



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

**SLATE
DEVELOPMENT PILOT
PROGRAM
GUIDELINES
2021-2022**

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

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

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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 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 CMF the 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 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 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 SLATE DEVELOPMENT PILOT PROGRAM WORKS

HOW TO READ THESE GUIDELINES

Projects in the Convergent Stream may involve both a Television Component and one or more Digital Media Components. The eligibility and technical requirements for these two Components may be very different. In these Guidelines, sections dealing with requirements for the Television Component use “.TV” in their section number, and sections dealing with requirements for the Digital Media Component use “.DM”. Sections dealing with requirements for the entire convergent project – i.e., the Television Component and, where applicable, the Digital Media Component – simply use a section number without “.TV” or “.DM”.

2.1 INTRODUCTION

The Slate Development Pilot Program (the “**SDPP**”), which forms part of the CMF’s Convergent Stream, is designed to offer more flexibility to Applicants and allow them to choose and fund their development projects without the requirement of an attached Canadian Broadcaster (or other triggering entity).

Eligible Applicants (see section 3.1) to the Slate Development Pilot Program will receive a notification from the CMF outlining that they have been awarded a \$75K Slate Development Envelope (“**SDE**”) Allocation to commit to the development of up to 3 Eligible Projects (defined in section 2.3). Eligible Applicants shall determine how their SDE Allocations are distributed between each Project.

Only those Applicants that receive a notification from the CMF will be eligible for this Program.

While 100% of Eligible Applicants’ SDE Allocation will be paid on signature of the Slate Development Pilot Program contract with the CMF, in order for the CMF to track the specific amounts spent and confirm eligibility of each Project, Eligible Applicants will need to submit a separate final report for each Project funded by their SDE Allocations before the end of the 18-month period (as detailed in section 2.3.1 below). Any funds remaining in an SDE Allocation for which the CMF has not received a final report by the deadline will be removed and Funds returned to the CMF.

The CMF budget for the Slate Development Pilot Program is \$3,000,000 (2/3 in English and 1/3 in French).

Affiliated Programming, In-house Programming (see section 2.1.1), Projects with an existing commitment or attachment from a Canadian Broadcaster (see section 2.1.1), returning series and purchased formats are not eligible in this Program.

2.1.1 Definitions Applicable to the Slate Development Pilot Program: Canadian Broadcaster, Broadcaster Affiliated Programming, In-house Programming.

Canadian Broadcaster

Any of the following will be considered a “Canadian Broadcaster”:

- a. A Canadian programming undertaking, public or private, licensed to operate by the Canadian Radio-television and Telecommunications Commission (CRTC)¹;
- b. An online service² owned, controlled and operated by a Canadian CRTC- licensed programming undertaking;
- c. An online service³ owned, controlled and operated by a Canadian broadcasting distribution undertaking (“**BDU**”), licensed to operate by the CRTC; and
- d. CRTC-licensed VOD services.

¹This includes exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

² This includes services accessed via a set-top box.

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

Broadcaster Affiliated Programming

A Broadcaster-affiliated production company is an Applicant, as defined in section 3.1(A) and (B), that is affiliated with a Canadian Broadcaster (the CMF uses the definition of “Affiliate” set out in the Canada Business Corporations Act). Affiliated Programming covers projects produced by a Broadcaster-affiliated production company and licensed by its affiliated Broadcaster(s).

In-house Programming

In-house Programming comprises projects produced and owned by a Canadian Broadcaster.

2.2 NATURE OF FUNDING CONTRIBUTION

Successful Applicants to Slate Development Pilot Program will receive non-interest-bearing advances. 100% of each Eligible Project’s advance must be repaid on or before the earliest applicable event of repayment as described here:

i) The first day of official preparation for principal photography of the Eligible Project (regardless of the platform for which it is produced) or upon other use of the script.

or

ii) The transfer, sale, assignment, or other disposition of the script.

2.3 AMOUNT OF FUNDING CONTRIBUTION

2.3.1 CMF Contribution

While Applicants may commit their \$75K SDE Allocations to up to 3 Eligible Projects, the Maximum Contribution for each Eligible Project funded through this Program shall be no more than 84% of the Project’s Eligible Costs.

Applicants will be required submit a report with the details of the costs per project within 18-months from receiving their SDE Allocations.

2.3.1.1 Combining Funds

Eligible Projects submitted in the Program must be new projects that have not received any previous CMF funding.

Projects that receive funding through this Program, however, may subsequently be submitted to CMF Development and Production Programs. It is important to note that any funding a Project receives through this Program in addition to funding available through other CMF Programs will be integrated into that Project’s development and/or production budget and financial structure.

2.3.2 Eligible Costs

In this Program, only Canadian costs are Eligible Costs. Costs incurred before an Eligible Applicant submits an Application in the 2021-2022 CMF fiscal year will not be considered Eligible Costs. Funding received through this Program must **primarily focus** on the creation of new creative materials.

Allowable Eligible Costs in this Program shall be the following:

- Writing (Outline, Treatment, Bible, or Script)
- Creation of pitch material including short non-broadcast demos
- Option fees paid to an unrelated party
- Scriptwriting consultant
- Script workshops
- Story editor
- Research
- Focus groups
- Production of drawings (animation)
- Travel and accommodation costs for research or to meet with national/international production partners (limited to 2% of Eligible Costs)
- Sales market attendance
- Printing and collating costs
- Arms-length legal costs
- Third-party preparation of the Production budget breakdown
- Producer fees and corporate overhead (subject to the [Producer's Fees and Corporate Overhead Policy](#))
- Accounting fees (if review engagement is required as per the [Accounting and Reporting Requirements](#))

Please note, the Development Program budget template outlines specific allowable costs.

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

2.3.2.1 Related-Party Transactions

All related-party fees, related-party allowances and any other related-party transactions must be:

- Disclosed to the CMF
- In accordance with the current [CMF Accounting and Reporting Requirements](#).

3. ELIGIBILITY FOR FUNDING

For clarity, Eligible Applicants shall receive a partially-executed SDE Allocation letter from the CMF which they must fully-execute and return to the CMF with their application to this Program.

3.1. ELIGIBLE APPLICANTS

An Eligible Applicant is:

- 1) A production company that:
 - a) Is a for-profit (i.e., a taxable Canadian corporation, within the meaning of Canada's *Income Tax Act*) production company;
 - b) Is Canadian-controlled as determined in sections 26 to 28 of the *Investment Canada Act*;
 - c) Has its head office in Canada;
 - d) Received a partially-executed Slate Development Envelope Allocation letter from the CMF and returned a completed⁴ and fully-executed letter with their application to this Program;
 - e) Has received a funding commitment from the CMF in the past 5 Program years (2016-2017 to 2020-2021) for at least (i) 1 development project and (ii) 1 production project, in either the Documentary or Children & Youth genre⁵, in any of the following Programs or sub-Programs:
 - Anglophone Minority Incentive
 - Corus Page⁶ (subprogram to the Corus Page to Pitch program)
 - Development Envelope Program
 - Development Pilot Program - Experienced Producers
 - Diverse Languages Program
 - English POV Program
 - English Regional Production Bonus
 - Francophone Minority Program (development or production)
 - Indigenous Program (development or production)
 - Northern Incentive (development or production)
 - Performance Envelope Program
 - Quebec French Regional Development
 - Quebec French Regional Production Incentive
 - WildBrain-CMF Kids & Family Development Program
 - f) Has reported at least \$75K in gross sales in the past 5 Program years (2016-2017 to 2020-2021⁷) for projects that are all in the same language and in either the Documentary or Children & Youth genre⁸.

For clarity, even if an Eligible Applicant meets the minimum criteria through multiple languages and genres, each Eligible Applicant will be limited to one SDE Allocation through this Program.

For the purposes of these Guidelines, while the term Applicant **includes** all Related Parties (defined in [Appendix B](#)) associated, affiliated or parent companies and/or individuals (as determined by the CMF at its sole discretion), as applicable, it **excludes** all coapplicants and only the primary Applicant that meets the minimum qualifications listed in section 3.1 will be considered eligible for this Program.

⁴In order to be eligible to the Program, all Applicant shareholders and corporate directors must complete the CMF's Self-Identification System ("Persona ID") process.

⁵The projects required for the Applicant's minimum development and production projects' threshold must be in the same genre.

⁶Corus Pitch subprogram is not eligible for this Program.

⁷The exact gross sales reporting window will be from April 1, 2016 until March 31, 2021.

⁸The projects required for the Applicant's minimum gross sales' requirement must be in the same genre.

3.2 ELIGIBLE PROJECTS

All Eligible Projects funded through this Program **shall be in the same genre** as the projects used to determine the Applicant's minimum development and production requirement and gross sales requirement set out in section 3.1 above.

All Eligible Projects funded through this Program **shall be in the same language** as the projects used to determine the Applicant's minimum gross sales requirement set out in section 3.1 above.

An Eligible Project in this Program is an English- or French-language TV Component that meets all applicable section 3.2 criteria and subsections. The CMF recognizes that projects at the development stage are necessarily nascent, evolving works that may not strictly comply at application with all requirements of section 3.2 and its subsections. As such, TV Components must be reasonably intended to comply with the three Essential Requirements (see section 3.2.TV.1), as appropriate to each category of production and programming genre, as set out in [Appendix A](#), plus all other requirements of sections 3.2.TV.1 through 3.2.TV.4.

Eligibility for funding in this Program does not guarantee Applicant or Project eligibility for further CMF development funding or CMF production funding.

A maximum of 3 Eligible Projects can be developed with funding from this Program.

3.2.TV The Television Component

A Television Component of an Eligible Project must be linear audiovisual content that meets the following requirements (that are further explained in this section):

- the CMF's Essential Requirements;
- the CMF's Genre requirements for Children and Youth and Documentary (as set out in [Appendix A](#));
- ownership and control requirements; and
- miscellaneous requirements.

The Television Component of an Eligible Project must be developed as a Canadian production or intended as an audiovisual treaty coproduction. A Canadian writer must be involved in all stages of development. For Television Components meant for Canadian audiovisual treaty coproductions, the active creative contribution of a Canadian writer is required.

The Applicant must have acquired all rights and options to the Television Component, exclusive for at least 24 months, which are necessary for the adaptation of the original work or concept, the scriptwriting, the production and worldwide distribution.

3.2.TV.1 Essential Requirements

A production must meet the Essential Requirements listed here. For a series, the Essential Requirements apply to every episode of the cycle, even if all episodes are not submitted for CMF funding. The CMF solely decides whether or not a project meets the Essential Requirements and its interpretation shall prevail.

- 1) The TV Component will be certified by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate), as determined by the CMF using the CAVCO scale.
- 2) Underlying rights are owned, and significantly and meaningfully developed, by Canadians.
- 3) The TV Component is shot and set primarily in Canada.

Further details on these Essential Requirements and permissible genre-specific exceptions are in [Appendix A](#) of these Guidelines. This Appendix includes other important information and is an integral part of these Guidelines.

3.2.TV.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 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.

The CMF recognizes that projects at the development stage are necessarily nascent, evolving works that may be unable to strictly comply at application with all of the requirements of Section 3.2.TV.1. As such, TV Components must be reasonably intended to comply with the Essential Requirements, as appropriate to each category of production and programming genre, as set out in [Appendix A](#), plus all other eligibility requirements that may be applicable to development and, in the CMF’s discretion, comply with the spirit and intent of the Guidelines.

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

3.2.TV.2 Genres of Programming

The CMF supports the following genres in this Program: documentary and children’s and youth programming. The CMF defines of each in [Appendix A](#) of these Guidelines.

The following is a non-exhaustive list of genres and programming formats that are not eligible to apply to the CMF: sponsored productions, sports, news, game shows, current affairs, public affairs, lifestyle productions, “how-to” productions, reality television, instructional television, infomercials, music videos, formal or curriculum-based educational programs, foreign format buys without significant Canadian adaptation and creative contribution, magazine productions, talk shows, “talkshows culturels,” award shows, galas, reporting and current events, religious programs, fundraising productions, benefits, tributes, promotional productions, pep rallies, travelogues and interstitials.

Note: Some flexibility exists for children’s and youth programming. See [Appendix A](#) for more information.

3.2.TV.3 Canadian Ownership and Control

The Television Component 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 stages of development.
- d) Generally, no more than 49% of the development financing is provided by a single non-Canadian entity, person or related entity. 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.

- e) The Applicant retains and exercises all effective controls or approvals consistent with those of a producer. This includes control and final approval of creative decisions and 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) The Applicant owns all rights (including copyright) and options necessary for the development, production and its distribution in Canada and abroad and retains an ongoing financial interest in the TV Component.

For clarity, returning series and purchased formats are not eligible for funding through this Program.

Note: The interpretation of these criteria shall allow Canadian audiovisual treaty coproductions to access the CMF.

3.2.TV.4 Miscellaneous Requirements

The Television Component 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 is a new production. A new production is one which is not substantially a repackaged version of a previously-produced production. For a series, the CMF will consider the entire cycle to determine if the TV Component is a repackaging (e.g., some "best of," "making-of" and/or "catch-up" episodes may be permitted). Television Components comprised mainly of stock footage may be new productions provided the footage is not merely repackaged in whole or large segments for the TV Component.
- c) When working with First Nations, Métis and Inuit communities, cultures, concepts and stories, the CMF encourages all Applicants to respect the guiding principles and best practices set out in the [On-Screen Protocols & Pathways Media Production Guide](#).