

In evaluating and prioritising among applications for support the Norwegian Film Institute shall emphasise estimates of the expected audience potential of the film.

The amount of support shall not exceed 50 per cent of accounted production expenditure.

Amended by Regulations of 16 April 2010 no. 526

Article 2-3: *Ex ante* Slate Funding Support for the Development and Production of Several Cinema Feature Films

The purpose of this support scheme is to enhance the potential of production enterprises for long-term artistic initiatives in the development and production of film projects. Furthermore, the purpose is to contribute to the long-term co-operation between production enterprises and film makers.

Support may be awarded for

- a) the development of from three to six cinema feature films. The Norwegian Film Institute will determine the number of films on the slate.
- b) The production of up to three cinema feature films. The Norwegian Film Institute will determine the number of films on the slate.

Development support may cover script development, research, funding operations, and similar. Production support may be awarded for production [costs] up to and including the finished answer print, or similar.

In order to be eligible for support the applicant must be organised as a limited company and have held main responsibility for [the production of] at least one cinema feature film in general release over the last five years prior to application.

In evaluating and prioritising among applications for support the Norwegian Film Institute shall particularly emphasise the solidity of the production enterprise, its experience and track record, as well as the competence of the production enterprise in project development and its ability to foster a creative environment. In the case of support in conformity item b) of the second section emphasis shall furthermore be place on co-operation between producer, director and script writer, and on the documented track record of the director. Support shall contribute to attain the goal of gender equality in the film sector.

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Total support for each individual film from the Norwegian Film Institute shall not exceed the limits determined in Article 2-8.

Article 2-4: *Ex ante* Support for Co-Production of Cinema Feature Films with a Foreign Delegate Producer

The purpose of this support scheme is to stimulate the production of cinema feature films of high artistic and production quality, and to contribute to the artistic and production-related professionalization of the Norwegian film sector through increased international co-operation.

Norwegian production enterprises may receive support for the co-production of cinema features with a foreign main ["delegate"] producer. Production support may be granted for the production [of the film] up to completed finished answer print, or similar.

In order to be eligible for support the applicant must be organised as a limited company. Furthermore, the production must contain a certain degree of Norwegian contribution.

In evaluating and prioritising between applications for support the Norwegian Film Institute shall emphasise the [degree of] co-operation between the co-producers, the Norwegian artistic and technical contribution, and the proportion of the film's budget spent in Norway.

The amount of support shall be calculated on the basis of the Norwegian participation in the project.

Amended by Regulations of 16 April 2010 no. 526

Article 2-5: *Ex post* Support for Cinema Feature Films that Have Received *ex ante* Support from the Norwegian Film Institute

The purpose of this support scheme is to stimulate the exploitation of the market potential of cinema feature films, to the increased production of films for children and to stimulate to the highest possible share of private capital [investment] in Norwegian film production.

Cinema feature films that have received *ex ante* support from the Norwegian Film Institute in conformity with the provisions of Chapter 2, and that have sold at least 10 000 tickets through ordinary cinema release in Norway, are eligible for *ex post* support. The Norwegian Film Institute may, in particular cases, determine a lower threshold for short and documentary feature films.

Application for support in accordance with this provision must be submitted by the recipient of [the corresponding *ex ante*] support before start of principal photography.

Amended by Regulations of 16 April 2010 no. 526

Article 2-6: *Ex post* Support for Cinema Feature Films that Have Not Received *ex ante* Production Support from the Norwegian Film Institute

The purpose of this support scheme is to stimulate the exploitation of the market potential of cinema feature films, to the increased production of films for children and to stimulate to the highest possible share of private capital [investment] in Norwegian film production.

Cinema feature films that have not received *ex ante* production support from the Norwegian Film Institute will be eligible for *ex post* support if the film

- a) has sold no less than 10 000 tickets through its ordinary cinema release in Norway, and
- b) fulfils all provisions of Article 1-6 c).

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Application for an undertaking to provide *ex post* support must be lodged with the Norwegian Film Institute no less than four weeks before the release. An undertaking will be issued on the basis of the film's production and promotion budgets.

Amended by Regulations of 16 April 2010 no. 526

Article 2-7: Calculation of *ex post* Support

Ex post support in accordance with articles 2-5 and 2-6 shall be equal to 100 per cent of the documented revenue received by the production company, less VAT, from the sale of the [screening] rights to the film during the three first years after the first public cinema screening in Norway. If the film has documented revenue from presales, these will also form part of the basis for *ex post* support.

If a cinema feature does not primarily address the market for Norwegian cinema features, the *ex post* support will solely equal 100 per cent of the production company's documented revenue in Norway.

For children's films the *ex post* support will equal 200 per cent of documented revenue.

Article 2-8: Percentage Ceilings for Public Support for Cinema Features [Maximum Aid Intensity]

Total public support for cinema features shall not exceed 50 per cent of development, production and promotion costs. If promotion costs exceed NOK 4 million, the excess amount will not form part of the basis for calculation of aid intensity.

If the cinema feature [in question] has a limited market potential or a production budget of less than NOK 17,2 million, [maximum] aid intensity may nevertheless be set at 75 per cent. A cinema feature has limited market potential if it fulfils one of the following conditions:

- a) The film contains more than 50 per cent Norwegian or Sami dialogue.
- b) The film displays evident artistic qualities.
- c) The film utilises experimental or innovative film language.
- d) The film focuses on Norwegian culture or history.
- e) The film is aimed at children or young people, and is based on an original script, written by a Norwegian scriptwriter.

A cinema feature that meets the criteria of the second and third paragraphs and that receives support in accordance with articles 2-1 or 2-3, may be awarded support up to 85 per cent of its development, production and promotion costs if the Norwegian Film Institute deems that the film displays particularly high artistic quality and particularly limited market potential.

In the case of co-productions of feature films with a foreign delegate producer the support ceiling is applied to the Norwegian share in the project.

Amended by Regulations of 16 April 2010 no. 526

Article 2-9: Absolute Ceiling on *ex post* Support

Ex post support for Norwegian cinema features may not exceed NOK 7 million. Children's films may receive *ex post* support up to NOK 9 million. In particular cases, films with a particularly large need for risk capital financing may receive up to NOK 15 million.

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Article 2-10: Absolute Ceiling on Support from the Norwegian Film Institute for a Single Cinema Feature

Total support from the Norwegian Film Institute for one single cinema feature – including development, production, promotion and *ex post* support – shall not exceed NOK 35 million.

Chapter 3: SUPPORT FOR OTHER AUDIOVISUAL PRODUCTIONS

Article 3-1: *Ex ante* Support for the Development and Production of Short Films

The purpose of this support scheme is to stimulate to the production of short films of high artistic and technical quality.

Support may be granted for the development and production of short films for screening in cinemas, on television, or other. Development support may cover script development, research, funding operations, and similar. Production support may be awarded for production [costs] up to and including the finished answer print, or similar. Support [granted] under this scheme may not be used for the development and production of documentaries.

Total public support shall not exceed 100 per cent of the accounted costs of the film for development, production and promotion.

Article 3-2: *Ex ante* Support for the Development and Production of Documentaries

The purpose of this support scheme is to stimulate to the production of documentaries of high artistic and technical quality.

Support may be granted to the development and production of single documentaries.

Support for development may also be given by way of slate funding, in conformity of the provisions of Article 2-3, with the exception that the requirement that the applicant must have held main responsibility for [the production of] at least one cinema feature film in general release over the last five years prior to application, does not apply. Slate funding may also be awarded to documentaries that are not cinema features according to the definitions of Article 1-4.

Development support may cover script development, research, pilot, funding operations, and similar. Production support may be awarded for production [costs] up to and including digital screening print, or similar.

In order to be eligible for support key staff on the production must have considerable professional experience from film production.

Total public support shall not exceed 90 per cent of the film's accounted development, production and promotion costs.

Article 3-3: *Ex ante* Support for Development and Production of Television Series

The purpose of this support scheme is to contribute to raise the artistic and technical quality of television series.

Support may be granted for the development and production of television series for screening on television. Development support may cover script development, pilot, research, funding operations,

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and similar. Production support may be awarded for production [costs] up to and including digital screening print, or similar.

In order to be eligible or support

- a) The applicant must be organised as a limited company
- b) Key staff on the production must have considerable professional experience from film or television production.
- c) The applicant must have closed a deal with a television [broadcasting] enterprise which will contribute a considerable share of the funding.

Support for development and production shall not exceed 50 per cent of the series' accounted development, production and promotion costs. In particular cases the Norwegian Film Institute may approve lower producer equity funding for documentary series and series for children and young people.

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Article 3-4: Ex ante Support for Development of Interactive Productions

The purpose of this support scheme is to provide children and young people with access to Norwegian-language interactive productions of high artistic and technical quality.

Support may be granted for the development of interactive productions for children and young people. Support is not granted to projects that primarily promote commercial products, adaptations of existing projects, or similar. Nor will support be granted to training products, pedagogical tools, encyclopaedia or manuals.

In order to be eligible for development support for extensive productions the applicant must be organised as a limited company, and key staff on the production must have professional experience in interactive production development.

Support for development shall not exceed 75 per cent of the interactive production's accounted development costs.

Chapter 4: SUPPORT FOR PROMOTION AND SUBTITLING OF AUDIOVISUAL PRODUCTIONS

Article 4-1: Ex ante Support for Promotion of Feature Films in Norway

The purpose of this support scheme is allow film art and film culture to reach the widest possible audience in Norway.

Support may be granted for the promotion of feature films in ordinary cinema release, including marketing and the manufacture of prints. In particular cases support for the promotion of short films and compiled short film programmes for cinema release may be granted.

In evaluating and prioritising between applications for support the Norwegian Film Institute shall emphasise promotion plans submitted, time of release and the expected audience potential, seen in relation to the amounts applied for.

The Norwegian Film Institute may determine fixed rates for [elements of]the promotion support.

NOTE

The Norwegian Film Institute has issued subordinate Regulations with more detailed provisions in relation to each type of support, providing guidance on application procedures, deliverables, payment of support installments, eligible costs, crediting and other technical and administrative issues. These Regulations exist in Norwegian only and may be accessed through links under the various supports schemes on the home pages of the Norwegian Film Institute, see <http://www.nfi.no/Bransje+%26+tilskudd/Tilskudd+og+stipend>

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Support for promotion shall not exceed 50 per cent of accounted promotion costs, or NOK 2 million.

Article 4-2: Ex ante Support for the Promotion of Interactive Productions in Norway

The purpose of this support scheme is allow interactive productions to reach the widest possible audience in Norway.

Support may be granted for the promotion of interactive productions, including marketing.

In evaluating and prioritising between applications for support the Norwegian Film Institute shall emphasise promotion plans submitted, seen in relation to the amounts applied for. The Norwegian Film Institute may prioritise projects that have received ex ante support for development in accordance with Article 3-4 (above).

The Norwegian Film Institute may determine fixed rates for [elements of] the promotion support.

Support for promotion shall not exceed 50 per cent of accounted promotion costs, or NOK 1 million.

Amended by Regulations of 16 April 2010 no. 526

Article 4-3: Ex ante Support for Promotion Abroad

The purpose of this support scheme is publicise and promote [Norwegian] film art and film culture, and to reach the widest possible audience internationally.

Support may be granted for the promotion of audiovisual productions in festivals and sales markets, including marketing, print manufacture, festival participation [fees and costs], translations and sub-titling of short films, and, in particular cases, other audiovisual productions. Support is not granted to cover costs associated with mandatory legal deposit material, nor material which the production enterprise is under obligation to provide under the terms of Regulations or Letter of Support.

In order to be eligible for promotion support for cinema features the production enterprise must have contracted a sales agent.

In evaluating and prioritising between applications for support the Norwegian Film Institute shall emphasise promotion plans submitted and the expected sales potential, seen in relation to the amounts applied for.

The Norwegian Film Institute may determine fixed rates for [elements of] the promotion support.

Support for promotion shall not exceed accounted promotion costs.

Article 4-4: Ex ante Support for Sub-Titling of Cinema Features

The purpose of this support scheme is to provide people hard of hearing with access to Norwegian- and Sami-language cinema features.

Support may be granted to cover the costs related to the sub-titling of cinema features with Norwegian or Sami dialogue. Support may also be awarded for the marketing of the sub-titled version(s).

NOTE

The Norwegian Film Institute has issued subordinate Regulations with more detailed provisions in relation to each type of support, providing guidance on application procedures, deliverables, payment of support installments, eligible costs, crediting and other technical and administrative issues. These Regulations exist in Norwegian only and may be accessed through links under the various supports schemes on the home pages of the Norwegian Film Institute, see <http://www.nfi.no/Bransje+%26+tilskudd/Tilskudd+og+stipend>

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In order to be eligible the production enterprise must undertake to sub-title all prints destined for cinema release in Norway.

Support for sub-titling shall not exceed eligible costs related to the preparation of dialogue for sub-titling, sub-titling of each individual print or the manufacture of a digital text track, and marketing related to the sub-titling. Support for additional marketing shall not exceed NOK 100.000.

Chapter 5: COMING INTO FORCE AND TRANSITION ARRANGEMENTS

Article 5-1: Coming into Force and Transition Arrangements

These Regulations come into force on 1 January 2010 and apply to applications received after this date. The Regulations furthermore apply to applications for support with deadline after 1 January 2010, irrespective of date of reception.

From the same time Regulations of 8 August 2007 no. 979 on Support for audiovisual productions, Regulations of 23 November 2007 no. 1283 on Support for production companies, and Regulations of 23 November 2007 no. 1284 on Support for sub-titling of state supported Norwegian films for cinema screening are repealed. Those Regulations will nevertheless be applied to applications that, in accordance with the first paragraph, will not be processed under the new Regulations.

NOTE

The Norwegian Film Institute has issued subordinate Regulations with more detailed provisions in relation to each type of support, providing guidance on application procedures, deliverables, payment of support installments, eligible costs, crediting and other technical and administrative issues. These Regulations exist in Norwegian only and may be accessed through links under the various supports schemes on the home pages of the Norwegian Film Institute, see <http://www.nfi.no/Bransje+%26+tilskudd/Tilskudd+og+stipend>