

GET IN TOUCH

BRITISH CERTIFICATION & TAX RELIEF

Applicants are encouraged to contact the Certification Unit as early as possible to discuss their projects. The unit is happy to meet applicants at any stage of production and work with them on their applications. For further details on the Cultural Test, Co-production, or to discuss a particular project please email certifications@bfi.org.uk

Full guidance notes and online applications can be found on the BFI certification webpage: bfi.org.uk/certification

ABOUT THE BFI

The BFI was founded in 1933. We are a charity governed by a Royal Charter. We combine cultural, creative and industrial roles, bringing together the BFI National Archive and BFI Reuben Library, film distribution, exhibition at BFI Southbank and BFI IMAX, publishing and festivals. We award Lottery funding to film production, distribution, education, audience development and market intelligence and research.

bfi.org.uk/certification

 GREENINGFILM.COM



Front image: *Knights and Bikes*
Back image: *Notes on Blindness* (dirs. Peter Middleton, James Spinney)

B
F
I

BRITISH
CERTIFICATION
AND
RELIEF



BRITISH CERTIFICATION AND TAX RELIEF

Qualifying your film, high-end television (HETV) programme, animation programme, children's television programme or video game as British can enable you to access the UK's creative sector tax reliefs. For film it also allows you to apply to the BFI Film Fund or for funding in the UK's nations and regions. British qualification can also be a requirement for entry to some film festivals or awards ceremonies.

HOW TO QUALIFY AS BRITISH

Films, HETV, animation programmes and children's TV programmes can qualify as British in one of two ways:

- Under the relevant cultural test or
- As an official co-production, e.g. under one of the UK's bi-lateral treaties or under the European Convention on Cinematographic Co-production for film or under one of the UK's bi-lateral treaties which allow television co-production.

Video Games can qualify as British under the UK's video games cultural test only.

An application for British certification must be made by the production company or video games development company which must be registered at Companies House (www.companieshouse.gov.uk) and incorporated within the UK tax net before shooting or development begins. There cannot be more than one production company or development company in relation to a project.

That is, the company must be a company that:

FILM AND TELEVISION

- is responsible: (i) for pre-production, principal photography and post-production of the film or programme; and (ii) for delivery of the completed film or programme;
- is actively engaged in production planning and decision-making during pre-production, principal photography and post-production; and
- directly negotiates contracts and pays for rights, goods and services in relation to the film or programme.

VIDEO GAMES

- is responsible for designing, producing and testing the video game; and
- is actively engaged in planning and decision-making during design, production and any testing of the video game; and
- directly negotiates, contracts and pays for rights, goods and services in relation to the video game.

THE UK'S CULTURAL TESTS

The cultural test is a points-based system where projects must achieve either 18 of a possible 35 points for film, HETV and children's TV programmes or 16 of a possible 31 points for animation programmes or video games. There must be one production/development company, set up before principal photography, animation shooting or video game development begins, which is responsible for all aspects of the production or video game development from beginning to completion. Films must be intended for theatrical release, television programmes must be intended for broadcast (including internet) and video games must be intended for release to the general public. Please check the relevant cultural test for your project.

BECOMING AN OFFICIAL CO-PRODUCTION

The UK has bi-lateral co-production agreements with the following countries: Australia, Brazil, Canada, China, France, India, Israel, Jamaica, Morocco, New Zealand, Occupied Palestinian Territories, and South Africa.

Seven of these allow for television programmes, Australia, Brazil, Canada, New Zealand, Israel and the Occupied Palestinian Territories, and South Africa.

The UK is also a signatory to the European Convention on Cinematographic Co-production.

For all the agreements, there must be a UK production company responsible for all the UK elements of the production from beginning through to completion of the project, and corresponding production companies in the other co-producing party countries.

The basic principles of all the bi-lateral treaties and the European Convention require each party co-producer to contribute finance to the project and have a film making or creative contribution that is broadly in proportion to their financial contribution. The minimum financial contribution for the bi-lateral agreements is 20%, with the exception of UK/Australia which is 30%. The minimum for the European convention is 20% where there are only 2 party co-producers making a film bi-laterally. This decreases to 10% where there are 3 or more party co-producers.

Some of the more recent bi-lateral treaties may permit a lower financial contribution providing approval is sought from the competent authorities.

All the agreements and the European Convention allow between 20% and 30% third country location shooting and may allow third country personnel in lower technical grades or lead actors if required for financing or script requirements. However, each agreement differs on the allowances it makes so guidance should be sought in advance for those elements of the production which are not from one of the party countries to ensure compliance with the agreement being used.

Applicants must apply for interim certification at least 4 weeks before principal photography or shooting begins.

VALUE OF THE TAX RELIEF

The tax relief is available on qualifying UK (EEA for video games) production expenditure on the lower of either: 80% of the total core expenditure or the actual UK (EEA for video games) core expenditure incurred. There is no cap on the amount which can be claimed (see table at the back of this leaflet).



A United Kingdom (dir. Amma Asante)

CULTURAL TEST FOR FILM

Points may be awarded in the following way:

Section A – Cultural content		
A1	Film set in the UK/EEA	Up to 4 points
A2	Three lead characters are British/EEA citizens or residents	Up to 4 points
A3	British/EEA story or underlying material by a British/EEA citizen or resident	4 points
A4	English/UK indigenous language or EEA language or British sign language	Up to 6 points
Section B – Cultural contribution		
B	The film demonstrates British creativity, British heritage and/or diversity	Up to 4 points
Section C – Cultural hubs*		
C1	(a) At least 50% of the principal photography or the SFX takes place in the UK	2 points
	(b) At least 50% of the VFX takes place in the UK	2 points
	(c) An extra 2 points can be awarded if at least 80% of principal photography or VFX or SFX takes place in the UK	2 points (Maximum 4 points total in C1)
C2	At least 50% of the music recording or audio production or picture post production takes place in the UK	1 point
Section D – Personnel		
D1	The director is a UK/EEA citizen or resident	1 point
D2	The scriptwriter is a UK/EEA citizen or resident	1 point
D3	The producer is a UK/EEA citizen or resident	1 point
D4	The composer is a UK/EEA citizen or resident	1 point
D5	At least 1 of the 3 lead actors is a UK/EEA citizen or resident	1 point
D6	At least 50% of the cast are UK/EEA citizens or residents	1 point
D7	At least 1 of the 7 key HoDs is a UK/EEA citizen or resident	1 point
D8	At least 50% of the crew are UK/EEA citizens or residents	1 point
Total		35 points

* Separate categories apply for documentaries and animated films.

CULTURAL TEST FOR HIGH-END TELEVISION

Points may be awarded in the following way:

Section A – Cultural content		
A1	Programme set in the UK/EEA	Up to 4 points
A2	Three lead characters are British/EEA citizens or residents	Up to 4 points
A3	British/EEA story or underlying material by a British/EEA citizen or resident	4 points
A4	English/UK indigenous language or EEA language or British sign language	Up to 6 points
Section B – Cultural contribution		
B	The programme demonstrates British creativity, British heritage and/or diversity	Up to 4 points
Section C – Cultural hubs*		
C1	(a) At least 50% of the principal photography or the SFX takes place in the UK	2 points
	(b) At least 50% of the VFX takes place in the UK	2 points
	(c) An extra 2 points can be awarded if at least 80% of principal photography or VFX or SFX takes place in the UK	2 points (Maximum 4 points total in C1)
C2	At least 50% of the music recording or audio production or picture post production takes place in the UK	1 point
Section D – Personnel		
D1	1 of the lead directors is a UK/EEA citizen or resident	1 point
D2	1 of the lead scriptwriters is a UK/EEA citizen or resident	1 point
D3	1 of the lead producers is a UK/EEA citizen or resident	1 point
D4	1 of the lead composers is a UK/EEA citizen or resident	1 point
D5	At least 1 of the 3 lead actors is a UK/EEA citizen or resident	1 point
D6	At least 50% of the cast are UK/EEA citizens or residents	1 point
D7	At least 1 of the 7 key HoDs is a UK/EEA citizen or resident	1 point
D8	At least 50% of the crew are UK/EEA citizens or residents	1 point
Total		35 points

* Separate categories apply for documentaries.



Humans, image: © Kudos



CULTURAL TEST FOR ANIMATION TV PROGRAMMES

Points may be awarded in the following way:

Section A – Cultural content		
A1	Programme set in the UK, EEA or a location that cannot be determined (max 3 points for undetermined location)	Up to 4 points
A2	Three lead characters are British/EEA citizens or residents or from an undetermined location	Up to 4 points
A3	British/EEA story or underlying material by a British/EEA citizen or resident	4 points
A4	English/UK indigenous language or British sign language	Up to 4 points
Section B – Cultural contribution		
B	The programme demonstrates British creativity, British heritage and/or diversity	Up to 4 points
Section C – Cultural hubs		
C1	At least 50% of the animation shooting or visual design or layout & storyboarding or VFX or SFX takes place in the UK	2 points
C2	At least 50% of the music recording or audio production or picture post production or voice recording takes place in the UK	1 point
Section D – Personnel		
D1	1 of the lead directors is a UK/EEA citizen or resident	1 point
D2	1 of the lead scriptwriters is a UK/EEA citizen or resident	1 point
D3	1 of the lead producers is a UK/EEA citizen or resident	1 point
D4	1 of the lead composers is a UK/EEA citizen or resident	1 point
D5	At least 1 of the lead actors/voice over artists is a UK/EEA citizen or resident	1 point
D6	At least 50% of the cast are UK/EEA citizens or residents	1 point
D7	At least 1 of the 7 key HoDs is a UK/EEA citizen or resident	1 point
D8	At least 50% of the crew are UK/EEA citizens or residents	1 point
Total		31 points

CULTURAL TEST FOR CHILDREN'S TELEVISION

Points may be awarded in the following way:

Section A – Cultural content		
A1	Programme set in the UK, EEA or a location that cannot be determined (max 3 points for undetermined location)	Up to 4 points
A2	Three lead characters are British/EEA citizens or residents or from an undetermined location	Up to 4 points
A3	British/EEA story or underlying material by a British/EEA citizen or resident	4 points
A4	English/UK indigenous language or EEA language or British sign language	Up to 6 points
Section B – Cultural contribution		
B	The programme demonstrates British creativity, British heritage and/or diversity	Up to 4 points
Section C – Cultural hubs*		
C1	a) At least 50% of the principal photography or SFX takes place in the UK	2 points
	b) At least 50% of the VFX takes place in the UK.	2 points
	c) An extra 2 points can be awarded if at least 80% of principal photography or VFX or SFX takes place in the UK.	2 points (Max 4 points total in C1)
C2	At least 50% of the music recording or audio production or picture post production or voice recording takes place in the UK	1 point
Section D – Personnel		
D1	1 of the lead directors is a UK/EEA citizen or resident	1 point
D2	1 of the lead scriptwriters is a UK/EEA citizen or resident	1 point
D3	1 of the lead producers is a UK/EEA citizen or resident	1 point
D4	1 of the lead composers is a UK/EEA citizen or resident	1 point
D5	At least 1 of the 3 lead actors/voice over artists is a UK/EEA citizen or resident	1 point
D6	At least 50% of the cast are UK/EEA citizens or residents	1 point
D7	At least 1 of the 7 key HoDs is a UK/EEA citizen or resident	1 point
D8	At least 50% of the crew are UK/EEA citizens or residents	1 point
Total		35 points

* Separate categories apply for mixed content programmes and documentaries.



Horrible Science



CULTURAL TEST FOR VIDEO GAMES

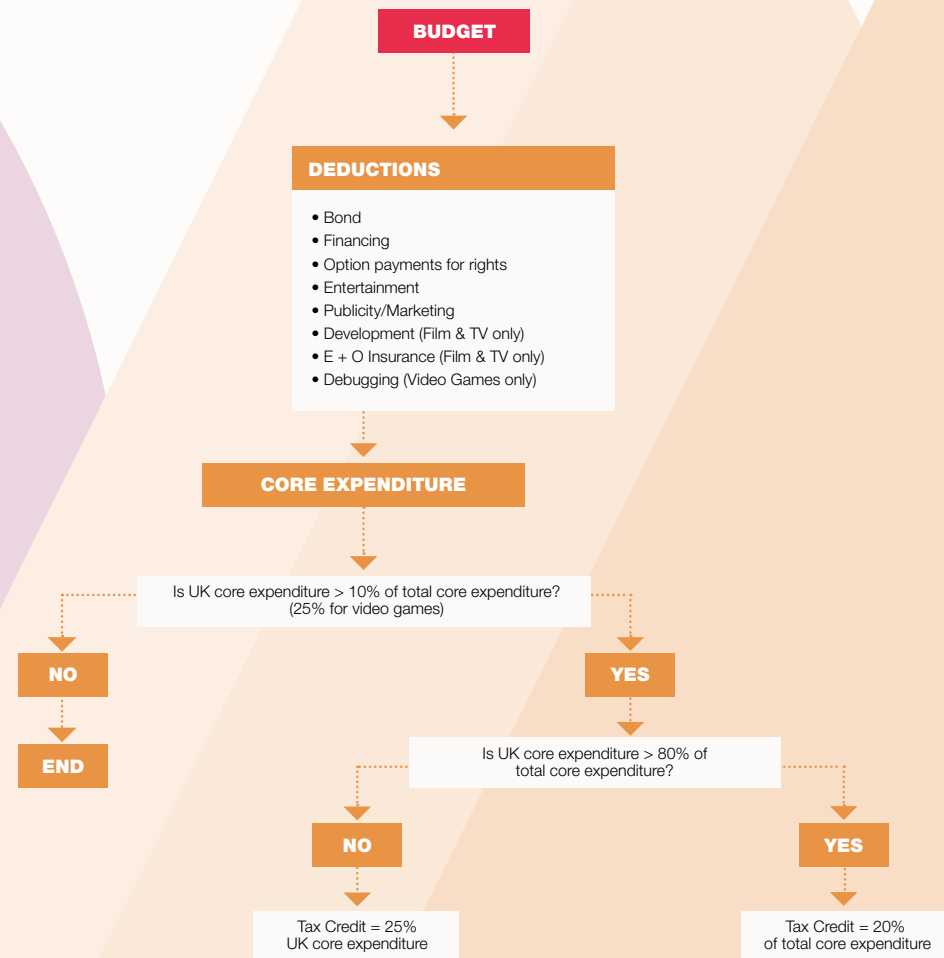
Points may be awarded in the following way:

Section A – Cultural content		
A1	Video game set in the UK/EEA or a location that cannot be determined (max 3 points for undetermined location)	Up to 4 points
A2	Three lead characters are British/EEA citizens or residents or from an undetermined location	Up to 4 points
A3	British/EEA story or underlying material by a British/EEA citizen or resident	4 points
A4	English/UK indigenous language or British sign language	Up to 4 points
Section B – Cultural contribution		
B	The video game demonstrates British creativity, British heritage and/or diversity	Up to 4 points
Section C – Cultural hubs		
C1	At least 50% of the conceptual development or storyboarding or programming or design takes place in the UK	2 points
C2	At least 50% of the music recording or audio production or voice recording takes place in the UK	1 point
Section D – Personnel		
D1	1 of the project leaders is a UK/EEA citizen or resident	1 point
D2	1 of the lead scriptwriters is a UK/EEA citizen or resident	1 point
D3	1 of the lead composers is a UK/EEA citizen or resident	1 point
D4	1 of the lead artists is a UK/EEA citizen or resident	1 point
D5	1 of the programmers is a UK/EEA citizen or resident	1 point
D6	1 of the designers is a UK/EEA citizen or resident	1 point
D7	At least 1 of the 7 key HoDs is a UK/EEA citizen or resident	1 point
D8	At least 50% of the development team are UK/EEA citizens or residents	1 point
Total		31 points

CRITERIA SUMMARY

	MINIMUM CORE EXPENDITURE	DISTRIBUTION/PUBLISHING CRITERIA	QUALIFIES AS BRITISH		PASS MARK FOR CULTURAL TEST	ADDITIONAL INFORMATION/CRITERIA PER SECTOR
FILM	10% in the UK	Intended for theatrical release	Film cultural test OR	Bi-lateral co-production treaty or European Convention	18 of 35 A – 18; B – 4; C – 5; D – 8	Applies to feature films, animation films, documentary films and short films No minimum budget
HIGH-END TELEVISION	10% in the UK	Intended for broadcast release (including the internet)	HETV cultural test OR	Bi-lateral co-production treaty that allows television	18 of 35 A – 18; B – 4; C – 5; D – 8	Applies to drama, comedy/drama and documentary Programme length must be greater than 30 minutes Minimum budget of £1 million per slot time hour (can be pro-rated)
ANIMATION TELEVISION	10% in the UK	Intended for broadcast release (including the internet)	Animation television cultural test OR	Bi-lateral co-production treaty that allows television	16 of 31 A – 16; B – 4; C – 3; D – 8	At least 51% core expenditure on animation production costs No minimum budget
CHILDREN'S TELEVISION	10% in the UK	Intended for broadcast release (including the internet)	Children's television cultural test OR	Bi-lateral co-production treaty that allows television	18 of 35 A – 18; B – 4; C – 5; D – 8	Programme must be aimed at an audience under 15 years of age No minimum budget
VIDEO GAMES	25% in the UK/EEA	Intended for supply	Video games cultural test		16 of 31 A – 16; B – 4; C – 3; D – 8	No minimum budget

WHAT IS IT WORTH?



Please note: video games core expenditure includes UK/EEA