

Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Location Offset—Minimum Training Expenditure Requirement and Training Program

July 2024

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Table of contents

1.	Introduction	4
2.	Minimum Training Expenditure	4
3.	Long-Term Training Programs	5
3.1.	How to apply for a Provisional Certificate – Training Program?	5
3.2.	What does a long-term training program look like?	5
3.3.	Participants in a long-term training program	5
4.	Alleviating capacity constraints in the Australian screen industry	6
4.1.	Mentoring, industry partnerships and work experience placements facilitated by the training	
	program	6
	Mentoring	6
	Work experience placements	7
	Industry partnerships	7
4.2. 4.3.	Skills shortages in the Australian screen industry that are addressed by the training program Activities connected with the training program that contribute to improving health and	7
	safety, diversity and inclusion in the Australian screen industry.	7
	Health and Safety:	7
	Diversity and inclusion:	7
5.	Reporting on the training activities	8
Freq	Frequently asked questions	
One	or more of my production's participants have pulled out of the training program. Will I still	
	meet the training program pathway?	9
Can training on a domestic production be used to meet the Training Program pathway?		9

1. Introduction

To qualify for the Location Offset, a production must:

- contribute to training opportunities or to the broader production and infrastructure capacity
 of the Australian screen sector; and
- use one or more Australian providers to deliver post, digital and visual effects for the production.

Every production accessing the increased Location Offset must meet or exceed a minimum expenditure requirement on eligible training activities unless they invest in:

- a long-term structured training program; or
- permanent film and television infrastructure in Australia.

The following guidelines outline in more detail how the minimum expenditure requirement applies to productions and how a production may be exempt from this expenditure requirement by investing in a long-term structured training program.

2. Minimum Training Expenditure

The minimum expenditure requirements on eligible training activities as follows:

For productions that commence principal photography or production of the animated image between 1 July 2023 and 30 June 2024 - no minimum expenditure is required however, productions should be able to demonstrate they have undertaken training activity on the production in Australia.

For productions that commence principal photography or production of the animated image between 1 July 2024 and 30 June 2025 - expenditure of 0.5 per cent of QAPE, capped at \$250,000.

Total QAPE x 0.005 = minimum training expenditure requirement, or cap amount

For productions that commence principal photography or production of the animated image on or after 1 July 2025 - expenditure of 1 per cent of QAPE, capped at \$500,000.

Total QAPE x 0.01 = minimum training expenditure requirement, or cap amount

For training expenditure to contribute towards meeting the threshold, it must be incurred by the applicant company and it must meet the definition of Qualifying Australian Production Expenditure.

The only exception to this are payments made to an eligible provider that applicants are making in the event they unexpectedly fall short of meeting the minimum training expenditure requirement. These payments must be:

- made to an eligible provider;
- not greater than 50 per cent of the production's total minimum training expenditure requirement;
- paid after principal photography has commenced in Australia but before the making of the film ceases in Australia or the production ceases incurring QAPE (whichever is earlier)

An eligible provider is defined as an entity that either:

- offers tertiary courses in screen production; or
- is an NVR registered training organisation (within the meaning of the National Vocational Education and Training Regulator ACT 2011) that offers VET accredited courses (within the meaning of that Act) in screen production.

3. Long-Term Training Programs

3.1. How to apply for a Provisional Certificate – Training Program?

If a production intends to meet the training requirement through a long-term structured training program, it is recommended you apply for *Provisional Certification – Training*. Applying for *Provisional Certification – Training* allows for assessment and consideration of the proposed training program by the Film Certification Advisory Board before it is established.

An application can be submitted by the company that developed and will run the training program and can identify what productions will be seeking to be associated with it. Alternatively, if there are multiple different companies associated with developing and delivering the training program, a production services coordinator may apply to *Provisional Certification – Training* on all their behalf.

A link to the provisional Training Program application form is available on the application portal of SmartyGrants at: <u>screenincentives.smartygrants.com.au</u>.

3.2. What does a long-term training program look like?

A long-term structured training program must provide training to one or more individuals working on a production that intends to apply for the Location Offset (known as the relevant film). An eligible training program must be able to demonstrate it has, or will, materially contribute to the making of at least two productions in Australia. A program can include several elements and deliver training through a range of methods, with the expectation being that the majority of training will be provided on-the-job during the production(s). We would also encourage you to consider whether a long-term training program should be managed by a training provider or coordinator.

With many studios returning to Australia for subsequent films or multi-series productions, opportunities to develop staff over two or more productions is becoming possible. When developing a training program, consider how an ongoing program of skills development across a number of productions could provide participants at the entry level or mid to senior career practitioners with better employment opportunities, and you with more highly skilled workers.

3.3. Participants in a long-term training program

A participant in a long-term training program can be an entry level and/or mid to senior level below-the-line crew or above-the-line talent. Participants can be sourced directly by the production(s) or through a range of organisations, including state and territory screen agencies, training institutions such as the Australian Film, Television and Radio School (AFTRS) and the National Institute of the Dramatic Arts (NIDA), and organisations such as Bus Stop Films.

A training program must provide training to one or more individuals. There are many variations to how a training program may be structured, and how many participants may be engaged. For example, a training program may train a relatively large number of entry-level attachments, across

a range of areas in the production, while another training program may provide intensive training to mid to senior level participants, such as director's attachments. Applicant's may choose to engage individuals under the training program, over a number of productions, to provide continuity of training, and to encourage greater skills development.

There is no specified time period in which a participant must work on a production, however, it is expected that participants will be engaged for a period of time that will allow for satisfactory on-the-job learning and skills development. Training and attachment opportunities over a longer period, or the duration of the production, are encouraged as they often lead to better training outcomes.

When considering the number of participants to be engaged on the production, consideration should be given to how the training program is materially contributing to alleviating capacity constraints in the Australian screen industry. It would generally be expected that, the higher the expenditure and the greater scale of the production in Australia, the more training would be provided.

All participants must be remunerated at the relevant recognised industry rate. This includes wages (at least award minimum rates), superannuation, overtime and other entitlements under the relevant award. It is expected that participants who undertake training on a Location Offset production will receive a credit.

4. Alleviating capacity constraints in the Australian screen industry

An applicant's training program must demonstrate that it is materially contributing to alleviating capacity constraints in the Australian screen industry. Factors that are considered when determining if your production has met this requirement include:

- mentoring, industry partnerships and work experience placements facilitated by the training program;
- skills shortages in the Australian screen industry that are addressed by the training program;
- activities connected with the training program contribute to improvements in health and safety, diversity and inclusion in the Australian screen industry;
- any matters specified in rules made as a legislative instrument by the Arts Minister (following consultation with the Treasurer), including those related to the above matters.

This section outlines some ways in which your long-term training program can meet this assessment criteria.

4.1. Mentoring, industry partnerships and work experience placements facilitated by the training program

A training program can achieve training outcomes through a range of methods.

Mentoring

Mentoring involves an appropriately qualified and experienced screen professional sharing their expertise with a mentee in order to help them to develop their skills, and progress in their career. Mentoring should be structured and linked to a personal mentee development plan relevant to the production.

Work experience placements

Work experience placements and attachment programs provide on-the-job experience, and career development opportunities, for early and mid-career practitioners on a film or television production.

Industry partnerships

Many production companies choose to work with our local training institutions to further enhance the skills of Australia's screen production talent. Working with an established training institution allows productions to implement a structured training program and/or source appropriate participants. Examples of federal and state training institutions that applicants include (but are not limited to):

- The Australian Film and Television Radio School (AFTRS);
- National Institute of Dramatic Arts (NIDA);
- TAFE in each state or territory.

4.2. Skills shortages in the Australian screen industry that are addressed by the training program

Australia's recent increase in screen production has led to constraints in several areas and particularly in key technical below-the-line roles. A training program should focus on trying to help alleviate these skills shortages and capacity constraints.

Areas where there is a shortage of skilled screen workers may change over time, and consideration should be given to what skills are facing shortages when you plan to run your training program. If you are unsure about what areas have skills shortages, we encourage you to contact Ausfilm, Screen Australia or the state or territory screen agency in the area in which you plan to film to discuss.

4.3. Activities connected with the training program that contribute to improving health and safety, diversity and inclusion in the Australian screen industry.

Health and Safety:

Productions should conduct health and safety training for cast and crew, to make sure that each employee is safe from injury and risks to health. All cast and crew should understand their obligations in complying with federal and state workplace health and safety legislation. Appropriate health and safety training will encourage a safe, respectful and inclusive workplace. Health and safety training on your production may cover a range of topics, including cultural, physical and mental health safety.

Diversity and inclusion:

Multiple barriers to entry can discourage further diversity and inclusion in the screen industry, such as expensive training, travel requirements, unconscious biases, and closed networks. Consider how your production could tackle such obstacles to provide more opportunities for inclusion.

Most productions recognise the need for diversity among participants. Productions looking to provide training opportunities for people with Indigenous backgrounds often work with established education institutions with First Nations expertise, such as Screen Australia, AFTRS and NIDA.

State screen agencies have also assisted productions wanting to provide opportunities to Indigenous Australians, with attachment programs strongly encouraging applications from Aboriginal and Torres Strait Islander practitioners, as well as practitioners identifying as female/non-binary, LGBTQIA+, living with a disability, regionally based and culturally and linguistically diverse.

Bus Stop Films is a not-for-profit organisation that uses filmmaking and the film industry to raise the profile of people living with disabilities and other marginalised groups, on both sides of the camera. Productions looking to work with people living with a disability may wish to contact Bus Stop Films for advice on attachments. The organisation also offers helpful resources, such as 'The Inclusive Filmmaking Toolkit', which is available online at <u>inclusivetoolkit.com</u>.

5. Reporting on the training activities

As part of final certification, applicants will be required to complete a report on the training activities undertaken on that particular production as part of the program and the outcomes. Applicants are strongly encouraged to document training activities and outcomes during the course of production, to make sure that reporting under the Location Offset is comprehensive.

Information that will be required as part of the Location Offset – Training Program report, which will form part of an applicant's Location Offset application, includes:

- details of the training program, such as
 - The name of the training program;
 - A summary of the training programs activities on the production;
 - Training coordinator details;
 - Number of specific training opportunities provided;
 - Roles for participants;
 - How long each participant was engaged on the production;
 - Diversity of participants;
 - Level of experience of each participant.
- how the training program contributed to alleviating skills shortages in the Australian screen sector;
- how the training program promoted or encouraged initiatives directed at promoting cultural, physical or mental health safety on your production; and
- how the training program contributed to improving health and safety, and diversity and inclusion in the Australian screen industry.

Frequently asked questions

One or more of my production's participants have pulled out of the training program. Will I still meet the training program pathway?

The Office for the Arts understands that circumstances may change, and in some instances, participants may not be able to complete a training program. However, it is expected that a long-term training program will offer a range of opportunities, so that if one or more participants do not complete the program, the applicant can still meet the requirements of the Training Program pathway.

Can training on a domestic production be used to meet the Training Program pathway?

An eligible training program must be able to demonstrate it has, or will, materially contribute to the making of at least two productions in Australia. One of those productions **must** be the film that is intends to access the Location Offset. However, applicants are encouraged to consider running a structured program to train individuals across a number of productions, including domestic productions. Skills development across a number of productions, including domestic productions, may provide better learning opportunities for participants, and better outcomes for your training program.