

## **DIRECTIONS ISSUED TO THE FILM COUNCIL UNDER SECTION 26 (1) OF THE NATIONAL LOTTERY ETC. ACT 1993**

The Secretary of State for Culture, Media and Sport, in exercise of the powers conferred on him by section 26(1) of the National Lottery etc. Act 1993, hereby gives the following Directions to the Film Council:

1. In these Directions any reference to a section is a reference to a section of the National Lottery etc. Act 1993. 2

2 The Film Council shall take into account the following matters in determining the persons to whom, the purposes for which and the conditions subject to which it distributes money under section 25(1):-

A. the need to ensure that money is distributed under section 25(1) for projects which promote the public good or charitable purposes and which are not intended primarily for private gain;

B the need to foster, as a prerequisite for a healthy UK film culture, the development of a sustainable film industry, including through pursuit of the following strategic goals:

i attracting more private finance into film in order to catalyse the emergence of commercially sustainable structures;

ii improving the quality of British films and raising their profile in the marketplace;

iii ensuring the industry takes full advantage of digital technologies;

iv helping ensure an adequate supply of skills and new talent.

C. the need to ensure that it considers applications which relate to the complete range of activities falling within section 22(3)(a) and in respect of which it has the power to distribute money, taking into account:

i its assessment of the needs of film and its priorities for the time being for addressing them;

ii the need to ensure that all parts of the country have access to funding;

iii the need to promote access to film for people from all sections of society;

iv the scope for reducing economic and social deprivation at the same time as creating benefits for film.

D. the need to support cultural film-making, to develop film culture, improve education about the moving image and encourage creative excellence;

E. the need to promote knowledge and appreciation of film by children and young people;

F the need to further the objectives of sustainable development;

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G. the need for money distributed under section 25(1) to be distributed to projects only where they are for a specific, time-limited, purpose;

H. the need:

i. in all cases, for applicants to demonstrate the financial viability of the project for the period of the funding;

ii. where setting up costs are sought, for a clear business plan beyond the period of the funding incorporating provision for associated running and maintenance costs;

iii. in other cases, for consideration to be given to the likely availability of other funding to meet any continuing costs for a reasonable period after completion of the period of the Lottery award, taking into account the size and nature of the project, and for Lottery funding to be used to assist progress towards viability beyond the period of the grant wherever possible.

I the desirability of supporting the development of the long-term financial and managerial viability of film organisations and companies. In taking this into account the Film Council shall have regard to Direction G.

J. the need to require an element of partnership funding and/or contributions in kind from other sources, commensurate with the reasonable ability of different kinds of applicants, or applicants in particular areas, to obtain such support;

K. the desirability of working with other organisations, including other distributors, where this is an effective means of delivering elements of its strategy;

L. the need to ensure that its powers to solicit applications under section 25 (2A) are used in connection with the pursuit of strategic objectives;

M. such information as it considers necessary to make decisions on each application, including independent expert advice when required.

N. the need for recipients of awards to pay the set contribution towards the Skills Investment Fund (SIF).

O. the need for recipients of awards to comply with recognised industry best practice and agreements relating to pay and the employment of trainees.

P. the need to conserve and expand the national film heritage by requiring the deposit of Lottery funded films and selected materials in the collections of the British Film Institute or regional archives designated by the BFI.

Q. the need for film development and production projects to be capable of qualifying as "relevant films" as defined by the Films Act 1985.