



Public Film Funding Under a Federalist Paradigm: A Synoptic Analysis of State Aid for Film in Germany

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1 Germany: A Plethora of Film Subsidy Schemes

Germany spans a large institutional network of public film funding schemes across the country. In total, these schemes account for (federal and regional) subsidies of more than 300 million euros per year. Support schemes come as direct subsidies supporting national film culture. State film support is organized on federal, regional, and local levels, through either conditionally (i.e., when films are successful at the box office) repayable loans or as nonrepayable grants (including prizes).

On the federal level, nonrepayable grants for the production of theatrical films are available under the *German Federal Film Fund* (*Deutscher Filmförderfonds*, DFFF), provided by the Federal Government Commissioner for Culture and the Media (*Beauftragte der Bundesregierung für Kultur und Medien*, BKM). BKM also provides approx. EUR 44 million each year via several subsidy schemes and prizes (Bundesfinanzministerium, 2015). The *German Federal Film Board* (*Filmförderungsanstalt*, FFA) grants film production funding under the *German Film Subsidy Act* (*Filmförderungsgesetz*, FFG) by way of limited recourse loans (so-called project funding). Furthermore, producers may benefit from the economic success of their previous film by way of applying to the FFA for reference funds, which are disbursed as grants (“reference funding”). Since 2016, production funding for theatrical films as well as for TV series is available under the new scheme of the German Federal Ministry of Economic Affairs and Energy (*Bundesministerium für Wirtschaft und Energie*, BMWi), the “*German Motion Picture Fund*” (GMPF). DFFF, GMPF, and FFA funding under the FFG are all administered by the FFA. In addition, almost every German state maintains a regional film and TV subsidy scheme. Most provide regional production funding

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in the form of limited recourse loans, which must be repaid from certain proceeds of the exploitation of the film/TV project according to a recoupment plan.

All German funding programs may be combined with each other as well as with European funding programs if the total amount of subsidies does not exceed 50%, or 60% for co-productions funded by more than one Member State, as provided by the European Commission's *Cinema Communication* (as renewed in November 2013). Difficult projects (such as short films, films by first-time and second-time directors, documentaries, or low-budget or otherwise commercially difficult works) as well as co-productions involving countries eligible to receive official development assistance from OECD are exempt from these limits.

Now, the main purpose of this chapter is to provide a synoptic overview of Germany's multidimensional and highly complex system of State aid for film. Mainly descriptive in fashion, it will present the country's film policy ecosystem by taking public funding institutions as the key elements responsible for designing and implementing the various subsidy schemes. It will apply a so-called meso-level perspective to study institutional policy design and practice.

We know from theory that institutions may function as "micro-macro-links," as has been theorized by Altmeyden (2011), links that work between the macro-level of the political and legal environment and the microlevel of individual stakeholders who are active in film production and distribution. Subsidies, it is assumed, link up elements of both the "media system" with all its recipients on the one side and all other stakeholders affected on the other side. Typically, these "linking pins" are film funding bodies and film production and distribution companies, but also TV and video production companies. Analyzing subsidies on a "meso-level" of film policy thus means to link institutional structures and processes with those committed via the institutional frames that these regulation instruments involve.

In the following, a synoptic overview of Germany's public film supply support schemes is provided, and present policies, instruments, and measures are outlined. These schemes run under a "federalist governance paradigm" (Halle, 2016). Federalism is a unique feature of German policy making that has grown out historically and combines high levels of central State funding with a decentralized governance structure through regional funding bodies installed in the *Länder*. Then the performance of public film funding in Germany is critically acclaimed. Theoretical concepts are used only sporadically in this chapter.¹

¹Some of them do apply such as *bureaucracy theory* from the field of new political economy (Kumb, 2014; Niskanen, 2007) or *governance theory* with a special focus on policy design and practice (Howlett & Rayner, 2013; Linder & Peters, 1990).

2 Key Film Industry Facts, Governance Principles, and Funding Institutions

2.1 Key Film Industry Facts

Germany's film industry is one of the strongest in Europe (European Parliament, 2014; Lange & Talavera, 2015). According to a new study on behalf of the BMWi, since 2009, film producers' revenues have remained stable at around 4.5 billion euros. As measured by volume of revenues, German TV stations are still by far their largest clients. The number of feature-length films with German participation, which were first shown in the cinema, has steadily increased from 2009 to 2015 to finally 226. However, further significant growth is not expected, whereas 84% of the cinema operators surveyed believe that too many films are starting. Likewise, the turnover of cinema houses in 2014 was slightly lower than in the two previous years, at an average of 1.49 billion euros, but in line with the average from 2009 to 2014 (Goldmedia, Hamburg Media School, DIW Econ, 2017). By this, Germany continues to be among the top ten of global film markets (Lange & Talavera, 2015), with a cinema audience of 139.2 million in 2015, triggering gross box office revenues of 1167 million euros. On top, the domestic market share of German films reached a 5-year high of 27.5% in 2015 (Filmförderungsanstalt, 2016a).

What makes the German film industry so successful? First and foremost, it is assumed that public film subsidies play a significant role in contributing to the overall performance of the industry. Within Germany, 40% of all "classical" subsidies including TV, film distribution, and cinema, all worth ca. 275 million euros, come from federal institutions and 60% from the *Länder*. Since 2007, the *Deutsche Filmförderfond* (DFFF) has also provided an *incentive promotion* tool which was endowed with 50 million euros in 2016. In addition, the *German Motion Picture Fund* (GMPF) of the BMWi has been funded since December 2015 with a subsidy budget of 10 million euros (Goldmedia et al., 2017). Overall, some 90% of all German films have received some sort of public funding annually over the years. This is exceptional because, on average and in EU comparison, only 40–50% of all the national films production budgets are financed for by public money. With the public hand spending more than 300 million euros per year, public funding constitutes the most important financing source for film in the country (Castendyk & Goldhammer, 2012; FFA, 2016a; Wendling, 2012).

Table 1 offers key data of the German film industry (2011–2015) by number of film releases, German films (co)-produced, number of US films, their admission numbers and market shares, and box office gross revenues.

2.2 Governance Principles

2.2.1 Film Policy Goals

German media and cultural policy aims are generally directed at ensuring the freedom and diversity of the media. It is claimed that public media policy is to

Table 1 The German film industry—key facts

Year	Film releases ^a	German films (incl. co.-prod.) ^a	US films ^a	German films: admissions (million)/market share	US films: admissions (million)/market share	German films: B.O. gross (million euros) ^b	US films: B.O. gross (million euros) ^b
2011	532	212	144	28.0 (21.8%)	72.5 (61.2%)	206.9	535.8
2012	551	220	148	20.5 (18.1%)	74.7 (61.1%)	156.8	571.5
2013	563	223	159	30.4 (26.2%)	83.7 (65.4%)	239.8	660.4
2014	570	229	143	25.7 (23.7%)	67.7 (62.6%)	206.9	545.0
2015	596	226	152	37.1 (27.5%)	69.9 (58.7%)	311.3	586.5

Sources: *Filmförderungsanstalt* (2012, 2013, 2014, 2015b, 2016a)

^aPremieres only

^bBased on average ticket prices

integrate political, cultural, and economic goals (BKM, 2014; Müller & Gusy, 2012). Film policy as a subfield prefers economic and cultural over political goals such as media pluralism (Knorr & Schulz, 2009; Storm, 2000).

2.2.2 Legitimacy

Three main aspects legitimize government intervention for film in Germany: (1) *market power*, (2) the character of film as *merit good*, and (3) the existence of *external effects* (Knorr & Schulz, 2009; Kumb, 2014; von Rimscha, 2010). The problem of *market power* is a big one and has its origin in the worldwide dominance of US films. In 2015, their EU market share was 64% by admissions (EAO, 2016), and in Germany nearly 55% of films were of US origin (Filmförderungsanstalt, 2016a). The superior market performance of US films is also observable in Table 1. On the supply side, the German film industry is rather fragmented, in contrast to the vertically concentrated US film studios. Hence, the financial performance of most German film production companies is weak: 23% realize negative returns, another 42% hardly break even (Castendyk & Goldhammer, 2012). Weak finances, high levels of capital demand, and audience demand uncertainty are characteristic for the film industry (Morawetz, Hardy, Haslam, & Randle, 2007) and hinder the majority of production companies from building a strong equity base (Keuper, Puchta, & Röder, 2008). Strengthening German film companies is thus a frequent argument in favor of state intervention by means of financial support (von Rimscha, 2010).

2.2.3 Economic and Cultural Objectives

As mentioned, policy objectives are either driven by economic or cultural goals (Duvvuri, 2007; Storm, 2000). *Economic objectives* primarily aim at the structural improvement of economic conditions for Germany's film industry and the boosting of its international competitiveness (BKM, 2012). Additionally, regional funding institutions pursue the promotion of their respective filming locations (Kumb, 2014). *Cultural objectives* are focusing on the advancement of quality and diversity of German films and may include the support of new talented artists (BKM, 2014).

2.2.4 Funding Processes and Tools

In Germany, financial grants have been the dominant tool employed for achieving the objectives of film policy (Cooke, 2007). The funds are allocated through public bodies acting on behalf of their respective national or regional governments (Kumb, 2014).

Historically, public funding for film had its beginnings in the 1950s in the industrial policy program of so-called deficiency guarantees, funds provided by the Federal German Government and Bavaria to cover any shortfalls arising from capital or cash flow. The program was a reaction to the film industry's post-war decline. "Cultural funding" took up in 1956 when the *Federal Film Prize* was endowed with substantial premiums by the Ministry of the Interior. A further milestone was the establishment of the *Foundation for Young German Cinema (Kuratorium junger deutscher Film)* in 1965. "Economic funding" was boosted by

several developments: the decree of the *German Film Subsidy Act* (FFG) in 1967; the beginnings of regional film funding in the late 1970s in Berlin, Hamburg, and Bavaria, which also covered cultural aspects; and, more recently, the introduction of the *German Federal Film Fund* (DFFF) in 2007 (Castendyk, 2008; Knorr & Schulz, 2009).

The DFFF's launch was a particular case in point as it expressed an important change in policy design: until 2005, Germany's film policy mix included a tax shelter for investments in film production. This induced a massive accumulation of private equity with media investment funds. Since the late 1990s, nearly 15 billion euros were used to finance US movies. Not surprisingly, this move was later labeled "stupid German money" in Hollywood circles (Pauly, 2008). Due to this undesired effect, the tax shelter was abandoned and the DFFF introduced instead (Brehm, 2009).

Today, the *Korda* database (2016) lists a total of 16 German funding bodies supporting film production plus *Eurimages* as the EU's supranational institution. There are four national and twelve regional funding bodies. Three cultural institutions for Bremen, Saxony-Anhalt, and Rhineland-Palatinate have not been included, possibly due to their limited film funding activities. Some *Länder* have mutual funding bodies, e.g., Berlin and Brandenburg or Hamburg and Schleswig-Holstein, whereas Saxony and Saxony-Anhalt not only participate in the *Central German Media Fund* (MDM—*Mitteldeutsche Medienförderung*) but also support film and other culture-related activities through their cultural foundations.

Most institutions provide a range of funding schemes, each focusing on different aspects. The resulting variety is unique and reflects the specific history and political traditions of Germany, more specifically, the existence of many sovereign states of various sizes and kinds within the country, which dominated until the late nineteenth century (Toepler & Zimmer, 1997). Based on the principle of *cooperative federalism*, the "cultural sovereignty" of the *Länder* sets out their primary responsibility for cultural matters. Naturally, this restricts options for national support (Gerlach-March, 2010). As a consequence, the *Länder* have a much greater weight in German film policy than regional states in other European countries. Hence, the federal government's support activities consequently focus on economic dimensions of film funding, complemented by the promotion of cultural projects with national significance (BKM, 2014).

2.2.5 Specific Funding Purposes

The film funding bodies' specific targets are formulated in relatively general terms, both in the national film funding law (FFG) (par. 59: *quality and economic efficiency*) and in the different funding guidelines of the regional support schemes (Duvvuri, 2007). Existing specifications refer to promoting particular federal states, young filmmakers, or special kinds of films. In view of the apparent low level of differentiation, the present description chooses a simple dichotomy to categorize funding bodies as either economically or culturally focused. An economic focus does not rule out pursuing secondary cultural objectives (Daamen, 2008).

Clearly, a funding institution’s focus is mirrored by its decisions for funding. For example, if a body mainly supports documentary features—a genre which is typically less commercial than fiction and might thus be associated with “arthouse” cinema (Austin, 2007), it may well be focusing on a cultural orientation of funding. Similarly, the average funding amount indicates an institution’s tendency to support higher-budgeted (commercial) projects.

2.2.6 Funding by Type

As in all European funding systems (Newman-Baudais, 2011), German funding bodies regularly assign the greater part of their support to feature film production. Film subsidies are regularly earmarked and paid out through either conditionally repayable loans or grants (including prizes). Their allocation is either *selective*, i.e., based on decisions of competent bodies, or *automatic*, providing that eligibility and award criteria are met in advance.

2.3 Funding Institutions

In 2015, the ten biggest national and regional funding bodies provided a total of 191 million euros in production support for theatrical films. This amount has remained relatively constant since the introduction of the DFFF (2012, 2016; Filmförderungsanstalt, 2008, 2016a). The national funding bodies operated with a slightly higher funding total than the bigger regional ones. By adding the smaller regional institutions, the ratio currently comes to 50:50. The three regional bodies with the highest budgets are all located in regional centers of film production: North Rhine-Westphalia, Bavaria, and Berlin-Brandenburg. Together they account for by almost two thirds of total regional funding, distinctly ahead of the *Filmförderung Hamburg/Schleswig-Holstein* (FFHSH) in the Hamburg region.

Taking into account “territoriality” and “focus of objectives,” the various funding bodies can be grouped into four basic categories, as shown in Table 2.

The positions of bigger regional funding bodies with a relatively strong cultural focus, e.g., MDM or FFHSH, are less distinct. Due to their emphasis on supporting local film industries and relatively high budgets, however, their positions are closer to the group of bigger, economically oriented institutions than with the smaller cultural ones.

Table 2 German film funding—by category

Focus of objectives	Territoriality	
	National	Regional
Economic	FFA, DFFF	FMS, FFF, MBB, FFHSH, MFG, MDM, Nordmedia, HessenFilm
Cultural	BKM, Kuratorium	Filmbüro Bremen, Saarland Medien, Filmbüro MV, Kulturstiftung Sachsen

Source: The author

Regarding the average funding amount per film, there are significant differences that reflect the institutions' foci of objectives: In 2015, the economically oriented DFFF was on top of the national funders averaging 573,600 euros per film, with the *Kuratorium's* 44,500 euros at the bottom (DFFF, 2016; Kuratorium, 2016). Among the regional institutions, the highest average amount was provided by the *FilmFernsehFonds Bayern* (FFF) (2016a) with 384,800 euros, the lowest by small cultural institutions like the Filmbüro Bremen (2016) with a maximum of 30,000 euros. Accordingly, the share of funded movies tends to be higher at economic than at cultural institutions, which have a greater preference for documentaries.

Overall, 675 positive funding decisions were made by national and bigger regional funders in 2015 (Filmförderungsanstalt, 2016a; Kuratorium, 2016). Considering that annually 220–230 German films are released, this implies the majority of films receive multiple funding, on average 3–4 times. Correspondingly, larger German film companies often have subsidiaries in multiple regions which enable them to accumulate funding from several regional schemes. Examples are *X Filme*, who besides their Berlin headquarters also operate subsidiaries in Munich and North Rhine-Westphalia, and *Wiedemann & Berg*, who run offices in Munich, Berlin, Cologne, and Ludwigsburg.

Further differences between regional and national funders lie in the application frequencies, which are especially high in production-intensive regions. In Bavaria, 90 applications for production funding of theatrical films were submitted in 2014, two thirds of which were approved (Bayrisches Staatsministerium, 2015). Berlin-Brandenburg even received 188 applications, with a funding quota of 40% in 2015 (Medienboard, 2016a). At the national institutions, application frequency and funding quota vary with their focus: at the BKM, 16% of ca. 220 applications were approved (Bundesregierung, 2015a, b, c, d), at the *Kuratorium*, for all types of funding, 15% (Kuratorium, 2016); at the FFA, the quota for project funding was 35% of 124 applications (Filmförderungsanstalt, 2016b). The DFFF's budget was entirely used up in 2014 without any application being rejected (DFFF, 2015). In 2015, however, an overbooking by more than 20% could only be compensated by the one-time-only use of commitment appropriations (Bundesregierung, 2016a).

3 Federal Film Funding Bodies

3.1 Filmförderungsanstalt (FFA)

Germany's biggest national funding body, the FFA, is allocated with a budget of 73.2 million euros (in 2015). Its budget is mostly financed by the film and television industry. Pursuant to the FFG, companies exploiting feature films must pay a legally binding proportion of their revenues to the FFA. This so-called film levy finances all of the FFA's funding measures and must be paid by the exhibitors, the video industry, the broadcasters, as well as the program providers. All support activities are fully governed by the FFG. Production funding is granted in two forms: project funding (*selective*) and reference funding (*automatic*).

Project funding is provided through conditionally repayable loans in a proportionate share of the production budget but limited to one million euros (FFG: par. 60). The selection of projects is made by a committee of industry experts. A decisive criterion is the projects' potential to improve the quality and economic efficiency of German films (FFG: par. 59), which underlines the FFA's economic focus (Kumb, 2014). In 2015, grants amounted to 14.4 million euros for 44 projects selected from 124 applications. Usually, 70% of the funded projects are movies and 30% documentaries (Filmförderungsanstalt, 2015a, 2016b).

Reference film funding retroactively rewards producers of successful films through grants earmarked for the development and production of new films. A points system serves as basis for their allocation. The number of reference points is calculated from a film's audience numbers and successes at festivals and awards. Funding is awarded automatically once the film reaches a predefined threshold. In 2015, 64 grants were awarded totaling 15.9 million euros. Two thirds of all reference-funded films have additionally received project funding (Filmförderungsanstalt, 2015a, 2016c).

3.2 Deutscher Filmförderfonds (DFFF)

DFFF is a German Federal fund that has supported approximately 1100 film productions, more than a third of which are international co-productions, with almost EUR 600 million since its inception in 2007. The DFFF scheme operates as a nonrepayable grant. It is only available for theatrical films; TV-only productions do not qualify. The film needs to be feature-length (at least 79-min runtime) with a minimum production budget of 1 million euros (movies), 200,000 euros (documentaries), or 2 million euros (animated films), respectively. The film must be theatrically released in Germany with a certain number of copies. At least one final version of the film has to be in the German language; a dubbed or subtitled version will meet this requirement. As a rule, principal photography may only start after an approving decision by the FFA, but producers may apply for exemptions. Following the award decision, shooting must commence within 4 months (BKM, 2017).

On March 20, 2017, the German Government passed the draft budget for 2018. It provides for a substantial increase of the DFFF from its current 50 million euros to a total of 125 million euros per year. This is good news for the film industry; in particular as the DFFF saw an initial increase earlier this year from 50 to 75 million euros to specifically serve international and VFX-heavy productions in a separate fund under the DFFF becoming available in summer 2017. It is understood that the new increase from 75 to 125 million euros will again be dedicated to that new fund of the DFFF. This would mean that a total of 75 million euros would be earmarked for international and VFX-heavy projects from 2018 onwards. Details remain to be determined as the responsible Federal Government Commissioner (BKM) will release further information upon short notice (GreenbergTraurig, 2017). In 2015,

61.4 million euros was awarded to 107 feature films, including 78 movies and 26 documentaries. Thirty-six films are international co-productions (DFFF, 2016).

Awarding is done automatically once specified economic and cultural criteria are met: e.g., a minimum “German spend” of 25% of the production costs, a national distribution contract, and the passing of a “cultural test” (Roland Berger, 2014). For requests of more than 4 million euros, an additional decision by the advisory board is required. German Spend is defined as expenditure on film-related goods or services delivered or provided in Germany by companies domiciled in Germany or individuals subject to (restricted or unrestricted) German tax liability. The film has to pass the DFFF cultural test based on a points system to ensure that the project complies with the DFFF’s objective to support German film culture. The tests, varying for feature films, documentaries, and animated films, differentiate between content, cast/crew, and the use of production facilities in Germany. Films must meet a specified number of points in each section to pass the test. As of 2017, the fund places specific importance on sustainable production. Under the new regulations, producers who fail to give a voluntary commitment to produce sustainably when filing the application will have points deducted in the cultural test. For international co-productions within the scope of the *European Convention on Cinematographic Co-Production* (the “European Convention”), the points system established therein will be applicable in lieu of the DFFF cultural test (GreenbergTraurig, 2017).

To date, the highest amount granted to a film under the DFFF was EUR 10 million for *Cloud Atlas* in 2011. In 2007, *Speed Racer* was awarded 9 million euros and in 2013, *The Monuments Men* was awarded 8.5 million euros. In 2015, *A Cure for Wellness* received EUR 8.1 million.²

3.3 Beauftragte der Bundesregierung für Kultur und Medien (BKM)

The BKM directly supports the production of films with a cultural focus through two instruments: (1) the awarding of the *Federal Film Prize* and (2) *selective production funding*. The prize is endowed with 3.0 million euros for several categories, e.g., best movie or best documentary, and awarded by members of the German Film Academy. Prize monies are earmarked for the production of new theatrical films (Bundesregierung, 2016b).

Production funding is awarded to “culturally excellent film projects” as a nonrepayable grant up to a maximum of 250,000 euros. Lately, it was decided that this limit will be raised to 1 million euros following an increase of the BKM’s film-related budget by 15 million euros in 2016 (Bundesregierung, 2016c). An independent jury of experts decides on the applications (Bundesregierung, 2015e).

²A list of projects funded by the DFFF and currently in production can be found at: <http://www.dfff-ffa.de/foerderzusagen.html> (in German) or <http://dfff-ffa.de/production-review.html>

In 2015, 34 feature films were supported with an amount of 4.9 million euros, including children's films funded from BKM resources through the *Kuratorium*. The ratio of movies to documentaries is 60–40 (Bundesregierung, 2015a, b, c, d).

3.4 Foundation for Young German Cinema (Kuratorium)

The *Kuratorium* is Germany's oldest national funding body. Its cultural focus is on the promotion of talents and the artistic development of German films. The foundation supports works of young German filmmakers with a relatively modest annual budget of around 500,000 euros provided by the *Länder*, not including the joint scheme for children's films by *Kuratorium* and BKM (Schweitzer, 2015). In 2015, nine movies and five documentaries were supported with a total of 623,500 euros (Kuratorium, 2016).

4 Regional Film Funding Bodies

Regional funding bodies can be categorized according to size. The eight bigger institutions have the form of funding limited companies (*Förder-GmbHs*) whose shareholders include the respective *Länder* and in most cases also public and private broadcasters. They usually operate on film funding budgets of five million euros and more and pursue both economic and cultural objectives, however, with different foci: traditionally, the FFF has an economic focus (Castendyk, 2008), whereas the FFHSH displays a stronger cultural orientation. Just like the *Film- und Medienstiftung NRW* (FMS), the FFHSH runs two separate schemes for production funding: one for commercial films with higher budgets and one for lower-budgeted, rather artistic films. This twofold approach can be traced back to the merger of formerly independent funding bodies under the roof of the *Förder-GmbHs* (Hubert, 2015).

The group of smaller institutions are provided with film funding budgets of well under 500,000 euros, e.g., *Saarland Medien* (2015), and are in principle culturally oriented (Zwirner, 2012). They generally support film production through the provision of grants, whereas the bigger institutions mostly provide repayable loans.

Additionally, all regional funding bodies have a strong focus on promoting their locations, which automatically implies economic interests as well (Castendyk, 2008). Being mostly taxpayer-financed, they have to justify their expenses to local stakeholders in politics, business, and society. This applies especially to institutions in economically weaker regions, e.g., Central Germany, Bremen, and Berlin-Brandenburg. Funding is thus regularly tied to the generation of local expenditure ("regional effect"), i.e., for each euro of funding provided, at least one euro must be spent in the region. Some regions even require a minimum ratio of 150%. The projected regional effect is an important criterion for funding decisions since it also represents a key indicator for an institution's performance. To generate

Table 3 Regional funding bodies in Germany (2015)

Funding body	Total funding budget (million euros)	Production funding/theatrical films (million euros)	Theatrical films supported	Required regional effect (%)
Film- und Medien Stiftung NRW (FMS)	34.78	19.68	73	150
FilmFernsehFonds Bayern (FFF)	30.92	20.01	52	150
Medienboard Berlin-Brandenburg (MBB)	30.48	15.72	76	100
Filmförderung Hamburg/Schleswig-Holstein (FFHSH)	14.92	10.28	51	150
Medien- und Filmgesellschaft Baden-Württemberg (MFG)	14.57	10.40	42	120
Mitteldeutsche Medienförderung (MDM)	14.47	10.18	39	100
Nordmedia	11.15	5.76	32	100
HessenFilm und Medien	6.77	4.91 ^a	32 ^a	100
Total	158.06	96.94	397	

Sources: Filmförderungsanstalt (2016a), FMS (2016), FilmFernsehFonds (2016a), Medienboard (2016a), MDM (2016), MFG (2016a), FFHSH (2016), Nordmedia (2016), Nünning (2015), Hessische Filmförderung (2015a, b), U. Vossen (personal communication, July 6, 2016)

^aAggregated values from former institutions

desired effects, film producers can adjust their production strategies, e.g., through casting talent from a specific federal state.

Table 3 gives an overview of the bigger regional funding commissions, their total and production-related budgets, and required regional effects. Also included are the numbers of supported theatrical films. The data on *HessenFilm und Medien*, which was newly instituted in 2016 through a merger of *HessenInvestFilm* and *Hessische Filmförderung*, is based on values of its predecessors.

Not all regional funds have laid down funding ceilings, possibly to retain greater flexibility in their decisions. The FFF, for example, caps production funding at two million euros (FilmFernsehFonds, 2016b), while the MFG operates with a standard ceiling of one million euros that allows for exceptions (MFG, 2016b). The *Medienboard*, on the other hand, has only laid down ceilings for special categories, e.g., experimental films but not for “regular” theatrical films. Its highest funding ever with 1.5 million euros was awarded to the international co-production *Cloud Atlas* (Niehuus, 2011).

With one exception, all selective funding decisions are made by committees, which usually consist of shareholders’ representatives and other stakeholders. The *Medienboard* instead uses a “director’s model” (German: *Intendantenmodell*), in

which the managing director alone decides on all funding applications. This confers extensive powers to the director who can thus act flexibly and independently. Despite preliminary discussions with funding advisors, however, his/her decisions per se will always have a subjective touch. The formally more complex *committee model*, by contrast, tends to result in “middle of the road” decisions (Castendyk, 2008). Additionally, individual funding bodies such as *Medienboard* and FFF grant success-related loans based on the repayment of funds. Similar to the FFA’s reference funding, these reward the successful exploitation of films.

5 Discussing Efficacy

In order to evaluate performance and efficacy of the public film funding schemes in Germany, it is necessary to analyze their degree of achieving specified objectives. However, as mentioned above, the lack of specification of objectives at the microlevel in Germany thwarts the establishment of appropriate evaluation standards for such measurements, for example, a “target-performance analysis” (Duvvuri, 2007). The performance of public funds can thus only be measured by meso- and macro-level indicators of success.

In a survey by the Think Tank on European Film and Film Policy (2008), funding bodies preferred festival selections, awards, and domestic audiences of national films as success criteria for public support. Extant studies and reports (Castendyk, 2008; Daamen, 2008; Duvvuri, 2007; Filmförderungsanstalt, 2015a; Knorr & Schulz, 2009; Kumb, 2014; Roland Berger, 2014) apply a wide range of indicators to evaluate public film funding in Germany. With regard to orientation, these can be assigned to either economic or cultural effects.

The following analysis of selected key performance indicators is based on topical information from professional sources and findings by Castendyk (2008), Duvvuri (2007), and Daamen (2008). A distinction is made between national and regional funding bodies on the one hand and economically and culturally oriented institutions on the other.

5.1 Economic Effects

For the assessment of economic effects, I shall examine “funding-performance ratios” and “market strength indicators” of supported films, “repayment rates,” “regional effects,” and the “number of international co-productions.”

Funding-Performance Ratios In 2015, German funding bodies provided around 200 million euros in production support. Simultaneously, German films generated a domestic box office of 319 million euros and a market share of 27.5%, with a 5-year average of 24.1% (Filmförderungsanstalt, 2016a, d). Under the assumption of constant market conditions, public production funding corresponds to roughly two thirds of the films’ theatrical returns. Additionally, the amount of production

funding per cinema ticket can be used as an admission-based funding-performance ratio. For reasons of accountability, audience numbers are related to production funding in the preceding year. With 37.1 million domestic tickets sold in 2015 and a funding volume of 205.9 million euros in 2014, this comes to 5.53 euros per ticket (Filmförderungsanstalt, 2015b, c, 2016a; Hessische Filmförderung, 2015c; Kuratorium, 2015; Wirtschafts- und Infrastrukturbank, 2015). In the same year, French films sold 71.8 million domestic tickets and achieved a national market share of 35.5% with a 10-year average of 39.5% (CNC, 2016). Taking into account the slightly lower French funding volume of 184 million euros in 2014 (CNC, 2015), this comes to 2.56 euros per ticket. In addition, 322 French films were released domestically in 2015 compared to 226 German films (CNC, 2016; Filmförderungsanstalt, 2016a). These values indicate a higher efficiency of public film funding in France, although for a direct comparison, country-specific differences in sociocultural context and policy design need to be taken into account.

Market Strength An indicator of German films' market strength is their share of theatrical releases that sold one million domestic tickets and more in comparison with their total share of releases. German films accounted for 37.9% of all released films in 2015 and for 40.2% in 2014. The according shares of top films are 29.0% in 2015 and 22.2% in 2014, i.e., significantly lower. Despite substantial funding activities, US titles keep dominating the charts. Still, all nine German "audience millionaires" of 2015 had received production funding (Filmförderungsanstalt, 2015b, 2016a, e). Most were supported by the economically oriented national institutions (DFFF, eight films; FFA, seven films). The bigger regional funding bodies follow at a distance: The FFF contributed four audience millionaires; the *Medienboard* three and the FMS, despite a higher budget, only two, as many as *HessenInvestFilm*; the MDM one; and all others, including FFHSH and the *Kuratorium*, even none (Filmförderungsanstalt, 2016a; Kuratorium, 2016).

The international market presence of German films is weak with respect to both the number of films released and their market performance in key territories. For example, only 12 German films (including majority co-productions) were released in US cinemas in 2015, the most successful of which achieved an audience of under 400,000 (German Films, 2016).

Repayment Rates Few funding bodies have published data on their recoupment of support. For the FFA's project funding, the repayment rate for 2009–2013 is only 7% (Filmförderungsanstalt, 2015a). Moreover, one third of all FFA-funded audience millionaires in 2004–2013 were unable to make any repayments (Deutscher Bundestag, 2015). The Kuratorium (2016) even received less than 500 euros in repayments for production funding in 2015. For the bigger regional institutions, Castendyk (2008) finds rates of 13–15% yet points out differences in repayment procedures. The *Hessian Court of Auditors* determined for *HessenInvestFilm* a rate of 10.1% (Hessischer Rechnungshof, 2012). More recent information by the FMS indicates a corresponding rate of around 10% (Landtag Nordrhein-Westfalen, 2014). The repayment rate for *Medienboard* film funding in all categories is

Table 4 Regional and national effects of production funding (2015)

Funding institution	Local spend (%)
Deutscher Filmförderfonds (DFFF)	597
Medienboard Berlin-Brandenburg (MBB)	561
FilmFernsehFonds Bayern (FFF)	341
Medien- und Filmgesellschaft Baden-Württemberg (MFG)	230
Film- und Medien Stiftung NRW (FMS) ^a	230
Filmförderung Hamburg/Schleswig-Holstein (FFHSH) ^b	228
HessenFilm und Medien ^c	208
Mitteldeutsche Medienförderung (MDM) ^d	202
Nordmedia	184

Sources: DFFF (2016), Medienboard (2016a), B. Baehr (personal communication, June 6, 2016), MFG (2016a), FMS (2016), FFHSH (2016), MDM (2016), J. Coldewey (personal communication, June 15, 2016); U. Vossen (personal communication, July 6, 2016)

^aw/o low-budget films

^bAll production funding

^cHessenInvestFilm only

^dAll types of funding

specified by the *Brandenburg Ministry of Economy* for 1994–2011 at an average of 10.1%. Values for 2012–2013 are similar with a slight upward tendency (Land Brandenburg, 2014). Consequently, it can be assumed that up to 90% of regional loans and up to 95% of national loans cannot be recouped and therefore subsequently take on the character of grants.

Regional Effects Regional funding bodies regularly aim at a maximum of regional effects (Castendyk, 2008). These correspond on a national level with follow-up investments triggered by DFFF funding, which in 2015 amounted to 374.5 million euros (DFFF, 2016). Table 4 gives a ranked overview of regional and “national” effects.

The actual effects in all cases clearly exceed the required effects (cf. Table 3). This implies that regional funding bodies as well as the DFFF succeeded in promoting their respective territories, albeit to differing degrees. The outstanding value of the DFFF can be explained by two factors: (1) the funding scheme’s deliberate design, which per se implies a minimum effect of 500%, and (2) the inclusion of all federal states’ effects in its calculation. The high regional effects of the *Medienboard* and the FFF can be attributed to the institutions’ focus on large international co-productions, which in the case of Berlin-Brandenburg constitute nearly 50% of the local spend (Medienboard, 2016a). Still, there is a debate whether such effects also contribute to the intended structural improvements (Duvvuri, 2007; Knorr & Schulz, 2009). Sustainable effects can be assumed at least for the four production-intensive regions. They already have distinct professional structures, like *Studio Babelsberg* in the vicinity of Berlin, which are able to benefit from funding-induced production activities.

Number of International Co-productions The number of international co-productions is an indicator for a film industry's competitive strength. They are not only an expression of Germany's attractiveness as a filming location but also contribute to the artistically significant presence of German films at international festivals. The introduction of the DFFF in 2007 had an observable effect: In only eight years, the number of co-productions grew from 51 to 89 (Filmförderungsanstalt, 2011, 2016a). A positive tendency is clearly recognizable, even though the French level of 142 co-productions (CNC, 2016) is still far from being attained. The economically oriented regional institutions have asserted themselves as well: in 2015, the *Medienboard* supported 33 and the FMS 27 co-productions (FMS, 2016; Medienboard, 2016a), followed by the FFF with 12 titles, 4 of which received funding from a special co-production scheme launched in 2012 (FilmFernsehFonds, 2016a).

5.2 Cultural Effects

Cultural effects are principally difficult to assess due to divergent concepts of films' "quality." In order to avoid biased judgments, quantitative indicators like FBW certificates (denoting films of "special worth") and nominations and awards, especially in festivals, are recommended (Daamen, 2008; Duvvuri, 2007).

FBW Certificates The certification marks of the *Film- und Medienbewertung* (FBW), a German federal authority for evaluating film and media, are explicitly meant to capture the quality of German films. In 2015, 43 movies and 18 documentaries involving German film companies had received certificates for outstanding "value" (FBW, 2016), i.e., 23% of all German films released. Regarding the relationship between funding and FBW certification, the results of Daamen (2008) show a significant positive influence of both national (without DFFF) and regional funding activities on the reception of certificates. A difference between results of culturally and economically oriented institutions was only confirmed for the *Kuratorium* with an above-average share of FBW-decorated films. Similarly, in 2015, 13 of 17 films supported by the foundation received certificates (Kuratorium, 2016).

Festivals and Awards Renowned festivals and competitions are major showcases for funding bodies and the films they have supported. Daamen (2008) points out that from 1995 to 2004, the number of publicly funded films at international competitions was relatively small and mostly comprised co-productions. More recent data show a different picture: From 2009 to 2013, FFA-funded films were four times in competition in Cannes, six times in Venice, four times in Locarno and 15 times in Berlin. They also received four European film awards and one *Academy Award* (Filmförderungsanstalt, 2015a). In addition, 44% of all reference-funded films in 2015 benefited from successes in festivals and awards (Filmförderungsanstalt, 2016b). The *Kuratorium* (2016), despite its limited resources, lists 36 films that achieved festival presences and awards, though most

reported non-German festivals are of minor importance. The bigger regional institutions also achieved substantial results: in 2015, FFF-funded films received over 30 awards and nominations, most of them in German-speaking competitions (FilmFernsehFonds, 2016a). The FFHSH (2016) lists more than 50 awards and nominations, some at international “A” festivals like Tokyo and Karlovy Vary. The FMS (2016) even cites 77 participations in major international festivals and awards like the European Film Award and an Academy Award nomination for “best foreign film.” The Medienboard (2016a) reports for 2015 more than 90 national and international awards and nominations including four *Academy Awards* and two *Césars*.

Information provided for the smaller regional institutions, on the other hand, is incomplete. Due to the low number of films they support, however, their number of awards is presumably limited. Still, most German funding bodies have a noticeable presence at festivals and competitions. However, the larger share of international awards and prizes has been achieved by German-international co-productions like *Grand Budapest Hotel*.

6 Conclusion: Is All the Money Worth It?

In academia and beyond, public film support has always been strongly criticized. Academics claim that intensified research into the opaqueness and multiformity of the schemes is necessary, as are clarifications into the total volume of money spent and its lack of efficacy and other critical dimensions of the schemes (e.g., Castendyk, 2008; Daamen, 2008; Duvvuri, 2007; Gass, 2015; Knorr & Schulz, 2009; Kumb, 2014; Posener, 2014; Wendling, 2012). Notably, as is shown in the previous chapter, the system’s efficacy is strongly challenged through subsidized films having been commercial failures. A good example for such a malaise is the children’s film *V8—Die Rache der Nitros* (2015): after receiving public funding of more than 4 million euros, it generated a domestic box office of barely 30,000 euros (Filmförderungsanstalt, 2016b; Mediabiz, 2016).

Further, the system’s complexity and lack of transparency with its high number of institutions offering various schemes scattered across the country has also been criticized (e.g., Boeser, 2014; Gangloff, 2016). The country’s panoply of funding supply would only contribute to a phenomenon called “subsidy tourism” (Ankenbrand, 2013), which means that German production companies are frequently splitting productions among several regions in order to maximize funding income. This would only artificially increase their costs, e.g., for traveling, transport, and transactions (Cooke, 2007).

In the present chapter, I argued that the German film funding ecosystem warrants much closer examination, in particular when it comes to analyzing policy designs in reaching policy goals and biases between instruments and effects (Freedman, 2014; Kumb, 2014; Picard, 2016). In my view, such research would reconcile limited findings in some of the critical instances mentioned above. I believe that these deficits endanger good governance of public film support and ignore a set of

requirements that conform to performance improvements of the schemes at large. Again, the problems are manifold, but the biggest seem to be the following:

- The general lack of policy studies covering discussions about legitimacy and design of State aid for film
- The lack of conceptual perspectives on issues of public film governance
- The lack of suitable frameworks for a comparative analysis of public film funding schemes
- The lack of common, specific standards for evaluating results of instruments and measures applied

Arguably, on the positive side, public funding for film has decisively contributed to the German film industry's strong position in the country and Europe. In this context, I undertook a descriptive analysis of the German film governance ecosystem in order to consider goals and means on various levels of Germany's film subsidy structures.

We have learned that, on the macro-level, German film policy is characterized by building its instruments on both economic and cultural goals. It is by no means a secret, however, that the film industry is ruled by the "market mode" of governance. This means that the film industry is principally governed by the law of supply and demand, and state intervention is only legitimized when the market fails to achieve appropriate results. Nonetheless, when film is to be supported, the state becomes active on the "meso-level," i.e., when it helps out selected players in the industry by boosting of competitiveness, promoting locations and artists, and improving film quality and diversity. Subsidies in various forms have been chosen as central policy tool, which are distributed through specialized institutions, i.e., national and regional public funding bodies.

When it comes to evaluating the respective funding schemes, economically oriented institutions are financially stronger and thus better suited for financing higher production budgets, whereas culturally oriented institutions are mostly limited to supporting artistically ambitious films with lower budgets. The bigger regional funding bodies have a special status: in the context of the States' cultural sovereignty, they regularly pursue cultural objectives as well, for example, through their funding of young talents' and experimental films. The specific organization of funding schemes varies considerably: subsidies are provided in the form of grants or repayable loans; and funding can be awarded automatically or by decision of an expert committee or a director. In contrast to national funding bodies, regional institutions strongly emphasize the extent of regional effects in their decision-making. There are three dominant players: the FMS, the FFF, and the *Medienboard*. All three are situated in regional centers of film production, just like the medium-sized FFHSH.

But is this panoply of support measures and designs all worth it? Results are mixed: they reveal a number of weak points but also suggest favorable developments and some success. Subsidized films show solid domestic market shares at large (against some major flops, as mentioned above), an increased

number of international co-productions, and high levels of regional effects, mainly generated by economically oriented national and regional funding bodies. With regard to the rise in co-productions, these can be largely attributed to the launch of the DFFF. German films with public funding also had an increased presence at festivals and competitions. The majority of cultural effects, however, have been limited to the domestic field, at which the *Kuratorium* scores particularly well.

The international market presence of German films is still low. Even their seemingly high domestic market share is dearly bought by a high level of public funding, which is evident from looking at comparable French figures. Only few films achieve strong box office performances and are thus able to recoup their investments. Overall, as a consequence, the German film industry has become heavily dependent on public funding (Duvvuri, 2007).

An additional point of criticism is the complexity and fragmentation of the German funding schemes, which can be traced back to the country's specific governance paradigm of Federalism. This phenomenon contributes to efficiency losses from "subsidy tourism" (Cooke, 2007). Despite all justified criticism at its performance, however, I do strongly support public film funding in Germany in general, mainly because it safeguards the competitive strength of German films as against US film ware. I recommend to modify the existing policy mix through processes of restructuring, which aim at improving coherence, consistency, and congruence of its elements (Howlett & Rayner, 2013). The introduction of the DFFF is a notable example of such a change in film policy design.

What would improve overall efficacy? First, I suggest incentivizing cooperation between regional funding bodies. There have been modest attempts, such as cooperations between MFG and *HessenFilm* (2016) or *Medienboard* and MDM (having started a joint funding scheme with the *Polish Film Institute: the German-Polish Film Fund*) (Medienboard, 2016b). The development of a solution including all regional funding bodies, e.g., "effects accounts" for a mutual recognition of regional effects, is altogether a promising subject for further research.

Furthermore, it may not be economically viable for so many *Länder* to set up their own film funding structures. Overall benefits might be increased by instead focusing on already established regional centers of film production, as research by Picard (2009) suggests. This might entail a further merging of funding bodies, just like the merger of the former *Berlin Film Fund* and *Filmbüro Brandenburg* into the *Medienboard* before.

In any case, recent changes of policy instruments mainly focused on the issue of funding volume: Besides the substantial increases in the BKM's budget both for cultural film funding and the DFFF outlined in sec. 3 (Bundesregierung, 2015f), the Federal Ministry for Economic Affairs and Energy enacted the new GMPF fund with a volume of 10 million euros (BMW, 2015). On the regional level, both Bavaria and North Rhine-Westphalia announced further increases of funds (FilmFernsehFonds, 2017; Nünning, 2017). These decisions clearly express the political will to boost Germany's position in the ongoing competition of filming locations. Competitive pressure has greatly exacerbated in recent years: Besides new schemes and increasing funding budgets in European countries such as France,

the UK, Italy, and Ireland, substantial film subsidies have been set up in the USA (Bomnüter & Scheller, 2014). It remains to be seen how far public film funding will succeed in having strengthened the German film industry's competitive clout.

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