



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

**CMF-QUEBECOR FUND
INTELLECTUAL
PROPERTIES
INTENDED FOR
INTERNATIONAL
MARKETS
PRODUCTION SUPPORT
PROGRAM
GUIDELINES
2022-2023**

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 the Canada Media Fund (CMF). 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 CMF interpretation 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 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 for the latest Guideline news and documentation.

Provision of Documentation

It is the responsibility of the Applicant to ensure the CMF receives all documentation relevant to its application, 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 INTELLECTUAL PROPERTIES INTENDED FOR INTERNATIONAL MARKETS PRODUCTION SUPPORT PROGRAM WORKS

2.1 INTRODUCTION

The CMF-Quebecor Fund Intellectual Properties Intended for International Markets Production Support Program (“**Program**”) is a collaboration between the Canada Media Fund (“**CMF**” or “**Party**”) and the Quebecor Fund (“**QF**” or “**Party**”) (the CMF and QF, collectively the “**Parties**”) to provide additional funding to live-action French-language drama and documentary series created by Quebec-based production companies to facilitate these Projects entry into the international marketplace.

Eligible Projects in the Program are administered through a selective process where applications are evaluated by QF according to their evaluation process and presented to CMF for approval. Eligible Projects may receive funds subject to per-project Maximum Contribution amounts (see section 2.3) and other specified limitations.

Maximum Contribution amounts are calculated on a project’s Eligible Costs (see section 2.3.2).

2.2 NATURE OF FUNDING CONTRIBUTION

Assistance will be provided in the form of an investment¹ that will be recoupable on a *pro rata/pari passu* basis with specific terms to be negotiated between Applicants and the Parties on a case-by-case basis.

For greater clarity, “*pro rata/pari passu*” shall be interpreted as the recoupment of the CMF and QF will be proportional to their shares of project financing compared to other sources of recoupable financing.

2.3 AMOUNT OF FUNDING CONTRIBUTION

2.3.1 Contribution

The Maximum Contribution provided to each Eligible Drama or Documentary Project shall be the lesser of the following:

Drama series

- \$300,000;
- 6% of the portion of Eligible Costs related to the national market version of the Eligible Project (“**National Eligible Costs**”);

and

- 75% of the portion of Eligible Costs related to the increase in investment made by financial participants - including additional participation of the producer and broadcaster (but exclusive of tax credits, SODEC programs and distribution advances) – in order to assist the Eligible Project on the international market (“**International Eligible Costs**”).

¹Please note that when an Eligible Project accesses funds between this Program and another CMF Program where the initial funding contribution is in the form of a licence fee top-up, the licence fee top-up/equity investment split will be re-evaluated and applied to the Eligible Project’s entire budget based on the other CMF Program’s split criteria and all related rules and policies.

Documentary series

- \$300,000;
- 20% of the portion of National Eligible Costs;

and

- 75% of the portion of International Eligible Costs (but exclusive of tax credits, SODEC programs and distribution advances).

2.3.2 Eligible Costs

Eligible Costs are the budgeted or final costs of the project, as applicable (including both related-party and non-related party costs), plus any costs the Parties consider necessary, minus costs the Parties consider excessive, inflated or unreasonable. Assessment of a project's Eligible Costs shall be done at the CMF and QF's discretion. The CMF and QF estimate Eligible Costs at the time of application, based on the budget for the project.

For the purposes of this Program, only International Eligible Costs (as defined above) will be considered. Specifically, these are the costs related to the enhancement of the Eligible Project to make it more appealing to the international marketplace.

2.4 PROJECT ASSESSMENT IN THE SELECTIVE PROCESS

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

To make funding decisions, the Parties will rely on the expertise of QF's evaluators who will consider the following factors as favourable when making their decision:

- The Eligible Project has demonstrated potential in an international market outside of Quebec;
- The Eligible Project has proven national success (e.g., previous seasons were well received critically and/or commercially); and
- There is evidence that the Applicant is prepared to take risks and has an entrepreneurial mindset.

Projects should be directly and solely submitted to QF who will proceed to the initial analysis.

Documentation required at application is described on the QF's website found [HERE](#).

3. ELIGIBILITY FOR FUNDING

3.1 ELIGIBLE APPLICANTS

An eligible Applicant to the Program is a company that:

- a) Can demonstrate that its principal activity is in audiovisual production and show that it has the necessary expertise and financial means to produce the Eligible Project.
- b) Is for-profit: i.e., a taxable Canadian corporation, within the meaning of Canada's *Income Tax Act*.
- c) Is Canadian-controlled as determined by sections 26 to 28 of the *Investment Canada Act*.
- d) Has its head office, control and central decision making in Quebec.
- e) Is in good standing with all applicable talent and industry associations and guilds.

3.2 ELIGIBLE PROJECTS

An Eligible Project must meet the following criteria:

- Complies with section 3.2 (and all its subsections) of the CMF's [Performance Envelope Guidelines](#);
- Is a live-action, French-language television series that meets the CMF's definition of Drama or Documentary programming (found in [Appendix A](#));
- Documentary *series* projects must have at least \$750,000 in National Eligible Costs (defined in section 2.3.1 above);
- Demonstrates the potential for interest in the international market;
- The financing for the Eligible Project's domestic version has been 100% secured; and
- The Project's first date of broadcast is later than the deadline to apply under this Program.