

Film In Malaysia Incentive

GUIDELINES



DOMESTIC PRODUCTION



PERBADANAN KEMAJUAN FILEM NASIONAL MALAYSIA
National Film Development Corporation Malaysia

FILM IN MALAYSIA INCENTIVE GUIDELINES

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LIST OF ACRONYMS AND ABBREVIATIONS

CCM	The Companies Commission of Malaysia (<i>Suruhanjaya Syarikat Malaysia</i>).
Committee	The FIMI Approval Committee that convenes to approve FIMI applications for either a Provisional or Final Certificate.
FIMI	The Film in Malaysia Incentive is a 30% cash rebate of Qualifying Malaysian Production Expenditure (QMPE) for production and post-production activities in Malaysia where the QMPE must meet the criteria further elaborated upon in these Guidelines.
FIMO	The Film in Malaysia Office is the relevant Division in FINAS established to process all FIMI applications. FINAS and FIMO may be used interchangeably in these guidelines and refers to the same organization (e.g. FINAS).
FINAS	The Malaysian statutory film corporation known as the National Film Development Corporation Malaysia (<i>Perbadanan Kemajuan Filem Nasional Malaysia</i>), a statutory body incorporated under the National Film Development Corporation Act 1981 (Act 244). FINAS is the government agency under the Ministry of Information, Communication and Culture (the "MOICC", as defined hereafter), with the mandate to promote, nurture and facilitate the development of the film industry of Malaysia.
Guidelines	Refers to the Film In Malaysia Incentive Guidelines which provide information about the eligibility criteria, Qualifying Malaysian Production Expenditure for production and post-production activities and, the application process for the Film In Malaysia Incentive. Please note that the Guidelines may, from time to time, be amended or supplemented at the discretion of FINAS.
IFPC	Independent Film Production Consultant.
IRB	The Malaysian Inland Revenue Board.
Malaysian Government Grants	A grant funding from the Malaysian Government (ministry and agencies) that is non-repayable. Any applicant producer who is or will receive this grant will not be eligible. However, funding in the form of equity and loan funding which is subjected to profit-sharing and/or repayment of the funding is eligible. Applicant producers who may/will receive other forms of funding that are provided by non-ministerial organizations are eligible for FIMI. This includes funding and incentives from <i>Khazanah Nasional Berhad</i> and its subsidiaries, MyCreative Venture Sdn. Bhd., Malaysia Debt Venture Bhd., Malaysia Venture Capital Management Bhd., government-linked Investment companies, Malaysia Communication and Multimedia Commission and MSC-Status Companies are eligible.
Project/Film	A project in relation to a film, television and other relevant qualifying production or post-production activity conducted in Malaysia on or after 19 February 2013.
PUSPAL	The Central Agency for Application for Filming and Performance by Foreign Artistes (<i>Agensi Pusat Permohonan Penggambaran Filem Dan Persembahan Artis Luar Negara</i>).
QMPE	Qualifying Malaysian Production Expenditure.

INTRODUCTION

The "Film in Malaysia Incentive", abbreviated as **FIMI**, is the Malaysian Government's incentive for film, television and other relevant qualifying production activity conducted in Malaysia beginning 19 February 2013.

These Guidelines have been prepared to assist applicant producers in their completion of the application forms for both provisional and final approval for **FIMI**, collectively referred to in these Guidelines as the "Application Form". In the case where any parts of these the Guidelines are only relevant for either the provisional application or final application forms, then the relevant form shall be referred to as either the "Provisional Certificate Application Form" or the "Final Certificate Application Form", as the case may be.

These Guidelines are not a legal document. This means that:

- You are encouraged to seek professional advice when preparing relevant documents,
- You should consult the "Film In Malaysia Incentive Terms and Conditions", which are available from www.filminmalaysia.com and,
- If there is any inconsistency between these Guidelines and the "Terms and Conditions, the provisions in the "Terms and Conditions" prevail over that part of these Guidelines.

These Guidelines are intended to be of general information only and do not constitute advice with respect to any particular producer's circumstances. Applicant producers should therefore seek independent professional advice from qualified professionals, including accountants, auditors, tax adviser and/or lawyers in relation to all financial and legal matters discussed in these Guidelines and generally in relation to their Project.

FIMI administered The National Film Development Corporation of Malaysia (FINAS). Film in Malaysia Office (FIMO) is the relevant division in FINAS established to process all **FIMI** applications as well as to facilitate filming in Malaysia for domestic and foreign producers.

FIMO may decline to accept and/or reject an Application if it does not follow and/or comply with these Guidelines. These

Guidelines are designed to be read in conjunction with the relevant Application Form. As the Guidelines and Application Form are subject to changes and updates, please ensure that you have the most current version of these documents by checking at www.filminmalaysia.com prior to submission of any Application.

Applicant producers should also contact FIMO early, before production commences, to discuss their Project and to explore details surrounding FIMI. Contact details for FIMO are listed on page 41 of these guidelines.

In these Guidelines:

Section 1

Provides an overview about the 30% Film In Malaysia Incentive

Section 2

Outlines the eligibility criteria for Production activity in Malaysia

Section 3

Outlines the eligibility criteria for Post Production activity in Malaysia

Section 4

Outlines the key concepts of Qualifying Malaysian Production Expenditure (QMPE)

Section 5

Explain some specific issues related to calculating expenditure

Section 6

Explains the application process for the provisional certificate

Section 7

Explains the application process for the final certificate

Section 8

Deals with your Application Form

1

Overview of the Film In Malaysia Incentive

FIMI's objectives are to:

- Encourage Malaysian film producers to produce high quality creative content for both domestic and international markets.
- Attract foreign film producers to film in Malaysia and to establish Malaysia as a destination for international filming.
- Increase employment opportunities for local artists and crew who provide services throughout the ecosystem of the creative content industry.
- Increase opportunities for local film production companies, post-production centers, film equipment rental companies and studios or companies that provide goods and services to the creative content industry.
- Drive the creative content ecosystem and increase the economic contribution of the creative content industry and related industries.
- Develop Malaysia's reputation as an efficient and cost effective hub for the creative content industry.

FIMI is available for both Malaysian and foreign production activities. It can be applied in one of two streams:

(a) Production Activity (inclusive of a combination of production and post-production activities); or

(b) Post-Production Activity.

The Film in Malaysia Office (FIMO) is the relevant division in FINAS established to process “The Film in Malaysia Incentive” applications as well as to facilitate filming in Malaysia for domestic and foreign producers. Both domestic and foreign producers are advised to contact FIMO to discuss their Project’s eligibility before starting any production work. A recommendation will be made to the FIMI Approval Committee for their approval of the Provisional Certificate and the Final Certificate.

1.1

Application Procedures

To be eligible for FIMI, an applicant producer must first obtain a Provisional Certificate from FINAS by submitting a completed Provisional Certificate Application Form. When a Project meets the requirements of the incentive, a Provisional Certificate will be issued by FINAS which qualifies the Project for the 30% cash rebate.

The Provisional Certificate indicates the Project complies with these Guidelines. All decisions of FINAS in the above regard are at the discretion of FINAS and all decisions arising therefrom are final.

The Provisional approval will be valid for a specific period (between one to three years depending on the particular Project) from the date of the approval. If the milestones listed in the Provisional Approval have not been reached, a new provisional application form must be submitted to FINAS for approval.

Provisional approval will enable an applicant producer to apply for, but does not automatically guarantee the incentive. As part of the provisional approval process, the applicant producer agrees, inter alia, (among other things)

- a) that the key details of the Project will not be changed significantly
- b) to comply fully and in a timely basis with the Terms and Conditions of FIMI
- c) without prejudice to the generality of (b) above, to ensure that the Project milestone will be met fully and in a timely fashion and;
- d) ensure that costs overruns do not exceed 5% of the approved production costs indicated in the Provisional Certificate, then the applicant producer must obtain approval from FINAS for the cost overruns.

Changes to any creative and/or financial details of the Project may affect the applicant producer’s compliance with the Provisional Certificate. Failure to fully comply with the terms of the Provisional Certificate and/or failure to obtain the approval of FIMO for any proposed change may result in refusal of the Final Certificate. FIMO must be kept informed of all changes as soon as possible.

Once production is complete, the applicant producer must then apply for and obtain a Final Certificate of approval from FINAS by submitting a completed Final Certificate Application Form which shall include all supporting documents and audited receipts to FIMO. The relevant financial and production documentation will be audited by a member of FINAS’ financial audit and production audit panel of which costs to undertake such auditing activities will be borne by the applicant producer.

The Final Certificate is the central requirement for entitlement to FIMI. As part of the process of assessing the Final Certificate Application, FIMO will formally determine a production’s QMPE and record the QMPE amount in the Final Certificate.

Please supply **one hard copy** and **one electronic copy** of the entire application including all attachments. Please ensure all paperwork requested on the checklist at the back of the application form is supplied. Projects will not be assessed until a complete application is received.

Section 2 of these Guidelines sets out the five core eligibility criteria for receiving FIMI for Production Activity (refer to Section 3 for Post-Production activity). In order to certify the Project for both provisional and Final Certification, FINAS must be satisfied that the Project has met each of the following five criteria which are detailed below:

2

Production Activity In Malaysia

- The Project must meet the minimum expenditure threshold for expenses spent in Malaysia and fits within the defined categories of QMPE outlined in this guideline
- The Project must be in the Eligible Format as set out in Section 2.2 below
- The Project must be produced by an Eligible Producer as set out in Section 2.4 below
- The Project must meet the commencement completion timeframes and Terms and Conditions as stipulated in these guidelines and relevant documents as assessed by FIMO
- The Project must have approval from PUSPAL to filming in Malaysia
- The applicant producer will NOT be eligible for this incentive if the project has and/or will be receiving any other form of Malaysian Government grants*

**Amendment approved by the FINAS Board on 4th June 2013.*

2.1

Eligibility and expenditure threshold

QMPE MYR 2.5 million

To be eligible the Project must either:

- a) spend QMPE with a minimum of **Ringgit Malaysia Two Million Five Hundred Thousand (MYR2,500,000.00)** in aggregate for production work OR,
- b) spend a **combined QMPE for production and post-production** with a minimum of **Ringgit Malaysia Two Million Five Hundred Thousand (MYR2, 500,000.00)**. Only a single application is required. Guidelines in this section that are specific to production and guidelines in Section 3 that are specific to post production continue to apply.

Please note that FIMI is based on expenditure incurred by the applicant producer and not by any other party. To qualify for Final Certification, you must specify the claimed QMPE and attach the audited Project's General Ledger and expenditure statements, as outlined in Section 4 of the Final Application Form.

Specific expenditure requirements for television series.

In addition to the minimum expenditure threshold requirement above, there are specific expenditure requirements for a Project which consists of a television series (as defined below). To qualify for FIMI, a television series must also have an average of at least **Ringgit Malaysia One Hundred Ninety Three Thousand (MYR193, 000)** of QMPE per hour. You must outline the duration of your series and the average QMPE per hour.

2.2

Eligibility formats

The formats which are eligible for FIMI are:

1. Feature films, including theatrical documentary, animated features and IMAX

A feature film is intended to mean a Film of at least sixty (60) minutes in length that is intended to be screened as the main attraction in commercial cinemas. For large-format Projects such as IMAX it is intended that the Film be at least forty five (45) minutes in length.

2. A single episode programme

This is a stand-alone programme of at least one hour in length that is exhibited commercially in a medium other than cinema. This category includes telemovies or movies-of-the-week, films released direct to DVD or films released on the internet, video-on-demand or a mobile phone delivery platform. A single episode programme other than a documentary may be an animated film.

3. A single episode documentary

A single episode documentary must be at least one half-hour in length. A documentary is defined as a programme that is a creative treatment of actuality other than news, current affairs, sports coverage, magazine, infotainment or light entertainment programme.

4. A series or season

A series or season of a series is a multiple-episode film that does not receive a cinema release but is exhibited commercially on another medium: e.g. straight to DVD or via the internet. A series or a season of a series must be at least two episodes. Each episode must be at least one commercial half-hour in length, with the exception of animation programs which must be at least **11 minutes**. A series or season of a series may be an animated film or a documentary. Please note that the FIMI For Production Activity, will only be issued after completion of the entire series, with a minimum spend of at least **Ringgit Malaysia One Hundred Ninety Three Thousand (MYR193,000)** per hour, and **to be completed within 18 months upon commencement of expenditure** (see 2.5.1 Timeframe requirements for television series). **Multiple seasons is not allowed**

2.3

Eligible genres for television series

A “television series” means a series such as a drama or comedy, and documentary series (see below).

For FIMI, a television series must be made up of two or more episodes that:

- are produced wholly or principally for public exhibition on television under a single title;
- have a common theme or themes; and
- are intended for exhibition together in a national market or markets.

The first of these television series requirements applies to Projects for both free-to-air (broadcast network) and paid/subscription television (cable or satellite) so long as the television series is to be released under a single title.

The second and third of these requirements describe how a television series is defined for the purposes of FIMI. The television series requirements mean that there must be a common element that draws the episodes of the series into a cohesive whole and that the episodes must be released under a single title.

This is intended to include anthology series released under a single title, which are thematically linked, but where plot, setting and characters differ. For example, a television series **could be eligible for FIMI** if it is:

- a traditional drama series of two or more episodes where individual episodes contain differing plots but key elements of the show for example the characters, locations or the occupation of the characters remain the same. The narrative structure may develop as the central concern across the duration of the series or individual episodic plots may be tied together by a secondary narrative stream involving key characters which continue throughout the series.
- a television series of two or more episodes where real people are asked to assume contemporary or historical roles in a manufactured setting and the results of this role play are filmed for a specified period. Each episode may include separate scenarios with the participants engage in, but over the length of the series common elements of theme (be they be historical setting or the people or characters) will remain and a narrative will develop, be it imposed by producers or merely developed by documenting the relationship between the participants.

The episodes of the series must be intended to be exhibited together in a national market. This indicates that different series which were produced to be shown in different markets, cannot be grouped together or bundled to reach the minimum expenditure of **Ringgit Malaysia Two Million Five Hundred Thousand (MYR2,500,000.00)**.

It is not intended that the term ‘exhibited together’ should unreasonably constrain broadcasting arrangements. However, you should be able to demonstrate that the series is part of a cohesive whole that is intended to be exhibited in a given market as a single title.

A documentary television series may, for example, satisfy the definition where similar lives or events are examined to develop an overall hypothesis. A reality television series may meet the requirements if:

- the depiction of actual events, people or situations is the sole or dominant purpose of the television series, and
- the television series depicts those events in a dramatic or entertaining way with a heavy emphasis on dramatic impact or entertainment value.

Details of a “television series” format are required in the Application Form and must include a synopsis as well as a statement that the series is intended to be exhibited on television together in at least one national market.

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2.4

Eligible applicant producer

To be eligible for FIMI, the applicant producer must fall into one of the following categories to qualify as an "Eligible Applicant Producer":

- (1) a valid Malaysian Company Registration issued by the Companies Commission of Malaysia (SSM);
- (2) a valid FINAS film production license.

This applies both when the production company applies for the Provisional Certificate, Final Certificate and when the Incentive is due to be paid. Where several production companies are involved in making a Project, the company that is eligible to claim FIMI is the one that meets the above requirements. Although there may be a number of entities that make arrangements for, or carry out activities necessary for making a Project, only one company can be eligible for FIMI. FIMI will be granted to the company that is responsible for all of the aforementioned activities or Malaysian activities.

In practice this means that the applicant producer must be the company through which all transactions are channeled. For example, the expenditure incurred in contracting a company to engage actors (that is, its fees for that service, and the actors' fees themselves) qualifies as production expenditure as long as the applicant production company is able to account for these costs in its audited expenditure statement.

Details of the registered name of the production company, Malaysian Company Registration Number, registered address, and names and addresses of the company directors are to be provided in the Application Form. The relevant documents verifying this information and confirming the legal status of the company and the company's responsibility for the production of the project must be submitted with the Application Form. Please refer to the checklist 'Checklist: prior to submitting your application' which is at page 322 of these guidelines. You must also attach Monthly Production Reports (MPRs), call-sheets and the Production Schedule to your Final Application Form.

Television Broadcasters are NOT eligible for this incentive. However an independent film production company that is engaged for a particular production project by a television broadcaster will be eligible to apply for this incentive.

For information about taxation and the other obligations of companies commencing business in Malaysia, such as registering for a Malaysian Company Registration Number or filing business activity statements and annual income tax returns please consult the Company Commission of Malaysia (www.ssm.com.my) or Inland Revenue Board of Malaysia (www.hasil.gov.my) websites.

2.5

Commencement, completion and timeframes

Upon completion of the Project, the applicant producer must provide a DVD copy of the raw production footage to FINAS within 30 days or such time period which has been approved by FINAS. The Final Certification will not be issued if the applicant producer fails to comply.

Dates of commencement and completion of principal photography or of production of the visual image must be outlined on your Application Form.

2.5.1 Timeframe requirements for television series:

Qualifying television series must be completed within a given timeframe, as stated in the Provisional Approval. Please note this refers to

the actual length of the completed project, rather than 'commercial hours' or 'broadcast hours' which may include, inter alia, time for advertisements and sponsored content. The length of this timeframe depends on whether the series is predominantly an animation or a live action series.

You must indicate in your Application Form whether your series is predominantly a digital or other animation, and the timeframe taken to produce it. The test of whether the series is predominantly an animated series is assessed on a case-to-case basis.

Further:

- If a television series is predominantly a digital animation or other animation the entire production of the series **must be completed within 36 months**. This period commences at the moment production expenditure is incurred. This timeframe requirement does not include any production expenditure for a pilot for said television series.
- For a live action or other television series that is not predominantly an animation, principal photography for the series **must be completed within a period of 18 months** from the moment production expenditure is incurred. The timeframe excludes the photography of any pilot episodes.

2.6

Malaysian Crew and intern requirement

To qualify for FIMI, the applicant producer is required to employ at least 80% of the crew who is a Malaysian citizen or has a permanent residency status. This is not applicable for co-production projects.

2.7

Required documentation

Sufficient information must be included in the Application Form to enable FIMO to make an informed decision as to whether the Project and Application qualifies for FIMI. Please refer to checklist on page 30 for the complete list of documentation required for both Provisional and Final Certification.

2.8

Project/content guidelines

The applicant producer shall ensure that the project/content:

- Does NOT contain issues deemed insulting, offensive and/or portraying Malaysia in a negative light.
- Does NOT insult, offend and affect the sensitivity of Islam and other religions in Malaysia.
- Does NOT threaten the security and harmony of Malaysia.
- Must comply to and obtain certification from the Film Censorship Board (*Lembaga Penapis Filem*) from the Ministry of Home Affairs.

3

Post-production Activity in Malaysia

QMPE

MYR500,000.00

Section 3 of these Guidelines sets out the core eligibility for receiving FIMI for post-production activity. To qualify, an Eligible Producer must either:

- a) spend a minimum of **Ringgit Malaysia Five Hundred Thousand (MYR500, 000.00)** of QMPE. Only QMPE that is incurred on or in relation to post-production counts towards either the expenditure threshold or the refunded amount, OR,
- b) spend a combined minimum QMPE for production and post -production of **Ringgit Malaysia Two Million Five Hundred (MYR2, 500,000.00)**. Only a single application is required. Guidelines in this section that are specific to production and guidelines in Section 3 that are specific to post-production continue to apply.

Applicant producers should note that costs attributable to post- production services provided outside Malaysia (for example work outsourced offshore) is not eligible as qualifying post-production expenditure. The post-production activities must be undertaken in Malaysia to be eligible as qualifying post-production expenditure.

3.1

What are post-production tasks?

FIMO defines post-production as:

- (a) the creation or manipulation of audio or visual elements (other than principal photography, pick- ups or the creation of physical elements such as sets, props or costumes) for the production; and
- (b) activities that are reasonably related to the activities mentioned in paragraph (a) which includes expenditure is necessary to carry out or complete post-production tasks.

This could cover, for example:

- airfares, salaries and per diems for visual effects or production staff sent to Malaysia to oversee or undertake post-production work
- salaries, equipment costs and hires, and facilities hire for use in a model or green-screen shoots
- costs such as actor's fees or per diems for working on Additional Dialogue Recording (ADR)
- freight of prints to and from the film laboratories, and

Please keep in mind that all claimed expenditure must be in relation to post-production work.

Activities as set out in the table below are examples of qualifying post-production expenditure.

- 2D compositing, including matte compositing 2D to 3D conversion
- 3D digital compositing, including composites involving live-action and blue/green screen, rig removal and rotoscoping
- 3D scanning, including LIDAR
- Acquisition or recording of elements
- Animatronics
- Archiving by which is meant digital archiving of post-production elements rather than the archiving of the final film
- Atmospherics
- Audio/sound mixing
- Audio special effects
- Additional Dialogue Recording (ADR)
- Background, including but not limited to plate acquisition
- Colour correction and grading, including digital colour grading and digital intermediates (DI)
- Computer generated imagery (CGI), including character animation and 3D CG modeling
- Clearances (library and sound), where copyright is held by a Malaysian
- Digital and visual effects, including CG effect creation and animation, the acquisition of visual effects elements and digital lighting
- Digital make-up fixes
- Digital rig and wire removal and digital wire effects
- Duplication (until delivery, but excluding distribution copies), including deliverables
- Editing, including online and offline
- Encoding
- Film laboratory services (production and post-production)
- Film scanning, treatment and restoration, including digital film scanning and recording
- Foley effects
- Graphics
- Green/blue screen photography
- Idents
- Match moving
- Matte painting and photography, including matte creation and 2D mattepainting
- Models, miniatures and miniature photography
- Motion capture
- Motion control
- Music and effects
- Music composition and recording
- Opticals
- Pre-visualization
- Rendering
- Restoration
- Soundtrack
- Spot effects
- Stills manipulation, including photogrammetry
- Streaming and file transfer of elements and approval copies and footage
- Telecine
- Tests that are typically included in the process of visual effects and post- production
- Titles and credits
- Virtual studio/sets
- Visual effects design, planning, supervision, management and integration into production
- Voice post synching

Animation is generally considered a production activity, unless it is stated during post production to enhance or complement a live action shot. If you consider that as post production, please contact FIMO to discuss the matter. FIMO reserves the right at any time, in its sole and absolute discretion, not to accept a task that FIMO believes, in its sole and absolute discretion, is not in its opinion considered as a post-production activity.

3.2

Expenditure threshold

An applicant producer must spend at least **Ringgit Malaysia Five Hundred Thousand (MYR500,000.00)** of qualifying post- production expenditure on a Project which is in an eligible format (see list of Eligible Formats below).

Expenditure statements

Expenditure statements should contain the information necessary to enable FIMO to conduct verification of qualifying post- production expenditure. If the applicant producer does not have access to information such as the general ledger, appropriate information must be included to enable FIMO to verify the expenditure. The expenditure statements submitted should include:

- the service provider's full quote or gross bid (including budget breakdown/costs per shot)
- stamped copy of the production services agreement or contract
- a transaction log
- any approved Change Orders
- copies of invoices issued by the service provider, and
- a letter from a director of the Company or equivalent of each post- production service provider stating their opinion personally that
 - a) the expenditure incurred in carrying out the post- production activities is attributable to goods and services provided in Malaysia, and
 - b) Indicating the names (if any) of foreign non-cast personnel brought to Malaysia for periods of less than two (2) cumulative weeks to provide post- production services of the project (or 7 cumulative days for documentary or commercials). Relevant documents evidencing such activities should also be provided.

You must attach expenditure statements outlining all qualifying postproduction expenditure to your Application Form.

3.3

Eligible formats

Eligible formats for FIMI are the same as those for production activity, stated in Section 2 (see page 9 of these Guidelines).

You must detail the Project's format on your Application Form. You must also outline the post-production work involved (for example—187visual effects shots of plane exploding ,wire removal, editing and Additional Dialogue Recording). Copies of all fully executed and stamped contracts with providers of services with a large value (for example, an individual post production service provider) must be attached to the application. You should also be prepared to provide any other service contracts on request.

3.4

Eligible applicant producers

The applicant must be a company having a valid Malaysian Company Registration Number issued by the Companies Commission of Malaysia (SSM). This applies both when the company applies for the Provisional Certificate and the Final Certificate and when the incentive is due to be credited.

The eligible applicant production company is the sole company that is responsible for carrying out, or making the arrangements for the carrying out of, all the activities that were necessary for post-production in Malaysia. Depending on the production, this could be for example:

- a Malaysian company set up to manage or commission one or more Malaysian companies to provide post- production work for the production

- the 'lead' Malaysian post- production company which either undertakes all the post- production work in Malaysia or subcontracts any Malaysia post- production it does not undertake to other companies, or
- a Malaysian production company or production services company

Applicant producers should note that verifying documents (such as a production services agreement or contract) must be provided to confirm an applicant is the sole company that carried out, or made the arrangements for the carrying out of, all the activities that were necessary for post-production in Malaysia.

Please note that the Application Form requires written confirmation from the Project's production company or commissioning studio that the applicant is permitted to apply for the FIMI.

Details of the registered name of the applicant company, Malaysian Company Registration Number, registered address, and names and addresses of the company directors are to be provided in the Application Form. The relevant documents verifying this information and confirming the legal status of the company and the company's responsibility for the production must be submitted with the Application Form. Please refer to 'Checklist' prior to submitting your application on page 34 of these Guidelines.

Note for applicant producers who are also the service provider

Please keep in mind that in cases where the applicant producer company is also the company that carries out post-production work or subcontracts the post-production work to other service providers in Malaysia, only expenditure that is incurred by the applicant producer is eligible as QMPE.

This means that if the applicant producer has undertaken all the post- production work in Malaysia, only its direct costs may be eligible as QMPE. Please see "What is QMPE?" for further information.

Applicant producers should contact FIMO early, ideally before post production commences, if there are any questions concerning the implications of proposed arrangements for carrying out post- production activities in Malaysia.

3.5

Commencement, completion and timeframes

The commencement date for a Project seeking to qualify for FIMI is the date on which qualifying post-production expenditure is incurred on, or in relation to, post- production. In your Final Application Form you must specify the dates on which post-production in Malaysia commenced and was completed.

FIMI is expenditure based. Both the key criteria for qualifying for FIMI and the basis for calculating the refund amount are based on the amount spent by the applicant producer company on goods and services provided in Malaysia and the use of land located in Malaysia.

4

Qualifying Malaysian Production Expenditure (QMPE)

FIMI is expenditure-based. The key criteria for qualifying for FIMI and calculating the refund amounts are based on the amount actually spent and paid for by the applicant producer company on goods, services and land (or used locations) in Malaysia. Original (or certified true copy) receipts evidencing such expenditure will be required for the FIMI Final Certificate process.

Expenditure incurred in Malaysia for the purpose of making the production and/or post production of a Project will be considered QMPE.

In the event that actual QMPE incurred is more than 5% of the approved production costs indicated in the Provisional Certificate, then the applicant producer must obtain approval from FINAS for the cost overrun. Where necessary, invoices from any supplier used should be broken down to show Malaysian and non-Malaysian activity. This information should be computerized to facilitate an independent audit of the expenditure statements.

4.1

What is QMPE?

QMPE has a dual role for the purposes of production activity. It:

- is the basis for determining whether the minimum expenditure threshold has been reached; and
- provides the basis of FIMI itself, as the amount of the rebate is 30% of QMPE.

QMPE also forms the basis of qualifying post- production expenditure for FIMI and is therefore also the basis for assessing expenditure thresholds and the rebate amount for post- production activity. The sections below refer only to QMPE, but should be considered to apply equally to qualifying post-production expenditure for post- production activity.

QMPE is defined as the company's production expenditure on the Project that is incurred for, or is reasonably attributable to:

- goods and services provided in Malaysia;
- the use of land located in Malaysia; and/or
- the use of goods that are located in Malaysia at the time they are used in the making of the production

Please note that the rebate is only claimable on the first Ringgit Malaysia One Hundred Thousand (MYR100,000.00) of any one person's salary (cast and/or crew) for services rendered in Malaysia.

All costs claimed as QMPE must be presented in an audited expenditure statement and attached to the Application Form as detailed in Section 1 of these Guidelines.

The following expenditures or part thereof, may be regarded as QMPE and should be included in the applicant producer company's audited expenditure statement after you have read the more detailed explanation below:

- Insurance (other than forms of insurance which constitute financing)
- Publicity and promotion expenditure (other than those expenditures specifically excluded in these Guidelines)
- Audit and legal expenses incurred in Malaysia
- Travel within Malaysia
- Travel and freight within Malaysia

4.1.1 What is a 'Service Provided in Malaysia?'

A service is provided in Malaysia if the service provider is located in Malaysia at the time when the service is provided. Any production expenditure on the film to the extent to which it is incurred for, or is reasonably attributable to, services performed outside Malaysia will be deemed non-QMPE. If any services are provided outside of Malaysia (for example where a cast member, director or producer returns to the US to work on or oversee post-production or a visual effects company subcontracts work offshore) only the proportion of expenditure attributable to the period during which the service was located in Malaysia is QMPE.

4.1.2 Apportionment of services provided

Apportionment calculations may be utilized where a service provider's contract does not distinguish between the services provided in and outside Malaysia.

For example, if cast or crew member contracts specify a fixed fee for all services provided, the amount that could be claimed as QMPE will need to be based on the number of days the cast or crew member provided their services in Malaysia. To calculate the QMPE amount, the contract fee should be divided by the total number of days worked to establish a daily rate, then multiplied by the number of days the service was provided inside Malaysia. When undertaking apportionment calculations, applicant producers should use the rate which reflects the services provided. For example, where the contract specifies an hourly, daily or weekly rate, and/or rates differ between rehearsals / preproduction, principal photography and post-production, then QMPE should be calculated using the appropriate rate for the time spent providing the service. If services are provided on a part time or on exclusive basis, the QMPE should be calculated on the hours worked using a standard 8-hour day.

In order to apportion costs based on the number of days, the day of arrival and/or departure from Malaysia is considered a day that services are provided in Malaysia as long as services are provided to the production during part of that day.

Productions undertaking work in Malaysia and other countries should maintain a travel spreadsheet to assist in verification of claimed expenditure, it would also be helpful for assessing the Minimum Work Week rule for non-cast members. Where the provision of a service in Malaysia involves both a Malaysian-based company and a foreign subsidiary or parent company.

Please note that where remuneration of a person is claimed as QMPE and the person in question undertakes work on the production both inside and outside Malaysia, applicant producers must attach copies of fully executed contracts for such individuals to their application to verify that a reasonable apportionment has been correctly calculated. If the contracts do not verify the level of services performed both in and outside Malaysia, applicants must attach documentation which clearly outlines how the apportionment was calculated. Where a cast or crew member's full fee is claimed as QMPE, applicant producers must be able to confirm that no services provided outside Malaysia are attributable to that fee.

4.1.3 Malaysian-based Insurance (other than forms of insurance which constitute financing)

Expenditure on insurance policies are unrelated to financing and are reasonably required for the making of the Project is regarded as production expenditure and may be claimed as QMPE where the service is provided in Malaysia. Examples include insurance for props, sets, wardrobes and miscellaneous equipment, and public liability insurance.

However, please note that FIMO has determined certain kinds of insurance such as extra expense, weather and negative film risk insurance, and completion guarantees and bonds are forms of financing. Accordingly, expenditure on them is not QMPE and such costs should not be identified as production expenditure.

In order to identify QMPE, please obtain breakdown of your insurance policy from your insurer. If your insurer is unable to provide a breakdown of the policy, applicant producers may make a fair and reasonable apportionment. You should consult with FIMO prior to making this apportionment.

4.1.4 Malaysian-based publicity and promotion expenditure

Publicity and promotion expenditure may be counted as QMPE where it is incurred by the applicant producer company while conducting production activities and copyright in the publicity material is held by a Malaysian resident or company.

Documents verifying the transfer of ownership of copyright or establishing that the copyrighted promotional material is held by a Malaysian resident must be attached to your Application Form.

Publicity and promotion activities NOT conducted during production activity itself and/or conducted after the date of final production activity is not QMPE (see page 17 of this Guideline).

4.1.5 Additional audiovisual content

Expenditure for the production of additional audiovisual content for the production is also claimable as QMPE. Usually, QMPE can only be incurred in relation to producing the first copy of the Project (i.e. for a feature film, producing the theatrical release). However, expenditure incurred in Malaysia on producing audiovisual content for a subsequent release of the production may also be QMPE. This means, for example, that where additional footage is shot for a DVD release's special features expenditure on that footage is QMPE to the extent that such expenditure is incurred in Malaysia.

This provision also acts as an exception to the general exclusion on publicity and promotion expenditure from production expenditure (see page 19 of these Guidelines). For example, if a trailer to promote the film during production is shot in Malaysia and is intended to be released with the film in some form, expenditure on producing the trailer may be considered QMPE.

You must separately identify any expenditure on producing additional content, or estimate the amount of that expenditure if expenditure is not easily attributed, on your Application Form.

4.1.6 Legal expenses

Legal expenses incurred in respect of services performed by a law firm in Malaysia during the making of the production may be claimed as QMPE. Such services would need to be integral to production activity, for example, contracting cast and crew, music clearances, insurance and lease agreements.

Applicant producers should ensure that legal expenses that relate directly to Malaysian production activity are identified and invoiced separately. This will assist in the preparation of expenditure statements which claim only QMPE for the FIMI.

Legal expenses that are incurred during development can only be QMPE to the extent that they relate to writers' contracts or the registration and protection of intellectual property rights in Malaysia, including matters pertaining to the chain of title for the Project.

4.1.7 Travel and freight within Malaysia

All travel and freight costs within Malaysia necessary for the making of the production are QMPE. Please supply relevant documentation and ensure that all relevant travel booking is done in Malaysia or via a Malaysian travel agent.

4.2

Minimum Work Week rule for non-cast members

In order for costs associated with any crew member to be considered QMPE a non-cast member must work in Malaysia on the film for at least ("Minimum Period") two cumulative calendar weeks (seven cumulative days for documentaries or commercial). If the crew member works on the film for less than the Minimum Period, that person's remuneration, travel expenses/accommodation and per diems are not considered QMPE. This restriction is aimed at maximizing the impact of encouraging producers either to employ Malaysian residents to work on the production or to increase the amount of time non-residents work on the project in Malaysia. No Minimum Period requirement in Malaysia applies to any cast members.

5

Specific expenditure issues

This section outlines particular requirements that you must follow in preparing your application. It also explains the treatment of certain terms of expenditure, based on rulings or determinations issued by FIMO that are often queried by applicant producers.

5.1

Accrual basis of expenditure

For the purpose of FIMI, expenditure will count as QMPE and/or production expenditure as long as it has been incurred and paid in full by the applicant producer company.

5.2

Currency exchange

All production expenditure and QMPE incurred in foreign currencies must be converted into Ringgit Malaysia at such conversion rate published by Bank Negara at the time production expenditure is incurred or the average exchange rate between the first and last in-country spend transaction.

Official published exchange rates are available from Bank Negara of Malaysia at www.bnm.gov.my/statistics/exchangerates.php.

Details of the foreign exchange rate on the date of commencement, the average currency exchange rate and the source from which the rates were derived must be included in the Application Form. All foreign currency expenditure must be converted to Malaysian Ringgit.

5.3

Treatment of pilot episodes

A pilot (if there is one) is considered to be part of the television series. However, expenditure on a pilot is excluded from being production expenditure unless it meets the requirements of QMPE, in which case such expenditure is both QMPE and production expenditure.

Also, for the purposes of the timeframe requirements noted above in Section 2 of these Guidelines, time taken shooting a pilot is excluded and the timeframe test only includes production of the series without the pilot.

6

Provisional Certification Process

The applicant producer is required to apply for a Provisional Certificate prior to commencement of pre-production or post production (for post-production FIMI only) expenditure. A Provisional Certificate does not provide a guarantee of receiving a Final Certificate. It will, however, provide an indication of eligibility and the extent to which the projected expenditure on a Project can be counted towards QMPE or, for post-production, qualifying post production expenditure.

To apply for a Provisional Certificate, you must fill in the Provisional Certificate Application Form and submit all relevant supporting documents (as indicated in the "Checklist") to FIMO. FIMO and the Approval Committee members ("Committee") as appointed by FINAS will assess your application and will either issue or decline to issue the Provisional Certificate. The Provisional Certificate Application Form must include your best estimates as to the likely production expenditure and QMPE. The Provisional Application Form is found at: <http://www.filminmalaysia.com/index.php/incentive1>.

A Provisional Certificate will state that, based on the information and projected budget presented in the application, the proposed Project would meet the core eligibility requirements. Applicant producers will be advised in writing of any projected budget items that have been included in their application for provisional certification that would not be considered as (post) production expenditure or QMPE for the purposes of FIMI.

It is important to note that a provisional certificate does not guarantee automatic qualification for FIMI. A producer must apply for final certification once the Project is completed in order to claim the rebate.

Prior to submission of the provisional application, a company must have a valid Malaysian Company Registration Number issued by the Companies Commission of Malaysia (SSM) and a valid FINAS film production license. The company is also responsible for majority of the Project's production activities in Malaysia.

6.1

Eligible Applicant Producers

For postproduction activities, an applicant may be company licensed by FINAS that is responsible for carrying out the postproduction work in Malaysia.

Details of the registered name of the applicant company, FINAS film production license, Malaysian Company Registration Number, registered address, and names and addresses of the company directors are to be provided in the Provisional Application Form. The relevant documents verifying this information must be submitted with the Provisional Certificate Application Form.

Applicant producers should refer to Section 5 of these Guidelines regarding arm's length expenditure requirements. To the extent that they have been finalized, applicants for Provisional Certificates must note all providers of goods and services that are associated with the production company or any of its associated companies.

6.2

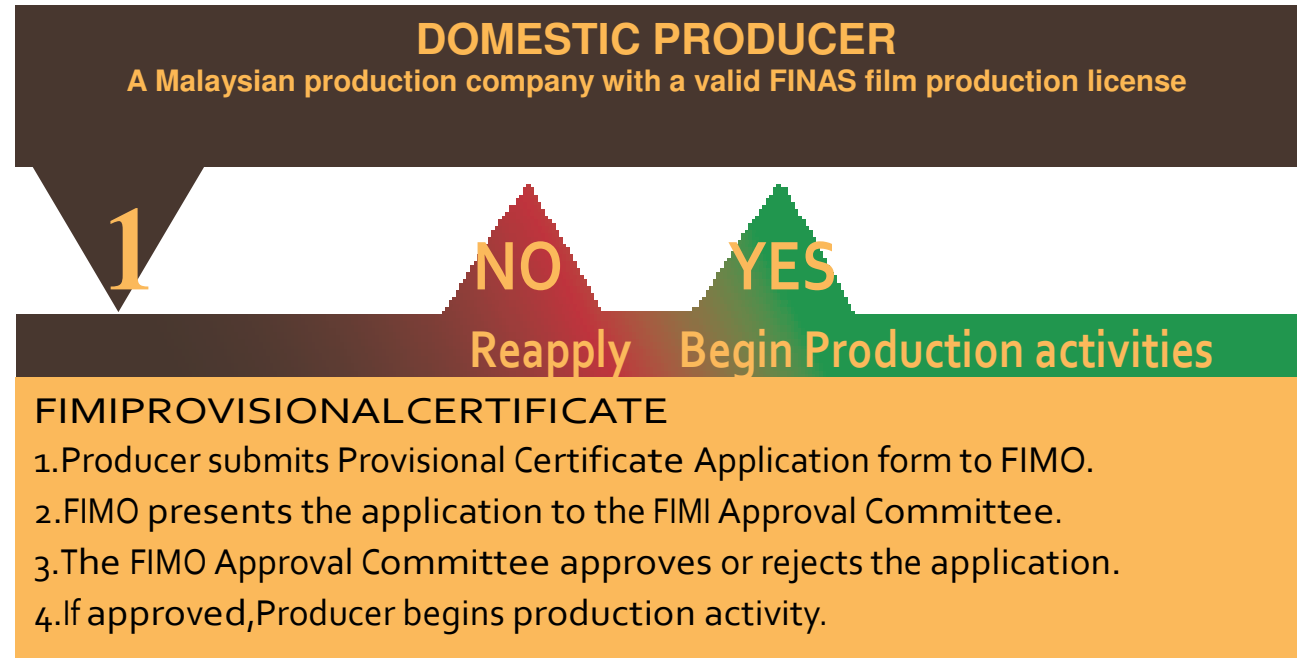
Projected provisional expenditure statements

In order to facilitate the assessment of likely QMPE and production (or post production) expenditure for FIMI, you must fill in each item for the projected expenditure for which you intend to claim the rebate in the Provisional Application Form.

Please refer to Section 4 of these Guidelines for explanations as to the meaning of production expenditure and QMPE. Section 3 of these Guidelines provides guidance on post- production for post-production activity. Also, ensure you attach a copy of the Project’s projected expenditure.

6.3

Provisional Certificate process chart



7

Final Certification Process

As outlined previously the issuing of a Final Certificate (as opposed to provisional) for FIMI is the central requirement for payment of a rebate. The first step in obtaining a certificate for FIMI is to provide an Application Form along with all attachments to FIMO.

Certification is subject to FIMO’s discretion and consideration. FIMO will consider the advice of the FIMI Approval Committee when deciding whether to certify a production and when determining the value of a production’s QMPE. This determination forms the basis of an assessment of the production’s eligibility against the relevant expenditure threshold and the final rebate amount.

7.1

Application

The application processes for both production and post- production are the same and commence with FIMO's "date of receipt" of the Final Certificate Application Form and supporting documentation. The Final Certificate Application Form is available at <http://www.filminmalaysia.com/index.php/incentive1>.

The date of submission depends on the type of production:

- For production, the application may be submitted within 60 days after the production has finished incurring QMPE.
- For post-production, the application may be submitted within 60 days after the post production has finished incurring QMPE.

In the case where both production and post- production is conducted in Malaysia, only one application is required and the application may be submitted at any time after QMPE within 60 days after the post production has finished incurring QMPE.

7.2

Consideration by the FIMI Committee

Once an application has been received by FIMO it will be processed and provided to the FIMI Approval Committee in FINAS for consideration and approval or rejection.

7.3

Verification – advice from an independent film production consultant

FIMO will assess and evaluate whether the application satisfies the requirements for the issue of a certificate and will provide a written report on its assessment of the application. FIMO may request for further information to assist in the assessment and report of an application.

In due process and if necessitates, FIMO will seek the advice of one or more independent Film Production Consultants (IFPCs) from a panel of approved Consultants to:

- provide an independent assessment of whether specific items claimed in an expenditure statement are reasonably attributable to production expenditure, QMPE and/or QMPE incurred in relation to post production.
- assess whether costs charged for specific items are made on an 'arm's length basis.

- assess the accuracy and details of the application, and
- provide advice on the extent to which costs between subsidiary companies and parent/associate companies are commercially reasonable.

This assessment will be undertaken on a strictly commercial-in-confidence basis and the IFPC(s) will be subject to a contractual duty of confidentiality. Two IFPCs may be retained for larger production applications. Further information may be required to assist the IFPCs assessment. Where this information relates to 'arm's length' issues the IFPCs may seek information on the process and methodologies adopted to show that the financial components and services charged are in accordance with the 'arm's length' principle. The IFPCs may contact you directly for this or for other reasons and, if so, you should cooperate with the IFPCs' requests.

7.4

Notification, statement of reasons and appeal of decision

FIMO will consider all relevant reports and make determinations on whether or not to certify the production and the level of QMPE. Where FIMO certifies a production for FIMI, the applicant producer company will be notified in writing of the decision, including the determination of QMPE and amount of FIMI provided. Where FIMO refuses to issue a certificate the applicant producer company will be notified in writing of this decision (including reasons for the decision).

A statement of reasons or review of a decision may be sought in relation to:

- a decision not to issue a certificate (that is, declining to certify a production),
- determination of the amount of QMPE or qualifying post production expenditure, or
- a decision to revoke a certificate (see below).

The result of FIMO's assessment and evaluation shall be issued in writing, within six (6) weeks from the verification of compliance with these Guidelines. All decisions made by FIMO shall be final. Appeals, if any, shall be considered at FIMO's sole discretion. In the event that FIMO considers any appeals and makes a decision, such decision shall be final and there shall be no further appeal in respect of FIMO's decision.

7.5

Revocation of a certificate

FIMO The applicant producer and its board of directors are responsible for ensuring that all content, documents and information submitted in its application is true, accurate, reliable and complete and shall confirm that the same via a statutory declaration. FIMO may revoke a certificate where any part of the information and/or documentation was obtained by fraud, material inaccuracies / misrepresentation and will notify the applicant producer in writing of this decision (including reasons for the decision to revoke the certificate). A certificate may also be revoked if the applicant producer fails to provide FIMO with a copy of the completed production (outlined below in Section 7.7).

A "Statement of Reasons" may be sought in relation to the decisions to revoke a certificate. Review of the decision may also be sought and should a review of the decision be considered, FIMO's decision during said review shall be final.

7.6

Copy of the completed production

FIMO The applicant producer and its board of directors are responsible for ensuring that all content, documents within 60 days of a certified production's completion, meaning that the production material is in a state where it could reasonably be regarded as ready to be distributed, broadcast or exhibited to the general public, the applicant producer must submit a copy of the completed production to FINAS, through FIMO. The copy should be provided on DVD.

The copy of the production is proof of completed production. It verifies that the production is ready for distribution or exhibition to the general public and it also confirms other details of the production.

If an applicant producer fails to provide this, the applicant producer risks having the certificate revoked by FINAS. Should the final production version vary significantly from the submitted documentation in a manner that contains content which damages the image of Malaysia and FIMI has already been paid, FINAS has the right to commence recovery of the amount paid as a debt due and owing and FINAS reserves the right to include the directors of the applicant producer company in such action or proceedings.

It is not anticipated that FINAS will revoke a certificate on this ground without first contacting the applicant producer (although FINAS is empowered to do so). Should an applicant producer have any concerns regarding either provision of an expected date of completion or a DVD copy of the film, they should relate these concerns to FIMO when making their application. FIMO, acting as an agent for FINAS, will consider such concerns on a case-by-case basis.

8

Your application

There are a number of considerations to be taken into account when completing your Provisional and Final Application for the FIMI. Applicant producers should locate the relevant Application Form from <http://www.filminmalaysia.com/index.php/incentive1>. It is vital that all sections of the form are completed as per these Guidelines.

Should you have trouble downloading the form or these Guidelines, please contact FIMO and we will mail or fax you the forms in hardcopy. Contact details are available on page 31 of these Guidelines and can also be found on FIMO's website: www.filminmalaysia.com.

8.1

Timing of applications

There is no specific closing date for applications. However, you should bear in mind the following:

- The process of assessing the Provisional Application by FIMO, including consideration by the Committee, may take up to six (6) weeks if all relevant documents are in order.
- Application for the Final Certificate can only be made when QMPE has ceased being incurred in Malaysia
- The process of assessing the Final Application, including consideration by both FIMO and the Committee, may take up to four (4) months if all relevant documents are in order.

Failure to provide all relevant documents may result in prolonging the assessment process. FINAS may require further information which may cause processing applications to exceed four (4) months.

8.2

Auditor's statement

With your Application Form you will need to include an independent auditor's statement verifying the particulars of the production expenditure detailed in your application. The auditor's statement must be provided on a proforma attached to the Application Form. The audit must be prepared by a person who is:

- a qualified independent auditor acceptable to FINAS with a valid and existing audit license granted by the Malaysian Minister of Finance and also a member of Malaysian Institute of Accountants (MIA); and
- not an officer, partner or employee of the applicant producer company or a related corporate body of the applicant producer company (but may be contracted by them from time-to-time on a non-permanent basis). A related body corporate of an applicant producer company would be a subsidiary of an applicant producer company, the holding company of an applicant producer company or a subsidiary of the holding company of the applicant producer company.

The auditor's statement is provided at an applicant producer's expense with the name of the auditor and auditor's company or firm, qualifications and contact details provided in the relevant section of the Application Form.

8.3

Documentation

You will be required to attach a range of documentation to support your application including copies of legal documents relating to, for example, the establishment of the applicant producer company, legal agreements to verify the fact of Malaysian copyright ownership and confirmation of distribution and exhibition arrangements. A checklist of these documents is included in 'Checklist: prior to submitting your application' on page 32 of these Guidelines. All legal agreements made between any Malaysian party and the applicant producer are required to be stamped with the Malaysian Stamp Office, which comes under the purview of the Inland Revenue Board.

8.4

Statutory declaration

The information and documentation provided in your application must be certified in a statutory declaration in accordance with the Malaysia Statutory Declaration Act 1960 by an authorized person from the applicant producer company – either the Producer or the Chief Executive Officer. The statutory declaration must be signed before a commissioner of oath (if affirmed in Malaysia) or a notary public (if affirmed outside Malaysia). The penal consequence for making a false declaration in respect of the above may include imprisonment, a fine and/or both pursuant to the provisions of the Malaysian Statutory Declarations Act 1960 and the Penal Code.

FIMO reserves the right at any time, in its sole and absolute discretion, to reject an application that FIMO believes, in its sole and absolute discretion, is not in compliance with these Guidelines, or which has made a false or misleading statement on the application or otherwise, and reserves the right to pursue all other rights and remedies available at law in the event of such rejection.

8.5

Malaysian Cultural, Social and Religious Sensitivity Declaration

Applicant producers will be held responsible for the acts and omissions of all cast and crew members of the production of the Project throughout their stay in Malaysia and the producers are to ensure that the acts and behaviour of the cast and crew members during the production of the Project are in no way considered to infringe on the sensitivity of the Malaysian cultural, social and religious practices.

8.6

Confidentiality

Please note that all information provided by the applicant producer will be held by FIMO on a strictly commercial-in-confidence basis. Information will only be provided to the Committee and an Independent Film Production Consultant if necessary.

All bodies that are privy to confidential information will be bound by Malaysian Government confidentiality provisions which treat all such information as commercial-in-confidence and, where appropriate, will be subject to contractual duties of confidentiality.

8.7

Further information from the applicant producer

FINAS reserves the right to require any additional information it deems necessary in order to issue a certificate. For instance, where an application is incomplete FINAS may require the applicant producer at the applicant producer's expense, to provide further information.

8.8

Submitting your application

Prior to submitting your application you are strongly recommended to contact FIMO to ensure that you are submitting all the necessary information. Contact information is set out below.

You can submit an application in hardcopy on the relevant Application Form. You should send your original Application Form including all supporting documents as one (1) hardcopy set and one (1) softcopy set to FIMO.

8.9

General

FIMO reserves the right in its discretion to modify the terms of these Guidelines as may be necessary from time to time. Neither FIMO nor any of the FIMI Approval Committee members, its agents and representatives will be liable for any injury, loss or damage of any nature whatsoever (including but not limited to indirect or consequential loss) which is suffered or sustained as a result of or in connection with the application for FIMI.

8.10

Further information and contacts

Prior to applying for FIMI, applicant producer are advised to read these Guidelines and the Rules carefully. It is also recommended that applicant producers make contact with FIMO to discuss any issues regarding their application before preparing it.

For pre-application advice or access to the Rules, Application Forms and Provisional Application Forms you should contact FIMO via:

Address:	Film In Malaysia Office (FIMO) National Film Development Corporation Malaysia (FINAS) Petaling Jaya Branch, Jalan Utara, 46547 Petaling Jaya, Selangor Darul Ehsan, Malaysia.
Telephone:	+603 7968 2137 / 2116 / 2152 / 2061
Fax:	+603 7968 2115
Website:	www.filminmalaysia.com
Contact emails:	azmir@finas.my rozita@finas.my noorzillawati@finas.my mohdazhar@finas.my

For other than FIMI-specific matters pertaining to commencing business in Malaysia, filing business activity statements and taxes please seek independent and professional advice from qualified professionals including accountants, auditors, company secretaries, lawyers and tax advisors. Please note that tax deductions are not under the purview of FIMI. Please refer to and seek guidance from PUSPAL for tax relief.

Checklist: Prior to submitting your application

Document	Provisional	Final
<input type="checkbox"/> Have you completed each page of the Application Form?	●	●
<input type="checkbox"/> Have you attached the FINAS production license?	●	
<input type="checkbox"/> Evidence of Malaysian residency company or a foreign resident with a permanent establishment (Forms 24 & 49): including Malaysian Company Registration Number, registered address, names and addresses of directors	●	●
<input type="checkbox"/> Have you attached a document verifying the status of the applicant producer company—that is, the legal agreement with a parent/associate company and/or establishing the applicant producer company?	●	●
<input type="checkbox"/> If the project is a co-production, please attach a copy of the co-production agreement.	●	●
<input type="checkbox"/> Have you attached documents confirming the applicant producer's responsibility for all the activities required to make the production OR post- production in Malaysia (including responsibility for costs incurred by non-Malaysian companies for activities in Malaysia)	●	●
<input type="checkbox"/> Have you attached a synopsis of the project?	●	●
<input type="checkbox"/> Copy of the script and its source material OR previous script if it is a rewritten work	●	●
<input type="checkbox"/> If part of a series, indicate relevancy and significant creative similarities & differences between the project and previous season's concept, characters, settings, production locations and crew. Please supply a DVD copy of the previous season for comparative purposes.	●	
<input type="checkbox"/> A copy of all of the documents relating to the "Chain of Title" and underlying rights.	●	●
<input type="checkbox"/> If applicable, evidence of expenditure on development of the project, script and company's trustee status.	●	●
<input type="checkbox"/> Relevant document indicating creative contributions, recoupment and returns.	●	●
<input type="checkbox"/> Have you completed and attached a 'travel spreadsheet' for travel into and out of Malaysia?		●
<input type="checkbox"/> Have you attached fully executed contracts for key personnel, cast and crew detailing work conducted in and outside Malaysia and for any person remunerated other than by salary (e.g. where travel for a partner is part of remuneration)?		●
<input type="checkbox"/> If applicable, have you attached agreements verifying the transfer of ownership in copyright, which identifies the copyright owner at the time of the application? Note, this is only relevant where purchase or licensing of Malaysian copyright is being claimed as QMPE including copyright in promotional material.	●	●
<input type="checkbox"/> Have you attached a <i>proforma</i> statement as an estimated Project Budget?	●	
<input type="checkbox"/> Have you attached documented evidence and terms of financial resources?	●	●
<input type="checkbox"/> Have you attached the production's general ledger (electronically)?		●
<input type="checkbox"/> Have you attached call-sheets, Monthly Production Reports (MPRs) and the Production Schedule (preferably electronically)?		●
<input type="checkbox"/> Evidence of Malaysian and foreign sales agent.	●	●
<input type="checkbox"/> Have you attached relevant documentation to indicate distribution or exhibition of the project? A letter of confirmation of distribution/exhibition deals on an official letterhead will demonstrate this.		●
<input type="checkbox"/> Have you attached the statutory declaration made by an authorised signatory?	●	●

