



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

**COVID-19 RECOVERY
FUND –
CMF THIRD-LANGUAGE
ALLOCATION
2022-2023
CRITERIA**

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1. GENERAL INFORMATION

Interpretation, Application, Disclaimer, and other Important Information

These Criteria for the COVID-19 Recovery Fund - CMF Third-Language Allocation 2022-2023 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 COVID-19 Recovery Fund, eligibility to receive the CMF Third-Language Allocation 2022-2023 of the COVID-19 Recovery Fund and information on typical administrative practices of the CMF. Compliance with these Criteria is a prerequisite to eligibility for the CMF Third-Language Allocation 2022-2023 of the COVID-19 Recovery Fund.

The CMF has full discretion in the application of these Criteria, to ensure funds are provided to those Applicants that meet the objectives established by the Government of Canada. In all questions of interpretation of these Criteria, the CMF interpretation shall prevail.

All Applicants must abide by the applicable business, administrative and reporting requirements established by the CMF in the distribution of its Allocation of the COVID-19 Recovery Fund.

Please note: These Criteria may be changed or modified as required, without notice. Please consult the CMF website at www.cmf-fmc.ca for the latest COVID-19 Recovery Fund news and documentation.

Provision of Documentation

It is the responsibility of the Applicant to ensure that 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 Applicant and, once assessed, to complete CMF file reviews.

Failure to Comply

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

Misrepresentation

If, at any time, an Applicant, as required by the Criteria 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
- 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.

PERSONA-ID self-identification information

While PERSONA-ID is not a requirement for this Program, the CMF seeks to collect this information for the analysis and development of its programs (per the [Terms of Use & Privacy](#)). The CMF encourages all Canadian producers to sign up for a PERSONA-ID account, and to provide their number in applications, as applicable. For more information, please refer to the [CMF PERSONA-ID webpage](#).

2. COVID-19 RECOVERY FUND – CMF THIRD-LANGUAGE ALLOCATION 2022-2023 – CRITERIA

2.1 INTRODUCTION

In Budget 2021, the Government of Canada committed up to \$1.9 billion to help support the recovery and reopening of the arts, culture, heritage, and sport sectors that will be delivered over the next five years by the Department of Canadian Heritage and Canadian Heritage portfolio organizations.

The Government of Canada announced that the CMF would distribute a \$5 million portion of the Recovery Fund over two years (2021-2022 and 2022-2023) to support the recovery of productions from the third-language community. Please go [HERE](#) on the Canada.ca website for more detailed information on the Government of Canada's announcement.

The Criteria below outline the parameters for how the COVID-19 Recovery Fund – CMF Third-Language Allocation 2022-2023 (the “**CMF Third-Language Allocation 2022-2023**” or the “**Program**”) will be distributed including relevant eligibility criteria, the formula-based approach to determine the maximum amount available through the Program and the responsibilities and requirements for each Applicant.

Eligible Projects are awarded funding on a first-come, first-served basis until resources for the Program are depleted or until the application deadline, whichever comes first. In the event that a large number of Projects are submitted on the same date, creating oversubscription, the CMF may distribute funding to those Projects deemed eligible on a proportional (pro-rated) basis, designate how many submitted projects will receive funding, distribute funding via a selective process or elect to distribute funding in some other equitable manner, to be determined in the CMF's sole discretion.

For clarity, eligibility for the CMF Third Language Allocation 2022-2023 does not guarantee Applicant or project eligibility to other CMF Programs.

3. ELIGIBILITY FOR FUNDING

3.1 ELIGIBLE APPLICANTS

An Eligible Applicant for the CMF Third-Language Allocation 2022-2023 must meet – and can **affirm and attest**¹ to – the following eligibility criteria:

- it is a Canadian-controlled (as determined under sections 1 to 3 and 26 to 28 of the *Investment Canada Act*) parent corporation;
- its primary business operation is the production of news, public affairs, or entertainment/human interest programming for television broadcast in a language other than English or French;
- it has its head office in Canada and carries out its activities in Canada; it is not insolvent or bankrupt, or in the course of the reorganization of its business within the meaning of the *Bankruptcy and Insolvency Act* (Canada);
- it is applying to the CMF Third-Language Allocation 2022-2023 for a single funding amount based on up to three projects that meet the definition of an Eligible Project listed in section 4 below;
- it has never received a funding commitment from the CMF through either the CMF's Convergent Stream, Experimental Stream or Sector Development;
- it has been negatively impacted by COVID-19, which has resulted in financial hardship and is therefore in need of the COVID-19 Recovery Fund to ensure a continuity of operations and to safeguard jobs;
- at the time of application, it commits that it plans to remain in operation and to continue contributing to its sector in the future;
- it will maintain its Canadian-controlled status for at least 12-months following receipt of any funds in the CMF Third-Language Allocation 2022-2023;
- it is not receiving funding from multiple Government of Canada COVID-19 emergency response or recovery initiatives (e.g., Canada Emergency Response Benefit, Canada Recovery Benefit, Canada Emergency Wage Subsidy, Canada Emergency Business Account, Canada Emergency Commercial Rent Assistance for Small Businesses, Canada Recovery Hiring Program, earlier iterations of this Program, initiatives through other federal arts/culture agencies like Telefilm Canada or Canada Council for the Arts and any other Government of Canada COVID-19 emergency response or recovery initiatives) ("**Emergency Response or Recovery Initiatives**") to cover the same costs as those applied for through the CMF Third-Language Allocation 2022-2023. Further, if the Applicant *subsequently* receives any funding related to an Emergency Response or Recovery Initiatives (defined above), it will not use that funding to cover the same costs as those applied for through the CMF Third-Language Allocation 2022-2023;
- upon request, it will declare all funding received from any Government of Canada Emergency Response or Recovery Initiative to the Department of Canadian Heritage;
- it will commit to respect its payment requirements for contractual obligations, including payments to workers and individuals who may not be eligible to the Canada Emergency Wage Subsidy, such as the self-employed and freelance workers, artists, and creators;
- for in-person activities, it will comply with local health measures and plans as required by the jurisdiction where the funded activities are to be undertaken; and
- it will use the money according to the objectives of the Government of Canada and the spirit and intent of these Criteria.

¹Along with their application, Eligible Applicants will need to submit a signed Applicant attestation form.

4. ELIGIBLE PROJECT

An Eligible Project to the CMF Third-Language Allocation 2022-2023 is a TV project that can demonstrate the following:

- it is produced in a language other than English or French;
- it is a CRTC Category 1 (News), Category 2a (Analysis and Interpretation), or Category 11a (General entertainment and human interest);
- it was broadcast between April 1, 2022 and November 1, 2022;
- it is not in-house² or broadcaster-affiliated programming³;
- 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 and does not 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;
- it has received (or will receive) CRTC "C" certification as a domestic "Canadian Program"; and
- it is the subject of a signed barter agreement with an exempt or authorized CRTC discretionary service where the Applicant and broadcaster agree to collect and share revenue from advertisement time within the respective TV project.

²In-house Programming comprises Projects produced and owned by a broadcaster.

³A broadcaster-affiliated production company is an Applicant, as defined in section 3.1, that is affiliated with a broadcaster (the definition of "Affiliate" is set out in the *Canada Business Corporations Act*). Broadcaster-affiliated programming covers Projects produced by a broadcaster-affiliated production company and licensed by its affiliated broadcaster(s).

5. FUNDING

5.1 NATURE OF FUNDING CONTRIBUTION

The CMF Third-Language Allocation 2022-2023 will be in the form of a non-repayable contribution.

5.2 AMOUNT OF FUNDING CONTRIBUTION

For the period between April 1, 2022 and November 1, 2022 (“**Eligible Time Period**”), Applicants may receive a single, lump sum amount that is the **lesser off the following options**:

- \$2000 per 30-minute project⁴ and \$2700 per 60-minute project⁵ that was broadcast during the Eligible Time Period; or
- \$50,000

Applicants may include up to 3 projects in determining the amount of funding contribution from the CMF Third-Language Allocation 2022-2023.

EXAMPLE #1: if an Applicant parent company produced a 30-minute project that was broadcast 16 times during the Eligible Time Period along with a 60-minute project that was broadcast one time during the Eligible Time Period, they would receive the following amount:

- $\$2000 \times 16 = \$32,000$
- $\$2700 \times 1 = \$2,700$

Total CMF Third-Language Allocation 2022-2023 contribution: \$34,700

EXAMPLE #2: If an Applicant parent company produced two separate 60-minute projects that were each broadcast 9 times during the Eligible Time Period, they would receive the following amount:

- $\$2700 \times 9 = \$43,200$
- $\$2700 \times 9 = \$43,200$

Total CMF Third-Language Allocation 2022-2023 contribution: \$50,000

For clarity, Applicants that cannot demonstrate that they are eligible for at least \$5000 through the CMF Third-Language Allocation 2022-2023 are ineligible to apply.

5.2.1 Eligible Costs

While Applicants will still be eligible for the CMF Third-Language Allocation 2022-2023 if they applied to multiple Government of Canada Emergency Response or Recovery Initiatives (including but not limited to Canada Emergency Response Benefit, Canada Recovery Benefit, Canada Emergency Wage Subsidy, Canada Emergency Business Account, Canada Emergency Commercial Rent Assistance for Small Businesses, Canada Recovery Hiring Program, earlier iterations of this Program, initiatives through other federal arts/culture agencies like Telefilm Canada or Canada Council for the Arts) they will be prohibited from using funding from those Government of Canada Emergency Response or Recovery Initiatives and funding from the CMF Third-Language Allocation 2022-2023 on the same expenses.

⁴This includes one-off projects or episodes of a project.

⁵This includes one-off projects or episodes of a project.

6. APPLICATION PROCESS

6.1 HOW TO APPLY

All Applicants must apply online using [Dialogue](#).

Applicants must submit the Applicant attestation form **and** the Broadcaster verification form(s) (one form per Eligible project), duly completed and signed with their application via Dialogue.

Documents required are available on the [COVID-19 Recovery Fund – CMF Third-Language Allocation 2022-2023](#) page on the CMF's website. All subsequent documentation must be submitted online through Dialogue. If you have technical difficulties, please contact Services@telefilm.ca.