



FAQs on the project regulations (2024)

The new project ordinance (Projektordnung) came into force on Oct 1st 2024. Until then, the Projektordnung (2017) applied.

Please find attached the most important questions about the Projektordnung 2024 and the effects for students and teaching at the KHM.

Documents on the new project regulations can be found on:

<https://www.khm.de/produktionshandbuch/>

A production handbook with detailed instruction, practical tips, hints and recommendations as well as legal and tax aspects for projects at the KHM is currently under construction.

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1. Scope of application for the Projektordnung 2024

Which projects are subject to the new project order (Projektordnung)?

Projects, within the meaning of the Projektordnung, that are to be created in the undergraduate degree course and the postgraduate degree course on the basis of the Diploma Examination Regulations 1 and 2 as well as other projects that are realized with funds provided by the KHM.

The Projektordnung does not apply to seminar works.

The KHM regulations according to §4 (Projektordnung 2024) continue to apply to **all projects**.

What are the fundamental changes compared to 2017?

The differences to the Projektordnung from 2017 is that the KHM is the producer of **audiovisual projects**.

Co-productions with the KHM are no longer possible. Students remain the **authors of their own works**.

What applies to seminar works?

The Projektordnung does not apply to seminar works. These practices are not registered and there won't be a project contract to be signed. The KHM is the producer of seminar works.

For which projects does the change of producer status have an impact?

The status of producer does not apply to all projects, but only to audiovisual projects in which, in addition to the copyright, the **ancillary copyright of the film producer or sound carrier producer** arises.

Non-audiovisual projects are not affected by that change.

Type of project*

<input checked="" type="checkbox"/> FEATURE / SHORT FILM	<input type="checkbox"/> PERFORMANCE	<input type="checkbox"/> PUBLICATION	<input checked="" type="checkbox"/> EXPERIMENTAL FILM
<input checked="" type="checkbox"/> ANIMATED FILM	<input checked="" type="checkbox"/> MUSIC VIDEO	<input checked="" type="checkbox"/> DOCUMENTARY	<input type="checkbox"/> INSTALLATION
<input checked="" type="checkbox"/> SOUND	<input type="checkbox"/> VR / AR / AI	<input type="checkbox"/> ANIMATED GRAPHIC	<input type="checkbox"/> PHOTOGRAPHY
<input type="checkbox"/> DRAWING / PAINTING	<input type="checkbox"/> SCREENPLAY/NOVEL/SHORT STORY		

Fig.: Project related data of the project registration at: <https://en.khm.de/projektbuero/>



Which projects are included in the audiovisual projects mentioned and which are not included?

Audiovisual projects are projects that are either a film work or a sound work.

Film works are primarily feature films, documentaries, animated films, experimental films and music videos.

Sound works are in particular musical works, sounds and radio plays.

Project such as performances and installations can contain film and sound elements. However, they are only considered an audiovisual project if the film and sound elements are formative for the project.

Photographic works, literary works, drawings and paintings are **not** audiovisual projects.

What about works that contain cinematic elements?

If the cinematic elements characterize the project, then the work is affected by the change of the producer status. In this case, the entire impression of the work must be cinematic.

Example:

In the case of an installation that is using a projector with film excerpts in the background, the cinematic part plays a subordinate role. However, if the installation only consists of film parts, then the Projektordnung 2024 applies and the KHM is the producer of this audiovisual project.

If you have any questions relating to your project and the producer status, please contact the project office or the line producer at KHM.

2. Exceptions and change of producer status

Can students become producers of a cinematographic work or sound recording after Oct 1st 2024?

In principle, the KHM is the producer of audiovisual projects.

Students become producers of audiovisual works in four exceptions:

- If projects receive **funding** (e.g. from the Film- und Medienstiftung NRW)
- In the case of **financing through third-party funds**
- If the **student's own funds** amount to € 2,500 or more
- If the realization, e.g. shooting, takes place **abroad**



Can earmarked own funds (e.g. €300 liability insurance) be contributed more than once?

Earmarked own funds are not included in the own funds relevant here, which means that multiple contributions of these earmarked own funds are possible.

3. Meaning of the producer status

What are the advantages and disadvantages of being a producer of a film or a sound recording?

Producers bear the **financial and organizational risk of realizing** an audiovisual project, e.g. as a film producer.

Due to the many obligations, we would like to refer you to the following handouts:

- P-Handout Tax aspects
- P-Handout Finances (project management)
- P-Handout shooting abroad

Please note:

Depending on the type and scope of the project, it must be checked and determined on a case-by-case basis **whether and which obligations apply to the project and to what extent.**

If students are the producers of audiovisual projects, **all contracts** are concluded and signed by the students themselves. Supervision by the project office and project management is limited.

If the KHM is the producer, it signs the contracts via the project office.

The **financial aspects** of the production, the **rights clearance** and, in particular, the **artistic direction** remain the responsibility of the students of all projects.

It is recommended that you cover **insurance**, especially accident and liability insurance. They create security for everyone involved: legally, financially and organizationally. **Production liability insurance** covers damage to third parties (property damage, financial loss or personal injury) that may arise in connection with an audiovisual production. **Accident insurance** protects crew and possibly also cast in the event of an accident during the production.

A **business** does not have to be registered.



What administrative aspects do students have to consider as producers?

All invoices are issued to the students. They must also be paid by them.

Exceptions: Invoices from the transport pot and scanning pot (QVM-Mittel) are issued to KHM.

Services of tax consultants are among the basics that are necessary for a project and cannot be calculated.

For filming abroad, financial advice in the project office is mandatory.

Important information on billing and cash registers can be found in the Accounting guidelines.

4. P-Schein

What is the P-Schein?

The P-Schein is an event to prepare for the production of audiovisual projects and answers many questions about producer status. It is also recommended for anyone who is filming, regardless of producer status.

Do students have to take part in the P-Schein course?

The P-Schein is not compulsory in the summer semester 2025. However, participation is recommended.

From the Winter Semester 2025/2026 the P-Schein is mandatory for students who become the producer of their audiovisual project. Before project registration in the project office, the producer status has to be determined by the supervisor in teaching (*Betreuer*in*) on the basis of the budget, financing and shooting plan.

If students have producer status, participation in the P-Schein is mandatory from winter semester 2025/26.

Further offers on the part of the KHM, which will be available to students as producers:

- Basic seminars in creative production / *Kreatives Produzieren* (basics of film production)
- Orientation counseling rights / *Orientierung Urheberrechte* (Daniel Sondermann)
- Technical meeting / *Technische Sitzung* with the Service Unit Technology for Teaching and Studies
- Post-production session / *Postproduktionssitzung*
- Production manual and handouts on the homepage (www.khm.de)



5. Financing the projects as a producer

Why are co-productions no longer possible?

Co-productions with the KHM are not possible at the time of the adoption of the Projektordnung. The reason for this: From a tax law perspective, a partnership under civil law (GbR) is created between the KHM and the students. Due to legal regulations (Section 5 (3) KunstHG NRW; Section 65 LHO NRW), the KHM may only participate in or establish companies to a very limited extent.

Co-productions with external financing partners, e.g. production companies, are only possible in compliance with legal labor and tax regulations. In the case of third-party funding, e.g. via external co-production partners, the student is automatically the producer and is fully responsible and liable to third parties.

Please note that the rights of use also fall to the KHM for the first three years in the case of external co-producers and financing partners.¹

The KHM regulations, such as the billing guidelines, must be observed.

Can a project be realized as a commissioned production (Auftragsproduktion) for an external client?

No, commissioned productions are excluded.

What funding / financing is available for students?

KHM continues to provide project money (*Projektmittel*) and contributions (*Beistellungen*) for all projects, regardless of the producer status.

If the KHM is the producer, the student is only entitled to contribution and project money. Own funds (e.g. in the form of cash) of up to € 2.499,99 can be contributed.

If the student finances their project with additional external funds, they automatically become a producer.

Financing own productions

Financial Resources	KHM is producer	Student is producer
1. Own equity KHM		
Cash fund KHM	Yes	Yes
Project money KHM / Projektmittel		
Transport pot / Transportermittel KHM		
Scanning pot / Mittel für Abtastung & Entwicklung KHM	Yes	Yes
Contributions / Beistellungen KHM (material, personal)		

¹ The student - regardless of whether he/she is the producer or not - transfers the exclusive right to use the work, unlimited in terms of space and content, for a period of three years after archiving the master or providing the final cost status to the KHM.



2. Own equity students		
Own fund / Cash (Loans from third parties to students are regarded as students' own funds)	Yes (up to EUR 2.499,99)	Yes
Own provision (Beistellungen)	No	No
3. Dedicated / earmarked third-party funds		
Cash third-party	No	Yes
Third-party contribution (kind, personnel, product aid) ²	No	Yes
Third-party contributions	No	No
Third-party loan	No	Yes
Crowdfunding	No	Yes
Sponsoring	No	Yes
Product Placement	No	Yes
Third-party grants (e. g. NGOs')	No	Yes
Pre-Sales (z. B. broadcaster)	No	Yes
4. Funding / Scholarship		
Film- und Medienstiftung NRW	No	Yes
BKM	No	Yes
FFA-Referenzmittel	No	Yes
Regional / national Funding	No	Yes
International Funding	No	Yes
Scholarship	No	Yes
Freundeskreis KHM	No	Yes

Co-production / co-financing and commissioned production (Auftragsproduktion)

Financial Resources	KHM is producer	Student is producer
1. Co-production / co-financing		
Co-production with external partners (Innengesellschaft ³)	No	Yes (own tax risk)
Co-production company with external partners (Außengesellschaft ⁴)	No	Yes (own tax risk)
Co-financing	No	Yes (own tax risk)
2. Commissioned production / Auftragsproduktion		
Production on behalf of a third party, e.g. broadcasters	No	No

Can students apply for funding from funding institutions?

Yes, funding is still possible, but the producer status changes to the students. The contracts, e.g. with pwc Düsseldorf in the case of graduation film funding from the Film- und Medienstiftung, are concluded by the students themselves.

Funding by the BKM is no longer possible due to the updated guidelines (as of April 2025).

² This refers to contributions from professional companies. Private contributions, such as technical equipment, are not permitted.

³ Co-production company with e.g. an external production company, but only one producer appears externally (e.g. a film by A in co-production with B and C).

⁴ Joint external appearance of the co-producers (e.g. as ABC-Film GbR).