

FAQs

Development Program 2013-2014

1. Are the eligibility criteria for projects submitted for funding under this program the same as the criteria for projects examined to determine applicant eligibility?

No. There are several differences between these two types of projects including:

- (a) The project submitted for funding must be intended to either a) achieve a minimum of 8/10 on the Canadian Audio-Visual Certification Office (CAVCO) scale, or b) be certified as an audiovisual treaty coproduction by the Minister of Canadian Heritage. On the other hand, the project examined to determine applicant eligibility must have been produced in the last five years and have achieved a minimum of 6/10 on the CAVCO scale or been certified as an audiovisual treaty coproduction by the Minister of Canadian Heritage;
- (b) The project submitted for funding must be under the financial and creative control of the applicant, who must hold for at least 24 months all of the exclusive rights and options 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. On the other hand, the applicant must own at least 20% of the Canadian copyright in the project examined to determine the applicant's eligibility;
- (c) Key members of the development team of the project submitted for funding must be Canadian citizens as defined by the [Citizenship Act](#), or permanent residents of Canada, as defined by the [Immigration and Refugee Protection Act](#). There is no such requirement for projects examined to determine applicant eligibility.

2. What is the cutoff date for the 'produced in the last five years' criteria?

In order to be deemed eligible, an applicant must have produced a film whose initial Canadian theatrical release (as evidenced by the Motion Picture Theatre Association of Canada [MPTAC]) occurred no earlier than January 1, 2008.

3. What is meant by 'produced'?

In order to be considered, the applicant company must own a minimum of 20% of the Canadian copyright of the film, and the lead producer of the applicant company must have received one of the following production credits on such film:

Producer

Executive Producer

4. Why do my production credits have to be on Canadian films?

The program is intended for Canadian production companies involved in the production of feature films in Canada. As Canada is a distinct market, Telefilm considers the applicant's Canadian film credits to be the best indicator of the potential for future success.

5. At what point in time does the 20% minimum copyright requirement for films examined for eligibility purposes need to have been attributed to the applicant?

The minimum copyright requirement must have been in place at the time of signature of the Telefilm production financing contracts for these films. In instances wherein Telefilm did not participate in the financing of these films, the applicant must demonstrate that the requirement was in place no later than the date at which principal photography commenced. In the event the copyright attribution changes after the above-mentioned dates, Telefilm will continue to recognize the amount possessed at said dates.

6. How does Telefilm measure the track record of the applicant and of the key members of the development team?

For track records based on films financed by Telefilm, please refer to the explanatory note on the track record calculation available [here](#).

For track records based on films not financed by Telefilm and taking into consideration the reference period starting January 1, 2008, Telefilm will consider (a) the level of Canadian Box Office obtained (as evidenced by MPTAC) together with (b) the level of critical acclaim achieved for each film included in the track record of the key members of the development team.

7. What is the difference between Telefilm's Success Index and the track record or success score of the applicant and of the key members of the development team?

The *Success Index* is a benchmark that has been established to measure the overall performance of the projects Telefilm finances over a calendar year, and takes into consideration commercial (box office and other sales), cultural (nominations and awards), and industrial measures (private sector and international contribution). Some of these attributes are also used to assess the quantitative part (score) of the track record of the applicants or of the development team, which is based on the scores of the feature films

they have produced over the last five years. The sum of all these individual film scores contributes to establishing Telefilm's annual *Success Index*.

8. Who are the 'key members of the development team'? Can any of these positions be 'shared' with non-Canadians? If my project is intended as a treaty co-production, do citizens of the co-producing country qualify as 'Canadian'?

The key members are:

Lead Producer

Lead Writer

With respect to the development phase, these positions cannot be shared. Although treaty co-productions qualify for support under this program, only those that engage a Canadian writer are eligible.

9. I am a member of a 'targeted group'. Does that mean I am eligible to apply? If not, do I need to cede a portion of my ownership to the applicant?

Eligible applicants are those that meet the eligibility criteria set out in Section 1.1 of the guidelines. However, a member of a targeted group who is not eligible to apply on his/her own may engage in a mentorship arrangement with an eligible applicant, which would then allow the project to qualify for consideration **as part of the applicant's portfolio**. This arrangement must be outlined in a written agreement to be provided upon application to Telefilm. The agreement must, at a minimum contain the terms governing the

- obligations and responsibilities of each party;
- ownership of the rights (must reside with either the eligible applicant, the member of a targeted group, or a combination of the two);
- creative and financial control;
- the payments to be made to each party from the project budget(s) (for eg. producer fees and overhead, scriptwriting);

and a representation and warranty from targeted group producer(s) that the targeted group producer(s) and writer(s) meet the eligibility criteria set out in the guidelines.

Telefilm's financing agreement will however be entered into solely with the eligible applicant, even for the project from a targeted group.

10. How can I confirm the maximum amount of financing I am eligible for prior to submitting an application?

The maximum amount of financing an applicant is eligible for is determined by the number of Canadian films produced in the last 5 years (see [guidelines](#)). You will be able to verify how many films we have on record for your company starting at the beginning of May, and ensure that we have all relevant information.

11. Can my portfolio include a mix of French-and English-language projects?

Portfolios may contain a mix of French and English-language projects. However, the majority language of the submitted portfolio will determine whether it is first assessed in the French or the English funding stream.

12. Does a film have to be intended for theatrical release?

Yes. In order to be considered eligible for development support, a film must be intended to also be eligible for production support (see [CFFF Production Program guidelines](#)).

13. Are theatrical documentaries considered for eligibility purposes?

Yes, theatrical documentaries can be considered as long as at least one fictional feature film is already included in the applicant's track record.

14. Do I have to hold copyright in the films I've previously produced? What about in the films in my portfolio?

With respect to both eligibility and the assessment of an applicant's track record, the applicant must hold a minimum of 20% of the Canadian copyright in the film(s).

With respect to the portfolio submitted, the film(s) must be under the financial and creative control of the applicant, who must hold for at least 24 months all of the exclusive rights and options 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 (appropriate exceptions for projects structured as audiovisual treaty coproductions).

Exception: With respect to 'targeted group' submissions, the applicant must enter into a suitable mentorship arrangement with the member of the targeted group.

15. Will there be an opening and a closing date to submit applications?

Yes, please refer to Telefilm's website for the applicable opening and closing dates for this program.

Please also note that an eTelefilm account is mandatory to submit an application. Potential applicants will be able to verify their eligibility starting at the beginning of May.

16. How long does it take for my application to be considered for funding?

Telefilm aims to render funding decisions within 6 to 8 weeks.

17. If my portfolio is funded, what percentage of the eligible costs will Telefilm contribute?

Telefilm will contribute the lesser of:

- the maximum amount of financing your company is eligible for;
- 80% of the eligible costs of each project; or
- the dollar amount of the eligible costs that remains unfinanced prior to Telefilm's participation.

18. Am I assured to receive the level of financing that I am eligible for?

Compliance with the guidelines is a prerequisite to eligibility for funding but does not guarantee entitlement to Telefilm funds.

Although one may qualify for a certain level of financing, all eligible applications received during the evaluation period will be assessed based on the evaluation criteria.

19. Is there a maximum number of applications I can file within the submission period?

Applicants may submit only 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.

20. I have a production performance envelope but I need it all to produce my next project. Am I eligible for regular development funding, based on the number of productions I have produced in the last 5 years?

No. If you have a production performance envelope, you are not eligible for development funding other than through that envelope, up to a maximum of \$200,000.

21. Does every project in the portfolio need to be completed and delivered before I can apply again?

Applicants having an uncompleted development project under contract with Telefilm may not submit another application for the same project nor include it in a new portfolio submission. However, the entire portfolio does not have to be completed before you can apply for an additional phase of a previously funded project.

22. I wish to apply for multi-phase funding. Is that possible?

Yes. However, you must be able to demonstrate that the phases can be completed within the term of your option agreement.

23. What if, along the way, I decide to redistribute the amounts allocated to each project within my portfolio, within the eligible costs limit, can I do it? Or substitute a project with another one that has come up?

No, as the funding decision is made based on the overall composition of the portfolio submitted, changes to the portfolio are not allowed after application.

24. What if I want to change writers in the course of development, before the phase under contract with Telefilm is closed. Is that allowed?

No, as the funding decision is made based on the overall composition of the portfolio submitted and includes an assessment of the writer's track record.

25. If I act as mentor to one of the targeted groups, who will be the signatory of the Telefilm agreement for that particular project?

The eligible applicant, in this case the mentor, will be the signatory of the Telefilm agreement and will be solely responsible for fulfilling the obligations under the agreement.

26. What is the eligibility requirement for writers attached to a portfolio?

The eligibility requirements listed in the guidelines apply only to producers. A producer is free to engage whomever he/she wishes as a writer as long as the writer is Canadian. However, note that the track record of the writer will be taken into consideration in evaluating the portfolio. A writer's track record can positively influence the ranking of the overall track record of the team brought together for the project. The primary focus of this program is to support feature film talent, however the producer may choose to work with an experienced and successful writer from other media. If this is the case, **then** the producer may submit a list of the writer's notable writing credits, and industry awards.

27. What is the “packaging” phase of a project?

The packaging stage involves subsequent drafts of a screenplay and the inclusion of market elements, such as the commitment of a director and a distributor, the development of a business and financing plan as well as a preliminary theatrical marketing plan, including target audience(s), commercial potential and a preliminary theatrical release strategy.

28. Can I apply for development funding for the packaging phase if I am applying for a lower budget production?

Packaging funding is only available for production budgets higher than \$2.5 million.