
Theatrical Documentary Program Guidelines

English-Language and French-Language Projects Production and Postproduction Stages



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1. THEATRICAL DOCUMENTARY PROGRAM

1.1. Guidelines

These guidelines (the “Guidelines”) are for the Theatrical Documentary Program (the “Program”) for French-language and English-language projects. They are based on the guidelines for the Main Programs (production and marketing) of the Canada Feature Film Fund (the “CFFF”), which are available on [Telefilm’s Website](#) along with other relevant documents including business policies and application forms. Telefilm Canada is also committed to a [Client Service Charter](#).

This Program may fund feature-length documentary projects at either the production or the post-production stages. It does not offer funding at the development stage.

While compliance with these Guidelines is a prerequisite to eligibility for funding, compliance does not guarantee entitlement to Telefilm Canada’s funds.

Telefilm Canada has full discretion in the application of, or exceptions to, these Guidelines to ensure that the Program’s funding is provided to those projects that meet its goal and intent. In all questions of interpretation of either these Guidelines or the goal and intent of the Program, Telefilm Canada’s interpretation shall prevail. Telefilm Canada may make adjustments to its guidelines and application forms from time to time as required.

1.2. Goal and Intent

The primary goal of the Program is to help achieve the objective of the CFFF, which is to increase Canadian audiences for Canadian feature films, by encouraging the production of Canadian feature-length documentaries for theatrical distribution in Canada.

Telefilm Canada and Rogers Group of Funds (“Rogers”) have joined forces to underwrite the Program with the intent to jointly finance a number of projects that will be successful with Canadian audiences. Telefilm may fund projects at either the production or the post-production stages while Rogers will focus its investments solely in the production stage (note section 2.2.2).

The Guidelines for this Program, administered by Telefilm Canada, have been developed taking into account the distinct realities of Canada’s English-language and French-language markets. The differences between these two markets have resulted in asymmetrical policies designed to meet their particular needs and objectives.

2. ELIGIBLE APPLICANTS

The eligibility criteria for the Program are generally the same as for the CFFF, meaning that production companies must satisfy the following conditions:

2.1. Basic Criteria

To be considered eligible to apply to the Program, the production company must be a Canadian-owned and controlled corporation, as determined under sections 26 to 28 of the *Investment Canada Act*, with its head office based in Canada. In addition, when assessing an applicant’s eligibility, Telefilm Canada will take into consideration:

- whether the applicant’s activities take place in Canada; and
- the financial stability of the applicant (with appropriate exceptions for new production companies without established parent companies).

Furthermore, individual producers and other key production personnel exercising creative, financial or distribution control over the project submitted to Telefilm Canada must be Canadian citizens, within the definition of the *Citizenship Act*, or permanent residents of Canada, within the definition of the *Immigration and Refugee Protection Act*.

Eligible production companies must possess the experience and level of expertise necessary to complete the project. Telefilm Canada’s specific requirements could vary depending on the nature and scope of the project.

2.2. Additional Criteria

2.2.1. French Market

- At both the production and post-production stages, applicants must have a firm commitment¹ from an eligible Canadian distribution company². The eligible distributor must commit to theatrically release the project within one (1) year of delivery supported by a marketing plan.
- Furthermore, if receiving a combination of Telefilm Canada and Rogers financing, the applicant **must** also have a confirmed Canadian broadcast licence commitment in addition to the above mentioned commitment. The licence fee threshold for the first window is 12% of the eligible costs, for projects with eligible costs up to \$750,000; or 10% of the eligible costs, for projects with eligible costs of more than \$750,000.

2.2.2. English Market

- **Production Stage:** Applicants must demonstrate having successfully completed and exhibited in theatres (or at recognized Canadian film festivals) a feature length film (fiction or non-fiction) of at least one (1) broadcast hour in length. The theatrical release (or exhibition at recognized Canadian film festivals) must have occurred within the last seven (7) years.

Applicants successful in receiving Telefilm Canada financing only must have either 1) a firm commitment³ from an eligible Canadian distribution company⁴ or 2) a minimum Canadian broadcast licence commitment from one or more broadcasters equivalent to at least \$150,000 for a duration of 75 minutes.

Applicants successful in receiving Telefilm Canada and Rogers financing **must** have a minimum broadcast licence commitment from one or more broadcasters of at least \$150,000 for a duration of 75 minutes.

¹ The firm commitment must be in a written agreement stating the amount of the distributor’s P&A budget for the project and confirming that this amount will not be revised downward without the prior approval of the producer and Telefilm Canada. The eligible distributor must commit to theatrically release the project within one (1) year of delivery supported by a marketing plan.

² The eligibility criteria for a Canadian distribution company are the same as for the [CFFF](#).

³ See note 1

⁴ See note 2

When considering the potential audience appeal of the project during the evaluation process, preference will be given to projects where the minimum licence commitment is met by a single broadcaster, or by more than one broadcaster who share a common first window 6 months after the commencement of theatrical release and take their initial telecasts around the same time.

All broadcast commitments necessary to meet the minimum threshold must be licencing the feature length version.

- **Post-production Stage:** Applicants successful in receiving Telefilm Canada financing at the post-production stage must have a firm commitment⁵ from an eligible Canadian distribution company⁶. The eligible distributor must commit to theatrically release the project within one (1) year of delivery supported by a marketing plan.

3. ELIGIBLE PROJECTS

3.1. Basic Criteria

In administering the Program, Telefilm Canada seeks to support the production or the post-production of feature length documentaries that are owned and controlled by eligible applicants.

To be considered eligible for the Program, a project must:

- be a feature length⁷ documentary targeted primarily at Canadian theatrical audiences;
- for production funding have a minimum production budget of \$600,000 for English-language projects and \$500,000 for French-language projects; there is no minimum budget requirement for applications for postproduction assistance;
- be under Canadian ownership; that is, the copyright must be held by Canadians;
- be under Canadian financial and creative control; as well, all rights and options necessary for the full and complete exploitation of the project must be held by an eligible Canadian production company;
- with respect to Canadian content certification, be **either**:
 - eligible for certification as a "Canadian Production," pursuant to the criteria of the Canadian Audio-visual Certification Office ("CAVCO"), or satisfies the definition of a Canadian program set out by the Canadian Radio-Television and Telecommunications Commission ("CRTC") and achieves a minimum of 8 out of 10 points of Canadian content using the CAVCO point scale⁸; **or**
 - eligible to be certified as an official coproduction deemed as qualified under established criteria (see Telefilm Canada's policy document entitled [Official Coproductions Mandate, Policies and Requirements](#));

⁵ See note 1

⁶ See note 2.

⁷ Projects must be at least 75 minutes long. Projects intended primarily for the video or television market are not eligible.

⁸ Including the possible exceptions available for documentaries at CAVCO (i.e. 10 out of 10, 9 out of 9, 8 out of 8). Please refer to CAVCO website for more information at http://www.pch.gc.ca/progs/ac-ca/progs/bcpac-cavco/index_e.cfm

- be directed by a Canadian citizen, within the definition of the *Citizenship Act*, or by a permanent resident, within the definition of the *Immigration and Refugee Protection Act* (Canada);
- secure the agreement of the distributor involved in the project's financing to allow a telecast window six (6) months following the start of the theatrical release, unless otherwise agreed by the broadcaster and the eligible Canadian distributor;
- not contain any element of serious and gratuitous or explicit and excessive violence, any element which is predominantly characterized by the undue exploitation of matters of a sexual nature, or matters of a sexual nature and one or more of the following subjects: crime, horror, cruelty and violence, or any other sexual offence under the Criminal Code or any matter which is libellous, obscene or in any other way unlawful;
- conform to the Canadian Association of Broadcasters ("CAB") Code of Ethics and to all other programming standards endorsed by the CAB or the Canadian Radio-television and Telecommunications Commission (CRTC).

4. EVALUATION PROCESS

4.1 Process

Given the high number of applications and the limited resources available, many projects may not obtain funding.

Telefilm Canada's regional offices of Toronto and Montreal will determine the eligibility of the project and of the applicant including compliance with Telefilm Canada's recoupment policy.

A committee composed of representatives of Telefilm Canada and Rogers will be responsible for evaluating projects for financing at the production stage. For the postproduction stage, a committee composed of representatives of Telefilm Canada will evaluate projects. Eligible projects will be evaluated on their overall creative merit, relevance and accessibility to theatrical audiences, as well as the potential of the project to succeed at the box-office. Telefilm Canada may, at its sole discretion, invite an external evaluator, chosen from the industry, to review and make recommendations on projects.

4.2 Evaluation Criteria

All projects will be initially assessed against the Program's goal to build larger audiences for Canadian feature-length documentaries in domestic theatres, thus helping to achieve the objectives of the CFFF.

4.2.1 Basic Criteria

In addition to the main criteria based on the Program's goal, projects will be evaluated on the following criteria:

- Originality of the project;
- Quality of the research including sources accessed and expertise consulted on the arguments presented;
- Quality of the cinematic and narrative potential of the project including the presentation of subject matter and characters;
- Quality of the script and production plans (for production applications);
- Quality and level of completion of the production at time of application (for post-production applications);

- Director’s vision and intentions for the film;
- Track record of participants, especially director, production team, production company and distribution company;
- Project budget: successful projects will have secured substantial market interest;
- Its potential to appeal to audiences in Canada and abroad in cinemas, on television and on other platforms;
- Promotion and marketing plan clearly identifying the target market with solid marketing hooks: preference will be given to projects where the attached Canadian broadcaster has committed to providing significant promotional support for the theatrical release.

5. TERMS OF FINANCIAL PARTICIPATION

5.1 Financing

5.1.1 Production Stage

Financing offered to successful applications will be as follows:

English language productions

Telefilm Canada will make a recoupable equity investment of \$250,000 in the production.

Rogers will make a recoupable equity investment of \$125,000 in the production.

Broadcasters with financing included in the financial structure may also choose to provide additional financing in the form of licence fees from their broadcaster performance envelopes from the Canadian Television Fund (subject to the policies of the Canadian Television Fund). Please refer to the Canadian Television Fund website for current information on [Canadian Television Fund policies](#).

French language productions

Telefilm Canada will make a recoupable equity investment of \$137,500 towards the production budget.

Rogers will make a recoupable equity investment of \$62,500 towards the production budget.

Broadcasters with financing included in the financial structure may also choose to provide additional financing in the form of licence fees from their broadcaster performance envelopes within the Canadian Television Fund (subject to the [policies of the Canadian Television Fund](#)).

5.1.2 Post-production Stage

For English language projects, Telefilm Canada will make an equity investment of the lesser of 49% of the post-production budget or \$170,000, subject to the availability of funds.

For French-language projects, Telefilm Canada will make an equity investment of the lesser of 49% of the post-production budget or \$55,000, subject to the availability of funds.

5.2 Recoupment

Telefilm Canada and Rogers will recoup their financing according to the contract each enters into with the production company.

For further details on Telefilm Canada's recoupment policy, please refer to the CFFF guidelines for production Annex 1. For the recoupment policy applied for French-language productions please refer to:

http://www.telefilm.gc.ca/upload/fonds_prog/2008-2009_cfff_guidelines_for_development_and_production_for_french-language_productions.pdf,

and for English-language productions, please refer to:

http://www.telefilm.gc.ca/upload/fonds_prog/cfff_production_guidelines_english_language_market.pdf.

5.3 Eligible Costs

5.3.1 Production stage

For production assistance, expenses incurred and/or paid previous to submission of the application are not eligible. Budgets must identify all related-party transactions and all items concerning technical and publicity materials normally required by theatrical distributors and for HD broadcast.

5.3.2 Post-production stage

For post-production assistance, expenses incurred and/or paid previous to submission of the application are not eligible. Budgets must identify all related-party transactions and all items concerning technical and publicity materials normally required by theatrical distributors and for HD broadcast.

Producer fees may not exceed 5% of the eligible costs of the Post-production budget.

5.4 Screen Credits

In the opening credits and print materials where the applicant is credited, the Program must be mentioned along with the logos of Telefilm Canada and Rogers, in a size and manner to be approved in advance by Telefilm Canada.

All participating financial partners shall be listed in the closing credits in order of financial participation and prior to the credits for cast and crew members.

6. HOW TO APPLY

6.1 Deadline

Applications must be received by Telefilm Canada prior to the first day of shooting or to completion of a rough cut, depending on the phase.

Please refer to the [Telefilm Canada website](#) for information about the deadline. Telefilm Canada may, at its sole discretion, choose to conduct a second deadline subject to availability of funds after the initial deadline.

6.2 Required Documents

The appropriate application form duly completed and signed, together with a standard Telefilm Canada budget and all required documents, must be received at Telefilm Canada by the applicable deadline. Please refer to the [application form](#) for a complete list of required documents.

6.3 Where to apply

Applications should be sent to the Telefilm Canada office in the applicant's region to the attention of the Project Coordinator, who is available to answer any questions regarding the application or the documents required.