

Regulations on financial incentives to produce international films and high-end series in Norway

Translated Regulation

This is an English translation of the [Norwegian regulation FOR-2015-12-16-1684](#), and revision by 2021, 06.17. no. 1962. The translation is provided by The Norwegian Film Institute. The translation is not official; they are provided for information purposes only. In the event of any inconsistency, the Norwegian version shall prevail.

Section 1 Purpose

The purpose of the incentive scheme is to increase the number of large international films and high-end series produced in Norway to promote Norwegian culture, history, and nature. The scheme is also designed to improve the experience and skills of the Norwegian film industry, stimulate growth, promote a sustainable Norwegian film industry and support increased international collaboration.

Section 2 Scope

The incentive scheme provides grants supporting the production of films, high-end drama series and documentary series produced entirely or partly in Norway and intended for broad public distribution.

Production of content such as advertising, news reporting, reality, entertainment shows and sporting events, as well as material intended solely for broadcast via closed proprietary distribution systems, are not included in the incentive scheme.

Grants given under the incentive scheme may not be combined with production grants from the Norwegian Film Institute.

Section 3 Who may apply

The main production company, or anyone authorised by it, may apply for a grant according to these regulations.

The main producer must have produced at least one film, high-end drama series or documentary series in the previous five years. This production must have been screened publicly through at least one of the following channels: cinema distribution, wide television broadcast or correspondingly wide distribution via other platforms.

Section 4 Who may receive grants

The grant recipient must be an audio-visual production company registered in the Norwegian Register of Business Enterprises as a limited liability company, or a company from within the European Economic Area (EEA) with a branch registered in the Norwegian Register of Business Enterprises.

The company must be established specifically for the production to which the grant application relates. The company will bear financial responsibility for the production in Norway. The costs on which a grant is sought, must be recorded in the accounts of this company.

The company cannot be organized in a manner where one or more participants have an unlimited responsibility for the debt of the business.

Section 5 Application requirements

Grant applications must be submitted to the Norwegian Film Institute before the start of the production in Norway.

The application must contain basic information about the production and all information required to process the application. The application shall as a minimum requirement contain the following information:

- a) name of applicant responsible for the production,
- b) documentation of film rights` agreements,
- c) description of plot, content and genre for the production for which a refund is sought
- d) total production budget,
- e) budget for shootings in Norway,
- f) financing plan specifying all the production`s private and public funding,
- g) production plan for shootings in Norway and a termination date,
- h) list of all artistical and technical staff connected to the production in Norway, and
- i) self-assessment of the qualification test according to section 6, second paragraph.

The Norwegian Film Institute shall issue separate guidelines on application requirements.

Section 6 Grant conditions

To qualify for a grant under the incentive scheme, a production must meet the following conditions:

- a) The production will be produced entirely or partially in Norway.
- b) The production will have a total production budget of at least NOK 25 million for feature films, NOK 10 million for documentary films, NOK 10 million per episode in the case of high-end drama series or NOK 5 million per episode in the case of documentary series.
- c) The production must have a budget showing a minimum consumption of approved costs in Norway of NOK 4 million.
- d) The production must have a financing plan that includes at least 30 % international financing when applying.
- e) The production must be able to verify that it has concluded an international distribution agreement (Letter of Commitment). The Norwegian Film Institute may also accept a letter of intent regarding international distribution following individual consideration.

To qualify for a grant under the incentive scheme, the production must achieve the minimum required score in the qualification test, cf. appendix 1.

In the evaluation of and assignment of priority among applications which have passed the qualification test, the Norwegian Film Institute must give emphasis to the purpose of the incentive scheme.

Section 7 Grant amount

The grant may total up to 25 % of the approved production costs relating to the production in Norway.

If more than 80 % of the total approved production costs for the production will arise in Norway, the grant amount will be calculated based on the total production costs in the EEA. The grant will under such circumstances be calculated based on the total approved production costs in Norway and the EEA.

Grants according to the incentive scheme will be calculated based on the production accounts, i.e. the final size of the grant will be determined based on the final accounts verifying production costs spent in Norway cf. section 8, fifth paragraph.

Section 8 Approved costs

The calculation of the grant will be based on costs arising in Norway and paid to taxpayers in Norway.

If more than 80 % of the total approved production costs for the production will arise in Norway, the grant amount will be calculated based on the total production costs in the EEA; see section 7, second paragraph.

Costs may not exceed market prices.

Costs which arise before the Norwegian Film Institute confirms receipt of the application will not be approved.

The final accounts must be confirmed and approved by a State Authorised Public Auditor (*statsautorisert revisor*). The auditor must also confirm that the accounts comply with the provisions of the incentive scheme.

In the event of any doubt as to whether costs meet the requirements of the incentive scheme, the grant recipient will be responsible for documenting that the conditions are met.

Section 9 Administration

The incentive scheme is governed by the Norwegian Film Institute. Grant decisions pursuant to these regulations are made by the Norwegian Film Institute.

Decisions made pursuant to these regulations may be appealed to the relevant ministry in accordance with chapter VI of the Act of 10 February 1967 relating to procedure in cases concerning the public administration (the Public Administration Act).

Section 10 Validity period of grant decisions

Grant decisions are valid for 12 months. An extension may be applied for before the end of the period if the applicant can document that production can realistically be expected to begin during the following 12 months. An extension may only be granted once, making the maximum total grant decision validity period two years.

Section 11 Grant letter

A decision to make a grant must be confirmed by means of a grant letter from the Norwegian Film Institute; see chapter 6.3.3 of the Provisions on Financial Management in Central Government.

Section 12 Disbursement

The applicant must send a written disbursement request to the Norwegian Film Institute. The disbursement request must be submitted within six months of the end of production in Norway. A request made after this date will normally be refused.

Disbursement is conditional upon production in Norway having been completed and the production having no unpaid direct or indirect tax liabilities to the Norwegian authorities.

Section 13 Application deadlines

The Norwegian Film Institute may set application deadlines where necessary for the purpose of assigning priority among grants.

Section 14 Disclosure duty

The applicant has a duty to provide the Norwegian Film Institute with all information it requires to process the application and evaluate the basis for the grant cf. section 5 second paragraph.

Once a decision to give a grant has been made, the grant recipient must on its own initiative notify any changes to the terms on which the grant is based. The grant recipient may not make material changes to the production or measure in question without submitting these to the Norwegian Film Institute in writing and obtaining its written approval.

Section 15 Crediting of the Norwegian Film Institute

If a production which has received a grant pursuant to these regulations results in a completed film, high-end drama series or documentary series, the Norwegian Film Institute must be credited in the end credits and other materials on the same basis as other investors and providers of production grants.

Section 16 Reporting and checks

The Norwegian Film Institute will arrange necessary checks of the use of grant funds.

The Ministry and the Office of the Auditor General of Norway may conduct checks to ensure that funds are used as envisaged; see section 15 of the Regulation on Financial Management in Central Government and section 12, third paragraph of the Act relating to the Auditor General of Norway. In relevant cases, control measures may be implemented; see section 10, second paragraph of the Norwegian Public State Finance Regulations.

The main producer has a duty to store the final accounts cf. section 8 fifth paragraph for five years, and during this period must be able to present the accounts upon request by the Norwegian Film Institute, the Ministry, or the Office of the Auditor General of Norway.

Section 17 Sanctions

The Norwegian Film Institute may withdraw a grant decision in full or in part, withhold grant sums or require the repayment of disbursed grant sums if:

- a) the grant recipient breaches the disclosure duty;
- b) the grant is not used as specified in the conditions set out in the grant letter; or
- c) the grant recipient otherwise materially breaches the provisions of the incentive scheme or provisions/conditions adopted by the Norwegian Film Institute pursuant to the incentive scheme.

If a repayment claim is made, interest may also be claimed on the amount to be repaid under the Act of 17 December 1976 No. 100 relating to Interest on Overdue Payments, etc.

If withdrawn funds are not repaid, the main production company may be excluded from the incentive scheme and from all other grant schemes administered by the Norwegian Film Institute for up to three years. This also applies in the case of repeated breaches of the rules or

conditions as mentioned in the first paragraph above.

Adopted sanctions must be reasonable and proportionate to the breach of the rules or other prerequisites.

Section 18 Commencement

These regulations are coming into force from January 1st, 2016.

Attachment 1.

Qualification test

Score Comment

The production must score a minimum of 4 points from Part I Cultural criteria, and receive a minimum of 20 points overall for Part I Cultural criteria and Part II Production criteria. The maximum score is 51 points.

The points for the Part II Production Criteria categories 3-25 shall be awarded on a pro-rata basis based on to what extent the production fulfils each criterion. The Norwegian Film Institute evaluates to what extent the shooting/ service provision/post-production takes place in Norway and adds to the permanent pool of skills and experience in the Norwegian film industry.

Part I: Cultural criteria

1	Storyline, screenplay, central theme of the film is based on events that are a part of Norwegian or European culture or history. (0-2 points)		
2	The film/series production is based on a character or a personality from Norwegian or European culture, history or society. (0-2 points)		
3	Storyline of the film/series production is connected with a Norwegian or European setting, place, location, architectural or cultural setting. (0-2 points)		
4	Storyline, script, or central theme of the film/series production is based on literary work or adapted from another artistic discipline (fine arts, music, etc.). (0-2 points)		
5	Storyline, script, central theme of the film/series production focuses on current cultural, sociological, or political themes or events. (0-2 points)		
6	The film/series production reflects Norwegian or European values, culture, identity, customs, or traditions. (0-2 points)		
7	Director, script writer or author of literary work is Norwegian or European. (0-2 points)		
8	The film/series production is in Norwegian or another European language. (0-2 points)		

Sum

(Min-max points 0-16)

Part II: Production Criteria

1	The film/series production is a cinematographic work that contributes to the development of its genre. (0-3 points)		
2	The film/series production is suited to increase the capacity of the film makers involved to undertake ambitious and demanding productions of high quality and of cultural value. (0-4 points)		
3	Director is Norwegian citizen or citizen of EEA member states. (0-1 points)		
4	Producer/co-producer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
5	DOP is Norwegian citizen or citizen of EEA member states. (0-1 points)		
6	Assistant DOP is Norwegian citizen or citizen of EEA member states. (0-1 points)		
7	Script writer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
8	Lead actor/actress is Norwegian citizen or citizen of EEA member states. (0-1 points)		
9	Supporting actor/actress is Norwegian citizen or citizen of EEA member states. (0-1 points)		

10	Composer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
11	Head of sound/sound designer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
12	Production designer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
13	Costume designer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
14	Editor is Norwegian citizen or citizen of EEA member states. (0-1 points)		
15	Makeup artist is Norwegian citizen or citizen of EEA member states. (0-1 points)		
16	Executive producer/line producer /post producer/VFX-producer is Norwegian citizen or citizen of EEA member states. (0-1 points)		
17	Animation director/lead animator is Norwegian citizen or citizen of EEA member states. (0-1 points)		
18	Colourist is Norwegian citizen or citizen of EEA member states. (0-1 points)		
19	Concept artist is Norwegian citizen or citizen of EEA member states. (0-1 points)		
20	Lead vfx-artist is Norwegian citizen or citizen of EEA member states. (0-1 points)		
21	Post-production or VFX-supervisor is Norwegian citizen or citizen of EEA member states. (0-1 points)		
22	At least 51% of the crew (excluding the positions mentioned in sections 3-21) are Norwegian citizens or citizens of EEA member states. (0-4 points)		
23	Shooting takes place on locations or in studios in Norway. (0-4 points)		
24	The production uses service providers from Norway or another EEA country. (0-4 points)		
25	All or part of post-production (including sound and visual post-production, editing, soundtrack recording, etc.) takes place in Norway or the EEA. (0-6 points)		
26	The production has a strategy for sustainable and green recording. (0-2 points)		

Sum

(Min-max points 0-35)

Total

(Min-max points 0-51)

Comments qualification test

Leave comments here, please point to section and number.