



Film Production Financing Scheme (Relaxation Plan)
("Relaxation Plan")
Application Form for Government Finance
("Application Form")

Notes for Application

- 1 The application period is from 15 July 2020 to 14 January 2024.
- 2 This Application Form shall be read in conjunction with the Guide to Application of Film Production Financing Scheme (Relaxation Plan) ("Guide"). Please read the Guide carefully before completing this Application Form.
- 3 Unless the context otherwise requires, terms defined and expressions used in this Application Form shall bear the meanings set out in the Interpretation part in Section IV of this Application Form.
- 4 This Application Form is provided in Chinese and English versions. An Applicant may complete either the Chinese or English version for submission. If there is any conflict or inconsistency between the Chinese and English versions, the English version shall prevail.
- 5 In support of its Application, the Applicant must duly complete and sign this Application Form and submit the same together with all of the information and required documents (including the Appendices) required herein. Applicants may provide supporting information in separate sheets, if necessary. The information and documents provided in this Application Form and the certified true copies of the required documents submitted will be used in the manner stated in the Guide.
- 6 The checklist of required documents to be submitted by Applicants attached to this Application Form is for the Applicants' reference only. Should there be any conflict or inconsistency with the Guide and this Application Form, the Guide and this Application Form shall prevail.
- 7 As the Relaxation Plan aims at tiding the Hong Kong film industry over the most difficult phase caused by COVID-19, all applications under Relaxation Plan must have 80% or more of the total expenditures for the implementation, Production, Completion and Delivery of the Film Project expended in Hong Kong.

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Ref. No.:

Date/Time of Receipt:

To: The Government of the Hong Kong Special Administrative Region ("**Government**") as represented by the Head of Create Hong Kong

Film Production Financing Scheme (Relaxation Plan) ("Relaxation Plan")

We, the limited liability company whose particulars appear in Field 1 of Section I of this Application Form ("**Applicant**"), hereby apply to the Government for part-financing of the Applicant's film project with the particulars set out in the Film Project in Appendix A ("**Film Project**") and a Production Budget at Appendix B, and provide the following information relevant to the Film Project in support of this Application.

We confirm that whether or not for bona fide commercial reasons, we must not, whether on our own or in collusion with others (including our Associate and Associated Person) enter into, facilitate or permit any transaction, agreement or arrangement, whether or not legally binding, which in the opinion of Government, directly or indirectly, has as its purpose or effect or one of its purposes or effects (other than de minimis), the contravention or avoidance of the requirements of this Application Form or the Guide.

In signing below we confirm that –

- (a) Section I of this Application Form has been completed fully and correctly to the best of our knowledge and belief; and
- (b) We have read and understood, and hereby, being duly authorized by and for and on behalf of the Applicant give/make, the Undertaking and Declaration at Section II of this Application Form.

Signed by Applicant

Applicant (Company Name) : _____

Authorised Person (Name) : _____

(Position) : _____

(Telephone No.) : _____

(Email Address) : _____

Signed by Applicant/Authorized Person
for and on behalf of Applicant
[\[delete as appropriate\]](#)

(Signature) : _____ (Company Chop) : _____

Date : _____

Signed by Witness

Witness (Name) : _____

(Telephone No.) : _____

(Email Address) : _____

(Address) : _____

(Signature) : _____

Date : _____

Section I "Particulars of the Applicant"

1 Name of the Applicant

(Chinese)

(English)

2 Business Registration Information (Please provide a certified true copy of the current Certificate of Business Registration.)

Business Registration No. :

Expiry Date :

Registered Office Address :

3 Incorporation Registration Information (Please provide a certified true copy of the following:

(a) Certificate of Incorporation and if applicable, Certificate(s) of Change of Name;

(b) the latest annual return; and

(c) any Notification of Change of Secretary and Company Director filed with the Companies Registry.)

Certificate of
Incorporation No. :

Date of Incorporation (as shown in the
Certificate of Incorporation) :

4 Correspondence Address (if different from the Registered Office Address stated above)

(Chinese)

(English)

Authorized Contact Person(s): (Please provide a list of the authorized contact person(s) in a separate sheet if necessary.)

	Name :	Telephone No. :	Fax No. :	Email Address :
(Representative(s) of Applicant)				
(Producer(s))				
(Film Director(s))				
(Screenwriter(s))				

5 Person(s) having a Controlling Interest in the Applicant (Please use additional sheets if necessary.)

5.1 For individual(s) : (Please submit a statutory declaration in the form at Appendix D-1)

a. Name : Identification Document and
Number:
Address :

b. Name : Identification Document and
Number:
Address :

c. Name : Identification Document and
Number:
Address :

5.2 **For corporation(s) :** (Please submit a statutory declaration in the form at Appendix D-2.)

a. Name of Company:

Certificate of Incorporation No. :

Company Director(s) :

Registered Office Address :

b. Name of Company:

Certificate of Incorporation No. :

Company Director(s) :

Registered Office Address :

c. Name of Company:

Certificate of Incorporation No. :

Company Director(s) :

Registered Office Address :

6 Financial Condition of the Applicant:

6.1 Within twelve (12) months immediately before the date of this Application, has the Applicant refinanced, sought any relief from or extension of or compromised or restructured any credit facility, loan or financial accommodation with any banks, financial institutions or money lenders? (Please tick ☐ as appropriate)

No

Yes (Please give details)

6.2 Within twelve (12) months immediately before the date of this Application, has the Applicant paid or been liable to pay any default interest on any credit facility, loan or financial accommodation with any banks, financial institutions or money lenders? (Please tick ☐ as appropriate)

No

Yes (Please give details)

6.3 Within twelve (12) months immediately before the date of this Application, has any person granted to the Applicant any credit facility, loan or financial accommodation or any interest in respect thereof been overdue for three (3) months or more, in aggregate? (Please tick ☐ as appropriate)

No

Yes (Please give details)

6.4 Within twelve (12) months immediately before the date of this Application, has the Applicant provided any indemnity, guarantee or any financial assistance or support (in any form) to any person (including any Company Director, shareholder, Associate or Associated Person of the Applicant)? (Please tick ☐ as appropriate)

No

Yes (Please give details)

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- 6.5 Is the Applicant incorporated within eighteen (18) months before the date of this Application? (Please tick ☐ as appropriate)

Yes, the Applicant is incorporated within eighteen (18) months before the date of this Application. We hereby submit a certified true copy of the Applicant's latest financial statement.

No, the Applicant is incorporated eighteen (18) months or more before the date of this Application. We hereby submit a certified true copy of the Applicant's latest audited accounts/audited statement which is duly certified as accurate by an auditor.

7 Other Financial Support from the Government (See para. 4.2.3 of the Guide. An Applicant will not be eligible to apply for the Government Finance if it has obtained or applied for other financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from the Government for the implementation, Production, Completion and/or Delivery of the Film Project.)

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- 7.1 Is the Applicant, its Associate or its Associated Person receiving or applying for any financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from Government for any part(s) of the implementation, Production, Completion and/or Delivery of the Film Project (other than this Application)? (Please tick ☐ as appropriate)

No Yes (Please give details)

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- 7.2 Will the Applicant, its Associate or its Association Person apply for any other financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from Government for any parts of the implementation, Production, Completion and/or Delivery of the Film Project (other than this Application)? (Please tick ☐ as appropriate)

No Yes (Please give details)

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- 7.3 Is the leading film financier(s), its/their Associate(s) or its/their Associated Person(s) receiving or applying for any financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from Government for any part(s) of the implementation, Production, Completion and/or Delivery of the Film Project (other than this Application)? A leading film financier means a film financier (other than the Government) will hold the majority share of film financier(s)' investment(s) (other than Government Finance) of the Film Project. (Please tick ☐ as appropriate)

No Yes (Please give details)

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- 7.4 Will the leading film financier(s), its/their Associate(s) or its/their Association Person(s) apply for any other financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from Government for any parts of the implementation, Production, Completion and/or Delivery of the Film Project (other than this Application)? A leading film financier means a film financier (other than the Government) will hold the majority share of film financier(s)' investment(s) (other than Government Finance) of the Film Project. (Please tick ☐ as appropriate)

No Yes (Please give details)

8 Filmography (The Applicant, the Producer and/or the Film Director must have produced a total of at least two (2) Released Films immediately preceding the date of this Application. See para. 4.2.1 of the Guide.)

8.1 a. Number of Released Films produced by the Applicant immediately preceding the date of this Application:

b. Number of Released Films produced by the Producer of the Film Project immediately preceding the date of this Application:

c. Number of Released Films directed by the Film Director of the Film Project immediately preceding the date of this Application:

8.2 Please provide the following information of any two (2) of the Released Films referred to in 8.1:

	<u>Released Film 1</u>	<u>Released Film 2</u>
a. Chinese title		
b. English title		
c. Duration of the film (minutes)		
d. Name of presented company(ies)		
e. Name of film production Company		
f. Name of producer(s)		
g. Name of film director(s)		
h. Name of screenwriter(s)		
i. Name of leading actor(s)		
j. Name of leading actress(es)		
k. Release dates and periods in Hong Kong commercial theatres From (year/month/day) To (year/month/day)	From: To:	From: To:
l. Hong Kong box office (HK\$)		

9 Number of Films under Relaxation Plan Currently Involved by the Applicant, film financier, the Producer and the Film Director

- 9.1 Has the Applicant, its Associate or its Associated Person successfully obtained funding support in two (2) or more other approved film projects under this Relaxation Plan as at the date of this Application? (Please tick ☐ as appropriate)

No Yes (Please give details) (See para. 4.2.2(a) of the Guide. An Applicant is not eligible to apply for the Government Finance if it, its Associate or its Associated Person is in such capacity as stated above in two or more approved film projects.)

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- 9.2 Has the leading film financier(s), its/their Associate(s) or its/their Associated Person(s) successfully obtained funding support in two (2) or more other approved film projects under this Relaxation Plan as at the date of this Application? A leading film financier means a film financier (other than the Government) will hold the majority share of film financier(s)' investment(s) (other than Government Finance) of the Film Project. (Please tick ☐ as appropriate)

No Yes (Please give details) (See para. 4.2.2(b) of the Guide. An Application is not eligible to apply for the Government Finance if the leading film financier(s), its/their Associate(s) or its/their Associated Person(s) is/are in such capacity as stated above in two or more approved film projects.)

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- 9.3 Is the Producer of the Film Project currently taking the role of producer in two (2) or more other approved film projects under this Relaxation Plan as at the date of this Application? (Please tick ☐ as appropriate)

No Yes (Please give details) (See para. 4.2.2(c) of the Guide. An Applicant is not eligible to apply for the Government Finance if the Producer is in such capacity as stated above in two (2) or more approved film projects.)

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- 9.4 Is the Film Director of the Film Project currently taking the role of film director in one (1) or more other approved film project under this Relaxation Plan as at the date of this Application? (Please tick ☐ as appropriate)

No Yes (Please give details) (See para. 4.2.2(d) of the Guide. An Applicant is not eligible to apply for the Government Finance if the Film Director is in such capacity as stated above in two (2) or more approved film projects.)

Section II “Undertaking and Declaration”

For the Government’s consideration and/or approval of this Application for Government Finance, the Applicant hereby undertakes, warrants, declares and agrees and with continuing effect that –

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- 1 the Applicant has carefully read and fully understood the Guide and the Government Disclaimers in Section III of this Application Form;
 - 2 the Applicant is eligible to apply for Government Finance according to Eligibility Criteria prescribed by the Government in the Guide and other Conditions set out in this Application Form;
 - 3 without prejudice to and notwithstanding any specific request for information and required documents in this Application Form, the Guide or otherwise, to the best of its knowledge and belief, the information and required documents provided to Government in connection with this Application, whether in its own hand or not, are true, up-to-date, accurate and complete in all respects. The Applicant has not withheld, and is not aware of, any material facts or circumstances that have not been disclosed to the Government and which might influence the assessment of its Application or the decision of the Government as a prudent financier in considering whether or not to provide Government Finance to the Applicant;
 - 4 if this Application is successful, the Applicant will within such time limit as prescribed by the Government in the Offer Letter
 - 4.1 enter into the Transaction Documents for the implementation, Production, Completion and Delivery of the Approved Film Project and Proposed Film and the Distribution, Exhibition and Exploitation of the Completed Film in accordance with the provisions of the Transaction Documents;
 - 4.2 incorporate or procure the incorporation of a new company in Hong Kong (“ProdCo”) for the implementation, Production, Completion and Delivery of the Approved Film Project and Proposed Film;
 - 4.3 submit to the Government for its approval the proposed shareholder(s) and Company Director(s) of ProdCo;
 - 4.4 submit to the Government the names and details of all persons who Control ProdCo;
 - 4.5 submit to the Government all other information relating to ProdCo as required by the Government from time to time;
 - 4.6 procure ProdCo to execute in favour of the Government a written undertaking on the same terms as set out in this Undertaking and Declaration (with such changes as the Government considers necessary to reflect the role and capacity of ProdCo in the Film Project) and deliver the written undertaking duly executed by ProdCo to the Government within the prescribed time limit; and
 - 5 if this Application is successful, the Applicant will submit to the Government for its approval of the identity of the intended sales agent and distributor(s) whenever available, prior to engaging with such parties and/or entering into contractual relationship with such parties.
 - 6 no person(s) other than the successful Applicant and/or the person(s) who has/have a Controlling Interest in the successful Applicant (as listed in Field 5 of Section I of this Application Form) and who is /are approved by the Government shall be the shareholder(s) of ProdCo;
 - 7 no person(s) other than the person(s) approved by the Government shall be the Company Director(s) of ProdCo;
 - 8 ProdCo shall immediately prior to the execution of the PFA, be free and clear of all liabilities and encumbrances;
 - 9 without prejudice from 10.1 to 10.7 below, the successful Applicant shall do all acts and things as are necessary to ensure that ProdCo will be able to implement, Produce, Complete and Deliver the Approved Film Project and Proposed Film, and the sales agent will be able to Distribute, Exhibit and Exploit the Completed Film and to comply with the provisions of Transaction Documents;
 - 10
 - 10.1 all Intellectual Property Rights or other rights in the Proposed Film and all its underlying works and materials (including the work on which the Approved Film Project is based, the screenplay, the music created for incorporation into the Proposed Film and the design materials for the Approved Film Project) that are created or existing prior to the execution date of PFA (“Relevant IPRs”) shall be the sole and exclusive property of the successful Applicant and shall be vested in the successful Applicant until the assignment of the Relevant IPRs to all film financiers (including the Government) of the Approved Film Project upon the execution of PFA;
 - 10.2 regarding all works and materials which have Intellectual Property Rights, such as music and performances, which are used or incorporated for the Proposed Film or the Approved Film Project and in respect of which any Intellectual Property Right is vested in a third party, prior to the use and incorporation of such third party materials, the successful Applicant and ProdCo must obtain at their own cost and expense all necessary licences for themselves and their authorized users authorizing the use and incorporation of such third party materials for the purposes contemplated under the Transaction Documents;
 - 10.3 the successful Applicant and ProdCo shall waive and shall procure at their own cost and expense all relevant authors, directors and performers of the Proposed Film and all related materials under the Approved Film Project or any part thereof (including any third party materials) to irrevocably waive all moral rights (whether past, present or future) in the respective items. Such waiver shall operate in favour of all film financiers (including the Government) and their authorized users and shall take effect as from the date of use and incorporation of the works and materials in the Proposed Film and the Approved Film Project;
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- 10.4 the successful Applicant and ProdCo shall, at its own cost and expense and before the fixation and/or recording of any performances in relation to the Proposed Film and all related works and materials under the Approved Film Project, obtain all the consent and clearance from the performers as may be necessary for such fixation and/or recording of the performances and for any use and exploitation of such fixation or recording, or copies thereof, by themselves and all film financiers (including the Government), their authorized users, assigns and successors-in-title as contemplated by the Transaction Documents.
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- 10.5 the successful Applicant and ProdCo will provide all necessary documentary evidence to prove a satisfactory Chain of Title for the Proposed Film and all its underlying rights and materials, including all related Intellectual Property Rights assignments from Producer, Film Director, Screenwriter, Leading Actor and Leading Actress, Supporting Actor and Actress, Director of Photography, Production Designer, Art Director, Image Designer, Costume Designer, Composer of Music Score, Composer/Lyricist/Performer of Theme Song/Episode(s), Sound Designer, Editor, Visual Effects Director (if any), etc. and Authorization Letter of Work on which the Screenplay is based (if any); and
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- 10.6 the successful Applicant will, immediately following the execution of PFA, assign to and vest in all film financiers (including the Government) of the approved Film Project all rights (including Intellectual Property Rights), titles and interests in the Approved Film Project and Proposed Film;
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- 11 without prejudice to (13) below, regardless of whether the information has been marked "Confidential" or not, the successful Applicant authorizes and will procure ProdCo to authorize the Government to release to the public the names of the Company Directors of the successful Applicant and ProdCo, the Chinese and English names of the Approved Film Project, the names of the Film Director, the Producer and all other Film Crews and Casts of the Approved Film Project, the name of the sales agent of the Approved Film Project, the name of all film financiers (including the Government) of the Approved Film Project, and the amount of Government Finance of the Approved Film Project;
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- 12 this Application may not be processed by the Government if the Applicant fails to provide any of the information required by the Government;
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- 13 all persons whose personal or other data have been included in the information provided to the Government have consented to the provision of such data to the Government for such purposes and for disclosure to such parties as referred to in paragraph 20 of the Guide;
-
- 14 the successful Applicant and ProdCo will use the Government Finance (i) for the sole purpose of the implementation, Production, Completion and Delivery of the Approved Film Project and for no other purposes; and (ii) strictly in accordance with the Production Budget at Appendix B and any modification thereof as approved by the Government;
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- 15 the Applicant is not in breach of or in default under any agreement to which the Applicant is a party or which is binding on the Applicant or any of the Applicant's property to an extent or in a manner which may have a material adverse effect on the Applicant's business or financial conditions. Save as disclosed in this Application, none of the matters set out in Field 6 of Section I of the Application Form has occurred or arisen in the twelve (12) months immediately preceding the date of this Application;
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- 16 no corporate action or other steps have been (or are being or are intended to be) taken, and no legal proceedings have been started (or are impending or being threatened) for the winding-up, bankruptcy, dissolution, administration or re-organisation of the Applicant or for the appointment of a receiver, administrator, administrative receiver, trustee or similar officer over the Applicant or any or all of its revenue and assets;
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- 17 the Applicant is not involved in any litigation, arbitration or administrative proceedings (whether inside or outside Hong Kong) and no claim (whether inside or outside Hong Kong) is presently in progress or pending or threatened against the Applicant or any of its assets;
-
- 18 18.1 no Principal Photography and/or Post-Production of any part of the Proposed Film has been or will be commenced prior to the date of the Government's written acknowledgement of receipt of the Application (failure to observe this clause will render the Application ineligible);
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- 18.2 if Principal Photography and/or Post-Production of any part of the Proposed Film is commenced after the date of the Government's written acknowledgement of receipt of the Application and before the Applicant being notified in writing of the result of the Application -
- (a) the Government (i) is under no obligation to approve the Application; and (ii) shall not bear any responsibilities or liabilities arising from or in connection with the implementation, Production (including Pre-Production, Principal Photography and Post-Production), Completion and/or Delivery of the Proposed Film and Approved Film Project or any activities relating thereto;
- (b) the Applicant is commencing and undertaking the Pre-Production, Principal Photography and/or Post-Production at its own risk and shall bear all responsibilities and liabilities arising therefrom or in connection therewith, including but not limited to, (i) shortage of finance (if any) if the Application is not approved by the Government; and (ii) all responsibilities and liabilities arising from or in connection with the implementation, Production (including Pre-Production, Principal Photography and Post-Production), Completion and/or Delivery of the Proposed Film and Approved Film Project or any activities relating thereto;
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- 18.3 subject to 18.1 and 18.2, the Applicant shall promptly update the Government on and inform the Government of the progress of production schedule of the Proposed Film and Approved Film Project (including but not limited to the respective dates of commencement and completion of the Principal Photography and the respective dates of commencement and completion of the Post-Production of the Proposed Film and Approved Film Project) and submit the relevant evidences including but not limited to call sheets, daily reports and footages to the Government;
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- 19 if the Application is approved, the successful Applicant is obliged to assign all rights (including all Intellectual Property Rights and Relevant IPRs) of the Approved Film Project to all film financiers (including the Government), to set up ProdCo, to engage sales agent, and to sign the Transaction Documents with the Government before a deadline specified by the Government, and in any case no later than two weeks before the date of the first theatrical release of the Proposed Film in the public (including word-of-mouth screening, preview and screening in any film festival) in any territory around the world;
-
- 20 the Government has the right to review and revise the arrangements and requirements regarding this Relaxation Plan at any time and from time to time as the Government may deem necessary in order to ensure that the objectives of this Relaxation Plan as specified in the Guide will be properly achieved and the Applicant shall comply with such other requirements or directives as may be issued by the Government in writing from time to time;
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- 21 the Applicant undertakes to inform the Government immediately if any information provided in connection with this Application is no longer applicable, true, accurate or complete;
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- 22 22.1 the Applicant hereby grants for the benefits of the Government, its authorized users, assigns and successors-in-title an irrevocable, non-exclusive, royalty-free, worldwide, perpetual and sub-licensable licence to use the Application Form and required documents submitted by the Applicant (and in relation to any materials or documents to which the Applicant is not empowered to grant sub-licence(s) the Applicant hereby undertakes to procure at its sole cost and expense the grant of such rights for the benefits of the Government, its authorized users, assigns and successors-in-title by the relevant third parties in respect of such materials or documents to be granted on or before the use or incorporation of the relevant materials or documents) and such licence to use shall include the doing of any acts which are restricted by copyright under sections 22 to 29 of the Copyright Ordinance (Cap. 528) for purposes including but not limited to the evaluation of the Application, management of the Transaction Documents and all other purposes incidental thereto;
- 22.2 the Application Form, all the related materials and required documents submitted by the Applicant do not and will not infringe the Intellectual Property Rights and/or moral rights of any party;
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- 23 if any undertaking, warranty or declaration given by the Applicant in this Undertaking and Declaration is not up-to-date, true, accurate or complete, or if the Applicant fails to comply with any provisions of this Undertaking and Declaration, without prejudice to any powers, rights, remedies and claims that the Government may have under this Undertaking and Declaration or in law, the Government shall be entitled to reject immediately this Application or, as the case may be, terminate immediately the provision of Government Finance to the designated bank account under the successful Applicant and require the successful Applicant (including but not limited to ProdCo) to repay to the Government forthwith upon demand all monies advanced to the designated bank account under successful Applicant together with interest thereon calculated at HIBOR (computed by reference to an interest period selected by the Government) plus 1.5 percent per annum on such sums from but excluding the date of advance to and including the date of actual payment by the successful Applicant (including but not limited to ProdCo) calculated on a daily basis in accordance with the terms and conditions under the Transaction Documents;
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- 24 the Government reserves the right to, at any time, obtain further information or document from the Applicant and/or ProdCo;
-
- 25 25.1 neither the Applicant nor any of its officers, employees and agents has or will have any association or connection with any member of the Hong Kong Film Development Council ("HKFDC"), any staff member of the Secretariat of HKFDC or any member of the Fund Vetting Committee ("FVC") which may reasonably be considered to give rise to a situation where the financial, professional, commercial, personal or other interests of such persons, conflict or compete, or may conflict or compete, with such member's duties to the Government in relation to this Relaxation Plan; or
- 25.2 the Applicant has declared in writing in this Application the full extent of any association or connection which it or any of its officers, employees or agents has as described in 25.1;
-
- 26 the Applicant must sign Authorization to Disclose Confidential Information (at Appendix C of this Application Form) for the Government to release confidential information for the purpose of letting the Government deliver its Application including the Logline, Synopsis and Screenplay of the Proposed Film to the third parties for assessments;
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- 27 Film Director(s) of the Film Project described in Field 7 of "Film Project" at Appendix A must be permanent resident(s) in Hong Kong and certified true copies of HKID cards of the Film Director(s) must be provided together with this Application;
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- 28 there must be at least two (2) persons employed in the following four (4) categories of the Film Project being a permanent resident in Hong Kong: Leading Actor, Leading Actress, Supporting Actor and Supporting Actress as described in Field 7 of "Film Project" at Appendix A and the first four alphanumeric characters of HKID number of respective Film Casts must be provided in Field 7 of "Film Project" at Appendix A, and the certified true copies of HKID cards of respective Film Casts must be provided before execution of PFA;
-
- 29 the Applicant is fully aware of the serious offences created under the Theft Ordinance (Cap. 210) (including sections 17 (Obtaining property by deception) and 18 (Obtaining pecuniary advantage by deception)) and the Prevention of Bribery Ordinance (Cap. 201) (including section 8 (Bribery of public servants by persons having dealings with public bodies));
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- 30 the Applicant shall obtain the Government's prior written approval for any changes to the information and any other information and documents provided to the Government under the Guide or otherwise;
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- 31 much of the information relevant to its eligibility and continuing entitlement under the Relaxation Plan, whether as an Applicant or as a successful Applicant, is known or available to it or could be known or available to it by making reasonable and timely enquiries of others;
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- 32 the Applicant shall have checked the availability of the persons concerned and obtained their consent before entering their names in the Application Form, and copies of the Hong Kong identity cards of the persons concerned certified by the Applicant shall be submitted together with this Application Form;
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- 33 the Applicant fully understands that non-disclosure or misrepresentation of any information provided by the Applicant would entitle the Government to reject its Application or withdraw approval;
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- 34 all Company Directors of the Applicant and all persons having a Controlling Interest in the Applicant have made the Statutory Declaration in the form set out in Appendix D-1 and Appendix D-2 (as the case may be);
-
- 35 this Undertaking and Declaration shall be governed by and construed in accordance with the laws of Hong Kong and the Applicant and the Government shall irrevocably submit to the exclusive jurisdiction of the Courts of Hong Kong; and
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- 36 the Applicant has read the provisions of this Undertaking and Declaration carefully and fully understood its obligations and liabilities under this Undertaking and Declaration.
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Section III "Government Disclaimers"

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- 1 Whilst the information provided by the Government in the Application Form and in the Guide has been prepared in good faith, it does not claim to be comprehensive or to have been independently verified. Neither the Government, nor any of its officers, agents or advisors, accepts any liability or responsibility as to, or in relation to, the adequacy, accuracy or completeness of the information contained in the Application Form, the Guide or any other written or oral information which is, has been or will be provided or made available to any Applicant; nor do they make any representation, statement or warranty, express or implied, with respect to such information or to the information on which the Application Form or the Guide is based. Any liability in respect of any such information or any inaccuracy in the Application Form or the Guide or omission from the Application Form or the Guide is expressly disclaimed. Nothing in the Application Form, the Guide nor in any other written or oral information which is, has been or will be provided or made available to any Applicant should be relied on as a representation, statement or warranty as to the intentions, policy or action in future of the Government, its officers, agents or advisors.
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- 2 The submission of any proposal by an Applicant shall be taken to be an acceptance of the terms of the Government Disclaimers in this Section III.
-
- 3 The invitation for submission of Applications under this Relaxation Plan does not constitute an offer nor does it constitute the basis of any contract which may be concluded in relation to the Relaxation Plan or the implementation, Production, Completion and/or Delivery of any film.
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- 4 Each Applicant should make its own independent assessment of the proposed terms of this Relaxation Plan after making such investigation and consulting its own professional advisers and taking such other advice as may be prudent in order to assess the risks and benefits of the Application for Government Finance in respect of any financial, legal, tax and other matters concerning a Film Project.
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- 5 The Government reserves the right, without prior consultation or notice, to change the proposed terms of this Relaxation Plan. The Government also reserves the right to terminate any or all negotiations in its discretion before executing any binding contract with a successful Applicant and/or ProdCo.
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- 6 Applicant should note that its Application may not be approved, and even if approved, the Government Finance may be different from the one proposed in the Application. Should the Applicant choose to incur/commit any expenditure for the Film Project under Application before funding approval is confirmed, Applicant will have to bear its own risk and pay for the incurred/committed expenditure itself in case its Application is rejected or only partially approved subsequently.
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Section IV “Interpretation”

I Definitions

In this Application Form, unless otherwise provided or the context otherwise requires, the following words and expressions shall bear the same meaning as set out below:

Application Form	means this application form together with all Appendices and supporting documents as submitted by the Applicant; a reference to “Application” shall be construed accordingly.
Approved Film Project	means the Film Project for which approval is given of an application for financing by the Government under Relaxation Plan.
Associate	of any person means: 1 a relative or partner of that person; or 2 a company one or more of whose directors is in common with one or more of the directors of that person.
Associated Person	in relation to another person means: 1 any person who has Control, directly or indirectly over the other; or 2 any person who is Controlled, directly or indirectly, by another; or 3 any person who is Controlled by, or has Control over, a person at 1. or 2. above.
Chain of Title	in relation to any work in which any Intellectual Property Rights and/or moral rights subsist, means a set of documents which shows and deduces how “title” to or ownership of and the rights and interests of the work have been transmitted to its current owner from its original author/creator and how the moral rights of the author/creator/director/performer of the work have been transmitted to or released or waived in favour of its current owner including all related Intellectual Property Rights assignments from Producer; Film Director; Screenwriter; Leading Actor and Actress; Supporting Actor and Actress; Director of Photography; Production Designer; Art Director; Image Designer; Costume Designer; Composer of Music Score; Composer, Lyricist and Performer of Theme Song/Episode(s); Sound Designer; Editor; Visual Effects Director (if any); etc. and Authorization Letter of Work on which the Screenplay is based (if any).
Company Director	means any person occupying the position of director by whatever name called and includes a de facto or shadow director.
Completed Film	means an a-copy, i.e. a master print or digital copy that is a feature-length narrative film to which editing, score, dubbing, special effects, mixing completed and color correction have been incorporated in the laboratory, and is produced and completed in all respects for making copies for the purpose of immediate commercial release in Hong Kong commercial theatres together with the general commercial Distribution, Exhibition and Exploitation of the Proposed Film by distributor after the Government’s approval under the Transaction Documents, and “Completion” and “Complete” in relation to a film shall be construed accordingly.
Control, Controlled, Controlling Interest	1 means the power of a person (including any Associate or Associated Person), directly or indirectly (whether through one or more intermediaries or otherwise) to direct or influence or cause the direction or influence of the management, policies or affairs of another person in one or more of the following ways: 1.1 by means of the holding of shares or interests or the possession of voting power in or in relation to that or any other person; or 1.2 by virtue of powers conferred by any constitution, memorandum or articles of association, partnership, agreement or arrangement (whether legally enforceable or not) affecting that or any other person; or 1.3 by virtue of holding office as a Company Director in that or any other person; or 1.4 by any other means; 2 “influence” for the purpose of this definition includes the holding of 15% or more of the shares or interests or the possession of voting power in or in relation to any person referred to in 1.1 above.
Delivery	means a process of delivering the production items which are to be provided by the successful Applicant (including but not limited to ProdCo) to all film financiers (including the Government) of the Approved Film Project listed and attached in PFA through a laboratory and sets the deadlines for such production items to be delivered, and “Deliver” in relation to a film shall be construed accordingly.
Delivery Materials	means the materials listed out as “Delivery Materials” in Field 6.7 at Appendix A.
Distribution	means selling and licensing of the Completed Film in various markets along with the advertising and promotion of the Completed Film through a process including negotiating with potential exhibitors and licensees, determining the number of prints and/or digital copies, planning and implementing the advertising and promotional campaign, transporting the prints and/or digital copies to the theaters for exhibiting and collecting film rentals and other revenues derived from the Exhibition and Exploitation of the Completed Film in all markets and media under the Transaction Documents, and “Distribute” in relation to a film shall be construed accordingly.

Exhibition	means public showing of the Completed Film for charge, and "Exhibit" in relation to a film shall be construed accordingly.
Exploitation	means advertising, publicity, merchandising, licensing and promotion of the Completed Film, and in a broader sense, any use of the Completed Film, and soundtrack album or other products of the Completed Film for profit or advantage, and "Exploit" in relation to a film shall be construed accordingly.
Film Project	means the film project proposed by the Applicant under this Application Form with the particulars as set out in Appendix A hereto.
Final Cut	means a final edited version of a feature-length narrative film under the Approved Film Project accepted and approved by the Film Director(s), Producer(s) and the Government under the Transaction Documents.
Government Finance	means the provision by the Government of a sum to finance in part the implementation, Production, Completion and Delivery of the Approved Film Project and Proposed Film under the Relaxation Plan.
HIBOR	means the rate for the relevant period displayed on Reuters Screen Page 9898 on the day on which HIBOR would customarily be fixed for such period. If the agreed page or service is replaced or ceases to be available, the Government may, after consultation with the Applicant, specify another page or service displaying the appropriate rate.
Intellectual Property Rights	means patents, trade marks, service marks, trade names, design rights, copyright and related rights (including performer's rights), domain names, database rights, rights in know-how, new inventions, designs or processes and other intellectual property rights whether now known or created in future (of whatever nature and wherever arising) and in each case whether registered or unregistered and including applications for the grant of any such rights.
Logline	means a brief summary (usually one-sentence) of a film, which is around fifty (50) words, that states the central conflict of the Screenplay, often providing both the main plot of Synopsis and an emotional "hook" to stimulate interest.
Master Materials	means all takes, masters, negatives, positives, video, sound and other materials and/or recordings created for the production of the Film Project, whether incorporated into the Film Project or not.
Offer Letter	means the Offer Letter referred to in paragraph 15 of the Guide.
Original Film Materials	means all takes, masters, negatives, positives, videos, sound and other materials and/or recordings created for the implementation, Production, Completion and Delivery of the Approved Film Project and Proposed Film, whether incorporated into the Approved Film Project and Proposed Film or not.
Original Work(s) / Story(ies) of Real Person(s)	means the original literary, audio, visual, or audio-visual artistic work(s) (including names(s) and likeness(es) in relation to story(ies) of real person(s).
PFA	means the Production Finance Agreement made between the Government and ProdCo which sets out the terms and conditions on which Government Finance is to be advanced to ProdCo.
Post-Production	means the performance of all Post-Production services, acts, matters or things for a feature-length narrative film including looping, dubbing, voice-overs, retakes, trick shots, optical soundtracks, foreign language versions, cover shots, added scenes and reshooting for the feature-length narrative film for producing the feature-length narrative film to the point of the Completion.
Pre-Production	means the phase of the Production of a feature-length narrative film before the commencement of Principal Photography in which some of the elements involved in the feature-length narrative film are fixed, including Screenplay-locking; setting up production schedule; location scouting, identifications and preparations of set construction and prop & wardrobe / drawing moodboards and storyboards; special effects (if any); and reading through Screenplay with cast, film director and other interested parties.
Principal Photography	means the phase of the Production of a feature-length narrative film in which the feature-length narrative film is filmed, with actors/actresses on set and cameras rolling and/or is produced, with animators drawing action scenes based on storyboards.
ProdCo	means the new company defined in paragraph 16.2 of the Guide.
Production	means a presentation of a story and exposition of it on film or videotape or hard disk or any device which has continuity and direction, complete in itself, and the process involved in making all the Master Materials and Original Film Materials through Pre-Production, Principal Photography and Post-Production that are the basis for the Completed Film, and "Produce" in relation to a film shall be construed accordingly.
Production Materials	means any costumes, props, equipment, goods, materials, software and other tangible or intangible assets or properties acquired, produced, hired or leased for the implementation, Production, Completion and Delivery of the Approved Film Project and Proposed Film.
Proposed Film	means the film proposed by the Applicant to be produced under the Film Project.

Released Film	means a feature-length narrative film, that is produced and completed in all respects for commercial distribution and has already been released in Hong Kong commercial theatres and listed in Field 8 of Section I of this Application Form.
Rough Cut	means an early stage of editing a film; the version of the work print/digital copy of a film that follows assembly in the film's progress toward the fine-cut stage and completion, i.e. the point at which all the film's scenes are edited together in the desired order for telling the story.
Screenplay	means a creative work, in which scene descriptions of movements, actions and expressions, and dialogues of the characters are narrated, written by screenwriter(s) for a feature-length narrative film.
Synopsis	means a short narrative or preliminary version of Screenplay which is around five hundred (500) words.
Transaction Documents	means all agreements that may be made by the Government, ProdCo or any other person involved in a Film Project in relation to the Film Project.
Treatment	means an intermediate stage between an idea of Screenplay idea and Screenplay, i.e. an essay style description of the story and characters running from twenty-five to thirty (25-30) pages which tells the story of the Proposed Film in sequence and shows in more or less detail the form of the Proposed Film that will take, with specific examples of the dialogue, setting, camera angles, etc.

II. Rules of Interpretation

In this Application Form, unless otherwise provided or the context otherwise requires :

- 1 words denoting the singular number only shall include the plural number also and vice versa;
- 2 words denoting one gender only shall include the other genders;
- 3 all references to a statute, any provision thereof or to any statutory instrument, order or regulation made thereunder shall be construed as a reference to such statute, provision, statutory instrument, order or regulation as the same may have been, or may from time to time be, amended or re-enacted;
- 4 words and expressions extend to their grammatical variations and cognate expressions where those words and expressions are defined in this Application Form; and
- 5 whenever the expression "including" is used in this Application Form, it shall be deemed to mean "including without limitation".

Film Project

1 Title of The Proposed Film	(Chinese)
	(English)

2 Estimated Length of the Proposed Film (minutes)

3 Category of the Proposed Film	I	IIA	IIB	III
(under the Hong Kong Film Censorship Ordinance (Cap. 392))				

4 Information of the Proposed Film

Please attach the following documents -

- (i) one (1) original signed copy of an "Authorization to Disclose Confidential Information" attached in Appendix C;
 - (ii) one (1) certified true copy of the Logline of the Proposed Film (around fifty (50) words) and the Synopsis of the Proposed Film (around five hundred (500) words); and
 - (iii) two (2) certified true copies of the Screenplay of the Proposed Film written in the industry format with pages numbered (one stapled and one unbound) which must be duly signed by the Applicant.
- (Note: The Applicant is encouraged (but not strictly required) to provide one (1) certified true copy of each of the following to facilitate further understanding of the Proposed Film during assessment:
- (a) character description of the Screenplay of the Proposed Film (optional);
 - (b) Treatment of Screenplay of the Proposed Film (optional);
 - (c) creative vision or footage demo of the Proposed Film (optional);
 - (d) storyboard template of the Proposed Film (optional); and
 - (e) mood board of the Proposed Film (optional).

5 If the Screenplay of the Proposed Film is based on any Original Work(s)/ Story(ies) of Real Person(s), the Applicant must list out all related information relating to such Original Work(s)/Story(ies) of Real Person(s) here.

(Note: Please provide certified true copy(ies) of authorization document(s) or licensing agreement(s) or release(s) of Original Work(s)/Story of Real Person(s).)

Title(s)/Name(s) of Original Work(s)/Story(ies) of Real Person(s) on which the Screenplay is based:

Type(s) of Original Work(s):

Publisher/Presenter/Manufacturer of Original Work(s):

Copyright Owner/Author of Original Work(s):

Date of Creation/Publication/Manufacture of Original Work(s):

6 Production and Hong Kong Theatrical Release Schedule of Proposed Film

(Note: The Applicant must provide one (1) certified true copy of the production schedule including the number of shooting days during the Principal Photography of the Proposed Film.)

6.1	Pre-Production	from	year	month	day	to	year	month	day
6.2	Principal Photography	from	year	month	day	to	year	month	day
6.3	Post-Production	from	year	month	day	to	year	month	day
6.4	Estimated Delivery Date of Rough Cut						year	month	day
6.5	Estimated Delivery Date of Final Cut						year	month	day
6.6	Estimated Delivery Date of Completed Film						year	month	day
6.7	Estimated Delivery Date of all Delivery Materials of the Completed Film listed as below:						year	month	day
(a)	film & video materials:								
(i)	one (1) set of digital cinema package ("DCP") containing the Hong Kong theatrical release version of the Completed Film with feature dialogue, music and sound effect tracks, and subtitle; and								
(ii)	one (1) copy of DVD and Blu-ray disc of item (a)(i) above.								

(b)

publicity materials:

(i)

four (4) hard copies and one (1) soft copy of the film posters of the Completed Film;

(ii)

one (1) copy of the master set of production stills taken from the Completed Film on CD Rom;

(iii)

one (1) copy of trailer and/or teaser of the Completed Film on DVD or Blu-ray disc;

(iv)

an electronic film press kit (including interviews with film crews and casts, and other persons connected with the Completed Film); and

(v)

a written publicity pack (including production information, biographies of the Leading Actor, Leading Actress, Producer, Film Director, Screenwriter, and other main film crews, interviews with casts and other persons connected with the Completed Film, feature stories and news release).

(c)

documents:

(i)

one (1) copy of final shooting screenplay.

(d)

other materials:

(i)

the original signed copy of Audited Statement;

(ii)

one (1) copy of the certificate for public exhibition in Hong Kong under the Film Censorship Ordinance (Cap. 392);

(iii)

the copies of the Hong Kong and international marketing plans for the Completed Film;

(iv)

one (1) copy of the original soundtrack album (if available); and

(v)

one (1) copy of DVD and Blu-ray disc containing the Hong Kong theatrical release version.

6.8

Estimated Date of Theatrical Release in Hong Kong (if known)

from

year

month

day

to

year

month

day

(Note: Under the Film Censorship Ordinance (Cap. 392), a person who exhibits a film in Hong Kong (e.g. the Completed Film) shall obtain the Certificate of Approval under the said ordinance in respect of the film.)

7

Main Film Crew Members and Casts

(Note: Please provide certified true copy(ies) of agreement(s) or letter(s) of intent in respect of engagement of Main Film Crews and Casts (if any).)

	Position	Name	Alias	HK permanent resident		HKID No. (Only first four alphanumeric characters)
				(Yes)	(No)	
7.1	Film Producer					(Not Applicable)
7.2	Film Director (Note 1: The Applicant must provide certified true copies of HKID Cards of Film Director) (Note 2: The Applicant must provide one (1) certified true copy of the Film Director's filmography.) (Note 3: The Applicant is encouraged to provide one (1) certified true copy of Film Director's statement of the Proposed Film (optional).)					
7.3	Screenwriter					(Not Applicable)
7.4	Leading Actor					
7.5	Leading Actress					
7.6	Supporting Actor					
7.7	Supporting Actress					

製作預算案

Production Budget

機密 Confidential

(如擬拍攝電影為劇情片長片，而且製作預算的數額不超過港幣25,000,000元，請填寫此表格。)

(Please complete this table if the Proposed Film is a feature-length narrative film and the amount of Proposed Budget does not exceed HKD\$25 million.)

1A. 擬拍攝電影名稱		(中文 Chinese)			
Title of Proposed Film		(英文 English)			
2A. 製作預算(詳細)		Production Budget (Details)	總開支Total Expenditure		
(請填"0"於沒有支出的項目)		(Please fill "0" if there is no expenditure)	(港幣HK\$)		
參考號碼 Ref No.	項目標題	Category Title	香港 Hong Kong	香港以外 Outside Hong Kong	合計 TOTAL
線上 ABOVE-THE-LINE					
10100	故事/故事大綱，分場及劇本	Story/Synopsis, Treatment and Screenplay			
10101	根據原作品/真人故事改編為電影計劃的特許權費用(如有)(見「附錄甲」第5項)	Licensed Fee of Original Work(s) / Story of Real Person(s) on which the Film Project is based (if any) (see Field 5 of Appendix A)	\$	\$	\$
10102	編劇(包括故事大綱和分場)	Screenwriter (including Synopsis & Treatment) (數目No.:)	\$	\$	\$
10103	劇本登記費用	Screenplay Registration Fee(s)	\$	\$	\$
10104	翻譯費用(包括故事大綱、分場和劇本)	Translation Fee (including Synopsis, Treatment & Screenplay)	\$	\$	\$
10105	顧問費用(請註明)	Consultant Fee (Please specify)	\$	\$	\$
10106	其他(請註明)	Others (Please specify)	\$	\$	\$
共計 Sub-total:			\$	\$	\$
10200	主要工作人員及演員	Main Crews and Casts			
10201	製片人	Executive Producer (數目No.:)	\$	\$	\$
10202	監製	Producer (數目No.:)	\$	\$	\$
10203	聯合監製	Co-producer (數目No.:)	\$	\$	\$
10204	導演	Director (數目No.:)	\$	\$	\$
10205	女主角(包括公司稅金(如有))	Leading Actress (including tax (if any)) (數目No.:)	\$	\$	\$
10206	男主角(包括公司稅金(如有))	Leading Actor (including tax (if any)) (數目No.:)	\$	\$	\$
10207	其他(請註明)	Others (Please specify) (數目No.:)	\$	\$	\$
共計 Sub-total:			\$	\$	\$
10300	線上差旅費	Above-the-Line Travel & Living			
10301	監製/聯合監製/導演/編劇的差旅費	Traveling & Living - Producer / Co-producer / Director / Screenwriter (數目No.:)	\$	\$	\$
10302	女主角/男主角的差旅費	Traveling & Living - Leading Actress / Leading Actor (數目No.:)	\$	\$	\$
10303	女主角/男主角的經理人/助理的差旅費(試身/拍攝/錄音)	Traveling & Living - Manager / Assistant of Leading Actress / Leading Actor(s) (including Fitting, Shooting and Dubbing) (數目No.:)	\$	\$	\$
10304	主要工作人員及演員的零用金(請註明)	Main Crews and Casts - Per Diem Allowance (Please specify) (數目No.:)	\$	\$	\$
10305	其他(請註明)	Others (Please specify)	\$	\$	\$
共計 Sub-total:			\$	\$	\$
10400	其他	Others			
10401	劇本審批費用	Screenplay Censorship Fee	\$	\$	\$
10402	其他(請註明)	Others (Please specify)	\$	\$	\$
共計 Sub-total:			\$	\$	\$
線上總計 TOTAL ABOVE-THE-LINE			\$	\$	\$
百分比 Percentage					

線下 BELOW-THE-LINE					
20100 前期製作支出	Pre-Production Costs		\$	\$	\$
20200 選角費用(包括選角工作人員)	Casting Fee (including Casting Crew)		\$	\$	\$
20300 其他演員(包括超時費用)	Other Casts (including Overtimes Fees)				
20301 配角	Supporting Casts (數目No.:)		\$	\$	\$
20302 特約演員	Extras (數目No.:)		\$	\$	\$
20303 武師及替身	Stuntman and Stunt Double (數目No.:)		\$	\$	\$
20304 群眾演員	Crowd Extras (數目No.:)		\$	\$	\$
20305 其他演員	Other Casts (數目No.:)		\$	\$	\$
共計 Sub-total:			\$	\$	\$
20400 合約製作工作人員(包括超時費用)	Contractual Production Crews (including Overtimes Fees)				
20401 策劃/統籌	Associate Producer / Line Producer (數目No.:)		\$	\$	\$
20402 製片主任	Production Manager (數目No.:)		\$	\$	\$
20403 助理製片	Production Assistant (數目No.:)		\$	\$	\$
20404 第一副導演	First Assistant Director (數目No.:)		\$	\$	\$
20405 副導演	Assistant Director (數目No.:)		\$	\$	\$
20406 動作導演(如有)	Action Director (if any) (數目No.:)		\$	\$	\$
20407 場記	Continuity (數目No.:)		\$	\$	\$
20408 劇務	Unit Manager (數目No.:)		\$	\$	\$
20409 美術總監	Production Designer (數目No.:)		\$	\$	\$
20410 美術指導	Art Director (數目No.:)		\$	\$	\$
20411 助理美術指導	Assistant Art Director (數目No.:)		\$	\$	\$
20412 道具領班	Propsmaster (數目No.:)		\$	\$	\$
20413 造型設計師	Image Designer (數目No.:)		\$	\$	\$
20414 服裝指導	Costume Designer (數目No.:)		\$	\$	\$
20415 助理服裝指導	Assistant Costume Designer (數目No.:)		\$	\$	\$
20416 攝影指導	Director Of Photography (數目No.:)		\$	\$	\$
20417 第一助理攝影師	First Camera Assistant/Grip (數目No.:)		\$	\$	\$
20418 剪接師	Editor (數目No.:)		\$	\$	\$
20419 數據管理員(DIT)	Digital Imaging Technician (DIT) (數目No.:)		\$	\$	\$
20420 燈光師	Gaffer (數目No.:)		\$	\$	\$
20421 燈光助理	Best Boy (數目No.:)		\$	\$	\$
20422 第二攝影師	Second Unit Cameraman (數目No.:)		\$	\$	\$
20423 收音師	Sound Recordist (數目No.:)		\$	\$	\$
20424 化妝師和特技化妝師	Make Up Artist & Special Make Up Artist (數目No.:)		\$	\$	\$
20425 髮型師	Hair Stylist (數目No.:)		\$	\$	\$
20426 劇照攝影師	Still Photographer (數目No.:)		\$	\$	\$
20427 製作花絮工作人員 (包括攝影費用)	Crew of Making-of (including Shooting Fee) (數目No.:)		\$	\$	\$
20428 其他製作人員(包括茶水等)	Other Crew(s) (e.g. Tealady, etc)		\$	\$	\$
共計 Sub-total:			\$	\$	\$
20500 美術製作/佈景設計	Art Direction / Set Design		\$	\$	\$
20600 置景及拆景	Set Construction/Decoration and Set Striking		\$	\$	\$
20700 道具	Property Operations		\$	\$	\$
20800 特別道具(包括車輛、槍械等)	Special Property (including Vehicle, Gun and etc.)		\$	\$	\$
20900 佈景陳設	Set Dressing		\$	\$	\$
21000 服裝	Wardrobe		\$	\$	\$
21100 化妝及髮型	Makeup & Hairdressing		\$	\$	\$
21200 攝影器材及運作(包括航拍機(如有))	Camera Equipment and Operations (including Drone (if any))		\$	\$	\$
21300 收音	Sound Operations		\$	\$	\$
21400 燈光器材	Electrical, Rigging, Operation & Strike Equipments		\$	\$	\$
21500 特技動作及效果(包括爆破)	Stunt & Special Effects (including Demolition)		\$	\$	\$

21600	菲林 / 硬盤 / 記憶卡 / 現場過帶 / 其他	Film / Hard Disk / Memory Card / Digital Transfer on Sets / Others	\$	\$	\$
21700	場地(包括場地租賃)	Locations (including Location Rentals)	\$	\$	\$
21800	廠景租賃	Studio Rentals	\$	\$	\$
21900	現場運作	On Set Operation (拍攝日數 No. of Shooting Day:)	\$	\$	\$
22000	日職工作人員(包括超時費用)	Daily Paid Crews (including Overtimes Fees)	\$	\$	\$
22100	膳食及餐飲	Meal & Beverage	\$	\$	\$
22200	交通運輸(月租)	Transportation (Monthly Rental)	\$	\$	\$
22300	日租車輛費用及超時費用	Fees and Overtime Fees of Daily Vehicles	\$	\$	\$
22400	其他開支	Other Expenditures	\$	\$	\$
22500	拍攝工作人員及演員差旅費	Principal Photography Travel & Accommodation for Crews and Casts (數目No.:)	\$	\$	\$
22600	額外拍攝組製作費用	Additional Shooting Unit(s) Production Fee	\$	\$	\$
22700	海外拍攝	Overseas Shooting	\$	\$	\$
前期及拍攝製作期間總計 Total Pre-Production & Principal Photography Periods 百分比 Percentage			\$	\$	\$
30100	後期工作人員薪金及費用	Fees of Post-Production Crews and Expenditures	\$	\$	\$
30200	膳食、餐飲及交通運輸	Meal, Beverage & Transportation	\$	\$	\$
30300	音樂配樂	Music Scoring	\$	\$	\$
30400	主題曲及/或插曲費用	Fee(s) of Theme Song and/or Episode(s) (數目No.:)	\$	\$	\$
30500	授權費用(包括音樂、片段及任何知識產權)	Licensing Fee (including Music, Footage and any Intellectual Property Right)	\$	\$	\$
30600	後期音響(包括補配對白、音效/擬音、混音及母帶處理)	Post-Production Sound (including Re-recording Dialogue, Sound Effect/Foley, Sound Mixing and Mastering)	\$	\$	\$
30700	杜比數碼頻譜錄音(SRD)授權費用(如有)	Dolby Spectral Recording Digital (SRD) Licence Fee (if any)	\$	\$	\$
30800	後期沖印(如有)	Post-Production Developing and Processing (if any)	\$	\$	\$
30900	電腦圖像及動畫(如有)	Computer Graphic and Animation (if any)	\$	\$	\$
31000	數碼中間片(DI)(包括第一個DCP)	Digital Intermediate (DI) (including the first Digital Cinema Package (DCP))	\$	\$	\$
31100	片頭/片尾及字幕(包括翻譯)	Credits & Subtitles (including translation)	\$	\$	\$
31200	預告片和製作花絮(包括剪接費用), 及海報設計費用	Trailer and Making-of (including Editing Fee), and Design Fee of Poster	\$	\$	\$
31300	母帶物料和首次交付項目以供發行、展示及利用擬拍攝電影	Master Materials and Initial Delivery Items for Distribution, Exhibition and Exploitation of the Proposed Film	\$	\$	\$
31400	後期製作工作人員差旅費	Post-Production Travel & Accommodation for Crews	\$	\$	\$
31500	其他(請註明)	Others (Please specify)	\$	\$	\$
後期製作期間總計 Total Post-Production Period 百分比 Percentage			\$	\$	\$
40100	其他(包括行政支出、影印及文具等)	Others (including Administration Overhead, Photocopy and Stationary, etc.)	\$	\$	\$
50100	提交政府的交付物料費用(見「附件甲」第6.7項)	Fee of Delivery Materials (see Field 6.7 of Appendix A)	\$	\$	\$
60100	製作成本的核數費用	Audited Fee of Production Costs	\$	\$	\$
70100	保險	Insurance	\$	\$	\$
80100	應急費用	Contingency	\$	\$	\$
線下總計 TOTAL BELOW-THE-LINE 百分比 Percentage			\$	\$	\$
線上及線下總計 TOTAL ABOVE- & BELOW-THE-LINE (不得超過港幣25,000,000元) (Not exceeding HKD 25 million) 百分比 Percentage			\$	\$	\$

(註：就本申請表格而言，本製作預算並不包括擬拍攝電影的有關銷售及發行開支。)

(Note: For the purpose of this Application Form, the sales and distribution expenditures in relation to the Proposed Film shall not be included in this Production Budget.)

3 Estimated Net Income

(Note 1: The Applicant is encouraged to provide one (1) certified true copy of the target audience of the Completed Film (optional); and certified true copy(ies) of letter(s) of intent in respect of sales and distribution of the Completed Film (if any).)

(Note 2: Estimated Net Income refers to the receipts derived from the Completed Film after deduction of:

(i) all the sales agent's fees and commissions (including fees and commissions of all sales agent(s), sub-sales agent(s), distributor(s), and sub-distributor(s)) in relation to the Completed Film (which shall be capped at 15% of the Gross Receipts); and

(ii) all the sales agent's expenses (including publicity and distribution expenses) in relation to the Completed Film (which shall be capped at HK\$1 million or 15% of the Production Budget (whichever is the greater) for the purpose of this Application Form).)

Territory		Mainland	Hong Kong & Macao	Taiwan	Japan & Korea	South East Asia	Others (please specify)	Worldwide
Distribution Rights								
3.1	Theatrical Distribution [Theatre, Non-Theatre, Public Release]						Territory:	
3.2	Television Distribution a Free TV: Terrestrial Free TV, Cable Free TV & Satellite Free TV b Pay TV : Terrestrial Pay TV, Cable Pay TV & Satellite Pay TV (including Pay-per-view & VOD)						Territory:	
3.3	Video Distribution Home Video (Sell-Thru & Rental), & Public Video (Sell-Thru & Rental)						Territory:	
3.4	Internet Distribution [Uploading, Downloading, Browsing, etc]						Territory:	
3.5	Airline, Ship, Train & Hotel						Territory:	
3.6	Original Sound Products						Territory:	
3.7	Others a [Other Media Distribution, such as Script and Movie Stills Album, Live Performance, Interactive Multimedia Work, all other by-products, etc.] b [Other Authorizations, such as adaptation right(Prequel/ Sequel/ Series), Remake Rights, etc.]						Territory:	
Total (HK\$)								
Estimated Net Income (HK\$)								

4 Financing Amount

Please give details of the film financier(s) who would finance the Film Project if known at this stage for the Government's approval.

Please specify the financing amount and financing ratio that you propose the Relaxation Plan to contribute to the Film Project in this item. Please see the maximum amount of the Government Finance per approved Film Project under paragraph 5 of the Guide.

4.1 Cash Flow Financing

Cash Source

(Note: Please submit one (1) certified true copy of cashflow schedule of the Film Project; and certified true copy(ies) of agreement(s) or letter(s) of intent signed between the Applicant and third-party film financiers proving that third-party financing for the implementation, Production, Completion and Delivery of the Film Project and Proposed Film has been secured to the satisfaction of the Government.)

Financing Amount
(HK\$)

Financing
Ratio

a. Film Development Fund

b.

c.

d.

e.

f.

g.

Total Financing Amount (HK\$)

[equals to the total Production Budget in Field 2 of Appendix B]

5 Information on Sales / Distribution (if any)

(Note: No sales agreement with any sale agent and distributor(s) shall be engaged prior to the notification by the Government of the result of the Application.)

Name(s) of sales agent(s) and distribution agent(s) under negotiation	Specific Rights	Territorial area covered	Estimated Value
a.			
b.			
c.			
d.			
e.			

Authorization to Disclose Confidential Information

To: The Government of the Hong Kong Special Administrative Region ("Government") as represented by the Head of Create Hong Kong

Date _____

**Film Production Financing Scheme (Relaxation Plan)
("Relaxation Plan")**

We hereby authorize and request the Government, Hong Kong Film Development Council ("HKFDC") and the Secretariat of HKFDC ("Secretariat") to make and send copies of our Application including the Appendices together with all required documents (including but not limited to all copyrighted works such as Logline, Synopsis and Screenplay) to the relevant parties (including experts drawn from a panel of examiners who are professionals with experience in film production, financing, distribution, and the related aspects in film production, sales and distribution ("Examiners"); the Fund Vetting Committee set up under the Hong Kong Film Development Council ("FVC")) and other representatives of the Government for evaluation and assessment under Relaxation Plan and other incidental purposes.

We warrant to the Government that our Application including Appendices together with all required documents (including but not limited to all copyrighted works such as Logline, Synopsis and Screenplay) is free from encumbrances, and in any event, we acknowledge that we have obtained the consent from the relevant party(ies) to the intent and effect that the Government may lawfully use and/or release the information to the abovementioned parties for the stated purposes.

We acknowledge that it is our sole responsibility to ensure that our Application and all required documents (including but not limited to all copyrighted works such as Logline, Synopsis and Screenplay) comply with and to be protected under the laws of Hong Kong (including the laws relating to Intellectual Property Rights). Under no circumstances shall the Government, the HKFDC, the Secretariat, Examiners, FVC and other representatives of the Government be held liable for any infringement or alleged infringement of Intellectual Property Rights or any other rights caused by or relating to our Application for this Relaxation Plan or the implementation of the Film Development Fund.

We acknowledge that we shall indemnify and keep the Government, its employees and authorized persons fully and effectively indemnified against all costs, claims, demands, expenses and liabilities of whatsoever nature arising from or incurred by reason of any actions and/or claims made in respect of infringement or alleged infringement of Intellectual Property Rights or any other rights, or information subject to the Personal Data (Privacy) Ordinance (Cap. 486) which action and/or claim would not have arisen but for our negligence or omission, any of our employees, sub-contractors or agents (or any one acting on its/their behalf) in connection with our Application for this Relaxation Plan or the implementation of the Film Development Fund.

Signed by Applicant

Applicant (Company Name) : _____

Authorized Person (Name) : _____

(Position) : _____

(Telephone No.) : _____

(Email Address) : _____

Signed by Applicant/Authorized Person for
and on behalf of Applicant

[delete as appropriate]

(Signature): _____

(Company Chop) : _____

Date : _____

(Appendix D-1 should be used if the Company Director of the Applicant or the person(s) who has/have a Controlling Interest in the Applicant is a natural person.)

[FOR INDIVIDUALS]

IN THE MATTER of an application for Government Finance under
the Film Production Financing Scheme (Relaxation Plan)

and

IN THE MATTER of the Oaths and Declarations Ordinance (Cap.
11)

STATUTORY DECLARATION

I, _____ (Chinese) _____ (English) (HKID No.: _____) ,of
_____ *[insert name]* *[insert name]* *[insert number]*

_____, Hong Kong, being
_____ *[insert address]*

[the director/ shareholder] of _____ [Company No.: _____]
_____ *[delete as appropriate]* *[insert name of Applicant/ ProdCo]* *[insert number]*

("the Company") do solemnly and sincerely declare that:

- 1 I have never been convicted in the Hong Kong Special Administrative Region of any offence of bribery, false accounting, corruption or dishonesty or any offence involving lack of candour or trust;

OR

my criminal record in the Hong Kong Special Administrative Region in respect of offences under the laws of the Hong Kong of bribery, false accounting, corruption or dishonesty or involving lack of candour or trust is set out in Schedule 1 attached; and

[delete as appropriate]

- 2 I have never been convicted in any place outside the Hong Kong Special Administrative Region in respect of conduct which, if done in the Hong Kong Special Administrative Region, would constitute or form part of the criminal record in the Hong Kong Special Administrative Region as mentioned in (1);

OR

my criminal record in places outside the Hong Kong Special Administrative Region in respect of conduct which, if done in the Hong Kong Special Administrative Region, would constitute or form part of my criminal record in the Hong Kong Special Administrative Region as mentioned in (1) is set out in Schedule 2 attached.

[delete as appropriate]

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

(Signed)

DECLARED at _____ in the Hong Kong Special Administrative Region this day of _____.

Before me,

[Signature and designation, i.e. Justice of Peace/Notary Public/Commissioner of Oaths]

Schedule 1

The criminal record(s) referred to in paragraph (1) in the Declaration

Schedule 2

The criminal record(s) referred to in paragraph (2) in the Declaration

(Appendix D-2 should be used if the Company Director of the Applicant or the person(s) which has/have a Controlling Interest in the Applicant is a corporation.)

[FOR CORPORATIONS]

IN THE MATTER of an application for Government Finance under the
Film Production Financing Scheme (Relaxation Plan)
and
IN THE MATTER of the Oaths and Declarations Ordinance (Cap. 11)

STATUTORY DECLARATION

I, _____ (Chinese) _____ (English) (HKID No.: _____) of
[insert name] [insert name] [insert number]

_____, Hong Kong, being
[insert address]

the director of _____ [Company No.: _____]
[insert name of the corporation] [insert number]

("the Company") do solemnly and sincerely declare that:

- 1 the Company is the [director/shareholder] of _____ ;
[delete as appropriate] [insert name of the Applicant/ ProdCo]
- 2 the Company has never been convicted in the Hong Kong Special Administrative Region of any offence of bribery, false accounting, corruption or dishonesty or any offence involving lack of candour or trust
OR
the Company's criminal record in Hong Kong in respect of offences under the laws of the Hong Kong of bribery, false accounting, corruption or dishonesty or involving lack of candour or trust is set out in Schedule 1 attached; and
[delete as appropriate]
- 3 the Company has never been convicted in any place outside the Hong Kong Special Administrative Region in respect of conduct which, if done in the Hong Kong Special Administrative Region, would constitute or form part of the criminal record in the Hong Kong Special Administrative Region as mentioned in (2);
OR
the Company's criminal record in places outside the Hong Kong Special Administrative Region in respect of conduct which, if done in the Hong Kong Special Administrative Region, would constitute or form part of my criminal record in the Hong Kong Special Administrative Region as mentioned in (2) is set out in Schedule 2 attached.
[delete as appropriate]

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11)

(Signed)

DECLARED at _____ in the Hong Kong Special Administrative Region this day of _____ .
Before me,

[Signature and designation, i.e. Justice of Peace/Notary Public/Commissioner of Oaths]

Schedule 1

The criminal record(s) referred to in paragraph (2) in the Declaration

Schedule 2

The criminal record(s) referred to in paragraph (3) in the Declaration

Checklist of Documents to be submitted by an Applicant
(for reference only)

1	One (1) certified true copy of Business Registration Certificate of the Applicant
2	One (1) certified true copy of Certificate of Incorporation of the Applicant and Certificate of Change of Name of the Applicant (if any)
3	One (1) certified true copy of Applicant's latest Annual Return together with any Notification of Change of Secretary and Director filled with the Companies Registry
4	One (1) certified true copy of Audited accounts or financial statement of the Applicant
5	One (1) original signed copy of "Authorization to Disclosure Confidential Information" from the Applicant for the delivery of its Application (including this Application Form, all documents under this checklist and other required information in accordance with this Application Form and Guide to Application for Relaxation Plan)
6	One(1) certified true copy of Logline (around 50 words) and Synopsis (around 500 words) of the Screenplay of the Proposed Film
7	Two (2) certified true copies of feature-length Screenplay of the Proposed Film written in the industry format with pages numbered (one stapled and one unbound) which must be duly signed by the Applicant
8	One (1) certified true copy of Treatment of Screenplay of the Proposed Film (optional)
9	One (1) certified true copy of character description of Screenplay of the Proposed Film (optional)
10	One (1) certified true copy of targeted audience of the Proposed Film (optional)
11	One (1) certified true copy of creative vision or footage demo of the Proposed Film (optional)
12	One (1) certified true copy of storyboard template of the Proposed Film (optional)
13	One (1) certified true copy of mood board of the Proposed Film (optional)
14	One (1) certified true copy of Film Director's statement of the Proposed Film (optional)
15	One (1) certified true copy of production schedule including the number of shooting days during the Principal Photography of the Proposed Film
16	Certified true copies of identity cards of all Film Director(s), and first four alphanumeric characters of HKID No. of Main Casts.
17	Certified true copies of agreements or letters of intent in respect of engagement of Main Crews and Casts, insurance policy/quotation etc. (if any)
18	Certified true copies of letters of intent in respect of sales and distribution of the Proposed Film.
19	One (1) certified true copy of Film Director's filmography of the Film Project
20	One (1) certified true copy of cashflow schedule of the Film Project
21	Certified true copies of agreements or letters of intent signed between the Applicant and third-party film financiers proving that third-party financing for the Film Project has been secured to the satisfaction of the Government
22	Certified true copy(ies) of the authorisation document(s) or licensing agreement(s) or release(s) of Original Work(s)/Story of Real Person(s) (if any)