

MALTA CREATE TOMORROW'S FILMMAKERS

For information, please consult Malta Create's website: <https://mediterrane.com/maltacreate/>

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Introduction

The "Malta Create" Short Film Fund is an initiative of the Malta Film Commission to support new filmmakers who have never received financial assistance or funding related to film production from any government entity. The aim of the fund is to provide emerging filmmakers with an opportunity to showcase their talent and creativity, while also promoting the development of the film industry in Malta.

The fund provides a total of €100,000 to the winning project, which will be released in five installments: 20% upon approval of the proposal, 20% first day of shoot, 20% first day of editing and 40% upon completion of the project.

To ensure the integrity and fairness of the selection process, the Malta Film Commission has established a set of rules and regulations for the "Malta Create" Short Film Fund. These rules and regulations are meant to provide guidance and protection for both the applicants and the Malta Film Commission, and they are subject to review and amendment at any time.

The rules and regulations cover a wide range of topics, including eligibility criteria, submission guidelines, selection process, funding, use of funds, reporting, credit, intellectual property rights, compliance with laws and regulations, conflict of interest, non-discrimination, public screening, language requirements, termination of funding, auditing, confidentiality, acknowledgment of support, withdrawal of application and social responsibility.

Furthermore, to protect the applicants' personal data and intellectual property, the Malta Film Commission has also included a data protection clause and a non-disclosure agreement requirement in the rules and regulations.

The "Malta Create" Short Film Fund is a significant opportunity for new filmmakers to gain recognition and exposure, and the Malta Film Commission is committed to ensuring a fair and transparent selection process for all applicants. The rules and regulations are designed to support this commitment and to provide a clear and structured framework for the "Malta Create" Short Film Fund.

1. Eligibility

- (i) The "Malta Create" Short Film Fund is open to new filmmakers who have never received financial assistance or funding related to film production from any government entity. Applicants must be Maltese citizens or have been resident in Malta for at least 3 years.
- (ii) Applicants shall be excluded from applying for support if they, or their shareholders or persons having powers of representation or decision-making, have been convicted by final judgment of any of the following offences: participation in a criminal organisation, corruption, fraud, money laundering, child labour, human trafficking; are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or subject to a procedure of the same kind; have been convicted by final judgment of serious professional misconduct or any other offence relating to professional integrity.
- (iii) The "Malta Create" Short Film Fund constitutes state aid as defined in the European Union's state aid rules. The Fund will be implemented in line with the parameters and criteria of *Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid* [OJ L352/1, 24.12.2013] as amended by *Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No 1407/2013 as regards its prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments* [OJ L 215/3, 7.7.2020], (the *de minimis* Regulation).
- (iv) The *de minimis* Regulation, allows the granting of *de minimis* aid up to a maximum amount of €200,000 per single undertaking¹, over any period of three fiscal years. This maximum threshold shall include all State aid granted under this Fund and any other State aid measure implemented in line with the *de minimis* Regulation, including that received from any entity other than the Malta Film Commission.

¹ The term 'single undertaking' shall have the meaning as established in *Commission Regulation (EU) No 1407/2013, as amended*

- (v) When submitting a request for support, the applicant shall deliver a declaration on its honour and on behalf of the owners and persons having powers of representation or decision-making, stating that they are not in any of the situations listed under Article 1(ii) of these regulations.
- (vi) In accordance with the *de minimis* regulation, the applicant shall, together with the application, submit to the Malta Film Commission a *de minimis* declaration form. Applicants are to submit this legally binding declaration indicating therein any other *de minimis* aid received or applied for during the previous two fiscal years and the current fiscal year. This will ensure that the total amount of *de minimis* aid granted to a single undertaking under the *de minimis* rule will not exceed the applicable *de minimis* threshold over three fiscal years. Applicants who have received *de minimis* aid must inform the Malta Film Commission of the amount of aid received, as failure to do so may result in ineligibility or the recovery of the aid. A copy of the *de minimis* declaration is attached as Annex I.
- (vii) Financial support granted under this Fund cannot be cumulated with any other support related to the same eligible costs. In the event that an applicant is found by the Malta Film Commission to have received financial support for the same eligible costs from another source, this may result in the need for the financial support awarded under this Fund to be reimbursed.

2. Funding

The "Malta Create" Short Film Fund will provide €100,000 to fund the winning project.

The funds will be released in five instalments:

- 20% upon approval of the proposal;
- 20% first day of shoot;
- 20% first day of editing;
- 40% upon completion of the project.

3. Submission Guidelines

- (i) **Submission Format:** The application must be submitted electronically in PDF format to the Malta Film Commission's email address. The application should include all required documents as outlined in the rules and regulations.
- (ii) **Treatment:** The treatment should be no more than one page in length and should contain an outline synopsis of the story, the characters, the setting, and the themes. The treatment should also highlight the unique selling points of the project and explain why it is a suitable candidate for the "Malta Create" Short Film Fund.
- (iii) **Vision:** The vision should be no more than one page in length and should provide a clear and concise description of the filmmaker's vision for the project. The vision should describe the filmmaker's intended style, tone, and aesthetic, as well as their intended approach to the storytelling.
- (iv) **Mood Board:** The mood board should be a visual representation of the filmmaker's vision for the project. It should include images, graphics, or illustrations that convey the tone, mood, and aesthetic of the project. The mood board should be no more than two pages in length.
- (v) **Financial Plan:** The financial plan should be a detailed breakdown of the budget for the project. It should identify all expected costs, such as cast and crew salaries, equipment rental, location fees, post-production costs, and any other expenses. The financial plan should also explain how the €100,000 grant will be allocated, identifying names of key roles where possible.

4. Notification of Receipt

The Malta Film Commission will acknowledge receipt of the application via email within three working days of receipt. If the applicant does not receive an email notification, he/she should contact the Malta Film Commission to confirm that the application has been received.

5. Selection Process

- (i) **Selection Panel:** The selection panel for the "Malta Create" Short Film Fund will consist of a group of film industry professionals, including but not limited to producers, directors, writers and film critics. The panel will be appointed by the Malta Film Commission and will be responsible for reviewing and evaluating all submissions.
- (ii) **Shortlisting:** The selection panel will shortlist ten applications based on the quality and suitability of the proposal, as well as the applicant's track record and potential for future success. The shortlisted applicants will be notified via email and will be invited to participate in workshops and pitching sessions with the selection panel. Pitching sessions will be held on the 25th, 26th and 27th of June. Attendance is mandatory.
- (iii) **Workshops and Pitching Sessions:** The shortlisted applicants will be expected to participate in a series of workshops and pitching sessions with the selection panel. The workshops will provide the applicants with the opportunity to develop their proposals further, while the pitching sessions will allow the applicants to present their proposals to the selection panel in person.
- (iv) **Selection of Winning Project:** The selection panel will evaluate the proposals based on the quality of the treatment, the strength of the vision, the suitability of the budget, and the feasibility of the production schedule. The panel will then select the winning project, which will receive the €100,000 grant.
- (v) **Notification of Selection:** The winning applicant will be notified via email and must accept the grant within seven working days of notification. If the applicant fails to accept the grant within the specified timeframe, the Malta Film Commission may withdraw the grant and award it to another applicant.

6. Deadline

The closing date for the submission of the proposal is the 7th of June 2023 at 12 PM.

7. Announcement of winner

- (i) **Winner Announcement:** The winner of the "Malta Create" Short Film Fund will be announced during the Mediterranean Film Festival on the 30th of June 2023.
- (ii) **Attendance of shortlisted applicants:** All shortlisted applicants must attend the Mediterranean Film Festival where the winner will be announced and must make themselves available for interviews and other promotional activities related to the "Malta Create" Short Film Fund.

8. Use of Funds

- (i) **Use of Funds:** The funds awarded must be used solely for the production of the winning project, as described in the approved proposal. Any deviation from the approved proposal must be approved in writing by the Malta Film Commission. The recipient must keep accurate and detailed financial records of all expenses related to the project, and these records must be available for review upon request by the Malta Film Commission.
- (ii) **Budgeting:** The recipient must develop a detailed budget for the production of the winning project, which must be approved by the Malta Film Commission before the funds are released. The budget must include all expected costs, such as cast and crew salaries, equipment rental, location fees, post-production costs, and any other expenses. The recipient must ensure that the project is completed within the approved budget.
- (iii) **Payments:** Payments for approved expenses must be made through a bank account registered in the recipient's name. The Malta Film Commission may request copies of bank statements to verify the use of funds.

- (iv) **Overruns:** If the cost of the project exceeds the approved budget, the recipient must inform the Malta Film Commission immediately and request approval for additional funding. The Malta Film Commission may approve or reject the request at its sole discretion.
- (v) **Repayment:** If the recipient does not complete the project within the approved timeline or breaches any of the rules and regulations, the Malta Film Commission may terminate funding and request repayment of any funds that have already been disbursed.
- (vi) **Financial Reporting:** The recipient must provide regular financial reports to the Malta Film Commission on the use of funds, including a detailed breakdown of all expenses related to the project. The reports should be submitted at regular intervals as requested by the Malta Film Commission.
- (vii) **Audit:** The Malta Film Commission reserves the right to conduct an audit of the recipient's financial records at any time during the project and up to five years after the completion of the project. The recipient must cooperate fully with any such audit.

9. Reporting

- (i) **Reporting Requirements:** The recipient must provide regular reports to the Malta Film Commission on the progress of the project. The reports should include updates on the production schedule, budget, and any significant changes or developments.
- (ii) **Report Frequency:** The recipient must submit reports at regular intervals as requested by the Malta Film Commission. The frequency of the reports will be determined by the Malta Film Commission based on the specific needs and requirements of the project.

- (iii) **Report Format:** The reports should be submitted electronically in PDF format to the Malta Film Commission's email address. The reports should include a detailed breakdown of all expenses related to the project, including invoices, receipts, and other supporting documentation.
- (iv) **Content of Reports:** The reports should include a summary of the progress made since the previous report, an updated production schedule, and a detailed breakdown of all expenses related to the project. The reports should also include any issues or challenges that have arisen during the project and how they have been addressed.
- (v) **Notification of Changes:** The recipient must inform the Malta Film Commission immediately of any significant changes or developments related to the project that may impact the timeline or budget.
- (vi) **Final Report:** The recipient must submit a final report to the Malta Film Commission within 30 days of the completion of the project. The final report should include a detailed breakdown of all expenses related to the project, as well as any final thoughts or reflections on the project.

10. Credit

- (i) **Credit Requirements:** The Malta Film Commission must be credited as the executive producer of the winning project in all promotional materials, including but not limited to the opening and closing credits of the film, posters, trailers, and press releases.
- (ii) **Crediting Language:** The credit should read "Executive Producer: Malta Film Commission".
- (iii) **Placement of Credit:** The credit for the Malta Film Commission must be placed prominently in the opening and closing credits of the film, and must appear on all promotional materials related to the film.

- (iv) **Required Text:** The recipient must acknowledge the financial support of the Malta Film Commission in all promotional materials related to the film, including but not limited to press releases, posters, and trailers. The required text for this acknowledgement is "This film was produced with the financial support of the Malta Film Commission".
- (v) **Additional Credit:** The recipient may credit any sources that have contributed to the production of the film. The placement and language of this credit must be approved by the Malta Film Commission.
- (vi) Strict adherence to Clause 1(iv) of these regulations is a prerequisite for any additional funding.
- (vii) **Modifications to Credit:** The Malta Film Commission reserves the right to modify or request modifications to the credit language or placement, if it is deemed necessary for promotional or branding purposes.

11. Language

- (i) **Language Requirements:** The winning project must be produced in either the Maltese or English language. If the film is produced in Maltese, the recipient must provide English subtitles, and if the film is produced in English, the recipient must provide Maltese subtitles. The recipient must also ensure that the subtitles are accurate and of high quality.
- (ii) **Submission of Subtitles:** The recipient must provide the Malta Film Commission with a copy of the final film with subtitles, as well as a separate file of the subtitles. The Malta Film Commission may request additional copies of the film or subtitles at any time.
- (iii) **Approval of Subtitles:** The Malta Film Commission reserves the right to review and approve the subtitles before the film is screened at any festival or event.

12. Intellectual Property Rights

- (i) **Intellectual Property Rights:** The recipient retains full ownership of the intellectual property rights to the winning project, subject to the conditions set forth in this agreement.
- (ii) **License to Malta Film Commission:** The recipient hereby grants to the Malta Film Commission a non-exclusive, royalty-free license to use, distribute, and exhibit the winning project for promotional purposes, including but not limited to screenings at film festivals, events, and online platforms.
- (iii) **Credit for Intellectual Property Rights:** The recipient must ensure that all necessary credit is given to the owners of any intellectual property used in the winning project, including but not limited to music, images, and other copyrighted material. The recipient must obtain all necessary permissions and licenses for the use of such intellectual property.
- (iv) **Indemnification:** The recipient agrees to indemnify and hold harmless the Malta Film Commission from any claims, damages, or expenses arising from any infringement of intellectual property rights related to the winning project.
- (v) **Notification of Claims:** The recipient must notify the Malta Film Commission immediately in writing of any claims or potential claims of infringement of intellectual property rights related to the winning project.
- (vi) **Compliance with Laws:** The recipient must comply with all applicable laws and regulations related to intellectual property rights, including but not limited to copyright and trademark laws.

13. Compliance with Laws and Regulations

- (i) **Compliance with Laws and Regulations:** The recipient must comply with all applicable laws and regulations related to the production of the winning project, including but not limited to tax laws, labour laws, and health and safety regulations.
- (ii) **Work Practices:** The recipient must ensure that all work practices related to the production of the winning project are legal, ethical, and professional. This includes but is not limited to fair labour practices, anti-bribery policies, and responsible environmental practices.
- (iii) **Health and Safety:** The recipient must ensure that all activities related to the production of the winning project are conducted in a safe and responsible manner. This includes but is not limited to ensuring that all equipment is safe and properly maintained, providing adequate training and supervision to all cast and crew members, and ensuring that appropriate safety measures are in place at all times.
- (iv) **Reporting of Concerns:** The recipient must report any concerns related to compliance with laws and regulations, work practices, health and safety, or non-discrimination to the Malta Film Commission immediately in writing.
- (v) **Termination of Funding:** The Malta Film Commission reserves the right to terminate funding for any project that is found to be in violation of any laws, regulations, or ethical standards related to the production of the winning project.

14. Social responsibility

- (i) **Social Responsibility:** The recipient must demonstrate a commitment to social responsibility in the production of the winning project, and must ensure that the project promotes positive social values.
- (ii) **Avoidance of Discrimination:** The recipient must avoid any form of discrimination, including but not limited to discrimination based on race, ethnicity, gender, sexual orientation, religion, or age.
- (iii) **Respect for Human Rights:** The recipient must respect the human rights of all individuals involved in the production of the winning project, including but not limited to cast, crew, and third-party vendors.
- (iv) **Sustainability:** The recipient must promote sustainability in the production of the winning project and must take steps to minimize the environmental impact of the production.
- (v) **Positive Social Values:** The recipient must ensure that the winning project promotes positive social values, including but not limited to respect for diversity, tolerance, and equality.

15. Oversight

- (i) **Oversight by Malta Film Commission:** The Malta Film Commission reserves the right to provide oversight and guidance to the recipient during the production of the winning project. The Malta Film Commission may intervene to ensure that the production is on track and meets the standards set forth in this agreement.
- (ii) **Notification of Intervention:** The Malta Film Commission will notify the recipient in writing of any intervention or oversight activities related to the production of the winning project. The recipient must cooperate with the Malta Film Commission and provide any necessary information or materials.

- (iii) **Timing of Intervention:** The Malta Film Commission may intervene at any time during the production of the winning project, but will generally focus on key milestones, such as script development, pre-production, production, and post-production.
- (iv) **Purpose of Intervention:** The purpose of any intervention or oversight by the Malta Film Commission is to ensure that the project is on track and meets the standards set forth in this agreement. The Malta Film Commission may provide feedback and guidance on any aspect of the production, including but not limited to script development, casting, location scouting, and post-production.
- (v) **Cooperation:** The recipient must cooperate fully with the Malta Film Commission during any intervention or oversight activities. This includes providing regular updates on the production schedule, budget, and any significant changes or developments.

16. Conflict of Interest

- (i) **Conflict of Interest:** The recipient and all associated individuals or organizations must avoid any conflicts of interest related to the production of the winning project. This includes but is not limited to avoiding any financial or personal relationships that could compromise the integrity of the project.
- (ii) **Disclosure of Conflicts:** The recipient and all associated individuals or organizations must disclose any potential conflicts of interest related to the production of the winning project to the Malta Film Commission immediately in writing.
- (iii) **Review of Conflicts:** The Malta Film Commission will review any disclosed conflicts of interest related to the production of the winning project and may take any necessary actions to ensure the integrity and fairness of the selection and funding process.

- (iv) **Staff and Employee Conflict of Interest:** Any employee or staff member of the Malta Film Commission involved in the selection or funding process for the "Malta Create" Short Film Fund must disclose any potential conflicts of interest related to the production of the winning project. The Malta Film Commission will review any disclosed conflicts of interest and may take any necessary actions to ensure the integrity and fairness of the selection and funding process.
- (v) **Termination of Funding:** The Malta Film Commission reserves the right to terminate funding for any project that is found to have a conflict of interest related to the production of the winning project.

17. Screening

- (i) **Public Screening:** The recipient must ensure that the winning project is made available for public screening at film festivals, events, and other venues approved by the Malta Film Commission. The recipient must also ensure that the film is available for distribution and exhibition in Malta and internationally.
- (ii) **Notification of Screening:** The recipient must notify the Malta Film Commission in writing of any public screening of the winning project, including but not limited to film festivals and events. The notification must include the date, time, and location of the screening.
- (iii) **Promotion of Screening:** The recipient must promote any public screening of the winning project, including but not limited to press releases, social media, and other promotional materials. The recipient must also ensure that the Malta Film Commission is credited as the executive producer of the film in all promotional materials related to the screening.
- (iv) **Reporting of Box Office Revenue:** The recipient must report to the Malta Film Commission any box office revenue earned from the public screening of the winning project. The report must include the date, location, and amount of box office revenue earned.

18. Termination

- (i) **Termination of Funding:** The Malta Film Commission reserves the right to terminate funding for the winning project at any time if the recipient is found to be in violation of any of the rules and regulations set forth in this agreement, or if the recipient fails to make satisfactory progress on the production of the winning project.
- (ii) **Notification of Termination:** The Malta Film Commission will notify the recipient in writing of any termination of funding. The notification will include the reason for termination, the effective date of termination, and any other relevant information.
- (iii) **Without Prejudice to Other Instances:** The termination of funding is without prejudice to any other instances where termination is indicated in these rules and regulations. The Malta Film Commission reserves the right to take any necessary actions to protect its interests and ensure the integrity of the "Malta Create" Short Film Fund.

19. Repayment

- (i) **Repayment Requirements:** If the recipient does not complete the project within the approved timeline or breaches any of the rules and regulations, the Malta Film Commission may terminate funding and request repayment of any funds that have already been disbursed.
- (ii) **Repayment Deadline:** The recipient must repay any funds within 30 days of notification of repayment. If the recipient fails to make the repayment within the

specified timeframe, the Malta Film Commission may pursue legal action to recover the funds.

- (iii) **Interest:** The recipient must pay interest on any funds that are repaid after the specified deadline. The interest rate will be determined by the Malta Film Commission in line with commercial interest rates chargeable according to Maltese Law.
- (iv) **Collection of Repayment:** The Malta Film Commission may take any necessary steps to collect the repayment of funds, including but not limited to legal action or the use of a debt collection agency.
- (v) **Cancellation of Future Funding:** If the recipient fails to repay any funds, the Malta Film Commission may cancel any future funding to the recipient or any associated individuals or organizations.

20. Withdrawal of application

- (i) **Withdrawal of Application:** The recipient may withdraw their application for the "Malta Create" Short Film Fund at any time before the closing date of the submission period.
- (ii) **Notification of Withdrawal:** The recipient must notify the Malta Film Commission in writing of their decision to withdraw their application. The notification must include the reason for the withdrawal.
- (iii) **Consequences of Withdrawal:** If the recipient withdraws their application for the "Malta Create" Short Film Fund, the Malta Film Commission will not consider their project for funding. The recipient will also forfeit any application fees or other expenses incurred in connection with their application.

21. Winner Agreement

- (i) **Winner Agreement:** The recipient of the "Malta Create" Short Film Fund shall enter into an agreement with the Malta Film Commission, which shall set forth the terms and conditions of the funding and any other applicable obligations and responsibilities of the recipient.
- (ii) **Execution of Agreement:** The recipient shall execute the agreement with the Malta Film Commission within 30 days of being notified of the award of the "Malta Create" Short Film Fund.
- (iii) **Compliance with Agreement:** The recipient shall comply with all terms and conditions of the agreement with the Malta Film Commission, and shall promptly notify the Malta Film Commission in writing of any material changes in the project or any other relevant circumstances.
- (iv) **Breach of Agreement:** Any breach of the agreement by the recipient may result in the termination of the "Malta Create" Short Film Fund and the forfeiture of any remaining funds.

22. Confidentiality

- (i) **Non-Disclosure and Confidentiality:** All applicants shall be bound by confidentiality and must not disclose any confidential information provided to them by the Malta Film Commission, including but not limited to the content of their proposal, financial information, and any other relevant data or materials.
- (ii) **Non-Disclosure Obligations:** The applicant shall use its best efforts to maintain the confidentiality of all information provided by the Malta Film Commission, and shall not disclose or use any such information for any purpose other than the evaluation of the application for the "Malta Create" Short Film Fund.
- (iii) **Breach of Confidentiality:** Any breach of the confidentiality obligation by the applicant may result in the disqualification of the application and the forfeiture of any funds awarded.

- (iv) **Duration of Confidentiality Obligations:** The confidentiality obligations shall remain in effect for a period of one (1) year from the date of submission of the application, or until such time as the information becomes publicly available through no fault of the applicant.

23. Applicable Laws

- (i) **Applicable Law and Jurisdiction:** This agreement and any disputes arising from it shall be governed by and construed in accordance with the laws of Malta, without regard to its conflict of laws principles.
- (ii) **Dispute Resolution:** Any dispute arising from this agreement shall be resolved by the courts of Malta, which shall have exclusive jurisdiction over any such dispute.

DE MINIMIS DECLARATION

If the submitted application is approved, the project will benefit from *de minimis* State aid in line with *Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid*, as amended.

Commission Regulation (EU) No 1407/2013 allows a 'single undertaking' to receive an aggregate maximum amount of *de minimis* aid of €200,000 under all *de minimis* aid measures, over a period of three 'fiscal years'. This aggregate maximum threshold applies in principle to all economic sectors with the exception of a 'single undertaking' performing road freight transport for hire or reward for which a lower *de minimis* threshold of €100,000 over any period of three 'fiscal years' applies. The agriculture and fisheries sectors are subject to different thresholds and criteria. For the purpose of this declaration the term 'single undertaking' shall have the meaning as established in *Commission Regulation (EU) No 1407/2013*. Moreover 'fiscal year' means the fiscal year as used for tax purposes by the undertaking concerned.

This maximum threshold would include all State aid granted under this Fund and any other State aid measure granted under the *de minimis* rule. Any *de minimis* aid received in excess of the established threshold will have to be recovered, with interest, from the undertaking receiving the aid.

The following is an indicative list of the possible forms of State aid:

- Grants from public bodies
- Loans or loan guarantees at favourable rates
- Tax benefits
- Waiving or deferral of fees or interest normally due
- Marketing and advertising assistance
- Consultancy, training and other support provided either free or at a reduced rate
- Aid for investment in environmental projects or research and development assistance
- Purchase, rent or lease of immovable property at less than market rate.

Potentially any assistance from a public body may constitute State aid. Should you have any doubts whether any public assistance received is *de minimis* aid, you should contact the agency or department from which the assistance was received in order to ascertain this.

DECLARATION

I declare that a comprehensive amount of *de minimis* aid received to date during the current fiscal year and the previous two fiscal years is:

Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	TOTAL
€	€	€	€

A breakdown of the source, type and amount of all *de minimis* aid received as well as that applied for from any State aid grantor, is presented overleaf.

Business Undertaking (Full Legal Name)

VAT Registration Number

Name and Surname (BLOCK CAPITALS)

Position in Establishment

Signature

Date

Annex II – Definitions

1. Single undertaking includes all enterprises having at least one (1) of the following relationships with each other:

- a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
- b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
- d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) of the first subparagraph through one or more other enterprises shall also be considered to be a single undertaking.

2. Short film - A motion picture that has a running time of 40 minutes or less, including all credits.

3. Non-disclosure agreement - A legal contract that prohibits the disclosure of confidential information shared between two or more parties.

4. Intellectual Property - A legal term that refers to creations of the mind, such as inventions, literary and artistic works, symbols, names, images, and designs, that are protected by law from unauthorized use.

5. Maltese or English language - The official languages of Malta, and the only languages accepted for films produced under the "Malta Create" Short Film Fund.

6. Work practices - The set of rules and guidelines established by the Malta Film Commission to ensure that all film production activities comply with applicable laws and regulations, including health and safety, non-discrimination, and environmental protection.