

Programa Uruguay Audiovisual

Realización de producción
publicitaria audiovisual
internacional en Uruguay

Bases de Publicidad

en inglés

2020-2021

Uruguay Audiovisual Program

Specific rules for

International audiovisual advertising production in Uruguay

Bases of Call for Proposals 2021

1- What types of projects are we looking to support?

The PUA - international audiovisual advertising production seeks to support foreign audiovisual advertising productions produced totally or partially in Uruguay.

The project submitted will consist of pre-production, production and/or post-production activities to be carried out in the national territory. The project must have at least USD 300,000 (three hundred thousand US dollars) of expenses executed in Uruguay and correspond to the same advertiser.

2- Who can apply to this call?

Uruguayan legal entities formally constituted and permanently domiciled in Uruguay, with at least 12 months of activity¹, that provide production and/or logistical support services duly accredited, and that have an agreement with a foreign company for the production of an audiovisual advertising piece to be developed totally or partially in Uruguayan territory, may apply. The applicant company will be the Executing Entity of the project, and will be the entity responsible to ANDE for the development of the project and the accreditation of expenses. The applicant company must be registered in the ICAU Registry.

The beneficiaries of the support granted under the program will be foreign legal entities responsible for the production of the audiovisual work that have a production services contract with the national applicant company. At the time of application, the foreign company must submit a certificate of validity, existence and representation of its legal

¹ In cases of conversion or transformation to SAS, the seniority of the converted or transformed company may be considered.

status, as well as proof of being up to date with the tax obligations in force in its country of origin².

Only in the absence of a certificate of good standing, existence and representation in the country of origin, a notarized original apostilled declaration will be accepted, specifying the identification of the legal representative at the date of incorporation, type of company, headquarters, name and the company's good standing.

3- What support will PUA provide?

The project applied for, shall be composed solely of pre-production, production and/or post-production activities to be carried out within the territory of Uruguay, provided by individuals residing in Uruguay and/or legal entities established in Uruguay, in accordance with the eligibility criteria explained in section 6.a.

The total amount of the project shall consist of all expenses associated with the above-mentioned activities and must be at least USD 300,000 (three hundred thousand US dollars). The total amount of the project must be the sum of the nominal amounts, excluding taxes.

ANDE will reimburse up to 20% of the total amount of the project with a maximum support ceiling of USD 100,000 (one hundred thousand US dollars) per project.

a. What expenses can be recognized?

All expenses associated with pre-production, production and post-production activities carried out in Uruguay, provided by individuals resident in Uruguay and/or legal entities established in Uruguay, qualified as eligible by the Technical Committee, may be recognized:

- Specialized activities related to audiovisual production, including artistic and technical services.
- Filming fees: photography and camera crew, art crew, sound crew, field production and location production.
- Post-production, animation and VFX technical personnel fees.

²The aforementioned documents must be submitted with an official translation into Spanish language and apostilled.

- Fees for direction, executive production, scriptwriter and cast corresponding to individuals residing in the country³.
- Operating expenses for filming in the national territory: transportation and mobilization, food, field production, locations.
- Artistic and technical production expenses: rental of equipment and technical production materials, purchase of materials for exclusive and essential use in production and/or post-production, and that their use is exhausted during the execution of the project.
- Expenses incurred in makeup, costumes, scenery, staging.
- Expenses for the acquisition of copyrights and related rights of Uruguayan authors.
- Other production expenses to be incurred in the national territory and considered eligible by the Technical Committee.

b. What expenses cannot be recognized?

Expenses associated with activities that are not directly related to the production of the audiovisual project cannot be recognized, and the following are explicitly excluded:

- Development activities.
- Distribution and marketing activities.
- Financial and insurance costs external to production.
- Tickets, travel expenses and per diem.
- Operating expenses, infrastructure, office, equipment, own transportation, permanent personnel of the companies or any other input or contracting made prior to the execution of the project.
- Purchase of real estate or vehicles, civil and construction works whose use is not limited to the execution of the project; financial investments, such as time deposits, mutual funds, purchase of shares, payment of debts of any of the project participants.

4- What is the Program execution process?

I. APPLICATION

³ If the applicant production company is a sole proprietorship, it may not submit any expenses invoiced by it.

Project applications must be submitted through ANDE's website (www.ande.org.uy) > Calls for proposals > Uruguay Audiovisual Program - international audiovisual advertising production, by completing the application form⁴.

The call for applications will be open since February 1, 2021 and will remain open as long as there are funds available from those allocated for the Advertising Line.

The application must contain:

- Description and background of the companies participating in the project and proposed team.
- Detail of the project: technical data sheet, brief, description of activities.
- Detailed budget.
- Schedule - Work plan.
- Accreditation of the agreement between the applicant company and the foreign company, at least with an invoice for the production service⁵.
- Up-to-date DGI and BPS certificates.
- ICAU registration.

Only expenses incurred after the start date indicated in the submitted project will be considered eligible expenses. In the event that the start date of the project submitted is prior to the date of notification of approval, expenses incurred up to 15 days⁶ prior to the date of notification of approval of the project may be considered eligible, up to a maximum of 10% of the total amount of the project.

In exceptional cases, and duly justified, applications for increases on approved projects that have already begun their activities may be considered, to the extent that the project applied for only implies an increase in the number of shooting days or new post-production activities. The request must be made no less than 10 days prior to the start of shooting.

II. EVALUATION

The evaluation process will be divided into two steps:

⁴ The application form and documents submitted in the application must be written in Spanish language.

⁵ If the project is selected, the contract signed between both companies, duly translated and legalized, must be presented at the time of signing the agreement with ANDE.

⁶ If the evaluation process takes less than 15 days, only expenses incurred from the date of application will be considered eligible.

Stage 1: Eligibility

Deadline: 7 working days

ANDE's technical team will verify compliance with the conditions and information required for the application. If it is deemed necessary to expand and/or clarify any aspect of the information submitted, ANDE will communicate with the applicants granting a period of 5 working days⁷ for the submission of the requested information. Once the aforementioned communication has been made, the applicant company that does not submit the required information and/or does not make the pertinent clarifications will be automatically eliminated from the process. Projects that do not comply with the minimum requirements established for the call for proposals in these terms and conditions will not proceed to the next evaluation stage.

Stage 2: Resolution

Based on the report prepared by the technical team and once the existence of available funds has been confirmed, ANDE's Board of Directors will adopt a final decision on whether or not to grant support to the proposed project, which will be formally communicated to the applicant company in order to determine the start date of execution.

In no case will a company formally become a beneficiary of the Program without the signature of the agreement between the Executing Entity (the company applying for the project) and ANDE.

III. EXECUTION

If the project is approved, an agreement will be signed between the Executing Entity (the company applying for the project) and ANDE within 10 working days counted from the day following to the date of notification of approval. If the applicant has not completed the requirements for the signing of the agreement or if it expresses its will not to continue with the approved project, it will be understood that it has withdrawn its support.

⁷ These 5 working days to send the documentation are in addition to the time required for the evaluation.

In the event that the company applies again and withdraws the support for the second time, it will be penalized by not being allowed to apply to the fund for a period of 45 calendar days. If the same company withdraws from a third approved project, it will not be allowed to apply to the fund for a period of 6 months.

The applicant and/or beneficiary company will carry out the activities foreseen in the proposed and approved project. The activities must begin to be executed within a maximum period of 45 days from the date of notification of the project approval. Expenditures for the acquisition of goods and services necessary for the execution of the activities will be made by the Executing Agency and/or the beneficiary company.

At the close of the project, once all the activities foreseen have been carried out, the Executing Entity must submit a report on the closing and rendering of expenditures, which will be considered a sworn statement, within 60 days from the closing of the activities. The expenditure report must be accompanied by an external audit report - under a format provided by ANDE -, carried out by a local firm authorized by the Central Bank of Uruguay⁸.

ANDE will verify compliance with the established conditions and the eligibility of the expenditures rendered. Once compliance with the conditions agreed upon in the approved budget has been verified, the reimbursement of the committed support will be made, according to the amounts and percentages established in the contract signed between the Executing Entity and ANDE.

In no case will reimbursements be made for projects that have not reached the minimum required expenditure of at least USD 300,000 (three hundred thousand US dollars).

If the expenditure actually executed is lower than the approved budget by more than 10%, an adjustment will be made to the amount committed by ANDE equivalent to the percentage deviation between the budget agreed in the agreement and the amount actually rendered. In those cases in which the actual expenditure presented in the financial statements is higher than the budget agreed in the agreement, only the amount committed in the agreement will be reimbursed.

The reimbursement of the committed support will be made by ANDE to the beneficiary foreign company, to a bank account that it formally designates, which may not be located in a country that appears on the OECD list of tax havens. In the event that the designated

⁸ No expenses will be recognized after the completion of the activities. Invoices related to the audit report shall be considered as an exception.

bank account is held by a legal entity other than the beneficiary foreign company, such circumstance must be evidenced in the agreement between the applicant company and the foreign company, according to the application requirements.

The reimbursement will be made in two parts. The first will correspond to 90% of the amount to be reimbursed, and will be made once the final expenditure report has been approved. The second will correspond to the remaining 10% of the amount to be reimbursed, and will be made 3 months after the approval of the final expenditure report of the project, provided that the participating companies have not incurred in contractual breaches with national individuals and companies. The banking costs associated with this reimbursement will be charged to the beneficiary company.

Once the reimbursement has been made in the two corresponding parts, will the contract be considered fulfilled.

ANDE reserves the right to request additional information whenever it deems necessary. To this effect, the Executing Agency shall allow ANDE or its designee access to all the information that ANDE deems necessary for the monitoring and evaluation of the project.

In case of total or partial noncompliance with the established conditions, falsification of information or failures in the procedures agreed upon in the agreement by the Executing Agency and/or by the foreign company, ANDE will proceed to suspend (temporarily or definitively) the execution of the project and the corresponding administrative and legal measures will be adopted according to the corresponding national regulations.

5- About the amount of the Call for Proposals

For the implementation of this PUA Publicity Line, a total amount of up to USD 1,000,000 (one million US dollars) will be allocated. ANDE and/or the Inter-institutional Committee reserve the right not to allocate the full amount foreseen herein, either due to the unavailability of funds and/or for any other reason that the Committee deems justified.

6- General and special rules

These specific Bases constitute the special conditions that will govern the "Advertising Line" of the PUA, in all matters not provided for in the General Rules of the Uruguay Audiovisual 2021 Program attached hereto.