

YUKON FILMMAKERS PROGRAM

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To support a sustainable and competitive film and sound recording industry, the Yukon Film & Sound Commission administers the Yukon Film & Sound Incentive Programs on behalf of Yukon Government Department of Economic Development.



YUKON FILMMAKERS PROGRAM

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YUKON FILMMAKERS PROGRAM

SCOPE

This policy applies as follows:

- The *Filmmakers Fund* applies to film productions by Yukon residents and Yukon businesses that are either produced or post-produced in Yukon.

The following are not eligible projects under these programs:

- Sport broadcasts;
- Contract driven productions;
- Talk shows;
- Game shows;
- News programming;
- Awards presentations;
- Productions that solicit funds;
- Pornography.

PRINCIPLES

The Film and Sound Incentive Programs have been designed based on the following general principles. These principles will be used to guide operational decisions.

ECONOMIC SUSTAINABILITY

The private sector is the preferred engine of economic growth for the Yukon economy.

BALANCED INTERESTS

Funding requirements will reflect a fair balance between financial accountability for the expenditure of public funds and the administrative burden borne by fund applicants.

FAIRNESS AND IMPARTIALITY

Government funding shall not alter level playing fields in the business community by fostering unfair competition.

All funding applications will be treated in a fair and impartial manner and the processing of applications will be conducted as expeditiously as considerations of due diligence allow.

GOALS

The goals of all Film and Sound Programs are to:

1. Maintain and ultimately increase the level of total independent film and sound recording production and expenditure in Yukon;
2. Maximize Yukon employment opportunities resulting from film and sound recording production in Yukon;
3. Encourage sustainable growth in the Yukon film and sound recording production sector resulting in a stronger infrastructure of skills and services.

PROGRAM RESTRICTIONS

Program restrictions are intended to:

1. Encourage productions that genuinely benefit the Yukon economy;
2. Encourage sustainable growth in the Yukon film and sound recording production and production services sector;
3. Extend the number of productions that may participate by limiting the access any one production has to program funds;
4. Ensure accountability by requiring a full reporting of Yukon expenditures from each participating production.

To ensure that the funds paid out by this program best serve the purposes of the program, the Yukon Film & Sound Commission may, by means of a written statement to the applicant and the Deputy Head, reduce or decline an application on the basis that:

- A. In the case where there is – for whatever reason - a substantial difference between the information provided in the approval process and what later occurred;
- B. The situation being applied for is – in spirit or in specifics – clearly different from what the program was intended to accomplish.

DEFINITIONS

BROADCAST COMMITMENT:

Either one of a Broadcast development agreement or a Broadcast license.

BROADCAST DEVELOPMENT AGREEMENT:

A “broadcast development agreement” is a commitment by a licensed broadcaster or broadcasters to participate financially in the development of the project, and to broadcast the program within two years of completion at a time appropriate to its genre. The broadcaster participation must be in the form of a cash contribution. Service contributions, such as studio equipment or any other form do not constitute a cash contribution in order to fulfill the license fee requirements.

BROADCAST LICENSE:

A “broadcast license” is a commitment by a licensed broadcaster or broadcasters to participate financially in the production of the project. The broadcaster’s participation must be in the form of a cash contribution. Service contributions, such as studio equipment or any other form will not be accepted in order to fulfill the license fee requirements.

All licensed broadcasters are permissible. This includes all private, public and education broadcasters, as well as all specialty, pay and pay-per-view broadcasters.

CONTROLLING INTEREST:

“Controlling interest” means having, owning and maintaining throughout the course of the project or production, managerial, financial, logistical and creative influence in all production decisions.

DEPUTY HEAD:

“Deputy Head” means a member of the public service responsible for the Department of Economic Development.

DISTRIBUTION ARRANGEMENT:

A financial commitment from an approved distribution company in the form of a distribution advance or distribution guarantee for release in a major territory (e.g. Canada, US, UK, Germany, Japan or Australia).

DISTRIBUTION COMPANY

Any distributor recognized by Telefilm Canada unless otherwise approved by the Yukon Film & Sound Commission.

DOCUMENTARY:

A non-fiction representation of subject matter.

ELIGIBLE YUKON LABOUR:

Employment of Yukon labour as a member of the production crew; includes the dedicated labour component of production services hired by the production (such as the pilot’s wage on a helicopter rental, but not incidental labour such as hotel staff).

FILM:

Film includes television. Except where specifically indicated otherwise, film refers to any technology or method of capture that is universally accepted as being of broadcast quality.

MATCHED LABOUR:

Where a foreign production brings in their own crew persons and the Human Resources Development Canada’s Foreign Workers Office requires them to hire a Canadian equivalent. This person must have appropriate experience in the same department at the task. Where a Yukon crewmember is given the “matching position,” it will be considered a career development – and hence training – opportunity.

MINISTER:

An Executive Council member designated as the Minister of Economic Development.

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REALITY TELEVISION:

A dramatic, unscripted production that follows real people in real or artificial context for a period of time.

REBATE CLAIM:

Application made to the Yukon Film & Sound Commission for rebate under the Film and Sound Incentive Programs.

TRAVEL REBATE:

Payment made to a production company as partial reimbursement for travel costs between Vancouver or Edmonton or Calgary and Whitehorse.

YUKON EXPENDITURE:

Monies paid to a Yukon person or business for goods or services related to the Yukon portion of a film or sound production.

YUKON RESIDENT:

A person who has resided in Yukon for at least one year (365 days) prior to the date of application and maintains a valid Yukon Health Care Insurance Plan registration.

YUKON BUSINESS:

The definition of Yukon Business shall be the same as is defined in the Contract Regulations and Contracting Directive.

YUKON FILM & SOUND COMMISSION:

The Yukon Film & Sound Commission is a unit within the Department of Economic Development's that seeks to develop indigenous and location filmmaking and sound recording in an environmentally, socially and economically responsible manner.

YUKON LABOUR:

Dedicated labour by a person who resides in the Yukon and has maintained a valid Yukon Health Care Insurance Plan registration for at least ninety (90) days.

ROLES AND RESPONSIBILITIES

MINISTER OF ECONOMIC DEVELOPMENT

The Minister may table a copy of the annual report at the next ensuing session of the Legislative Assembly.

DEPUTY HEAD OF ECONOMIC DEVELOPMENT:

The Deputy Head shall receive from the Yukon Film & Sound Commission, by June 30th each year:

- An annual report on the status of the Yukon Film and Sound Incentive Programs (including names and number of applicants, project information, approved amount and project status);
- Recommendations regarding any proposed changes to the Yukon Film and Sound Incentive Programs;

The Deputy Head shall receive an appeal regarding a decision made pursuant to this policy.

- Upon receipt of an appeal, the Deputy Head shall seek the guidance of the Yukon Film & Sound Commission or any professional organization as may be necessary to assist with the decision making.
- The Deputy Head shall make the decision regarding the appeal and shall give written notice of that decision to the appellant and to the Yukon Film & Sound Commission. The decision of the Deputy Head will be final.

YUKON FILM & SOUND COMMISSION:

The Yukon Film & Sound Commission shall administer and maintain the Yukon Film and Sound Incentive Programs.

Within the approved policy framework the Yukon Film & Sound Commission shall determine application procedures and time frames for establishing payment procedures for funding under the programs.

PROGRAM FRAMEWORK

PURPOSE

The purpose of the program is to assist Yukon film and video professionals to develop viable careers and businesses making films and videos for broadcast or commercial release.

OBJECTIVES

- Development of domestic filmmakers' skills and experience required for film projects in Yukon.
- To support the training and development of the local Yukon film industry.

ELIGIBLE APPLICANTS

A Yukon resident or Yukon business.

ELIGIBLE PROJECTS & ACTIVITIES

The following activities are eligible:

- Development activities including research and costs of seeking production funding.
- Hard costs of any step between final draft of script and final edit.
- Subsistence (if otherwise unemployed during the project)
- Childcare during the term of the project
- Supplies and materials specific to the project
- Contracting of services
- Essential travel costs based on government-established per diems and allowable costs
- Workshop fees and related costs associated with the project

The following expenses are not eligible:

- Purchase of non-consumables such as film/video equipment

INELIGIBLE PROJECTS

- Contract-driven projects such as commercial or industrial films/videos
- Duplication, promotion and distribution
- Projects for which other Yukon funding exists (e.g. the Advanced Artist Award covers dramatic script writing).

OUTCOMES

- Development of domestic filmmakers' skills.

FUNDING / CONTRIBUTION LEVELS

- Applicants are eligible for up to \$8,000 per intake.
- These are ceiling amounts only; where the jury recommends, the amount of money allocated to each successful applicant may be less in order to accommodate more applicants with the limited resources available.
- Applicants must provide cash equity into the project and demonstrate how this will be applied to specific hard costs.
- The total contribution from all Government of Yukon sources in respect of the same project may not equal more than 75% of the total project costs.

INTAKES

Semi-annual deadlines at June 1st and December 1st. There is no limit on the number of applications that one individual may submit, however the filmmaker will only receive one approval every 18 months or every three sessions.

Applications must be complete and include all necessary documentation at time of submission.

Processing of applications will be conducted as expeditiously as considerations of due diligence allow.

ASSESSMENT CRITERIA

Applications will first be screened on the basis of the following mandatory criteria:

- The applicant is an eligible applicant as described in Eligible Applicant above.
- The proposed activities comply with the criteria for eligible activities set out in Eligible Projects and Activities above.
- Any financial obligations to the Government of Yukon by the applicant must be in good standing.

The criteria against which an application will be assessed will include:

- Written demonstration of how the project will achieve one or more of the stated objectives of the Filmmakers Fund;
- Success of previous projects undertaken by the same applicant assisted by the Filmmakers Fund or any other fund administered by the Department of Economic Development;
- Capacity of the applicant and likelihood of success for intended purpose (broadcast or release);
- Significant step in development of the filmmaker;
- The applicant's demonstrated commitment to the project;
- Spreading opportunities around.

Preference will be given to applicants with demonstrated career commitment to this medium.

APPROVAL AUTHORITIES

PROJECT OFFICERS

- Project officers are the first point of contact for all applicants. They will be available year round and provide support and advice on the funding program. Each application will be assigned to a project officer who will work with clients to ensure that all the information has been provided for full project consideration.
- Since some projects may impact government operations, or the applicants are client groups of other YG departments, project officers may involve other departments. YG departments who have an interest in specific projects will be requested to verify information and provide their perspective on projects on an 'as-needed' basis.
- The project officers review all applications to ensure they meet program criteria before the application is considered by the Jury.

APPROVAL AUTHORITIES

Application approval is by the Jury process. There must be a minimum of three (3) jurors present for any adjudication.

- Juries are made up of film/video, broadcast and other cultural industry professionals. The Film & Sound Commission selects jury members. The jury changes each session. Care is taken to ensure that jury members do not stand to be affected positively or negatively by an applicant receiving funds; for example, an editor would not sit on a jury where an applicant has applied for project funding for a project on which that editor would be contracted to work. The composition of the juries will be intended to provide funding allocations that are effective and fair in opportunity.
- The jury reviews the submissions. Funding recommendations are unanimous and are forwarded to the Minister of Economic Development for approval and announcement. Results of the jury's decisions are kept confidential until formal approval and announcement are made. A media release is sent after applicants have received notice of their awards. The Yukon Film & Sound Commission encourages applicants to discuss their applications for feedback.

ACCOUNTABILITY FRAMEWORK

BASIC REPORTING REQUIREMENTS

Reporting requirements for funding recipients are intended to obtain information necessary to meet Government financial obligations while recognizing the costs that such reporting place upon recipients. Project financial reporting requirements will be relevant to the level of funding received and will not place unnecessary burdens on recipients. All funding recipients shall provide a final report recording:

- All expenditures for the project including a detailed list of expenditures supported by copies of paid receipts and invoices;
- A VHS or DVD copy of your finished production must be provided to the Yukon Film & Sound Commission within 30 days of its first showing.

The Yukon Film & Sound Commission will conduct internal verifications on projects that receive funding under this program.

ADDITIONAL / FOLLOW-UP REPORTING REQUIREMENTS

Funding recipients shall:

- Maintain all project financial, personnel, and performance information records for a minimum of three years following the completion of the project.
- Upon written request, and with appropriate notice, provide authorized representatives of the Yukon Government with access to the project work site(s), for up to one-year following completion of the project and with access to relevant records for a minimum of three years following the completion of the project.
- Participate in interviews, focus groups, or other reasonable information gathering activities, in conjunction with a program evaluation of the Filmmakers Fund.

Verification and evaluation reports shall be made public, within a reasonable time of completion, with the exception of any information protected under the Access to Information and Protection of Privacy Act.

FINANCIAL PROCEDURES

- Successful applicants have one year to complete the relevant portion of their projects and account for their funding. One extension may be granted if a film/video maker formally requests extra time to complete the project.

Projects funds will be disbursed according to the following conditions:

- The funding must be used solely for the purposes described in the application, and approved by the Yukon Film & Sound Commission. If the funding is used for any other purpose or if there is a major change in the project the recipient may be required to return all the funds unless the new use of funds or the change is submitted in writing and approved by the Yukon Film & Sound Commission prior to the change.
- The Yukon contribution to the project is non-repayable except upon default by the contracted applicant or if the rights to the project are assigned, transferred and/or optioned to a non Yukon production company in which case, the total funds disbursed would be repayable to Government of Yukon immediately upon the optioning, sale, transfer, or assignment.
- Recipients must give funding credit in the manner prescribed by the Yukon Film & Sound Commission.
- The assistance will be paid to the applicant in accordance with a payment schedule developed with the applicant but will not exceed 75% of the approved level of assistance until the project is complete. The 25% holdback will be paid upon receipt of the final project report as stipulated in the agreement.
- Surplus funds (the excess of funding received by the proponent but not spent on an eligible activity) must be repaid in full to the Government of Yukon.
- The Yukon Film & Sound Commission may examine a recipient's financial and other records to ensure that the contribution is being, or was, used for its intended purpose.

IF YOU HAVE ANY QUESTIONS OR NEED ADDITION INFORMATION, PLEASE CONTACT:

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