



7.2. BE – Belgium – National Summary²⁸³

7.2.1. Summary

In Belgium, film and audiovisual policies are mostly arranged on a regional and community level.²⁸⁴ Depending on the nature of the fund and the competence concerned, the following ministries and regions/communities are competent:²⁸⁵

- The Film funds: they are part of the cultural competences, so part of the competences of the different Communities in Belgium and fall under the auspices of the Minister of Culture of each community. They include:
- Flanders Audiovisual Fund/Film Fund (*Vlaams Audiovisueel Fonds/ Filmfonds*) for the Flemish Community: As part of the Flanders Audiovisual Fund (hereinafter, “VAF”),²⁸⁶ the Film Fund is a specialised fund which provides selective support for films of various genres and length, support for FilmLab and innovation projects and automatic support in the form of impulse grants.
- Film and Audiovisual Centre (*Centre du Cinéma et de L’audiovisuel* hereinafter, “CCA”) for the French-Speaking Community: it offers selective support (financial grants and advances on receipts) at various stages of a project and for various genre and formats.
- Fonds FWB-RTBF (for the French-speaking Community): it provides selective support for the development and production of TV series, and consists of funding from both the Wallonie-Brussels Federation and the public broadcaster RTBF.
- The VAF/Media Fund (*VAF/Mediafonds*) for the Flemish Community: launched in 2010, it provides selective support for TV fiction series, documentary series and animation series as well as cross-media/web series projects.
- The economic funds: they are part of the regional competences and fall under the competences of the Minister of Economy of each region. They include:
- Screen Flanders (for the Flemish Region): launched in April 2012, it provides selective support for film and television, with an annual budget of EUR 4.5 million.
- Wallimage (for the Wallon Region): with an annual budget of EUR 5.5 million, it provides production support by acting as a co-producer.

²⁸³ The factsheet on Belgium incorporates the feedback received from Karla Puttemans (VAF) and Edith Pirlot (CCA) during the checking round with the national film and audiovisual funds.

²⁸⁴ For an overview of the structure of Belgium and its communities and regions, see: https://www.belgium.be/en/about_belgium/government/federale_staat, and <https://www.belgiumfilm.be/film-financing>.

²⁸⁵ In practice, some of the funds and competences can be pooled. For example, the Flanders Audiovisual Fund comprises of: the Film Fund (hereinafter, “VAF Film Fund”), the Media fund (“hereinafter, “VAF Media Fund”), and the management and selection of projects of Screen Flanders. Likewise, the RTBF is managed by the CCA.

²⁸⁶ The VAF also comprises of a third specialised fund, the VAF/Game Fund, which is not covered by our study.



- Screen Brussels (for the Brussels-Capital Region): with an annual budget of EUR 3 million, it provides support for domestic productions and international co-productions.

7.2.2. General framework

7.2.2.1. Overview of the film and audiovisual funding policy and legislation

The general legal framework for film and audiovisual funding is established by the communities:

- Flanders: the general legal framework for VAF is defined by the VAF Decree, supplemented by the management agreements of VAF/Film Fund and of VAF/Media Fund, as well as by the General Terms and Conditions. In the case of Screen Flanders, it is defined by the Screen Flanders Decree, supplemented by the Ministerial Decree implementing the Screen Flanders Decree, the Ministerial Decree regarding the modalities of the calls in 2018 and the Application Guidelines.
- Brussel-Capital region: the legal framework for the support provided by Screen Brussels is mainly set by the Screen Brussels Regulation.
- Wallonia: the legal framework for the CCA is defined by the Decree for support to film and audiovisual works (hereinafter, the “CCA Cinema Decree”), supplemented by the Decree on establishment of the CCA, the Decision on reinvestment of grants,²⁸⁷ the Decision on promotion support,²⁸⁸ the Decision on support for creation, the Decision on Support for Audiovisual “Operators”,²⁸⁹ and the General provisions on support for creation. The legal framework for the FWB/RTBF Fund for TV Series is set by the Guidelines for 2019 Calls.²⁹⁰ Lastly, in the case of

²⁸⁷ *Arrêté du Gouvernement de la Communauté française du 29 mars 2012 relatif aux primes au réinvestissement modifié les 21 novembre 2013, 8 juillet 2015 et 17 mai 2017* (Decision on reinvestment grants), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=b41ef5f71b14c3996d97339fe7578b3fd3ec8e55&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Divers_cinema/AGCF_du_29_mars_2012_relatif_aux_primes_aux_reinvestissements_modifie_par_les_arretes_des_21_novembre_2013_08_juillet_2015_et_17_mai_2017_cooronne.pdf.

²⁸⁸ *Arrêté du Gouvernement de la Communauté française du 17 mai 2017 relatif aux aides à la promotion d'oeuvres audiovisuelles* (Decision on promotion support), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=cd85873229f3feb47f96cbb8ca87e3749e2e2e&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/arrete-promotion-oeuvres-audiovisuelles-juin-2017.pdf.

²⁸⁹ *Arrêté du Gouvernement de la Communauté française du 29 mars 2012 relatif aux aides aux opérateurs audiovisuels modifié le 7 mars 2013* (Decision on support for audiovisual « operators ») http://www.gallilex.cfwb.be/document/pdf/37486_001.pdf.

²⁹⁰ *Conditions de dépôt des projets* (Project submission conditions), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=d127476d901899437e2f9ae5a1ac0207b9dfcdc1&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Divers_cinema/conditions_de_depot_2019-01-29.pdf.



Wallimage, it is set by the Wallimage Co-production Regulation²⁹¹ and the Regulation on Support for TV and Pilot Programmes).²⁹²

Table 13. Main funds in Belgium

Funding institution	Geographic level	Legislation / Guidelines
Flanders Audiovisual Fund (VAF) - Film and media Funds ²⁹³	Community/Regional	The VAF Decree ²⁹⁴
		Management agreements for film ²⁹⁵ and for media ²⁹⁶
		General Terms and Condition of the VAF/Film Fund ²⁹⁷ and VAF/Media Fund ²⁹⁸

²⁹¹ *Wallimage Coproductions Règlement* (Coproduction Regulation), <http://www.wallimage.be/downloads.php?lang=fr>; for the English version, see : <http://www.wallimage.be/downloads.php?lang=uk>.

²⁹² *Règlement de Soutien aux Pilotes de Format TV* (Regulation - TV Pilot Programmes), <http://www.wallimage.be/downloads.php?lang=fr>.

²⁹³ www.vaf.be/.

²⁹⁴ *Decreet houdende wijziging van diverse bepalingen van het decreet van 13 april 1999 houdende machtiging van de Vlaamse Regering om toe te treden tot en om mee te werken aan de oprichting van de vereniging zonder winstgevend doel Vlaams Audiovisueel* (Decree amending various provisions of the Decree of 13 April 1999 authorizing the Flemish Government to join and cooperate in the establishment of the non-profit association Flanders Audiovisual Fund),

http://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&caller=summary&pub_date=99-09-23&numac=1999036226, as amended by Decree of 25 April 2014,

http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2014042512&table_name=wet.

²⁹⁵ *Beheersovereenkomst 2018-2021 tussen de Vlaamse Gemeenschap en het Vlaams Audiovisueel Fonds vzw met betrekking tot het VAF/Filmfonds en de werking van de vzw* (Management agreement 2018-2021 between the Flemish Community and the Flemish Audiovisual Fund with regard to the VAF/Film Fund and the operation of the non-profit organisation),

https://www.vaf.be/sites/vaf/files/beheersovereenkomsten/overeenkomst_filmfonds.pdf.

²⁹⁶ *Beheersovereenkomst 2018 - 2021 tussen de Vlaamse Gemeenschap en het Vlaams Audiovisueel Fonds vzw betreffende het VAF/Mediafonds* (Management agreement 2018 - 2021 between the Flemish Community and the Flemish Audiovisual Fund concerning the VAF/Mediafonds),

https://www.vaf.be/sites/vaf/files/beheersovereenkomsten/overeenkomst_mediafonds.pdf.

²⁹⁷ *Reglement VAF/Filmfonds: Algemene Voorwaarden* (General Terms and Conditions of the VAF/Film fund), https://www.vaf.be/sites/vaf/files/reglementen/1_ff_algemene_voorwaarden_20.09.2018.pdf.

²⁹⁸ *Reglement VAF/Mediafonds: Algemene Voorwaarden* (General Terms and Condition of the VAF/Media Fund), https://www.vaf.be/sites/vaf/files/reglementen/1_mf_algemene_voorwaarden_20.09.2018.pdf.



Funding institution	Geographic level	Legislation / Guidelines
Screen Flanders ²⁹⁹	Regional	The Screen Flanders Decree ³⁰⁰
		The Ministerial Decree implementing the Screen Flanders Decree ³⁰¹
		Application Guidelines ³⁰²
Wallimage ³⁰³	Regional	Wallimage Regulation ³⁰⁴
Fonds RTBF Fédération Wallonie-Bruxelles ³⁰⁵	Regional	Guidelines for 2019 Calls ³⁰⁶
Centre du Cinéma et de L'audiovisuel (CCA) ³⁰⁷	Community	CCA Cinema Decree ³⁰⁸
		Decree on establishment of the CCA ³⁰⁹

²⁹⁹ www.screenflanders.be/en/home.

³⁰⁰ *Ministerieel besluit van 23 februari 2018 houdende de uitvoering van artikel 33 van het besluit van de Vlaamse Regering van 8 december 2017 tot toekenning van steun aan audiovisuele werken van het type lange fictie-, documentaire of animatiefilm, of animatiereeksen (aangehaald als het besluit Screen Flanders), wat betreft de modaliteiten van de oproepen in 2018* (Ministerial Decree of 23 February 2018 on the implementation of Article 33 of the Decree of the Flemish Government of 8 December 2017 to grant support to film and audiovisual works including feature fiction films, documentaries, animated films, or animation series, regarding the modalities of the calls in 2018),

<https://codex.vlaanderen.be/Zoeken/Document.aspx?DID=1029205¶m=inhoud&ref=search&AVIDS>.

³⁰¹ *Ministerieel besluit van 23 februari 2018 houdende uitvoering en wijziging van het besluit van de Vlaamse Regering van 8 december 2017 tot toekenning van steun aan audiovisuele werken van het type lange fictie-, documentaire of animatiefilm, of animatiereeksen – aangehaald als het besluit Screen Flanders* (Ministerial Decree of 23 February 2018 implementing and amending the decision of the Flemish Government of 8 December 2017 to grant support to film and audiovisual works including feature fiction films, documentaries, animated films, or animation series (referred to as the Screen Flanders Decree)),

<https://codex.vlaanderen.be/Zoeken/Document.aspx?DID=1029206¶m=inhoud&ref=search&AVIDS>.

³⁰² *Screen Flanders Handleiding oproepen 2018* (Screen Flanders Application Guidelines), https://www.screenflanders.be/uploads/files/downloads/Screen_Flanders_Handleiding_2018_opmaak_DEF.pdf; for the English version, see:

https://www.screenflanders.be/uploads/files/downloads/Screen_Flanders_Application_Guidelines_2018_DEF.pdf.

³⁰³ www.wallimage.be/intro.php?lang=fr.

³⁰⁴ *Wallimage Règlement co-productions et Pilotes TV 2019* (Wallimage Regulations Co-productions and TV Pilots 2019), https://cms.wallimage.net/sites/default/files/downloads/reglement2019_fr.pdf.

³⁰⁵ www.audiovisuel.cfwb.be/index.php?id=10614.

³⁰⁶ *Conditions de dépôt des projets*,

http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=cb08bef1c531b2a617968302adfb83876ef97ca0&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Fonds_series_conditions_de_depot_2019_08_30.pdf.

³⁰⁷ www.audiovisuel.cfwb.be/index.php?id=avm_cinema.

³⁰⁸ *Décret du 10 novembre 2011 relatif au soutien au cinéma et à la création audiovisuelle modifié les 17 juillet 2013 et 23 février 2017* (Decree for support to film and audiovisual works),

http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=d943855480b68ae158bb0e52ff5c8070765c54b7&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Decret_relatif_au_soutien_au_cinema_et_a_la_creation_03_04_2017.pdf.



Funding institution	Geographic level	Legislation / Guidelines
		Decision on support for creation ³¹⁰
		Support for Creation – General provisions 2018 ³¹¹
Screen Brussels ³¹²	Regional	Screen Brussel Regulation ³¹³

Source: Response to European Audiovisual Observatory standardised questionnaire

7.2.2.2. Definition of cultural criteria

VAF/Film Fund and VAF/Media Fund
<p>The project has to meet at least two of the following three criteria to qualify as a Flemish majority creation:³¹⁴</p> <ul style="list-style-type: none"> ■ The project is Flemish because of the identity of the artistic team,³¹⁵ with the key members of the production – the scriptwriter (in the script development phase) and the director (in the development and production phase) having Flemish identity. The production designer can also be a key member for animation projects in both the development and production

³⁰⁹ Arrêté du Gouvernement de la Communauté française du 29 mars 2012 portant création du Centre du Cinéma et de l'Audiovisuel (MB 08.05.2012) (Decree on establishment of the CCA), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=fd720a9c356cff378774993f7b53503d498b2534&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/reglementation/Cinema/Centre_du_Cinema/decret_2011/08_cca.pdf.

³¹⁰ Arrêté du Gouvernement de la Communauté française du 29 mars 2012 relatif aux aides à la création modifié les 24 janvier 2013, 30 janvier 2014 et 17 mai 2017 (version coordonnée) (Decision on support for creation), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=628e5e78c58feedf1d40632340fdfff7b86147e&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Divers_cinema/Arrete_des_aides_a_la_creation_2017.pdf.

³¹¹ Aides A La Création - Dispositions Générales Septembre 2018 (Support for Creation – General provisions september 2019) - non-official compilation of all legal sources, http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=9f7a7c3b027452fdd52e98b668927309411c609a&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Production/Dispositions_generales_CSF.pdf.

³¹² <http://screen.brussels/fr>.

³¹³ Règlement du fonds d'investissement dans l'audiovisuel de La Région de Bruxelles-Capitale (Regulation of audiovisual investment funds in the Brussels Capital Region), http://screen.brussels/sites/default/files/reglement_screen.brussels_fund_fr_2018.docx.

³¹⁴ Minority productions (which do not meet at least 2 of the criteria) are only eligible for production support, see p.3 of the VFF Creation Guidelines, https://www.vaf.be/sites/vaf/files/reglementen/2_ff_deelreglement_creatie_04.02.2019.pdf and VMF Creation Guidelines, https://www.vaf.be/sites/vaf/files/reglementen/2_mf_deelreglement_creatie_04.02.2019.pdf.

³¹⁵ According to the guidelines, this concept needs to be broadly interpreted. Natural persons of any nationality can belong to the Flemish culture community. For example, a Spaniard who works in Flanders, a Dutchman who attended film school in Ghent, a British director who lives in Bruges, or a Flemish production designer who lives in France, etc.



phases.

- The project is Flemish because of its content or IP,³¹⁶
- The project is Flemish because a Flemish producer initiated the project or contributes the largest financial share.

Screen Flanders

The cultural test established in the Application Guidelines³¹⁷ requires the project to comply with at least three (in the case of animation) or four (fiction and documentary) of the following cultural values:

- The script is mostly set in Flanders, in Belgium, in another member state of the European Economic Area (EEA) or in a member state of the European Free Trade Association (EFTA);
- The director or scriptwriter is established in Flanders, in Belgium, in another member state of the EEA or in a member state of the EFTA;
- One of the leading characters or three of the supporting characters have an association with the Belgian culture;
- At least one of the leading characters has an association with the Belgian culture;
- The original script is mostly written in, and the leading characters express themselves in, one of the official languages or regional dialects of Belgium;
- The script is an adaptation of an original literary work or inspired by another creation known for its cultural interest;
- The audiovisual work has art or artists as its main theme;
- The audiovisual work is mostly about historical figures or events;
- The audiovisual work generally addresses social themes relevant to Belgium or another member state of the EEA or the EFTA, and which have a topical, cultural, social or political aspect;
- The audiovisual work helps bring about a reassessment of Belgian or European audiovisual heritage.

CCA

As per Article 9 of the CCA Decree, the support can be granted to works co-produced within the framework of the film Co-production Convention Treaty, or a bilateral international co-production agreement of audio-visual works engaged with the French Community. When the audiovisual work is not co-produced within this framework, it must fulfil at least three of the following criteria:

- The script places the action mainly in Belgium, in another member state of the EEA or in a member state of the EFTA;
- At least one of the main characters has a link with Belgian culture or the French language;
- The original script is essentially written in French;
- The script is an adaptation of an original Belgian literary work;
- The main theme of the audiovisual work is art or several artists;
- The audiovisual work focuses on historical characters or events;
- The audiovisual work deals mainly with societal issues relating to current cultural social or political issues;
- The audiovisual work contributes to enhancing the Belgian or European audio-visual

³¹⁶ The project has a connection with the Flemish cultural community via, for example, the subject, the underlying literary or theatre work, heritage, history, social relevance, political context, art, etc.

³¹⁷ P. 6-7 of the Screen Flanders Application Guidelines.



heritage.

FWB/RTBF Fund for TV series

The support decision will be based, *inter alia*, on the cultural aspects of the project and its cultural interest for the Wallonia-Brussels Federation.³¹⁸ “The project [must] demonstrate a strong local/Belgian link” and it “ensures the enhancement of the heritage of the Wallonia-Brussels Federation”.³¹⁹

Wallimage

The cultural nature of the project constitutes one of the five main assessment criteria.³²⁰ Appendix 1 of the Wallimage Regulations requires the work to comply with at least five of the 10 following cultural criteria:

- The audiovisual work mainly deals with social themes relating to current cultural, social or political issues relevant for Belgium, for a member state of the EEA or for a state bound to Belgium by a Co-production Treaty;
- The director and/or scriptwriter resides in Wallonia, Brussels, Belgium, another country or another member state of the EEA or in a state bound to Belgium by a Co-production Treaty;
- The script is an adaptation of an original literary work inspired by another creation culturally recognised which is the original work of a Walloon, Belgian, European or a resident scriptwriter in a state bound to Belgium by a Co-production Treaty;
- The scenario places its action mainly in Wallonia, Brussels, Belgium or another member state of the EEA or in a state bound to Belgium by a Co-production Treaty;
- The main theme of the audiovisual work is art and/or several artists;
- The audiovisual work essentially concerns historical characters or events;
- One of the main actors or three of the secondary roles were born in Belgium or are of Belgian nationality;
- At least one of the main characters has a privileged link with Belgian culture;
- The original script is essentially written in, and the characters express themselves in, one of the official or vernacular languages of Belgium, Europe or a state bound to Belgium by a Co-production Treaty;
- The audiovisual work contributes to the enhancement of the audiovisual heritage of Belgium, Europe or a state bound to Belgium by a Co-production Treaty.

Screen Brussels

As per the Screen Brussels Regulation,³²¹ the project must be considered as likely to enrich the heritage of the Region of the Brussels-Capital in order to be eligible. To this end, it must meet at least four of the following criteria:

- The action takes place mainly in the Brussels Capital Region, in Belgium, in Europe or in a state linked to Belgium by a Co-production Treaty;
- The director and/or screenwriter are established in Brussels, Belgium, Europe or a state linked to Belgium by a Co-production Treaty;

³¹⁸ Section 3 of the RTBF Guidelines.

³¹⁹ Section 1, paragraphs 1.3 and 1.6 of the RTBF Guidelines.

³²⁰ Article 4 of the Wallimage Regulation.

³²¹ Section 3.1 of the Screen Brussels Regulation.



- One main actor or three in secondary roles are of Belgian nationality or were born in Belgium;
- One of the main characters has a link with Belgian culture;
- The original screenplay is written in French or Dutch and the main characters speak French or Dutch;
- The script is an adaptation of a literary work or a culturally recognised creation;
- The main subject of the audiovisual work is art and/or several artists;
- The audiovisual work focuses on characters or historical events;
- The audiovisual work deals mainly with issues relevant to Belgium, another member state of the EEA or the EFTA.

The audiovisual work contributes to enhancing the heritage of Belgium, Europe or that of a State with co-production treaty with Belgium.

7.2.2.3. Nationality of the applicant

VAF/Film Fund and VAF/Media Fund
Natural persons are required to be an inhabitant of the European Union. Production companies have to be independent and have their registered office or a permanent agency in Flanders at the moment of payment.
Screen Flanders
The applicant must be an independent audiovisual production company with a seat of operations in Belgium who can demonstrate continuity of operations in Belgium. ³²²
CCA
As a general rule, the CCA Decree ³²³ requires the applicant (production company or natural person) to be of Belgian nationality or have the nationality of a member state of the EEA. ³²⁴ Moreover, as per Article 4 of the CCA Decree, “the liquidation of the aid can only be made to the beneficiaries whose principal residence, head office or permanent agency is located in the French-speaking regions or in the bilingual region of Brussels-Capital city.”
FWB/RTBF Fund for TV Series
Article 2.2 of the FWB-RTBF Guidelines specifies that the applicant must be an independent producer constituted in the form of a commercial corporation eligible for tax shelter. Moreover, “the liquidation of the aid can only be made to the beneficiaries whose principal residence, head office or permanent agency is located in the French-speaking regions or in the bilingual region of Brussels-Capital city”. ³²⁵
Wallimage
As per Article 3.2 of the Wallimage Regulation, the applicant must be an audiovisual production company with its headquarters in Belgium, another member state of the EU, or a member state of

³²² Article 2.1 of Screen Flanders Application Guidelines.

³²³ Article 19, 24 and 29 of the CCA Cinema Decree. This requirement does not apply to promotion support.

³²⁴ Nationals of a non-member state of the European Economic Area and stateless persons resident in Belgium are assimilated to nationals of a member state of the EEA.

³²⁵ Article 4.3 of the RTBF Guidelines.



the EFTA. If the company does not have its headquarters in Belgium, it will need to be proved before the payment of the first instalment of the granted support that it has a subsidiary, branch or permanent office in Belgium which employs at least one person full time, or that the funds can be paid to a Belgian company that is a co-signatory to the investment agreement and liable for the project's successful completion.

Screen Brussels

As per Article 4 of the Screen Brussels Regulation, the applicant must be a production company with an operating seat in Belgium for at least one year.

7.2.3. Funding criteria applicable to production support

7.2.3.1. Theatrical release, broadcasting and visibility on VOD

VAF/Film Fund and VAF/Media Fund

No specific requirements for VAF/Film Fund.

Support for VAF/Media Fund is awarded only when a television series is developed in co-production with a Flemish TV broadcaster. The series has to be broadcast in open-air TV. In the case of web series, as per Article 4.3 of the Regulations, they must be available online as well as on the platform of the broadcaster involved without additional cost for the viewer.

Screen Flanders

No specific requirements.

CCA

No specific requirements.

FWB/RTBF Fund for TV Series

No specific requirements, however support will be granted only for broadcasting for a large generalist audience.³²⁶ Moreover, one of the assessment criteria during the selection procedure is "the adequacy between the proposed project and the prime-time on antennas of the RTBF".³²⁷

Wallimage

No specific requirements.

Screen Brussels

No specific requirements.

³²⁶ Article 1.4 of the RTBF Guidelines.

³²⁷ Article 3 of the RTBF Guidelines.



7.2.3.2. Theatrical performance and performance at festivals, events and awards

VAF/Film Fund and VAF/Media Fund
VAF/Film Fund: the Fund does not set concrete requirements related to expected or actual theatrical performance on the home market or abroad as such. However, the Fund provides a type of automatic support in the form of impulse grants, based on the performance of a work. In these cases, applicants are awarded with automatic support they can invest in future projects. ³²⁸
VAF/Media Fund: no specific requirements.
Screen Flanders
No specific requirements.
CCA
Like VAF/Film Fund, the Fund does not set specific criteria, but it does implement similar impulse grants, based on the number of viewers of a work in theatres and on television, VOD or DVD as well as on recognition (festivals and selection), granting amounts which can be used for future projects. ³²⁹
FWB/RTBF Fund for TV Series
No specific requirements.
Wallimage
No specific requirements.
Screen Brussels
No specific requirements.

7.2.3.3. Budget

VAF/Film Fund and VAF/Media Fund
VAF/Film Fund: The budget of an eligible project is not subject to any minimum threshold or maximum cap. In the case of applications concerning a Flemish minority co-production, financing must be at least 50% secured or have a production support commitment from the lead territory's selective film fund. ³³⁰
VAF/Media Fund: The budget of an eligible project is not subject to any minimum threshold or maximum cap. In the case of applications concerning a Flemish minority co-production, the support will be awarded only if the financing in the country or region of the main producer is secured, ³³¹ and where the Flemish share accounts for at least 20% of the total financing of the

³²⁸ Section 4 of the VFF Creation Guidelines described the functioning and modalities of the three forms of impulse grants. This form of impulse premium is regarded as an advance on regular VAF support but does not give an acquired right to selective support.

³²⁹ Article 44/1 of the CCA Cinema Decree. For further information, see:

http://www.audiovisuel.cfwb.be/index.php?id=avm_subv_primes.

³³⁰ VAF/Film Fund, <https://www.vaf.be/steun-aan-creatie/vaffilmfonds>.

³³¹ This can be done through the proof of production support by the public fund in the region of the lead producer or by demonstrating that at least 50% of the financing (excluding participation) is guaranteed.



project.³³² Furthermore, support for TV series is dependent on the investment of a Flemish broadcaster, which will vary depending on the type of series (for example, in the case of a fiction series, the broadcaster contribution must be the same as the VAF contribution).³³³

Screen Flanders

The only requirement related to a minimum or maximum budget concerns the definition of low-budget films, which are defined as films with a budget below EUR 2 500 000. Moreover, the applicant is required to have at least EUR 250 000 in qualifying expenses (excluding VAT) incurred in the production, and to demonstrate that 50% of the financing of the project has already been secured at the time of application.³³⁴

CCA

In order to award the support requested, at least 50% of the financing of the project must be secured for provisional granting (and 100% for final approval).³³⁵

Furthermore, films of foreign initiative which do not meet the grid of cultural criteria must demonstrate sufficient financing at the various stages of examination:³³⁶

- 40% of the estimated cost of the work, excluding any form of participation and valuation, during the first submission;
- 50% of the estimated cost of the work, excluding any form of participation and valuation, during the second review of the submission;
- 75% of the estimated cost of the work, excluding any form of participation and enhancement, during the third review of the submission;
- By derogation: a minimum of 30% of the estimated cost of the work at the moment of submission for projects with a budget of less than EUR 1 000 000.

FWB/RTBF Fund for TV Series

The FWB/RTBF Guidelines require the project to have a maximum average indicative budget of EUR 275 000 per episode (for a first season) or EUR 330 000 per episode (for the following seasons). This maximum budget can be increased to EUR 330,000/episode (season 1) or EUR 429,000/episode (season 2), only if it is justified by: "(i) the experience of the talent attached to the project (director, actors, ...); (ii) the number of days of filming per episode; (iii) the sets and costumes; (iv) the special effects budget."³³⁷

Wallimage

The applicant is required to prove that at least 30% of the total financing is already secured, or 50% when it comes to TV animated series³³⁸

Screen Brussels

³³² Article 2, point b of the VMF Creation Guidelines.

³³³ Article 4 of the VMF Creation Guidelines.

³³⁴ Article 2.2 of the Screen Flanders Application Guidelines.

³³⁵ Pages 3-4 of the Approval Procedure Form,

http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=176b0e07a23ff6837aa158f97c713bcc6738c734&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/Production/agrement_formulaireprod.doc.

³³⁶ P. 5 of Support for Creation – General provisions 2018.

³³⁷ Article 4.2 of the FWB/RTBF Guidelines.

³³⁸ Article 3.3 of the Wallimage Regulation.



In the case of Screen Brussels, the budget of an eligible project is not subject to any minimum threshold or maximum cap. In turn, the applicant is required to have secured the following percentage of the overall financing, depending on the type of project concerned:³³⁹

- For feature film formats, TV series, documentaries, animation: 40%,
- For special formats (180 °, panoramic, 3D, video games, virtual reality, 4D, etc.): 60%,
- For web series: 80%.

7.2.3.4. Awarded amount

VAF/Film Fund and VAF/Media Fund	
Aid intensity	VAF/Film Fund: as per Article 6 of the VFF Creation Guidelines, the aid intensity is in principle limited to 50% of the total production budget. However, it can be increased to 60% for co-productions ³⁴⁰ or 90% for difficult and low-budget films. ³⁴¹ This support is repayable from net receipts generated by the work on a <i>pro rata</i> basis according to the fund's contribution share to the total financing of the film. ³⁴² VAF/Media Fund: quite similar aid intensity rules are laid down in Article 5 of the VMF Creation Guidelines, which states that the aid intensity is generally limited to 50% of the total production budget and is increased to 60% for co-productions or 80% for difficult and low-budget audiovisual work. ³⁴³
Repayable	For both funds, the support is repayable from net receipts generated by the work on a <i>pro rata</i> basis according to the fund's contribution share to the total financing of the film. ³⁴⁴
Eligible costs	Not specified.
Selective/Automatic	VAF/Film Fund: the support is awarded selectively once the competent assessment committees have issued their recommendations to the Board of Directors of the Fund, which makes the final decision, ³⁴⁵ except in the case of impulse grants, where the support is awarded automatically.

³³⁹ Article 3.2 of the Screen Brussels Regulation.

³⁴⁰ Financed by more than one member of the European Union and involving producers from more than one member state.

³⁴¹ Such as feature-length films in the categories of fiction and animation (low-budget films, debut films, youth films, author films, Dutch-language films and films linked to the Flemish cultural identity/patrimony/heritage); films based on a Dutch-language work; documentaries (if it concerns creations that are of remarkable artistic or cultural value); short and medium-length films in the categories of fiction and animation (if they have a remarkable artistic or cultural value), or FilmLab and Innovation Lab projects.

³⁴² Article 10 of the VFF Creation Guidelines.

³⁴³ Such as fiction and animation series (low-budget series, debut series, youth series, author series, Dutch series and series based on a subject whose starting point is the Flemish cultural identity or the Flemish cultural patrimony and heritage, or based on a Dutch-language work); documentary series (if it concerns creations that are of remarkable artistic or cultural value); and web series.

³⁴⁴ Article 10 of the VFF Creation Guidelines, Article 9 of the VMF Creation Guidelines.

³⁴⁵ Article 8 of the VFF Creation Guidelines.



	VAF/Media Fund: the support is awarded selectively after a similar procedure. ³⁴⁶
Screen Flanders	
Aid intensity	As per Article 2.2 of the Screen Flanders Application Guidelines, the aid intensity is in principle limited to 50% of the total production budget for the project, 60% for co-productions, ³⁴⁷ and 75% if it concerns a difficult production. ³⁴⁸
Repayable	The support is repayable from all net receipts generated through the exploitation of the audiovisual work. ³⁴⁹
Eligible costs	They mainly correspond to invoiced and paid expenses during the spending period; expenses invoiced by a VAT-paying company (which has a registered office, seat of operations and demonstrable continuity of operations in the Flanders Region) and paid in the Flanders Region; expenses incurred to ensure the completion of the audiovisual work in question, etc. ³⁵⁰
Selective/Automatic	Support is awarded selectively by a jury following the presentation of the application at a hearing. ³⁵¹
CCA	
Aid intensity	<p>The support granted, cumulated with other public aids, cannot exceed 50% of the total cost of the audiovisual work. This intensity rule does not apply for difficult works with few commercial perspectives on the market, like short audiovisual works, first or second audiovisual works of a director, art house audiovisual works and experimental audiovisual works.³⁵²</p> <p>In terms of the total maximum amount,³⁵³ the support requested before the start of shooting is limited to:</p> <ul style="list-style-type: none"> ■ EUR 425 000 for French-speaking Belgian-initiative feature projects,³⁵⁴ EUR 42 500 for short fiction; EUR 50 000 for short animation; EUR 100 000 for documentary works; ■ EUR 212 500 for minor French-speaking Belgian initiative projects³⁵⁵;

³⁴⁶ Article 7 of the VMF Creation Guidelines.

³⁴⁷ That receive funding from more than one member state of the EU and that involve producers from more than one member State.

³⁴⁸ Which includes fiction and animation (low-budget project, debut project, youth project, author's project, Dutch-language project or a project based on a subject that touches on Flemish cultural identity or Flemish cultural patrimony and heritage, or which is based on a Dutch-language work) or documentaries of notable artistic or cultural value.

³⁴⁹ Article 3.3 of the Screen Flanders Application Guidelines, *Op. cit.* The "recoupment percentage", as of the first euro in net receipts, in the first rank and at the same time as the other financiers. This percentage is set provisionally by the jury and is included in the decision of support allocation.

³⁵⁰ Article 2.3 of the Screen Flanders Application Guidelines.

³⁵¹ Article 2.5.5 of the Screen Flanders Application Guidelines.

³⁵² Article 12 of Decree for support to film and audiovisual works.

³⁵³ Section V of the Support for Creation – General provisions 2019.

³⁵⁴ Whose Belgian producer has supervised the project since the project's development phase.



	<ul style="list-style-type: none"> ■ EUR 112 500 for a project examined by the CCA-VAF college and EUR 50 000 for documentary works; ■ EUR 100 000 for a foreign-initiative project (animation or fiction), EUR 15 000 for short fiction; EUR 20 000 for short animation; EUR 50 000 for documentary works; ■ EUR 100 000 for an entire documentary television series, EUR 60 000 for an entire series by a Flemish director; ■ EUR 20 000 for LAB film before or after the start of shooting. <p>The amount of production aid granted after the start of the shooting is capped at EUR 75 000 for feature fiction and animation and EUR 15 000 for short films and documentary works.</p>
Repayable	Support is granted in the form of advances repayable from the first euro of revenues from any type of exploitation, anywhere in the world, and up to 200% of the Fund's contribution. ³⁵⁶ Support for experimental audiovisual works is not repayable.
Eligible costs	Not specified.
Selective/Automatic	Support is awarded selectively according to the "approval procedure", ³⁵⁷ which comprises an examination by the Secretariat of the Film Selection Commission of the admissibility of the demands, which must then be approved by the Accreditation Committee (which verifies the technical and financial viability of the film), before forwarding its opinion to the Minister of Culture who takes the final decision. ³⁵⁸
FWB/RTBF fund for TV Series	
Aid intensity	The aid intensity is limited to 50% of the production budget, or a maximum amount of EUR 943 500 for 10 episodes of 52 minutes (for season 1).
Repayable	Support is granted as an advance on repayable receipts on the basis of operating results. ³⁵⁹
Eligible costs	Not specified.
Selective/Automatic	Awarded selectively by the Selection Committee composed of an equal number of representatives of the Wallonia-Brussels Federation and RTBF. ³⁶⁰
Wallimage	

³⁵⁵ i.e. one in which the development phase of the project was carried out by a foreign producer but the subsequent stages (production and monitoring of the operation) are carried out by the Belgian producer.

³⁵⁶ First as 50% of the FWB's share until 100% recovery of its contribution in excess of 100%, then 25% of the share of the French Community up to a ceiling of 200% of its bring, as per Article 6 of the Decision on support for Creation.

³⁵⁷ For further information, see section VI of the Support for Creation – General provisions 2018.

³⁵⁸ Chapter 5 of the Decision on support for Creation, *Op. cit.* For further information, see: http://www.audiovisuel.cfwb.be/index.php?id=avm_csf.

³⁵⁹ Article 4.2 of the RTBF Guidelines.

³⁶⁰ Article 3 of the RTBF Guidelines.



Aid intensity	In terms of aid intensity, the maximum awardable amount is EUR 400 000, ³⁶¹ and specifically in the case of documentaries, support is limited to 20% of the total production budget. ³⁶² Furthermore, Article 8 of the Wallimage Regulation specifies that in the event that a project receives state aid from other Belgian authorities or public undertakings or from another member state, the cumulative amount of such aid, including assistance from the Fund, may not exceed the maximum aid intensity threshold imposed by the GBER.
Repayable	Support is awarded as a contribution in the form of a participation with joint ownership of the tangible and intangible rights in the audiovisual work financed, resulting in access to the audiovisual work's revenues.
Eligible costs	The eligible costs are defined in Article 7 of the Wallimage Regulation and correspond to expenditures incurred in the Walloon Region relating to the audiovisual sector. The purpose of these expenses must be the successful completion of the production of the audiovisual work concerned.
Selective/Automatic	Awarded selectively after an assessment of the project by the Fund's Director and Board of Directors based on the cultural character of the work, the structuring effect on the audiovisual sector in Wallonia, the viability of the project, the credibility of the producer and his/her team, and the available budget appropriation.
Screen Brussels	
Aid intensity	As per Article 11.1 of the Screen Brussels Regulation, the total investment is limited to a maximum of 50% of the total budget up to EUR 500 000 per feature film, TV series, documentary and animation or EUR 20 000 per project for web series.
Repayable	The investment is awarded in the form of repayable advances on net revenues. ³⁶³
Eligible costs	The eligible costs correspond in principle to all expenditure incurred for physical or intellectual goods and services directly related to the audiovisual sector. ³⁶⁴
Selective/Automatic	Awarded selectively by the Board of Directors after an examination of the eligibility criteria and a qualitative selection procedure conducted by the Screen Brussels team. ³⁶⁵

³⁶¹ Article 3.3 of the Wallimage Regulation.

³⁶² Article 11.1 of the Wallimage regulation.

³⁶³ Article 11.1 of the Screen Brussels Regulation.

³⁶⁴ Eligible and non-eligible expenses are further defined in Articles 7 and 8 of the Screen Brussels Regulation.

³⁶⁵ Article 6 of the Screen Brussels Regulation.



7.2.3.5. Spending and shooting criteria

VAF/Film Fund and VAF/Media Fund	
Spending in the country	100% of the support must be spent in the Flemish Community of Belgium (or Flemish Region and Brussels-Capital Region). This can be changed by mutual agreement with the Fund if justified. However, the expenditure may never be less than 60% of the amount granted by the Fund. The applicant shall in any event retain the right to spend at least 20% of the production budget of the audio-visual creation in other EU member states. ³⁶⁶
Shooting in the country	No requirements.
Screen Flanders	
Spending in the country	Only costs paid in the Flanders Region and invoiced by a company that has a registered office, seat of operations and continuity of operations in the Flanders Region are considered eligible. This means that, in practice, 100% of the eligible costs must be spent in the region. ³⁶⁷
Shooting in the country	No requirements.
CCA	
Spending in the country	The beneficiary of the aid must provide proof that 100% of it is spent for the benefit of legal entities resident for tax purposes in Belgium - mainly in the French-speaking region or in the Brussels-Capital region. ³⁶⁸
Shooting in the country	No requirements.
FWB-RTBF Fund for TV Series	
Spending in the country	No requirements.
Shooting in the country	No requirements.
Wallimage	
Spending in the country	The applicant must spend at least EUR 300 000 in Wallonia, representing a minimum of 150% of the requested investment. ³⁶⁹ However, for documentaries and virtual and/or augmented reality works, the spending requirement is limited to a minimum of EUR 75 000 and 20% of the production budget. ³⁷⁰ Moreover, only the expenses incurred with Walloon commercial companies are considered as eligible costs from Wallimage. ³⁷¹

³⁶⁶ Article 11 of the VFF Creation Guidelines and Article 10 of the VMF Creation Guidelines.

³⁶⁷ Article 2.3.1 of the Screen Flanders Application Guidelines.

³⁶⁸ Article 5 of the Support for Creation – General provisions 2018.

³⁶⁹ Article 3.3 of the Wallimage Regulation.

³⁷⁰ Article 11 of the Wallimage Regulation.



Shooting in the country	No specific requirements, but the projects must enhance the patrimony of the Wallonia-Brussels Federation.
Screen Brussels	
Spending in the country	Screen Brussels applies the same principle as Screen Flanders, and considers as eligible only expenses incurred in the Brussels-Capital Region and invoiced by companies that are VAT-liable or self-employed workers with both their registered office and place of business in the Brussels-Capital Region. ³⁷² Furthermore, Article 3.2.2 requires the applicant to commit to a minimum amount of spending in the region: <ul style="list-style-type: none">■ For feature films and TV series: EUR 250 000;■ For documentaries and special works: EUR 75 000;■ For web series: EUR 45 000.

7.2.3.6. Talent, cast, crew, underlying copyright

None of the funds set specific requirements regarding the nationality of the talent, cast and crew or related to the underlying copyrights (and how they are linked to the country). However, the nationality, establishment or identity of the talent and cast, and the Flemish content of the project are, in general, taken into consideration during the assessment of the cultural aspect of the projects in the various cultural tests and profiles implemented by these funds and described in section 7.2.2.2.

7.2.3.7. Shooting language and diversity

In general, the language is taken into consideration for the cultural test or for the qualification of the work as a “difficult film”. In the case of the CCA, in order to qualify as a “French-speaking initiative project”, the shooting has to be principally done in French (but a derogation is possible).³⁷³ Moreover, Wallimage sets specific requirement related to the language of the work: as per Article 3.5 of the Wallimage Regulation, the work can be filmed in a language other than French. In such cases, the producer must fund “a version dubbed or subtitled in French, a copy of which must be submitted to the Fund”. Apart from this, there are no further requirements linked to ethnic or linguistic minorities and gender.

³⁷¹ Article 7.2 of the Wallimage Regulation.

³⁷² Article 7 of the Screen Brussels Regulation.

³⁷³ Annex 2-5 of Decree of 29 March 2012 on creation support.



7.2.4. Funding criteria applicable to pre-production support

7.2.4.1. Budget

VAF/Film Fund and VAF/Media Fund
Only VAF provides pre-production (development) support in the region, and exclusively to Flemish majority creations. Moreover, the budget of an eligible project is not subject to any minimum threshold or maximum cap.
CCA
The budget of an eligible project is not subject to any minimum threshold or maximum cap. Furthermore, in the case of development support, as per Article 19 of the CCA Decree, the applicant must commit to contributing at least 50% of the awarded amount (for feature films) or 30% (in the case of creative documentaries).
FWB-RTBF Fund for TV Series
As for RTBF, there are no specific requirements laid down related to the budget. In turn, Wallimage and Screen Brussels do not provide pre-production support.

7.2.4.2. Awarded amount

VAF/Film Fund and VAF/Media Fund	
Aid intensity	<p>VAF/Film Fund: in terms of aid intensity, the following caps apply:³⁷⁴</p> <ul style="list-style-type: none"> ■ Scriptwriting: up to EUR 7 500 (medium-length films), EUR 12 500 (feature documentary works/FilmLab) or EUR 15 000 (feature animation/fiction);³⁷⁵ ■ Development: up to EUR 7 500 (short FilmLab), EUR 17 500 (short animation), EUR 20 000 (medium-length FilmLab), EUR 30 000 (medium-length InnovationLab or long-form FilmLab), EUR 50 000 (medium-length documentary works), EUR 75 000 (medium-length animation/fiction or long-form documentary works) and EUR 125 000 (long-form animation and fiction). <p>VAF/ Media Fund: in terms of aid intensity, the following caps apply:³⁷⁶</p> <ul style="list-style-type: none"> ■ Scriptwriting: up to EUR 7 500 (InnovationLab), EUR 25 000 (documentary series), EUR 50 000 (fiction or animation series), and EUR 75 000 (high-end fiction series); ■ Development: up to EUR 30 000 (InnovationLab), EUR 100 000

³⁷⁴ Article 3.2 of the VFF Creation Guidelines.

³⁷⁵ Extra support amounting to EUR 5000 can be added for animated film during the scriptwriting phase, awarded for the creation of a starter to storyboard and other graphic illustration material.

³⁷⁶ Article 4.1 of the VMF Creation Guidelines.



	(documentary series), EUR 120 000 (fiction and animation series) and EUR 150 000 for animation series if this support also involves the creation of a pilot project.
Repayable	As a general rule, the grant for scriptwriting and development is not repayable if the project is not realised in the end. ³⁷⁷
Eligible costs	Not specified.
Selective/Automatic	Support is awarded selectively by a commission according to a procedure equivalent to the one described for production support in section 7.2.3.4
CCA	
Aid intensity	The followings rules apply: ³⁷⁸ <ul style="list-style-type: none"> ■ Scriptwriting: the maximum subsidy for feature films (fiction or animation) is EUR 12 500, EUR 7 500 for creative documentaries and EUR 15 000 for documentary TV series. ■ Development: a maximum of EUR 37 500 for feature films, EUR 20 000 for creative documentaries (first or second work) - EUR 25 000 from the third work onwards.
Repayable	Support is awarded as a subsidy and therefore non-repayable, but it is deductible from possible future aid for the production of the project. ³⁷⁹
Eligible costs	The eligible costs for development support related to feature films and documentaries are defined in Annexes 19 and 20 of the Decision on support for creation and can include costs related to the script, research, translation, copy, travel, casting, etc.
Selective/Automatic	Support is awarded selectively by the Film Selection Commission. ³⁸⁰
FWB/RTBF Fund for TV Series	
Aid intensity	In terms of maximum amount awarded, the following caps apply: ³⁸¹ <ul style="list-style-type: none"> ■ For first-stage development (scriptwriting): EUR 35 000³⁸² ■ For second-stage development: EUR 202 500 for the dialogues of the episodes; up to EUR 17 500 per 52-minute episode for the authors and EUR 5 000 per 52-minute episode for the producer; EUR 30 000 for the production of a pilot - 10-minute short (teaser type) illustration of the writing and acting.³⁸³
Repayable	Support is awarded in the form of a non-repayable grant. ³⁸⁴

³⁷⁷ Article 10 of the VFF Creation Guidelines, Article 9 of the VMF Creation Guidelines.

³⁷⁸ Section III of the Support for Creation – General provisions 2018.

³⁷⁹ Article 9 of the Support for Creation – General provisions 2019.

³⁸⁰ Section II of the Support for Creation – General provisions 2019.

³⁸¹ Article 4 of the RTBF Guidelines.

³⁸² Of which 30.000 for the authors, 5000 for the producer).

³⁸³ This amount of EUR 30 000 cannot be deducted from the production aid.

³⁸⁴ Ibid.



Eligible costs	Not specified.
Selective/Automatic	Selectively by a Selection Committee. ³⁸⁵

7.2.4.3. Underlying copyright

As in the case of production support, none of the funds set specific requirements related to the underlying copyrights (and how they are linked to the country). However, they can be taken into consideration during the assessment of the cultural aspect of the projects, in the various cultural tests and profiles implemented by these funds and described in section 7.2.2.2.

7.2.4.4. Script language and diversity

In general, the language of the work is taken into consideration for the cultural test, or for the qualification of the work as a “difficult film”. More specifically, VAF requires all applications and the associated data and annexes (scripts, synopses, treatments, declarations of intent, character descriptions, content and visual design or concepts) to be submitted in the Dutch language or to have been translated into Dutch.³⁸⁶ Apart from this, there are no further requirements linked to ethnic or linguistic minorities and gender.

7.2.5. Funding criteria applicable to distribution and promotion support

7.2.5.1. Theatrical release, broadcasting and visibility on VOD

VAF/Film Fund and VAF/Media Fund

The VAF/Media Fund does not currently provide distribution support; only the VAF/Film Fund offers International Distribution support. The film must comply with the following eligibility criteria:³⁸⁷

- The film was formally invited to participate in the official selection of a top or priority festival,³⁸⁸
- An international sales agent recognised by the Fund is associated with the film,
- The application must be submitted within 12 months of the first public screening (world

³⁸⁵ Article 3 of the RTBF Guidelines.

³⁸⁶ Article 7 of the VFF Creation Guidelines and Article 6 of the VMF Creation Guidelines.

³⁸⁷ Article 2.2.1 of the VAF/Filmfonds: Deelreglement Promotie (VAF/Film Fund: Subscription Promotion) (hereinafter, “VFF Promotion Guidelines”), https://www.vaf.be/sites/vaf/files/reglementen/1_ff_deelreglement_promotie_20.09.2018.pdf.

³⁸⁸ Festivals on this list can be there for various reasons, for example because of prestige, cultural value, international visibility or economic interest. A list of priority festivals is available here: <https://www.vaf.be/promotie/film/vaffilmfonds-lijst-top-en-prioritaire-festivals>.



premiere).

As for promotion, the VAF/Film's International Promotion support scheme also requires the application to be submitted within 12 months of the first world premiere of the creation.³⁸⁹ In the case of the VAF/Media Fund, the promotion support schemes provided³⁹⁰ do not set any requirement related to the performance and visibility of the work on VOD or to any release window schedule to be respected.

CCA

Only the CCA provides distribution and promotion support. It offers distribution support for the first edition of Belgian francophone films in DVD/Blu-ray for the following works:³⁹¹

- For the French-language Belgian feature films whose first domestic theatrical release took place at most in the 12 months preceding the application;
- For French-language Belgian feature films not released in cinemas in Belgium and whose first festival presentation in Belgium or abroad took place in the 12 months preceding the application;
- For programmes consisting of at least 5 short or medium-length Belgian majority productions (with a minimum duration of 70 minutes), whose first presentation at festivals in Belgium or abroad took place in the 20 months preceding the application.

Furthermore, the CCA sets different requirements related to the theatrical release of the work in its different promotion support schemes for feature and short films:³⁹²

- Theatrical release aid (classic potential) for feature³⁹³ or short films:³⁹⁴ the film must achieve at least 100 paid theatrical screenings in Belgium (at least 50% of them in Wallonia and no more than 20% of them in Flanders) over a period of 6 months;³⁹⁵
- Theatrical release aid (high potential) for feature films:³⁹⁶ the film must achieve at least 200 paid theatrical screenings in Belgium during the first week of exploitation;
- Theatrical release aid for events:³⁹⁷ the film must have at least 10 public screenings

³⁸⁹ Article 2.2.1 of the VFF Promotion Guidelines.

³⁹⁰ VAF/Mediafonds: *Deelreglement Promotie* (VAF/Media Fund: Promotion Support, hereinafter, "VMF Promotion Guidelines"), https://www.vaf.be/sites/vaf/files/reglementen/1._mf_deelreglement_promotie_20.09.2018.pdf.

³⁹¹ See *Soutien à l'édition des films belges francophones en DVD/Blu-Ray* (Support for edition of Belgian francophone films in DVD/Bluray), http://www.audiovisuel.cfwb.be/index.php?id=avm_difdvd

³⁹² The short film must be inserted into short programme features in order to be eligible for these supports.

³⁹³ *Aides à La Promotion - Aide à la sortie en salles, potentiel classique* (Promotion aid – Support for the theatrical release, classic potential), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=0fcff378812816c4067d658b9b006496bca67372&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/L_aide_a_la_sortie_en_salles_-_Potentiel_classique_-_1er_juillet_2017.pdf.

³⁹⁴ *Aides à la Promotion - Aide à la sortie en salles d'un programme de courts métrages* (Promotion aid – Support for the theatrical release of programmes of short films), https://audiovisuel.cfwb.be/fileadmin/sites/sgam/uploads/Aides/Aides_a_la_promotion_-_diffusion/L_aide_a_la_sortie_en_salles_-_Programme_de_courts_metrages_-_1er_juillet_2017.pdf.

³⁹⁵ A paid public session is defined as any projection accessible to the public on payment of an entry fee.

³⁹⁶ *Aides à La Promotion - Aide à la sortie en salles, potentiel élevé* (Promotion aid – Support for the theatrical release, high potential), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=068cea7ed7a8d428b8048cdc2b32ff3920bddb9&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/L_aide_a_la_sortie_en_salles_-_Potentiel_eleve_-_1er_juillet_2017.pdf.



(paying or free) within the French-language region and the bilingual region of Brussels-Capital for a maximum period of 6 months, at at least 4 different venues, and within the context of a promotional event such as a debate, a concert or an exhibition.

- Theatrical release aid for promotion on festivals:³⁹⁸ the work can be a majority Belgian francophone feature or short film or a majority Belgian francophone TV series (which received production support from Fonds RTBF-FWB), selected in one of the priority festivals included in the French Community Government's list.³⁹⁹

7.2.5.2. Theatrical performance and performance at festivals, events and awards

VAF/Film Fund and VAF/Media Fund

In the case of both funds there are no requirements regarding the performance of a work in terms of theatrical attendance at home or abroad. However, they do provide support based on attendance at festivals and events.

VAF/Film Fund: As explained above, one of the main eligibility criteria to apply for International Distribution is that "the creation was formally invited, in official selection, to a top or priority festival". With regards to the International Promotional Support scheme, this is provided notably for creations recently supported by the VAF and selected at a festival⁴⁰⁰ or nominated for specific film prizes.⁴⁰¹

VAF/Media Fund: the Fund offers support in the form of International Promotion support; this is mainly for majority VAF-supported works selected for an important international film festival.⁴⁰² This support must be optimally used to significantly increase the visibility of the film at the

³⁹⁷ *Aides à la Promotion - Aide à l'organisation d'événements en salles* (Promotion aid – Support for the organisation of events),

http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=95e629c6decf6bea2dd634ef33012535737e2eb5&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/L_aide_a_l_organisation_d_evenements_-_1er_juillet_2017.pdf.

³⁹⁸ *Aides à la Promotion – Aide à la promotion en festivals* (Promotion aid – Support for promotion on festivals), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=e25a0b60a90c8e76bf2fff44c94a7b6a8bdd35f1&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/L_aide_a_la_promotion_en_festivals_-_1er_juillet_2017.pdf.

³⁹⁹ *Annexe 2 de l'arrêté du Gouvernement de la Communauté française du 17 MAI 2017 relatif aux aides à la promotion d'oeuvres audiovisuelles: Liste des festivals donnant accès à l'aide à la promotion en festivals pour les courts métrages, les longs métrages, les documentaires de création et les séries télévisuelles de fiction* (Annex 2 of the decree of the Government of the French Community of 17 May 2017 on aid for the promotion of audiovisual works: list of festivals giving access to promotion aid in short film festivals, feature films, creative documentaries and fiction television series),

http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=800efe0556eaf51dbb60a40156040ad6a0dd75f6&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/Liste_des_festivals.pdf.

⁴⁰⁰ Whether it is a top festival, a strategic festival or any other foreign festival. For more detailed definitions of these type of festivals, see: <https://www.vaf.be/reglement-reiskosten-vaffilmfonds>.

⁴⁰¹ Article 2.2 of the VFF Promotion Guidelines.

⁴⁰² Article 2 of the VMF Promotion Guidelines.



festival. Furthermore, the Fund provides support in the form of the repayment of travel costs for creators of a majority VAF-supported work selected for an international film festival.⁴⁰³

CCA

As mentioned in the previous section, the Fund offers specific promotion support for feature and short films, as well as TV series selected for presentation at a priority festival.

7.2.5.3. Budget

For all of the Funds, the budget of an eligible project is not subject to any minimum threshold or maximum cap. Furthermore, no minimum contribution from the applicant is required, except in the case of the International Promotion support by VAF/Media Fund, in which case, the aid is granted in accordance with the principle of co-financing - the applicant needs to commit to an equivalent financial investment him/herself.⁴⁰⁴

7.2.5.4. Awarded amount

VAF/Film Fund and VAF/Media Fund	
Aid intensity	<p>VAF/Film Fund: in terms of aid intensity, in the case of additional domestic or foreign state aid, overall support is subject to the same aid intensity applicable to production support.⁴⁰⁵ Lastly, in terms of maximum amounts, the following rules apply:</p> <ul style="list-style-type: none"> ■ Distribution support: it is limited to EUR 35 000 for a film selected for presentation at a top festival or EUR 25 000 if selected for presentation at a priority festival;⁴⁰⁶ ■ Promotion support abroad: it is usually limited to a maximum of EUR 10 000 per film. For short and medium-term audiovisual creations, the maximum is limited to EUR 7 500. In the case of being selected for presentation at the Berlinale (Official, Panorama, Generation, Forum), Cannes (Official, Un certain regard, Quinzaine des Réalistes, Semaine de la Critique), Toronto (TIFF and TIFF Kids) and Venice (Official, Orizzonti, Venice Days and Critics Week), or in the case of the designation of a film as an official Belgian candidate at the Oscars, the maximum amounts were set at EUR 25 000 and EUR 10 000 respectively.⁴⁰⁷

⁴⁰³ The VAF distinguishes between two categories of foreign festivals: foreign festivals regarded as strategically important, all other foreign festivals. For further information, see: <https://www.vaf.be/reglement-reiskosten-vafmediafonds>.

⁴⁰⁴ Article 2 of the VMF Promotion Guidelines.

⁴⁰⁵ Article 3 of the VFF Promotion Guidelines.

⁴⁰⁶ Article 2.2.3 of the VFF Promotion Guidelines.

⁴⁰⁷ Article 2.2.2 of the VFF Promotion Guidelines.



	<p>VAF/Media Fund: support is limited to 50% of the eligible costs, for a maximum amount of EUR 15 000.⁴⁰⁸ Furthermore, in the case of Travel Costs support, the aid intensity is equivalent to that for production and limited to EUR 5 000 per work.</p>
Repayable	<p>Non repayable.⁴⁰⁹</p>
Eligible costs	<p>VAF/Film Fund: the eligible costs have a similar definition and correspond mainly to the costs related to specific actions aimed at optimising the visibility of creation and talent (such as organising press junkets, influencer screenings, premiere tours, the elaboration of a digital campaign, the hiring of an experienced independent publicist, etc.).⁴¹⁰</p> <p>VAF/Media Fund: the Fund publishes a list of eligible costs on its website. For projects from Brussels and French-speaking Belgium, the costs are detailed in the distribution and budget overview for distribution support.⁴¹¹ Projects outside the Belgian market are mentioned in the distribution and budget overview for distribution support outside Belgium.⁴¹²</p>
Selective/Automatic	<p>The support is awarded automatically if the application meets all criteria.⁴¹³</p>
CCA	
Aid intensity	<p>In terms of aid intensity, the following caps apply:</p> <ul style="list-style-type: none"> ■ Theatrical release aid (classic potential):⁴¹⁴ ■ If support is requested by a recognised distributor:⁴¹⁵ a maximum of EUR 20 000 for a French-speaking Belgian initiative or EUR 7 500 for a foreign film which obtained production aid, ■ If support is request by the producer: a maximum of EUR 10 000 for a French-speaking Belgian initiative; ■ Theatrical release support (high potential): a maximum of EUR 40 000 for a Belgian initiative;⁴¹⁶ ■ Theatrical release support for short-film programmes: EUR 2 000 (per film) or EUR 6 000 (per programme); ■ Theatrical release support for promotion on festivals: a maximum of EUR 4000;⁴¹⁷

⁴⁰⁸ Article 2 of the VMF Promotion Guidelines.

⁴⁰⁹ Article 2.1.6 (distribution) and Article 2.2.5 (promotion) of the VFF Promotion Guidelines, Article 3 of the VMF Promotion Guidelines.

⁴¹⁰ Article 2.1.4 (distribution) and Article 2.2.3 (promotion) of the VFF Promotion Guidelines, *Op. cit.*

⁴¹¹ Eligible cost for projects from Brussels and French Speaking Belgium are mentioned in the distribution and budget overview (Excel file) for distribution support, see: <https://www.vaf.be/document/distributie-budgetoverzicht-distributiesteun-brussel-en-franstalig-belgi%C3%AB>.

⁴¹² Eligible costs for projects outside the Belgian market are mentioned in the distribution and budget overview (Excel file) for distribution support, see: <https://www.vaf.be/document/distributie-budgetoverzicht-distributiesteun-buiten-de-belgische-markt>.

⁴¹³ Article 2.1.5 (distribution) and Article 2.2.4 (promotion) of the VFF Promotion Guidelines, Article 2 of the VMF Promotion Guidelines.

⁴¹⁴ Article 10 of the Decision on Promotion Support.

⁴¹⁵ A definition of “recognised distributor” is set in Chapter VI of the Decision on Promotion Support.

⁴¹⁶ Article 12 of the Decision on Promotion Support.

⁴¹⁷ Article 3 of Decision on Promotion Support.



	<ul style="list-style-type: none">■ Distribution support for the first edition of Belgian francophone films in DVD/Blu-ray: this is capped at EUR 2 000 for DVD-only edition and EUR 4 000 for a DVD and Blu-Ray edition. Additional aid amounting to EUR 500 is granted in the event of the film being subtitled in French, specifically adapted to the deaf and hard of hearing, and/or audio-description in French for the blind and partially sighted.
Repayable	Non-repayable.
Eligible costs	All costs related to the promotion or diffusion of the work. They correspond mainly to advertising, press, promotional items, copies, DVD edition...
Selective/Automatic	Automatic.

7.2.5.5. Language and diversity

In the case of VAF, there are no particular requirements regarding the language of the film or linked to ethnic or linguistic minorities and gender.

As for the CCA, firstly, Article 29 of the CCA Cinema Decree provides that one of the requirements in order to be eligible for promotion support is that the original version of the creation must be in the French language, with the possible exemption by the government on the basis of “(a) the cultural interest of the project for the French Community; (b) the specificities of the script”. Furthermore, the language of the work can influence the amount received: as explained above, films originating from a French-speaking Belgian initiative can receive a higher amount. To qualify as such, the film must fulfil the following criteria:⁴¹⁸

- The film is shot in French (more than 50% of the dialogue must be in French);⁴¹⁹
- A number of positions (scriptwriter, actors, technician-manager) must be occupied by Europeans contracted under a Belgian contract (for which Belgian law is applicable).

⁴¹⁸ As per Article 1 of the Promotion aid – Guidelines (*Aides à la Promotion – Mode d’emploi*), http://www.audiovisuel.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=7a12a6b63cbf7e2a7dc352c9274f2405fd575f7a&file=fileadmin/sites/avm/upload/avm_super_editor/avm_editor/documents/diffusion_et_promotion/Mode_d_emploi_des_aides_a_la_promotion_-_1er_juillet_2017.pdf.

⁴¹⁹ Derogation to filming in French is possible in some cases, for example, a film whose script requires filming to take place in South America.



7.2.6. Data compilation

This factsheet was produced based on data compiled by Dr. Tim Raats, Senior Researcher at Imec-SMIT, VUB, lecturer at the Vrije Universiteit Brussel and board member of the Flanders Audiovisual Fund.