

**PART A OF THE CINEMA STUDY
REPLIES TO THE LEGAL QUESTIONNAIRE FOR SLOVENIA**

Member State:	SLOVENIA
Re:	Follow Up Reply
Date:	16 October 2006

(...)

According to Article 8 of the Constitution of the Republic of Slovenia, Slovenian laws and regulations must comply with generally accepted principles of international law and with treaties that are binding Slovenia. Ratified and published treaties are applied directly. Such principle applies also to legislation (territorialization requirements) outlined in answers provided.

(...)

Member State:	SLOVENIA
Re:	Follow Up Question
Date:	13 October 2006

(...)

With respect to your reply to question B.8 we assume that, in case of a conflict or an inconsistency between the rules on territorialization contained in your national or internal legislation on State aid to cinema and the rules contained in conventions on co-production agreements to which your country is a party, the latter rules prevail over the former, i.e. international agreements prevail over national or internal law. Should this principle exceptionally not apply in your jurisdiction to the concrete case of territorialization requirements, please let us know via email, and please provide us with a short description of the legal mechanism addressing such conflicts or inconsistencies as applied in your jurisdiction.

(...)

Member State:	SLOVENIA
Re:	Reply
Date:	06 October 2006

(...)

Enclosed please find the Questionnaire on State Aid to Cinema and Territorialization Requirements with answers for Slovenia filled in.

(...)

Attachment to e-mail of 06 October 2006
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- Slovenia - Legal Replies Final 12 05 2007.doc

**QUESTIONNAIRE ON STATE AID TO CINEMA AND TERRITORIALISATION
REQUIREMENTS
(Version of 15 September 2006)**

PRELIMINARY REMARK

This questionnaire is divided in two parts. Part A concerns general questions and part B specific questions related to State aid for independent film and television production, including State aid based on co-production agreements, in the context of territorialisation requirements.

Some information that could be relevant for this questionnaire is available on-line, e.g.:

- the data from Korda and IRIS Merlin at:

<http://www.obs.coe.int/db/index.html> (in particular the information by Korda on funding schemes at: http://korda.obs.coe.int/web/recherche_fonds.php and the information on co-production agreements by IRIS Merlin at: <http://merlin.obs.coe.int/search.php>)

- the links to regulating, control and funding bodies in the audiovisual sector (cinema and broadcasting) at:

http://ec.europa.eu/comm/avpolicy/info_centre/links/index_en.htm

- the information on co-production agreements on the Council of Europe website and, e.g. for France and the United Kingdom, on the websites of the Centre National de la Cinématographie and the UK Film Council:

http://www.coe.int/T/E/Cultural_Co-operation/Eurimages/

<http://www.cnc.fr/Site/Template/A2.aspx?SELECTID=35&id=36>

http://www.ukfilmcouncil.org.uk/usr/ukfcddownloads/42/Co_production.pdf

However, please consider that this information may not be exhaustive, fully accurate or up-to-date, and may therefore require to be completed for the purposes of this study.

When filling in this questionnaire, please specify in brackets your sources of information at the end of each of your answers.

Please deliver your replies in word format (font type: times new roman; font size: 12).

PART A

GENERAL QUESTIONS

Please use only one form per Member State.

OVERVIEW

A.1 Country / region: Slovenia

A.2 Names of funding schemes with an annual budget of State aid dedicated to pre-production, production, post-production, marketing, distribution and promotion of independent cinematographic and audiovisual works¹ of at least € 1 million in 2005 (this includes any kind of support, e.g. direct subsidies, fiscal advantages, etc., to pre-production, production, post-production, marketing, distribution and promotion):

Upon examination of internet and other publicly available data/information and sources, we could not find any data/information on annual budget of Slovenian State aid for production, marketing, distribution and promotion of an independent cinematographic and audiovisual work. Namely, the information on budget as available does not provide the differentiation of the source for such work specifically.

The Budget of the Republic of Slovenia for 2006 envisages that for all of its activities in the area of Media and Audio-Visual Culture in 2006 the Ministry for Culture should receive SIT 2.408.467.000 (i.e. EUR 10.050.355), i.e.:

- for culture tolar, art cinema and purchase of films – SIT 47.650.000 (i.e. EUR 198.840)
- for Slovenian Film Fund – SIT 1.060.411.000 (i.e. EUR 4.425.017)
- for Film Studio Viba Film – SIT 125.906.000 (i.e. EUR 525.396)
- for audio-visual media programs – SIT 174.500.000 (i.e. EUR 728.176)
- for implementation of Public Media Law – SIT 1.000.000.000 (i.e. EUR 4.172.926)

Slovene: Proračun Republike Slovenije za leto 2006

English: **Budget of the Republic of Slovenia for 2006**

Publication: Official Gazette of the Republic of Slovenia, no. 116/2005

Entry into force: December 23, 2005

E-source: http://www.gov.si/mf/slov/proracun/sprejet_proracun/2006/SP06_POS.pdf

¹ “Independent” means that the cinematographic and audiovisual works are produced and distributed by entities that are legally independent from broadcasters.

COPRODUCTION AGREEMENTS

A.3 List the conventions on co-production agreements to which your country is currently a party, indicate the date of the entry into force of each convention, and indicate the name and address of the authority in charge of their administration and supervision:

Slovenia is a party to the following conventions on co-production agreements, i.e.:

- European Convention on Cinematographic Co-production;
- Agreement on Cinema and Video Co-production between the Federal Government of Socialist Federative Republic of Yugoslavia and the Government of Canada;
- Agreement on Facilitating International Circulation of Visual and Audio Materials of Educational, Scientific and Cultural Character.

- *European Convention on Cinematographic Co-production*

On the basis of the Act Ratifying the European Convention on Cinematographic Co-production, on March 01, 2004 the respective Convention entered into force and is applicable for Slovenia. Ministry for Culture is acting as the authority in charge of administration and supervision of the said Convention.

Data on relevant Slovenian legislation:

- Slovene: Zakon o ratifikaciji evropske konvencije o filmski koprodukciji
- English: Act Ratifying the European Convention on Cinematographic Co-production
- Publication: Official Gazette of the Republic of Slovenia, no. 22/2003
- Authority: Ministrstvo za kulturo, Maistrova 10, SI-1000 Ljubljana
- Entry into force: March 01, 2004
- E-source: <http://www.uradni-list.si/1/objava.jsp?urlimpid=200367>

- *Agreement on Cinema and Video Co-production between the Federal Government of Socialist Federative Republic of Yugoslavia and the Government of Canada*

On the basis of the Decree Ratifying the Agreement on Cinema and Video Co-production between the Federal Government of Socialist Federative Republic of Yugoslavia and the Government of Canada, on November 24, 1988 the said Agreement entered into force in Yugoslavia and was then applicable also in Slovenia. After secession of Slovenia from Yugoslavia, in 1997 Slovenia adopted the Act on Succession of respective Agreement, on the basis of which the said Agreement entered into force in Slovenia on June 08, 1997. Ministry for Culture is acting as the authority in charge of administration and supervision of the said Convention.

Data on relevant Slovenian legislation:

- Slovene: Uredba o ratifikaciji sporazuma o filmski in video koprodukciji med Zveznim izvršnim svetom Skupščine Socialistične federativne republike Jugoslavije in vlado Kanade s priloženo
- English: **Decree Ratifying the Agreement on Cinema and Video Co-production between the Federal Government of Socialist Federative Republic of Yugoslavia and the Government of Canada**

- Publication: Official Gazette of SFRJ – International Agreements, no. 13/1990
- Authority: Ministrstvo za kulturo, Maistrova 10, SI-1000 Ljubljana
- Entry into force: November 24, 1988

- Slovene: Akt o nasledstvu sporazumov nekdanje Jugoslavije s Kanado, ki naj ostanejo v veljavi med Republiko Slovenijo in Kanado
- English: **Act on Succession of Agreements of former Yugoslavia entered into with Canada that remain in force between the Republic of Slovenia and Canada**

- Publication: Official Gazette of the Republic of Slovenia – International Agreements, no. 9-31/1997
- Authority: Ministrstvo za kulturo, Maistrova 10, SI-1000 Ljubljana
- http://zakonodaja.gov.si/rpsi/r04/predpis_URED2204.html

- *Agreement on Facilitating International Circulation of Visual and Audio Materials of Educational, Scientific and Cultural Character*

After secession of Slovenia from Yugoslavia, in 1997 Slovenia adopted the Act on Succession of UNESCO Conventions, on the basis of which the said Agreement entered into force in Slovenia on November 14, 1992. Ministry for Culture is acting as the authority in charge of administration and supervision of the said Convention.

Data on relevant Slovenian legislation:

- Slovene: Sporazum o olajševanju mednarodnega kroženja vizualnih in audiografov izobraževalnega, znanstvenega in kulturnega značaja
- English: **Agreement on Facilitating International Circulation of Visual and Audio Materials of Educational, Scientific and Cultural Character**
- Slovene: Akt o notifikaciji nasledstva glede konvencij UNESCO
- English: **Act on Notification of Succession of UNESCO Conventions**
- Entry into Force: November 14, 1992
- Publication: Official Gazette of the Republic of Slovenia – International Agreements, no. 15/92
- Authority: Ministrstvo za kulturo, Maistrova 10, SI-1000 Ljubljana
- E-source: http://zakonodaja.gov.si/rpsi/r03/predpis_DRUG253.html

NATIONALITY CERTIFICATION PROCEDURES

- A.4 Describe the formal procedure, if any, to assess and certify the nationality of an independent film or television production in your country by indicating the authority in charge of this procedure, the criteria of eligibility, and the scope of this certification procedure in relation to public funding schemes in your jurisdiction:²

i. AUDIOVISUAL PRODUCTION

According to Article 73 of the Slovenian Public Media Act the independent producer of audiovisual works is a legal entity or natural person that fulfills the following conditions, i.e.:

- a) is registered for performance of production of audiovisual works and has a registered seat in Slovenia or any of EU Member States;
- b) is not included to organization structure or legal personality of issuer of television program;
- c) the issuer of television program has at most 25% capital share or management or voting rights in its capital/assets;
- d) it issues at most a half of its production upon order of individual issuer of television program.

The independent producer of audiovisual works is also a legal entity of natural person that is registered for performance of audiovisual production and has a registered seat in a third state, in case in last 3 years the European work presents the majority share of its audiovisual production, and fulfills the conditions b) and c) above.

However, a legal entity or natural person whose average financial share for covering of total expenses of production or co-production in last 3 years do not exceed 10%, can not be an independent producer. According to the Public Media Act the Minister for Culture may propose amendment of the said 10%.

According to Article 2 of the Decree on Criteria and Conditions of Determining Slovenian Audio-Visual Works and Article 68 of the Public Media Law, the following works shall be considered as Slovenian audiovisual works, i.e.:

- works originally produced in Slovene language, or in Hungarian and Italian language if intended for Hungarian and Italian minority living in Slovenia;
- works of Slovenian cultural origin from other area of culture if expressed as intellectuall creations from the field of literature, science and art, and prepared for or adequate to be presented in television program.

In case upon consideration of criteria defined by the Public Media Law and the Decree on Criteria and Conditions of Determining Slovenian Audio-Visual Works (as outlined above), the Slovenian origin is disputable (a doubt exists), the Minister for Culture shall decide weather such work should be considered as a work of Slovenian origin or not. Neither the Public Media Law nor the Decree on Criteria and Conditions of Determining Slovenian Audio-Visual works define the procedure of such decision-making of the Minister for Culture.

ii. CINEMATOGRAPHIC PRODUCTION

² E.g. the French “Procédure d’agrément”.

Article 2 of the General Conditions governing the Activities of the Film Fund of the Republic of Slovenia - public fund defines "Slovenian film" as film produced by Slovenian producer in which act more than 50% of Slovenian co-authors or other persons cooperating at the production. The film that does not have Slovenian producer may be considered as Slovenian film if at least 10% of production cost are co/financed by Slovenian capital or if there is an adequate % of Slovenian co-authors or other persons cooperating at the production.

A producer, author and co/author or other person cooperating in production is considered as Slovenian if it is a legal entity with registered seat in Slovenia or natural person with residency in Slovenia.

According to Article 3 of the General Conditions governing the Activities of the Film Fund of the Republic of Slovenia - public fund legal entities with registered seat and natural persons with residency in Slovenia, may compete for funds of the Slovenian Film Funds. Foreign legal entities and natural persons may compete for funds of the Slovenian Film Funds only if they fulfill special criteria provided by the respective Slovenian Film Fund Act (Article 20), i.e.:

- if the foreign producer shoots film in Slovenia in cooperation with Slovenian producer; and
- a foreign producer defines in titles that a film was shot in Slovenia.

Slovene: Splošni pogoji poslovanja Filmskega sklada Republike Slovenije - javnega sklada

English: **General Conditions governing the Activities of the Film Fund of the Republic of Slovenia - public fund**

Publication: Official Gazette of the Republic of Slovenia, no. 69/2003, 5/2004, 16/2004 (95/2004 – corrigendum)

Entry into force: July 07, 2003

E-source: http://zakonodaja.gov.si/rpsi/r08/predpis_DRUG1748.html

EXPECTED DEVELOPMENTS

- A.5 Indicate whether new co-production agreements are to be expected in your jurisdiction as of 1 January 2007, indicate the contemplated date of the entry into force of each convention, and indicate the name and address of the authority in charge of their administration and supervision

Upon examination of internet and other publicly available data/information and sources, we could not find any information providing that signing of any co-production agreements are envisaged for year 2007.

- A.6 Indicate whether new funding schemes containing territorialisation requirements entered into force or are to be expected to enter into force in your jurisdiction as of 1 January 2006,³ and indicate the name and address of the administration of these funding schemes:⁴

Upon examination of internet and other publicly available data/information and sources, we could not find any information providing that new funding schemes containing territorialisation requirements entered into force or expected to enter into force in Slovenia as of 1 January 2006.

The Ministry for Culture drafted amendments to the Public Media Law, which however do not provide any new funding schemes containing territorialisation requirements. The proposal of the respective amendments to the Public Media Law can be found at web page:

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Zakonodaja/Predlogi_zakonov/Osnutek_predloga_spr_1_in_dopoln.ZMed_-_izhodia.pdf

It is envisaged that a Slovenian Film Institute shall be established. For this purpose the Ministry for Culture drafted a proposal of the Film Institute Act, which however does not provide any new funding schemes containing territorialisation requirements. According to information gathered, the new Film Institute is to replace currently existing Slovenian Film Fund. The proposal of the Film Institute Act can be found at web page:

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Zakonodaja/Predlogi_zakonov/ZFI_MK_5_.pdf

³ Any requirement/incentive that some of the development, production or post-production activities must take place in the country or region offering the State aid, either for the audiovisual work to be eligible for State aid or affecting the amount of State aid available to the audiovisual work.

⁴ E.g. in Germany, there will be a new funding scheme on the federal level containing a territorialisation clause as from 2007.

REFERENCES TO LOCAL STUDIES

- A.7 Provide the references of studies, reports or other relevant materials on territorialisation requirements, on co-production agreements and on legal aspects of the promotion of film related cultural identities and cultural diversity in your jurisdiction (author, title, place, date of publication, and, if available, internet link):

Slovene: Analiza stanja na področju filmske dejavnosti

English: Analysis of Status of Cinematographic Activities

Year: not dated (possibly 2001 or 2002)

Author: Tone Frelj, Consultant to the Ministry for Culture

E-source:

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Zakonodaja/Analiza_stanja/08.pdf

In year 2001 the Slovenian Ministry for Culture joined its funds to research within the governmental program "Competitiveness of Slovenia 2001-2006" headed by the Agency for Research Activities. Within the said program the projects, ordinarily of 2 year duration, are lead. The themes within the projects are handled multidisciplinary and inter-institutionally and are financed by several subscribers. The themes for programs are proposed by Ministry for Culture.

E-source: http://www.kultura.gov.si/index.php?id=3988&no_cache=1

PART B

FUND SPECIFIC QUESTIONS

Please only cover funding schemes, including tax incentive schemes, that were operated at the national, regional (excluding EU schemes, e.g. the Media programme)⁵ or local level in your country during the reference period from 1 January 2001 to 31 December 2005, and that disposed of an annual budget of State aid dedicated to pre-production, production, post-production, marketing, distribution and promotion of independent cinematographic and audiovisual works of at least € 1 million per year.⁶

Please use for each funding scheme a separate form.

IDENTIFICATION OF THE FUNDING SCHEME

B.1 Country/region: Slovenia

B.2 Name of the funding scheme:

Slovene: Stimulacija razvoja filmskih aktivnosti v Republiki Sloveniji
English: Stimulation of Development of Cinematographic Activities in Slovenia

B.3 Name and address of the funding scheme's administration and supervisory authority:

Slovene: Filmski sklad Republike Slovenije - javni sklad
English: **Slovenian Film Fund – public fund**
Address: Miklošičeva 38, SI-1000 Ljubljana

B.4 List the titles of the laws and regulations that govern this funding scheme as of 31 December 2005 (in the original language and in an English working translation), and indicate

- the dates when these laws and regulations entered into force,

- whether these laws and regulations were amended during the period from 2001 to 2005 (if so and if the amendments were significant, indicate their dates of entry in force),

⁵ Regional schemes mean both, schemes operated within your country and schemes to which your country is a party among other countries, e.g. the Nordic Film- and TV Fund (see http://korda.obs.coe.int/web/display_fonds.php?fonds_id=28).

⁶ “Independent” means that the cinematographic and audiovisual works are produced and distributed by entities that are legally independent from broadcasters.

and provide a copy of these laws and regulations in the version as of 31 December 2005 (in the national language only).

* * *

Slovenian: Zakon o medijih

English: **Public Media Law**

Publication: Official Gazette of the Republic of Slovenia, no. [35/2001](#), [54/2002](#) Skl.US: U-I-177/02-5, [62/2003](#), [73/2003](#) Odl.US: U-I-177/02-15, [113/2003](#) Odl.US: U-I-181/01-12, [16/2004](#) Odl.US: U-I-106/01-27, [123/2004](#) Odl.US: U-I-207/01-20, [96/2005](#)-ZRTVS-1, [60/2006](#), [69/2006](#)-ZOIPub)

Entry into force: May 26, 2001

E-source: http://zakonodaja.gov.si/rpsi/r08/predpis_ZAKO1608.html

NOTE: Amendment of 2006 (published in Official Gazette of the Republic of Slovenia, no. 60/2006) entered into force on June 24, 2006.

* * *

Slovene: Zakon o filmskem skladu Republike Slovenije /ZFS/

English: **Film Fund of the Republic of Slovenia Act**

Publication: Official Gazette of the Republic of Slovenia, no. 17/1994, 22/2000-ZJS, 59/2001

Entry into force: April 16, 1994

E-source: http://zakonodaja.gov.si/rpsi/r07/predpis_ZAKO327.html

Slovene: Splošni pogoji poslovanja Filmskega sklada Republike Slovenije - javnega sklada

English: **General conditions governing the activities of the Film Fund of the Republic of Slovenia - public fund**

Publication: Official Gazette of the Republic of Slovenia, no. 69/2003, 5/2004, 16/2004 (95/2004 – corrigendum)

Entry into force: July 07, 2003

E-source: http://zakonodaja.gov.si/rpsi/r08/predpis_DRUG1748.html

* * *

Slovene: Zakon o uresničevanju javnega interesa za kulturo /ZUJIK/

English: **Act on Enforcing Public Interest in the Field of Culture**

Publication: Official Gazette of the Republic of Slovenia, no. 96/2002

Entry into force: November 29, 2002

E-source: http://zakonodaja.gov.si/rpsi/r00/predpis_ZAKO3370.html

Slovene: Pravilnik o merilih in kriterijih za izbor projektov in programov Filmskega sklada Republike Slovenije - javnega sklada

English: **Rules on standards and criteria for the selection of projects and programs of the Slovenian Film Fund**

Publication: the document is not yet published in the Official Gazette of the Republic of Slovenia

Entry into force: March 06, 2006

E-source:

http://www.film-sklad.si/html/docs/Pravilnik_o_merilih_in_kriterijih_za_izbor_projektov_in_programov.pdf

Slovene: Proračun Republike Slovenije za leto 2006

English: **Budget of the republic of Slovenia for 2006**

Publication: Official Gazette of the Republic of Slovenia, no. 116/2005

Entry into force: December 23, 2005

E-source: http://zakonodaja.gov.si/rpsi/r06/predpis_DRPR6.html

Slovene: **Pravilnik o izvedbi javnega poziva in javnega razpisa**

English: Rules on the implementation of a public call and public tender
Publication: Official Gazette of the Republic of Slovenia, no. 93/2005
Entry into force: October 22, 2005
E-source: http://zakonodaja.gov.si/rpsi/r06/predpis_PRAV7116.html

Slovene: Navodila za sofinanciranje distribucije tujih filmov na področju Republike Slovenije
English: Instructions for Co-Financing of Foreign Film Distribution in the territory of Slovenia
Publication: the Instructions were not published in the Official Gazette of the Republic of Slovenia (internal document of Slovenian Film Fund)
Entry into force: January 30, 2004
E-source: <http://www.film-sklad.si/html/docs/navodila-distribucija-tujih-filmov.pdf>

Slovene: Pravilnik o merilih in kriterijih za izbor koprodukcijskih projektov
English: **Rules on standards and criteria for the selection of co-production projects**
Publication: Official Gazette of the Republic of Slovenia, no. 135/2004
Datum začetka veljavnosti: December 18, 2004
E-source: http://zakonodaja.gov.si/rpsi/r04/predpis_PRAV6394.html

Slovene: Zakon o javnih skladih
English: **Public Funds Act**
Publication: Official Gazette of the Republic of Slovenia, no. 22/2000
Entry into force: March 25, 2000
E-source: http://zakonodaja.gov.si/rpsi/r05/predpis_ZAKO1595.html

TERRITORIAL CONDITIONS⁷

Explicit territorial conditions

- B.5 Does the scheme impose any explicit obligation on independent film and audiovisual project proposals that they must spend a minimum proportion of the production budget in the Member State/Region to qualify for State aid or to receive the maximum amount of State aid available (*consider the situation as of 31 December 2005 and, only in case of significant changes, the situation before this date during the period from 2001 to 2005*)?

⁷ Any requirement/incentive that some of the development, production or post-production activities must take place in the country or region offering the State aid, either for the audiovisual work to be eligible for State aid or affecting the amount of State aid available to the audiovisual work.

Yes.

If yes,

- B.6 Quote (in the national language and in an English working translation) the provisions requiring territorialisation that are contained in the rules (legislation and internal regulations) listed under Answer B.4 (*provide quotes of the current version of the rules as of 31 December 2005 and, only in case of significant changes, of former versions of territorialisation clauses that were in force before this date during the period from 2001 to 2005*):

Slovene: Splošni pogoji poslovanja Filmskega sklada Republike Slovenije - javnega sklada
English: **General conditions governing the activities of the Film Fund of the Republic of Slovenia - public fund**

Article 22

“Producent lahko porabi 20% sredstev, ki jih Sklad nameni za produkcijo filma, na območju izven Republike Slovenije.”

English working translation:

“The producer may use 20% of funds the Film Fund dedicated for production of film in the territory outside Slovenia.”

Slovene: Pravilnik o merilih in kriterijih za izbor koprodukcijskih projektov
English: **Rules on standards and criteria for the selection of co-production projects**

Article 5, Paragraph 3

“Za sofinanciranje koprodukcijskih projektov lahko kandidira samo projekt, katerega slovenski producent bo zagotovil porabo produkcijskih sredstev v Republiki Sloveniji v višini dodeljenih sredstev s strani Filmskega sklada.”

English working translation:

“Only the project for which the Slovenian producer shall assure usage of production funds in the amount of funds delivered by Film Fund in the Republic of Slovenia may compete for co-financing of co-production projects.”

- B.7 Describe how these territorialisation requirements are implemented, including the minimum proportion required and the maximum (*provide a description with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*).

Upon examination of internet and other publicly available data/information and sources, we could not establish the manner in which the territorialization requirements are implemented. More information may be found by personal interviews with authorized personell at Slovenian Film Fund.

- B.8 Describe how territorialisation requirements that apply to this scheme are interpreted and implemented in the context of the co-production agreements listed under answer A.3 (*provide a description with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*):

Upon examination of internet and other publicly available data/information and sources, we could not establish how the territorialization requirements are interpreted and implemented in the context of the Slovenian co-production agreements listed under A.3 hereto.

- B.9 Quote and summarize judicial and administrative practice (case law and guidelines) and legal commentaries addressing the implementation of territorialisation requirements that you quoted and described under answers B.6 to B.8 (*provide a quote and summary with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*):

Upon examination of internet and other publicly available data/information and sources, we could not find referenrences to any practice and/or legal commentaries addressing the implementation of territorialization requirements.

Implicit or *de facto* territorial conditions

- B.10 Does the scheme provide any scope for territorial conditions to be applied implicitly or *de facto*? - For example, do the selection criteria imply that proposals are more likely to be selected for funding if they would create employment in the region/Member State, use local professionals, or generally promote interest in the region/Member State (*please cover the situation prevailing as of 31 December 2005 and, only in case of significant changes, the situation that prevailed before this date during the period from 2001 to 2005*)?

Yes.

If yes,

B.11 Please describe the implicit or *de facto* territorialisation requirements that are practised by this funding scheme (*as of 31 December 2005 and, only in case of significant changes, before this date during the period from 2001 to 2005*):

According to Article 15 of General conditions governing the activities of the Film Fund of the Republic of Slovenia - public fund, the Slovenian Film Fund shall assue funds for production of “*Slovenian film*” – see definition of a “Slovenian film” under title *Coproduction Agreements* – A.4 hereto. The Slovenian Film Fund may use its fund for financing of production or co-production if a film fulfils at least one of the following conditions, i.e.:

- film is shot in Slovenia;
- the ratio of Slovenian co-authors assures quality promotion of Slovenian cinematography;
- film presents substantial contribution to development of Slovenian cinematography.

It is considered that a film contributes to development of Slovenian cinematography, if under the opinion of the director of the Slovenian Film Fund the suggested script or selection of co-authors promises:

- an aesthetic-artistic potential of the film,
- or usage of technical-services base or professional knowledge of Slovenian, or
- under grounded expectations the film may achieve 15.000 viewers in total in Slovenian cinemas.

Criteria for financing implying territorialization condition are provided also in the Rules on Standards and Criteria for the Selection of Co-Production Projects, i.e.:

When deciding upon financing of artistic co-production, the criteria (among others) of participation of Slovenian technical workers and usage of technical capacities in Slovenia is considered (Article 9). Shooting in Slovenian interior, or shooting in Slovenian exterior or inex, is marked with 2 points for each 3 shooting days (Article 13).

When deciding upon financing of financial co-production, the criteria (among others) of number of shooting days in Slovenia, engagement of Slovenian film workers and usage of technical capacities in Slovenia is considered (Article 15).

CULTURAL CLAUSES

B.12 Quote the legal provisions of your jurisdiction (in the national language and in an English working translation) expressing cultural policy goals (e.g. promotion of cultural identity and cultural diversity) that could legitimate the explicit or implicit territorialisation requirements mentioned under answers B.6, B.7 and B.11 and that are currently in force:

Slovene: Zakon o uresničevanju javnega interesa za kulturo
English: **Act on Enforcing Public Interest in the Field of Culture**
Publication: Official Gazette of the Republic of Slovenia, no. 96/2002
Entry into force: November 29, 2002

E-source: http://zakonodaja.gov.si/rpsi/r00/predpis_ZAKO3370.html

Article 8

Slovene:

“Javni interes za kulturo temelji na zagotavljanju javnih kulturnih dobrin, s katerimi se uresničuje kulturni razvoj Slovenije in slovenskega naroda, za katerega skrbijo Republika Slovenija (v nadaljnjem besedilu: država) in lokalne skupnosti.

Javni interes za kulturo se uresničuje predvsem z zagotavljanjem pogojev za:

- **kulturno ustvarjalnost,**
- dostopnost kulturnih dobrin,
- kulturno raznolikost,
- **slovensko kulturno identiteto,**
- skupen slovenski kulturni prostor.”

English working translation:

“The public interest for culture is founded on assurance of public cultural goods by which the cultural development of Slovenia and Slovenian nation is exercised, for which the Republic of Slovenia (hereinafter: the State) and the local communities take care.

The public interest for culture shall be exercised mainly by assurance of conditions for:

- **cultural creativeness,**
- accessibility of cultural goods,
- cultural variety,
- Slovenian cultural identity
- **Common Slovenian cultural area.”**

Slovene: Resolucija o nacionalnem programu za kulturo 2004-2007
English: Resolution on the 2004-2007 National Programme for Culture
Publication: Official Gazette of the Republic of Slovenia, no. 28/2004
Entry into force: March 25, 2004
E-source: http://zakonodaja.gov.si/rpsi/r01/predpis_RESO31.html

Title VII (important segments)

Slovene: Mediji in avdiovizualna kultura

English: Media and Audivisual Culture

Slovene:

“Splošni cilji:

- I. Kakovostno in količinsko povečati **slovensko avdiovizualno produkcijo** ter sodelovanje v mednarodnih koprodukcijah, okrepiti njeno promocijo, distribucijo in prikazovanje doma in v tujini ter zagotoviti njeno zaščito; do leta 2007 se bo **delež slovenskih avdiovizualnih del v medijih povečal za 20%**. Produkcija slovenskih kinematografskih del (kratki, animirani, dokumentarni in celovečerni filmi), posnetih po produkcijskih in finančnih standardih nacionalnega programa pa se bo do leta 2007 povečala za 30%.”

English:

“General goals:

- I. To increase the **Slovenian audiovisual production** in quality and quantity, to increase cooperation in international co-productions, to strengthen its promotion, distribution and showing at home and abroad and to assure its protection; until year 2007 the **ratio of Slovenian audiovisual works** in media shall increase for 20%. Production of Slovenian cinematographic works (short, animated, documentaries and full-length films) shot under production and financial standards of national program shall until 2007 increase for 30%. ”

SELECTIVE SCHEMES

- B.13 If this scheme distributes aid selectively,⁸ please list the qualitative criteria that were applied as of 31 December 2005 and, only in case of significant changes, before this date during the period from 2001 to 2005:

The criteria for distribution of funds are provided by the Rules on Standards and Criteria for the Selection of Projects and Programs of the Slovenian Film Fund, and by the Rules on Standards and Criteria for the Selection of Co-Production Projects.

Rules on Standards and Criteria for the Selection of Projects and Programs of the Slovenian Film Fund provide the following criteria, i.e.:

- *criteria for selection from program complex “project development”*:
team universality, contents originality, author potential, potential performances relating to cooperation of co-authors and authors of articles, short-term and long-term goals on the basis of business and program plan of Slovenian Film Fund for current budget year, with the purpose to assure program variety and facilitation of film creativity development
 - o criteria for market potential of the project:
production performance potential, market potential relating to demonstrated market interest and credibility of distributor and sales agents (letter of intent,

⁸ Selective funding schemes grant State aid based on an evaluation of each project and following qualitative criteria. In contrast, automatic schemes grant State aid if certain quantitative criteria such as box office results of previous works are met.

purchase pre-agreement, etc.), credibility of producer relating to prior cooperation with Slovenian Film Fund, realized production for cinema distribution, viewers scope and prizes

- *criteria for selection of program complex “realization of projects”*:
universality and communicativity of narration, director’s introduction of style, structure and visual elements of film with description of main characters, performance potential relating to cooperation of co-authors and authors of articles, idea and estetic upgrade, short-term and long-term business goals on the basis of business and program plan of Slovenian Film Fund for current budget year with the purpose to assure program variety and facilitation of film creativity development
 - o *criteria for market potential of the project*
production performance potential, structure of financial construction of the project with proforma invoice of the project according to sources of financing and adequacy of proforma invoice relating to foreseen elements of the project, market potential relating to evidenced market interest of the distributor and sales agents (letter of intent, purchase pre-agreements), participation of televisions relating to concluded purchase pre-agreements, credibility of producer relating to prior cooperation with Slovenian Film Fund, realized production for cinema distribution, viewers scope and prizes, financial proposal for the project relating to envisaged amount of funds available/tendered, financial elements of the project and relating to adopted business plan of the Slovenian Film Fund for current budget year
- **criteria for selection from program complex “distribution and showing”**:
artistic or cultural value of the project, promotion and term plan of distribution, financial plan of promotion and distribution relating to given contents and promotional elements of the project, prior successfulness of the distributor when distributing Slovenian films with consideration of number of Slovenian films distributed and achieved number of viewers, successfulness of media reactions and prizes of professional public for films distributed by individual distributor who competes for subvention

Rules on Standards and Criteria for the Selection of Co-Production Projects provide the following criteria, i.e.:

- *criteria for selection of “artistic co-production”*:
value of contents, engagement of Slovenian authors, co-authors and authors’ articles, professional and financial credibility of main producer and Slovenian co-producer, participation of Slovenian technical workers and technical capacities in Slovenia, promotion potentials
- *criteria for selection of “financial co-production”*:
value of contents, professional and financial credibility of main producer and Slovenian co-producer, number of shooting days in Slovenia, engagement of Slovenian film workers, usage of technical capacities in Slovenia, post-production, promotion potential of the film.

CONTACT DETAILS

B.14 Name, function and contact information (postal address, phone and email) of the liaison person at the funding scheme:

Slovenian Film Fund - Filmski sklad RS- javni sklad

Irena Ostrouška, the director
Miklošičeva 38
1000 Ljubljana

Phone:00 386 1 23 43 200

Fax:00 386 1 23 43 218

Web page: info@film-sklad.si

Name of the lawyer and law firm in charge of the data collection:

Attorneys' Office: **Attorneys' Office Prebil Katarina, M.Sc., LL.B.**

Attorney at Law: Katarina Prebil, M.Sc., LL.B.

Date of the data collection and processing: October 06, 2006

PART B

FUND SPECIFIC QUESTIONS

Please only cover funding schemes, including tax incentive schemes, that were operated at the national, regional (excluding EU schemes, e.g. the Media programme)⁹ or local level in your country during the reference period from 1 January 2001 to 31 December 2005, and that disposed of an annual budget of State aid dedicated to pre-production, production, post-production, marketing, distribution and promotion of independent cinematographic and audiovisual works of at least € 1 million per year.¹⁰

Please use for each funding scheme a separate form.

IDENTIFICATION OF THE FUNDING SCHEME

B.1 Country/region: Slovenia

B.2 Name of the funding scheme:

⁹ Regional schemes mean both, schemes operated within your country and schemes to which your country is a party among other countries, e.g. the Nordic Film- and TV Fund (see http://korda.obs.coe.int/web/display_fonds.php?fonds_id=28).

¹⁰ “Independent” means that the cinematographic and audiovisual works are produced and distributed by entities that are legally independent from broadcasters.

Slovene: Sofinanciranje avdiovizualnih medijskih projektov
English: **Co-financing of Audiovisual Media Projects**

B.3 Name and address of the funding scheme's administration and supervisory authority:

Slovene: Ministrstvo za kulturo Republike Slovenije
English: **Ministry for Culture of the Republic of Slovenia**
Address: Maistrova 10, SI-1000 Ljubljana

B.4 List the titles of the laws and regulations that govern this funding scheme as of 31 December 2005 (in the original language and in an English working translation), and indicate

- the dates when these laws and regulations entered into force,

- whether these laws and regulations were amended during the period from 2001 to 2005 (if so and if the amendments were significant, indicate their dates of entry in force),

and provide a copy of these laws and regulations in the version as of 31 December 2005 (in the national language only).

Slovenian: Zakon o medijih

English: **Public Media Law**

Publication: Official Gazette of the Republic of Slovenia, no. [35/2001](#), [54/2002](#) Skl.US: U-I-177/02-5, [62/2003](#), [73/2003](#) Odl.US: U-I-177/02-15, [113/2003](#) Odl.US: U-I-181/01-12, [16/2004](#) Odl.US: U-I-106/01-27, [123/2004](#) Odl.US: U-I-207/01-20, [96/2005](#)-ZRTVS-1, [60/2006](#), [69/2006](#)-ZOIPub)

Entry into force: May 26, 2001

E-source: http://zakonodaja.gov.si/rpsi/r08/predpis_ZAKO1608.html

NOTE: Amendment of 2006 (published in Official Gazette of the Republic of Slovenia, no. 60/2006) entered into force on June 24, 2006.

Slovene: Uredba o merilih oziroma pogojih za določitev slovenskih avdiovizualnih del

English: **Decree on Criteria and Conditions of Determining Slovenian Audio-Visual Works**

Publication: Official Gazette of the Republic of Slovenia, no. 105/2001

Entry into force: December 21, 2001

E-source: http://zakonodaja.gov.si/rpsi/r07/predpis_URED2027.html

* * *

Slovene: Pravilnik o merilih za opredelitev vsebin lastne produkcije

English: **Rules on criteria for determination of the contents of own production**

Publication: Official Gazette of the Republic of Slovenia, no. 77/2002

Entry into force: August 31, 2002

E-source: http://zakonodaja.gov.si/rpsi/r03/predpis_PRAV4323.html

Slovene: Pravilnik o programih posebnega pomena

English: **Rules on programmes of special importance**

Publication: Official Gazette of the Republic of Slovenia, no. 85/2002

Entry into force: October 05, 2002

E-source: http://zakonodaja.gov.si/rpsi/r07/predpis_PRAV4357.html

Slovene: Zakon o uresničevanju javnega interesa za kulturo /ZUJIK/

English: **Act on Enforcing Public Interest in the Field of Culture**

Publication: Official Gazette of the Republic of Slovenia, no. 96/2002

Entry into force: November 29, 2002

E-source: http://zakonodaja.gov.si/rpsi/r00/predpis_ZAKO3370.html

Slovene: Pravilnik o izvajanju javnih razpisov za odkup avdiovizualnih del neodvisnih producentov

English: **Rules on open invitations to tender for the acquisition of audio-visual works of independent producers**

Publication: Official Gazette of the Republic of Slovenia, no. 40/2003

Entry into force: May 01, 2003

E-source: http://zakonodaja.gov.si/rpsi/r00/predpis_PRAV4850.html

Slovene: Uredba o izvedbi rednega letnega javnega razpisa za sofinanciranje projektov iz proračunske postavke za avdiovizualne medije

English: **Decree on carrying out regular annual tenders for co-financing projects from the budgetary fund for audio-visual media**

Publication: Official Gazette of the Republic of Slovenia, no. 52/2003, 35/2004, 34/2006

Entry into force: June 04, 2003

E-mail: http://zakonodaja.gov.si/rpsi/r01/predpis_URED2921.html

TERRITORIAL CONDITIONS¹¹

Explicit territorial conditions

- B.5 Does the scheme impose any explicit obligation on independent film and audiovisual project proposals that they must spend a minimum proportion of the production budget in the Member State/Region to qualify for State aid or to receive the maximum amount of State aid available (*consider the situation as of 31 December 2005 and, only in case of significant changes, the situation before this date during the period from 2001 to 2005*)?

No.

If yes,

- B.6 Quote (in the national language and in an English working translation) the provisions requiring territorialisation that are contained in the rules (legislation and internal regulations) listed under Answer B.4 (*provide quotes of the current version of the rules as of 31 December 2005 and, only in case of significant changes, of former versions of territorialisation clauses that were in force before this date during the period from 2001 to 2005*):

Not applicable.

- B.7 Describe how these territorialisation requirements are implemented, including the minimum proportion required and the maximum (*provide a description with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*).

Not applicable.

- B.8 Describe how territorialisation requirements that apply to this scheme are interpreted and implemented in the context of the co-production agreements listed under answer A.3 (*provide a description with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*):

Upon examination of internet and other publicly available data/information and sources, we could not establish how the territorialization requirements are interpreted and implemented in the context of the Slovenian co-production agreements listed under A.3 hereto.

¹¹ Any requirement/incentive that some of the development, production or post-production activities must take place in the country or region offering the State aid, either for the audiovisual work to be eligible for State aid or affecting the amount of State aid available to the audiovisual work.

- B.9 Quote and summarize judicial and administrative practice (case law and guidelines) and legal commentaries addressing the implementation of territorialisation requirements that you quoted and described under answers B.6 to B.8 (*provide a quote and summary with respect to the current version of the territorialisation requirements as of 31 December 2005 and, only in case of significant changes, with respect to former versions of territorialisation requirements that were in force before this date during the period from 2001 to 2005*):

Upon examination of internet and other publicly available data/information and sources, we could not find references to any practice and/or legal commentaries addressing the implementation of territorialization requirements.

Implicit or *de facto* territorial conditions

- B.10 Does the scheme provide any scope for territorial conditions to be applied implicitly or *de facto*? - For example, do the selection criteria imply that proposals are more likely to be selected for funding if they would create employment in the region/Member State, use local professionals, or generally promote interest in the region/Member State (*please cover the situation prevailing as of 31 December 2005 and, only in case of significant changes, the situation that prevailed before this date during the period from 2001 to 2005*)?

No.

If yes,

- B.11 Please describe the implicit or *de facto* territorialisation requirements that are practised by this funding scheme (*as of 31 December 2005 and, only in case of significant changes, before this date during the period from 2001 to 2005*):

Not applicable.

- B.12 Quote the legal provisions of your jurisdiction (in the national language and in an English working translation) expressing cultural policy goals (e.g. promotion of cultural identity and cultural diversity) that could legitimate the explicit or implicit territorialisation requirements mentioned under answers B.6, B.7 and B.11 and that are currently in force:

Slovene: Zakon o uresničevanju javnega interesa za kulturo
English: **Act on Enforcing Public Interest in the Field of Culture**
Publication: Official Gazette of the Republic of Slovenia, no. 96/2002
Entry into force: November 29, 2002
E-source: http://zakonodaja.gov.si/rpsi/r00/predpis_ZAKO3370.html

Article 8

Slovene:

“Javni interes za kulturo temelji na zagotavljanju javnih kulturnih dobrin, s katerimi se uresničuje kulturni razvoj Slovenije in slovenskega naroda, za katerega skrbijo Republika Slovenija (v nadaljnjem besedilu: država) in lokalne skupnosti.

Javni interes za kulturo se uresničuje predvsem z zagotavljanjem pogojev za:

- **kulturno ustvarjalnost,**
- dostopnost kulturnih dobrin,
- kulturno raznolikost,
- **slovensko kulturno identiteto,**
- skupen slovenski kulturni prostor.”

English working translation:

“The public interest for culture is founded on assurance of public cultural goods by which the cultural development of Slovenia and Slovenian nation is exercised, for which the Republic of Slovenia (hereinafter: the State) and the local communities take care.

The public interest for culture shall be exercised mainly by assurance of conditions for:

- **cultural creativeness,**
- accessibility of cultural goods,
- cultural variety,
- Slovenian cultural identity
- **Common Slovenian cultural area.”**

Slovene: Resolucija o nacionalnem programu za kulturo 2004-2007
English: Resolution on the 2004-2007 National Programme for Culture
Publication: Official Gazette of the Republic of Slovenia, no. 28/2004
Entry into force: March 25, 2004
E-source: http://zakonodaja.gov.si/rpsi/r01/predpis_RESO31.html

Title VII (important segments)

Slovene:

“Splošni cilji:

I. Kakovostno in količinsko povečati slovensko avdiovizualno produkcijo ter sodelovanje v mednarodnih koprodukcijah, okrepiti njeno promocijo, distribucijo in prikazovanje doma in v tujini ter zagotoviti njeno zaščito; do leta 2007 se bo delež slovenskih avdiovizualnih del v medijih povečal za 20%. Produkcija slovenskih kinematografskih del (kratki, animirani, dokumentarni in celovečerni filmi), posnetih po produkcijskih in finančnih standardih nacionalnega programa pa se bo do leta 2007 povečala za 30%.”

“Ukrepi:

- na podlagi uvedbe zakona o pospeševanju avdiovizualne kulture preoblikovati sedanji Filmski sklad Republike Slovenije v Sklad za avdiovizualno kulturo in pridobiti dodatna izvenproračunska sredstva za spodbujanje produkcije, promocije, distribucije, prikazovanja in mednarodne koprodukcije avdiovizualnih del
- dvig ravni slovenske avdiovizualne kulture s stimuliranjem distribucije nekomercialnih filmov in vzpostavitev mreže art kinematografov (na podlagi Zakona o zagotavljanju sredstev za nekatere nujne programe Republike Slovenije v kulturi)
- evalvacija učinkov sprejete zakonodaje na pluralnost medijev in raznolikost na področju avdiovizualne culture
- prednostna podpora projektom na področju "avdiovizualnega izobraževanja" in "medijske vzgoje".”

“Kazalci:

- **večja produkcija slovenskih avdiovizualnih del in njihov povečan delež v medijih**
- število mednarodnih produkcij in koprodukcij
- za 20% povečan delež umetniških filmov v kinematografih do leta 2007
- povečano število kinematografov in raven njihove tehnične opremljenosti
- število in obseg projektov na področju "avdiovizualnega izobraževanja" in "medijske vzgoje".”

“1. Cilj: Usposobiti tehnično in organizacijsko bazo za snemanje slovenskih avdiovizualnih del in zagotoviti gospodarnost poslovanja.”

“4. Cilj: Spodbujanje in ohranjanje medijskega pluralizma, izboljšanje dostopnosti in pogojev za izobraževanje in kulturno vzgojo na avdiovizualnem področju in na področju medijev.

Ukrepi:

- izvajanje določila 4. in 76. člena Zakona o medijih
- spodbujanje razvoja art mreže in filmskih programov (Kulturni tolar)
- preko mreže intermedijskih centrov spodbujati dostopnost avdiovizualnih del
- uvedba delovnih štipendij za strokovno izpopolnjevanje svobodnih novinarjev
- z medresorskim dogovorom in ob podpori mednarodnih skladov (Media Plus) doseči boljši gmotni in strokovni položaj na področju izobraževanja kadrov, avdiovizualne in

medijske vzgoje zlasti v šolah.

Izvajanje 4. in 76. člena Zakona o medijih terja zagotovitev proračunskih sredstev za ustvarjanje raznolikih programskih vsebin in razvoj tehnične infrastrukture.....

Pričakovani učinki:

Ohranjanje in spodbujanje medijskega pluralizma, **večanje dostopnosti nekomercialne filmske produkcije, dvig ravni izobraževanja na avdiovizualnem in medijskem področju, zapolnitev vrzeli pri posameznih profilih kadrov** in povečanje števila osnovnih in srednjih šol, na katerih načrtno skrbijo za avdiovizualno in medijsko vzgojo.

Kazalci:

- število medijev, vpisanih v razvid
- ocena raznolikosti medijske krajine
- število obiskovalcev art mreže
- enakomerna regionalna razporedenost art mreže
- število izšolanih strokovnih kadrov
- povečan obseg porabljenih sredstev na študenta na AGRFT
- povečanje števila izobraževalnih programov s področja avdiovizualne kulture in medijev na vseh stopnjah izobraževanja
- število podeljenih stipendij za svobodne novinarje
- letno število ur predvajanja kulturnih in izobraževalnih programov
- letno število ur predvajanja lastnega programa
- **letno število ur predvajanja slovenskih in evropskih avdiovizualnih del**
- letno število ur predvajanja del neodvisnih producentov.”

English working translation:

“General goals:

To increase the **Slovenian audiovisual production** in quality and quantity, to increase cooperation in international co-productions, to strengthen its promotion, distribution and showing at home and abroad and to assure its protection; until year 2007 the **ratio of Slovenian audiovisual works** in media shall increase for 20%. Production of Slovenian cinematographic works (short, animated, documentaries and full-length films) shot under production and financial standards of national program shall until 2007 increase for 30%.”

“Measures:

- on the basis of introduction of the law on facilitation of audiovisual culture to reorganize current Slovenian Film Fund to the Fund for Audiovisual Culture and to acquire additional out-of-budget funds for facilitation of production, promotion, distribution, showing and international co-production of audiovisual works
- to increase the level of Slovenian audiovisual culture through stimulation of distribution of non-commercial films and establishment of cinema network (on the bases of the Law on assurance of Funds for some Essential Programs of the Republic of Slovenia in Culture)
- evaluation of effects of adopted legislation to plurality of media and varieties in the area of audiovisual culture
- preferential support of projects in the fields of “audiovisual education” and “cultural upbringing”

“Indexes:

- higher productivity of Slovenian audiovisual works and their increased share in media

- number of international productions and co-productions
- until 2007 for 20% increased share of artistic films in cinemas
- increased number of cinemas and the level of their technical equipment
- number and scope of projects in the field of “audiovisual education” and “media upbringing”

“1. goal: To qualify technical and organization base for shooting Slovenian audiovisual works and to assure economy of business making.”

“4. goal: Facilitation and maintenance of media plurality, improvement of accessibility and of conditions for education and cultural up-bringing in the audiovisual field and in the field of media.”

“Expected results:
Maintenance and facilitation of media plurality, increase of accessibility of non-commercial film production, increasing of education level at audiovisual and media field, filling of gaps at some human resources profiles and increase of numbers of primary and secondary schools that systematically take care for audiovisual and media education.

Indexes:

- number of media inscribed to evidence/record
- evaluation of variety of media region
- number of visitors of art network
- equal regional spreading of art network
- number of educated professionals
- increased scope of funds used per AGRFT student (AGRFT – Academy for Theatre, Radio, Film and Television)
- increasing number of education programs at the field of audiovisual culture and media at all levels of education
- number of tuitions granted to independent journalists
- annual number of classes at cultural and educational programs
- number of hours of showing own programs
- **annual number of showing Slovenian and European audiovisual works**
- annual number of showing works of independent producers.”

SELECTIVE SCHEMES

B.13 If this scheme distributes aid selectively,¹² please list the qualitative criteria that were applied as of 31 December 2005 and, only in case of significant changes, before this date during the period from 2001 to 2005:

The basic criteria for selecting the schemes to be financed are defined with the Decree on Carrying Out Regular Annual Tenders for Co-Financing Projects from the Budgetary Fund for Audio-Visual Media (Article 9), i.e.:

- the meaning/importance of project to the development of creation of Slovenian audiovisual works and for enforcement of Slovenian audiovisual production at home and abroad,
- the meaning/importance of project to the development of Slovenian culture and Slovenian language,
- quality, professionalism of performance, variety, originality, communicativity and current/new author approach,
- echo to project realized so far.

The Minister for Culture may define more precise criteria for co-financing. Such criteria must be defined within the scope of basic criteria and must be published in the tender documentation.

According to Paragraph 2 of Article 10 of the Decree on Carrying Out Regular Annual Invitation to Submit Proposals for Co-Financing Production of Media Programme Contents, when deciding upon bidders in the tender for financing funds for projects of programs for radio and television programs, the following criteria should be considered, i.e.:

- assurance of regular and objective and balanced presentation of political activities and standpoints of organizations and individuals, specially of political position and opposition;
- quality, originality, communicativeness and actuality of author approach;
- meaning of project to development of Slovenian culture and language;
- meaning of performance of suggested programs for heterogeneous development of Slovenia media landscape;
- meaning for preservation of Slovenian national and cultural identity;
- meaning for enforcement of right to public information and objective information;
- assurance of higher employment or conclusion of contracts with journalists or respective media personnel creating programs.

Co-financing of local, regional, student, non-profitable programs shall be assessed by consideration of above stated criteria, and of criteria:

- assurance of right to enforce the right to public information and information of local and minorities communities in their languages;
- assurance of consideration of principle of cultural variety, principle of equal opportunities of genders and of tolerance.

¹² Selective funding schemes grant State aid based on an evaluation of each project and following qualitative criteria. In contrast, automatic schemes grant State aid if certain quantitative criteria such as box office results of previous works are met.

The bids filed are evaluated by special commission of five media experts nominated by the Minister for Culture.

Slovene: Uredba o izvedbi rednega letnega javnega razpisa za sofinanciranje projektov iz proračunske postavke za avdiovizualne medije
English: **Decree on carrying out regular annual tenders for co-financing projects from the budgetary fund for audio-visual media**
Publication: Official Gazette of the Republic of Slovenia, no. [52/2003](#), [35/2004](#), [34/2006](#)
Entry into force: June 04, 2003
E-source: http://zakonodaja.gov.si/rpsi/r01/predpis_URED2921.html

Slovene: Uredba o izvedbi rednega letnega javnega razpisa za sofinanciranje ustvarjanja programskih vsebin medijev
English: Decree on carrying out regular annual invitation to submit proposals for co-financing production of media programme contents
Publication: Official Gazette of the Republic of Slovenia, no. [78/2006](#)
Entry into force: July 26, 2006
E-source: http://zakonodaja.gov.si/rpsi/r09/predpis_URED4029.html

CONTACT DETAILS

B.14 Name, function and contact information (postal address, phone and email) of the liaison person at the funding scheme:

Ministry for Culture - Ministrstvo za kulturo
Maistrova 10
1000 Ljubljana
Slovenia

Directorate for Media - Direktorat za medije
Mr. Igor Prodnik, director
Phone: 00 386 1 369 58 51
E-Mail: igor.prodnik@gov.si

Name of the lawyer and law firm in charge of the data collection:

Attorneys' Office: **Attorneys' Office Prebil Katarina, M.Sc., LL.B.**

Attorney at Law: Katarina Prebil, M.Sc., LL.B.

Date of the data collection and processing: October 06, 2006