



Equity/PACT Cinema Film Agreement 2016
A Digest of Minimum Terms and Conditions
4th January 2016 – 5th April 2016

NB. The +% amounts (ie. 50%, 75% or 280%) relate to the fees payable for the film's commercial exploitation (see pages 5 for breakdown and page 3 re Low Budget/Very Low Budget films).

PLEASE NOTE THE RELEVANT +% FEES ARE PAYABLE AT THE POINT OF CONTRACT. These fees are for **FEATURED ARTISTS**.

ARTISTS

(including dancers and eligible performance capture)

Films with a budget of £3 million and over

	<u>Basic</u>	<u>+280%</u>
Daily Rate	£129.50	£492.10
Weekly Rate	£518	£1,968.40

British Low Budget Films

(Budget over £1 million but under £3 million)

	<u>Basic</u>	<u>+75%</u>
Daily Rate	£129.50	£227
Weekly Rate	£518	£908

Very Low Budget

(Budget under £1 million)

	<u>Basic</u>	<u>+50%</u>
Daily Rate	£129.50	£194.25
Weekly Rate	£518	£777

Overtime

1/3 of the daily fee (excluding use fees) subject to a maximum of **£76 per hour**.

STUNTS

Stunt Performer Daily	£542 inclusive of use fees
Stunt Performer Weekly	£2,168 inclusive of use fees
Stunt Co-ordinator Daily	£688 inclusive of use fees
Stunt Co-ordinator Weekly	£2,752 inclusive of use fees
Stunt Insurance Daily	£16.50
Stunt Insurance Weekly	£33
Stunt wig/wardrobe	£129.50
Stunt Overtime	1/7 of daily rate

Session Singers

Scale 1 1-36 hours	£123 per hour (£246 per 2hr session)
Scale 2 37-350 hours	£91 per hour (£182 per 2hr session)
Scale 3 351-800 hours	£ 82 per hour (£ 246 per 3hr session)
Scale 4 801 hours and over	£60 per hour (£ 180 per 3hr session)

Revoicing, Voice-Overs and Commentary

Session rate (4 hours) **£96.50 + applicable use fees**

ADR. *

ADR session rate (4 hours) **£283 inclusive of use fees**

ADR session rate Low Budget Films **£92 + applicable use fees**

* A.D.R. (Additional Dialogue Replacement or Automatic Dialogue Replacement) is not predominantly concerned with performance in character but is to do with the creation of atmosphere and general characteristics sounds and dialogue to fit with action, often over crowd scenes.

Holiday pay

£14.72 per day

Daily Late Payment Penalty

£10 per day subject to a maximum
of **£1,000**

Penalty for broken Daily/Weekly rest periods

Overtime payment for those hours by which rest period is curtailed

Terms of engagement

Working day/night - 10 hours including 1 hour for lunch

Continuous working day - 8 hrs between 7am & 7pm, which must include a running buffet for the artists

Time spent in **makeup, hairdressing and wardrobe** is included as part of the working day

Payment is on a weekly basis and is due by Friday of the week following that in which the work is done

Nightwork - basic fee + 50% daily fee

Work on Sixth day - additional daily fee

Work on Seventh day and declared holiday - basic fee + 50% daily fee

Daily rest period – normally 12 consecutive hours between calls but can be reduced to a minimum of 11 consecutive hours as a result of production demands

Weekly rest period – normally 24 consecutive hours during a 7 day period but can be reduced to a minimum of either 2 rest periods of 24 consecutive hours each during a 14 day period or 1 rest period of 48 consecutive hours during a 14 day period

Rest break – uninterrupted rest break of 20 minutes no later than 6 hours from call time (including hair/make up etc) or six hours from last rest break

Low Budget Films

A film with a budget below £1 million can be registered with PACT as a Very Low Budget Film (VLBF).

A film with a budget below £3 million can be registered as a Low Budget Film (LBF).

Registered low budget films attract lower use fees (+ 50% on a VLBF & + 75% on LBF). This pre-purchase allows the producer to exploit the film across the board (i.e. the pre-purchase buys all uses). In exchange for this concession, the producer must pay 5% of net profits instead of the standard 3%.

Pre-purchases and back-end payments

Option A

3% of net profits of the film from all sources, to be shared among the performers pro rata, on a points system and to be reported via an independent collection agent approved by Equity. This option will be usually applied to independent British films.

Options B and C

A percentage of gross receipts (royalty payment) from sales to television broadcasters and from sales of home video and DTO/EST to be shared among the performers pro rata, on a points system. This option will be usually applied to US Studio films made in the UK. Option C buys out ancillary rights but offers enhanced royalty payments compared with Option B.

Equity Payment distribution fee for disbursement of royalty / net profit share payments

Either (as the Producer shall elect):

- A one off payment of £3,000 to cover all accounting with respect to the film for all accounting periods; or
- A sum equivalent to 1% of the lump sum payment made by the Producer for each accounting period

**Breakdown of pre-purchased percentages (totalling 280%) per
Appendix FA**

Theatrical

USA/Canada 30%

Rest of World (including the UK) 30%

UK Television Rights (excluding Theatrical & DVD)

UK Network Terrestrial TV 12.5%

UK Secondary TV 2.5%

UK Premium Pay, Pay per View & On Demand TV 15%

USA Rights (excluding Theatrical & DVD)

US Major Network 15%

US Other than a Major Network 5%

US Pay TV 10%

Rest of the World TV Rights (excluding UK and USA rights) 5%

Worldwide DVD/Video 140%

World Download to own 5%

World Pay and World Free VOD 5%

World Clip Exploitation 5%

POINTS SYSTEM ON OPTIONS A, B & C

Time Units:

Each day worked = 1/5th (0.2) Time Unit

Each Week worked = 1 Time Unit

Maximum = **5 Time Units**

Salary Units:

For three days or less;

Each multiple of £122 = 1/5th (0.2) Salary Unit

Four or more days/weeks;

Each multiple of £488 = 1 Salary Unit

Maximum = **10 salary units**

FINANCIAL ASSURANCES/ESCROW ON ALL CINEMA FILMS

The production must either provide a letter of financial guarantee, which will only be accepted from an organisation recognised by Equity such as one of the US Studios or the BBC, or place a sum of money with either Equity or PACT. Escrow is only placed with Equity if the production is not going through PACT.

In all cases the escrow required is the entire sum to be paid to each artist subject to a maximum of £5,000 per week, with a maximum of two weeks' money held, i.e. we hold a maximum of £10,000 per artist.

The escrow will be returned as soon as practicable following confirmation by the producer that all artists have been paid and the receipt of a completed time and salary sheet and provision of final production budget / definition of Net Profit / identity of collection agent as applicable.

Further details on all issues connected with the Cinema Film Agreement can be obtained from Equity:

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Laura Messenger (Films Organiser): lmessenger@equity.org.uk