Notes for Application

1. Please read the Guide to Application of the Film Development Fund for Scriptwriting Incubation Programme (“Guide”) carefully before completing this Application Form.

2. Unless the context otherwise requires, terms defined and expressions used in this Application Form shall bear the meanings set out in the Schedule of Definitions of this Application Form.

3. 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.

4. The information provided in this Application Form and the certified true copies of the supporting documents submitted will be used in the manner stated in the Guide.

5. 5.1. Please complete “Note 2” of the last page of this Application Form by ticking “✓” the appropriate boxes under.
5.2. Please delete as appropriate.
5.3. Please provide additional supporting information in separate sheets, if required.

6. An application will be more favorably considered if the main storyline and the main shooting locations of the Work will take place in Hong Kong.
To: The Government of the Hong Kong Special Administrative Region ("Government") as represented by the Head of Create Hong Kong

Film Development Fund for Scriptwriting Incubation Programme ("SIP")

I/we, the person(s) whose particulars appear in Field 1 of Section I of this Application Form ("Applicant"), hereby apply to participate in the competition under SIP and enclose the Logline, the Synopsis, the Character Description and other Work in relation to the Script that I/we intend to develop, together with all information and supporting documents in support of this Application.

I/we confirm that whether or not for bona fide commercial reasons, I/we must not, whether on my/our own or in collusion with others (including my/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.

By signing below I/we confirm that –
(i) Section I of this Application Form has been completed fully and correctly to the best of my/our knowledge and belief; and
(ii) I/we have read and understood, and hereby give/make, the Undertaking and Declaration at Section II of this Application Form.

Signed by Applicant

Applicant No. 1  
(Name):  
(Telephone No.):  
(Email Address):  
(Signature):  
Date:  

Applicant No. 2  
(if any)  
(Name):  
(Telephone No.):  
(Email Address):  
(Signature):  
Date:  

Applicant No. 3  
(if any)  
(Name):  
(Telephone No.):  
(Email Address):  
(Signature):  
Date:  

Signed by Witness

Witness  
(Name):  
(Telephone No.):  
(Email Address):  
(Signature):  
Date:  

1 PAGE ( FDF-SIP Form (August 2020 version))
### Section I “Particulars of the Applicant”

<table>
<thead>
<tr>
<th>1.</th>
<th>Name of the Applicant No. 1</th>
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<tr>
<td></td>
<td>(Chinese)</td>
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<tr>
<td>(a)</td>
<td><strong>Hong Kong Identity Card no.</strong></td>
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<tr>
<td>(b)</td>
<td><strong>Permanent Resident of Hong Kong</strong></td>
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<td>(c)</td>
<td><strong>Correspondence Address</strong></td>
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<td>(Chinese)</td>
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<td>Telephone No. : Fax No. : Email Address :</td>
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<th>2.</th>
<th>Name of the Applicant No. 2 (if any)</th>
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<th>3.</th>
<th>Name of the Applicant No. 3 (if any)</th>
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<td>Telephone No. : Fax No. : Email Address :</td>
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</table>
4. Other Financial Support from the Government

4.1 Is there any application for or grant of financial support from Financing Scheme, Relaxation Plan, FFFI and DSS or any other schemes under Film Development Fund (“FDF”) / other government funding/financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) in respect of the Work as referred to in paragraph 4.6 of Guide?

☐ No  ☐ Yes (Please give details)

4.2 Is the Applicant, its Associate or its Associated Person applying for or obtaining any other financial support (whether in the form of equity or loan financing, grant or sponsorship or any other form) from the Government or other third-party sources for the development of the Work (other than under this Application) as referred to in paragraph 4.7 of Guide?

☐ No  ☐ Yes (Please give details)

5. Applicant’s Number of Submission

Has the Applicant (including Applicant No.1, Applicant No. 2 and Applicant No. 3) submitted more than two (2) Applications under SIP in accordance with paragraph 4.3 of Guide?

☐ No  ☐ Yes (Please give details)

6. Applicant’s Work

6.1 Is the Work submitted by the Applicant original in accordance with paragraph 4.5 of Guide?

☐ Yes  ☐ No (Please give details)

6.2 Has the Work contained any adapted Work written and developed based on other work(s) owned by a third party in accordance with paragraph 4.5 of Guide?

☐ No  ☐ Yes (Please give details)

6.3 Has the Applicant presold or sold the Work in accordance with paragraph 4.11 of Guide?

☐ No  ☐ Yes (Please give details)
Section II “Undertaking and Declaration”

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

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 the SIP according to Eligibility Criteria prescribed by the Government in the Guide.

3. Without prejudice to and notwithstanding any specific request for information and documents in this Application Form, the Guide or otherwise, to the best of the Applicant’s knowledge and belief, the information and supporting documents provided to the Government in connection with this Application, whether by the Applicant’s own hand or not, ("Information") 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 Government and which might influence the assessment of its Application or the decision of Government in considering whether or not to provide the SIP Fund to the Applicant.

4. Without prejudice to (6) below, regardless of whether the Information has been marked “Confidential” or not, the Applicant authorizes the Government to release to the public the names of the Applicant, the name and brief information of the Work (e.g. the genre, title and Logline in relation to the Script the Applicant intended to develop).

5. This Application may not be processed by the Government if the Applicant fails to provide all the information required by the Government.

6. 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 10 of the Guide.

7. If the Application is selected in Phase One of the SIP, the Applicant who is an awardee of the Outstanding Synopsis undertakes to sign the “Agreement of Film Development Fund for Scriptwriting Incubation Programme” (“SIP Agreement”) with the Government and assign all rights (including Intellectual Property Rights), titles and interests of the Work to the Government before a deadline specified by the Government but not later than the commencement of Phase Two of the SIP.

8. The Government has the right to review and revise the arrangements and requirements regarding this SIP at any time and from time to time and may deem necessary in order to ensure that the objectives of the SIP 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.

9. 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.

10. 10.1 The Applicant undertakes to sign “Authorization to Disclose Confidential Information” attached in Appendix B and hereby grant for the benefits of the Government, its authorised users, assigns and successors-in-title an irrevocable, non-exclusive, royalty-free, worldwide, perpetual and sub-licensable to use of the Work and information in the Application Form and its accompanying documents submitted by the Applicant (including the doing of any acts which are restricted by copyright under sections 22 to 29 of the Copyright Ordinance (Cap. 528 of the Laws of Hong Kong)) for purposes including but not limited to the evaluation of the Applicant’s Application, management of the SIP Agreement and all other purposes incidental thereto;

10.2 The Application Form and all the related materials submitted by the Applicant does not and will not infringe the Intellectual Property Rights, moral rights and/or any other rights of any person.

10.3 The Applicant will be solely responsible for any claim made in respect of infringement or alleged infringement of Intellectual Property Rights against the Work and the Government will not be responsible for such in any event.

11. 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 SIP Agreement.

12. The Government reserves the right to, at any time, obtain further information or document from the Applicant.
13. **13.1** The Applicant does not have any association or connection with any member of the Hong Kong Film Development Council or any panelist of the Assessment Panel of the SIP 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 Government in relation to the SIP; or

**13.2** 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 13.1.

14. The Applicant (including each individual writer of a team of the Applicant) must be permanent resident of Hong Kong.

15. The Applicant is fully aware of the serious offences created under the Theft Ordinance (Chapter 210 of the Laws of Hong Kong) (including sections 17 (Obtaining property by deception) and 18 (Obtaining pecuniary advantage by deception)) and the Prevention of Bribery Ordinance (Chapter 201 of the Laws of Hong Kong) (including section 8 (Bribery of public servants by persons having dealings with public bodies)).

16. 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.

17. Much of the information relevant to its eligibility and continuing entitlement under the SIP, whether as an Application or as an Applicant (including Applicant who is a awardee of Outstanding Synopsis, Outstanding Treatment or Winning Script) is known or available to it or could be known or available to it by making reasonable and timely enquiries of others.

18. The Applicant fully understands that non-disclosure or misrepresentation of any information provided by the Applicant would entitle the Government to reject its Application.

19. 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.

20. The Applicant has read the provisions of this Undertaking and Declaration carefully and fully understood its obligations and liabilities under this Undertaking and Declaration.

**Section III “Government Disclaimers”**

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 or agents.

2. The submission of an Application by an Applicant shall be taken to be an acceptance of the terms of the Government Disclaimers in Section III.

3. The invitation for submission of Applications under the SIP does not constitute an offer nor does it constitute the basis of any contract which may be concluded in relation to the SIP.

4. Each Applicant should make its own independent assessment of the proposed terms of the SIP 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 under the SIP well as in respect of any financial, legal, tax and other matters concerning a development of Script.

5. The Government reserves the right, without prior consultation or notice, to change the proposed terms of this SIP. The Government also reserves the right to terminate any or all negotiations in its discretion before executing any binding contract with a successful Applicant.

6. An Applicant should note that the Applicant may not be granted any SIP Fund. Should the Applicant choose to incur/commit any expenditure for the Work, Applicant will have to bear the Applicant's own risk and pay for the incurred/committed expenditure itself.
### I. Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>Applicant</strong></td>
<td>means the Applicant as set out in paragraph 4.1 of Guide.</td>
</tr>
<tr>
<td><strong>Application</strong></td>
<td>means the Application as set out in paragraph 1.1 of Guide.</td>
</tr>
<tr>
<td><strong>Associate</strong></td>
<td>of any person means:</td>
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<td></td>
<td>1. a relative or partner of that person; or</td>
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<td></td>
<td>2. a company one or more of whose directors is in common with one or more of the directors of that person.</td>
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<tr>
<td><strong>Associated Person</strong></td>
<td>in relation to another person means:</td>
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<td></td>
<td>1. any person who has Control, directly or indirectly over the other; or</td>
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<td></td>
<td>2. any person who is Controlled, directly or indirectly, by another; or</td>
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<tr>
<td></td>
<td>3. any person who is Controlled by, or has Control over, a person at 1. or 2. above.</td>
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<tr>
<td><strong>Control, Controlled, Controlling Interest</strong></td>
<td>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:</td>
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<td></td>
<td>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</td>
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<tr>
<td></td>
<td>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</td>
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<td></td>
<td>1.3. by virtue of holding office as a Company Director in that or any other person; or</td>
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<td></td>
<td>1.4. by any other means;</td>
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<tr>
<td></td>
<td>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.</td>
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<tr>
<td><strong>Character Description</strong></td>
<td>means a description of what each character of a Synopsis of a feature-length narrative film actually looks like, including character’s appearance, personality, perspective and motivating goal.</td>
</tr>
<tr>
<td><strong>SIP Fund</strong></td>
<td>means SIP Fund as set out in paragraph 3 of Guide.</td>
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<tr>
<td><strong>HKFDC</strong></td>
<td>means HKFDC as set out in paragraph 2.2 of Guide.</td>
</tr>
<tr>
<td><strong>Intellectual Property Rights</strong></td>
<td>means patents, trade marks, service marks, trade names, design rights, copyright and related rights (including performer’s rights)(^1), domain names, database rights, rights in know-how, new inventions, designs or processes and other intellectual property rights <strong>whether now known or created in future</strong> (of whatever nature and <strong>wherever arising</strong>) and in each case whether registered or unregistered and including applications for the grant of any such rights.</td>
</tr>
<tr>
<td><strong>Logline</strong></td>
<td>means a brief summary of a feature-length narrative film that states the central conflict of a Script and often provides the main plot of Synopsis and an emotional “hook” to stimulate interest.</td>
</tr>
<tr>
<td><strong>Script</strong></td>
<td>means a creative work written by writer(s) in which scene descriptions of movements, actions and expressions, and dialogues of the characters are narrated for a feature-length narrative film.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>Secretariat</td>
<td>means Secretariat as set out in paragraph 5.5 of Guide.</td>
</tr>
<tr>
<td>SIP Agreement</td>
<td>means the “Agreement of Film Development Fund for Scriptwriting Incubation Programme” made between the Government and the Applicant who is an awardee of Outstanding Synopsis in which the Applicant assigns all rights (including Intellectual Property Rights), titles and interests of the Applicant’s Work submitted under the SIP to the Government.</td>
</tr>
<tr>
<td>SIP Fund</td>
<td>means the SIP Fund as set out in paragraph 3 of Guide.</td>
</tr>
<tr>
<td>Synopsis (故事大綱)</td>
<td>means a short narrative or preliminary version of a Script of a feature-length narrative film.</td>
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<tr>
<td>Treatment (分場)</td>
<td>means an intermediate stage between an idea of Script idea and Script, i.e. an essay style description of the story and characters which tells the story of a feature-length narrative film in sequence and shows in more or less detail the form of the feature-length narrative film that will take, with specific examples of the dialogue, setting, camera angles, etc.</td>
</tr>
<tr>
<td>Work</td>
<td>means Work as described in paragraph 4.4 of Guide, i.e. all works (including but not limitation to Logline, Synopsis and Character Description as described in paragraph 6.3.1 of the Guide, Treatment as described in paragraph 6.4.2 of the Guide, Script as described in paragraph 6.5.2 of the Guide, and all relevant works in relation to the Script the Applicant intended to develop) created under the Application of SIP and during the competition process of SIP as described in paragraph 6 of the Guide.</td>
</tr>
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</table>

**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.
5. Whenever the expression “including” is used in this Application Form, it shall be deemed to mean “including without limitation.”
The Script the Applicant intended to develop

1. **Titles of the Script** (Chinese)

   (English)

2. **Genre of the Script**

3. **Category of the Film the Applicant intended to turn the Script into**
   (under the Hong Kong Film Censorship Ordinance (Cap. 392))

   □ I  □ IIA  □ IIB  □ III

4. **Information in relation to the Script** (Please attach the following documents -)

   (i) One(1) certified true copy of Logline (no more than two hundred (200) words) with pages numbered

   (ii) One(1) certified true copy of Synopsis (between one thousand five hundred (1,500) and three thousand (3,000) words) with pages numbered

   (iii) One(1) certified true copy of Character Description with pages numbered

   (iv) Original signed copy(ies) of “Authorization to Disclose Confidential Information” from the Applicant (including Applicant No.1, Applicant No. 2, and Applicant No.3) attached in Appendix B

   (v) Certified true copy(ies) of other Work in relation to the Script the Applicant intended to develop (if any)
Authorization to Disclose Confidential Information
(Appendix B should be completed by the Applicant (including Applicant No.1, Applicant No.2 and Applicant No.2) when submitting the Application.)

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

Date __________________________

Film Development Fund for Scriptwriting Incubation Programme (“SIP”)”

I hereby authorize and request the Government of the Hong Kong Special Administrative Region (“Government”), Hong Kong Film Development Council (“HKFDC”) and the Secretariat of HKFDC to make and send copies of my Application including the Application Form and the Appendices together with all supporting documents (including but not limited to the Work as described in paragraph 4.4 of the Guide of Application of the SIP) to the relevant parties (including panelists of Assessment Panel which is comprised of veteran film industry practitioners; members of HKFDC; experienced writers and tutors of seminar and workshop organized by HKFDC; film financiers, film producers, film directors and other interested parties of the Presentation Forum of SIP organized by HKFDC; the Secretariat of HKFDC; and other incidental purposes.

I warrant to the Government that my Application including the Application Form, Appendices together with all supporting documents (including but not limited to the Work as described in paragraph 4.4 of the Guide of Application of the SIP) is free from encumbrances, and in any event, I acknowledge that I 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.

I acknowledge that it is my sole responsibility to ensure that my Application including the Application Form, Appendices together with and all supporting documents (including but not limited to the Work as described in paragraph 4.4 of the Guide of Application of the SIP) 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 other representative of the Government; the panelists of Assessment Panel which is comprised of veteran film industry practitioners; members of HKFDC; experienced writers and mentors of seminar and mentoring sessions of workshop organized by HKFDC; film financiers, film producers, film directors and other interested parties of the Presentation Forum of the SIP organized by HKFDC; the Secretariat of HKFDC; be held liable for any infringement or alleged infringement of Intellectual Property Rights or any other rights caused by or relating to my Application for the SIP or the implementation of the Film Development Fund.

I acknowledge that I 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 my negligence or omission, any of my employees, sub-contractors or agents (or any one acting on its/their behalf) in connection with my Application for the SIP or the implementation of the Film Development Fund.

Signed by Applicant

Applicant (Name): ________________________________
(Number of HKID card): ________________________________
(Telephone No.): ________________________________
(Email Address): ________________________________
(Signature): ________________________________
Checklist of Documents to be submitted by an Applicant
(for reference only)

1. □ Certified true copy(ies) of identity card of Applicant (including Applicant No.1, Applicant No. 2, and Applicant No.3)

2. □ One(1) certified true copy of Logline (no more than two hundred (200) words) with pages numbered

3. □ One(1) certified true copy of Synopsis (between one thousand five hundred (1,500) and three thousand (3,000) words) with pages numbered

4. □ One(1) certified true copy of Character Description with pages numbered

5. □ Original signed copy(ies) of “Authorization to Disclose Confidential Information” from the Applicant (including Applicant No.1, Applicant No. 2, and Applicant No.3) attached in Appendix B of this Application Form from the Applicant for the delivery of the Applicant’s 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 SIP)

6. □ Certified true copy(ies) of other Work in relation to the Script the Applicant intended to develop (if any)