

PROGRAM FOR BLACK AND RACIALIZED COMMUNITIES GUIDELINES 2025-2026

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1. GENERAL INFORMATION

Section 1 of the <u>Linear Content Programs - Core Production Guidelines</u> shall apply to the Program for Black and Racialized Communities, unless otherwise specified.

2. OVERVIEW

2.1 INTRODUCTION

In addition to the requirements set out in these Guidelines, Applicants must comply with (i) the applicable and enumerated rules and requirements of the <u>Linear Content Programs – Core Production Guidelines</u>, and (ii) the applicable policies and definitions in <u>Appendix A</u> and <u>Appendix B</u>.

The Program for Black and Racialized Communities ("PBRC" or "Program"), which forms part of the CMF's Linear Programs, recognizes the historic barriers members of Black and racialized communities still face today. The Program supports the growth of English- and French language audiovisual production from production companies owned and controlled by Black people and people of colour (defined in Appendix A).

For clarity, the CMF's definitions of "Black and Racialized Communities" (see Appendix A) excludes Indigenous Peoples in Canada (i.e., First Nations, Inuit and Métis) which have distinct aspirations and requirements served by the CMF's Indigenous Program and other "Diverse Community" incentives offered by the CMF.

Eligible Projects under this Program are administered under a selective process where the CMF evaluates Applications according to an Evaluation Grid. Eligible Projects may receive funds subject to per-project Maximum Contribution amounts and other specified limitations.

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

Support for predevelopment and development activities for Black and Racialized Communities are offered in first-come, first served Development and Predevelopment Funding. Please see those Program Guidelines for more details.

Starting in 2025-2026, additional support will be provided to Eligible Projects in the Children and Youth (as defined in Appendix A) genre, including the following:

- Additional points in the Evaluation Grid will be awarded for Projects in this genre; and
- Expanded market tests to allow an Eligible International Entity (as defined in <u>Appendix A</u>) to contribute the minority share of the Eligible Triggering Commitment Threshold (see section 3.2.4.1 of the <u>Linear Content Programs Core Production</u> Guidelines for more information) of an Eligible Project in this genre only.

2.2 **DEFINITIONS**

Please see Appendix A for definitions on the following terms found in these Guidelines:

- Broadcaster-Affiliated Programming
- Canadian Broadcaster
- Creative Team
- Diverse Community (Key Personnel) Project
- Eligible Canadian Distributor
- Eligible International Entity
- In-house Programming
- Gender Balance (Key Personnel) Project
- Production Team
- Black and Racialized Communities
- Related Party

2.3 LANGUAGE OF PROJECTS

2.3.1 Original Language of Production

The original language of production for Eligible Projects in this Program must be English or French. While Eligible Projects may receive contributions from both a French-language and English-language broadcaster, the applicable language category is a single language determined by the original language of production of the project.

Some flexibility regarding language requirements will be allowed in specific circumstances as set out in the <u>Linear Content Programs - Core Production Guidelines</u>.

3. ELIGIBILITY

3.1 ELIGIBLE APPLICANTS

An Eligible Applicant to this Program must meet:

- The Eligible Applicant criteria in section 3.1 of the Linear Content Programs Core Production Guidelines; and
- Any applicable specific eligibility criteria noted in this section, including the following:
 - Final control in all matters relating to the Applicant company¹ 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 member of a Black and Racialized Community (as defined in Appendix A) ("Black and Racialized Owner").
 - For clarity, in cases where the Applicant company is comprised of multiple individual producers, the Black and Racialized Owner must have final control and the largest amount of ownership of both the Applicant company and copyright in the Eligible Project.
 - The Black and Racialized Owner exercises full creative, executive, artistic, technical and financial control of the Eligible Project.
 - The Black and Racialized 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 Black and Racialized Owner(s) from the Applicant company, the Application will not be considered eligible for funding in this Program. The CMF reserves the right to request additional documentation (including by-laws and articles of incorporation) to ensure the ownership and control provisions are met.

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

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

3.2 ELIGIBLE PROJECTS

An Eligible Project to this Program must meet:

- The Eligible Project criteria in section 3.2 of the Linear Content Programs Core Production Guidelines; and
- Any applicable specific eligibility criteria noted in this section.

Either the screenwriter or the director of the Eligible Project must be a member of a Black and Racialized Community (as defined in Appendix A). For clarity, if the Eligible Project is episodic, this requirement will apply to every episode of the Eligible Project.

Eligible Projects that received a CMF financial commitment in previous fiscal years are not eligible for the 2025-2026 PBRC².

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 CMF in order for it to be considered an Eligible Project in this Program.

¹Including the Applicant company's Board of Directors.

²Suitable exceptions may be made for 2025-2026 episodes for split-cycle Projects produced and funded over two CMF fiscal years.

3.2.1 **Ownership and Control**

In this Program, the Black and Racialized Owner (defined in section 3.1 above):

- exercises full creative, executive, artistic, technical and financial control of the Eligible Project and has meaningfully participated in its development; and
- 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.

3.2.2 **Eligible Triggering Commitment Threshold**

An Eligible Triggering Commitment Threshold ("Threshold") is the minimum amount of Eligible Licence Fees (and, if applicable, Eligible Market Contributions) that an Eligible Project must receive from one or more Canadian Broadcasters (and, if applicable, Eligible Canadian Distributors and/or Eligible International Entities³ to be eligible for CMF funding).

The Threshold in this Program is the lesser of:

- 10% of the Eligible Project's Eligible Costs, or
- the amount for the applicable genre category, language market, and project type as set out in the Eligible Triggering Commitment Threshold Tables (see section 3B, subsection 3.2.1) of the Broadcaster Envelope Program (English and French) Guidelines).

Eligible Canadian Distributors may contribute more than the minority share of the Eligible Triggering Commitment Threshold amount needed to trigger support in this Program (see section 3.2.4 of the Linear Content Programs – Core Production Guidelines).

In addition to the Canadian Broadcaster's (and, if applicable, the Eligible Canadian Distributor's and/or Eligible International Entity's) Threshold amounts, licence fees/financial contributions from foreign/scheduled broadcasters⁴ 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.

3.2.3 **Maximum Terms**

The CMF shall assess the maximum allowable period of all broadcast windows granted in consideration for Eligible Licence Fees (the "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.

³ Eligible International Entities may contribute the minority share of the Eligible Triggering Commitment Threshold for Children and Youth Eligible Projects only - see section 3.2.4.1 of the Linear Content Programs - Core Production Guidelines.

⁴ Eligibility of foreign broadcasters will be decided by the CMF on a case-by-case basis.

4. CMF CONTRIBUTION

A CMF Contribution to an Eligible Project will follow:

- a) The criteria in section 4 of the Linear Content Programs Core Production Guidelines; and
- b) Any applicable specific criteria noted in this section.

4.1 NATURE OF CONTRIBUTION

In the PBRC, the CMF may provide a combination of (i) Licence Fee Top-Up and (ii) Equity Investments (see section 4.1 of the <u>Linear Content Programs - Core Production Guidelines</u>) 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 an Equity Investment.

In no case will the total CMF contribution exceed 60% of Eligible Costs (between Licence Fee Top-Ups and Equity Investments combined). The CMF considers an eligible Equity Investment request of less than \$100,000 too small for equity participation. Such requests will be automatically converted to a Licence Fee Top-Up Contribution.

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) Equity Investment will be applied to the Project's entire budget according to the same Maximum Contribution percentages noted below.

4.2 AMOUNT OF CONTRIBUTION

The CMF 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 <u>Appendix B</u> (Treatment of Tax Credits) for more information.

4.2.1 Eligible Costs

The provision of one or more apprentice positions for members of a Black and Racialized Community (defined in <u>Appendix A</u>) will be considered an Eligible Cost for this Program.

Additional CMF business policies relating to Eligible Costs are included in Appendix B.

4.3 COMBINING PBRC FUNDS WITH OTHER CMF PROGRAMS

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

- 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 PBRC may be lower than the Applicant's originally requested amount.
- Additionally, Canadian Broadcasters may combine funds from their Broadcaster Envelope Program English and
 French allocations with funding from the PBRC in the same fiscal year. For clarity, when combining funding from
 these two Programs, the Threshold amount and Maximum Contribution amount for this selective Program will be
 applied, with any additional funds taken from the Canadian Broadcaster's Envelope allocation. The total CMF
 contribution from all programs combined cannot exceed 84% of Eligible Costs.

5.1 PROJECT ASSESSMENT IN THE SELECTIVE PROCESS

Projects in this Program compete for funding according to a selective process. To make funding decisions, the CMF will rely on a jury made up of members from Black and Racialized Communities and projects will be selected using the Evaluation Grid below.

The CMF will not accept a revision to the evaluated elements of a Project that would affect its final weighting.

Evaluation Grid

Assessment Criteria	Overall Points	Points details	Notes
Market Interest	17	Audience potential (8)	 Market commitment is reflected by: The level of financial contributions by broadcasters/ distribution platforms/other financiers (including licence fees paid by broadcasters⁵, market contributions by distributors⁶ and/or other financiers to the Project). Market commitments can include theatrical distribution, educational distribution, etc. Financial contributions from more than one source. An allocation from an English and/or French Canadian Broadcaster(s) Envelope(s). Audience potential is reflected by: Confirmed presence of marquee elements such as well-known actors/narrators/hosts/composers, significant social media following or recognizable underlying intellectual property. Degree to which the promotion and marketing plan demonstrate the potential reach to audiences (including audiences from underrepresented communities). The promotion and marketing plan should reflect use of nontraditional and/or traditional distribution platforms. For series, renewal for a second or subsequent season will also be taken into account.
Team	24	Track record and experience of the Production and Creative Teams (18) Quality and degree to which the Applicant and Creative and	The Production Team (as defined in Appendix A) is comprised of the Producers (as defined below) of the Project. The Creative Team (as defined in Appendix A) is comprised of the Writers and Directors on the Project.

⁵The maximum points a Project can receive from broadcaster licence fees in this section will be limited to the highest licence fees paid by a broadcaster to a Project produced by an independent production company that is not In-house or Broadcaster-Affiliated.

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⁶ The maximum points a Project can receive from distributor financial contributions in this section will be limited to the highest financial contribution paid by a distributor to a Project produced by an independent production company that is not a Related Party to the distributor.

		Production Teams are well-positioned to create this project (2)	"Well-Positioned" is outlined in the CMF's Narrative Positioning Policy and can be addressed in the submitted Narrative Positioning Statement.
		Parity 40% of the cumulative paid ⁷ positions on the Production and Creative Teams on the Project are held by individuals that publicly identify as women ("Gender Balance (Key Personnel) Project") (2).	
		Diversity 40% of the cumulative paid ⁸ positions on the Production and Creative Teams on the Project are held by members of a Diverse Community ⁹ ("Diverse Community (Key Personnel) Project") (2)	
Community and Sustainability	4	Community Engagement Plan (2)	Community Engagement Plan: The Applicant and team members have committed to concrete measures to create the content responsibly, thoughtfully and without harm, including community engagement steps, and/or personnel hires, and will provide a written report at the final costs stage confirming the work completed.
		Sustainability Plan (2)	Sustainability Plan: The Applicant and team members have committed to steps related to environmentally-sustainable activities, practices and/or personnel hires on this project, and will provide a written report at the final costs stage confirming the work completed. This excludes the carbon calculator requirement from section 3.2.5 of the Linear Content Programs - Core Production Guidelines.
Creative Elements	55	Originality and creativity (35)	Creative elements include the subject matter, scripts, themes, issues and narrative, which are assessed on originality and creativity.
			When assessing originality and creativity, a Project's potential to add cultural significance and distinguish itself in the current Canadian audiovisual landscape – for example adding greater representation in voices

⁷Only attached and paid positions held by Canadians that are confirmed at application (e.g. individual's name, position and offered compensation) will count towards the evaluation of Parity points, and the information provided in the Project's budget will take precedence. For clarity, non-Canadians will not be counted in these scores.

⁸Only attached and paid positions held by Canadians that are confirmed at application (e.g. individual's name, position and offered compensation) will count towards the evaluation of Diversity points, and the information provided in the Project's budget will take precedence. For clarity, non-Canadians will not be counted in these scores.

⁹For this Program, only individuals who are Indigenous Peoples in Canada, 2SLGBTQ+ or Persons with Disabilities (see <u>Appendix A</u>) will count for these points.

			from Diverse Communities or sharing new perspectives - can be considered.
		Children and Youth projects (5)	An additional five (5) points will be awarded to Eligible Projects in the Children and Youth genre.
		Production values (15)	Other elements that will be considered: • the appropriateness of the production budget level to the creative material; • the risk of the Project not being completed; • whether the project is ready for production (e.g. does not require further development, sufficient number of scripts have been developed for a series, etc.).
TOTAL	100		