

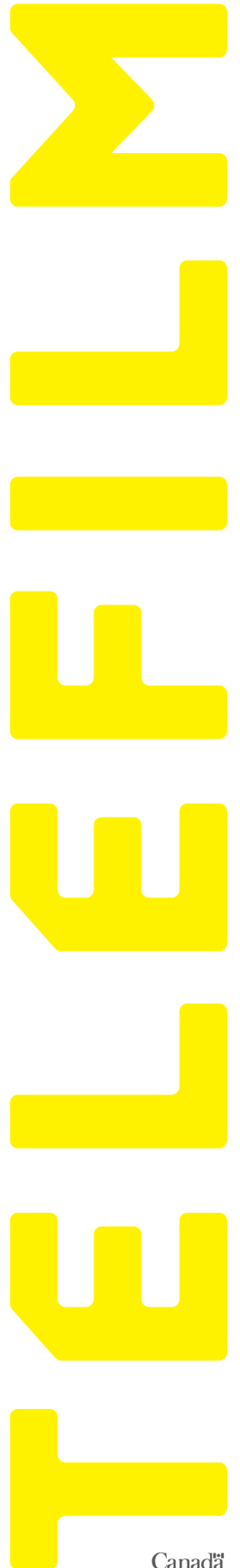
# CANADA FEATURE FILM FUND (CFFF)

## DEVELOPMENT PROGRAM GUIDELINES

APPLICABLE AS OF AUGUST 6, 2020

Ce document est également disponible en français

Updated on August 17, 2020.



## 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 and is intended for Canadian production companies involved in the production of feature films in Canada.

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

## Program intent and objectives

The Program reflects Telefilm Canada (“Telefilm”)’s intent to maintain and strengthen its essential role as a funder of film productions.

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>1</sup> of projects to 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 Canadian feature films from various genres, budget sizes, production company types, regions across the country, and which feature different viewpoints such as those of women and new talent, as well as projects showcasing the cultural diversity of the country through the presence of Indigenous communities, linguistic minorities, etc.

## 1. Eligibility criteria for applicants and projects

### 1.1. General eligibility criteria for applicants

An applicant must meet all 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.

### 1.2. Automatic Stream – Additional eligibility criteria

In addition to the basic applicant eligibility criteria, the applicant must:

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<sup>1</sup> A body of one or more development projects whereby each project encompasses one or more development phases.

- have produced at least one Canadian fictional or documentary feature film that was theatrically released in Canada in the last five years, and have at least a 20% share in the score of such film(s)<sup>2</sup>. Such feature film(s) must, with respect to Canadian content certification have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website);
- have a track record score which makes it eligible for a total allocation amount equal to or greater than \$30,000. The track record score<sup>3</sup> of the applicant is determined by the number of Canadian films that the applicant has produced that were theatrically released in Canada in the last five years<sup>4</sup>, the overall success of the film(s), and the share of the score held by the applicant in such film(s)<sup>5</sup>. **Note:** the applicant is responsible of ensuring that its filmography is accurate at all times.

Please note that Fast Track companies<sup>6</sup> are eligible under the Automatic Stream.

### 1.3. Selective Stream – Additional eligibility criteria

In addition to the basic applicant eligibility criteria, the applicant must have produced at least:

- one Canadian fictional or documentary feature film that was theatrically released in Canada in the last five years, and have at least a 20% share in the score of such film(s);
- one Canadian fictional or documentary feature film that premiered at a qualifying festival<sup>7</sup> in the last five years, and have at least 20% share in the score of such film(s).

Such feature film(s) must, with respect to Canadian content certification have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website).

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<sup>2</sup> For further details, please see the [Essential Information Guide](#).

<sup>3</sup> for more information on the track record score calculation, please refer to the scoring grid available on the [Program’s webpage](#).

<sup>4</sup> For further details, please see the [Essential Information Guide](#).

<sup>5</sup> Ibid.

<sup>6</sup> A Fast Track company is one that is eligible as such under the terms of the [Production Program](#).

<sup>7</sup> For the list of qualifying film festivals, please refer to the [Program’s webpage](#).

Please note that if a project was released both in theatres and in festivals, Telefilm will relate only to the first release of the project, whether that was a theatrical release or a festival release. The two periods cannot be combined to exceed five years.

#### 1.4. Indigenous Stream – Additional eligibility criteria

In addition to the basic applicant eligibility criteria, the applicant must:

- be a production company majority owned and controlled by Indigenous<sup>8</sup> persons; and
- have produced at least:
  - a) one Canadian fictional or documentary feature film that was theatrically released in Canada or premiered at a qualifying film festival<sup>9</sup> in the last five years, and have at least a 20% share in the score of such film(s)<sup>10</sup>. Such feature film(s) must, with respect to Canadian content certification have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website; Or
  - b) one project funded by Telefilm as part of the [Talent to Watch Program](#) that has been distributed in theatres or on one or more digital platforms<sup>11</sup> in Canada over the past five years; Or
  - c) one short film that premiered at a qualifying film festival<sup>12</sup> over the past five years; Or
  - d) one hour of Television that aired for the first time over the past five years which must have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website).

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<sup>8</sup> As defined in [the 2006 Census \(Statistics Canada\)](#), 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.

<sup>9</sup> For the list of qualifying film festivals, please refer to the [Program’s webpage](#).

<sup>10</sup> For further details, please see the [Essential Information Guide](#).

<sup>11</sup> Ibid.

<sup>12</sup> For the list of qualifying film festivals, please refer to the [Program’s webpage](#).

Please note that if a project was released both in theatres and in festivals, Telefilm will relate only to the first release of the project, whether that was a theatrical release or a festival release. The two periods cannot be combined to exceed five years.

### 1.5. Stream for Racialized Persons

In addition to the basic applicant eligibility criteria, the applicant must:

- be a production company majority-owned and controlled by persons who self-identify as Racialized Persons<sup>13</sup>; and
- have produced at least:
  - a) one Canadian fictional or documentary feature film that was theatrically released in Canada or premiered at a qualifying film festival<sup>14</sup> in the last five years, and have at least a 20% share in the score of such film(s)<sup>15</sup>. Such feature film(s) must, with respect to Canadian content certification have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website; Or
  - b) one project funded by Telefilm as part of the [Talent to Watch Program](#) that has been distributed in theatres or on one or more digital platforms<sup>16</sup> in Canada over the past five years; Or
  - c) one short film that premiered at a qualifying film festival<sup>17</sup> over the past five years; Or
  - d) one hour of Television that aired for the first time over the past five years which must have either been certified by the Canadian Audio-visual Certification Office (CAVCO) as a “Canadian film or video production” with a minimum of 6 out of 10 points or the prorated equivalent (i.e. a minimum of 60% of available CAVCO points) under the provisions of the *Income Tax Act*, or been recognized as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to the guidelines entitled [Audiovisual Treaty Coproductions](#) on Telefilm’s website).

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<sup>13</sup> The term “Racialized Person” refers to individuals who are non-Caucasian in race, or non-White in colour, and who are also not Indigenous. In addition, it refers to individuals of mixed racial background who also self-identify as Persons of Colour.

<sup>14</sup> For the list of qualifying film festivals, please refer to the [Program’s webpage](#)

<sup>15</sup> For further details, please see the [Essential Information Guide](#).

<sup>16</sup> Ibid.

<sup>17</sup> For the list of qualifying film festivals, please refer to the [Program’s webpage](#).

Please note that if a project was released both in theatres and in festivals, Telefilm will relate only to the first release of the project, whether that was a theatrical release or a festival release. The two periods cannot be combined to exceed five years.

### **1.6. Credits – all streams**

The individual lead producer of the applicant company must have received one of the following production credits on the project(s) considered for eligibility: producer or executive producer. Furthermore, the producers, the screenwriter(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](#).

### **1.7. Choice of a stream**

Please note that applicants may only apply under one stream. Therefore, if an applicant is eligible under more than one (1) stream, the applicant must choose only one. This choice is final and may not be modified after the financing request is filed.

### **1.8. Specific eligibility criteria for projects**

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

- be written in English, French or in an Indigenous language by a Canadian;
- be intended to be a Canadian (or Audiovisual Treaty Coproduction) feature-length<sup>18</sup> fictional film or documentary;
- be under the financial and creative control of the applicant, and the applicant must hold all 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 \(for French or English language productions\)](#) or the [Theatrical Documentary Program](#), with either certification by CAVCO as a “Canadian film or video production” with a minimum of 8 out of 10 points or the prorated equivalent (i.e. a minimum of 80% of available CAVCO points) under the provisions of the [Income Tax Act](#), or with recognition as an Audiovisual Treaty Coproduction by the Minister of Canadian Heritage (refer to Telefilm’s guidelines entitled [Audiovisual Treaty Coproductions](#));
- comply with the Canadian Association of Broadcasters (CAB) Code of Ethics and with all other programming standards endorsed by the CAB or the CRTC, and not contain any

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<sup>18</sup> 75 minutes or more.

element that is an offence under the [Criminal Code](#), is libellous or in any other way unlawful;

- for the packaging phase<sup>19</sup>, have a commitment letter from a Telefilm-approved distributor for the level of the envisioned production budget, a confirmed director and have a production budget of \$2.5 million or more<sup>20</sup>;
- not have any outstanding deliverables relating to a previous development contract with Telefilm;
- If submitted under the Indigenous Stream, the project must also:
  - ✓ be written by an Indigenous<sup>21</sup> screenwriter and developed with an Indigenous producer;
  - ✓ have a Story Consultant or a Script Editor who is independent from the producer<sup>22</sup>.
- If submitted under the Stream for Racialized Persons, the project must also:
  - ✓ be written by a screenwriter and developed with a producer who both self-identify as Racialized Persons;
  - ✓ have a Story Consultant or a Script Editor who is independent from the producer<sup>23</sup>.

## 2. Evaluation criteria

### 2.1. Automatic Stream

Program funds will be automatically allocated based on the total score given to each applicant's track record. Telefilm will take into account the total available Program funding in order to determine each applicant's available level of funding<sup>24</sup>.

### 2.2. Selective Stream

A selective round of funding takes place alongside the automatic round. Telefilm may take into consideration the creative elements (ie. Synopsis, track record of the key creative team, etc.) in the evaluation of the projects submitted under the Selective stream.

In alignment with its objective to support the diversity of voices in the audiovisual industry, Telefilm will, for projects of equal quality, prioritize those whose key creatives (director and/or screenwriter and/or producer) reflect the diversity of Canada from across the provinces and territories of the country and in terms of gender and cultural diversity.

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<sup>19</sup> The packaging phase provides support for subsequent drafts of a screenplay where market elements (a director and an eligible distributor) have been attached.

<sup>20</sup> Please note that this requirement does not apply to projects submitted under the Indigenous Stream and under the Stream for Racialized Persons.

<sup>21</sup> As defined in the [2006 Census \(Statistics Canada\)](#), 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.

<sup>22</sup> For further details, please see the [Essential Information Guide](#).

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

### **2.3. Indigenous Stream**

As part of its commitment to ensuring the inclusion of Indigenous creative voices, Telefilm will set aside funding for projects by Canadian filmmakers from Indigenous communities. These projects will be assessed initially by Telefilm's Lead, Indigenous Initiatives, and subsequently by an external jury having Indigenous representation who will then submit its recommendations to Telefilm.

Telefilm encourages all applicants to respect the guiding principles and best practices set out in the [On-Screen Protocols & Pathways Media Production Guide](#).

Please note that applicants who meet the criteria of the Indigenous Stream are not required to submit projects under this Stream and may choose to submit their projects under any other stream for which they qualify.

### **2.4. Stream for Racialized Persons**

As part of its larger goal of achieving a funding portfolio that better represents Canada, Telefilm will set aside funding for projects by Canadian filmmakers who self-identify as Racialized Persons. These projects will be assessed by an external jury having representation from Racialized Persons who will then submit its recommendations to Telefilm.

Please note that applicants who meet the criteria of the Stream for Racialized Persons are not required to submit projects under this stream and may choose to submit their projects under any other stream for which they qualify.

## **3. Terms of funding**

Telefilm's financial participation will take the form of an advance repayable in accordance with the terms of the contract between Telefilm and the applicant, usually on the earliest of the following dates: the first day of filming (or any other use of the script) or the date of 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 a maximum of 80% of the eligible costs per project<sup>25</sup>, up to the total portfolio maximums set out in the Funding Grid in the following page.

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<sup>25</sup> A detailed description of the eligible costs is available on Telefilm's [website](#). Please note that the Story Consultant / Script Editor of the project, if any, must be independent from the Producer.



### Funding grid:

Categories	Maximum Funding amount per Category	Maximum number of Projects within Category
<b>Automatic Funding</b>	Portfolio total: the amount determined by the applicant's total score <sup>26</sup>	5
<b>Selective Funding</b>	A fixed amount of \$15,000 per project <sup>27</sup>	2
<b>Fast Track Companies<sup>28</sup> Funding</b>	Portfolio total: \$200,000 <sup>29</sup>	5
<b>Indigenous Stream Funding</b>	A fixed amount of \$18,000 per project	2
<b>Funding under the Stream for Racialized Persons</b>	A fixed amount of \$18,000 per project	2

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<sup>30</sup>.

All payments from Telefilm will be made by direct deposit.

## 4. How to apply

- Applicants may submit an application to Telefilm during the application period indicated on Telefilm's website;
- All applications must be submitted online via [Dialogue](#);
- Applicants may only submit one portfolio application per fiscal year.

### Further Information

For further information on the Program, please see the [Essential Information Guide](#).

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<sup>26</sup> Subject to availability of funds.

<sup>27</sup> Ibid.

<sup>28</sup> A Fast Track company is one that is eligible as such under the terms of the [CFFF Production Program for French and English-language Productions Guidelines](#).

<sup>29</sup> In exceptional cases Telefilm may allow flexibility on the amount of the cap for Fast Track applicants.

<sup>30</sup> Telefilm must approve the transfer of rights to the new producer who will be responsible to repay the development advance before/on the first day of principal photography.

## 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](#).