



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

INDIGENOUS PRODUCTION PROGRAM GUIDELINES 2025-2026

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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) to this Program. They provide an overview of the objectives of the CMF and Indigenous Screen Office (“ISO”). Compliance with these Guidelines is a prerequisite to eligibility for funding.

The CMF and ISO have full discretion in the administration of this Program and in the application of these Guidelines to ensure funding is provided to those Projects that contribute to the fulfillment of their respective mandates. In all questions of interpretation of these Guidelines, Agreements and whether Applicants and/or Projects meet the spirit and intent of any CMF policy, the CMF and ISO’s interpretation shall prevail.

All Applicants, Canadian Broadcasters and Eligible Canadian Distributors (where relevant) must also abide by the [ISO's General Funding Guidelines](#), the Accounting and Reporting Requirements (ARR) of the CMF and follow applicable business policies as created and amended from time to time. CMF Business Policies, including the ARR, may be found in [Appendix B](#) of these Guidelines 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 CMF policies in effect for that fiscal year. To be clear, changes to CMF Guidelines and/or policies made in a subsequent fiscal year will not apply 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 and ISO website at <https://iso-bea.ca/funding-opportunities/> for the latest Guideline news and documentation.

Provision of Documentation

It is the responsibility of the Applicant to ensure the ISO (on behalf of the CMF) receives all relevant documentation and to update such documentation and information after a material change. The ISO may request other documentation and information to conduct an assessment and evaluation of the Project and, once assessed, to complete file reviews. For the purposes of Project assessment and evaluation, the CMF/ ISO reserve 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 and ISO, then the CMF and ISO 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 or ISO, 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 Projects;
- Repayment of any funds already advanced, with interest; and/or
- 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 and ISO at their 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. OVERVIEW

In addition to the requirements set out in these Guidelines, Applicants must comply with (i) the rules and requirements of the applicable CMF policies and definitions in [Appendix A](#) and [Appendix B](#).

2.1 INTRODUCTION

The Indigenous Production Program (“**Program**”) supports Indigenous projects at the production-stage and forms part of the CMF’s Linear Programs to support the growth of audiovisual production from First Nations, Inuit or Métis producers. The CMF and ISO recognize the necessity to support the narrative sovereignty of all Indigenous Peoples in Canada and their right to tell their own stories.

Starting in 2025-2026, the Indigenous Screen Office (ISO) will be responsible for the administration of all CMF Indigenous Programs. Applications should be directly and solely submitted to the ISO who will process and evaluate the applications, and contract Applicants of the selected projects. Documentation required at application is described on the ISO’s website found [HERE](#).

The CMF and ISO support First Nations, Inuit and Métis self-determination and the ability of sovereign nations to determine their own citizenship. Both organizations respect the histories, traditions, languages, and contemporary practices of these cultural groups and acknowledge the cultural sovereignty of Indigenous Peoples in Canada by respecting their artistic expression, cultural protocols, rights, and cultural self-determination. The CMF and ISO understand that different nations and Indigenous people have different concepts and approaches to determining identity, and there is not one way to be Indigenous (see subsection 3.1.1. for more information on Indigenous Identity).

For the purpose of CMF Programs, the CMF defines Indigenous Peoples in Canada as set out in [Appendix A](#). Eligible Projects under this Program are administered under a selective process where applications are evaluated by peers according to the Evaluation Grid in section 5.2. Eligible Projects may receive funds subject to per-project Maximum Contribution amounts and other specified limitations.

No more than 35% of funds in this Program will be allocated to feature films in the Drama programming genre.

2.2 DEFINITIONS

Please see the CMF’s [Appendix A](#) for definitions on the following terms found in these Indigenous Program Guidelines:

- Broadcaster-Affiliated Programming
- Canadian Broadcaster
- Creative Team
- Diverse Community (Key Personnel) Project
- Eligible Canadian Distributor
- Gender Balance (Key Personnel) Project
- Indigenous Peoples in Canada
- In-house Programming
- Production Team
- Related Digital Content
- Related Party

2.3 FLEXIBILITY FOR INDIGENOUS-LED PROJECTS

The CMF offers three flexibility measures to reflect the experiences of Indigenous Peoples in Canada (defined in [Appendix A](#)) and to recognize the unique circumstances of the Indigenous production community. These measures will apply to all CMF Linear Content Programs.

Indigenous Applicants Based in the Circumpolar North¹

1. Essential Requirement #1 Flexibility

Essential Requirement #1 requires that an Eligible Project receiving Linear content CMF-funding must be certified by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the project), as determined by the CMF and ISO using the CAVCO scale.

Eligible Projects from Eligible Applicants that are owned and controlled by individuals who are First Nations, Inuit or Métis working in Canada's North will be granted the following flexibility on this requirement determined on a case-by-case basis:

- Provided the majority of the Project's CAVCO scale positions are filled by Canadians, the CMF will also allow a minority of the Project's CAVCO scale positions to be filled by individuals working in the Circumpolar North (defined in [Appendix A](#)) who are not Canadian.

This flexibility will apply to all CMF Linear Programs across all genres at the predevelopment, development, and production stages.

2. Eligible Triggering Commitment Flexibility (Production)

An Eligible Triggering-Commitment Threshold is the minimum amount of financial contributions an Eligible Project must receive from the marketplace in order to unlock CMF funding for that project.

While the CMF allows Canadian Broadcasters and Eligible Canadian Distributors (each defined in [Appendix A](#)) to contribute to a Project's Eligible Triggering Commitment Threshold², Eligible Projects from Eligible Applicants that are owned and controlled by individuals who are First Nations, Inuit or Métis working in Canada's North will be granted the following flexibility on this requirement, determined on a case-by-case basis:

- Non-Canadian broadcasters from the Circumpolar North may contribute to a Project's Eligible Triggering Commitment Threshold (either in combination with Canadian Broadcasters and, if applicable, Eligible Canadian Distributors, or acting as a sole trigger).

The applicable rights, Maximum Term and other material elements connected to Projects where a non-Canadian broadcaster from the Circumpolar North contributes to the Eligible Triggering Commitment Threshold are subject to CMF and ISO approval and will be evaluated on a case-by-case basis.

For clarity, all CMF-funded production-stage Projects must be made available to Canadian audiences within eighteen (18) months of completion and delivery of the Eligible Project. Therefore, if a non-Canadian broadcaster from the Circumpolar North is the only entity that contributes to a Project's Eligible Triggering Commitment, the Applicant must still ensure that the Project meets the Canadian Premiere Requirement (defined in section 3.2.4.1 of these Guidelines) and is made

¹ Please see [Appendix A](#) for the definition of Circumpolar North as defined by the [University of Arctic](#).

² An additional exception exists for this Program (see section 3.2.4.2 for more information).

available in Canada by a Canadian Broadcaster within eighteen (18) months of completion and delivery of the Project or it will be considered an Event of Default pursuant to [Appendix B](#) and the Applicant's CMF Financing Agreement.)

All Indigenous Applicants

3. Genre Flexibility

Provided an Eligible Project meets the other requirements of the Documentary definition (set out in **section 4 of [Appendix A](#)**), documentaries from Applicants owned and controlled by individuals who are First Nations, Inuit or Métis may include "how-to" programming related to Indigenous cultural elements (e.g., content related to Indigenous food, dance, language, etc.).

This flexibility will be extended to all Linear Programs at the pre-development, development, and production stages.

2.4 LANGUAGE OF PROJECTS

2.4.1 Original Language of Production

The applicable language category is a single language determined by the original language of the Project. With some reasonable exceptions for documentaries, where a Project is versioned into another language, the language into which the project was versioned is not the original language.

In cases where there are multiple languages in a Project, the ISO (CMF) will evaluate a variety of factors (e.g., proportion of the different languages in the Project, language of development materials, language of submitted creative materials, etc.) to determine the Project's original language.

Eligible Projects where the original language is in English, French, or a Diverse or an Indigenous may include other language(s) in the Project if it is for artistic purposes and/or its use is integral to the story (e.g. it is the first language of an expert in a documentary), provided the vast majority of the Project is in the original language (as determined by the ISO/CMF in its discretion). The ISO (CMF) will review the Project in its entirety to see if, as a whole (e.g. purpose, content, dialogue, context, etc.), it meets the spirit of the specific Program's language requirements.

For clarity, in the case of animated productions, the original language will be determined by which individual CMF triggering entity (e.g., Canadian Broadcaster, Eligible Canadian Distributor) commits the highest market commitment to the Project.

Applicants shall make best efforts to ensure that, on average, at least 20% of the original Indigenous version of the Eligible Project's on-screen dialogue and/or narration has been originally shot in an Indigenous language. Exceptions to this requirement, as determined by the CMF and ISO in their discretion, will be made on a case-by-case basis. However, in all cases, an Indigenous-language version of the entire Eligible Project must be broadcast (see subsection 3.2.4.1 (e)i).

2.4.2 Versioning

For versions of the Eligible Project broadcast in Canada, prior to delivery to the first window broadcaster or platform, the CMF requires all versioning (i.e., dubbing or subtitling) be performed in Canada using Canadian artists, actors, employees and technicians (as applicable). Exceptions may be made in the case of audiovisual treaty coproductions.

The CMF requires that versioning costs be included in the budget if it is required contractually by one of the Eligible Project's financiers. The CMF will only support versioning costs normally incurred by distributors to assist in foreign market sales set out in subsection 4.2.4 below under Marketing Expenses.

Indigenous-language projects which are versioned into English or French can apply for financing from this Program, from the Broadcaster Envelope Program (English and French), or through a combination of the Broadcaster Envelope (English and French) and this Program.

3. ELIGIBILITY

3.1 ELIGIBLE APPLICANTS

An Eligible Applicant to this Program must meet the following criteria:

- Is either a for-profit (i.e., a taxable Canadian corporation, within the meaning of Canada's *Income Tax Act*) production company or Canadian Broadcaster (defined in [Appendix A](#)) that:
 - Is Canadian-controlled as determined in sections 26 to 28 of the *Investment Canada Act*.
 - Has its head office in Canada.
 - Is in good standing with all applicable talent and industry associations and guilds.
- Own and control all rights necessary to produce and exploit the Eligible Project. Entities that provide services but do not own applicable rights are not eligible to apply to this Program.
- Final control in all matters relating to the Applicant company³ and the Project, and at least 51% of the Applicant company's ownership and of the Project's copyright are retained by an individual producer (or multiple producers) that is a First Nations, Inuit or Métis person ("**Indigenous Owner**").

For clarity, in addition to the Indigenous Owner(s) having final control and meeting this 51% ownership threshold, where an Applicant company is not 100% owned and controlled by an Indigenous Owner(s), no individual Indigenous Owner shall own and control less than 15% of both the Applicant company and copyright in the Eligible Project.

- The Indigenous Owner exercises full creative, executive, artistic, technical and financial control of the Eligible Project.
- The Indigenous Owner has meaningfully participated in the Eligible Project's development and retains a financial interest in the Eligible Project that is proportional to its ownership.
- For clarity, where the final control and central decision makers in both the Applicant company and the Project are not with the Indigenous Owner(s) from the Applicant company, the Application will not be considered eligible for funding in this Program. The CMF and ISO reserve the right to request additional documentation (including by-laws and articles of incorporation) to ensure the ownership and control provisions are met.

It is important to note that coproductions between Eligible Applicants and ineligible Applicants are only possible where the ineligible Applicant is a (minority) treaty coproduction partner in an audiovisual treaty coproduction.

No more than 25% of this Program's funds will be allocated to Projects from In-house and Broadcaster-Affiliated Applicants.

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

The CMF encourages all Applicants to review its Default Policy in Appendix B as it contains important information that could impact the eligibility of a Project and/or Applicant.

³Including the Applicant company's Board of Directors.

3.1.1 Indigenous Identity

Identity connotes the beliefs, values, and expressions that encompass the memories, experiences, and relations that enable individuals and groups to construct themselves in the present. To apply for CMF funding as an Indigenous storyteller, and to be recognized as such, Applicants must know and be able to articulate their relation and connection to their Indigenous identity. This may include familial connections or nationhood and it may also include displacement.

Please see the [ISO General Funding Guidelines Policy and Accountability Framework](#) for more information on determining Indigenous Identity.

The CMF and ISO also reserve the right to request additional information, which could include but is not limited to:

- Proof of citizenship or nationhood;
- A list of family names and direct ties to their nation or community;
- A letter of support from a governance organization (e.g. band office);
- A letter of support or nomination from an Indigenous community, organization or group;
- Further clarification of the declaration of Indigenous identity of the applicant; and
- A letter from the Applicant's community outlining their relationship and how they are claimed.

3.1.2 Determining Applicant Eligibility

It is the responsibility of the Applicant to provide information related to identity to satisfy the CMF and ISO's eligibility criteria. If an Applicant has not satisfactorily answered questions related to identity, the CMF and ISO may take one or more of the following actions as part of our screening and assessment processes:

- Follow up with the Applicant to seek further clarification, if time permits;
- Withdraw the application from the review process prior to assessment, informing the Applicant that eligibility questions were not answered satisfactorily;
- If flags or concerns related to identity occur during the assessment process, the CMF and ISO will recommend the Applicant as a low priority for funding.

Applicants who have received prior funding are not exempt from this process.

3.2 ELIGIBLE PROJECTS

An Eligible Project must be linear audiovisual content that meets all section 3.2 criteria and the following requirements:

- the CMF's Essential Requirements;
- the CMF's Genre Requirements (as set out in [Appendix A](#));
- the Ownership and Control Requirements;
- the Eligible Triggering Commitment Requirements and Conditions; and
- the Miscellaneous Requirements.

Either the screenwriter or the director of the Eligible Project must be a person who is First Nations, Inuit or Métis. For clarity, if the Eligible Project is episodic, this requirement will apply to every episode of the Eligible Project.

For a series in its second or subsequent season, a rough cut or final version of at least one (1) episode of the previous season of the series must be completed and submitted to the ISO (CMF) in order for it to be considered an Eligible Project in this Program.

3.2.1 Essential Requirements

An Eligible Project must meet the Essential Requirements listed here. For a series (or mini-series, as applicable), the Essential Requirements apply to each episode of the cycle, even if all episodes are not submitted for CMF funding. The CMF and ISO decide whether the Eligible Project meets the Essential Requirements and their interpretation shall prevail.

- 1) The Eligible Project will be certified⁴ by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the Eligible Project), as determined by the CMF and ISO using the CAVCO scale.

Note: For In-house Programming only, CRTC project certification as a “Canadian program” will be accepted in lieu of CAVCO certification for the purposes of meeting Essential Requirement #1.

- 2) Underlying rights are owned, and significantly and meaningfully developed, by Canadians.
- 3) The Eligible Project is shot and set primarily in Canada.

Further details on Essential Requirements, and permissible genre-specific exceptions, are in [Appendix A](#).

3.2.1.1 Audiovisual Treaty Coproductions

With respect to the CMF eligibility of audiovisual treaty coproductions, these Essential Requirements shall be interpreted so as to treat the treaty coproduction partner as “Canadian.”

Accordingly, the term “Canadians” in Essential Requirement 2, and the term “Canada” in Essential Requirement 3 include the coproduction country. The 10/10 points referenced in Essential Requirement 1 must be attained by citizens of Canada or the coproducing country.

Notwithstanding the above, once an Eligible Project has received its preliminary recommendation from the Telefilm Canada’s Business Affairs and Coproduction Department to be certified by CAVCO as an official audiovisual treaty coproduction, such project will not be required to meet the Essential Requirements listed herein.⁵

For audiovisual treaty coproductions, any CMF calculations, including the:

- a. Eligible Triggering Commitment Threshold
- b. Maximum Contribution
- c. PFCO

for an Eligible Project will be based on the Eligible Costs of the Canadian portion of the Eligible Project’s global budget (or global Final Costs). Applicants should consult the specific Program Guidelines for more details.

For information on audiovisual treaty coproduction between Canada and other territories, please see [Telefilm Canada’s treaty coproduction guidelines](#).

⁴Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

⁵Should an Eligible Project receive a preliminary recommendation to be certified by the Telefilm Canada’s Business Affairs and Coproduction Department - but not ultimately receive audiovisual treaty coproduction certification by CAVCO - the failure of such Eligible Project to meet all applicable CMF eligibility criteria will be considered an event of default pursuant to the CMF Financing Agreement.

3.2.2 Genre Requirements

The CMF supports the following genres: Drama, Documentary, Children and Youth, and Variety and Performing Arts. The CMF defines each in [Appendix A](#) (some flexibility exists for Children and Youth programming and Indigenous content).

No more than 35% of funds in this Program will be allocated to feature films in the Drama programming genre.

3.2.3 Ownership and Control Requirements

In this Program, an Eligible Project must meet these criteria:

- a) It is under Canadian ownership and Canadian executive and creative control;
- b) It is under the financial control of Canadian citizens or permanent residents;
- c) It is, and has been, controlled creatively and financially by a Canadian production company during all phases of production, from development through post-production. Moreover, all distribution and exploitation rights are owned and initially controlled by a Canadian production company;
- d) The Indigenous Owner (defined in section 3.1) exercises full creative, executive, artistic, technical and financial control of the Eligible Project and has meaningfully participated in its development;
- e) The Indigenous Owner retains and exercises all effective controls or approvals necessary for the production of the Project. This includes control and final approval of creative decisions and production financing, distribution and exploitation, and preparation and final approval of the budget, subject to reasonable and standard approval rights customarily required by arm's-length financial participants, including Canadian Broadcasters and distributors;
- f) Generally, no more than 49% of the production financing/final cost is provided by a single non-Canadian entity, person or related entity (via licence fees, distribution advances, goods and services and/or equity investment). Interim lending of more than 49%, however, may be provided by a non-Canadian arm's-length entity in the business of lending money and taking security;
- g) The Applicant owns all rights (including copyright) and options necessary for the production and its distribution in Canada and abroad (with appropriate case-by-case exceptions for a purchased format) and retains an ongoing financial interest in the Eligible Project.

3.2.4 Eligible Triggering Commitment Requirements and Conditions

3.2.4.1 Eligible Triggering Commitment Requirements and Conditions – Production

The Eligible Project must, at application, have an Eligible Triggering Commitment which must be comprised of an Eligible Licence Fee from a Canadian Broadcaster.

An Eligible Triggering Commitment may also include an Eligible Market Contribution from an Eligible Canadian Distributor.

This Eligible Triggering Commitment must meet or exceed a minimum amount, expressed as a percentage of the Eligible Costs of the Project (i.e., Eligible Triggering-Commitment Threshold is explained in greater detail below) to be eligible for CMF production funding. Please see subsection 3.2.4.2 for more information on the Eligible Triggering Commitment Threshold.

Eligible Triggering Commitments are:

- a) Cash contributions
- b) Paid by a Canadian Broadcaster (and, if applicable, an Eligible Canadian Distributor)
- c) Paid to the CMF Applicant
- d) Which are in exchange for the enumerated exploitation rights
 - i. Canadian Broadcaster – Canadian Broadcast Right
 - ii. Eligible Canadian Distributor – International Territory Exploitation Right
- e) All of which is subject to one or more current, legally binding contract(s) – i.e., broadcast licence agreement and, if applicable, a distribution agreement.

Note: The CMF will consider the applicability of this section to In-house Programming on a case-by-case basis.

Aspects of an Eligible Triggering Commitment:

a) Cash contributions

Cash contributions must be genuine, industry standard for fair market value and cannot be reduced once the CMF/ISO has entered into a production financing agreement with the Applicant.

Cash contributions for (i) Canadian Broadcasters are non-recoupable licence fees and for (ii) Eligible Canadian Distributors are minimum guarantees/distribution advances that can be recouped within the parameters of what is generally and customarily followed by distributors of linear content in the audiovisual industry (and the CMF's Distributor requirements set out in [Appendix B](#) – Chapter 9).

Cash contributions cannot include facilities, goods or services, equity, an Applicant time-buy, donations or corporate sponsorship monies negotiated and obtained by the Applicant, tax credits or any arrangement which, in the CMF's assessment, does not constitute a genuine cash contribution. The foregoing does not preclude a Canadian Broadcaster (and if applicable, Eligible Canadian Distributor) from contributing an equity investment, services, facilities, or other fees in addition to cash contributions that make up the Eligible Triggering Commitment.

In cases where the provision of a licence fee is wholly or partially dependent on a buyback of services from the provider of the contribution, the CMF may elect to deduct the value of the services or facilities from the total value of the contribution, for the purposes of determining Eligible Triggering-Commitment amounts for Eligible Triggering Commitment Threshold assessment; this determination will be made on a case-by-case basis.

b) Canadian Broadcaster (and, if applicable, Eligible Canadian Distributor)

A Canadian Broadcaster and Eligible Canadian Distributor as defined in [Appendix A](#).

In this Program only, as a pilot initiative, the CMF and ISO may consider a digital distributor to be a Canadian Broadcaster with regard to Eligible Licence Fees for an Applicant in northern Canada (i.e. Nunavut, Nunavik, the Yukon Territory, or the Northwest Territories) – provided the CMF and ISO determine that the digital distributor: is a Canadian-controlled company (as determined in sections 26 to 28 of the *Investment Canada Act*); operates in northern Canada; provides services and/or content dedicated to Indigenous communities in northern Canada; and licences Eligible Projects for distribution via digital platforms. The CMF and ISO will then interpret the remainder of this section 3.2 in a flexible manner to let the digital distributor provide Eligible Licence Fees. The CMF and ISO will decide if a digital distributor qualifies for this pilot initiative case-by-case.

c) Applicant to the CMF/ISO

Eligible Triggering Commitments may be paid by the Canadian Broadcaster (and, if applicable, Eligible Canadian Distributor) directly to the Applicant. The CMF will also allow Eligible Licence Fees to be paid by Canadian Broadcasters indirectly via an intermediary Canadian corporation affiliated with both the Applicant and the Canadian Broadcaster.

d) Enumerated Exploitation Rights

i. *Canadian Broadcaster – Canadian Broadcast Right*

The Eligible Licence Fees of a Canadian Broadcaster are in exchange for an Eligible Project's Canadian Broadcast Right.

The Canadian Broadcast Right is the right of a Canadian Broadcaster to broadcast and/or make the Eligible Project available on any broadcast and online platforms the Canadian Broadcaster owns, operates and controls in Canada in the language of the Broadcaster in question during the Maximum Term (defined below).

The Canadian Broadcast Right cannot include:

- Broadcast rights for non-Canadian territories.
- Other Exploitation Rights (as detailed further below) for Canadian or non-Canadian territories.
- An ownership, profit, repayment or recoupment position in the Eligible Project.
- Rights in excess of the Maximum Term as described below.

For clarity, while Canadian Broadcasters are free to negotiate and may acquire *separate* rights other than the Canadian Broadcast Right (i.e., International Broadcast rights, Other Exploitation Rights), these separate financial contributions made by Canadian Broadcasters must be valued and paid for separately and will not count towards the Eligible Triggering Commitment Threshold requirement necessary to unlock CMF production financing.

Other Exploitation Rights (discussed further below in subsection 3.2.4.4) shall only apply to the various subsidiary and ancillary exploitation rights of the project and not merely consist of additional access to revenue or recoupment to the Canadian Broadcast Right or Other Exploitation Rights themselves. Broadcasters may only recoup on exploitation revenues if they are making a financial investment in a project's financial structure.

Finally, if the Canadian Broadcaster does not secure the world premiere rights of an Eligible Project and a non-Canadian premiere occurs first, the Canadian premiere of the Eligible Project must occur within 12 months of the non-Canadian premiere (**Canadian Premiere Requirement**).

ii. *Eligible Canadian Distributor – International Territory Exploitation Right*

The Eligible Market Contributions of an Eligible Canadian Distributor are in exchange for an Eligible Project's International Territory Exploitation Right.

The International Territory Exploitation Right is the right to exploit the Eligible Project in territories outside of Canada.

While a variety of different exploitation rights may form part of the International Territory Exploitation Right, in order to count towards a Project's Eligible Triggering Commitment Threshold, Eligible Canadian Distributors must at a minimum secure the right to make the Eligible Project available to be seen on either broadcast television or an online platform in territories outside of Canada as part of this Right.

Applicants and Eligible Distributors are free to negotiate one or multiple territories outside of Canada for the International Territory Exploitation Right.

In order for the securing of the International Territory Exploitation Right to count towards the Eligible Triggering Commitment needed to unlock CMF production financing, Eligible Canadian Distributors must comply with all the applicable sections of these Program Guidelines, [Appendix A](#) and [Appendix B](#), including but not limited to meeting the designated Eligible Triggering–Commitment Threshold (in combination with the Canadian Broadcaster's Eligible Licence Fee).

For clarity, while Eligible Canadian Distributors are free to negotiate *separate* rights other than the International Territory Exploitation Right, these separate financial contributions made by Eligible Canadian Distributors will not count towards the Eligible Triggering Commitment Threshold requirement necessary to unlock CMF production financing.

e) Legally binding contract

i. A Canadian Broadcaster's broadcast licence agreement for the Canadian Broadcast Right:

- Must include an unconditional commitment by the Canadian Broadcaster providing the highest Eligible Licence Fee to broadcast and/or make the Eligible Project available to be viewed on any of the broadcast and online platforms the Canadian Broadcaster owns, operates and controls, in peak viewing hours⁶ and closed captioned⁷, in English, French or an Indigenous-Canadian language, as the first window broadcast, within eighteen (18) months of completion and delivery of the Eligible Project⁸. Please be advised, if the first window broadcast of the Project is in English or French, it is still a mandatory requirement of this Program for at least one Canadian Broadcaster in the project's financial structure to license the Eligible Project's Indigenous-Canadian language rights and broadcast and/or make the Eligible Project available to be viewed on any broadcast and online platforms that Canadian Broadcaster owns, operates and controls, in an Indigenous-Canadian language during the licence term of the Project. Should any Canadian Broadcasters who contribute to a project's Eligible Licence Fee fail to comply with these requirements the licence fee will be deemed not to be an Eligible Licence Fee. The CMF will consider requests for an extension to this period case-by-case. "**Peak Viewing Hours**" is defined by the CMF as 7:00 pm to 11:00 pm, with an exception for some Children and Youth programming as described in [Appendix A](#). For second and subsequent window broadcasters, the commitment to broadcast the Eligible Project in Peak Viewing Hours (or, if applicable, make the Eligible Project available to be viewed) within eighteen (18) months will start at the beginning of those broadcasters' licence periods. For clarity, Canadian Broadcasters operating in a language other than the Indigenous-Canadian language may contribute Eligible Licence Fees to meet the Eligible Triggering Commitment Threshold and broadcast the Eligible Project in Peak Viewing Hours (or, if applicable, make the Eligible Project available to be viewed) in their language of operations.

⁶ For clarity, an Eligible Project must meet the 'peak viewing hours' requirement only when it is broadcast by an entity that meets section (a) of the "Canadian Broadcaster" definition in [Appendix A](#).

⁷As applicable, based on the respective platform.

⁸For dual-language productions, this requirement shall be interpreted to mean eighteen (18) months from the first completed version.

Note: The CMF may waive the broadcast/availability requirement for pilots where both the Canadian Broadcaster and Applicant agree, upon completion and delivery of the Eligible Project, that the pilot should not be broadcast or made available.

- Cannot restrict the Applicant's ability to exploit non-Canadian broadcast rights, with the exception of traditional broadcast spill-over protections and exclusive world premiere rights. Where exclusive world premiere rights are taken by a Canadian Broadcaster, licence agreements must provide for waiver of the world premiere rights if a bona fide sale to a foreign entity is made, provided the foreign entity agrees not to broadcast the program within six (6) months of delivery to the Canadian Broadcaster. To be clear, a Canadian Broadcaster cannot hold world premiere rights longer than six (6) months from delivery if a bona fide sale has been made to a foreign broadcaster.
- With the exception of dual-language broadcast channels, can only include the language rights of the language in which the Canadian Broadcaster is licensed to operate. For example, the contract cannot include the acquisition of French-language rights by an English-language Canadian Broadcaster or of English-language rights by a French-language Canadian Broadcaster. The dual-language Canadian Broadcaster in such cases must specify to the CMF/ISO the licence fee paid for each language right acquired. No single-language licence shall prevent the exploitation of the other language rights by the Applicant.
- Cannot confer upon the Canadian Broadcaster a right of last refusal for any rights other than additional broadcast windows for the currently licensed Eligible Project/cycle. This means a Canadian Broadcaster cannot acquire a right of last refusal for broadcast windows for future cycles or versions of the Eligible Project. Canadian Broadcasters may acquire the right of first negotiation and/or last refusal for additional broadcast windows for the currently licensed Eligible Project/cycle.
- For the purposes of series, cannot include co-terminus rights clauses. Co-terminus clauses (i.e., clauses that extend the terms of existing licences to the end of the term of the renewal licence with no additional payment) are prohibited in the eligible licence agreements for renewed series, but these licences may include rights of first negotiation and/or last refusal for extension of licences for existing episodes of the series.
- A payment schedule that aligns with the Broadcaster Business Policy in [Appendix B](#).

ii. An Eligible Canadian Distributor's distribution agreement:

- Must include parameters and practices that are generally and customarily followed by distributors of linear content in the audiovisual industry, including but not limited to an outline of:
 - all exploitation rights being licensed or acquired,
 - the amount being paid for each exploitation right,
 - the territory(ies),
 - the term,
 - all relevant terms and conditions.
- Must align with all Eligible Canadian Distributor responsibilities outlined in Chapter 9 of [Appendix B](#).

3.2.4.2 Eligible Triggering Commitment Threshold

An Eligible Triggering Commitment Threshold (**Threshold**) is the minimum amount of financial contributions an Eligible Project must receive from the marketplace in order to unlock CMF funding for that project.

In this Program, the Eligible Triggering Commitment Threshold is the minimum amount of Eligible Licence Fees from a Canadian Broadcaster (and, if applicable, Eligible Market Contributions from an Eligible Canadian Distributor) that an Eligible Project must receive from one or more Canadian Broadcasters (and, if applicable, Eligible Canadian Distributors) to be eligible for CMF funding.

The Threshold in the Indigenous Program is 10% of the Eligible Project's Eligible Costs.

In addition to the Canadian Broadcaster's (and, if applicable, the Eligible Canadian Distributor's) Threshold amounts, licence fees/financial contributions from foreign/scheduled broadcasters⁹ may also count towards the Threshold required to trigger funding in this Program, as long as the Threshold amounts of the Canadian Broadcasters (and, if applicable the Eligible Canadian Distributors) (both separately and in the aggregate) represent the larger share of the Project's Threshold.

The entirety of the Eligible Triggering Commitment contributing to the Threshold must be used in the production financing of the Eligible Project.

For audiovisual treaty coproductions, Threshold will be calculated on the Eligible Costs of the Canadian portion of the production's global budget, as certified by Telefilm Canada's Business Affairs and Certification Department.

3.2.4.3 Maximum Term

The ISO (CMF) shall assess the maximum allowable period of all broadcast windows granted to the Canadian Broadcaster(s) for the Canadian Broadcast Right (Maximum Term). The Maximum Term for an Eligible Project in this Program, in the aggregate and including both exclusive and non-exclusive terms is six (6) years.

The start of the licence term shall begin at the contractually agreed-upon term commencement date, as negotiated between the Applicant and the Canadian Broadcaster. The term is the period in which a broadcaster has the right to exploit a Project. In the case of a series (or mini-series, as applicable), the term is measured from the commencement date of the first episode and not the commencement dates of each episode.

For clarity, the start of the term and the first air date may not always coincide. By way of example, a Canadian Broadcaster's term may be from September 1, 2025 to September 1, 2031, but the Broadcaster may choose to make the first broadcast date November 15, 2025. For eligibility purposes, the licence term begins on September 1, 2025. In no case will the term commence later than the first airing of the first episode.

Applicants can incorporate licences in excess of the Maximum Term within the financial structure. Only that portion of the contributions, however, within the Maximum Term will be used for the purposes of all CMF calculations, including Threshold assessment, and, if applicable, allowable Broadcaster Envelope contributions and Broadcaster Envelope calculations. Contributions that commence within the Maximum Term but extend beyond it will be pro-rated to match the Maximum Term for this Program.

The Maximum Term does not apply to (i) licences acquired by Canadian Broadcasters for Broadcaster-Affiliated Programming and In-house Programming, or (ii) Eligible Canadian Distributors for the International Territory Exploitation Right.

⁹ Eligibility of foreign broadcasters will be decided by the CMF on a case-by-case basis.

3.2.4.4 Treatment of Other Exploitation Rights

All other rights that are not part of the Canadian Broadcast Right (and, if applicable, International Territory Exploitation Right) must be separately identified and valued.

Other Exploitation Rights include (but are not limited to) the following:

- i) Free Internet broadcast/distribution.
- ii) CRTC-licensed VOD.
- iii) Paid Internet broadcast/distribution (including Subscription Video on Demand).
- iv) Mobile/wireless distribution.
- v) Electronic sell-through and/or digital rental.
- vi) DVD, Blu-ray, or other compact video device distribution.
- vii) Theatrical distribution.
- viii) Non-theatrical distribution (e.g., educational institutions and airlines).
- ix) Merchandising and ancillary rights.

All of the above-listed Other Exploitation Rights and any exploitation right which is not encompassed by the above, whether currently existing or developed in the future, shall be ascribed the meaning as commonly understood and in accordance with the standards of the television, digital media and communications industries. Canadian Broadcasters, Eligible Canadian Distributors, and Applicants are free to further delineate separate rights within or in addition to these categories, but the above list represents the minimum degree of distinct rights valuation in the legally binding contract connected to an Eligible Project.

For Canadian Broadcasters that commit an Eligible Licence Fee to an Eligible Project:

- all Other Exploitation Rights acquired by a Canadian Broadcaster must be subject to a “use it or lose it” provision that requires the rights to be exploited within twelve (12) months of the first broadcast/premiere of the Eligible Project, failing which the rights revert to the Applicant without restriction.
- for Other Exploitation Rights that are not acquired, the agreement with the Applicant cannot restrict the Applicant’s ability to exploit the Other Exploitation Rights for longer than twelve (12) months from the first broadcast/premiere of the Eligible Project.

The CMF will apply this section in an adaptable and purposive manner, with the objectives of promoting transparency in the rights market, maximizing the availability of CMF-funded content on multiple platforms for the benefit of Canadian audiences.

3.2.5 Miscellaneous Requirements

The Eligible Project must meet these criteria:

- a) It conforms to the Canadian Association of Broadcasters’ (CAB) Code of Ethics and to all programming standards endorsed by the Canadian Radio-television and Telecommunications Commission (CRTC), including the CAB Violence Code and the CAB Equitable Portrayal Code;
- b) It cannot contain elements of excessive violence, hate propaganda, 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), and is not libelous or in any other way unlawful, and is in compliance with all applicable privacy and other laws and regulation.

- c) It is closed-captioned if it contains narrative, dialogue or lyrics. Exceptions may be permitted for Eligible Projects targeting children under the age of five, Projects in Indigenous languages that do not use the Roman alphabet, and live-to-air productions;
- d) It is a new production. A new production is one which is not substantially a repackaged version of a previously-produced production. In the case of a series, the CMF/ISO will consider the entire cycle to determine if the project is a repackaging (e.g., some “making-of”, “best of” and/or “catch-up” episodes may be permitted). Projects comprised mainly of stock footage may be new productions provided the footage is not merely repackaged in whole or from large segments for the Project.
- e) Generally, the CMF/ISO expects a production to begin principal photography/key animation within the fiscal year in which it is funded or within three (3) months thereafter. Special considerations may be made, for example, for Eligible Projects that need to capture a time-sensitive event or ones that are required to commence production during the period in which the CMF is closed to funding applications (e.g., December to March).

Note: An Applicant commencing production before CMF funding is confirmed does so at its own risk.

- f) It, or any version of it, has not been broadcast/presented on any platform prior to its application for CMF funding.
- g) When working with First Nations, Inuit and Métis communities, cultures, concepts and stories, the CMF and ISO encourage all Applicants to respect the guiding principles and best practices set out in the [On-Screen Protocols & Pathways Media Production Guide](#).
- g) The CMF encourages all Applicants to implement more environmentally-sustainable practices and cleaner technologies – and reduce the use of unsustainable resources – in the development, production and exploitation of their Projects.
- h) All live-action Eligible Projects with Eligible Costs over the following Eligible Cost thresholds must use a carbon calculator to track the carbon emissions generated by their Project:
 - Drama: \$800,000 or more per hour
 - Children & Youth and Variety and Performing Arts: \$750,000 or more per hour
 - Documentary: \$400,000 or more per hour
- i) For content that is created with the assistance of Artificial Intelligence (AI) technology:
 - the CMF encourages all Applicants to respect the CMF’s [AI Guiding Principles](#); and
 - it is the responsibility of the Applicant to ensure that (i) all underlying rights to Eligible Projects are owned and meaningfully developed by Canadians and (ii) Eligible Projects have unobstructed access to all underlying rights.

4. CMF CONTRIBUTION

4.1 NATURE OF CONTRIBUTION

In the Indigenous Program, the CMF may provide a combination of (i) Licence Fee Top-Up and (ii) Non-Repayable Contributions to Eligible Projects according to a set formula:

- The first CMF contribution to the Eligible Project will be in the form of a Licence Fee Top-Up to a maximum of 40% of the Project's Eligible Costs. CMF contribution amounts in excess of this 40% maximum will be in the form of a Non-Repayable Contribution.
- A Licence Fee Top-Up supplements a successful Applicant's Canadian Broadcaster cash licence fees. This type of contribution forms part of the Canadian Broadcaster's licence fee for the Eligible Project and is non-recoupable.
- A Non-Repayable Contribution is a non-refundable amount paid by the CMF to the Applicant.

In no case will the total CMF contribution exceed 60% of Eligible Costs (between Licence Fee Top-Ups and Non-Repayable Contributions combined).

Applicants should note that if an Eligible Project is accessing funds between multiple CMF Programs, the ratio of (i) Licence Fee Top-Up to (ii) Non-Repayable Contributions will be applied to the Project's entire budget according to the same Maximum Contribution percentages noted above.

For audiovisual treaty coproductions, the CMF Maximum Contribution for the Eligible Project will be calculated on the lesser of the Eligible Costs of the Canadian portion of the Eligible Project's global budget and the Eligible Costs of the Canadian portion of the global final costs of the Eligible Project, as certified by Telefilm Canada's Business Affairs and Certification Department.

4.2 AMOUNT OF CMF CONTRIBUTION

The CMF/ISO will solely decide the amount of its financial contribution to an Eligible Project, up to a Maximum Contribution. The Maximum Contribution shall be the lesser of 60% of the Eligible Project's Eligible Costs or the following amounts (depending on the applicable genre):

- Drama and Animation: \$750,000
- Documentary, Variety and Performing Arts and Children & Youth: \$550,000

The CMF has a policy on the inclusion of tax credits in the financing structure for this Program. See [Appendix B](#) (Treatment of Tax Credits) for more information.

4.2.1 Eligible Costs

Eligible Costs are costs set out in the development or production budget for the Eligible Project or the final cost report as applicable (including both Related Party and non-Related Party costs) – plus costs the CMF/ISO considers necessary and minus costs the CMF/ISO considers excessive, inflated or unreasonable.

CMF participation is calculated on the Eligible Costs of a Project and assessment of a Project's Eligible Costs is at the CMF and ISO's discretion. The CMF/ISO estimates Eligible Costs at the time of application, based on budgets for the Project. Eligible Costs may include cost increases between budget and approved final costs.

The provision of one or more apprentice positions for Indigenous People in Canada (as defined in [Appendix A](#)) will be considered an Eligible Cost for this Program.

The CMF/ISO will allow reasonable costs related to environmentally sustainable activities, practices and personnel connected to a project funded through the Linear Programs.

While gifts to the public are ineligible as marketing expenses per subsection 4.2.4 below, gifts made to Indigenous communities recognized as cultural practice and referenced in the [On-Screen Protocols & Pathways Media Production Guide](#) will be accepted as Eligible Costs.

Additional CMF business policies relating to Eligible Costs are in [Appendix B](#).

4.2.2 Eligible Digital Content

While no longer a required element for CMF Linear content funding, Applicants can continue to include costs for the production of digital media content related to their linear project (“**Related Digital Content**”). For more information on the parameters of Related Digital Content, please see the full definition in [Appendix A](#).

If applicable, Related Digital Media Content costs (including budgeted upkeep and enhancement costs for the related project for a period of up to twelve (12) months after the launch of the content) must be submitted as line item #85 in the Eligible Project’s application budget.

The Related Digital Content will be made available to the Canadian public in an Indigenous-Canadian language.

Additional CMF Business Policies relating to Eligible Costs are in [Appendix B](#).

4.2.3 Related Party Transactions

All Related Party fees, Related Party allowances and any other Related Party transactions must be:

- a) Disclosed to the CMF and ISO; and
- b) In accordance with the current CMF Accounting and Reporting Requirements in [Appendix B](#)

4.2.4 Marketing Expenses

Eligible Costs of the Eligible Project may include:

- Unit publicity expenses incurred during production (e.g., production photographs, hiring a publicist to arrange interviews);
- Versioning costs to assist in foreign market sales¹⁰
- Attendance at national and international markets to generate sales or other revenues from the Eligible Project; and
- Submission/registration to a relevant awards show/event.

The maximum allowable Eligible Projects’ eligible marketing expenses shall be the lesser of 5% of Categories B+C of the production budget or \$400,000. In the case of eligible marketing expenses of \$10,000 or less, no budget percentage cap will be imposed.

¹⁰Under the Marketing Expenses cap, the CMF/ISO will accept up to 90 minutes of versioning costs to assist in foreign market sales of an Eligible Project.

All marketing expenses of the Eligible Project – including those for Related Digital Content, if applicable – should be allocated to budget account # 70 in the production budget.

Non-eligible marketing costs include:

- Costs already financed or paid for by another financier or funding body;
- Wrap party, crew or cast gifts, and gifts to the public (e.g., t-shirts, mugs).

4.2.5 Pilots and Series

Eligible Costs for a series may include costs related to enhancements to a previously produced pilot where the series is consequent to that pilot.

4.2.6 Prizes

Any prize that is won, awarded, presented, or granted to individuals in connection with any CMF-funded production, in any genre, shall be an ineligible cost, even if such prize is deemed to be educational in nature.

4.3 COMBINING INDIGENOUS PROGRAM FUNDS WITH OTHER CMF PROGRAMS

Applicants should note that funding offered through the Indigenous Program may be affected by funds offered through other CMF Programs:

- If Applicants wish to combine funding with other CMF Programs, they must submit a separate application via [Dialogue](#) and the Eligible Project will be contracted separately by the CMF's Program Administrator at Telefilm. In addition, Applicants will be required to comply with and be subject to all CMF policies, requirements (e.g. PERSONA-ID, Narrative Positioning Policy, Recoupment Policy, etc.), [Linear Content Programs - Core Production Guidelines](#) (including, but not limited to, the different types of CMF contribution outlined in section 4.1) and the specific CMF Program Guidelines they wish to apply to.
- If an Applicant is eligible to apply for CMF incentives in the same fiscal year (e.g., Regional Production Funding), the amount offered to such Applicant through the Indigenous Program may be lower than the Applicant's originally requested amount.
- Applicants accessing other CMF Programs may be subjected to additional rules and it is their responsibility to comply with any additional requirements set out in the CMF [Linear Content Programs - Core Production Guidelines](#) and the specific Program Guidelines.
- Additionally, while Canadian Broadcasters may combine funds from their Broadcaster Envelope - English and French allocations with funding from the Indigenous Production Program in the same fiscal year, beginning in 2025-2026, this may only be done once an Eligible Project has received a positive confirmation of funding from the Indigenous Screen Office for the 2025-2026 Indigenous Production Program.
- Finally, for clarity, when combining funds from these two Programs,
 - (i) the Threshold amount, (ii) Nature of Contribution rules (up to the Indigenous Production Program's Maximum Contribution), and (iii) Maximum CMF Contribution amount will be based on the Indigenous Production Program; and
 - any additional funds above the Indigenous Production Program's Maximum Contribution will then be applied from the Canadian Broadcaster's Envelope Allocation, but these additional Envelope funds will follow the

different CMF contribution types outlined in section 4.1. The total CMF contribution from all programs combined cannot exceed 84% of the Project's Eligible Costs.

5. DECISION PROCESS

5.1 PEER ASSESSMENT EVALUATION

Starting in 2025-2026, all Eligible Projects applying to the Program will be evaluated via a peer assessment process to promote fairness, transparency and accountability in decision making, while at the same time ensuring knowledgeable assessment of artistic ability and merit. The CMF and ISO will ensure that a minimum of three (3) assessors comprised of Indigenous individuals representing different nations and regions of Canada are reviewing applications, and that clear and transparent instructions are in place for assessing applications. Eligible Projects will be selected and awarded funding based on this process.

5.2 PROJECT ASSESSMENT IN THE SELECTIVE PROCESS

Projects in the Indigenous Program compete for funding according to a selective process by peers.

To make funding decisions, the CMF and ISO will rely on an Indigenous jury and projects will be selected using the Evaluation Grid below.

In this Program, the CMF and ISO,

- reserve the right to limit how many Projects are awarded funding to a single Applicant in a given funding application round,
- will not accept a revision to the evaluated elements of a Project that would affect its final weighting, and
- reserve the right to not fund Projects below a minimum score based on the evaluated and ranked Projects in that application round.

Evaluation Grid

CMF Assessment Criteria	Percentage of overall score
Relationality and Context: <ul style="list-style-type: none">• The person and people leading the Project or telling the story are well placed to do so.• The team's processes are grounded in Indigenous ways of knowing, understanding and interpretations of Indigenous expressions, cultures, languages and/or realities.• Cultural protocols, and a community engagement plan (where applicable), have been addressed in the process and planning.	30%
Storytelling and Approach: <ul style="list-style-type: none">• The storytelling is interesting, creative, and has the potential to engage diverse audiences.• Creative elements can include, but are not limited to, the subject matter, themes, issues and narrative.• Respect, care and thoughtfulness are demonstrated in the approach.	25%
Feasibility: <ul style="list-style-type: none">• The team demonstrates the capacity, knowledge and expertise to be successful and complete the Project deliverables as proposed. Any gaps in their experience are addressed by bringing in collaborators.• The budget is in line with the proposed project activities/deliverables and costs are explained via budget notes, quotes, etc.• The overall Project plan is sound and has a clear vision and timeline to move forward.	25%

Impact: <ul style="list-style-type: none"> • The Project has potential to advance Indigenous storytelling, cultural life in the community and contribute to the Indigenous Screen Sector. • The deliverables are aligned with the applicant's goals and moving the Project towards distribution. The Project has potential in reaching and impacting audiences. • Projects that exceed 20% Indigenous language in the on-screen dialogue and/or narration, as compared to the original script or intended version, will be awarded one additional point. 	20%
TOTAL	100%