

# CANADA FEATURE FILM FUND (CFFF)

DEVELOPMENT PROGRAM GUIDELINES FOR  
FRENCH AND ENGLISH-LANGUAGE PROJECTS

Ce document est également disponible en français



## Program summary and eligible applicants

These guidelines are for the Canada Feature Film Fund (CFFF) Development Program (the Program). The Program is for the development of eligible Canadian feature films<sup>1</sup> and is intended for Canadian production companies involved in the production of feature films in Canada as well as for new talent working in association with these production companies.

These guidelines provide direction regarding the Program's targeted objectives, eligibility and evaluation criteria, and the terms and conditions of funding.

## Program intent and objectives

The Program reflects Telefilm Canada's intent to maintain and strengthen its essential role as a funder of film production.

The CFFF seeks to improve the performance of a greater number of feature films. The Program contributes to the achievement of this goal by providing funding support to companies that have successfully produced feature films.

The Program aims to provide eligible applicants with the flexibility they need by allowing them to propose an annual portfolio<sup>2</sup> of projects to Telefilm Canada (Telefilm). As such, applicants are expected to take responsibility for their development activities and to be measured on the basis of the cultural and commercial success they obtain.

To contribute to the achievement of the Program's objectives, Telefilm will seek to support a variety of genres, production budget sizes, and regions.

Telefilm intends to support new talent by encouraging mentorships with eligible applicants. Telefilm also wishes to support production companies from Aboriginal communities as well as those from official-language minority communities.

## 1. Eligibility criteria for applicants and projects

### 1.1 General eligibility criteria for applicants

An applicant must meet all of the following eligibility criteria:

- be a Canadian controlled corporation, as determined under sections 26 to 28 of the [Investment Canada Act](#);
- have its head office in Canada and carry out its activities in Canada;
- operate as a feature film production company;
- have produced at least one Canadian fictional feature film that was theatrically released in Canada in the last five years, and own at least 20% of the Canadian copyright in such film(s). Such feature film(s) must, with respect to Canadian content certification have either been certified by

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<sup>1</sup> Feature films are fictional films at least 75 minutes long.

<sup>2</sup> A body of one or more development projects whereby each project encompasses one or more development phases.

the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points under the provisions of the Income Tax Act (Canada), or been certified as an official treaty coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [International Coproductions](#) on Telefilm’s web site). The individual lead producer of the applicant company must have received one of the following production credits on such film(s): executive producer, producer, co-producer, or associate producer.

Furthermore, the producers, the scriptwriter(s) and other key members of the development team who have control over the creative and financial aspects, as well as the exploitation of the projects submitted to Telefilm must be Canadian citizens within the definition of the [Citizenship Act](#) or permanent residents within the definition of the [Immigration and Refugee Protection Act](#).

## 1.2 Specific eligibility criteria for projects

To be eligible for inclusion in a portfolio of projects, a project must:

- be written in English or French by a Canadian;
- be intended to be a Canadian feature-length fictional film or an official treaty coproduction;
- subject to section 1.3, be under the financial and creative control of the applicant, and the applicant must hold all of the exclusive rights and options, for at least 24 months, necessary for the adaptation of the original work or concept (if applicable) and for the full and complete worldwide exploitation of the script and production;
- be intended to be eligible for production funding under the main CFFF production guidelines (for French or English language productions), with either certification by CAVCO as a “Canadian film or video production” with a minimum of 8 out of 10 points under the provisions of the [Income Tax Act](#), or with certification as an official treaty coproduction by the Minister of Canadian Heritage (refer to Telefilm’s guidelines entitled [International Coproductions](#));
- conform to the Canadian Association of Broadcasters (CAB) Code of Ethics and to all other programming standards endorsed by the CAB or the CRTC, and not contain any element that is an offence under the [Criminal Code](#), is libellous or in any other way unlawful;
- for the packaging phase<sup>3</sup>, have a commitment letter from a Telefilm approved distributor for the level of the budget envisioned and a confirmed director;
- not have any outstanding deliverables relating to a previous development contract with Telefilm.

## 1.3 Additional eligibility criteria for projects originating from targeted groups

There are four targeted groups which consist of members of Aboriginal and official language minority communities, and new talent. A project originating from a targeted group must be included in a portfolio of projects submitted by an eligible applicant who acts as a mentor in helping to achieve a level of quality and viability of the project. The creative and financial control and rights to the project (as specified in section 1.2), must reside with either the eligible applicant, the targeted group, or a combination of the two.

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<sup>3</sup> The packaging phase provides support for subsequent drafts of a screenplay where market elements (a director and an eligible distributor) have been attached.

A targeted group project must be:

- written in English by an Anglophone<sup>4</sup> and developed with an Anglophone producer both of whom live and work in Québec; or
- written in French by a Francophone<sup>5</sup> and developed with a Francophone producer both of whom live and work outside of Québec; or
- written in English, French or an Aboriginal<sup>6</sup> language by an Aboriginal writer and developed with an Aboriginal producer; or
- written and produced by audio-visual creators without professional experience in those roles, but who may have professional experience in other audio-visual formats and media (new talent).

## 2. Evaluation criteria

Applications will be evaluated based on the submitted portfolio as a whole, rather than by individual projects within the portfolio, with the exception of submissions for targeted groups which will be evaluated separately.

### Regular funding

Telefilm will assess submitted portfolio projects on the basis of the track record of the key members of the development team. Telefilm will also take into consideration the overall variety of genres, production budget sizes, regions and the availability of funds.

### Production performance envelope<sup>7</sup> holders

Where a portfolio of projects is submitted through a portion of a production performance envelope, such projects will be evaluated based solely on the eligibility of the projects in the portfolio.

## 3. Terms of funding

Telefilm's funding will be in the form of a repayable advance to be reimbursed according to the contract that Telefilm and the applicant enter into, generally on the earlier of the first day of principal photography (or any other use of the script) or the sale, assignment or other disposition of the rights to a project.

The minimum Telefilm participation in individual projects is \$15,000.

Telefilm's financial participation will be maximum of 80% of the eligible costs per project (refer to Annex 1 for details concerning eligible costs), up to the total portfolio maximums set out below.

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<sup>4</sup> An Anglophone is defined as someone, regardless of ethnic origin or mother tongue, whose main written and spoken language is English.

<sup>5</sup> A Francophone is defined as someone, regardless of ethnic origin or mother tongue, whose main written and spoken language is French.

<sup>6</sup> As per Statistics Canada's 2006 Census, Aboriginal identity refers to those persons who reported identifying with at least one Aboriginal group, that is, North American Indian, Métis or Inuit, and/or those who reported being a Treaty Indian or a Registered Indian, as defined by the *Indian Act* of Canada, and/or those who reported they were members of an Indian band or First Nation <http://www12.statcan.ca/english/census06/reference/dictionary/pop001.cfm>

<sup>7</sup> For information on production performance envelopes, please see the CFFF production guidelines.

**Funding grid:**

Categories	Number of FFs produced over the last five years	Maximum funding per Category	Maximum number of Projects within Category
<b>Regular Funding</b>	More than 5	\$150,000	5
	3, 4 or 5	\$100,000	
	1 to 2	\$75,000	
<b>Production Performance Envelope Funding</b>	N. A.	\$200,000 <sup>8</sup>	5
<b>Targeted Group Funding</b>	N. A.	An additional \$25,000 per targeted group	4 (one per targeted group)

Applicants with production performance envelopes may not access development funding except through their performance envelopes; however, any applicant (including production performance envelope holders) may combine their funding access with targeted group funding (for a possible maximum of nine projects in their portfolio).

In order to ensure diversity, Telefilm reserves the right to consider the projects from targeted groups separately, and to include or exclude such projects from the rest of the eligible applicant's portfolio.

If a project has previously received Telefilm development financing through another producer, the applicant must assume the outstanding repayment obligation before Telefilm will consider financing such project again.

#### 4. How to apply

- Applicants may submit an application to Telefilm starting at the beginning of the fiscal year;
- All applications must be submitted online via eTelefilm: <http://www.telefilm.ca/en/extranet>
- Applicants may only submit one portfolio application per fiscal year. While performance envelope holders will generally be expected to comply with this requirement, Telefilm may permit some flexibility for such applicants.

#### Further Information

For further Program information details, please see the Q & A section of Telefilm's web site.

<sup>8</sup> In exceptional cases Telefilm may allow flexibility on the amount of the cap for performance envelope funding.

## 5. General information

While compliance with the guidelines is a prerequisite to eligibility for funding, compliance does not guarantee entitlement to Telefilm funds. Telefilm may make adjustments to its guidelines and application forms from time to time as required. Telefilm has full discretion in the application of, or exception to, these guidelines to ensure that its funding is provided to those projects that meet its spirit and intent. In all questions of interpretation of either these guidelines, or the spirit and intent of this program, Telefilm's interpretation shall prevail.

Any information, in any form, provided, obtained, created, or communicated in connection with the application or portfolio is subject to the [Access to Information Act](#) and the [Privacy Act](#).

## **ANNEX I - ELIGIBLE COSTS**

Standard development budgets are available on Telefilm's [Website](#).

Producers' fees and overhead (PFOH) are considered to be eligible expenses provided that neither exceeds 20% of eligible costs.

Expenses incurred and/or paid previous to submission of the application are not eligible.

Only Canadian costs are eligible, with the following exceptions:

- eligible non-Canadian costs in an intended treaty co-production; and
- for all stages of development, non-Canadian script editors and consultants whose services do not result in any copyright ownership in the project.

Eligible costs are as follows:

### **Scriptwriting stage**

Eligible costs are limited to optioning fees, writer's fees, script editor fees and PFOH. Applicants may include, within their development budget, all other costs typically related to developing a screenplay, provided they are able to demonstrate sufficient alternative sources of financing.

### **Packaging stage**

Eligible costs are those costs typically associated with the development and packaging of a project, including director fees.