

# LIGHTS, CAMERA, COLOMBIA!

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Handbook of incentives for the  
audiovisual sector Law 1556 of 2012



CREA  
CINE  
COLOMBIA



El futuro  
es de todos

Ministerio  
de Cultura



Proimágenes  
Colombia

Comunidad  
Imágenes



PROCOLOMBIA

espacios turísticos patrimonios culturales

Jungle

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# PRODUCING IN COLOMBIA

Colombia has one of the most structured film promotion policies in the region. The Ministry of Culture has programs to strengthen the processes of film creation, production, research and preservation. Since the year 2003 and the implementation of Law 814, the country has Film Development Fund -FDC (managed by Proimágenes Colombia) and a tax shelter for Colombian donors and investors in national projects. Nowadays, around 50 feature films and 100 short films are produced per year in Colombia.

The Colombian Film Commission, a program from Proimágenes Colombia, has promoted the country as a destination

for audiovisual production over the last 12 years through specific financial incentives that have enhanced the skills of the workforce in the sector. Since the passage of Law 1556 in 2012, Colombia has become one of the leading destinations for audiovisual production in South America and was the shooting location for 34 productions that have benefited from incentives of the law and employed over 25,000 people.

The scope of the scheme was expanded in 2020; the benefits of Law 1556 will be extended until 2032, broadening the types of projects that can access them and establishing a new incentive for audiovisual production.



**1**  
**LAW**  
**1556**

Long Shot

**Law 1556 of 2012**, which forms part of the legislation to promote the film and audiovisual industry in Colombia, establishes two incentives that promote Colombia as a destination and setting for the production of:



**film works**



**TV series**



**music videos**



**video games**



**audiovisual production  
for advertising**

## Incentives

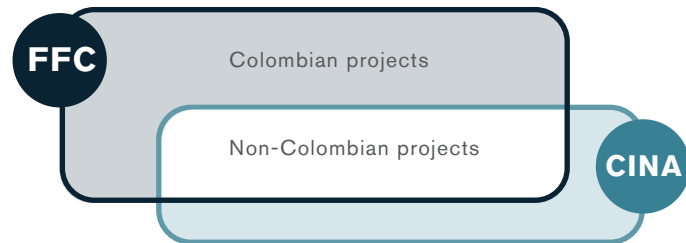


**Colombian Film Fund (FFC) rebate:** a cash rebate equivalent to 40% of the money spent on audiovisual services and 20% of the money spent on logistical services (hotels, catering and transport) hired with Colombian natural or legal persons. The FFC funds are allocated each year in the Colombian government's general budget.



**Audiovisual Investment in Colombia Certificates (CINA):** tax rebate with a value equal to 35% of the money spent by non-national audiovisual projects on audiovisual services and logistical services (hotels, catering and transport) hired with Colombian natural or legal persons and can be transferred to income tax filers in Colombia. The CINAs are marketable on the stock exchange. The maximum amount that can be awarded through CINAs is set each year by the Colombian Film Promotion Committee (CPFC).

## Audiovisual projects that can access the incentives

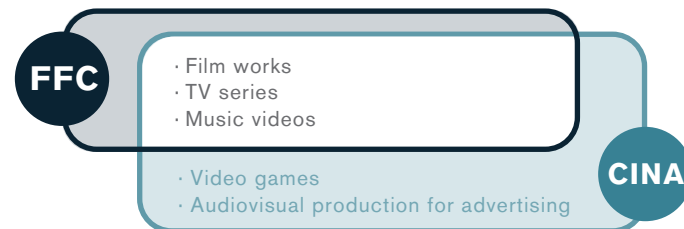


In both cases, applicants must be the producer of the audiovisual project.



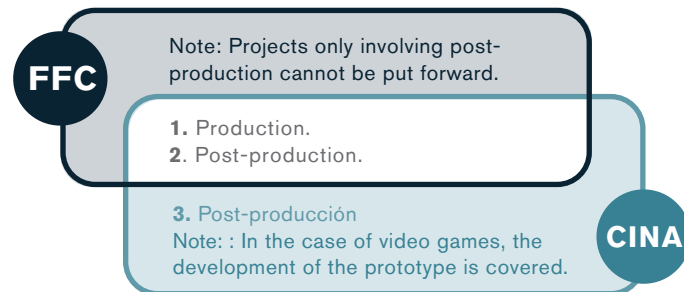
In the case of non-Colombian projects, the application can be made through a proxy in Colombia who will take part in the project as a film services company or Colombian co-producer.

## Audiovisual project types



**Note:** Projects can be animated or include animation elements.

## Production stages covered by the incentives



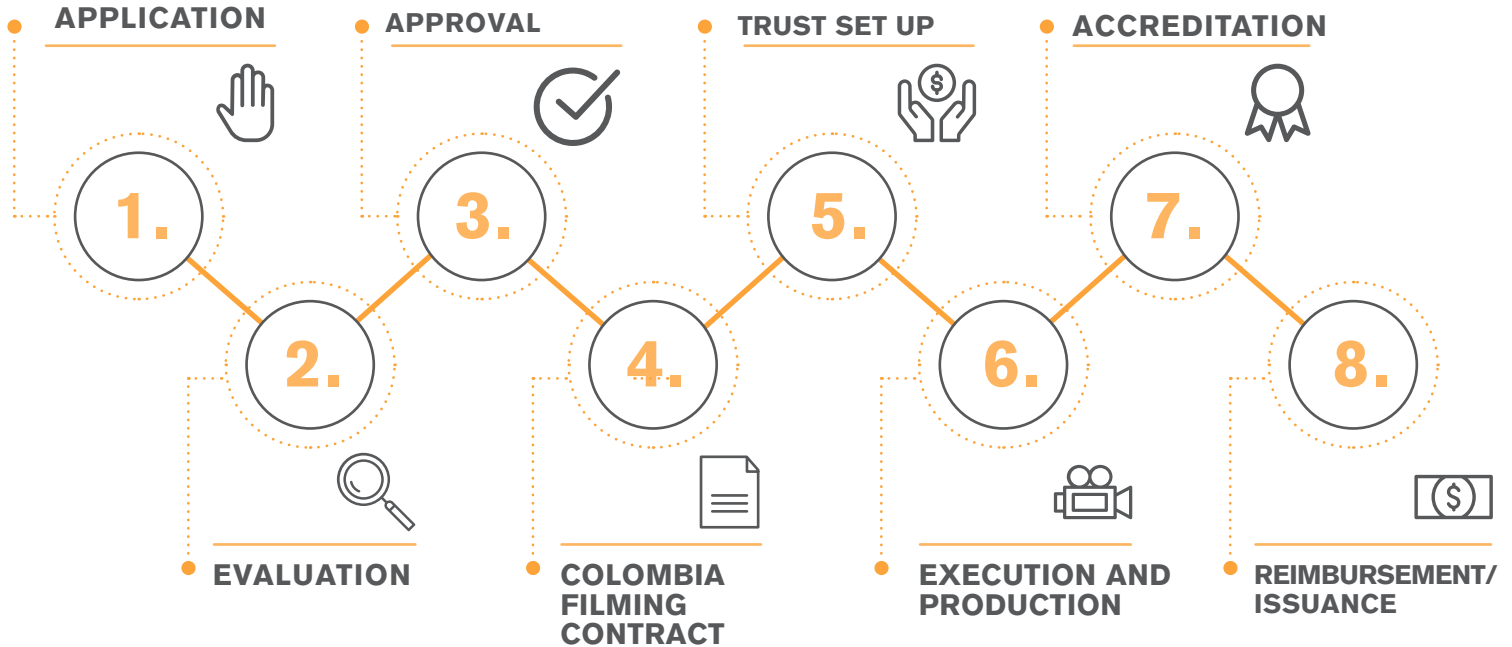


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# 2 IMPLEMENTATION STAGES



## INCENTIVE IMPLEMENTATION STAGES



## APPLICATION



An open call available to producers.



### Applicant producer requirements

**FFC**

1. Application form.
2. ID of the legal representative.
3. Certificate of incorporation and legal representation for the production company.
4. Description of the production company.
5. Certification of non-application for another mechanism benefiting the audiovisual industry in Colombia.

6. Certification that the producer is not a Colombian taxpayer.

**CINA**

### Requirements according to project type



#### 1. FILM WORKS OF FICTION, DOCUMENTARIES AND ANIMATION

**FFC**

- a. Synopsis
- b. Script
- c. List of locations
- d. Technical sheet
- e. Total value
- f. Detailed schedule

**Animation projects must include:**

- a. Animation bible
- b. Production breakdown

g. Monthly projection of expenses subject to CINA

**CINA**



## 2. TV SERIES



### 2.1 FICTION, DOCUMENTARY AND ANIMATED SERIES

**FFC**

- a. Synopsis
- b. Number of episodes
- c. Scripts for the first two episodes and a series development plan
- d. List of locations
- e. Technical sheet
- f. Total value
- g. Detailed schedule

**Animation projects must include:**

- a. Animation bible
- b. Production breakdown

h. Monthly projection of expenses subject to CINA

**CINA**



### 2.2 REALITY OR NON-SCRIPTED SERIES AND SHORT WEB SERIES (ONLY APPLIES TO CINA)

**FFC**

- a. Synopsis
- b. Number of episodes
- c. Project bible
- d. List of locations
- e. Technical sheet
- f. Total value
- g. Detailed schedule

h. Monthly projection of expenses subject to CINA

**CINA**



### 3. MUSIC VIDEOS

FFC

- a. Synopsis
- b. Visual concept or treatment
- c. List of locations
- d. Technical sheet
- e. Total value
- f. Detailed schedule
- g. Song lyrics

**Note:** The above requirements apply to every music video that forms part of the proposed package.

h. Monthly projection of expenses subject to CINA

CINA



### 4. VIDEO GAMES

- a. Pitch bible
- b. Game design document
- c. Technical sheet
- d. Total value
- e. Detailed schedule
- f. Monthly projection of expenses subject to CINA

**Note:** The above requirements apply to every video game that forms part of the proposed package.

CINA



## 5. AUDIOVISUAL PRODUCTION FOR ADVERTISING

- a. Synopsis
- b. Story line
- c. List of locations
- d. Technical sheet
- e. Total value
- f. Detailed schedule
- g. Monthly projection of expenses subject to CINA

**Note:** The above requirements apply to every piece that forms part of the proposed package.

**CINA**



## 6. WORKS ONLY WITH POSTPRODUCTION IN COLOMBIA

- a. Synopsis
- b. Detailed description
- c. Total value
- d. Detailed description of the post-production processes to be carried out in Colombia
- e. Colombian companies involved in the post-production process
- f. Detailed schedule
- g. Monthly projection of expenses subject to CINA

**CINA**

## Budget and minimum spending requirements



Total budget for expenditure in Colombia



Expenditure budget eligible for FFC/CINA



Engagement letter from the colombian film services company or national co-producer.



Project financing plan



Bid Bond deposit in the amount of 40SMLMV (current monthly legal minimum wage in Colombia) (USD 10.000\*)

All projects require minimum spending of  
**1.800 SMLMV**  
**(current monthly legal minimum wage)\*\***

The minimum spending for projects that only involve the post-production stage is 360 SMLMV (USD 95.000\*) per project.

\*\* USD 475.000 approx.

This amount can be distributed in the following way, depending on the project to be carried out and the incentive being applied for:



### FILM WORKS

FFC

For **1** film work.

CINA



## TV SERIES

FFC

Can be distributed through up to **4** episodes (USD 118.750 per episode\*).

· For short web series, the spending can be distributed through up to **20** episodes (USD 23.750 per episode\*).

· When total spending exceeds 9.000 SMLVM (USD 2.375.000\*) there are no restrictions on the number of episodes.

CINA



## MUSIC VIDEOS

FFC

Can be distributed through up to **20** videos (USD 23.750 per video\*).

Can be distributed through up to **5** videos (USD 95.000 per video\*).

CINA



## VIDEO GAMES

Can be distributed through up to **5** video games (USD 95.000 per video game\*).

CINA



## AUDIOVISUAL PRODUCTION FOR ADVERTISING

Can be distributed through up to **5** works (USD 95.000 per work\*).

Note: At least eighty per cent (80%) of this spending must be on audiovisual services.

CINA



## POST-PRODUCTION PROJECT

Minimum spending of 360 SMLMV (USD 95.000\*) for **1** project.

CINA

\* Approximate average value in dollars

## EVALUATION

 10 working days



The project evaluation process is conducted by Proimágenes over the following stages:



1. Verification of fulfillment of the application requirements.



2. When necessary, documents or content are requested to be fleshed out.



3. A report verifying that the requirements have been met and the relevance of the project to the CPFC is issued.



4. Project authorization declaration.

## APPROVAL

 Annual CPFC schedule.



**A.** The CPFC will decide if projects are approved or rejected for reasons related to the fulfilment of the aims of Law 1556 (promoting Colombia for audiovisual filming, developing the Colombian film industry, and boosting tourist activity and the country's image).



**B.** Following approval from the CPFC for a project, the in-country spending budget for audiovisual services and logistical audiovisual services is determined, together with the maximum FFC/CINA reimbursement amount.



**C.** The signing of the Colombia Filming Contract is ordered.



## COLOMBIA FILMING CONTRACT

 20 working days



**A.** The applicant producer must sign the Colombian Filming Contract with Proimágenes within a maximum period of twenty (20) days following the approval of the project.

## TRUST SET UP

 3 months



**B.** The producer must set up a trust for the management and payments of the budget within a period of three (3) months following the signing of the Colombia Filming Contract.

## EXECUTION AND PRODUCTION

 According to the audiovisual project type



### Project execution deadlines

AUDIOVISUAL PROJECT	PRODUCTION ONLY	PRODUCTION AND POST-PRODUCTION
Film works	9 months	18 months
Series	12 months	24 months
Music videos	18 months	18 months
Video games	48 months	48 months
Audiovisual production for advertising	18 months	18 months
<b>POST-PRODUCTION ONLY</b>		18 months
<b>ANIMATION</b>		48 months

**Note:** The execution times apply regardless of the number of works to be produced.

The applicant producer is responsible for:

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Contracting the relevant audiovisual and logistical services.



Spending the established minimum amount.



Carrying out the filming activities for the project in Colombia, along with production or post-production work.



Including credits for public screening and communication.



Submitting compliance accreditations in a timely manner.



Fulfilling the general obligations and other related obligations.

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## General obligations of the applicant producer

1. Allowing images from the work to be used for cultural purposes.
2. Agreeing that the Colombian Film Commission can hold a press conference.
3. Ensuring collaboration in the relationship with the Colombian and international media to market the Colombian Film Commission and the country.
4. Arranging for government representatives to visit the set.
5. Submitting a list of locations.
6. Submitting a list of contact details for the Colombian members of the artistic and technical team.
7. Providing photos of the production.
8. Providing photos of each department head.
9. Providing testimonials from the members of the international technical and artistic teams.
10. Not assigning the contract to a third party.
11. Ensuring that a non-local crew member attends a question-and-answer session with local industry and/or students.





**Note:** The producer and Proimágenes Colombia will establish the specific compliance parameters for these obligations.

## ACCREDITATION

 3 months



The producer must carry out and submit:

	A request for the reimbursement of the FFC or CINA.
	Certification issued by the trust entity.
	Certification issued by the external auditor.
	In the case of foreign audiovisual works, certification issued by the film production service company.

**Nota:** The audiovisual project can receive the first CINA once the minimum spending requirements in the country laid down in the Resource Allocation Manual have been met.



## FFC REIMBURSEMENT 2 months



1. Proimágenes will reimburse the FFC amount within the two (2) months following satisfactory receipt of all the required accreditations.

## CINA ISSUANCE



1. Proimágenes will issue the certificate of authorization to the Ministry of Culture within a maximum period of fifteen (15) days following satisfactory receipt of all the required accreditations.
2. The producer must make a payment to cover administrative costs, equal to five per cent (5%) of the nominal value of the CINA, minus the amount corresponding to the bid bond deposit made.
3. The Ministry of Culture will issue the CINA in the producer's name within fifteen (15) days.

## Value simulation of the FFC/CINA incentives

An example of the benefits to be received according to the incentive being applied for (FFC/CINA).

Budget	Total amount	Amount (USD)
Total spending budget in Colombia	<b>A+B+C</b>	1.200.000
Spending budget subject to remuneration	<b>A+B</b>	1.000.000

Total spending budget in Colombia	FFC			CINA		
	Total amount	Amount (USD)	% of incentive	Amount (USD)	% of incentive	Amount (USD)
Spending budget on audiovisual services in Colombia	<b>A</b>	750.000	40%	300.000	35%	262.500
Spending budget on logistical services in Colombia	<b>B</b>	250.000	20%	50.000	35%	87.500
Other expenses in Colombia not subject to the incentives	<b>C</b>	200.000				
(-) Administrative expenses (5% of the incentive)				N/A		(17.500)
FFC / CINA incentive amount:				350.000		332.500
Approximate percentage of the FFC/CINA incentives in relation to the total spending subject to remuneration				<b>35%</b>		<b>33,3%*</b>

\* Percentage of the CINA benefit before its sale, subject to a discount rate in the market.



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# 3

## FREQUENTLY ASKED QUESTIONS

## **1. Can both the FFC and the CINA incentive be obtained with the same audiovisual project?**

No, these incentives are mutually exclusive. Audiovisual projects can only apply for and benefit from one of the incentives. Audiovisual projects that are already involved in an active application process cannot be put forward, and neither can projects that benefit from Law 1556 of 2012 or the incentives provided for by Law 814 of 2003 (deductions for investors or donors or incentives from the Film Development Fund).

## **2. Is there a timetable with specific dates for applying for the incentives?**

The call is open all year. However, projects are submitted and approved until limits are reached: the amount of funds available in the case of the FFC, and the funding quota in the case of the CINA. The FFC's share of the resources is determined by the Colombian government in the country's general budget, and the CINA amount is approved by the CPFC.

## **3. Does the producer need to be the owner of the proprietary rights of the work?**

The producer who coordinates, has the idea and is responsible for the audiovisual work is the person responsible for entering

into contracts with the individuals and organizations involved in producing the work. Under Colombian law, the proprietary rights over cinematographic work are recognized in favor of producers, unless stipulated otherwise.

## **4. Does the film services company need to be the co-producer of the audiovisual project?**

No, the film services company does not have to be the co-producer of the project. In the case of non-Colombian projects, audiovisual services must be contracted through the film services company specified in the project application, without the need for it to be the project co-producer. For their part, Colombian co-productions can apply for any of the incentives, but the CINA benefit only applies to the component of spending on the provision of audiovisual and logistics services financed with foreign resources.

## **5. Does the producer of the audiovisual project need to be legally established in order to participate?**

Yes. The incentives are aimed at legal persons or their foreign equivalent. The CINA only applies for works by foreign producers who are not Colombian income tax payers.

## **6.** Are there any restrictions if the applicant foreign producer has subsidiaries in Colombia?

No. The applicant foreign producer can have subsidiaries in Colombia, which can be hired as the film services company if they are legally established legal persons and have been entered in the Colombian Ministry of Culture's register of film service providers, and if their corporate purpose includes the provision of film services.

<https://www.mincultura.gov.co/areas/cinematografia/Paginas/Servicios-Cinematografico.aspx>

## **7.** Which expenses are not covered by the incentives?

The incentives do not cover trust expenses, auditing, purchases of goods, or expenses that are not part of audiovisual services or logistical services provided by Colombian natural or legal persons, as defined by the Resource Allocation Manual. All expenses will be covered, provided that they meet the definition of audiovisual services or logistical audiovisual services.

\* Approximate average value in dollars

## **8.** Are there costs in applying for the incentives?

When putting forward audiovisual projects, a bid bond deposit totaling forty (40) SMVLM (USD 10.000\*) must be paid as a commitment to fulfilling the obligations assumed by the producer. In the event of an audiovisual project not being approved, the bid bond deposit amount will be reimbursed to the producer. In the case of the CINA, the producer must deposit an amount equal to 5% of the face value of the CINA when submitting the certifications for the certificate to be issued. The bid bond deposit amount paid upon application will be deducted from this first amount.

## **9.** Who can I sell the CINA to?

The CINA can be sold directly to natural or legal persons who are income tax payers in Colombia. Likewise, it can also be sold on the Colombian stock market. Income corresponding to the sale of CINA is not subject to withholding tax in the country, and nor does it represent taxable income in Colombia.

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# 4

## GLOSSARY

*Palmeras en la nieve*



Application of time limits	When 'days' are mentioned, they are understood as working days, meaning any day from Monday to Friday excluding public holidays in Colombia.
Colombia Filming Contract	A CPFC approved legal transaction that the applicant producer of the audiovisual project must enter into in order to regulate the terms for the allocation of the incentives.
CPFC	The Colombian Film Promotion Committee, a decision-making body responsible for the incentives of Law 1556 of 2012.
Management Organization	This refers to Proimágenes Colombia, which is in charge of managing the processes related to the CINAs and the FFC cash rebate and also operates as the Colombian Film Commission. <a href="https://www.proimagenescolombia.com">https://www.proimagenescolombia.com</a> — <a href="http://www.locationcolombia.com">www.locationcolombia.com</a>
Film work	The term “film work” denotes the elements that come together to form it, and that represent an art object of cinematographic language, a set of images in movement with or without sound and a material medium that enables them to be recorded.

National or nationally  
co-produced film work

National or nationally co-produced cinematographic work is considered that fulfills the economic, technical and artistic criteria laid down in Law 397 of 1997 and Decree 1080 of 2015.

Non-national audiovisual work

Work that involves foreign financial participation.

Non-scripted work

An audiovisual production that is primarily intended to entertain or inform through dialog but without a script (such as reality shows, games programs or awards ceremonies).

Audiovisual production  
for advertising

Audiovisual work with the strict purpose of marketing goods, products, brands or services, among others.

Series

Fiction, documentary or any other audiovisual work approved by the CPFC, which is broadcast or communicated to the public by episodes. This includes reality shows and non-scripted works.

Short series or short  
web series

Short series are short-term series with a typical duration of between two and five episodes. They are characterized by having a previously determined number of episodes, and by following a story line that unfolds over the course of the series.

Film or  
audiovisual services

Specialized activities in the pre-production, production and post-production of film or audiovisual works, including artistic and technical services provided by Colombian natural or legal persons domiciled or resident in the country.

Film or audiovisual  
logistical services

Hotel, catering and transport-related items that are required as part of the cinematographic or audiovisual project.

SMLMV

The current monthly legal minimum wage in Colombia, which is updated each year.

Video game

An audiovisual work that consists of an interactive application that leads to an experience that allows for interaction with the elements contained within said application, through the use of audiovisual and software tools.

Music video

An audiovisual work that essentially aims to represent an artist or piece of music. This does not include the recording of concerts but it can incorporate images from recorded concerts.

For more information about documents and requirements you can check the Resource Allocation Manual of incentives for the audiovisual sector Law 1556 of 2012

## REQUIREMENTS ACCORDING TO PROJECT TYPE

FFC

**1. Film works of fiction, documentaries and animation**

a. Synopsis	e. Total value
b. Script	f. Detailed schedule
c. List of locations	g. Monthly projection of expenses subject to <b>CINA</b>
d. Technical sheet	

**Animation projects must include:**

a. Animation bible	b. Production breakdown
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**2. TV Series**

**2.1 Fiction, documentary and animated series**

a. Synopsis	e. Technical sheet
b. Number of episodes	f. Total value
c. Scripts for the first two episodes and a series development plan	g. Detailed schedule
d. List of locations	h. Monthly projection of expenses subject to <b>CINA</b>

**Animation projects must include:**

a. Animation bible	b. Production breakdown
--------------------	-------------------------

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**2.2 Realities or non-scripted series and short web series (only applies to CINA)**

a. Synopsis	f. Total value
b. Number of episodes	g. Detailed schedule
c. Project bible	h. Monthly projection of expenses subject to <b>CINA</b>
d. List of locations	
e. Technical sheet	

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**3. Music Videos**

a. Synopsis	e. Total value
b. Visual concept or treatment of the project	f. Detailed schedule
c. List of locations	g. Song lyrics
d. Technical sheet	h. Monthly projection of expenses subject to <b>CINA</b>

**Note:** Requirements apply to every music video.

CINA

CINA

## APPLICANT PRODUCER REQUIREMENTS

FFC

1. Application form.
2. ID of the legal representative.
3. Certificate of incorporation and legal representation for the production company.
4. Description of the production company.
5. Certification of non-application for another mechanism benefiting the audiovisual industry in Colombia.

CINA

6. Certification that the producer is not a Colombian taxpayer.

## BUDGET AND MINIMUM SPENDING REQUIREMENTS

### INSTRUCTIONS

- 🚩 Total budget for expenditure in Colombia

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- 📄 Expenditure budget eligible for FFC/CINA

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- 📄 Engagement letter from the colombian film services company or national co-producer.

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- 💰 Project financing plan

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- 📄 Bid Bond deposit in the amount of 40SMLMV (USD 10.000)

All projects require minimum spending of

## 1.800 SMLMV \*

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The minimum spending for projects that only involve the post-production stage is 360 SMLMV (USD 95.000) per project.

\* USD 475.000 approx.

CINA

**Film works**

FFC

For **1** film work.

CINA

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**TV Series**

FFC

Can be distributed through up to **4** episodes.

- For short web series, the spending can be distributed through up to **20** episodes.
- When total spending exceeds 9.000 SMLVM (USD 2.375.000) there are no restrictions on the number of episodes.

CINA

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**Music videos**

FFC

Can be distributed through up to **20** videos.

CINA

Can be distributed through up to **5** videos.

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**Video games**

CINA

Can be distributed through up to **5** video games.

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**Audiovisual production for advertising**

CINA

Can be distributed through up to **5** works.  
Note: At least eighty per cent (80%) of this spending must be on audiovisual services.

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**Post-production project**

CINA

Minimum spending of 360 SMLMV (USD 95.000) for **1** project.

## EVALUATION

🕒 10 working days



1. Verification of fulfillment of the application requirements.
2. When necessary, documents or content are requested to be fleshed out.
3. A report verifying that the requirements have been met and the relevance of the project to the CPFC is issued.
4. Project authorization declaration.

## APPROVAL

🕒 Annual CPFC schedule.



- A. CPFC Decision.
- B. The in-country spending budget for audiovisual services and logistical audiovisual services is determined, together with the maximum FFC/CINA reimbursement amount.
- C. The signing of the Colombia Filming Contract is ordered.

## COLOMBIA FILMING CONTRACT

🕒 20 working days



- A. The applicant producer must sign the Colombia Filming Contract with Proimágenes.

## TRUST SET UP

🕒 3 months



- B. The producer must set up a trust for the management and payments of the budget.

## EXECUTION AND PRODUCTION

🕒 According to the audiovisual project type



The applicant producer is responsible for:

- Contracting the relevant audiovisual and logistical services.
- Spending the established minimum amount.
- Carrying out the filming activities for the project in Colombia, along with production or post-production work.
- Including credits for public screening and communication.
- Submitting compliance accreditations in a timely manner.
- Fulfilling the general obligations and other related obligations.

Project execution deadlines

AUDIOVISUAL PROJECT	PRODUCTION ONLY	PRODUCTION AND POST-PRODUCTION
Film works	9 months	18 months
Series	12 months	24 months
Music videos	18 months	18 months
Video games	48 months	48 months
Audiovisual production for advertising	18 months	18 months
<b>POST-PRODUCTION ONLY 18 months</b>		
<b>ANIMATION 48 months</b>		

**Note:** The execution times apply regardless of the number of works to be produced.

## ACCREDITATION

🕒 3 months



The producer must carry out and submit:

- A request for the reimbursement of the FFC or CINA.
- Certification issued by the trust entity.
- Certification issued by the external auditor.
- In the case of foreign audiovisual works, certification issued by the film production service company.



## FFC REIMBURSEMENT

🕒 2 months



1. Proimágenes will reimburse the FFC amount

## CINA ISSUANCE



1. Proimágenes will issue the certificate of authorization.
2. The producer must make a payment to cover administrative costs, equal to five per cent (5%) of the nominal value of the CINA.
3. The Ministry of Culture will issue the CINA.



CREA CINE CREA COLOMBIA

El futuro es de todos  
Sistema de Cine

Proimágenes Colombia  
Comisión Fílmica

PROCOLOMBIA  
EXPORTS TOURISM INVESTMENT COUNTRY BRAND

Kill Chain