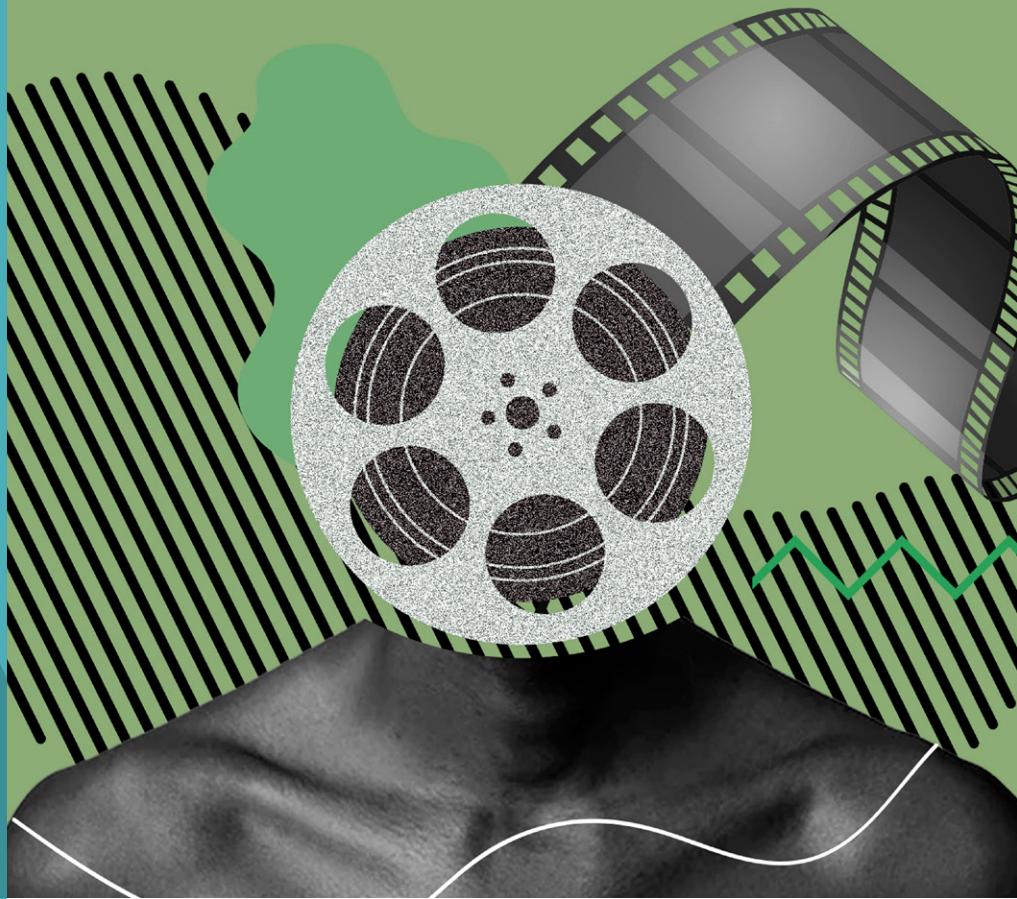


SUPPORT FOR INDEPENDENT AUDIOVISUAL PRODUCTION:

A Comparative Study of the Approaches
Developed in a Sample of Countries



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SUMMARY

This study provides a comparative analysis of approaches developed in a sample of countries, namely **Australia, France, New Zealand, Spain and the United Kingdom**, to support independent audiovisual production in the digital environment. The analyses are based on nearly 200 documentary sources consulted and on interviews with 17 people in various positions in the relevant bodies in the five countries. First, the **international context** in which support for the audiovisual sector is deployed is briefly presented. The study points out that **digital technologies have the effect of blurring the line between the national territory and the international market**: on the one hand, because cultural content benefits from greater freedom of movement in the digital environment; on the other hand, because cultural policies conceived for and applied to an analog environment largely controlled by the state are no longer adapted to the actors and business models that are now dominant. The pressure exerted by international competition is increasing due to the double effect of the explosion in the supply of cultural content and the decrease in the effectiveness of existing cultural policies. For Canada, **supporting the creation and production of new cultural content has therefore become even more relevant**. And to maintain the vitality of the sector, **there is an urgent need to rethink and modernize funding mechanisms**.

In this regard, it is emphasized that measures to support the creation and production of new audiovisual content **contribute to the objectives of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions**, to which Canada is party. In addition, the Operational Guidelines on the implementation of the Convention in the digital environment adopted in 2018 specify the means that must be deployed by the Parties to ensure that the objectives of this treaty are achieved online. The Guidelines emphasize, among other things, **the need to adapt their policies and measures to the new challenges of the digital environment**, taking into account the particularities of this environment, its functioning, the new actors, the new business models and the new types of content. The study also points out that financial support measures are **consistent with Canada's trade commitments** under its free trade agreements, including the Canada-United States-Mexico Agreement (CUSMA).

The study then identifies the **entities involved in financing** audiovisual production in each of the countries examined, including their budgets and the number of programs administered, and provides an overview of the reforms carried out to take into account the development of digital technologies in this sector.

The core of the analyses focuses on new types of content eligible for financial support, as well as other programs designed to stimulate independent audiovisual production in the digital environment.

With regard to content, the research and interviews conducted to document the approaches of the five countries covered show that several funds now support **video games, extended reality content, and content for free video sharing platforms and social networks**. As for programs, the study reports on various initiatives aimed at **fostering the presence of a diversity of national content in the digital environment and stimulating new forms of partnership with digital actors**. Other programs are designed to **help build the capacity of companies to produce competitive digital content on the international market**.

Finally, related topics are addressed, such as the **source of financial resources** intended for programs supporting the creation and production of new content. On this point, the study documents the reforms carried out or the reflections made by the countries covered in order to subject the platforms to obligations to support the production of national content.

Also examined are **tax incentives**, which are intended to stimulate the production of new types of content or to attract the production of foreign works to the territory of the countries covered. Consideration is also given to the **definition of national content**, whose criteria – some cultural, others economic – may encourage the retention of intellectual property on the territory of the country concerned.

Finally, a number of issues related to diversity in the audiovisual sector are identified, including the **promotion of Indigenous cultural expressions and respect for their narrative sovereignty**. All the countries examined also pay attention to **language issues**, with an increasing number of initiatives aimed at stimulating the production or distribution of content in minority, local or Indigenous languages. The **principles of equity, diversity and inclusion also permeate a growing number of initiatives**.

The study concludes with the **following highlights**:

- **The five countries covered have undertaken reforms** to adapt their financial support programs to the challenges and opportunities generated by digital technologies, a process that will continue over the next few years;
- Beyond films and series, **financial aid supports new types of content in the digital environment**, in particular video games, extended reality content and content for free video sharing platforms or social networks;
- Other financial support programs aim more generally to **promote the presence of a diversity of national content in the digital environment**, to stimulate new forms of partnership with digital actors or to strengthen the capacity of companies to produce competitive digital content on the international market;
- The **tax incentives** offered by the countries covered have also evolved to **take into account the specificities of the digital environment and the new types of content**;
- The **criteria for defining national content are based on a set of both economic and cultural considerations**, and are often part of strategies for retaining intellectual property rights in the territory of the countries concerned;
- **A variety of diversity issues** are increasingly influencing the way in which aid is deployed, resulting in a growing focus on **Indigenous cultural expressions, linguistic diversity and EDI principles**.

Finally, **financial support for the creation and production of national cultural content is a measure that can contribute to reaching the objectives of the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions in the digital environment***, a treaty to which Canada is party.

In addition, this type of support is **consistent with Canada's international commitments under its free trade agreements**, including the the CUSMA between Canada, the United States and Mexico.

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1

INTRODUCTION

While digital technologies are transforming the ways in which audiovisual content is created, produced, distributed, disseminated and accessed, they are also prompting governments to review their approaches to supporting cultural and creative industries. Over the past decade, several countries have undertaken important reforms to adapt their cultural policies to market developments and to modernize their programs to support the creation and production of new audiovisual content.

The revision of support programs aims in particular to take into account the new types of audiovisual content that are attracting public interest in the digital environment and the new players that are now involved in the value chain of cultural and creative industries, in particular platforms. The objectives are to face the increasing international competition encouraged by the digital shift and the further integration of economies, to support innovation in the field of audiovisual content creation and production, and above all to adapt the content offer to the changing consumption habits, especially among young people. Driven by a sense of urgency, several states are showing a strong desire to support the production of national content, but also local content or content in certain languages, and to ensure a significant presence of this cultural content in all distribution spaces.

In light of the above, this study proposes a comparative analysis of the approaches developed in a sample of countries, namely Australia, France, New Zealand, Spain and the United Kingdom, hereafter referred to as the "countries covered,"¹ to support audiovisual production in the digital environment. This study is based on nearly 200 documentary sources consulted and on interviews conducted with 17 people in various positions within the relevant bodies in the countries covered.



¹ While the study focuses on these countries, it also takes into account support from the European Union.

REPORT STRUCTURE

The remainder of the report is structured as follows:

SECTION 2

presents the international context in which financial support is deployed in the countries covered;

SECTION 3

identifies the main funding bodies in each country and provides an overview of the reforms carried out to take account of the rise of digital technologies in the audiovisual sector;

SECTION 4

examines the new types of content eligible for financial support;

SECTION 5

looks at other programs deployed to stimulate independent audiovisual production in the digital environment;

SECTION 6

explores the source of financial resources for programs supporting the creation and production of new content;

SECTION 7

presents the tax incentives in place in the countries covered;

SECTION 8

provides an overview of the criteria used to define national content and strategies for the retention of intellectual property in these countries;

SECTION 9

discusses a number of diversity-related issues in the audiovisual sector;

SECTION 10

concludes with a few highlights.

2

INTERNATIONAL CONTEXT

The rise of digital technology in the field of cultural and creative industries has a wide range of consequences, both for the actors in the value chain, which includes the public, and for policy makers. The latter must identify ways to renew their support for this sector, not only for economic reasons but also for political, social and cultural reasons.

Cultural goods and services: commodities of a unique kind...

The discourse on the *specific nature of cultural goods and services*, which should be considered not only for their economic value but also for their cultural dimension, in that they are “vectors of identity, values and meaning,”² is influencing a growing number of states determined to preserve their power to intervene in the cultural sector and to promote their cultural expressions, both on their own territory and internationally.

However, digital technologies have the effect of blurring the line between the national territory and the international market: on the one hand, because cultural content benefits from greater freedom of movement in the digital environment; on the other hand, because cultural policies designed for and applied to an analog environment largely controlled by the state are no longer adapted to the actors and business models that are now dominant. The pressure exerted by international competition is increasing due to the double effect of the explosion in the supply of cultural content and the decrease in the effectiveness of existing cultural policies. For Canada, this makes it all the more relevant to support the creation and production of new cultural content. And to maintain the vitality of the sector, the need to rethink and modernize funding mechanisms is becoming urgent.

Canada’s international commitments

However, any such action cannot be undertaken without taking into account Canada’s international commitments, both in the cultural sector and in the area of trade. While the 2005 *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*³ encourages Canada to support the production of new content and to modernize its policies to adapt them to the digital environment, it is also necessary to determine whether Canada’s commitments under the free trade agreements it has ratified allow it to implement such measures.

“In the digital environment, the pressure exerted by international competition is increasing due to the double effect of the explosion in the supply of cultural content and the decrease in the effectiveness of existing cultural policies”.

² UNESCO, *Universal Declaration on Cultural Diversity*, 2001, Article 8.

³ Adopted in Paris on October 20, 2005. Entered into force on March 18, 2007.

TAKING INTO ACCOUNT CANADA'S INTERNATIONAL COMMITMENTS	
Commitments under multilateral, regional and bilateral trade agreements	Commitments under the 2005 UNESCO Convention
Obligation to grant access to the national market to cultural goods and services from other countries	Recognition of the dual nature – economic and cultural – of cultural goods and services
Prohibition to grant more favourable treatment to national cultural goods and services than to similar cultural goods and services from other countries (principle of non-discrimination)	Reaffirmation of the sovereign right of states to implement the policies and measures they deem appropriate to protect and promote the diversity of cultural expressions
↓	↓
Non-discrimination commitments can apply to digital trade	These policies and measures can be deployed in the digital environment
Certain clauses – such as a cultural exemption – may be included in order to preserve the right of states to adopt the cultural policies they deem appropriate, in particular to support their national cultural goods and services	These policies and measures may specifically target national cultural goods and services
	These policies and measures may include the allocation of public financial aid to national businesses, artists and cultural professionals

Canada's trade commitments

The issue is highly relevant because some of Canada's trade commitments – which now extend to digital trade – have had the effect of diminishing the protection offered by the Canadian cultural exemption historically put in place to exclude cultural industries from the scope of free trade agreements and preserve Canada's cultural sovereignty. These commitments could therefore have the effect of restricting Canada's ability to turn to certain types of cultural policies.

Since the conclusion of the first free trade agreement with the United States in 1988 and until recently, Canada had managed to exclude all cultural industries from the scope of its bilateral and regional trade agreements. With the incorporation of a general cultural exemption,⁴ Canada was able to maintain control over its current and future cultural policies.

Two recent agreements, however, have escaped this pattern: the *Comprehensive Economic and Trade Agreement* (CETA) between Canada and the European Union and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP)⁵ do not contain a general cultural exemption, i.e., a clause that excludes cultural industries from all chapters and therefore from all commitments under these treaties. These two agreements also contain commitments on digital trade that create insecurity for Canadian cultural industries and uncertainty about the compatibility of certain existing or future cultural policies. In addition to these two agreements, there is also the special case of the *Canada-United States-Mexico Agreement* (CUSMA): although it contains a general cultural exemption that applies to the chapter on digital trade, a retaliatory clause can be activated if a cultural policy incompatible with the rules of this chapter is implemented by Canada.⁶

⁴ In addition to the 1988 *Free Trade Agreement*, thirteen other free trade agreements (FTAs) concluded by Canada contain a general cultural exemption. These are the *North American Free Trade Agreement*, with the United States and Mexico (NAFTA) (1992) (entry into force: January 1, 1994), as well as agreements with Israel (entry into force: January 1, 1997), Chile (entry into force: July 5, 1997), Costa Rica (entry into force: November 1, 2002), the European Free Trade Association (entry into force: July 1, 2009), Peru (entry into force: August 1, 2009), Colombia (entry into force: August 15, 2011), Jordan (entry into force: October 1, 2012), Panama (entry into force: April 1, 2013), Honduras (entry into force: October 1, 2014), Republic of Korea (entry into force: January 1, 2015), Ukraine (entry into force: August 1, 2017), and the United Kingdom (entry into force: April 1, 2021).

⁵ These agreements entered into force on September 21, 2017 and December 30, 2018, respectively.

⁶ This was also reiterated by the United States in relation to Bill C-11.

Such a scenario is not unrealistic. For several years, the United States has been deploying a strategy aimed at extending the rule of non-discrimination – a founding principle of free trade agreements – to digital trade, with the goal of fighting any form of quantitative restriction. Quotas, a measure that has been used for decades in many states, but also recently the setting of minimum thresholds for national content in the catalogs of platforms or the requirements of discoverability of this content, are new forms of discriminatory measures (comparable to quantitative restrictions) to which the United States seems to be opposed.

In contrast, at the turn of the millennium, the United States stopped being concerned with the allocation of public financial aid aimed at supporting the creation and production of national content, as the sums generally invested were not large enough to create real distortions to trade in cultural goods and services. In general, the Canadian cultural exemption applies to the allocation of subsidies, and Canada's most recent trade agreements exclude subsidies from commitments on digital trade.⁷

Thus, while Canada's commitments could have the effect of considerably reducing its power to intervene in the digital environment, recourse to public financial aid to support the production of national content seems to remain possible, at least to the extent that the support funds are fed by Canadian public funds or contributions from private Canadian companies. A possible obligation imposed on foreign platforms to contribute to funds supporting the production of new Canadian content could raise various questions as to the compatibility of such a requirement with Canada's trade commitments. If this scenario were to materialize, careful consideration would need to be given to the determination of the terms and conditions for the imposition of such financial contributions and the determination of the potential beneficiaries of the funds so contributed.

Canada's commitments under the 2005 UNESCO Convention

From the perspective of Canada's commitments under the 2005 Convention, which apply to the digital environment, such financial support appears necessary to achieve the objectives of that treaty. The intervention of parties in favour of their own cultural expressions – by actively supporting the creation, production, distribution, dissemination of and access to these cultural expressions – is both a right and an obligation.

First, it is provided that “each Party may adopt measures aimed at protecting and promoting the diversity of cultural expressions within its territory,”⁸ which may include “measures aimed at providing domestic independent cultural industries and activities in the informal sector effective access to the means of production, dissemination and distribution of cultural activities, goods and services”⁹ and “measures aimed at providing public financial assistance.”¹⁰ Second, the 2005 Convention sets out an obligation to promote cultural expressions, according to which “Parties shall endeavour to create in their territory an environment which encourages individuals and social groups: [...] to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the special circumstances and needs of women as well as various social groups, including persons belonging to minorities and indigenous peoples.”¹¹

7 This is particularly true of the CUSMA and the CPTPP. According to Article 19.4 paragraph 2 of the CUSMA, the non-discriminatory treatment of digital goods rule “does not apply to a subsidy or grant provided by a Party, including a government-supported loan, guarantee, or insurance.” Article 14.4 of the CPTPP on non-discriminatory treatment of digital products states in paragraph 3 that this “Article does not apply to subsidies or grants provided by a Party, including government-supported loans, guarantees and insurance.”

8 2005 Convention, Article 6.1.

9 2005 Convention, Article 6.2(c).

10 2005 Convention, Article 6.2(d).

11 2005 Convention, Article 7.1(a).

The *Operational Guidelines on the implementation of the Convention in the digital environment*¹² specify the means that must be used by the Parties to ensure that the objectives of this treaty are achieved online. The Guidelines emphasize, among other things, the need to adapt their policies and measures to the new challenges of the digital environment, taking into account the particularities of this environment, its functioning, the new actors, the new business models and the new types of content.¹³ In particular, they suggest the type of measures that Parties should adopt in order to support the creation, production, dissemination, distribution of and access to a diversity of cultural expressions in the digital environment. For example, at the “stage of creation, Parties shall aim to support new forms of creativity in the digital environment, including artistic practices that are interactive and occur in real-time”¹⁴; at the “stage of production, Parties shall aim to support the modernization of the cultural and creative industries.”¹⁵ Measures should aim in particular to “promote new forms of financing for cultural and creative industries in the digital environment and encourage new types of partnerships between the public and private sectors in the digital environment”.¹⁶ It is also stated that Parties “shall aim to ensure the free and permanent access to diverse cultural expressions,” including through measures to “support linguistic diversity.”¹⁷

Finally, the Guidelines link these support measures to the integration of culture into sustainable development frameworks, stating that “[a]t the national level, measures should aim to: [...] raise awareness and promote the consumption of local cultural content and, as a result, foster the development of viable cultural and creative industries in the digital environment at the local, regional and national levels.”¹⁸ It is also recognized that support for cultural and creative industries contributes to the achievement of the *2030 Sustainable Development Goals*, in particular Goal 8 on decent work and economic growth, several of whose targets deal with technological upgrading, policies that foster creativity and innovation, and the promotion of local culture and products.¹⁹

“The Guidelines emphasize, among other things, the need to adapt their policies and measures to the new challenges of the digital environment, taking into account the particularities of this environment, its functioning, the new actors, the new business models and the new types of content”.

“Measures should aim in particular to “promote new forms of financing for cultural and creative industries in the digital environment and encourage new types of partnerships between the public and private sectors in the digital environment”.

12 Approved by the Conference of Parties at its sixth session (2017). Complementing the objectives set out in the text of the 2005 Convention, these Guidelines reaffirm “the Parties’ sovereign right to formulate, to adopt and to implement policies and measures for the protection and promotion of the diversity of cultural expressions in the digital environment” (paragraph 8.4).

13 See in particular paragraphs 5 and 9 of these *Operational Guidelines*.

14 *Id.*, para. 14.

15 *Id.*, para. 15.

16 *Id.*, para. 15.3.

17 *Id.*, para. 17.4.

18 *Id.*, para. 23.1.

19 See in particular targets 8.2, 8.3 and 8.6. See also Danielle Cliche and Yudhishtir Raj Isar, “Advancing creativity for development in UNESCO”, *Reshaping Cultural Policies*, Global Report, 2018, pp. 17-29.

Supporting national cultural expressions: a necessary requirement to respect the fundamental rights of individuals and groups

State intervention in favour of cultural and creative industries can even be considered necessary for the respect of fundamental rights and freedoms, in particular cultural rights, which must be protected in the digital environment.²⁰ The right to cultural identity in the digital environment requires that everyone has unrestricted access to the content and expressions of their choice, especially those that refer to the community or cultural identity with which they identify.

However, the position of a handful of actors in the digital environment may jeopardize the possibility for states to fully respect their commitments under both the 2005 Convention and human rights instruments, unless they make significant reforms to their cultural policies. These may be legislative reforms, for example to ensure that cultural content platforms contribute to a country's cultural ecosystem and are subject to the same rules as domestic actors. But these reforms can also be financial in nature, in order to guarantee the availability of national or local cultural content or content in minority languages.

MONDIACULT 2022: A renewed Canadian commitment to content diversity

These objectives now appear to be a priority. At least, this is what emerges from the *Final Declaration* adopted at the end of the UNESCO World Conference on Cultural Policies and Sustainable Development – MONDIACULT 2022, which sets out the common priorities of the ministers of Culture who met on this occasion to “fully harness the transformative impact of culture for the sustainable development.”²¹ Underlining “the structural impact of the digital transformation on societies and the cultural sector [...] which affects the cultural industries, and access to cultural goods and service” and “risks such as the reinforced global imbalance of flows of cultural goods and services, and the impoverishment of cultural and linguistic diversity online,”²² the ministers committed “to foster an enabling environment conducive to the respect and exercise of all human rights, in particular cultural rights – individual and collective – in all areas of culture, from cultural heritage to cultural and creative sectors, including in the digital environment.”²³ They also committed to “protecting and fostering the diversity of cultural contents, as well as linguistic diversity”²⁴ and to “implementing legal and public policy frameworks that uphold the rights of peoples and communities to their cultural identity and heritage, including the expressions of the cultures of indigenous peoples.”²⁵ Finally, they called upon UNESCO to assist them in harnessing the digital transformation in the cultural sector.²⁶ In the five countries covered by this study, a wind of reform is already blowing, leading the main funding agencies to modernize their support programs for audiovisual production to take into account the opportunities and challenges generated by digital technologies.

20 In her report on public spaces, the Special Rapporteur on cultural rights (2019) states that in the digital age, “public spaces are no longer limited to strictly physical spaces but also include cyberspace.” Therefore, human rights guarantees are still valid online.

21 *Final Declaration*, para. 1.

22 *Id.*, para. 8.

23 *Id.*, para. 10.

24 *Id.*, para. 10 (iv).

25 *Id.*, para. 10 (v).

26 *Id.*, para. 18.

3

FUNDING AGENCIES AND REFORM MOVEMENTS

3.1 THE RELEVANT ENTITIES

Four of the five countries – Australia, France, New Zealand and the United Kingdom – rely primarily on a single funding agency for audiovisual production:

- [Screen Australia](#) was established in 2008 under the [Screen Australia Act 2008](#) and took over the functions of its three predecessor agencies, the Australian Film Commission (AFC), the Film Finance Corporation Australia and Film Australia Limited, on July 1, 2008. Screen Australia administers about thirty programs, with an annual budget of AU\$120.33M (2021-2022).
- In France, the [Centre national du cinéma et de l'image animée](#) (CNC) is a public administrative body created in 1946 and placed under the supervision of the Ministry in charge of culture and the budget. The budget of €703M (2022) is divided into several funds allowing for the deployment of some forty programs.
- The [New Zealand Film Commission](#) (NZFC) is an autonomous public body, established by the New Zealand Film Commission Act in 1978. The NZFC administers some thirty programs, with an annual budget of NZ\$68.98M (2021-2022).
- In the United Kingdom, the [British Film Institute](#) (BFI) became in 2011 – following the abolition of the UK Film Council and the transfer of its funds to the BFI – the only non-departmental public body responsible for the distribution of funds to support the audiovisual sector, which come mainly from the national lottery. The BFI's annual budget is £132.3M, which supports about fifteen programs.

In Spain, at least two entities are responsible for supporting the audiovisual sector at the federal level:

- The [Institute of Cinematography and Audiovisual Arts](#) (ICAA) (*Instituto de la Cinematografía y de las Artes Audiovisuales*), an independent organization created in 1985 (part of the portfolio of the Ministry of Culture and Sport) with a mandate for cinema and audiovisual media that could be described as “traditional.” The ICAA's budget for the year 2023 is €186M and 8 financial aid programs are deployed.
- The [Sub-directorate general for the Promotion of Cultural Industries](#) (*Subdirección General de Promoción de Industrias Culturales*) of the Ministry of Culture and Sport, created in 2008, which supports through various initiatives all cultural industries (except the film industry), including those producing new types of content. In 2023, nearly €17M will be allocated to the promotion of these cultural industries.

In addition, certain similarities with the Canadian constitutional and linguistic context, i.e., the sharing of jurisdiction over culture between the federal level and the autonomous communities, as well as the country's multilingualism, also prompt an interest in the measures implemented by sub-state entities. For example, the support offered by the autonomous community of Catalonia is provided through the [Catalan Institute of Cultural Enterprises](#) (*Institut Català de les Empreses Culturals/ICEC*), a public institution created in 2001 and under the Department of Culture of the Generalitat de Catalunya. This study will be limited to this example, although other autonomous communities in Spain may also have their own financial support structure.

The following table shows the budgets of the agencies in each country covered and converts them to Canadian dollars to facilitate comparison. Taking into account the population of each of these countries also makes it possible to compare the amounts invested per person, again in Canadian dollars.

TABLE 1 – Budget of the agencies in each country covered

COUNTRY (YEAR)	AGENCY	BUDGET (MILLION)	BUDGET (MILLION)CA\$	POPULATION (MILLION)	CA\$/PERSON
Australia (2021-2022)	Screen Australia	AU\$120	110	25.9	4.25
Spain (2022)	ICAA	€186	268	47.5	5.64
France (2022)	CNC	€703	1015	64.5	15.74
New Zealand (2021-2022)	NZFC	NZ\$69	58	5.1	11.37
United Kingdom (2021-2022)	BFI	£132	217	67.3	3.22

Finally, with regard to France and Spain, it should be noted that certain aids deployed at the European Union level can also benefit national producers.

3.2 A WIND OF REFORM

It was at the end of the 2000s that the relevant agencies in four of the five countries covered (Australia, Spain, New Zealand and United Kingdom) began to make certain changes in order to adapt their mandates and support programs in response to the rise of digital technologies in the cultural and creative industries. In France, the CNC's first support measures for video games appeared in 2003. In the years that followed, various support measures for the creation of multimedia cultural content were put in place, and a support fund specifically dedicated to this type of content was created in 2008. Today, new media, extended reality works and immersive experiences are also financed by the CNC, notably through the [Immersive Creation Fund](#).

As for Australia, New Zealand and the United Kingdom, the relevant entities have followed similar trajectories with the launch of consultations at the turn of the 2010s and then the conduct of several reforms in the years that followed. In 2017, for example, Screen Australia specified in its [Terms of Trade](#) that an employee of an online platform could not be eligible for its programs. Then in 2019, the government launched a process of policy and legislative reforms to cover the distribution of media content online (on platforms such as YouTube, Facebook, Netflix, etc.) and offline. In September 2020, a first phase was announced, including AU\$53 million in financial support for the production of Australian content, [reforms to the Australian Screen Production Incentives](#), and changes to simplify Australian content exhibition obligations for broadcasters.

In New Zealand, following the publication of a critical report in 2010 ([Review of the New Zealand Film Commission](#)), the NZFC was led to restructure and review its working methods, particularly with a view to encouraging the emergence of new talent. In the following years, the NZFC established new programs, including the [Interactive Development Fund](#) (2014), which aims to develop narrative content for immersive platforms, and the [International Co-Development Fund](#) (2019), which supports, among other things, co-productions of drama series with major international partners, including foreign platforms.

As for the UK, in 2012 the BFI launched its first consultations to establish its priorities for the next few years, leading to the publication of the [2012-2017 Film Forever](#) plan. The plan includes a review of the *Distribution Fund* (now part of the *UK Global Screen Fund*) to stimulate new ways of distributing and promoting UK content, the development of new online services by [BFI Digital](#) (a media library showcasing the UK's audiovisual heritage) and an improvement of the [BFI Player](#) (an video on-demand streaming service).

Finally, as regards Spain, the [Culture 2020 Plan](#) adopted in 2017 has several objectives, including the promotion of a quality cultural offer and the improvement of financing for cultural and creative industries, including video games. Other initiatives aim to recognize the central role of SMEs in the development of this sector, which is reflected in the deployment of financial aid to support their cultural and creative projects, as well as the strengthening of their digital capacities. In addition, a [permanent working table of the General Administration of the State and the Autonomous Communities with the video game sector](#) set up in 2017 allows for the discussion of the challenges facing this sector and the establishment of a common strategy. This table played, among other things, an important role in the deployment of aid to the video game sector in Spain, particularly to enable it to compete on the international scene.

3.3 THE NEXT PRIORITIES

Far from being completed, the reform movement is still underway in the five countries covered, as evidenced by various initiatives currently being deployed. In some cases, more general orientations seem to be emerging at the state level, for example in the framework of cultural policies or strategies, some of which specifically target the digital environment.

In France

At the CNC, the strategic document [“Soutien au cinéma, à l’audiovisuel et au multimédia – perspectives 2022”](#) (Support for Cinema, Audiovisual Media and Multimedia – Perspectives 2022) focuses on three major challenges: the first is structuring the sectors in a way that promotes the diversity and quality of the works disseminated; the second is adapting to growing internationalization by strengthening the attractiveness and export capabilities of French works, particularly through investment in training and infrastructure (studios), and by improving tax incentives; the third is winning back young people, whose attention is mainly focused on major American productions (blockbusters) and content offered by foreign platforms. To meet these challenges, the CNC intends to deploy a two-pronged strategy. First, it aims to “strengthen the overall effectiveness of its action in the service of cinema, audiovisual media and multimedia” by contributing to the diversity of film creation, consolidating the audiovisual program industry and enriching the program offering by supporting audiovisual innovation. Second, it aims to “respond to the most recent changes affecting the conditions of financing, creation, production and dissemination in cinema, audiovisual media and multimedia,” in particular by reinforcing the attractiveness of the national territory for filming and by promoting the diversity of the offer and the exposure of French creation on video and on new distribution media.

This CNC document seems to be perfectly in line with the [Ministry of Culture’s Digital Strategy](#) published in 2021 and Objective 8 of the [France 2030 Plan](#), which aims to place France at the forefront of cultural and creative content production. The cultural component of this plan includes a [Cultural and Creative Industries Acceleration Strategy](#), a [Strategy for the Development of Digital Filming and Production Studios](#) and a strategy dedicated to the emergence of national champions for immersive cultural offerings.

In the United Kingdom

As for the BFI, a new 10-year strategy published in September 2022, [Screen Culture 2033](#), aims in particular to diversify audiences and revise existing programs to target new types of audiovisual content. The strategy will also review the public’s relationship with the UK’s audiovisual heritage, in particular by creating new ways of interacting with the collections and diversifying the works collected, preserved and made accessible. It should also further develop the BFI’s digital platforms to maximize the benefits of digital technology to reach new audiences (*Digital First*). A plan for the next three years is expected in spring 2023.

Far from being completed, the reform movement is still underway in the five countries covered, as evidenced by various initiatives currently being deployed.

In Australia

Screen Australia's [Corporate Plan 2022-2026](#) sets out the agency's key objectives for the coming years, which include supporting the creation, production of and access to "Australian stories," both at the national and international level, and across all platforms. Another priority target is to support highly skilled and creative professionals who produce projects that are innovative in both form and distribution.

On January 30, 2023, Australia unveiled its new cultural policy [Revive: A place for every story, a story for every place](#). Structured around five pillars – 1. First Nations; 2. A Place for Every Story; 3. Centrality of the Artist; 4. Strong Cultural Infrastructure; 5. Engaging the Audience – this policy clearly has similar objectives to those identified by Screen Australia in its 2022-2026 Plan. In addition, the [Australian government has announced the return of a video game support program, the Australian Interactive Games Fund](#), which will have a broader scope than the Games Expansion Pack program (see section 4.1) currently offered by Screen Australia and has confirmed the introduction of a tax incentive for this sector.

In New Zealand

In New Zealand, the [review of investment in the audiovisual sector](#) that began in 2021 could include a strengthening of the cultural test to ensure that a greater diversity of New Zealand content is reflected on screens. The review could also lead to a revision of tax incentives to improve support for skills and career development for New Zealand professionals, as well as for New Zealand companies in the sector. The next few years should also see the NZFC continue to work on adapting its programs to the rapidly changing audiovisual industry, with one of its goals being to increase the presence of New Zealand films on online platforms to make them accessible to a wider audience. The NZFC also intends to work on developing agreements with studios and platforms to stimulate filming in New Zealand.

In Spain

Finally, the [Digital Spain 2026 Agenda](#) launched in 2020 includes the [Spain Audiovisual Hub Plan](#), endowed with nearly 1,603 million euros for the period 2021-2025 from Spain and the European Union. With the aim of updating the Spanish audiovisual ecosystem, this plan covers not only traditional audiovisual content (fiction, TV), but also multimedia and interactive content, software, video games and transmedia content or those incorporating immersive experiences with visual effects or virtual reality. It aims to increase the competitiveness of the Spanish content production industry and its international promotion, to develop more audiovisual content produced in Spain (+30% by 2025), to allow creators to keep the intellectual rights to their works and to promote access to as much content as possible produced in Spain.

4

FUNDING FOR NEW TYPES OF CONTENT

The reforms carried out in the five countries covered have led the relevant entities to support new types of audiovisual content, i.e. content other than films or series broadcasted in the traditional way (cinema and television) or online.²⁷ Three types of new content are mainly targeted: A. video games; B. extended reality content (an umbrella term encompassing augmented reality, virtual reality, and mixed reality) and interactive storytelling, and; C. content for free video sharing platforms or social networks.

Funds dedicated to this content can target specific stages of its creation, including writing, development, production, post-production, distribution, dissemination, marketing or training and mentoring. The following table outlines the programs in place in each country to support these new types of content.

Three types of new content are mainly targeted: A. video games; B. extended reality content (an umbrella term encompassing augmented reality, virtual reality, and mixed reality) and interactive storytelling, and; C. content for free video sharing platforms or social networks.

²⁷ Although this study focuses on the support deployed by the single audiovisual production funding agency in each of the countries covered, or the three entities pre-identified in section 3 in the case of Spain, it should be noted that there are other agencies or entities within these countries administering aid programs to support the new types of content presented in this section. For example: In Australia, several regions have set up their own funds to support video games and, in some cases, immersive content, including Vic Screen. In France, several departments of the Ministry of Culture administer various initiatives related to the use of digital technologies in the field of cultural and creative industries; territorial collectivities may also be called upon to support artistic creation and dissemination, particularly in the digital environment. In New Zealand, the Centre of Digital Excellence is a regional economic development initiative designed to foster the emergence of a sustainable video game industry ecosystem; moreover, Te Māngai Pāho funds, among other things, content for online distribution that promotes Māori language and culture. Via the [Innovative Content for Emerging Platforms](#), the organization funds innovative content and genres that have not yet been explored on new and innovative platforms. In the UK, Creative England administers various programs targeting the creative industries, including video games; some regions have also set up their own support funds.

TABLE 2 – List of programs supporting new types of content

CONTENT D: Development, including writing P: Production, including post-production M: Distribution/Dissemination/Marketing T: Training/Mentoring	VIDEO GAMES				EXTENDED REALITY				CONTENT / FREE VIDEO SHARING SITES				CONTENT / SOCIAL MEDIA			
	D	P	M	T	D	P	M	T	D	P	M	T	D	P	M	T
Country / Programs																
SCREEN AUSTRALIA																
Games: Expansion Pack		X														
Instagram Nations Creators Program														X		X
Skip Ahead											X		X			
Online Production						X					X					
Screen Story Development Fund					X											
Documentary Development					X											
Production Producer Program						X										
SUBDIRECCION GENERAL DE PROMOCIÓN DE INDUSTRIAS CULTURALES (SPAIN)																
Aid for the Promotion of the Video Game Sector and Other Forms of Digital Creation	X	X	X	X	X	X	X	X							X	X
INSTITUT CATALÀ DE LES EMPRESES CULTURALS (ICEC) (SPAIN – CATALONIA)																
Refundable Contributions to Video Game Projects	X	X	X													
Grants for Internationalization Projects for Companies and Entities in the Field of Video Games and Emerging Companies (Start-ups)	X	X	X													
CNC (FRANCE)																
Support Fund for Immersive Creation					X	X		X								
Support Fund for Videogames (FAJV)	X	X		X												
Internet Video Creators Fund (CNC Talent)										X	X		X	X	X	X
NEW ZEALAND FILM COMMISSION																
Whakawhanake Te Ao Niko	X				X											
He Ara Development Fund	X				X											
Unreal Engine Real-Time Short Challenge																
BRITISH FILM INSTITUTE																
Development Fund					X											
Production Fund						X										
Completion Fund						X										
BFI Short Form Animation Fund						X										
UK Global Screen Fund	X	X	X													
EUROPEAN UNION																
Creative Europe	X				X		X									

In general, Australia stands out among the five countries covered, since Screen Australia supports all three types of new content through the deployment of seven programs aimed at them. The same is true of the CNC in France, which has three programs to support content in the four categories of content examined in this section. In New Zealand and the United Kingdom, the NZFC and the BFI support video games and extended reality content, but do not currently appear to have funds to support content for free video sharing platforms or social networks. As for Spain, it has several programs aimed at both video games and other forms of digital creation, including extended reality.

The next sections present examples of support for each of the three new types of content. Each section ends with a table summarizing the programs identified, the amounts allocated and the number of projects supported for a given period.

4.1 VIDEO GAMES

The agencies in Australia, France, New Zealand, Spain and the United Kingdom administer aid to support video games. The NZFC's support focuses on development, Screen Australia's support focuses on production, while the BFI focuses on development, production, distribution and marketing. The support offered by the CNC is the most versatile, since it covers several stages of the video game creation and marketing process. Spain's support targets the pre-production, production and distribution of video games. Finally, it should be noted that support for video games is also provided by the European Union.

New Zealand

The [*Whakawhanake Te Ao Niko - Interactive Development Fund*](#) supports the development of original interactive content concepts, including video games (but also extended reality). Projects can be scripted and directed, or they can be emergent in nature (with the user controlling the narrative). Content can be disseminated on any platform (online, console, PC, etc.). This fund supports the development of the original intellectual property of the applicant; however, it does not support projects that have been commissioned or where a third party holds a controlling share of the rights. Applicants may be companies either in the video game or audiovisual sector.

Australia

The [*Games: Expansion Pack*](#) program aims to help Australian game studios increase the quality of their games and transition into businesses of scale that can compete in the global market. Projects can be for any video game platform, with the primary goal being to fund the creation of new titles. Applications for the live ops development of existing games may also be eligible. The program is primarily intended for emerging and small to medium-sized independent game studios.

United Kingdom

The [UK Global Screen Fund](#) is also worth mentioning as it is a more general program that supports various types of content. The fund is designed to stimulate the development and production of projects (films, series, documentaries, animation content and narrative and interactive video games) with international appeal, to support the global distribution of British content and to encourage collaboration with international companies. The fund is open to UK independent companies registered and administered in the UK and has three strands, one of which focuses on narrative and interactive video games. Specifically, the [International Business Development](#) strand provides financial support for business strategies that drive international growth and intellectual property development for eligible companies.

Spain (and Catalonia)

The [Aid for the Promotion of the Video Game Sector and Other Forms of Digital Creation](#) of the Sub-directorate general for the Promotion of Cultural Industries (Ministry of Culture and Sport) aims to support video game projects, distributed on existing channels (PC, consoles, mobiles, TV or distribution platforms) or developed for emerging industries (serious game; cloud gaming; wearables; industry 4.0; etc.). This program can also benefit other forms of digital creation, including extended reality content, podcasts, metaverse-oriented narrative experiences. In all cases, projects must have a cultural character and/or interest, which is determined by taking into account several criteria (see section 8). More specifically, the grants support the pre-production, production and distribution of video games (or other forms of digital creation). The objectives are multiple and include, in particular, improving the quality of the offer of video game companies and increasing the visibility of Spanish video games in the main international markets.

Catalonia also supports the production of video games. The [Refundable Contributions to Video Game Projects](#) support the development, production, publishing, distribution, marketing and dissemination of video games. The aid takes the form of “co-financing,” which allows companies to receive funding for a cultural project.

France

The CNC’s [Support Fund for Videogames](#) (FAJV) supports authors and creative enterprises in all phases of game development: writing, pre-production and production. The FAJV also supports professional events (professional days, trade shows, etc.). Although French companies are the primary beneficiaries of this aid, European companies may also have access to it, provided that the project (more specifically the game design document) is produced in French. Originality, creativity and innovation are the main criteria for awarding the funds, which supports around 100 projects each year. The aid is conditional on the studio developing the game retaining its intellectual property rights.

European Union

Within the framework of the “content” cluster of the MEDIA strand of its Creative Europe program, the European Commission supports, among other things, the development of video games, with the objective of improving the capacities of producers and making the European industry more competitive on the international scene. Support is aimed at the “development of works and prototypes of interactive narrative storytelling with original content and/or quality gameplay intended for production and global commercial exploitation via PCs, consoles, mobile devices, tablets, smart phones and other technologies.” In addition, the [European recovery plan “NextGenerationEU”](#) launched in 2020 aims to respond to the economic and social consequences of the pandemic, and thus revive Europe by making it greener, more digital and healthier. As such, EU member states can receive funding to support specific measures in their territories. Thanks to this plan, Spain, for example, has been able to increase the amount of its Aid for the promotion of the video game sector and other forms of digital creation to 8 million for the year 2023.

TABLE 3 – Examples of video game support programs

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	Games: Expansion Pack	AU\$4.4M	31
Spain	Aid for the promotion of the video game sector and other forms of digital creation	**€1.0M	18
Spain-Catalonia	Refundable Contributions to Video Game Projects	N/A	N/A
France	Support Fund for Videogames	€4.2M	77
New Zealand	<i>Whakawhanake Te Ao Niko</i> – Interactive Development Fund	NZ\$45K	1
United Kingdom	UK Global Screen Fund	£2.1M	5
European Union	Creative Europe – Video games and immersive content development	N/A	N/A

* As the fiscal years differ from one country to another, the data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia and New Zealand; year 2021 for Spain and France; April 2021 to March 2022 for the UK.

** In 2023, the funding will be €8M; financing will come in part from the Next Generation EU.

4.2 EXTENDED REALITY CONTENT AND INTERACTIVE STORYTELLING

Several programs in the countries covered are designed to fund extended reality works. Four programs administered by Screen Australia provide funding for the development and production of this type of content. The BFI also administers four funds, covering various stages of project development. The creation of this type of content is also supported by New Zealand (notably through the *Whakawhanake Te Ao Niko* – Interactive Development Fund described in section 4.1), France, Spain and the European Union (through the *Creative Europe* program also described in section 4.1). Some of the programs targeting extended reality content are discussed in more detail below.

Australia

The [Screen Story Development Fund : Generate](#) and [Premium](#) program enables Screen Australia to support creators in the development of drama content, including extended reality content. The program also aims to help these creators capitalize on current or emerging digital platforms and grow their audience. Funds may be awarded to Australian individuals or teams whose project rights are controlled by the writer, director or producer. The program has two funds: the Generate Fund supports lower budget projects with an emphasis on new and emerging talent or experienced talent wanting to take creative risks; the Premium Fund supports higher budget projects by experienced teams who have already achieved commercial or critical success and are looking to take on larger projects.

Screen Australia also administers the [Online Production](#) program for the production of scripted children's projects and documentaries that push the envelope of traditional storytelling. It supports lower budget productions. The project submitted must be a series (e.g., a YouTube series or extended reality content intended to be accessed by the public via a screen). If the project is to be broadcast on television, it must also be distributed on at least one other digital media platform. The program also targets feature-length projects, provided that applicants have a significant existing social media audience (a channel with more than 100,000 subscribers or a video with more than one million views on a channel with more than 25,000 subscribers). In addition, the platform must be a central element of the project's distribution plan.

United Kingdom

The BFI funds fiction or animation works of at least 60 minutes in length or fiction projects in immersive media. The [Development Fund](#), the [Production Fund](#) and the [Completion Fund](#) each support a different stage of the creation of this type of content (development, production and post-production/finishing). These funds benefit companies registered and administered in the UK. It should be noted that all three funds are currently being reviewed to take into account the new objectives set out in the Screen Culture 2033 strategy. In particular, the BFI wants to broaden its scope of intervention to support new types of content such as video games.

France

The [Support Fund for Immersive Creation](#), which replaces the Support Fund for Digital Experiences and the Support Scheme for Artistic and Multimedia Creation (DICRéAM) since 2022, aims to support innovative audiovisual works based on an immersive creation approach. Multidisciplinary works are also eligible, provided they have a strong audiovisual component. Content for social networks whose primary distributor is not an on-demand audiovisual media service is also eligible. The fund aims to encourage the exploration of new digital writing and to attract new talent; to reinvent the relationship with the public and to extend dissemination opportunities; and also to promote the artistic and technological innovation capacity of French studios and talent on the international scene. Aid can be provided for several phases of a project, including writing, pre-production and production. The Fund is complemented by an aid to collective operations whose objective is to finance information and promotional activities intended for the entire profession. This may include, for example, study days, professional days, festivals of national or international scope, organized by companies or associations in the immersive creation sector.

TABLE 4 – Examples of programs supporting the creation of extended reality content

COUNTRY	PROGRAM		BUDGET*	PROJECTS SUPPORTED*
Australia	Screen Story Development Fund: Generate and Premium (Online/Interactive projects)		AU\$0.2 M	7
	Online Production		AU\$7.8 M	50
France	Support Fund for Immersive Creation (since 2022)	Support Fund for Digital Experiences (until 2021)	€2.5M	62
		Support Fund for Artistic and Multimedia Creation (DICRéAM) (until 2021)	€0.9M	101
United Kingdom	UK Global Screen Fund		N/A	N/A

* As the fiscal years differ from one country to another, the data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia; year 2021 for France; April 2021 to March 2022 for the UK.

4.3 CONTENT INTENDED FOR VIDEO SHARING PLATFORMS AND/OR SOCIAL NETWORKS

Australia stands out from the other countries in this study because of three funds administered by Screen Australia that support content for video sharing platforms or social networks such as TikTok or Instagram. One of these funds, the Instagram Nations Creators Program, is aimed at supporting Indigenous talent and will therefore be discussed in more detail in section 9; another of these funds is administered as part of the Online Production program described above. In France, the CNC administers a fund to support the creation of some of the content covered in this section.

Australia

The [Skip Ahead](#) program is a joint initiative of Screen Australia and Google Australia. It aims to help a new generation of online storytellers to expand their vision and ambition, and develop original Australian narrative content specifically for global online audiences. Specifically, the program supports the development of new content for the YouTube platform, such as a series of six by five minute episodes. Funding is available for scripted projects of any kind; however, projects must not be “how-to” programs or intended as advertising or marketing material. To be eligible, the applicant – creator or creative team – must have a YouTube channel with more than 25,000 subscribers, or a maximum of two YouTube channels with a combined subscriber base of 40,000 subscribers, or a YouTube video that has reached a minimum of 1 million views on a channel with at least 10,000 subscribers.

France

The [Internet Video Creators Fund \(CNC Talent\)](#) is dedicated to first-run original French-language projects for free distribution on the Internet. Its objective is to renew creation on the Internet through the detection of new talent and the search for new forms of writing. It therefore supports creators in taking risks, but also accompanies them at key moments of their professionalization and structuring. The fund includes two selective aid schemes:

- The *aid for creation* is aimed at video creators (individuals or companies) and is intended to support projects for original French-language works in all formats (short, medium and feature films, web series, etc.) and all genres (fiction, documentary, docu-fiction, vlogs, tutorials, etc.), with scripting work. The applicant must have at least 10,000 subscribers or have been selected or rewarded in a festival;
- The *aid for the editorialization of channels* aims at structuring production entities. The targeted channels are those that present a set of works around a theme, a concept or a person, and that are made available to the public on a digital platform. The aid targets video creators with a minimum of 50,000 subscribers. The project leader is required to have a strategy for the existence of the channel, i.e. the recurrent publication of content over a given period of time with a broadcasting schedule. This aid is intended for existing or planned channels broadcasting original French videos of artistic and cultural interest of all kinds (fiction, documentary, docu-fiction, vlogs, tutorials, etc.), with an emphasis on writing and an intense need for technical resources.

Only *free* platforms are eligible (TikTok, Instagram, Facebook, Twitch, Snapchat, Arte.TV, France.tv Slash, KuB, etc.) and it must be a first exhibition window. In addition, the CNC has a CNC Talent YouTube channel on which some of the funded content is published. The CNC Talent program also offers professionalization grants that help creators write and develop a project (in residence or in a setting of their choice). The CNC also has partnerships with some thirty festivals where it awards grants to professionalize web creators. Some festivals, such as the Clermont-Ferrand short film festival, have opened a “pop-up” section dedicated to short films from the web. YouTube and CNC Talent endow the prizes awarded.

Finally, the CNC also offers authors the opportunity to meet professionals, participate in workshops, Masterclasses, etc. at festivals such as Cannes and Séries Mania. The idea of the CNC Talent program is to offer both financial support and coaching to creators, particularly when they are moving from one genre to another (short to feature film, for example).

TABLE 5 – Examples of support programs for content intended for video sharing platforms or social networks

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	Skip Ahead	AU\$0.6M	5
France	Internet Video Creators Fund - Aid for creation	€1.7M	72
	Internet Video Creators Fund - Aid for the editorialization of channels	€0.6M	12

* As the fiscal years are different from one country to another, the data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia; year 2021 for France.

5

OTHER FUNDING RELATED TO THE DIGITAL ENVIRONMENT

The reform movement described in section 3 has also led the various relevant entities to deploy support aimed more generally at fostering the presence of national content in the digital environment. In addition to the programs for the creation of new types of content (presented in section 4), initiatives have more broadly targeted all audiovisual content that can be made accessible through digital technologies.

This section provides examples of such initiatives by grouping them into four categories: A. aid aimed at promoting digital content in the international market; B. aid promoting diversity of online content; C. aid aimed at stimulating new forms of partnerships with digital actors; and D. aid for companies to strengthen their digital content production capacities. It should be noted that programs specifically targeting Indigenous content are presented in section 9. Each section ends with a table summarizing the programs identified, the amounts allocated and the number of projects supported.

5.1 AID AIMED AT PROMOTING DIGITAL CONTENT ON THE INTERNATIONAL MARKET

Australia

Screen Australia administers the [International Finance Fund](#), which aims to support Australian projects with a very high level of global appeal. Specifically, the objective is to assist applicants in developing materials and a pitching strategy to attract international funding and partnerships. The fund is open to market-ready, long-form Australian drama and documentary projects that have received development funding from an independent, international or Australian business partner with a proven track record in similar projects. This partner may be a commissioning platform (but also a local or international distributor or a production studio). In all cases, the applicant must have control of the intellectual property rights and meaningful creative control of the project. The project must be bold, ambitious and have universal appeal.

France

The [Selective Platforms Fund \(FSP\)](#) was an experimental and temporary project of the CNC aimed at supporting the independent production of French audiovisual works pre-financed exclusively by non-European platforms. The beneficiaries could therefore be independent French delegated production companies that work with a platform. This fund was presented as the first step in the integration of non-European platforms into the CNC's financial aid system by establishing the same rules of the game for all players in the sector. In effect only from 2021 to 2022, the fund was initially set up pending the opening of the CNC's automatic production support scheme to producers who collaborate with platforms. Since December 2022, these producers can now benefit from the CNC's automatic production support in the same way as those working with television channels, for example. In this case, it is not a matter of supporting the platforms directly but of supporting the producers/authors who collaborate with them.

In addition, since 2021, the CNC has a [department of attractiveness](#), a major strategic issue for the Center: the development of platforms has led to an explosion in the volume of productions; moreover, these platforms now participate in supporting national creation. This department was created following the integration of the national film commission, Film France, into the CNC. Its mission is to promote the international attractiveness of France, and in particular filming and post-production in the country.

New Zealand

The [Premium Productions for International Audiences Fund](#) is no longer in effect, but is still interesting to examine because of some of its features. Created to help the audiovisual sector recover from the impacts of COVID-19, it was intended to support high-quality productions telling New Zealand stories for global audiences. A collaboration between the NZFC, the government's independent funding agency NZ On Air and the government agency responsible for promoting Māori language and culture Te Māngai Pāho, it targeted New Zealand producers (including co-productions). The project (feature film, single episode or TV series) had to contain New Zealand content (although there was no minimum requirement). The applicant had to demonstrate that the majority of the filming would be completed in New Zealand and that the production budget had a minimum of 10% private international investment, which could come from sales agents, distributors or streaming services outside New Zealand. In addition, where the feature film was made in collaboration with an international partner distributing its content online only, the rights for domestic theatrical release had to be reserved or committed. In addition, feature films required a commitment from one or more local or international distributors; for TV series, a commitment from a broadcaster or streaming platform with a presence in New Zealand was required. Preference was given to projects with a plan for discoverability and reaching New Zealand and global audiences.

United Kingdom

The [UK Global Screen Fund](#) is a three-year program designed to boost the UK's international competitiveness. It is divided into several strands, two of which focus on the digital environment:

- The [International Co-Production](#) strand supports internationally co-produced feature films or TV projects. All projects must have strong export potential and be able to demonstrate the potential to generate revenue for the UK producer. This strand is open to independent UK producers with demonstrable production experience. The project must have at least 60% of the overall finance secured (in addition to any prospective contribution from this strand and UK tax relief) or have already secured at least one other source of UK funding (in addition to any prospective contribution from this strand and UK tax relief). This funding may come from a video-on-demand platform, provided that the platform is not acquiring worldwide rights on a buyout basis.
- The [International Business Development](#) strand supports the development of UK businesses in the audiovisual sector that generate revenue through export and international expansion. Eligible companies can apply for funding using one of two tracks: the General Track or Film Transformation Track. Film Transformation aims to address the challenges facing businesses, such as the emergence of new technologies and the proliferation of non-traditional distribution channels.

Spain (and Catalonia)

The [Aid for Cultural Action and Promotion](#) offered by the Sub-directorate general for the Promotion of Cultural Industries (Ministry of Culture and Sport), is intended to promote activities that contribute to the creation of cultural content, and to modernize and professionalize the Spanish cultural sector. Among other things, it aims to stimulate the use of new technologies in the creation and dissemination of content, to increase the professionalization of the cultural and creative industries and their capacity to generate employment, and above all, to promote the internationalization of Spanish culture and its inclusion in European networks of cultural offerings. Beneficiaries must be legal entities of Spanish nationality or of any member state of the European Union or a signatory state of the European Economic Area Agreement. Legal entities may not be for-profit and must have their tax residence in Spain.

In Catalonia, the ICEC offers [Grants for Internationalization Projects for Companies and Entities in the Field of Video Games and Emerging Companies \(Start-ups\)](#). These grants specifically benefit companies and entities that contribute to the presence of interactive digital cultural products or services (applications, video games, platforms) abroad. The applicant must be domiciled in Spain, or in a member state of the European Union or associated with the European Economic Area and have an operational establishment in Spain.

European Union

As part of the “content” cluster of the MEDIA strand of its Creative Europe program, the European Commission has launched in 2022 a [call for proposals to support audiovisual and online content](#). This call aims more specifically to “increase the capacity of audiovisual producers to develop and produce strong projects with significant potential to circulate throughout Europe and beyond, and to facilitate European and international co-productions within the television and online sector.” The objective is, among other things, to support the production of high quality drama, animation and documentary films intended for linear and non-linear broadcasting, including on digital platforms.

TABLE 6 – Examples of programs aimed at promoting digital content on the international market

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	International Finance Fund	AU\$56k	4
Spain	Aid for Cultural Action and Promotion	€2.0M	86
Spain-Catalonia	Grants for Internationalization Projects for Companies and Entities in the Field of Video Games and Emerging Companies (Start-ups)	N/A	N/A
France	Selective Platforms Fund	€1.1M	3
New Zealand	Premium Productions for International Audiences Fund	NZ\$36M	13
United Kingdom	UK Global Screen Fund	£5M	66
European Union	Call for proposals to support audiovisual and online content	N/A (call launched in 2022)	

* As fiscal years differ from country to country, data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia and New Zealand; year 2021 for Spain, France and the European Union; April 2021 to March 2022 for the United Kingdom.

5.2 AID PROMOTING DIVERSITY OF NATIONAL CONTENT ONLINE

Australia

Screen Australia administers the [General Drama Production](#) et [Children's Program Production](#) funds, which target productions made primarily for broadcast, subscription television and video-on-demand platforms. This excludes content intended for cinema that qualifies for the 40% Producer Offset (see section 7). In addition, for the Children's Program Production fund, the primary audience must be children. In all instances, Screen Australia will not fund more than 40% of the total budget for drama programs and 45% for children's programs (including the Producer Offset), except in exceptional circumstances. Finally, at the time of application, the project must be associated with a partner such as a broadcaster or a subscription video-on-demand platform. As an example, Screen Australia has supported six episodes of the North Shore series in 2021-2022, which will be available on Paramount +.

[Digital Originals](#) is a joint initiative between Screen Australia, broadcaster SBS and NITV that funds the development of innovative series for both platforms. This initiative is designed to support creators who are underrepresented in the audiovisual sector, including First Nations, people with disability, women, LGBTIQ+ people and those who are located in regional and remote areas. The program also includes a training component: for example, in previous editions, 10-12 teams were selected to participate in a workshop organized by the three partners on short story writing skills.

France

The [Selective Support for Video-on-demand Broadcasting](#) (also known as Selective Support for the Editorial Program (PGE V&D)) is an extension of the selective support for physical video and aims to support and structure the development of the VOD market. The beneficiary platforms are generally specialized or niche. The program is aimed at two categories of beneficiaries:

- **Rights holders:** this aid can be requested by a structure for the dissemination, editorialization and promotion of a catalog of at least 4 eligible works, for dissemination on a minimum of 2 VOD services. Eligible structures are cinematographic and audiovisual production companies, companies that hold the rights to exploit cinematographic or audiovisual works on on-demand media services and companies that hold marketing mandates for the exploitation of cinematographic or audiovisual works on on-demand media services. These companies must be established in France. Moreover, their catalog must be composed of French and European cinematographic and audiovisual works, accessible in French (French version and/or original version with French subtitles). Several evaluation criteria are set out, including accessibility to persons with a disability (subtitling for the deaf and hearing impaired, audio description for the blind and visually impaired), as well as the prospects for marketing the catalog of works on VOD on on-demand media services.
- **On-demand media services editors:** this aid may be aimed at the dissemination, editorialization and promotion of one or more European cinematographic or audiovisual works or original French-language works, or at improving the technical or editorial quality of the proposed offer and the methods of access to the works, as well as at enhancing the offer. In order to benefit from this aid, on-demand media services must, in particular: provide users with services accessible in France; have a total worldwide turnover (excluding tax) resulting from the exploitation of cinematographic and audiovisual works on on-demand audiovisual media services of less than €200M or belong to a group of natural or legal persons whose total worldwide turnover (excluding tax) relating to this exploitation is less than €200M. In addition, their offer must include at least 20 cinematographic works or 20 audiovisual works and they must assume editorial responsibility for the choice of the service's content and determine how it is organized.

In addition, since 2014 and after several years of discussions with the European Commission, the CNC has set up an [Automatic Financial Assistance for Video-on-Demand Broadcasting](#) aimed in particular at encouraging the structuring of the VOD market. It covers all video-on-demand marketing methods, i.e., rental video, permanent download or subscription (except catch-up television). This aid allows the CNC to be consistent with its automatic support program for physical video. To benefit from this assistance, the service editor must be accessible in France, have a turnover of less than €2M, and broadcast films that are less than eight years old. This support is attributed to the service editor in proportion to its turnover on "generating cinematographic films."

TABLE 7 – Examples of programs promoting a diversity of national content online

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	General TV Drama Production	AU\$24M	26
	Children's Program Production	AU\$6.1M	23
	Digital Originals	AU\$65k	4
France	Selective Support for Video-on-demand Broadcasting	€1.9M	41
	Automatic Financial Assistance for Video-on-Demand Broadcasting	€2.0M	8

* As the fiscal years are different from one country to another, the data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia; year 2021 for France.

5.3 AID AIMED AT STIMULATING NEW FORMS OF PARTNERSHIP WITH DIGITAL ACTORS

Australia

Screen Australia's [Commissioned Program](#) supports the production of documentaries made primarily for broadcasters or video-on-demand service platforms. Content must be both inspiring and have cultural value. This fund targets projects of at least 30 minutes in length that will be released by an Australian broadcaster or video-on-demand platform (confirmed pre-sale required). As an example, in 2020-2021, Screen Australia supported a first documentary commissioned by Netflix, *Microworld Reef*, and a documentary for Disney +, *Shipwreck Hunters Australia*. Foreign formats are eligible. Priority is given to original content.

United Kingdom

The BFI [announced in the fall of 2022 that Netflix will become the first online streaming platform in the world to have its series and films preserved in the BFI National Archive collection](#). Initially, 26 series and films reflecting British society will be digitally preserved for generations to come. This initiative comes as Netflix celebrates its 10th anniversary in the UK. Over the next five years, hundreds of culturally significant British Netflix productions selected by BFI curators will be digitally preserved and become part of the British national collection.

France

The [Knowledge and Cultures call for proposals](#) (completed) aimed to promote creativity in the transmission of knowledge and culture in the digital environment. Implemented during the year 2021, this program was born from the observation of the appetite of young audiences for web content around culture and science, as well as works with an educational reach. It thus made it possible to support educational digital projects in all areas of knowledge, culture, science, the environment, sex education, sports and new technologies, including video games with an edutainment and educational reach. The program was the result of a partnership with YouTube and Arte for web creation, and with Ubisoft and France Télévision for video games. It should be noted that some parts of the program are being redesigned and will be perpetuated within the CNC Talent program.

New Zealand

In collaboration with Epic Games and several New Zealand and Australian funding agencies, the NZFC is taking part in the [Unreal Engine Real-Time Short Film Challenge](#) program. The goal of the fund is to finance the production of animated short films – from 90 seconds to 5 minutes – using the Unreal Engine 5 software. This cutting-edge software is a real-time engine and editor that provides photorealistic rendering and more, allowing filmmakers to design and execute visual stories without leaving their homes.

TABLE 8 – Examples of programs aimed at stimulating new forms of partnership with digital actors

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	Commissioned Program	AU\$7.2M	19
France	Knowledge and Cultures call for proposals	N/A	41
New Zealand	Unreal Engine Real-Time Short Film Challenge	NZ\$100k	2

* As the fiscal years are different from one country to another, the data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia and New Zealand; year 2021 for France.

5.4 AID FOR COMPANIES TO STRENGTHEN THEIR DIGITAL CONTENT PRODUCTION CAPACITIES

Spain (and Catalonia)

The [Aid for the Modernization et Innovation of the Cultural and Creative Industries](#) of the Sub-directorate general for the Promotion of Cultural Industries (Ministry of Culture and Sport) is intended for several sectors including interactive arts, cinema, new multimedia creative genres, new media, radio and television. It aims to: promote investments in the creation and dissemination of digital cultural content; promote investments that allow for the modernization, innovation and technological development of the cultural and creative industries; create jobs, or; promote the revitalization, structuring and internationalization of cultural and creative industries to contribute to the image of Spain. The beneficiaries of this aid are professionals registered with the autonomous workers' regime and SMEs of Spanish nationality, of any member state of the European Union or of a signatory state of the European Economic Area Agreement and domiciled in Spain for tax purposes.

In Catalonia, the ICEC offers [Equity Culture Loans](#) for companies dedicated to the creation of interactive digital products or services related to culture. The program is intended for companies less than 4 years old domiciled in Catalonia or in a member state of the European Union or associated with the European Economic Area and with an operational establishment in Catalonia.

Australia

Screen Australia's Enterprise program is divided into two sub-programs, [Business](#) and [People](#). The Business sub-program supports content creation companies. To be eligible, companies must be working in one of four identified areas of content: First Nations; Online content; Documentary; and Scripted. This program aims, among other things, to support companies so that they can benefit from commercial opportunities on different platforms and in different formats, or so that they can produce content of a quality that can meet national and global demand.

United Kingdom

As part of the [UK Global Screen Fund](#) program, the [International Business Development](#) strand (discussed in section 5.1) aims to support the development of UK companies in the audiovisual sector to generate more revenue through export and international expansion. Eligible companies can apply for funding through either the General Track or Film Transformation Track. This second track is designed to address the challenges faced by companies related to the emergence of new technologies and the proliferation of non-traditional distribution channels.

TABLE 9 – Examples of programs for companies to strengthen their digital content production capabilities

COUNTRY	PROGRAM	BUDGET*	PROJECTS SUPPORTED*
Australia	Enterprises - Business	N/A**	N/A**
Spain	Aid for the Modernization et Innovation of the Cultural and Creative Industries	€2.9M	116
Spain-Catalonia	Equity Culture Loans (for 4 years, 2015-2019)	€5.3M	54
United Kingdom	UK Global Screen Fund – International Business	£2.3M	29

* As fiscal years differ from country to country, data on budgets allocated and projects supported are for the following periods: July 2021 to June 2022 for Australia; year 2021 for Spain; April 2021 to March 2022 for the UK.

** Since this is a new program, no data is currently available.

6

MAIN FINANCIAL RESOURCES

The financial resources administered by the relevant entities in the countries covered to support the creation and production of national content come from a variety of sources. Two models can be distinguished: according to the first model, the funding is based in particular on a contribution from certain actors in the value chain of the audiovisual sector, part of whose revenues go into funds to support the development of new content or directly support independent national production; according to the second model, the actors in the value chain are not directly involved and the financial resources administered by the relevant entities come from other sources.

The distinction is important when considering the impact of digital technologies on a state's audiovisual ecosystem and on its mechanisms for financing creation and production. The rise of digital technology in the field of cultural and creative industries – in particular the progressive shift of audiences from analog to digital broadcasting, but also the rise of content distribution platforms – may have led to a decrease in the revenues generated by traditional actors (in particular broadcasters) and therefore to a decrease in their contributions to support funds for the development of new content. Inequity has also arisen due to the emergence of new players, mainly content distribution platforms, which are not covered by the contribution requirements of the funding mechanisms, giving them a significant competitive advantage over traditional broadcasters. It is therefore not surprising that the countries concerned by this approach are the first to have acted to reform their funding mechanisms and impose requirements on platforms, including foreign platforms, to support national production. Among the five countries covered by this study, France and Spain in particular have had to adapt to the reforms carried out at the European Union level in the audiovisual sector, which affect funding mechanisms in particular.

The rise of digital technology in the field of cultural and creative industries – in particular the progressive shift of audiences from analog to digital broadcasting, but also the rise of content distribution platforms – may have led to a decrease in the revenues generated by traditional actors (in particular broadcasters) and therefore to a decrease in their contributions to support funds for the development of new content. Inequity has also arisen due to the emergence of new players, mainly content distribution platforms, which are not covered by the contribution requirements of the funding mechanisms, giving them a significant competitive advantage over traditional broadcasters.

The model of France, Spain and the European Union

In France, the CNC's funds, whose total budget announced for the year 2023 is expected to be €711M (an increase of 1.1% compared to 2022), are fed by the proceeds of three specific taxes: 1) cinema admissions (TSA); 2) providers and distributors of television services (TST); and 3) revenues generated by the distribution, free or paid, of physical or online video (TSV). It should be noted that the third tax has been revised several times since 2013, in particular in order to make the platforms contribute. The growing interest of audiences in the content provided by these platforms, combined with the impact of the pandemic and the periods of lockdown on the use of these platforms, explains the rapid increase in the revenue from this third tax, which has risen from €16.21M in 2017 and €34.2M in 2019, to €87.3M in 2020 and €111.6M in 2021. The proceeds of these three taxes are directly allocated to the institution's budget, thus allowing the downstream to finance the upstream, and thus dissemination to finance creation. Therefore, the tax on the value added created by broadcasters feeds the CNC's support funds. It should also be noted that other revenues are allocated to the CNC budget. This is notably the case for the amounts of financial penalties (pronounced by ARCOM) paid by television service providers who do not respect their obligations. In addition, there are other specific resources, such as withdrawals of commitments from previous years, reimbursements of aid, sponsorship revenues (for example, those received within the framework of heritage digitization), or earmarked revenues (i.e., amounts paid by partners within the framework of co-financing of certain measures, such as the [Aid to Cinemas of the World](#)). Finally, the financing of production has also been supported since 1985 by the [Sociétés de financement de l'industrie cinématographique et de l'audiovisuel \(SOFICA\)](#), investment companies designed to collect private funds dedicated exclusively to this industry.

In Spain, the ICAA's budget for the year 2023 is €186M. This budget is mainly fed by transfers of funds from the Spanish government and by the proceeds of taxes applied to various cultural goods and services (including the sale of tickets for shows). In addition, a significant portion of the ICAA's budget – €106M in 2023 – is transferred to the Film Protection Fund. Furthermore, in accordance with Article 117 of [Act 13/2022 of July 7 on General Audiovisual Communication](#), this fund also receives financial contributions from audiovisual media service providers, who may alternatively choose to invest directly in the production of Spanish content, acquire the rights to exploit such content or contribute to the Fund for the Promotion of Cinematography and Audiovisual Works in Co-Official Languages other than Spanish. As its name suggests, this latter [fund is intended to support and protect the use of the legally recognized languages of the Autonomous Communities in cinema and other audiovisual media](#). It encourages the development of projects, production, distribution, exploitation, restoration and promotion of works in these languages. In addition to possible contributions from audiovisual media service providers, as mentioned in Article 117, the fund is also fed by contributions from each official language Autonomous Community and the Spanish state. The full amount of the fund is then transferred to the competent bodies of these Autonomous Communities with official languages, which will manage it in accordance with their competences. Finally, the ICEC's repayable contributions and loans (€7.2M fund) in Catalonia are granted in collaboration with the Catalan Institute of Finance.

The contribution of foreign platforms to the financing of independent audiovisual production in France and Spain is authorized by the [EU Audiovisual Media Services Directive \(AVMS Directive\)](#), revised in 2018 in particular to take into account the impact of digital technologies on the sector. Article 13.2 of the Directive in fact states the possibility for EU member states to subject foreign video-on-demand platforms targeting their audiences to the same obligations to fund creation as service providers established on their territory.

For example, France has transposed the AVMS Directive into its national law through the [Decree on On-Demand Audiovisual Media Services \(SMAD Decree\)](#) and the [order of December 21, 2020](#). As a result, foreign service providers targeting French audiences are now subject to the same rules for contributing to the financing of the production of cinematographic and audiovisual works as services under French jurisdiction. This decree thus modernizes the financing scheme for French (and European) creation, by integrating foreign platforms into the French media chronology (exhibition windows). Platforms (such as Netflix, Disney +, Amazon Prime Video) must therefore contribute at least 20% of their annual revenue in France to financing European and original French-language cinematographic works. This contribution must largely benefit independent production: 80% of their spending must be devoted to audiovisual production, including at least 2/3 to the development of independent production; the remaining 20% must be destined for film production, including at least 3/4 to the development of independent production. It should be noted that these rates apply if the platform offers films and series that are more than twelve months old after their theatrical release in France. However, they are increased to 25% of the turnover if the works offered on the platform are less than twelve months old (under the rules of media chronology). It should be pointed out that France (with Italy) has the highest contribution rates in the European Union.²⁸ Contributions are specified through agreements signed between on-demand audiovisual media services and ARCOM, which require broadcasters to enter into contracts with producers (delegated production), which means that none of the amounts invested go through the CNC.

TAXING FOREIGN PLATFORMS: THE IMPACT OF THE ENTRY INTO FORCE OF THE SMAD DECREE IN FRANCE

The entry into force of the SMAD decree significantly increases the amounts allocated to French audiovisual production. The CNC estimates that the participation of platforms induced by this new measure amounts to around €250M per year, while the funding obligations of other French contributors amount to €1.3 billion per year. It should also be mentioned that from 2023 onwards, the platforms' contribution will be compensated by the possibility for them to access CNC funding for the productions they support, a measure whose cost is estimated at €20M. Until the end of 2022, the compensation was made through the Selective Platforms Fund (FSP), whose €5.5M budget has been allocated to projects carried out by French delegated production companies acting on behalf of platforms.

Source: <http://www.senat.fr/rap/l22-115-319/l22-115-3195.html>

²⁸ In Spain, the obligation to pre-finance European audiovisual works is set at 5% of the annual revenues of audiovisual service providers (including foreign platforms) if their turnover is equal to or greater than 10Meuros, of which 70% must go to independent production.

The Australia, New Zealand and United Kingdom model

In contrast, the financial resources administered by Screen Australia, the NZFC, and the BFI are not dependent on the performance and contributions of companies in the audiovisual sector, whether traditional actors or platforms. While Screen Australia relies primarily on funding from the Australian government, the NZFC and the BFI rely primarily on funding from their own governments and revenue from their national lottery. In the case of the NZFC, its annual budget of approximately NZ\$69 million is effectively made up of government funds (Ministry for Culture and Heritage and Ministry of Business, Innovation and Employment) and funds from the Lottery Grants Board, supplemented by revenues from films, interest and reserves. As for the BFI, £49M of the 2021-2022 budget of approximately £132M came from the National Lottery. The BFI also invests government money in specific projects, mainly from the Department for Digital, Culture, Media and Sport and the Department for Education. Other revenues are generated directly by the BFI, including through fundraising and sponsorship. Screen Australia's annual budget of approximately AU\$100M consists primarily of a contribution from the Australian government, supplemented by other amounts, including interest on loans from the agency, royalties, and sales of goods and services.

Moreover, although Australia and the United Kingdom have very different funding models from France and other European countries with similar mechanisms, it is interesting to note that these two countries are considering reforming their systems in order to make platforms contribute to the funding of independent production. In Australia, as mentioned earlier (see section 3), the government is currently exploring the possibility of imposing investment obligations on the major platforms for the production of Australian content. In September 2020, the Ministry for the Department of Infrastructure, Transport, Regional Development, Communications and the Arts contacted Netflix, Amazon Prime, Disney+ and Stan to ask them to report to the Australian Communications and Media Authority (ACMA), on a voluntary basis, on their investment in and availability of Australian content on their platforms, leading to the release of the resulting data in August and December 2021. Then in February 2022, the Australian government began a new consultation with the release of the [*Streaming Services Reporting and Investment Scheme Discussion Paper*](#), where it stated its intention to implement a reporting and investment scheme for online streaming services to support access to Australian content for Australian audiences. For selected platforms, this system could include a requirement to provide a report containing information about their expenditure on Australian content and the steps they are taking to make this content discoverable on their services. If a platform were to invest less than 5% of its gross Australian revenue on Australian content, the Minister for Communications could impose a formal investment requirement. The consultation closed on April 24, 2022.

With respect to the BFI, a report by a consulting firm published in 2022 – [*An Economic Review of UK Independent Film*](#) – highlights several challenges facing the independent film sector, including stagnating revenues from new modes of dissemination, rising film production costs and declining investment in independent production. One of the measures proposed to address these challenges is an increase in the contribution of large streaming services to the production of independent British films, either through a voluntary commitment or by imposing an obligation to contribute to a fund that these service providers could then access for the production of a film in the UK. In its response, however, the BFI said that in the short term it will continue discussions with the platforms to clarify their intentions regarding support for independent production, which will then allow it to consider how to address the gaps identified in the report.

7

TAX INCENTIVES

The countries covered by this study have developed various incentives to support audiovisual production in their territory, generally in the form of tax credits. New Zealand is an exception, since its incentives are more like grants designed to reimburse a portion of the expenditures incurred.

In the film industry, these incentives generally benefit so-called “national” productions (see on this point section 8), but some may also aim at attracting foreign productions. In this case, the incentives do not seem to set specific conditions relating to cultural content; rather, they aim to attract production teams, regardless of the nationality of the films produced. The incentives for the production of national and foreign cinematographic works are summarized in the table below.

TABLE 10 – Incentives for the production of national or foreign cinematographic works

CINEMA	NATIONAL WORKS (% OF EXPENDITURES)	FOREIGN WORKS (% OF EXPENDITURES)
Australia	Tax credit: 30 to 40%	Tax credit: 16.5%
Spain	Tax credit: 20 to 25%	Tax credit: 25 to 30%
France	Tax credit: 25%	Tax credit: 30 to 40%
New Zealand	Rebate (grant) : 40%	Rebate (grant) : 20%
UK	Tax credit: 25%	—

In addition to the production of cinematographic works, incentives are also available for the production of series, video games, animated films or other types of content, including content for platforms. Moreover, in all the countries covered, incentives are also available for co-produced works, provided that the conditions set out in the co-production agreements signed by these countries are respected. The following table shows the various types of content for which production is covered by various tax incentives, with the exception of New Zealand, which provides grants instead.

TABLE 11 – Content covered by the tax incentives

	FEATURE FILM	TV WORK	VIDEO GAME	ANIMATION & OTHERS	CO-PRODUCTION
Australia	√	√	√ (to come)	√	√
Spain	√	√			√
France	√	√	√	√	√
New Zealand	√	√		√	√
UK	√	√	√	√	√

It is interesting to note that three of the five countries have implemented or are in the process of implementing tax incentives of 30 to 40% for the production of video games. As for the other types of content that can benefit from a tax incentive, they vary from one country to another. In Australia, for example, in addition to the 40% tax credit for the production of feature films for theatrical release, a 30% tax credit is available for the production of films intended for distribution on subscription video-on-demand. Australia also offers a 30% tax credit for [Post, Digital and Visual Effects \(PDV\) Offset](#), which is available regardless of where the content is produced or where it is to be distributed (which includes content distributed on platforms). New Zealand also offers a [Post, Digital and Visual Effect Grant](#), which provides a maximum grant of 20% of the costs incurred. In addition, incentives for the production of animated short films and television programs are available even when the content is intended for platforms such as Netflix, provided that a distribution agreement is in place to allow access to the production in New Zealand. In addition, the content must have been recorded, subtitled or dubbed in one of New Zealand's official languages.

In France, the 25% [audiovisual tax credit](#) applies not only to cinematographic works, but also to animated films. A 10% tax credit is also available for audiovisual adaptations of live performances. In addition, the CNC has another tax measure – different from the tax credits – which takes the form of investment companies designed to raise private funds: [SOFICAs](#). These are created either on the initiative of film and audiovisual professionals or operators in the banking and financial sector. They are exclusively dedicated to the financing of audiovisual production and the distribution of films in theaters. In return for their investments, SOFICAs benefit from revenue rights on the various media used to exploit the works in which they have invested. Individuals who have subscribed to shares in one of these companies can benefit from a tax reduction of up to 48%. In Spain, incentives are specifically aimed at supporting SMEs in the cultural and creative sectors (audiovisual, music, video games, other cultural and creative industries). For example, [CREA SGR](#), a non-profit financial institution, helps improve the financing of these SMEs by guaranteeing their operations with financial institutions.

A particularly novel measure introduced by New Zealand is also worth mentioning. Following an analysis conducted by the Ministry of Business, Innovation and Employment and the NZFC, producers who have reached the maximum threshold of expenditure on New Zealand productions eligible for the tax reduction may be invited to apply for an additional 5% reduction ([5% Uplift](#)). To obtain this benefit, the applicant must demonstrate that they are making a significant contribution to the country's economy (Significant Economic Benefits Test). The test takes into account the amount of expenditure incurred in the territory, the use of New Zealand personnel, production activities in New Zealand (e.g. location of filming or special effects creation) and other potential economic benefits (e.g. investment in industry infrastructure or knowledge transfer, or how New Zealand is promoted in promotional activities).

Finally, in all the countries covered by this study, access to the various tax incentives presented in this section is obviously subject to certain conditions. For example, there is a minimum amount of expenditure incurred in the territory of the country concerned, and the threshold may vary from one type of content to another, and from one country to another. In addition, deduction or reimbursement limits are generally set, either as a fixed maximum amount or as a maximum percentage of expenditures incurred, and the limits may also vary depending on the type of content produced. The following table outlines the general conditions set by the countries covered. Exceptions may be made for specific cases defined by the entities responsible for administering these incentives.

TABLE 12 – Main conditions for accessing tax incentives

	MINIMUM AMOUNT OF EXPENDITURE INCURRED IN THE TERRITORY	LIMITS
Australia	AU\$250K to AU\$1M	–
Spain	€200K to €1M	€10 to 20M, and up to 50% of expenditures
France	€250K to €2M	1450K/minute, and up to €30M
New Zealand	NZ\$250K to NZ\$2.5M	NZ\$6M
UK	10 to 25% of total expenditures	80% of the expenditures incurred

8

NATIONAL CONTENT AND INTELLECTUAL PROPERTY RETENTION STRATEGY

Access to several categories of financial aid (see sections 5 and 6) or tax benefits (see section 7) offered by the countries covered is often reserved for “national” works, which raises the question of the criteria used to define these works. These criteria have often been set for a long time, i.e. before the rise of digital technologies in the audiovisual field, and do not seem to be questioned for the moment, for instance to take into account the emergence of new types of content (with the exception of video games, which are subject to a cultural test, as in France and the United Kingdom) or the investment of platforms in the production of audiovisual content. Only New Zealand has publicly announced that it is conducting a review of investments in the audiovisual sector, which could lead to a strengthening of the cultural test so that a greater diversity of New Zealand content is reflected on screens (see section 3).

With regard to the definition of national content, [New Zealand](#) (for its grant program allowing for the reimbursement of part of the expenditures incurred) and the [United Kingdom](#) (for aid and tax credits) use a point system; France uses a linguistic criterion for the designation of works of original French expression and a point system for the designation of European works, as well as for the allocation of production aid for cinematographic works and tax credits (cultural scale); [Australia](#) has a list of criteria to be taken into account to define a national work, but their assessment is done on a discretionary basis; Spain uses two distinct classifications, the first based on the “cultural character of the work” and the second allowing the attribution of “Spanish nationality.” The UK and New Zealand’s extensive point system may reflect a stricter application of the criteria; in contrast, Screen Australia’s analysis of what qualifies as an Australian work is more subjective. In France, the [characterization of works of original French expression](#) is based solely on a linguistic criterion, whereas its [characterization as a European work](#) – necessary for France to comply with the AVMS Directive – is based on a more elaborate point system. The [cultural scales](#) applied to production aid and tax credits focus mainly on the language used, the nationality of staff and the location of activities. In Spain, language is still an element to be taken into account, but the attribution of the [cultural certificate](#) requires a more refined analysis of several criteria related to the content of the work, whereas the [Spanish nationality certificate](#) rather refers to criteria related to the location of production and the nationality of the people involved.

In all cases, the definition of what constitutes national content juggles mainly with four types of criteria (some of which overlap in certain respects): the subject matter and/or the cultural content and/or the cultural contribution of the work; the economic spinoffs it generates; the place where the work was created and the expenditures incurred; the origin of the personnel involved. From one state to another, or from one aid program or incentive to another, the weight given to each category of criteria may vary. The following table provides an overview of the main criteria used by the five countries and the European Union, but does not fully reflect the detailed weighting used in some countries.

TABLE 13 – Overview of criteria for defining what constitutes national (or European) content

COUNTRIES	Australia	New Zealand	United Kingdom	Spain		France (Note 1)		European Union (Note 2)
Details		32 pts (minimum requirement of 20 pts)	35 pts (minimum requirement of 18 pts)	Cultural certificate	Certificate of Spanish nationality	Work of original French expression	Cultural scale (minimum requirement of 25/100 pts)	European work
Types of content targeted	Film, series, other format	Film, series, other format	Film, series, animation, children's program, video game (Note 3)	Film, series, animation documentary	Film, audiovisual work	Film, audiovisual work	Film, audiovisual work and video game (Note 4)	Audiovisual work
Subject matter / cultural content / cultural contribution		11 pts Min. 3 pts	22 pts	Min. of 2/10 criteria (Note 5)	All criteria must be met			
Place where the story of the film takes place	X	X Max 3 pts	X Max 4 pts	X				
Origin of the lead characters	X	X Max 3 pts	X Max 4 pts					
Film based on a subject or expressions of the territory (ex. book)	X	X Max 3 pts	X Max 4 pts	X				
Original language of the film (official/ regional languages)			X Max 6 pts	X	X (preference)	X	X Max 20 pts	
Targets young people				X				
Country of origin of the work/ co-production							X	X
Reflection of the society, its interests, creativity, heritage, cultural diversity	X	X Max 2 pts	X Max 4 pts	X				

COUNTRIES	Australia	New Zealand	United Kingdom	Spain		France (Note 1)	European Union (Note 2)
Creative control by nationals or residents	X					X 9 pts (Note 6)	
Audience/public engagement plan		X Max 3 pts					
Economic contribution		2pts					
Intellectual property	X	X					
Contribution to the development of the industry	X	X					
Origin of funding/headquarters and independence of the producing company	X (Note 7)						X
Place of creation and expenditures		6 pts	5 pts				
Pre-production/production/principal photography (shooting locations)	X	X Max 2 pts	X Max 4 pts (Note 8)		X	X 5 pts	
Visual post-production, special effects and visual effects	X	X Max 2 pts			X	X Max 10.5 pts	
Audio post-production, music recording, voice recording	X	X 1 pt	X Max 1 pt		X		
Concept design and physical effects	X	X 1 pt			X	X Max 4.5 pts	
Origin of personnel	* = very important	13 pts	8 pts		(Note 9)		(Note 9)

COUNTRIES	Australia	New Zealand	United Kingdom	Spain		France (Note 1)	European Union (Note 2)
Director	X*	X Max 2 pts	X 1 pt		X (Note 10)	X 5 pts	X
Scriptwriter, dialogue writer, other author	X*	X Max 2 pts	X 1 pt		X	X 5 pts	
Producer	X*	X Max 2 pts	X 1 pt		X		
Composer		X 1 pt	X 1 pt		X	X 1 pt	
Lead actors/ participants	X*	X Max 2 pts	X 1 pt		X	X Max 20 pts	
Majority of cast	X	X 1 pt	X 1 pt		X		
Other key staff	X	X Max 2 pts	X 1 pt		X	X Max 20 pts (Note 11)	
Majority of crew	X	X 1 pt	X 1 pt		X	X	

Notes

- (1) There is also a test set up by France to determine whether a work is European. The criteria are similar to those in the European Union column, with the addition of certain criteria concerning post-production and concept design and physical effects.
- (2) Art 1 of the AVMS Directive 2010, each EU member state then specifies what it means by "European work."
- (3) The scoring varies from one content to another, but the criteria are similar.
- (4) Tax credits for national (including CNC production aid) and international productions (cinematographic works and audiovisual works – fiction, animation and documentary) and video games are subject to a cultural scale. The cultural scale presented in the table is that for fictional cinematographic works, and is divided into five groups, namely: Language of filming, Production company and authors, Performers, Technicians and workers, and Filming and post-production. Similar criteria are used for the other types of scale, with scores varying according to the type of content.
- (5) To qualify, the two minimum criteria cannot be limited to the language of the work and the location of the story.
- (6) The extent to which there is recoupment and profit participation for Australian nationals or residents and the extent to which that is commensurate with ownership and; The extent to which copyrights ownerships resides with Australians, in particular whether this is commensurate with the proportion of the budget provided by Australians.
- (7) Points are awarded if the film is produced by at least one production company that meets the following conditions: Be established in France; Have French or equivalent presidents, directors or managers, as well as the majority of their administrators; Be incorporated in the form of a business corporation with a minimum share capital of €45k, including a minimum share of €22.5k fully paid in money when their head office is located in France, and; Not be controlled by one or more natural or legal persons from non-European countries.
- (8) Principal photography, special effects and visual effects are in the same category.
- (9) The criterion of the residence of the professionals involved in the production of the works is important. In Spain, the work's writing team (director, scriptwriter, director of photography and music composer); the actors and other participating artists; and all technical creative and other technical personnel must be at least 75% Spanish nationality or nationality of one of the other EU member states, states party to the European Economic Area agreement, or holders of a valid residence card or permit in Spain or one of these states. In France, the teams and technical services providers must essentially be composed/made of residents in one or more EU member states. In the definition of a European work in the AVMS Directive 2010, one of the criteria is that the work must be made essentially with the participation of authors and workers residing in one or more EU member states, or European third states party to the European Convention on Transfrontier Television of the Council of Europe.
- (10) Mandatory criterion.
- (11) Other key staff includes technicians and workers (e.g. production manager, director of photography, chief sound operator, mixer, etc.).

In the UK point system, for example, the criteria associated with the content of the work and its cultural contribution are largely dominant, accounting for 22 points out of a total of 35 points (a minimum of 18/35 points being required to qualify as a national work). In contrast, in the New Zealand point system used for expenditure grants, the ratios are relatively different, with only 11 points out of a total of 32 points targeting the cultural content of the production (a minimum of 20/32 points being required to qualify as a national work, which must however include a minimum of 3 points for cultural content). In addition, although the NZFC does not use the point system for its other aids, similar criteria are used to determine whether a work contains sufficient New Zealand elements. It is interesting to note that in its most recent review of investments in the audiovisual sector, the New Zealand government indicated its desire to revise the cultural test with a view to improving its cultural benefits, which could lead to the introduction of stronger criteria for cultural content and creative talent.

In Australia, the more flexible system for determining whether a work qualify as Australian is based on a number of criteria, including the subject matter of the work. It is considered that for a project to pass the Significant Australian Content (SAC) Test, Australians must be responsible for the project's core origination and the key creative contributors. This is particularly important when the film's copyright is held by a foreign entity.

In the case of France, when benefits are reserved for cinematographic and audiovisual works of original French expression, these must be works produced entirely or mainly in French or in a regional language used in France. Where benefits are granted to European cinematographic or audiovisual works, these works must originate from European Union member states or from European third countries parties to the European Convention on Transfrontier Television of the Council of Europe. In the latter case, conditions must be met, particularly with regard to the place of residence of the people involved in the production, the places where certain stages of the project are carried out, the location of the production company's head office, and the source of the main financial contributions. Furthermore, in the field of video games, the tax credits offered by France are based on a "cultural scale," i.e., a point system that makes it possible to assess the cultural nature of the game. To qualify for the tax credit, the game must score at least 12 points out of 20, which are divided into creation points and innovation points. Among the elements taken into account is a "heritage" criterion that refers to the source of inspiration and the European character of the game. The objective of the cultural scale is to favour projects that present a strong European identity, whether in the content, in the choice of languages or in the composition of the production team.

Finally, access to Spanish aid and tax incentives is based on two types of classification.²⁹ Firstly, support for the production of feature films is subject to the issuance of a "cultural certificate," which is granted on the basis of compliance with criteria that relate exclusively to the content of the work, the language of the original version and the target audience. To obtain this certificate, at least two of the ten criteria must be met. Secondly, a "Spanish nationality certificate" can be granted to audiovisual works made by a production company from Spain or a company from another EU member state established in Spain, provided that certain conditions are met regarding the nationality of the people involved in the project (director, scriptwriter, actors, technical staff, etc.), the location of the shooting and the language of the original version of the project. This certificate allows a film or work to have Spanish nationality, a condition that must be met in order to receive ICAA grants.

²⁹ The Spanish nationality certificate and the cultural certificate are necessary to receive ICAA aid. To get tax benefits, Spanish productions must obtain both certificates, and foreign productions only the cultural certificate.

Moreover, the motivations leading to the determination of the various criteria for qualification as a national work are not always easy to identify. The tests or scales that give significant weight to the content of the work are certainly guided by cultural considerations (preservation of an identity, a language, a heritage, etc.). On the other hand, motivations that are not only cultural, but also economic, seem to lead to the setting of criteria relating to the place of filming or to the nationality of the persons involved in the production of the work. In the latter case, certain criteria could even be part of a strategy aimed at retaining intellectual property rights on the territory of the states concerned.

In Australia, for example, Screen Australia indicates that it wants to develop the Australian audiovisual eco-system in a sustainable way, an objective that it intends to achieve not only through the aid granted, but also through its tax credit system ([Producer Offset](#)), one of the aims of which is to allow producers to retain shares in their works. In New Zealand, the New Zealand Screen Production Grant ([NZPSG](#)) requires applicants to have an equity share in the production (share of revenues or profits). Also, in general, the NZFC expects that the films it funds will be included in the catalog of films available for purchase on its video-on-demand platform [NZ Film on Demand](#).

In the United Kingdom, some BFI programs also appear to have an IP retention objective; for example, the [UK Global Screen Fund](#) ([International Business Development](#) strand) (see sections 4 and 5) is dedicated to developing business strategies to create, acquire, and/or exploit IP and increase revenue, audiences, and profile for a work. The program is open to independent British companies with a track record in creating, acquiring, or exploiting intellectual property for various categories of work (feature films for theatrical and/or online release; series for video-on-demand services or other forms of online distribution; narrative video games for distribution on commercial digital platforms to generate revenue). The fund also seeks to address the geographic imbalance within the industry: for example, in its assessment, the BFI considers where the company is based and how the intellectual property the company creates, acquires or exploits reflects the culture and talent of Northern Ireland, Scotland, Wales and the English regions outside London.

Several CNC aid schemes also aim to ensure that intellectual property is retained in France. For example, the [Selective Platforms Fund \(FSP\)](#) provided for the protection of the line producer by specifying that the latter must retain the intellectual property on his work (see section 5). In the [field of video games](#), the conditions for granting writing aid specify that the author must have all the rights, whereas the granting of production aid requires the development studio to retain the intellectual property rights to its game. If it is an international co-production, the French party must retain 50% of the intellectual property of the video game. Finally, in the field of digital creation, access to several CNC programs is conditional on the creator or beneficiary of the aid not being controlled by a non-European fund. This is the case for the [France 2030 La Grande fabrique de l'image call for proposals](#), which is part of the France 2030 Investment Plan and aims to make France the European leader in filming and digital production. This program is aimed at any film, audiovisual or video game company with a project to invest in new production and training capacities. However, to be eligible, beneficiary companies must not be controlled by one or more natural or legal persons from countries outside the European Union for at least ten years.

9

DIVERSITY ISSUES

The administration of the various funds supporting the audiovisual sector cannot be done today without taking into consideration a multitude of issues related to diversity. In practice, these issues are taken into account through initiatives that vary according to the realities or priorities of each country. In Australia and New Zealand, great attention is paid to the objectives of promoting Indigenous cultural expressions and respecting the narrative sovereignty of the groups concerned, which influences not only the allocation of aid, but also the very structure of the agencies that administer it (9.1). In these two countries, but also in other countries, issues of linguistic diversity influence the criteria for the allocation of certain forms of support or the definition of national content (9.2). Moreover, the values or principles of equity, diversity and inclusion (EDI) guide – explicitly or implicitly, and to varying degrees – the deployment of initiatives or actions carried out to improve practices in the audiovisual sector of the countries covered (9.3).

9.1 INDIGENOUS CULTURAL EXPRESSIONS AND NARRATIVE SOVEREIGNTY

Despite very different linguistic realities, Australia and New Zealand have implemented similar measures to promote the cultural expressions of Indigenous communities within their borders.

Screen Australia has a First Nations Department (created in 1993) and programs specifically dedicated to First Nations. According to the agency, this structure and these programs have made it possible to train First Nations professionals in the audiovisual sector, to support works produced by these communities and to achieve a better representation of these communities within the industry. Current funding programs administered by Screen Australia include the development and production of films for theatrical release ([First Nations Feature Development and Production](#)), television series ([First Nations TV Drama Development and Production](#)) and documentaries ([First Nations Documentary Development and Production](#)) for distribution via an Australian broadcaster and/or online platform. Other programs, including [First Nations Internships](#), [First Nations Industry Support](#) and [First Nations Travel Grants](#), are designed to support professional development. The First Nations Department also provides support for specific initiatives. For example, the [Instagram First Nations Creators Program](#) aims to support Indigenous talent to amplify their voices on social media and create long-term career opportunities for First Nations digital content creators. Emerging Indigenous creators are selected to participate in a three-day professional training and mentoring program. Afterwards, creators are invited to create their own series of Reels (90-second Instagram videos). More generally, all programs administered by the First Nations Department have requirements for eligible recipients, such as a minimum number of First Nations creative team members. Screen Australia also released [Pathways & Protocols: a filmmaker's guide to working with Indigenous people, culture and concepts](#) in 2009, which aims to encourage the participation and representation of Indigenous communities in Australian productions.

With regard to New Zealand, the NZFC has specific programs aimed at the Māori. These are aimed at the development ([He Ara Development Fund](#), [Whakawhānake Kiriata: Māori Film Development Funds](#), [Tuhinga Reo Māori: Te Reo Māori Development Fund](#)) and the production ([He Pounamu Te Reo Māori Feature Film Initiative](#)) of Māori and Pacific Island works in a variety of formats, including interactive or video game projects (for the development component). There are also programs aimed at training and skills development ([Tautoko Tāngata - Māori Talent Development](#) and [Te Aupounamu Māori Screen Excellence Award](#)). These programs include requirements for eligible recipients, such as a minimum number of people from Māori or Pacific Island communities on the creative team. Finally, it should be noted that the NZFC supported a first Indigenous co-production between Canada and New Zealand (Night Raiders) in 2021 and wishes to support more in the coming years.

Both the Australian and New Zealand agencies released a strategy targeting Indigenous cultural expressions in 2018. As part of the 25th anniversary of the First Nations Department, Screen Australia unveiled a [strategy to promote First Nations content](#) targeting five priorities: continuing to tell compelling Indigenous stories on screen that show their craft and embrace varied formats; identifying diverse Indigenous stories and filmmakers and supporting the development of storytelling craft; developing clear and sustainable pathways for Indigenous talent; facilitating communication and connection with other groups across the audiovisual sector; and ensuring that the voices of Indigenous storytellers and filmmakers remain relevant, heard, seen and valued. As for the NZFC, it was after 40 years of existence that its first Māori strategy, [Te Rautaki Māori](#), was launched. The result of a consultation process with the Māori, the strategy has three main objectives: to promote authentic representation of Māori culture (moving away from stereotypes) and support high quality films led by Māori creative teams; to develop, in collaboration with Māori experts and advisors, protocols and guidelines for the industry to ensure fair representation of Māori culture; to support capacity building within the Māori film industry. In addition, for any project supported by the Commission, it is expected that the applicant will demonstrate clearly established Māori involvement in the elements or content of the project that involves them. The NZFC is currently working on an update to this strategy which may lead to it further promoting narrative sovereignty, as well as the creation of and respect for the intellectual property of Māori cultural expressions.

9.2 LINGUISTIC DIVERSITY

The Australian and New Zealand agencies also pay attention to Indigenous languages. With over 200 languages spoken in the country, representing linguistic diversity is a major challenge for Screen Australia. While the agency does not have a specific program dedicated to Indigenous language content, it does support projects in languages other than English through its various programs. For example, in collaboration with broadcaster SBS, the agency supported the drama series True Colours, which is partly filmed in the local language of an Indigenous community with English subtitles. In New Zealand, several NZFC programs support productions in the country's three official languages, Māori, English, and New Zealand Sign Language ([Premium Productions of International Audiences Fund](#)) or in Māori only ([Whakawhānake Kiriata: Māori Film Development Funds](#) and [He Pounamu Te Reo Māori Feature Film Initiative](#)). Translations into Māori and English must be included in the budget to ensure that the authentic essence of the film is captured and that the production can be sold and distributed in other countries ([Terms of Trade](#), Budget section). In addition, closed captioning is now a requirement for streaming.

In the United Kingdom, programs allow for the support of content in languages other than English; however, in reality, it is primarily English-language content that is supported. Content in Indigenous languages recognized in the U.K. – Scots Gaelic, Welsh, Irish, Scottish, Ulster Scots, Cornish and British Sign Language – is better supported by regional funding bodies (e.g. Screen Scotland). The BFI's desire to ensure better representation of the regions in British audiovisual production could nevertheless lead it to support more content in these languages. Language is also one of the criteria taken into account in the scoring system for the certification of British films: points are awarded when the original dialogue is recorded in English, in a language of the European Economic Area or in an Indigenous minority language officially recognized by the UK.

The criteria for granting Spain's cultural certificate also include a criterion based on language. The original version of the work must be in one of the official languages of Spain (Spanish, Catalan, Basque, Galician) or, in the case of co-productions with foreign companies, one of the 24 official languages of the European Union. In addition, the Spanish autonomous regions may have their own program to support the production of content in their language. This is the case, for example, of the ICEC, which offers [Subsidies for the incorporation of the Catalan language in technological products and video games](#).

For France, according to the definition of a cinematographic and audiovisual work of original French expression, these must be produced entirely or mainly in French or in a regional language used in France. However, there are exceptions. For example, the CNC Talent program can support videos produced in a language other than French, provided that they are subtitled. The tax credit for film can be used for fictional films based on an opera produced in the original language of the libretto, for documentaries produced in a language justified by the subject matter, or for fictional works with "strong visual effects." It is also possible to depart from the French or regional language rule if the production in a foreign language is justified by artistic reasons related to the script.

9.3 EQUITY, DIVERSITY AND INCLUSION (EDI) PRINCIPLES

The approaches developed to promote EDI principles vary considerably from one country covered to another. Perhaps one of the initiatives that most explicitly reflects the promotion of EDI comes from the BFI. The [BFI Diversity Standards](#) aim to put the values of equity, diversity and inclusion at the center of the projects supported. They also aim to encourage behavioural change and the use of more inclusive practices in content creation, activity development and recruitment. The standards are divided into four categories: on-screen representation, themes and narratives; creative leadership and project team; industry access and opportunity; and audience development. The underrepresented groups covered by this policy are defined in the [Equality Act 2010](#) based on a range of factors (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation). The BFI's diversity standards also address regional participation, socioeconomic background and caring responsibilities. In 2020 and 2021, these standards were reviewed and a new strategy will guide the BFI in how it funds the UK audiovisual sector from April 2023. The BFI is also working on a new set of diversity standards.

While promoting EDI is also a priority for Screen Australia to achieve greater representation of underrepresented groups, its approach differs from that of the BFI. Following the release of its [Genders Matters, Women in the Australian Screen Industry](#) report in 2015, Screen Australia announced a plan with the primary goal of accelerating efforts to address the gender imbalance in the Australian audiovisual sector. As a first step, women-only funding programs were announced ([Gender Matters : Brilliant Stories, Brilliant Careers Funding, Better Deals, Attachments for Women Programs](#)). Guidelines for some general programs were also adjusted to improve the proportion of women directors. The plan also included targets, revised in 2019, for 50% of key creative positions (directors, producers and writers) in Screen Australia-funded projects for development or production to be filled by women (these targets are expected to be revised soon to take into account developments in the sector). Screen Australia is also working on a new edition of its [Seeing Ourselves: Reflections on Diversity in Australia TV Drama](#) report (released in 2016) that will take a broader approach, looking at various age groups and urban and rural areas. In addition, inclusive storytelling is part of the criteria for evaluating applications for the various programs administered by Screen Australia. The agency also expects that the experience portrayed through storytelling and characters is reflected in the creative team. For Screen Australia, it is essential that the creative team has cultural authorship of the story so that the narrative can be authentic, reflecting another way of promoting the principles and values of EDI.

In addition, it is interesting to note that, beyond the underrepresented groups usually targeted by EDI actions, several of the countries covered are now paying attention to underrepresented neighborhoods, cities, regions or territories. This is the case for the United Kingdom and Australia mentioned earlier, but also for New Zealand and France.

In New Zealand, for example, the NZFC worked with the audiovisual sector to develop a [Diversity and Inclusion Strategy](#) for underrepresented groups. In addition to Māori and various cultural communities in New Zealand, regional communities – defined in this case as those outside the cities of Auckland and Wellington – were identified as underrepresented groups. The Strategy provides a roadmap and lays out the outcomes, actions, timeframes and targets for the NZFC. Initiatives within the strategy include providing career development opportunities for underrepresented filmmakers, shaping funding to support and redress gaps in representation, and integrating diversity and inclusion principles into all funding decisions.

In France, the CNC provides [selective support for cinematographic works of interest to overseas cultures](#) (Guadeloupe, French Guiana, Martinique, Reunion, Mayotte and Saint-Pierre-et-Miquelon). The works supported must foster a better knowledge of these French territorial collectivities, contribute to their enhancement to a wide audience, to the promotion of their cultural expressions or to the training of their residents in cinematographic expression and in film professions. In addition, the Commission Images de la diversité (Images of Diversity Commission) was created in 2007 by the Agence nationale de la cohésion des territoires (National Agency for Territorial Cohesion)(ANCT) and the CNC in order to strengthen public actions to promote the image of diversity in French society. The ["Images of Diversity" Fund](#), managed jointly by these two entities, supports the creation, production and distribution of cinematographic, audiovisual and multimedia works and video games that contribute to a more accurate representation of the French reality and its components. This aid also aims to encourage the emergence of new forms of writing and new talent, particularly from priority neighbourhoods of the city policy. This fund provides additional aid that can cover all stages of creation and exhibition of the selected works (support for preparation (writing, development), production, and dissemination (distribution, DVD publishing)). The supported works must be mainly produced in France. In addition, these works must: represent all immigrant populations and populations of immigrant origin and from the French overseas territories who make up French society, and in particular those who live in the priority neighbourhoods of the city policy; represent the current realities, history and memory in France of immigrant populations and population from immigrant origin and from French overseas collectivities, as well as those living in the priority neighbourhoods of the city policy located in urban areas, and ; contribute to equality between women and men, to the integration policy and to the fight against discrimination of which the inhabitants of disadvantaged areas are victims. The CNC wishes to reform this fund in order to extend it to other types of projects.

Screen Australia also runs a number of programs that target groups from underrepresented regions. The [Skip Ahead](#) program (see section 4.3) in partnership with Google Australia aims to ensure that the stories being told and those telling them reflect the diversity of people and experiences from around Australia. The [Curious Australia](#) program is another relevant example. In collaboration with several Australian state and territory agencies, as well as SBS and NITV, this program funds the production of innovative 22-minute documentaries for these platforms. It supports practitioners from underrepresented backgrounds, including people from underrepresented regions or diverse socioeconomic backgrounds.

Finally, there are other types of actions that promote EDI principles. These may include measures to address the composition of selection committees. In New Zealand, for the allocation of development and production funds, the NZFC uses a range of external experts, both local and international, with different specializations in the audiovisual sector. An additional assessor with appropriate knowledge and/or experience associated with an underrepresented community may be engaged to provide insight into certain aspects of the project. In France, the CNC's grant selection committees must have equal representation – in particular, the experts appointed must be of all ages and come from various regions of France – in order to achieve a certain balance in the selection of successful projects. In addition to the CNC's evaluation criteria, the members of these committees may decide to fund a particular content for additional reasons (inclusion, diversity of production teams, etc.).

Additional aids may also be granted to encourage a fairer representation of certain groups. In [France](#), the CNC has set up a “parity bonus” that allows it to increase by 15% the aid it offers to a film if it reserves certain key positions for women. It is also considering a measure to promote their access to the audiovisual professions in the field of television. In addition, the CNC has an Observatoire de la parité (Observatory of Parity) that allows it to measure the place of women in the various sectors of the industry. In Spain, the ICAA promotes as well various measures to encourage parity, and the evaluation criteria for grants include elements related to gender equality. For example, production aid includes [credit reserves \(35%\) for projects by female directors](#). A “Specially Recommended for the Promotion of Gender Equality” award has also been given since 2011.

The following table outlines the main criteria used by the covered countries to implement policies and measures to promote equity, diversity and inclusion in the audiovisual sector.

TABLE 14 – Main EDI policy or measure implementation criteria

	Australia	New Zealand	United Kingdom	France	Spain
Women	X	X	X (sex)	X	X
Disability	X	X	X	X	X
Cultural, social and linguistic diversity (including nationality, ethnic origin, etc.)	X	X	X	X	
Regions, remote areas, regional or overseas communities, cities, priority neighbourhoods	X	X	X	X	
LGBTI+, LGBTQAI+, sexual orientation, gender diversity	X	X	X		
Age	X (to come)	X	X		
First Nations/Indigenous Peoples	X	X			
Socioeconomic context			X		
Marriage and civil partnership			X		
Pregnancy and maternity			X		
Caring responsibility (for example, caregivers)			X		
Religion or belief			X		

10

HIGHLIGHTS

After a comparative analysis of the approaches developed in the countries covered by this study - Australia, Spain (and Catalonia), France, New Zealand and the United Kingdom - to support audiovisual production and its outreach in the digital environment, the **following key findings** stand out:



All five countries have undertaken reforms to adapt their financial support programs to the challenges and opportunities generated by digital technologies, a process that will continue over the next few years.



Beyond films and series, **financial aid supports new types of content in the digital environment**, in particular video games, extended reality content and content for free video sharing platforms or social networks.



Other financial support programs aim more generally to **promote the presence of a diversity of national content in the digital environment**, to stimulate new forms of partnership with digital actors or to strengthen the capacity of companies to produce competitive digital content on the international market.



The **tax incentives** offered by the countries covered have also evolved to **take into account the specificities of the digital environment and the new types of content**.



The **criteria for defining national content are based on a set of both economic and cultural considerations**, and are often part of strategies for retaining intellectual property rights in the territory of the countries concerned.



A variety of diversity issues are increasingly influencing the way in which aid is deployed, resulting in a growing focus on **Indigenous cultural expressions, linguistic diversity and EDI principles**.

Finally, **financial support for the creation and production of national cultural content is a measure that can contribute to reaching the objectives of the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions in the digital environment***, a treaty to which Canada is party.

In addition, this type of support is **consistent with Canada's international commitments under its free trade agreements**, including the the CUSMA between Canada, the United States and Mexico.

MAIN DOCUMENTARY SOURCES

AUSTRALIA

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LIST OF INTERVIEWEES

AUSTRALIA

- **Brunsdon, Grainne**, Head of Content, Screen Australia
- **Bates, Angela**, Head of First Nations, Screen Australia
- **Naimo, Lee**, Head of Online, Screen Australia
- **Hickey, Kate**, Senior Manager of Strategic and Policy Insights, Screen Australia
- **Leung, Vanessa**, Research Project Lead, Screen Australia

SPAIN

- **Rodríguez Ortiz, Elisa**, Deputy Director for Promotion and International Relationships, Instituto de la Cinematografía y de las Artes Audiovisuales (ICAA)
- **del Barrio, Helena**, Head of Service of Digital Culture, Sub-directorate general for the promotion Cultural Industries, Directorate General for Cultural Industries, Intellectual Property and Cooperation, Ministry of Culture and Sport (responses received in writing)

FRANCE

- **Delacoudre, Cécile**, Project Manager, Selective Aid for Creation and Distribution on Digital Platforms, Directorate of Creation, Territories and Audiences, CNC
- **Bruneau, Daphné**, Deputy Director, Directorate of Creation, Territories and Audiences, CNC
- **Fontenay, Olivier**, Head of the Digital Creation Department, Digital Directorate, CNC
- **Thomas, Leslie**, Secretary General, CNC
- **Vincent, Florant**, Director, Digital Directorate, CNC

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- **Payne, Chris**, Acting Chief Operating Officer and Head of International Relations, NZFC
- **Waaka, Te o Kahurangi**, Pouwhakahaere o Te Rautaki Maori and NZFC Diversity & Inclusion Committee Member, NZFC
- **Hancock, Tayla**, Senior Policy Advisor and Chair of NZFC Diversity & Inclusion Committee, NZFC

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- **Hoyes, Melanie**, Head of Inclusion, BFI



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