

THE FINNISH FILM FOUNDATION

The Finnish Film Foundation is an independent foundation under the guidance of the Ministry of Education and Culture. The aim of the Film Foundation is to promote high-quality, diverse and innovative film production in Finland. The Foundation grants support for the professional production, screening and distribution of films in various distribution channels. The Foundation is also responsible for the export of Finnish films, promoting the internationalisation of Finnish films and filmmakers and distributing support for the international promotion of films. The Foundation grants support for nationally significant international film festivals in Finland.

The Finnish Film Foundation receives its funds from Veikkaus and the Finnish gaming system from the monies allocated to the government's budget for the promotion of film. The Film Foundation's support is discretionary and falls under the Act of Discretionary Government Transfers and act on the government promotion of film culture. The support is granted based on applications.

The aims and specific criteria of the support vary across support types. They have been described in support-specific grant announcements and in this guide. The grant announcement defines for whom the support is intended and who may apply. The Film Foundation's support is granted for professional operations.

ACT ON THE GOVERNMENT'S SUPPORT FOR THE PROMOTION OF FILM CULTURE (1174/2018)

The aim of the act is to promote

- 1) diverse and professional Finnish film production
- 2) the broad supply and distribution of films
- 3) the internationalisation of Finnish films and filmmakers
- 4) film culture and its development.

Participation, pluralism, cultural diversity and artistic freedom form the basis for reaching this aim.

(Act on the government's support for the promotion of film culture, section 2)

The Foundation's grants are based on the act on the government's support for the promotion of film culture (1174/2018). The grants apply the Act on Discretionary Government Transfers (688/2001). The Foundation follows the Administrative Procedure Act, the Act on the Openness of Government Activities (621/1999), the Language Act (423/2004), the Sámi Language Act (1086/2003), the Archives Act (831/1994), the Act on Electronic Services and Communication in the Public Sector (13/2003) and the Privacy Protection Act (9/2018).

ACCESS TO DOCUMENTS

According to the Act on the Openness of Government Activities (621/1999), a document submitted to the Finnish Film Foundation is public. Documents may also be designated confidential under the law or access to them may be discretionary. Confidential official documents include documents that contain information about private business or trade secrets.

BLOCK EXEMPTION REGULATION

The support granted by the Foundation is government aid that falls under the EU's Treaty, Article 107, and the decision by the EU Commission on 26 November 2008 concerning subsidies for the Finnish film industry (Commission regulation (EU) 651/2014), later block exemption regulation (BER).

Support granted by the Foundation must fulfil conditions listed in the BER's Articles 1–9 (general regulations) and Article 54 (aid schemes for audiovisual works).

According to the BER, support must be directed to a cultural product and can be granted for the production of audiovisual works, pre-production and distribution. According to section 3 of the act on the promotion of film, support may be granted for the production and distribution of films if the film can be considered an independent work of art, its content is based on cultural values originating in cultural identity and the film involves a significant artistic contribution by creators and performers whose wages and salaries form a significant portion of the production costs.

According to the BER's Article 53 (aid for culture and heritage conservation), the support may be granted for festivals and other similar cultural activities. According to the Article, support may take the form of either operating or investment aid.

According to the BER's general regulations, **the support should not be applied** to cases where the recipient would execute their project with or without the support, government support that has conditions or financing methods that do not follow EU legislation and especially support measures where the recipient is required to operate mainly from or in the country granting the support. However, the requirement that the recipient has a place of business or a subsidiary in the country granting the support is permissible.

An unconditional requirement is that the support cannot be granted to a corporation which is subject to an outstanding recovery order following a previous Commission decision declaring the aid illegal and incompatible with the internal market (BER, Article 1, Section 4 a).

SUPPORT GUIDE / Development support

1. General	1
2. Development support application	4
3. Development support agreement	6
4. Payment	8
5. Oversight	9
6. Development support final report	10
7. Halting payments and repayment	11

Preparing an application

- Study the grant announcement, support guide and the section on development support carefully.
- Log in to the application system: <https://www.ses.fi/tuenhakijalle/hakujarjestelma/>
- Fill in an application in the online application system that consists of an electronic application form and the necessary appendices.
- Submit the application before the deadline.

[See the grant announcements](#)

1. GENERAL

The definition of film

In this guide, film and film production refer to a feature-length, short or serial work, documentary, animation or children's film, or a combination thereof.

The aim of the support

The aim of the Finnish Film Foundation is to promote the diverse, professional consistent film production in Finland. The Foundation's values include participation, pluralism, cultural diversity and artistic freedom.

The purpose of the support is to promote the high-quality, diverse and original Finnish film productions as well as the broad and extensive supply and distribution of films.

(Act on the government's support for the promotion of film culture, section 2, detailed justification)

To whom?

Development support may be granted to a film production company registered in Finland with the professional and financial prerequisites to produce films and to control their commercial rights in Finland.

Professional prerequisites demand that the production company can handle the various stages of producing the film for which it has applied development support, as well as the purposeful distribution and other uses of the film. From the perspective of financing, it is essential that the production company has the required liquidity and solvency to produce the film and overcome surprising changes in costs that may happen during production.

(Act on the government's support for the promotion of film culture, section 7, detailed justifications)

Development and production support cannot be granted to a government department, municipality, federation of municipalities or parish, state-owned or other comparable communities or departments. Moreover, development and production support cannot be granted to a television or streaming company, or to a film production company with one or more shareholders who hold at least 15% in shares and act in television production or streaming services

(Act on the government's support for the promotion of film culture, section 7)

For what purpose and how much?

The development support is aimed at the development of a feature-length, short or serial work, documentary, animation or children's film, or a combination thereof.

(Act on the government's support for the promotion of film culture, section 1)

The support may be directed at writing and developing a script, production, cinematography and stage design and other operations necessitated by cost estimates and financing arrangements.

(Act on the government's support for the promotion of film culture, section 6, detailed justifications)

The amount of support

The maximum amount of development support is €250,000.

Previous support decisions may be viewed from the Foundation's [support decisions page](#).

Development support can be applied and it may be granted in several instalments in order to develop and progress a film project. Development support granted for a film project by the Film Foundation are counted as production support and therefore it has an effect to the overall amount of production support.

How and when to apply?

Applications are submitted in the online application system by sending in the application and appendices to the Finnish Film Foundation before the deadline noted in the grant announcement.

Prior to submitting an application, the applicant must carefully read the relevant grant announcement and support guide. Applicants should start preparing the application well before the deadline.

The application period ends at midnight on the final application date.

<https://www.ses.fi/en/funding/grant-announcements/>

The applicant is responsible for submitting the application within the deadline. It is therefore important to prepare for unexpected delays and reserve enough time to draft the application. Applications submitted after the deadline are transferred to the next application period.

The applicant does not select a film commissioner for the application. The application is directed to The Finnish Film Foundation. The Film Foundation designates a film commissioner for the application. The applicant receives information of the application's film commissioner online in the application after a week from the deadline has passed.

If the project has previously received support from the Film Foundation, the Foundation designates the same film commissioner for the application as before.

Film commissioners by support type:

Sarita Koskelin: feature-length fiction, series (over 22 min/episode), marketing and distribution support

Kari Paljakka: feature-length fiction, international co-productions (feature-length fiction), marketing and distribution support

Eero Tammi: documentaries, short films, series (under 22 min/episode), marketing and distribution support for documentaries and short films

Iris Olsson: documentaries, short films, series (under 22 min/episode), marketing and distribution support for documentaries and short films

The duties of the production department and other staff:

<https://www.ses.fi/en/the-finnish-film-foundation/personnel/>

A good application and smooth communication

The Film Foundation processes about 150–200 applications each application period and the production department makes roughly 1,000 decisions each year. It is essential for evaluation and comparison between the applications that the application is a clear and carefully prepared whole.

In a good application, the topic, screenplay, and work and financial plans are presented consistently and demonstrate that the applicant has control over the film project from scriptwriting to distribution. Be clear and relate the essentials in your application. Consider the operating environment and realities of film productions, including how the film's funding and distribution are related to the film's theme, topic and genre. Consider also how the support corresponds with its goals and what is special about this particular film.

Fluent processing and communication

When uploading appendices, make sure that

- the name of the appendix corresponds with its content
- the forms include the date
- the appendices show the current crew
- the length of the film is uniform in all documentation
- fill in the development and production plan according to the Foundation's model as completely as possible and refrain from referring to appendices
- the figures are uniform in all documentation, including the cost estimate, financing plan and the development and production plan drafted according to the Film Foundation's model

When you email the Foundation any time during the project, mention your application number and the name of the project.

Please note that the Film Foundation's online system does not automatically inform the Foundation's employees of updated information or appendices. Please inform the film commissioner or other staff of updates via email.

Applications and the Applicant's information

The Film Foundation's online application system has two windows:

- 1) Applications, where all the information and appendices related to the application are submitted
- 2) the Applicant's appendices ("Hakijan liitteet"), where all current production company documents are submitted

What requirements must the applicant meet?

A positive support decision requires that

- the applicant has complied with other possible support agreements, conditions and delivered a report on the uses of previous support.
- when applying for new development support, the final report for the previous support must be delivered into the application system by the final application date. A film project cannot be awarded development support before the final account of the previous support has been approved by the Foundation.
- the development phase funding is essentially secured. The applicant must show with binding confirmations or agreements that the plan related to the development support is feasible. The Film Foundation evaluates the adequacy of the funding secured at the moment of application.

If the applicant is applying to fund a Finnish minority share of an international co-production, the decision also takes into account the project's interest to a Finnish audience, the preconditions for continuing the collaboration between the parties and the production and artistic contributions of the Finnish party.

The Film Foundation may request further information if it deems it necessary for the decision-making process.

Support cannot be granted if the application is insufficient and the required information is not uploaded into the online application system despite requests to do so.

How are the applications evaluated?

Support is discretionary. The evaluation and comparison of the applications is based on an overall assessment that considers the purpose of the funds, the grounds mentioned in the grant announcement and available funds in the budget.

The film project is evaluated as a whole in terms of content, expression and production. In addition, the applicant's artistic, professional and financial skills and circumstances influence the evaluation. Other support previously granted by the Film Foundation to the applicant is also taken into account.

How are the decisions made?

The Board of the Finnish Film Foundation decides on the development and production support based on the film commissioner's presentation.

(Act on the government's support for the promotion of film culture, section 5)

The Foundation aims to make decisions in 8–10 weeks after the deadline.

All applicants receive a written decision that includes the conditions of the support and claim for correction order with instruction.

Before payment of the development support, the Film Foundation drafts a support agreement with the production company.

The decision is based on the act of government funding for the advancement of cinema (1174/2018), the Act on Discretionary Government Transfers (688/2001) and the Administrative Procedure Act (434/2003)

2. DEVELOPMENT SUPPORT APPLICATION

The application consists of an online application form, film information tab and the obligatory appendices uploaded on the system.

The Film Foundation development plan, budgeting, budgeting and report forms are available on the Foundation's website under Forms: <https://www.ses.fi/en/funding/forms/>

Obligatory appendices of the development support application

The applicant must submit the appendices to the online application system before the final deadline

- a script or other written description of the film's contents
 - a one-page synopsis
 - a development plan drafted according to the Film Foundation's template
 - a budget for development
 - financial plan
-
- When applying for new development support, the final report for the previous support must be delivered into the application system by the final application date.

Note!

The type of appendix should be named to correspond with the appendix so that the online application system refrains from sending an automated message about missing appendices.

Applicant Appendices

The appendices pertaining to the production company must be submitted no later than the deadline in the application system under **Applicant Appendices**:

- A verified and audited financial statement (if the Limited-liability Companies Act, the Audit Act or the articles of association necessitate an auditor) covering the latest financial period.
- a valid extract from the Trade Register no older than six months
- a certificate of paid taxes no older than three months
- a certificate of paid pension insurance premiums no older than three months
- a current list of shareholders (Limited Liability Companies Act, chapter 3) (the shareholders' register is delivered only once and updated if changes in ownership occur).

DEVELOPMENT SUPPORT APPLICATION – INSTRUCTIONS FOR APPLICANTS

A development plan drafted according to the Film Foundation's template

The development plan should provide

- Genre, duration and language
- The film's crew
- Development plan and work stages
- Funding
- Preliminary schedule
- Brief description of the project

Fill in the development and production plan according to the Foundation's model as completely as possible and refrain from referring to appendices.

An itemised budget for development and acceptable costs

The budget includes the immediate costs of the development project.

The budget for development must not include contingencies or administrative costs which are budgeted in the film production's total budget.

The budget accounts for the development project expenses without VAT.

The budget should record the name of the employees as far as these are known during the application process.

Wages and salaries of the staff and the owner of the production company:

The wages and salaries of the regular staff are marked under expenses in the budget in euros.

The work performed by the owner of the production company is recorded in the budget as a single compensation.

Using your own equipment

The maximum compensation for using your own equipment is 60% of the market-based rental price.

The use of the production company's own equipment should be marked clearly in the budget by, for example, marking the cost as "own".

Financial plan

The financial plan should be uploaded as a separate file in the application's appendices by selecting financial plan as the appendix type.

The financial plan must include the status of the funding itemised by financing groups at the moment of submission.

The financial plan must be updated as funding is secured or increased.

A deal memo of all joint producers or a co-production agreement with appendices

When applying for the Finnish minority share of an international co-production, the Finnish production company must manage the film's commercial rights in Finland and this should be verified by a written agreement between the main producers.

The deal memo or co-production agreement included in the application's appendices must **include all the appendices mentioned in the agreement.**

The film information in the online application system

The film information and short description are part of the application.

The applicant must provide all requested film information that is available at the time. The information may be updated as production progresses.

The film information should be checked and updated after receiving the support decision, because the Film Foundation notifies the media of favourable decisions on their website a week after the fact and uses information provided by the applicant in doing so.

Audit duty

Financial statement:

<https://www.finlex.fi/fi/laki/ajantasa/2015/20151141>

The Audit Act contains regulations about when a registered corporation is not under the obligation to select an auditor.

Final report

When the Foundation's support is at least €20,000, the cost statement in the final report must be verified by an authorised accountant.

3. DEVELOPMENT SUPPORT AGREEMENT

An agreement between the Film Foundation and the recipient on the development support must be signed within **three (3)** months of the favourable decision or the decision will expire.

Guidelines on how to proceed with the contract are sent to the applicant with the favourable decision letter.

The recipient is responsible for adding and updating all support decision appendices before the recipient requests a meeting to draft a support agreement with the person responsible for development support agreements.

<https://www.ses.fi/en/the-finnish-film-foundation/personnel/>

The support agreement confirms the budget of the current development stage, the funding strategy and other agreements required by the Film Foundation's support agreement. Deviation from the verified budget and where the support is used are possible only with the Foundation's written agreement. The recipient is responsible for executing the project in the manner and within the schedule agreed to in the agreement.

USING THE FILM FOUNDATION'S LOGO AND IDENT IN OPENING AND CLOSING CREDITS

When the Film Foundation has granted development support, production support or marketing and distribution support for a film or series, the recipient is obliged to include the foundation's current logo and a mention of the support granted – for example, Development support/Finnish Film Foundation YYYY (the year in which the decision was made) – in the closing credits of the film or series.

The Film Foundation's logo must also be visible in all the marketing materials of the film or series (e.g. posters) whenever the other financiers' logos are used.

The Film Foundation's logos and ident: <https://www.ses.fi/en/the-finnish-film-foundation/logos-and-animated-logo/>

Support agreement appendices

Signing the development support agreement requires that the recipient has provided the following appendices:

- a script or other written description of the film's contents
- a development plan drafted according to the Film Foundation's template
- a budget for development
- financial plan
- agreements or binding contracts of other funding that show that the funding recorded in the budget will be actualised in full
- a report on the production company's self-financing
- the appropriate agreements with copyright holders
- other agreements required by the project and support

Note! The appendices are submitted according to the type of appendix.

A prerequisite of the development support agreement is that the recipient has supplied the Film Foundation the documents according to section 2. Support agreement/Applicant's appendices. Documents pertaining to the production company are submitted in the Applicant's appendices.

DEVELOPMENT SUPPORT AGREEMENT – INSTRUCTIONS FOR APPLICANTS:

The itemised budget and financing plan

The budget for development and financing plan appended to the agreement must be updated to correspond with the development support decision.

Agreements or binding contracts of other funding that show that the funding recorded in the budget will be actualised in full

The Film Foundation accepts valid binding confirmation in euros as appendices of the development support agreement if final agreements with financiers are unavailable at the time of the agreement.

The recipient must submit the final agreements as appendices after they are finished, but no later than during the submission of the final report.

The production company's self-financing

The following qualify for a production company's self-financing:

- a financial contribution provided that the production company is able to provide a bank guarantee or something similar
- a reasonable reimbursement for the work contribution to the film made by the owner of the production company
- using the company's own equipment as stated in the cost estimate

The production company's internal funding must be recorded in a separate report signed by the owner of the production company, verifying the owner's work contribution in euros and/or itemising the use of the company's own equipment as noted in the cost estimate.

The following are expenses not included in funding or the company's self-funding:

- the film project's previous actualised costs
- any expenses in the budget whether it is payable or paid by the production company or someone else
- employee wages, salaries and reimbursements

The appropriate agreements with copyright holders

The recipient gives assurances to the Film Foundation in the support agreement that the recipient has acquired the necessary copyrights and other rights and permissions for the development of the project. The recipient is responsible for any claims for compensation or other damages by third parties.

Agreements between the production company and copyright holders that cover at least the previous development stages and the development stage supported by the Foundation must be submitted as appendices.

The agreements may include agreements with the copyright holder of an original work, with the scriptwriter or with the director.

The chain of title for the copyrights must be complete and it must be documented for the Film Foundation. Including in cases where

- the film project is transferred from one production company to another
- there have been changes in the agreements made with the copyright holders during development
- when the production company has signed an agreement with a corporation or company to whom the author has assigned the copyright

4. PAYMENT

Development support is paid to the recipient's Finnish bank account in two instalments:

- the first instalment (80%) after signing the support agreement
- the second instalment (20%) after the final report has been approved by the Film Foundation

5. OVERSIGHT

The Film Foundation oversees and supervises how the support is used. The Film Foundation has the right to use audits to oversee payments and how the support is used. The Film Foundation may also postpone payments during audits.

Organising project oversight

The recipient must maintain their accounts according to the Accounting Act and the Accounting Ordinance and follow sound accounting procedures. The recipient must organise the project's audit trail – the link between the recipient's financial statement and the project's statement of charges – in a way that it can be reliably, completely and transparently verified by a third party.

The Foundation always reserves the right to fully audit the recipient's accounting and management.

The recipient is obligated to provide their accountant and auditor the film's support agreement and all appendices. If the recipient neglects these duties, the Film Foundation has the right to deliver the documents to the accountant and auditor named in the support agreement.

The recipient must observe and notify their accountant and their auditor of the Foundation's instructions and guidelines concerning the film industry's accounting, financial statement and auditing principles.

<https://ses.fi/tukitoiminta/ohjeet-ja-lomakkeet/>

The Foundation always reserves the right to fully audit the recipient's accounting and management.

The recipient is obligated to provide their accountant and auditor the film's support agreement and all appendices. If the recipient neglects these duties, the Film Foundation has the right to deliver the documents to the accountant and auditor named in the support agreement.

Disclosure requirement

The recipient must provide the Finnish Film Foundation the correct and sufficient information to enable oversight of the support decision's conditions.

The recipient must inform the Foundation of all changes that influence the way the support is used without delay. Changes that influence the use of the support include changes in the project's quality, breadth and funding. The Foundation also always has the right to receive information about the project's current status and follow the project's progress.

A written report of changes must be emailed to the production support film commissioner who suggested the support to the Foundation. The basis for the report is the support agreement between the recipient and the Film Foundation which can only be changed with written permission from the Film Foundation.

Extensions

Extensions for the use of the support must be applied for in writing.

A written report concerning the extension must be emailed to Tiina Kivelä, tiina.kivela@ses.fi, and submitted to the online application system as an appendix labelled "Loppuselvityksen lisäaikapyyntö" ("Final Report Extension Request").

5. DEVELOPMENT SUPPORT FINAL REPORT

The final report must be delivered to the Film Foundation no later than **one year** from the date the support agreement was signed.

The final report must contain:

- 1) **a written report signed by the producer concerning the execution of the project in relation to the support agreement's strategy**
- 2) **a final financial report signed by the producer**

An **itemised** report on the actualised costs in relation to the budget appended to the support agreement.

Actualised costs approved in the final report are the production company's accounted, paid project costs not including VAT.

A **summary** of actualised costs and funding related to the development support agreement.

 - The report must indicate how the production costs and funding succeeded in relation to the cost estimate and financing plan appended to the support agreement (the summary should conclude that the actualised costs and funding broke even).
 - Actualised funding refers to funding secured with agreements (i.e. unpaid instalments at the time of the final report are also accounted for)
- 3) **If the Film Foundation's support granted to the project is**
 - a. less than €20,000, the project audit report must be verified and signed by an accountant
 - b. at least €20,000, the project audit report must be verified and signed by an authorised accountant
- 4) **a work following the development plan** (e.g. a script, treatment, a link to a demo)

Using the company's own equipment and internal transfers

The use of the company's own equipment and other transfers must be accounted for and itemised in the final report.

If these have changed in relation to budgeted costs, the recipient must report them adequately.

Auditing procedure

The final report is submitted to the online application system as an appendix.

Information on the submitted final report is emailed to **Production Coordinator Tiina Kivelä**, tiina.kivelä@ses.fi.

The approval process for the final report of the development support has two stages. First the film commissioner who suggested the support reviews the final report and approves of the work completed with the development support. During the second stage, the accounting specialist audits the finances of the final report.

An automatic message indicating that the final report is missing is only removed when the final report has been approved by the Film Foundation and the final instalment of the support has been paid.

The general information ("Perustiedot") of the application includes a link to payment information that shows when the instalments have been paid.

Finnish Film Foundation may request further information if it deems it necessary for the approval of the final report. The Finnish Film Foundation has the right to perform audits on the recipient's finances and activities based on the Act on Discretionary Government Transfers, section 16. The recipient must ascertain that the Film Foundation has the necessary prerequisites to perform the audit.

Finnish Film Foundation approves the project's final costs and funding based on the final report.

If the project's support exceeds the actualised costs, the Film Foundation deducts the sum from the unpaid instalment. If the sum is larger than the unpaid instalment, the recipient must immediately return the exceeding portion of the support to the Film Foundation.

Act on Discretionary Government Transfers (688/2001) section 20

Repayment of discretionary government transfers

Recipients of discretionary Government transfer must repay without delay any transfer or part thereof they have received through error, in excess or manifestly without cause. Recipients must also repay a transfer or part thereof if it cannot be used as required in the transfer decision. If the repayable sum does not exceed 100 euros, it is not necessary to repay it.

In addition to the Act on Discretionary Government Transfers (688/2001), section 20, the recipient must abide by the following repayment conditions:

The recipient is obliged to immediately repay the support or part of the support if the support has not been used during the time period agreed to by the parties and if the Film Foundation has not granted an extension.

The repayable amount must include annual interest and an added three percent following the Interest Act (633/1982), section 3, subsection 2. The interest is calculated from the last payment to the support repayment date.

The target of the support and application number must be mentioned in the message field during repayment.

The support must be repaid to the Finnish Film Foundation's bank account:

Nordea Bank Abp
IBAN FI74 1572 3000 0305 77
BIC NDEAFIHH

7. HALTING PAYMENTS AND REPAYMENT

If the recipient does not repay the Film Foundation according to the Act on Discretionary Government Transfers, section 20, repayment of the support or a portion of it will proceed according to section 9 and section 10 of the act of government transfers to promote film culture.

Section 9 Halting payments

The Arts Promotion Center Finland is responsible for halting payments.

The Finnish Film Foundation must immediately make a proposal to the Arts Promotion Center Finland that the government transfer be halted if the Film Foundation has discovered information that warrants halting the payments. The Arts Promotion Center decides to halt payments and the continuation or halting of government transfers based on the Film Foundation's suggestion.

The decision to halt payments must be made immediately and, for special reasons, in at least two calendar years after the Finnish Film Foundation's suggestion.

The Finnish Film Foundation must include sufficient and essential information to make a decision to halt payments. The Arts Promotion Center Finland also has the right to receive the necessary information from the Finnish Film Foundation to halt payments without regard to confidentiality agreements.

Section 10 Repayment

The Arts Promotion Center Finland is responsible for halting payments.

The Finnish Film Foundation must immediately inform the Arts Promotion Center Finland of facts that would or should warrant government transfer repayments. The Arts Promotion Center Finland makes the repayment decision.

The decision of repayments must be made immediately and, for special reasons, during at least two calendar years after the Finnish Film Foundation's suggestion.

The Finnish Film Foundation must include sufficient and essential information to make a decision of repayments. The Arts Promotion Center Finland also has the right to receive the necessary information from the Finnish Film Foundation for repayments without regard to confidentiality agreements.