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### Official Co-Production Certification

### Guidelines for Applicants

**Please read these guidelines carefully alongside the relevant treaty(s) available on our** [**website**](https://www.nzfilm.co.nz/incentives-co-productions/co-productions)**. If you have any accessibility requirements or require this information in a different format, please contact** **us****.**

### Who can apply?

New Zealand producers who have entered into an arrangement to make a screen project with a foreign producer from a country that has signed a co-production treaty or other formal arrangement with New Zealand.

To be eligible to apply for co-production certification, the applicant must:

* be a New Zealand citizen or permanent resident; ***and***
* meet the producer experience threshold; ***and***
* have a company which is/will be the vehicle for producing the film and which must:
	+ be incorporated in New Zealand; ***and***
	+ have its central management and control in New Zealand; ***and***
	+ have the capacity and resources to carry out the project; ***and***
* not be linked by common management, ownership or control to the co-producer(s); ***and***
* have a project in an eligible format.

### Experienced producers

If the project is a feature film, the individual applicant is required to have at least one feature film credit as a producer on a film that involved a multi-party film production financing agreement. This does not need to be on a co-production, but it needs to be on a film of substantial contractual scale. Lesser levels of experience may be accepted at the NZFC’s discretion. In such cases, the NZFC may require the attachment of an experienced New Zealand-based executive producer to the project or the involvement of an experienced entertainment lawyer to work alongside the New Zealand-based co-producer or executive producer on the required certification processes.

### Eligible projects

As each treaty was agreed at a different time, what screen projects can be certified as an official co-production can differ from treaty to treaty. Applicants must therefore refer to the relevant treaty(s) for specific format eligibility requirements. Generally, New Zealand’s treaties tend to cover:

* Film: Feature films and documentaries produced for theatrical release.
* Television: Telefeatures, drama series, unscripted/factual series and animated series intended for television broadcast or streaming.

### Eligible production companies

The co-producers cannot be linked directly or indirectly through legal entities with common management, ownership or control. This means that it is not possible for producers of the same company located in different countries—or different companies linked by common ownership to the same parent company—to produce projects as official co-productions.

### How to apply

Each co-producer must apply to their competent authority for provisional and then final certification for a project to be recognised as an official co-production. Both steps are typically required, but applicants are encouraged to refer to the relevant co-production treaty(s) for specific application requirements and engage with their co-producer(s) to ensure any and all application requirements on the part of their competent authority are also satisfied. For treaties where an application deadline is noted, this is mandatory: if the deadline isn’t met, the project will not be evaluated and therefore not certified as an official co-production.

Application forms can be downloaded from the NZFC’s website. You can also email us to obtain a copy. By submitting an application, you are agreeing to comply with the NZFC’s Code of Conduct.

### Step One: Submit a Provisional Application

Submit your [provisional application](https://www.nzfilm.co.nz/sites/default/files/2023-10/%28Oct%202024%29%20APPLICATION%20FOR%20PROVISIONAL%20CO-PRODUCTION%20CERTIFICATION.pdf) when the project’s finance is committed and before principal photography gets underway. You will need to provide details about your project’s budget and the financial and creative contributions of each co-producing partner along with:

* A current Certificate of Incorporation for your production company.
* A Co-Production Agreement between the co-producers (a draft is preferred at this stage).
* Copies of all chain of title documentation.
* A full list of cast and crew specifying citizenship and permanent residence.
* A shooting script or treatment in the case of a documentary film.
* The production budget in New Zealand dollars.
* Detailed individual budgets for the expenditure in each country, and any non-party spend.
* A detailed finance plan, supported by letters of offer from confirmed market partners.
* A detailed production schedule.

### Step Two: Submit a Final Application

Submit your [final application](https://www.nzfilm.co.nz/sites/default/files/2023-10/%28Oct%202024%29%20APPLICATION%20FOR%20FINAL%20CO-PRODUCTION%20CERTIFICATION%202024.pdf) when the production is completed (i.e. when your project is ready to be shown to the general public) along with:

* A current Certificate of Incorporation for your production company.
* A Co-Production Agreement (signed).
* Copies of all chain of title documentation.
* A full list of cast and crew specifying citizenship and permanent residence.
* Final cost reports for spend in the co-production territories, and any non-party spend.
* A post-production script.
* A digital video file or streaming link to the project if it is yet to be released to the NZ public.

For both stages, applicants must supply a signed and witnessed statutory declaration, certifying that the content of the application form and supporting materials are true and correct. Filled in application forms and all required documents should be sent to co-productions@nzfilm.co.nz.

### Processing times

On receipt of an application, the competent authorities will consult with each other to ensure that the parameters of the project, as outlined in their respective applications, are the same. Applications are then assessed against the requirements of the relevant treaty(s) and approval is given jointly by the competent authorities. The NZFC generally aims to assess applications within six weeks of receipt of a complete application, but processing times can vary depending on the complexity of the project and the number of co-producing partners and competent authorities involved. As the NZFC can only grant approval once all the relevant competent authorities have approved the project on similar terms, you should ensure your co-producer lodges an application to its competent authority at the same time.

### Changes or delays to a project

You must advise us in advance if you are proposing to make any material changes to your project after a provisional certificate is issued. This enables us to check whether your co-production structure remains viable and complies with the relevant co-production treaty(s). Failure to obtain advance approval of all relevant competent authorities of a material change to your project may result in the application for final co-production certification being declined. It may also jeopardise the project’s eligibility for the New Zealand Screen Production Rebate.

If your project doesn’t commence production within 12 months of receiving provisional approval, this approval will lapse. If you wish to continue with an official co-production structure for the project, you will need to reapply for provisional approval and supply any updated information in your application.

### Assessment

Applications received by the NZFC are assessed by staff and presented to the NZFC’s Certification Committee for approval. As each co-production treaty sets out the minimum requirements in terms of the financial, technical and creative participation of each of the co-producing territories, as well as the conditions that must be met for a project to be recommended as a co-production, staff ensure the project is compliant with the relevant treaty(s) by looking at:

* The personnel involved in the project.
* The location of the production.
* The co-producers’ respective financial contributions to the project.
* Whether the New Zealand side has met the minimum financial contribution requirement.
* The amount of spend in each territory.
* The creative contribution of each side.
* Proportionality: whether the financial, spend and creative contributions are aligned.
* The content of the co-producers’ agreement.

For more information, please refer to our separate Fact Sheet on the assessment process and criteria.

### Confidentiality

Information that you supply to the NZFC for co-production certification may be provided to the staff and Board of the NZFC and shared with other co-production competent authorities where necessary during the approval process. Please note that any information you provide to the NZFC is also subject to requests made pursuant to the Official Information Act 1982 (“OIA”). In processing a request under the OIA, the NZFC may consult with the relevant applicant prior to issuing a response to the request.

### Need more help?

Check out the [FAQs](https://www.nzfilm.co.nz/sites/default/files/2024-10/Co-production%20Frequently%20Asked%20Questions.pdf) on our website. For detailed information about co-productions involving more than two territories, please refer to our separate Fact Sheet on multipartite co-productions. You can also engage with NZFC staff to discuss the specifics of your project. Please contact the NZFC’s Co-Production and Incentives team to schedule a meeting in person, by Teams/Zoom or by phone.

**Note the NZFC reserves the right to update or otherwise vary these guidelines from time to time. The guidelines in effect at the time a provisional or final application is received by the NZFC will apply.**