



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

EXPERIMENTAL STREAM- DIGITAL LINEAR SERIES PROGRAM GUIDELINES 2021-2022

Please be advised, in response to the disruption in Canada's screen-based industries caused by the COVID-19 pandemic, there may be specific exceptions to the following Guidelines found in the [COVID-19 Flexibility Measures to CMF Programs - 2021-2022](#).

Please refer to that separate document to determine if there is any flexibility to the requirements, contribution amounts and policies listed herein.

1. GENERAL INFORMATION

Interpretation, Application, Disclaimer, and other Important Information

These Guidelines are for the information and convenience of Applicants (as defined in section 3.1 herein). They provide an overview of the objectives of the CMF, the manner in which the CMF is administered, and information on typical administrative practices of the CMF. Compliance with these Guidelines is a prerequisite to eligibility for any CMF funding.

The CMF has full discretion in the administration of its programs, and in the application of these Guidelines, to ensure funding is provided to those projects that contribute to the fulfillment of its mandate. In all questions of interpretation of these Guidelines, the interpretation by the CMF shall prevail.

All Applicants and broadcasters (where relevant) must abide by the Accounting and Reporting Requirements (ARR) of the CMF and follow applicable business policies as created and amended from time to time. Business policies, including the ARR, may be found in Appendix B of these Guidelines (and as specific appendices to Programs in the Experimental Stream), and are also available from the CMF website at www.cmf-fmc.ca. Information included in Appendices A and B is an integral part of these Guidelines.

Projects that receive CMF funding in a given year are subject to the Guidelines and the CMF policies that are in effect for that fiscal year. For greater clarity, changes to CMF Guidelines and/or policies made in a subsequent fiscal year will not be applied retroactively, unless specifically stated. The CMF fiscal year is April 1 to March 31.

Please note: These Guidelines may be changed, or modified as required, without notice. Please consult the CMF website at www.cmf-fmc.ca to receive the latest Guideline news and documentation.

Provision of Documentation

It is the responsibility of the Applicant to ensure the CMF receives all relevant documentation, and to update such documentation and information after a material change. The CMF may request other documentation and information to conduct an assessment and evaluation of the project and, once assessed, to complete CMF file reviews. For the purposes of project assessment and evaluation, the CMF reserves the right to rely solely on the written and audiovisual materials initially submitted by the Applicant.

Failure to Comply

If an Applicant fails to comply with these Guidelines, as determined by the CMF, then the CMF may refuse the application, revoke the eligibility status of the Applicant's project, and may demand repayment of any sums paid to the Applicant.

Misrepresentation

If, at any time, an Applicant, as required by the Guidelines or as requested by the CMF, provides false information or omits material information in connection with an application, the Applicant may suffer serious consequences.

These may include, among other outcomes:

- Loss of eligibility for funding of the current project
- Loss of eligibility for funding of future productions
- Repayment of any funds already advanced, with interest
- Criminal prosecution, in the case of fraud

These measures may be imposed not only on the Applicant but also on related, associated and affiliated companies and individuals (as determined by the CMF at its sole discretion). Any Applicant receiving approval for funding will be required to sign a legally enforceable agreement, which includes further provisions concerning misrepresentations, defaults, and related matters.

2. HOW THE DIGITAL LINEAR SERIES PROGRAM WORKS

2.1 INTRODUCTION

The Digital Linear Series Program is designed to support digital linear series in their second (or subsequent) season, created initially for online platforms and in designated CMF genres.

An Eligible Project under this Program must be an original, digital, linear series that meets the respective definition of any of the CMF-supported genres of Drama, Children's and Youth, or Documentary, created initially for online distribution¹, and in its second (or subsequent) season (see section 3.2.2). Eligible Projects will be administered under a selective process and assessed according to an evaluation grid (see section 2.4). Further, Eligible Projects selected under this Program may receive funds subject to a per-Project Maximum Contribution amount (see section 2.3) and other specified limitation.

2.1.1 Definitions Applicable to the Digital Linear Series Program: Canadian Broadcaster, Diverse Community

Canadian Broadcaster

Any of the following will be considered a "Canadian Broadcaster":

- a. A Canadian programming undertaking, public or private, licensed to operate by the Canadian Radio-television and Telecommunications Commission (CRTC)²;
- b. An online service³ owned, controlled and operated by a Canadian CRTC- licensed programming undertaking;
- c. An online service⁴ owned, controlled and operated by a Canadian broadcasting distribution undertaking ("**BDU**"), licensed to operate by the CRTC; and
- d. CRTC-licensed VOD services.

Diverse Community

Diverse Communities shall be defined as the following for the purposes of the CMF's 2021-2022 Guidelines:

- a) Indigenous peoples of Canada (i.e., First Nations, Inuit and Métis); and
- b) Racialized Communities:
 - o Black people: people who trace their roots to Sub-Saharan Africa including those with origins in the United States, Caribbean and Latin America;
 - o People of colour: people who are not Caucasian or of European descent who are descendant from one or more of the following communities:
 - Latin Americans (Latino, Latina, Latinx);
 - Middle-Easterns and North Africans;
 - South Asians;

¹While eligible productions must *initially* be created for online/digital distribution on platforms available to Canadian audiences, projects may subsequently be exploited on other platforms such as television, either in their original format or through the exploitation of derivative rights.

²This includes exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

³ This includes services accessed via a set-top box.

⁴ This includes services accessed via a set-top box.

- Southeast Asians;
- East Asians;
- Indigenous people from outside of Canada (from Oceania, United States, Northern Europe and Pacific Islands);
- Multiracial (a combination of any of the above categories or any of the above categories with Caucasian or European ancestry).

2.2 NATURE OF FUNDING CONTRIBUTION

Successful applicants shall receive production funding in the form of a recoupable investment. Please see the Digital Linear Series Program's Recoupment Policy (attached hereto) for additional information, terms and conditions in connection with recoupment and profit participation for this Program.

2.3 AMOUNT OF FUNDING CONTRIBUTION

2.3.1 CMF Contribution

Successful Applicants shall receive funding in an amount appropriate to the needs of the Project and subject to a Maximum Contribution of the lesser of 60% of the Project's Eligible Costs or \$250,000.

For international coproductions, the Maximum Contribution will be calculated on the lesser of the Eligible Costs of the Canadian portion of the Project's global budget and the Eligible Costs of the Canadian portion of the global final costs. Coproductions are eligible if they comply with the Framework for international digital media coproduction.

2.3.2 Eligible Costs

Eligible Costs are costs set out in the production budget for the Project or the final cost report, as applicable (including both related-party and non-related-party costs), plus costs the CMF considers necessary⁵, and minus costs that the CMF considers excessive, inflated or unreasonable. Assessment of a Project's Eligible Costs is at the CMF's sole discretion.

Core business operations or capital expenditures of the applicants, such as rent, purchase of real estate, and maintenance costs, are not Eligible Costs.

All related-party fees and transactions must be established in accordance with generally accepted accounting principles and CMF [Accounting and Reporting Requirements](#), and disclosed to the CMF.

⁵While gifts to the public are ineligible as marketing expenses, gifts made to Indigenous communities recognized as cultural practice in the [On-Screen Protocols & Pathways Media Production Guide](#) will be accepted as Eligible Costs.

2.4 EVALUATION GRID

The CMF chooses successful projects in the Digital Linear Series Program according to the following evaluation grid.

Assessment Criteria	Overall Points	Points details	Notes
Market Interest	40	<p>Past (20)</p> <ul style="list-style-type: none"> Audience metrics for previous season(s) Third-party support for previous season(s) Critical acclaim for previous season(s) <p>Present (20)</p> <ul style="list-style-type: none"> Third-party support Renewed support of market channel partner(s) from the 1st season, or new market channel partner(s) Reach of the market channel partner(s) Presence of marquee elements such as well-known actors/narrators/hosts Distribution strategy aiming to grow audiences from the 1st season 	<p>Audience metrics: will include data from recognized measurement services such as Google Analytics and Adobe Analytics and metrics such as YouTube views.</p> <p>Third-party support: will include a confirmed financial commitment from funding agencies, market channel partners, distributors, crowdfunding campaigns and other participants in the financial structure of the project (exclusive of tax credits).</p> <p>Critical acclaim: will include positive reviews in recognized print and online publications⁶, festival selections, wins/nominations of any awards or prizes for the project.</p> <p>Market channel partner: will consider up-front licence payment or proven fruitful revenue-sharing model.</p>
Team	20	<p>Track record and experience of the Production and Creative teams (16)</p> <p>40% of the cumulative positions on the Production and Creative Teams are held by women (2)</p> <p>A member (or members) of a Diverse Community (as defined in section 2.1.1) owns and controls at least 51% of the Applicant company and of all rights necessary to produce and exploit the Project. (2)</p>	<p>The Production Team is comprised of the producers of the project.</p> <p>For clarity, "Producers" shall be defined as either Producer, Executive Producer/Showrunner, Executive Producer, Co-executive Producer, Supervising Producer, Associate Producer, or Creative Producer positions.</p> <p>The Creative Team is comprised of the Writers and Directors on the project.</p> <p>For clarity, "Writer" shall be ascribed the same meaning as commonly understood in the digital media industry and, if applicable, defined in accordance with Guild collective agreements.</p> <p>For clarity, "Director" shall be ascribed the same meaning as commonly understood in the digital media industry and, if applicable, defined in accordance with Guild collective agreements.</p>
Creative Elements	40	Originality, creativity and production value (40)	Originality & creativity: Creative elements include the subject matter, scripts, themes, issues and narrative, which are assessed on originality and creativity. The appropriateness of the production budget size to the creative material is also considered.
TOTAL	100		

⁶Does not include reviews via social media.

3. ELIGIBILITY FOR FUNDING

3.1 ELIGIBLE APPLICANTS

An eligible Applicant to the CMF is either:

- 1) A company that
 - a) Is for-profit: i.e. a taxable Canadian corporation, within the meaning of the *Income Tax Act* (Canada);

Note: Not-for-profit corporations are not eligible Applicants to the CMF, however coproductions or partnerships between for-profit and not-for-profit corporations may be allowed where the not-for-profit corporation holds a minority interest in the project; in such a case the CMF will only contribute to the Eligible Costs related to the for-profit corporation.

- b) Is Canadian-controlled as determined for the purposes of sections 26 to 28 of the *Investment Canada Act*.
 - c) Has its head office based in Canada.
 - d) Is in good standing with all applicable talent and industry associations and guilds.

or

- 2) A Canadian Broadcaster (as defined in section 2.1.1)

An eligible Applicant must own and control all the rights necessary to produce and exploit the Project that is the subject of the application at every stage of the Project's life-cycle, including Development; entities that provide services but do not own the applicable rights are not eligible to be Applicants to the CMF.

Note: For the purposes of these Guidelines, the term Applicant includes all coapplicants, and/or all Related Parties (defined in Appendix B, associated, affiliated or parent companies and/or individuals (as determined by the CMF at its sole discretion), as applicable.

3.2 ELIGIBLE PROJECTS

3.2.1 Canadian Elements

An Eligible Project must meet the following criteria:

- a) Its underlying rights are owned, and significantly and meaningfully developed, by Canadians.
- b) It is produced in Canada, with at least 75% of its Eligible Costs being Canadian costs.
- c) It is, and remains throughout its production, under Canadian ownership and Canadian executive, creative, and financial control.

Coproductions are eligible if they comply with the [Framework for international digital media coproduction](#).

3.2.2 Types of Content

An Eligible Project must be an original, linear series that meets the respective definition of any of the CMF-supported genres of Drama, Children's and Youth, or Documentary programming, created initially for online distribution on a platform available to Canadian audiences, in its second (or subsequent) season.

For the purposes of the Digital Linear Series Program,

- a “series” shall be defined as at least three related episodes of linear video content (of at least two minutes⁷ in duration per episode).
- a “season” shall be defined as at least three related episodes of linear video content (of at least two minutes⁸ in duration per episode) that have been produced and distributed online on a platform available to Canadian audiences *prior to the Applicant’s submission* to the Digital Linear Series Program.

3.2.3 Ineligible Content

The following are types of projects that are ineligible for the Digital Linear Series Program:

- Film and Television-Convergent projects (i.e., projects that are associated with a film or television production*).
- Projects with a specific corporate, industrial or mainly promotional focus.
- Projects which contain elements of excessive violence, sexual violence, or sexual exploitation or elements which are obscene, indecent or child pornography within the meaning of the Criminal Code (as amended from time to time), or libellous or in any other way unlawful.

**Note: Projects using character(s) or brand(s) that are associated, or have been associated, with a film or TV production are not ineligible merely because of the character/brand’s association.*

3.2.4 Miscellaneous Requirements

An Eligible Project must meet these criteria:

- a) It must comply with the CMF [Insurance Policy](#). The CMF requires that it be named as a party to production insurance policies.
- b) It must be a new production and has not been broadcast/distributed/presented on any platform prior to its application for CMF funding.
- c) When working with First Nations, Métis and Inuit communities, cultures, concepts and stories, the CMF encourages all Applicants to respect the guiding principles and best practices set out in the [On-Screen Protocols & Pathways Media Production Guide](#).

⁷For clarity, suitable exceptions may be made, in the CMF’s sole discretion, for animation projects.

⁸For clarity, suitable exceptions may be made, in the CMF’s sole discretion, for animation projects.



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APPENDIX A
**RECOUPMENT POLICY:
EXPERIMENTAL STREAM –
DIGITAL LINEAR SERIES
PROGRAM
2021-2022**

1. INTRODUCTION

This recoupment policy (the “Policy”) applies to all projects funded through the CMF’s Digital Linear Series Program in the Experimental Stream. The Policy describes:

- The nature of the CMF’s contribution in the Digital Linear Series Program; and
- Details related to the recoupment of the CMF’s contribution and, where applicable, its level of participation in profits.

Details of project recoupment not covered in the Policy will be negotiated between successful Applicants and the CMF.

2. PRODUCTION

2.1 NATURE OF FUNDING CONTRIBUTION: RECOUPABLE INVESTMENTS

Successful Applicants for production funding shall receive funding in the form of a recoupable investment.

2.2 LEVEL OF RECOUPMENT AND PROFIT PARTICIPATION

After the deduction of applicable exploitation fees and expenses (discussed in greater detail in subsection 2.3 below), the CMF will recoup its investment from revenue⁹ generated by the exploitation of the Project in a manner no less favourable than pro rata on the total Eligible Costs of the Project, until the full amount of the CMF’s investment is recouped or seven (7) years from the submission to the CMF of the Project’s first exploitation report, whichever comes first.

For clarity, if an Eligible Distributor¹⁰ provides a distribution advance for the Project, the distributor shall exclusively recoup its distribution advance prior to the CMF and other financial participants’ recoupment in the Project.

For greater clarity, “pro rata” includes the concept that the recoupment of the CMF will be proportional to its share of Project financing.

2.2.1 Profit Participation

Once the CMF has recouped 100% of its investment, the CMF will participate in profits from revenue¹¹ generated by the exploitation of the Project in the same manner in which it recouped its investment and for no longer than (7) seven years from the submission to the CMF of the Project’s first exploitation report.

⁹Including subsidiary and derivative works.

¹⁰As defined in the CMF’s [Appendix B: Business Policies, Standard Recoupment Policy](#).

¹¹*Ibid.*

2.3 EXPLOITATION FEES AND EXPENSES

Before the CMF recoups its share of revenues, the Applicant is allowed to deduct the following reasonable, actual and verifiable expenses and fees from the Project's gross exploitation revenues:

- distribution expenses up to a maximum of 10%;
- distribution fees of:
 - 15% for distributors that meet the definition of a "Related Party" pursuant to the CMF's [Accounting and Reporting Requirements](#) ("ARR"); and
 - 30% for distributors that are not considered a "Related Party".

For the purposes of this Program, the CMF will rely on the parameters of its Convergent Stream Standard Recoupment Policy found in [Appendix B](#) to determine appropriate deductions.