



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY OF CAPE TOWN FILM POLICY (POLICY NUMBER 64893)

Approved by Council: 8 December 2022

C 19/12/22

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DEFINITIONS

For the purposes of this policy, except where clearly indicated otherwise, the words and expressions set out below have the following meaning:

Term	Definition
Approved budget	an annual budget which is approved by the City and includes such an annual budget as revised by an adjustments budget in terms of section 28 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).
Authorised Official	means an employee of the City responsible for carrying out any duty or function or exercising any power in terms of this By-law and includes employees delegated to carry out or exercise such duties, functions or powers.
City	the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998, or any structure or employee of the City acting in terms of delegated authority.
City of Cape Town Departments	City Departments who render services to the film industry including but not limited to Metro Police, Traffic Services, Law Enforcement, Transport, Roads Infrastructure, Planning, Building Development and Management Services.
City Services	All services rendered by the City to the film industry.
Council	The Municipal Council of the City.
Delegation	In relation to a duty includes an instruction to perform the duty. Delegate has a corresponding meaning.
Executive Director	A person appointed by the City to head a Directorate in the City and includes any person acting in that position.
Executive Mayor	The person elected in terms of section 55 of the Local Government: Municipal Structures Act 1998 (Act No. 117 of

Term	Definition
	1998) to be the Executive Mayor of the City and includes any person acting in that position.
Filming	<p>means:</p> <ul style="list-style-type: none"> a) ;the preparation of a public and private property for the recording of sound and images as well as the recording of sound and images moving or still, whether on film or by video tape, electronically, digitally or by any other means and includes all activities related to the filming location where there is an impact on public property and which may require the services of the City. or may have any adverse implications for public safety, the built or natural environment and local communities, b) student film projects where there is an impact on public property, which may require the services of the City or may have any adverse implications for public safety, the built or natural environment and local communities; c) ; the recording of digital media on public property on mobile devices such as smartphones, tablet computers, handheld cameras for the creation or sharing of information via virtual communities and social networks where there is an impact on public property or public amenity, or which may require the services of the City or have any adverse implications for public safety, the environment and local communities. ; <p>but excludes:</p> <ul style="list-style-type: none"> (i) the recording of a private wedding ceremony or other private celebration or event for the purpose of making a recording thereof for its participants for private purposes; (ii) electronic news gathering or the recording of current affairs or news for immediate broadcast or release;

Term	Definition
	<p>(iii) the recording of digital media for personal use on mobile devices such as smartphones, tablet computers, handheld cameras where there is no impact on the public or any public amenity; and</p> <p>(iv) purpose-built film facilities and other film suitable facilities, including filming facilities at educational institutions, where there is no impact on the public or any public amenity.</p>
Film Fund	A Film Fund established to support qualifying film production and film initiatives that contribute toward the attainment of the Desired Outcomes contained in City's Film Policy.
Film Funding Agreement	An agreement concluded between the City and a successful applicant for Film Fund support detailing the film support and discounts to be made by the City in return for agreed outcomes and deliverables that contribute toward the attainment of the Desired Outcomes contained in this policy.
Film Industry	The Film industry includes feature films, television series, documentaries, commercials, still photography and so-called 'new media', such as animation and interactive computer gaming. It also includes direct film-related services such as pre and post-production, procurement of cast and crew, set design and construction, equipment hire, camera work, electrical installations and sound equipment, special effects, musical composition, computer graphics (CG) and editing. The Film industry also includes film industry associations and bodies.
Film Office	The Cape Town Film Office, the unit responsible for promoting Cape Town as a competitive, film business destination, assisting and guiding the City in developing interventions to support the local film industry and creating enabling mechanisms for the purpose of promoting the city

Term	Definition
	through production support and promotional and developmental film initiatives.
Film Permit Office	The unit responsible for coordinating film permit applications, coordinating the approval and rejection of filming and film-related activities in accordance with the applicable legislation as well as the City's legal and operational requirements and issuing a permit with appropriate conditions.
Film Shoot	The process or activity of filming, photographing or recording of sound and images for the production of film material or digital media for commercial productions or documentaries and includes the preparation of property for filming. Film shoots types are categorised as set out in 8.2.
Film Suitable Facility	A film studio or any other facility or premises, including filming facilities at educational institutions, that meets minimum requirements to obtain: i) pre-authorization or certification, and ii) registration with the Film Permit Office as a film-suitable facility and to be exempt from repeated film permit applications for a defined period.;
Film Support Committee	An advisory committee appointed by the Executive Mayor to facilitate the selection of film projects or productions that the City wishes to support.
Location	Any area or place, used for filming activity other than a sound stage or backlot adjoining a movie studio or purpose-built film facility. This area or place may be erected or demarcated by temporary or permanent structures.;
Mayoral Committee Member	A member of the Mayoral Committee appointed by the Executive Mayor to assist the Executive Mayor in terms of Section 60 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

Term	Definition
Purpose-Built Film Facility	Means a place, studio, facility, or property designed and built or converted for filming activities, including any sound stage or backlot adjoining such facility, with all the necessary approvals from the City and registered with the Film Permit Office.
Rights Package	Rights acquired by the City in exchange for Film Support and Discounts for film- related activities or projects supported by the City's Film Fund.
Tariff	means a tariff determined and imposed by the City in terms of the City's Tariff Schedule,
Tariff Schedule	The City's Tariff Schedule which indicates charges for services rendered and equipment rentals.

ABBREVIATIONS

Abbreviation	Term
DTI	Department of Trade and Industry
IDP	Integrated Development Plan
NGO	Non-Governmental Organisation
NFVF	National Film and Video Foundation
WCG	Western Cape Government

1. INTRODUCTION

Cape Town has established itself as a globally competitive film destination, with local and international filmmakers using its locations, facilities and services. The City has a lot to offer with a variety of world-class locations, studios, facilitation and production companies and highly skilled and specialized crew.

Cape Town has developed a strong global brand and the City wishes to leverage this strength to develop Cape Town as a premium film destination. This will further build the City's brand identity and contribute towards achieving City objectives such as economic growth, job creation and social inclusivity while ensuring the protection of its natural and green infrastructure assets, including its globally significant biodiversity.

The Film Strategy 2020 for the City of Cape Town notes the importance of the film industry as a key driver of economic activity not only for the Cape Town economy, but for the South African economy as a whole. The Film Strategy 2020 also recognises the City's strategic role as an enabler for the film industry through interventions such as the expansion of the film office, marketing and communications as well as various forms of funding support through a film fund.

This policy seeks to further implement the Film Strategy 2020 and assist in the realisation of its strategic objectives and desired outcomes. The policy will lay out important details, processes and policy positions the City has taken regarding the film industry in Cape Town.

2. PROBLEM STATEMENT

Whilst Cape Town has a robust and vibrant film industry, there are still a number of challenges which inhibit the growth and impact of the industry in Cape Town.

In recent years the Cape Town film industry, like many other industries has been negatively impacted by a number of external factors such as increasing global competition coupled with rising production costs. Additionally other factors including the 2017/18 drought, the Covid-19 pandemic and load-shedding have also presented major challenges for growth and stability.

All of these have brought significant challenges impacting most industries - especially those industries relying on inbound (international) business. These challenges have over time impacted the attractiveness of Cape Town as a long-haul filming destination. The critical challenge for Cape Town is to successfully reclaim its position as a significant film destination attracting a host

of local and international productions, and to harness the extensive film industry value chain and enormous potential within this industry to grow jobs and help build the local economy.

There are a number of additional challenges highlighted below:

- I. The City currently does not offer any film and new media incentives that could attract, drive and support film activity, as well as maximise the economic and other societal benefits that may be derived from increased filming activity in the City.
- II. In the local film sector there is a need for practical skills development at different employment levels as there is a disconnect between the type of skills and the proficiency levels being delivered by current film sector educational providers and what the film industry actually needs. In order to grow and transform the local industry, there is a need for the City to partner with the industry to grow mentorship and bursary and training programmes to ensure that there are enough appropriately skilled resources entering the industry.
- III. Although Cape Town has the highest concentrations of film industry companies and resources in the country, the industry still does not market itself optimally. The lack of collaboration and aligning of sales and marketing campaigns means the region is missing opportunities to maximise new business development. There is a need for more collaboration and support within the local film industry aimed at ensuring Cape Town has a presence at key industry markets and festivals.
- IV. There is a need for increased inclusivity within the film industry. Currently, barriers to entry negatively impact inclusivity, diversity and transformation in the industry. These barriers need to be resolved in order to realise the benefits of inclusivity and to realise the potential of a diverse and inclusive industry.
- V. While Cape Town has some of the best studio facilities on the African continent and boasts a rich diversity of locations there is still a need to increase infrastructure across the film industry value chain, from training to production facilities, to expand the industry and enhance competitiveness.
- VI. There is a lack of understanding on the part of the film industry of the range of legislation relating to filming, and the MFMA, and the impact thereof on the City's procedures and operations;
- VII. The important contribution of the film industry to the Cape Town economy is not yet fully understood or recognised by all City communities and amongst City employees,

As the film industry has been recognized as a key economic sector in the City, contributing to job creation and economic opportunities, it is important that there is a comprehensive response to the current challenges in order to achieve City objectives such as enhanced economic growth, job creation, social inclusivity and sustainability.

3. DESIRED OUTCOMES

The Film Policy aims to provide guidance and institutional arrangements to:

- 3.1 position Cape Town as a globally competitive film destination, renowned for the quality and variety of its world class locations, studios, facilitation companies and specialized crew;
- 3.2 build a film industry that contributes to City objectives such as economic growth, job creation, and social inclusivity in the City of Cape Town;
- 3.3 create a strong supportive and enabling environment for the local film industry and to engage with relevant industry role-players to advocate on behalf of the local industry;
- 3.4 build a capable, collaborative, resilient, sustainable and environmentally sensitive film industry with the ability to withstand local and international challenges;
- 3.5 build an inclusive film industry and mutually beneficial relationships to reduce barriers to entry and to grow and transform the industry; and
- 3.6 assist and guide the City in managing and regulating film-related activities in an efficient, effective and sustainable manner thereby providing clarity to all residents, role-players and stakeholders.

4. PRINCIPLES

The Film Policy is developed and guided by the following principles:

- 4.1 Inclusive economic growth, opportunity and sustainability;
- 4.2 Transformation, equity and inclusion;
- 4.3 Excellence in service delivery;
- 4.4 Effective and integrated use of urban spaces
- 4.5 Resource efficiency and security; and
- 4.6 Safe communities.

5. STRATEGIC ALIGNMENT

STRATEGY/POLICY	FOCUS AREA
Integrated Development Plan (2022-2027)	<ul style="list-style-type: none"> • Increased Jobs and Investment in the Cape Town economy • A Resilient City • A More Integrated and Inclusive City • A Capable and Collaborative City
Integrated Economic Growth Strategy (IEGS)	<ul style="list-style-type: none"> • Globally competitive City • Promote inclusive Growth
Resilience Strategy	<ul style="list-style-type: none"> • Capable, job-creating city • Collaborative, forward looking City • Connected, climate-adaptive city
Social Development Strategy	<ul style="list-style-type: none"> • Empower excluded individuals through transformation in the industry
Environmental Strategy	<ul style="list-style-type: none"> • Ecosystems approach • Resource efficiency • Protected natural and cultural heritage
Climate Change Strategy:	<ul style="list-style-type: none"> • Embedded sustainability
Integrated Coastal Management Policy	<ul style="list-style-type: none"> • Protect the rights of all people to access the coastline; • Manage the coastline at all times in the best interests of all; • Coastal economic and social opportunities undertaken in a manner that does not reduce, harm or degrade our coastal environment or its ability to cope with future climate risks
Film Strategy 2020	<ul style="list-style-type: none"> • Champion ongoing skills development; • Drive marketing and sales; • Promote transformation within the industry; and • Facilitate the development of infrastructure

6. REGULATORY CONTEXT

The policy is developed and guided by the following legislation and regulations:

- 6.1 The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- 6.2 Films and Publications Act, 1996 (Act No. 65 of 1996)

- 6.3 National Film and Video Foundation Act, 1997 (Act No. 73 of 1997)
- 6.4 Filming By-Law, 2005
- 6.5 Western Cape Noise Control Regulations, 2013
- 6.6 Local Government: Municipal Finance Management Act, 2003, (Act No. 56 of 2003) (MFMA)
- 6.7 SANS 10400 of 1990 Application of National Building Regulations
- 6.8 Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)
- 6.9 City of Cape Town Municipal Planning By-law, 2015 as amended
- 6.10 Land Use Planning Act, 2014 (Act No. 3 of 2014)
- 6.11 HEALTH AND SAFETY:
 - (a) Tobacco Products Control Amendment Act, 2008 (Act No. 63 of 2008)
 - (b) Basic Conditions of Employment Amendment Act, 2002 (Act No. 11 of 2002)
 - (c) Labour Relations Amendment Act, 2002 (Act No. 12 of 2002)
 - (d) Disaster Management Act, 2002 (Act No. 57 of 2002)
 - (e) Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001)
 - (f) Fire Brigade Services Amendment Act, 2000 (Act No. 14 of 2000)
 - (g) Employment Equity Act, 1998 (Act No. 55 of 1998)
 - (h) Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- 6.12 TRAFFIC MANAGEMENT
 - (a) The National Road Traffic Act, 1996 (Act No. 93 of 1996)
 - (b) National Road Traffic Amendment Act, 2008 (Act No. 64 of 2008)
 - (c) Traffic Bylaw , 2021
- 6.13 ANIMAL PROTECTION:
 - (a) Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982)
 - (b) City animal keeping by-law, 2021
 - (c) Animal Identification Act, 2002 (Act No. 6 of 2002)
 - (d) Animal Health Act, 2002 (Act No. 7 of 2002)
 - (e) The Animals Protection Act, 1962 (Act No. 71 of 1962)
 - (f) The Performing Animals Protection Act, 1935 (Act No. 24 of 1935)
- 6.14 ENVIRONMENTAL PROTECTION
 - (a) National Environment Management Act, 1998 (Act No. 107 of 1998) (as amended)
 - (b) National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)
 - (c) National Environment Management: Biodiversity Act, 2004 (Act No. 10 of 2004)

- (d) National Environment Management: Protected Areas Act, 2003 (Act No. 57 of 2003)
- (e) National Environment Management: Air Quality Act, 2004 (Act No. 39 of 2004)
- (f) Hazardous Substances Act, 1973 (Act No. 15 of 1973)
- (g) Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965)
- (h) National Water Act, 1998 (Act No. 36 of 1998)
- (i) NEMA Regulations Government Notice R385 of 2006
- (j) Nature Conservation Ordinance (Ordinance 19 of 1974)
- (k) Nature Conservation Regulations, 1975
- (l) Waste Information Regulations, 2004
- (m) National Forest Act, 1998 (Act No. 84 of 1998)
- (n) Forestry Laws Amendment Act, 2005 (Act No. 35 of 2005)
- (o) Coastal By-law, 2020
- (p) Integrated Coastal Management Policy, 2014
- (q) National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)
- (r) National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998)
- (s) Nature Reserves By-law, 2020
- (t) Recreational Water Use By-law, 2018
- (u) Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites, 2005 (as amended)
- (v) Threatened or Protected Marine Species Regulations, 2017
- (w) Threatened or Protected Species Regulations, 2007

6.15 FIREARMS AND EXPLOSIVES:

- (a) Prohibition or Restriction of Certain Conventional Weapons Act, 2008 (Act No. 18 of 2008)
- (b) Firearms Control Amendment Act, 2006 (Act No. 28 of 2006)
- (c) Explosives Act, 2003 (Act No. 15 of 2003)
- (d) Community City Fire Safety By-law, 2002

6.16 HERITAGE MANAGEMENT:

- (a) World Heritage Convention Act, 1999 (Act No. 49 of 1999)
- (b) National Heritage Resources Act, 1999 (Act No. 25 of 1999)

6.17 PERFORMERS, CAST AND CREW

- (a) Performer Protection Amendment Act, 2002 (Act No. 8 of 2002)
- (b) Basic Conditions of Employment Act, NO 75 OF 1997 - Sectoral Determination 10: Children In The Performance Of Advertising, Artistic And Cultural Activities,

7. POLICY PARAMETERS

7.1 This policy is applicable to –

- (a) Filming and film-related activities undertaken by any person or government entity throughout the entire jurisdiction of the City that may or may not in any way require the services of the City, or have implications for public safety, the environment and local communities and which may occur in a public or private place;
- (b) Filming and film-related activities which may have a significant impact on the City's strategic objectives for tourism, investment, community development and marketing; student film projects where there is an impact on public property, which may require the services of the City or may have any implications for public safety, the environment and local communities, and the recording of digital media on mobile devices such as smartphones, tablet computers, handheld cameras for the creation or sharing of information via virtual communities and social networks where there is an impact on public property or public amenity, or which may require the services of the City or have any adverse implications for public safety, the environment and local communities.

7.2 The City's Film Policy does not apply to:

8. POLICY DIRECTIVES

In order to promote effective management of filming in the City the following policy directives will apply:

8.1 Regulation and Management of Filming Activities

In order to promote effective regulation and management of filming activities the City will in terms of this policy:

- a) balance economic activities related to filming with other rights contemplated in Chapter 2 of the Constitution;
- b) regulate and manage Film activities and any short-term public nuisances linked to filming in terms of the City's Film Bylaw, as well as other applicable legislation, including legislation listed in Section 6. of the Regulatory Context above;

- c) provide a one-stop, accessible facility for the processing of applications for filming while acting within the parameters of existing applicable legislation; and
- d) look at mechanisms to allow film studios and other film suitable facilities or premises that meet minimum requirements to obtain pre-authorization/certification as film-suitable facilities and be exempt from repeated applications for a defined period.
- e) The City may require payment of an administration fee when considering an application to conduct filming. This will be communicated to applicants when applicable.

8.2 Classification of Filming Activities

In this policy, Film activities are classified according to the size and impact of the filming activities as set out below:

No	Shoot Type	Shoot Size/Description	Conditions/Characteristics
1.	Micro Shoot	1 - 3 vehicles, 8 or less cast & crew and duration of 1 day	(a) small, mobile shoots; (b) no generators, lights, structures; or (c) no road closures.
2.	Small Shoot	4 - 6 vehicles, 9 - 15 cast & crew	(a) small stills shoots /commercials; (b) small pick-up shots; (c) minimal generators, lights, structures; (d) no special effects or stunts; or (e) no road closures.
3.	Medium Shoot	7 - 15 vehicles, 16 - 30 cast & crew	(a) big stills shoots, small commercials & features; (b) minor/moderate generators, lights, sets, structures; (c) minor special effects or stunts; (d) traffic assistance required; (e) minor lane/road closures; or (f) minimal noise impact, early morning or night shoots. <i>NB – with major lane/road closures, traffic diversions, Civil Aviation Authority</i>

No	Shoot Type	Shoot Size/Description	Conditions/Characteristics
			<i>or other approvals, etc. Large Shoot timeframes become applicable</i>
4.	Large Shoot	16 - 30 vehicles, 30-60 cast & crew	<p>(a) large stills shoots, commercials, features;</p> <p>(b) moderate/substantial generators, lights, sets, structures;</p> <p>(c) special effects or stunts;</p> <p>(d) traffic assistance required;</p> <p>(e) major lane/road closures, diversions, etc. or</p> <p>(f) moderate noise impact, early morning or night shoots.</p> <p><i>NB – with major lane/ road closures, traffic diversions, Civil Aviation Authority or other approvals, etc. Very Large Shoot timeframes will become applicable.</i></p>
6.	Very Large Shoot	31 or more vehicles, 61 or more cast & crew	<p>(a) Very large, high-impact shoots, commercials & features;</p> <p>(b) Extensive generators, lights, sets, structures;</p> <p>(c) large special effects or stunts;</p> <p>(d) traffic assistance required;</p> <p>(e) major lane/road closures; or</p> <p>(f) considerable noise impact, early morning or night shoots.</p> <p><i>NB – with major lane/ road closures, traffic diversions, Civil Aviation Authority or other approvals, etc. additional planning time may be required.</i></p>

9. ROLEPLAYERS AND STAKEHOLDERS

The realisation of the Film Policy's strategic objectives and desired outcomes and the implementation of the policy is supported by a wide variety of internal role-players and external stakeholders.

9.1 Key internal stakeholders include:

- (a) The Executive Mayor;
- (b) Mayoral Committee Member/s;
- (c) Safety & Security Portfolio Committee; and
- (d) Executive Directors.

9.2 The Events and Film Department – the department primarily responsible for filming in the City and the principal role-player responsible for implementing and administering the Film Policy's ongoing management and evaluation.

9.3 City administration internal role players and stakeholders - this policy involves transversal input and approval of applications for all relevant aspects by various internal City administration role players and stakeholders.

The table below provides an outline of affected role-players and stakeholders:

Stakeholder/s	Internal/External	Role
Arts and Culture Unit	Internal	Advisory
Cape Town Stadium	Internal	Location
Council	Internal	Governance
Directorate: Safety and Security	Internal	Regulatory
Enterprise and Investment Department	Internal	Advisory
Events and Film Department	Internal	Regulatory/Implementation
Legal Department	Internal	Advisory
Mayor's Office	Internal	Advisory
Development Management Department	Internal	Regulatory
Roads Infrastructure & Management	Internal	Regulatory/Asset Management
Urban Mobility	Internal	Advisory
Recreation and Parks Department	Internal	Asset Management

Stakeholder/s	Internal/External	Role
Strategic Assets Department	Internal	Asset Management
Environmental Management Department	Internal	Advisory/Asset Management
Business Associations, Chambers of Commerce,	External	Affected Party
Communities	External	Affected Party
Cultural and Creative Industry	External	Affected Party/Stakeholder
Film Festivals	External	Affected Party/Stakeholder
Film Industry	External	Affected Party/Stakeholder
Higher Learning Institutions	External	Affected Party/Stakeholder
Major Facility and Property Owners	External	Affected Party/Stakeholder
Media	External	Affected Party/Stakeholder
National Government Departments	External	Regulatory/Stakeholder
National Parliament	External	Regulatory/Stakeholder
Provincial Government of the Western Cape	External	Regulatory/Stakeholder
Resident and Civic Associations, Bodies	External	Affected Party/Stakeholder
Residents	External	Affected Party/Stakeholder
Table Mountain National Park	External	Affected Party /Stakeholder
Tourism Industry	External	Affected Party/Stakeholder
Traders and Traders Associations (Informal)	External	Affected Party/Stakeholder

10. ROLE AND RESPONSIBILITIES

The numerous governmental and industry role-players in the Film Industry include:

- 10.1 At a national level, these include but are not limited to various National Departments and their agencies that provide various film-related incentives and financial and regulatory assistance to applicants.
- 10.2 At a regional level, role players include the Western Cape Government Wesgro, Film Studios, Film Industry Associations, Film and media production companies, Animation production companies, Gaming production companies, Universities, Technikons and other institutions offering Film and Media Studies and film festivals.

- 10.3 At local government level, the City within its jurisdictional area, wishes to contribute to the growth of the film industry in order to support, amongst others, job creation, economic development, inclusivity, etc. by taking on the following roles and responsibilities related to the film industry within the constraints of budget and resource availability:
- 10.3.1 assisting and guiding the film industry in managing all film related activities in an inclusive, efficient and effective manner thereby providing clarity to all role players and stakeholders;
 - 10.3.2 developing interventions to support the local film industry and creating enabling mechanisms for the purpose of promoting the region through film, video, and multimedia production support and promotional and developmental film initiatives;
 - 10.3.4 creating an environment conducive to safe, sustainable, climate resilient, resource efficient and environmentally responsible filming with appropriate regulations, enforcement and deployment of appropriate City services;
 - 10.3.5 scheduling regular and meaningful engagements with the film industry and relevant role players to encourage a culture of collaboration within the local industry;
 - 10.3.6 managing City resources and engaging City services on all matters related to filming in the city, including facilitating engagements between the film industry and City services, providing advice of film-related matters such as use of City facilities as film locations, film-friendly tariffs, etc.;
 - 10.3.7 developing a well -resourced City Film Office to promote Cape Town as a competitive, film business destination for local and international businesses as well as residents;
 - 10.3.8 providing and continually improving the film permitting and film facilitation services offered by the City; and
 - 10.3.9 developing mechanisms to support the film industry financially or in-kind.

11 FILM POLICY MECHANISMS

The Film Policy mechanisms to enable and support film initiatives that may contribute to or deliver on the attainment of the policy directives include:

- 11.1 Efficient and effective marketing and communications initiatives and interventions to promote Cape Town's film sector locally and internationally and to stimulate sustainable economic growth, investment and job creation, including:
 - a) using relevant media and social media platforms to position and promote the City as a widely recognized and well-established film hub to attract more television series and long form filming to Cape Town and to address seasonality;
 - b) supporting filming, film events and initiatives within the City of Cape Town, including promoting sustainable filming initiatives;
 - c) targeted funding in support of promotional and developmental film initiatives; and
 - d) creation of an environment conducive to safe, sustainable, resilient, environmentally sensitive and socially responsible filming practices for the film industry and general public;
- 11.2 Interventions to support a thriving, inclusive, diversified and resilient film industry including:
 - a) development of a well-resourced City Film Office to not only assist with the needs of the film industry closer to home but to also represent the city and region internationally;
 - b) creation of a City of Cape Town Film Fund (section 12);
 - c) undertaking or commissioning research to assist the City in planning and implementing its Film Strategy and Film Policy. Such research key areas may include international best practices, international standards, trends and regulations applicable to the film industry, sustainability and resilience and providing options applicable to our local context;
 - d) targeted training and skills development aimed at delivering appropriately skilled resources to ensure an inclusive, sustainable and resilient filming industry, and

- e) facilitating an environment conducive to filming with appropriate regulations, enforcement and deployment of appropriate City services.
- 11.3 Strengthening intergovernmental relationships and industry partnerships, Including:
- a) ongoing Stakeholder engagement;
 - b) improving the ease of doing film-related business in and with the City;
 - c) encouraging City leadership to include film related business as a key aspect of local and international engagements and partnerships; and
 - d) scheduling regular and meaningful engagements with the film industry and relevant role players to encourage a culture of collaboration within the local industry and to ensure that the City remains abreast of developments within the industry.

12. FILM SUPPORT AND FACILITATION

The City may from time to time choose to support the film industry through creating enabling mechanisms to support film initiatives that may contribute toward the attainment of the Desired Outcomes contained in this policy and to position Cape Town as the leading film hub in Africa. This may include advocating for or providing support and discounts to qualifying film productions or projects or to the local film industry as a whole.

12.1. Support For Filming

The City may offer various forms of support to realise the desired outcomes of this policy as well as the strategic outcomes of the City in general. These include job creation, inclusivity and establishing Cape Town as a globally competitive city.

In order to support filming activities that may contribute toward the attainment of the Desired Outcomes contained in this policy:

- (a) the City may from time to time choose to support film- related activities or projects that support the attainment of the City's Strategic Objectives;
- (b) City support for any film-related activity can only be contemplated if the City's Event and Film Department or any other City Department has funding approved in its business plan and budget;

- (c) City support for filming may take the form of direct funding or subsidising the cost of City services or facilities;
- (d) the City may choose the level and type of funding or support it wishes to provide in response to a film support application; and
- (e) the City may from time to time seek to assist the industry through targeted interventions that may include reduced tariffs, etc.

12.2. Film Fund

- 12.2.1 The City may through its budgetary processes establish a Film Fund to provide for Film Support and Discounts as envisaged in 11 above.
- 12.2.2 The Film Fund may provide support and discounts to qualifying film production and initiatives as envisaged in 12.3 below.
- 12.2.3 The City may negotiate a series of rights in exchange for film- related activities or projects supported by its Film Fund. Such rights may include the promotion of the City's brand through film credits, marketing opportunities, media opportunities, film hospitality and event tickets.

12.3. Film Support and Discounts

- 12.3.1 The City may, subject to agreed outcomes and deliverables, provide support and discounts to qualifying film productions or initiatives that:
 - a) showcase or promote the City and its film industry as a premier film destination nationally and internationally;
 - b) support the promotion of locally filmed productions by providing a suitable support programme with clear guidelines and eligibility criteria for support for attendance at film markets and festivals;
 - c) support local emerging filmmakers and encourage the production of local content in order to stimulate the local film industry; and

- d) provide or facilitate access to training in film production, development opportunities or employment in the film industry for individuals from local communities.

12.3.2 The City may from time to time consider discounting or waiving services costs and facility tariffs should it determine a film production or project will:

- a) create or support significant direct local employment and expenditure on local goods and services,
- b) create meaningful training and development opportunities for local youth and communities,
- c) assist with the geographic spread of the economic and societal benefits derived from filming, or
- d) promote the City internationally and encourage tourism.

The support may take the form of:

- a) direct funding, or in kind support in the form of City facilities or services needed for a qualifying film project; or
- b) tariff discounts - where a production company demonstrates the number of jobs and the level of jobs created directly by the film production or project as a result of the filming activity.

12.4. Application Process for Film Support

Applications for Film Support can only be considered within the limits of the funding approved for this purpose on the City Events and Film Department or any other City Department budget.

12.4.1 Applicants are required to submit an application for film support to the

City.12.4.2 The application for support should be aligned to the guidelines outlined below:

- a) applications for film support must be submitted to the Events and Film Department on a standard template provided by the Events and Film Department or via an electronic/online application system, once available;
- b) applications for film support should be made at least 120 days before commencement of the film production or project in order to facilitate the decision-making processes;

- c) film support applications received later than 120 days prior to the start of production may not be considered; and
- d) the City will acknowledge receipt of all support applications received.

12.5 Film Support Decision Making Process

The Film Support decision-making process will be facilitated through Council systems and structures such as Council meetings, the City's budget process, the Film Support Committee and according to the System of Delegations.

12.5.1 The following pertinent information must be provided by applicants in order to assess the possible reputational and legal risk to the City when considering supporting any film project:

- a) the composition of the company's board and the production company's or the film-maker's background and experience in film-making and the film industry;
- b) the production company or film-maker's track record in the film industry;
- c) any relevant research, production financial information, including economic and environmental impact assessments relevant to the application under consideration;
- d) information on measures to promote and enable resource efficiency, climate resilience, waste reduction and socially responsible decision-making including, the reduction of the production's or project's carbon footprint, energy demands - and measures to minimise or limit the impact on natural and sensitive environments including green infrastructure assets and ecosystems;
- e) details of production partners, particularly other funders, sponsors and media partners;
- f) detailed information on the anticipated impact of the production or project on the local economy and on the intended beneficiaries of the production or project; and
- g) declarations in relation to any conflicts of interest that exist or may arise from receiving support from the City,

12.6 Film Support Reporting

- 12.6.1 The Events and Film Department will provide quarterly reports on Film Fund supported projects to the relevant Portfolio Committee.
- 12.6.2 Beneficiaries of Film Fund Support must provide the City with progress reports on agreed criteria and reporting elements within the timeframes stipulated in the Film Funding Agreement.
- a) The reports may include information on participants and beneficiaries, media and marketing reports, economic opportunities and jobs created, environmental and sustainability initiatives implemented, challenges, issues and complaints, etc.
 - b) A comprehensive project report must be submitted on conclusion of the supported film project within the timeframes determined in the Film Funding Agreement.

12.7. Film Facilitation

As part of its film facilitation and enabling service offering the City may wish to:

- 12.7.1 use relevant media and social media platforms to position and promote the City as a globally competitive film destination with a variety of world-class locations, studios, facilitation companies and specialized crew to attract more filming business to Cape Town and to address seasonality.
- 12.7.2 establish transversal project teams across City directorates and other role-players to assist in the facilitation and approval processes for complex productions. In this regard:
- a) the Film Office may recommend to the relevant Executive Director or delegated authority that a complex film project requires dedicated project support. Once approved, a multi-disciplinary team comprising of relevant City Staff may be assigned to the project;
 - b) the criteria for determining complexity includes the potential economic, reputational benefits of the film project for the City or the region; and
 - c) at its own discretion, may require a clear project plan or any other information it may deem necessary to be timeously submitted to the Film Office by the applicant.

12.7.3 engage with internal and external role-players in order to facilitate the realisation of strategic objectives and desired outcomes contained in this policy.

13. FILM LOCATIONS

In order to develop the Cape Town as a premium film destination, the City requires a large variety of easily accessible, marketable filming locations. In terms of this policy:

13.1 The City may seek to improve liaison with filming locations, film studios as well as public and private stakeholders and role-players to improve the portfolio of film locations within the City.

13.2 The City may engage with key filming location role-players to discuss protocols and requirements that will assist in creating film-friendly, accessible locations.

14. REGULATION OF FILMING

14.1 The Filming By-law will provide for the regulation of matters pertaining to filming within the jurisdiction of the City, including:

- a) the application of the By-law
- b) the filming activities and facilities exempted from applying for film permits;
- c) applying for a filming permit in the City ;
- d) the determination of community consultation requirements;
- e) ;the process, requirements and criteria for assessing filming applications;
- f) decisions on film permits
- g) Compliance Notices;
- h) the Right of Appeal
- i) Offences and Penalties;
- j) the recovery of costs
- k) the determination of film shoot types and application requirements;
- l) the monitoring of filming activities; and
- m) the recovery of costs.

15. MONITORING, EVALUATION AND REVIEW.

Ongoing monitoring, evaluation and review of the implementation of the Film Policy is an essential component of good governance and the City's commitment to creating a strong supportive and enabling environment for the local film industry.

- 15.1 This Policy will be reviewed every five years, or as changes in legislation or developments in the broader film ecosystem may require;
- 15.2 Monitoring and evaluation of this policy will be performed by the Events and Film Department.
- 15.3 A monitoring and evaluation framework will be developed in support of this policy and will include criteria against which the policy will be evaluated.
 - a) This framework will seek to establish high-level indicators relevant to the film industry which could assist in tracking its development in terms of the realization of the strategic objectives and desired outcomes of this policy.
- 15.4 Any amendments to this policy must be submitted to Council for review and approval.

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