

New law, broadcast fund cause renewed hope in Quebec milieu

MONTREAL — After years of intensive lobbying, Quebec's film milieu saw the status quo swept away as speaker after speaker outlined new directions and new opportunities at the annual convention of producers, distributors and service houses.

Meeting in Montreal on June 17 and 18, the Association des Producteurs de Films du Québec was joined by the Association Québécoise des Distributeurs de Films and the Association Québécoise des Industries Techniques du Cinéma et de la Télévision Inc.

Several events coincided to make this convention a watershed for the industry. The promise of the \$34 million in the CFDC Broadcasting Production Fund, with \$11 million earmarked for French language production, went a long way to alleviate the sense of financial despair felt by many producers who were excluded from the boom times created by the federal tax shelter. Second, Bill 109, Quebec's new cinema law, brings with it legislated changes to the distribution and production sectors. Finally, both Radio-Canada and Télé-Métropole, Quebec's largest private television station, acknowledged

that they were prepared to revise their current structures to make a place for the private producer, and would honor the intention of the Broadcasting Fund to open the local market to local productions.

The optimism which colored the two-day convention was a result of the endless hours put in by outgoing APFQ president Nicole Boisvert and others to reach the politicians and influence policy so that Quebec's producers and distributors might make a new start. A sense of common purpose acknowledged that there could be no healthy production sector without a similarly healthy distribution sector and support was unanimous for the measures adopted which would reinforce the industry in all aspects.

Bill 109

Friday's meetings were in-house discussions, preparing for the panels which would take place on Saturday with the Canadian Film Development Corp., the CBC/Radio-Canada, Radio-Québec, Télé-Métropole and the pay stations TVEC and Premier Choix. The day was topped off by the

arrival at the evening banquet of Quebec's minister of Cultural Affairs, Clément Richard, and his announcement that Bill 109 had passed the parliamentary commission at 6:45 that day fully amended, and would be voted by the National Assembly in the following week.

Bill 109 was passed in third reading before the Quebec National Assembly in late afternoon, June 22, 1983.

Several minutes of sustained, standing ovation galvanized those present with the reality that years of work had finally culminated in laws which would reclaim the Quebec market in large measure from the dominance of the American major distributors, and that mechanisms were in place to bring about a greater cooperation between distributors and producers. As one observer from Toronto remarked, referring to Michel Houle, Richard's executive assistant, "That guy was really treated like a hero!"

Certainly, the sense that something heroic had happened and that the province was paving the way to a new era in program production and distribution contributed to the sense of serenity and confidence which seemed to permeate the

Saturday discussions. As Clément Richard said to Cinema

(cont. on p. 6)

Majors settle with Combines

TORONTO — The six major film distributors operating in Canada, under pressure from a scheduled hearing before the Restrictive Trade Practices Commission in Ottawa, have agreed to change their distribution practices.

The distributors — Columbia, MGM/United Artists, Paramount, Universal, Warner Bros., and Twentieth Century-Fox — agreed June 3 to change their distribution practices "to ensure that significant competition exists in the distribution and exhibition of motion pictures in Canada."

The director of investigation and research under the Combines Investigation Act, Lawson Hunter, had filed an application against the distributors with the RTPC, Dec. 22, 1982, on behalf of Cineplex Corp., asking the commission to order the distributors to supply Cineplex with commercially valuable motion pictures.

With the RTPC hearing scheduled for May 30, the distributors opted to enter into settlement negotiations with the director of investigation and research rather than have the case go before the commission. Agreement was reached June 3, on which date the director made a verbal request to postpone the hearing for 12 months, effective July 1, 1983.

The distributors have agreed

to license first and subsequent runs of a picture through a bidding system involving all eligible exhibitors in the geographic area of a run. Distributors will choose exhibitors on a film-by-film and theatre-by-theatre basis, and have agreed not to permit any exhibitor the right of first refusal.

The distributors have agreed not to be party with any exhibitor in determining the release pattern of a picture. But an agreement may be made between a distributor and an exhibitor not to license a film to another exhibitor if that exhibitor is deemed to be in "substantial competition." This term is defined loosely in the undertaking to mean a situation in which revenue from a picture's run would be "significantly less" for an exhibitor if the picture were simultaneously exhibited by a competitor.

The distributors shall afford bids not only for first runs, but subsequent runs as well. This will be a boon for the independent exhibitors, who traditionally have relied on "move-over" business of successful pictures.

The distributors are required to keep records of successful bids and of all relevant business materials from other bids. The director may, on three clear

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C Channel signs off July 1, into receivership

TORONTO — C Channel, the national performing arts pay-TV service which managed to attract only 27,000 subscribers since going on air Feb. 1, has been put into receivership, as the company's debts climbed over \$11 million.

C Channel president Edgar Cowan announced June 17 that Lively Arts Market Builders Inc., the company which owns and operates C Channel, had been placed into receivership with Price Waterhouse Ltd.

Price Waterhouse will continue the channel's programming and continue efforts to find a buyer until June 30. But programming is "unlikely to go beyond that date," said Price Waterhouse's Larry Ward.

Forty-five C Channel employees have been given termination notices effective June 30.

The company has debts of \$5.6 million in shareholders' equity, a \$3.5 million loan outstanding with the Toronto Dominion Bank, plus \$2 million owed to program suppliers.

C Channel had hoped to have 75,000 subscribers by this point and needed 165,000 to break even, according to Cowan. But the company went on-air with only 17,000 subscribers.

An 80-hour "survivathon" to raise new subscribers, launched

in May after the bank announced it planned to call the company's loan at the end of the month, brought on an extra 5,000 subscribers. While the move bought the company an extra month, it was simply not enough to stem the tide of mounting debts.

Cowan, like most of the people involved with L.A.M.B., was an investor in C Channel. "Yes, I personally lost money — everybody did," he said. Private investors, the largest being Hamilton Southam, were in for \$4.8 million, while the Dofasco Pension Fund had \$800,000 invested — money which probably will never be recovered.

The company had hoped to raise capital with a \$5.5 million public offering last December, but it raised a disastrously low \$810,000, most of it from original investors.

C Channel earned critical acclaim for its quality programming during its few short months of operation but proved unable to sell its option of "intelligent television" to a sufficient audience. "Our goals were very high, maybe our timing was wrong," said Cowan.

He would not single out any one of the company's problems during its brief history, though

there were many, such as the slowness of cable companies to hook up new customers, difficulties with the CRTC over stereo broadcasting or the deferment of satellite payments, or the First Choice/Playboy programming controversy which created a public image of Canadian pay-TV at odds with the C Channel concept.

Noting that the license is transferable, Cowan said he hoped the C Channel concept could be preserved. When asked if the company had sought government assistance, Cowan said they had tried to do without it. "There is no mechanism in place in government ready to handle something like this in broadcasting," he said.

On rumours about a last-minute deal between C Channel and the U.S.-owned Disney Cable, Cowan said, "We never really negotiated — we just talked."

Cowan said the cable companies, not C Channel, will have to deal with customers who have pre-paid for the service. He also said the only independent production left in limbo by the situation was the Tapestry Prod./Standard Broadcasting adaptation of David Fennario's play *Balconville*, taped in Ottawa in May.

MONTREAL — Prominent Canadian film and television director Peter Pearson has been appointed director of the multi-million dollar Canadian Broadcast Program Development Fund of the Canadian Film Development Corp., CFDC executive director Andre Lamy announced June 15.

Effective immediately, Pearson's appointment as CFDC program director in this newly-created senior administrative post gives him responsibility for the management of the fund which goes into operation July 1. The appointment came as a complete surprise to the production industry, and to the recipient himself who had just been granted tenure at Queen's University where he taught for the past year.

Fluently bilingual, Pearson will be responsible for the implementation of the fund's policies and programs designed to

stimulate private sector production of dramatic, variety and children's programs for off-air television broadcasting in French and English. Located in Toronto, Pearson will be shuttling back and forth to Montreal.

"It's a great honor that I've been asked to be part of a team for which the government has great expectations," Pearson told Cinema Canada. "I feel challenged beyond anything I've ever done in my life."

A former journalist and founding chairman of the Council of Canadian Filmmakers, Pearson has been deeply involved with Canadian film and television for the past 20 years. Among the feature films he has directed are *Paperback Hero* and *The Best Damn Fiddler From Calabogie to Kaladar*.

Pearson was one of the principals in the Premiere pay-TV application before the CRTC.

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C A N A D A

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Toronto's production aimed for TV

TORONTO - The Toronto production scene, after a better-than-average winter (four major features), finds itself in a lull as the summer begins.

With *Quebec/Canada 1995*, a Primedia Prod. comedy for television, wrapping May 29, and the CBS movie-of-the-week *Blacklight* finishing its Toronto shoot May 26 (before wrapping June 1 in Las Vegas), only two features are announced to begin in July.

Girl Bikers, a low-budget B-movie written and directed by Charles Dennis and produced by Rose and Ruby Prod., is scheduled to begin July 25, starring Coleen Camp and Kenneth Welsh.

Terminator, a Pacific Western Prod. feature for the Hemdale Co., produced for Orion Pictures and Home Box Office, will begin a 10-week shoot July 27. Producer is Gail Hurd and director Jim Cameron, with the script by Hurd and Cameron. Budget is around \$5 million.

A spokesman for Wittman/Richter Films of Massachusetts told Cinema Canada the company has postponed shooting of its low-budget comedy *Teenager: It's Tough Being One*, scheduled to go before the cameras in June. Producers now hope for a late summer or fall shoot. Last December, the company shot *Skullduggery* in To-

ronto with an all-Canadian cast and crew.

Also on hold is *Out of Wedlock*, an Eagle Films Production to be directed by Harvey Frost. The company is now looking at a fall shoot.

Robert Cooper Productions announced a made-for-pay feature, *The Guardians*, which they plan to shoot in September, but no further details are available.

Television production now shooting includes *The Adolescence of P-I*, a drama about artificial intelligence written by Barrie Wexler and directed by René Bonnière for CBC's *For The Record* series.

Conservision Productions is shooting 18 half-hour episodes for a series *Strange But True*, which has been sold to Global for the fall 1983 season. Producer and director is Jim Hanley, with executive producer Don Carmody and associate producers Oriana Bielawski and Conrad Beaubien. Each show will contain two 15-minute segments which dramatize strange real-life occurrences, and performers include Michael Ironside, Jackie Burroughs, Marilyn Lightstone, and James B. Douglas.

Atlantis Films is beginning a second series of six half-hour dramas of Sinclair Ross's "Coronet at Night" scheduled to begin

July 11.

Atlantis is also co-producing a performance film by independent Toronto filmmaker Kay Armatage, *Storytelling*. The one-hour film will feature some of the world's best storytellers, an art form which Armatage describes as a grass roots movement to revive an oral narrative tradition. Shooting began June 23, and is scheduled for Toronto and New York, directed by Armatage. Budget is around \$80,000.

Non-theatrical film production company Lauron Prod. has five projects going, including a 90-minute documentary for U.S. television, *The Bill Koch Story*, directed by Ira Levy. Two one-hour documentaries, *The Disability Myth Pt. II: Education*, and *The Disability Myth Pt. III: Transportation*, produced and directed by Alan Aylward, and two half-hour documentaries, *The Heroes of Winter*, directed by Peter Williamson, and *It Takes a Champion*, directed by William Johnston and Ira Levy, are currently shooting. Executive producers at Lauron are Ronald Lillie and William Johnston.

Montreal's theatrical line-up

MONTREAL - If they're shooting movies it must be summer: June-July starts for Montreal production houses include some noted sequels as Ciné-Plouffe II's *Le Crime d'Ovide Plouffe*, the continuation of the Plouffe saga, prepars for a July 11 shoot... Director Jean-Claude Labrecque's *Années de rêve et de révolte* gets underway June 20 with this follow-up on his 1960s epic *Les Vautours*... and Bernard Ferro's low-budget film version of novelist Marie-Claire Blais' *Deaf To The City* begins principal photography June 21... Filmline Productions continues to mine its American connection, shooting *Cook and Peary - The Race to the Pole* with New York television producer Robert Halmi Jr. and starring a laconic Richard Chamberlain was in town to do his job. Shooting continues with *The Hotel New Hampshire*, directed by Oscar-winning helmer Tony Richardson... At the analytic end of things, Concordia University hosted the Film Studies Association of Canada annual conference June 1-4, which brought 75 leading Canadian film scholars together to deliver papers and deconstruct film narratives. Out-going FCAS president Bill Wees (McGill University) passed the two-year presidential mantle to Bart Testa of the University of Toronto's Innis College. Confirmed in office for another year were vice-president David Poole of the Canadian Filmmakers' Distribution Centre in Toronto and

secretary-treasurer Gene Walz (University of Manitoba). The association executive voted to start up a journal of scholarship in Canadian film and television. Next year's annual meeting will be held at York University... *Vivement Dimanche*, the new film by François Truffaut, starring Fanny Ardant and Jean-Louis Trintignant, will open the Seventh World Film Festival in Montreal, Aug. 18-28. Pierre-Henri Deleau, who runs the Directors' Fortnight at Cannes, has been named coordinator of the Cinema Today and Tomorrow section of the Montreal event... Montreal producers Denis Héroux and John Kemeny have released to a French picture magazine first stills from their Deep South Canada-France co-production *Louisiana*. According to the Figaro Magazine, *Louisiana* is France's *Gone With The Wind*... Definition of a producer overheard at the Association des producteurs de films du Québec (APFQ) annual convention: "A producer is someone who serves a market, but this market has tendencies..."

Yorkton Fest deadline

TORONTO - Deadline for entry is September 30 for the 19th Yorkton Short Film and Video Festival, scheduled for November 2-6 in Yorkton, Saskatchewan. Festival president is Doug McDougall.

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Rogers gives free week

TORONTO - The Rogers Cable "Free Pay-TV Offer," which gave cable customers a free seven-day trial of all available pay-TV services in the Toronto area and which ended June 21, attracted two percent of the subscriber base, which Rogers marketing executive Valerie Martlett said is "about normal" for the company's direct mail sales pitches.

Martlett said the program, which had been extended from May, had been reasonably effective in getting new subs. About half of those who signed on for free - or about one percent of the subscriber base - stayed on to pay for the services.

Martlett said double packages of First Choice and Superchannel had been the most popular buy.

Rogers is in a "flat period", when disconnects equal new sales, said Martlett, who added more operators were having more disconnects than new customers as pay-TV entered its first "churn cycle" after its first four months.

MONTREAL - The APFQ's new executive is as follows: Pierre Lamy, President; Daniel Bertolino, vice-president; Jocelyn Pelchat-Johnson, vice-president; Danièle J. Suissa and Pieter Kroonenburg, vice-presidents; Monique Messier and Jacques Pettigrew, managers; with Michael Spencer as secretary and Jacques Amann as treasurer.

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Lamy shares vision of fund

(cont. from p. 3)

Canada after his triumphal reception, "I only hope the federal government has the guts to follow our lead."

The Broadcast Program Development Fund

Another remarkable performance was given Saturday morning as executive director of the CFDC Andre Lamy responded to questions from the floor pertaining to the broadcast production fund.

After announcing the appointment of Peter Pearson as second in command at the CFDC, responsible for the administration of the fund, Lamy minced no words about the objectives of the Fund. "The minister wants to attack the problem of prime-time programming, and to Canadianize that programming. He wants to dislodge the Americans."

Clarifying several issues, Lamy stated that the actual consultative committees at the CFDC would be enlarged to deal with the Fund but that a new committee would not be formed; that documentaries were eliminated from eligibility to the fund because the state networks (provincial and federal) and the National Film

Board were already producing enough documentaries; and that the CFDC would have to await the federal film policy (due in late Fall) before addressing itself to the problems of marketing and distribution.

He explained that the CFDC had achieved a major breakthrough in that its fund was a non-lapsing fund, one to which both earned revenues and amounts not spent in a given year would be returned for expenditure in the following year. (This is unlike the structures at both the CBC and the NFB whose unspent credits are returned to the consolidated fund at the end of a fiscal year.) Of the \$34 million awarded the CFDC in the first year, \$1.4 million will be used to administer the fund. Amounts over the next five years, exclusive of revenues, are expected as follows: 1984 - \$40 mln. 1985 - \$45 mln. 1986 - \$50 mln. 1987 - \$55 mln. 1988 - \$60 mln.

Several producers thought it unfortunate that the fund required producers to apply for backing for one project at a time, stipulating that they must finish principal photography on that project to "the satisfaction of the CFDC" before applying with a second project. Lamy replied that those were the rules "in

principle", suggesting that exceptions could be made. The purpose of the rules was to give time to the regions to apply for backing, to help producers who might have a cash-flow problems, and to avoid the situation where one broadcaster could monopolize the entire fund. "We want to protect the fund from cartels," he concluded.

On the other hand, Lamy insisted that the broadcasters will have an important financial role in complementing the monies from the fund. Referring to the letter which a producer must have from a broadcaster showing interest in a production, Lamy said, "That letter is worth gold. If a broadcaster is willing to write a supporting letter, calling a program a veritable masterpiece, than we want to know just how much this masterpiece is worth... how much is he willing to invest to see that it gets made?"

As for the Canadian content of the projects under consideration, Lamy made it clear that the regulations applying to the capital cost allowance would serve as the basis of the criteria. "I can say now that there will be consensus between the CFDC, the department of Communications and the Canadian Radio-television and Telecommunications Commission (CRTC) concerning the definition of a Canadian program. We will exercise great pressure on the producers to see that the participants and talent are Canadian."

Stating that producers always accompany their demand requests to use foreign talent with the excuse that the foreign market demands it, Lamy countered by saying, "If they have a foreign deal, then let them put it on the table and the CFDC will diminish its participation accordingly."

As to the procedures in applying to the fund, the CFDC will remain supple. English projects

can be presented to the Montreal office (unlike the situation in feature films where English-language projects are handled through Toronto). Although in principle, producers must procure a letter of support from a broadcaster before applying to the fund, Lamy promised to "adjust" internal procedures to allow a producer to show a project to the CFDC first to see whether or not the CFDC would be interested in participating, should broadcasting backing be forthcoming. "Since there is obviously a study to be made at the CFDC concerning the value of the projects, we can give you a non-official response and even freeze funds for a project over a limited period," he said.

In concluding his remarks, Lamy said that the CFDC would give producers an answer within six weeks "maximum", though he hoped the waiting period could be kept to three or four weeks. Each project would be evaluated according to the benefits to be reaped by the private sector, and the use of NFB facilities would not be acceptable in cases where the private sector would be harmed by such use. Lamy did suggest however, that private producers must also take responsibility for projects in which the NFB is a partner. "Why doesn't the APFQ outlaw those productions if they are contrary to your members' interests?" he asked rhetorically.

Finally, Lamy reminded producers a co-production treaty with France was to be finalized, and that discussions were on-going with several other countries, including Australia. "We are no longer interested in signed co-production treaties for film only; we want television and video included," he said. In several countries, like Germany and Israel, this presents a problem as film and television are under separate jurisdictions.

CFTA woos young independent prods

TORONTO - A movement is afoot to encourage the smaller independent producers to join the Canadian Film and Television Association, according to independents Rudy Buttignol and Bob Lang.

Buttignol told Cinema Canada that new CFTA president Jack McAndrew has put out feelers within the Toronto production community to see if smaller companies, ones which operate with one or two members as opposed to the larger entities now prominent in the CFTA, about possible membership.

The hook for the independents, said Buttignol, is the possibility of setting up group health insurance and dental plans for independent filmmakers and their families if numbers merit.

An ad hoc community of independent filmmakers has already met, and a second meeting is scheduled for July 27 at the headquarters of the Canadian Filmmakers Distribution Centre in Toronto. The meeting is for independent filmmakers to discuss either possibly joining the CFTA or else establishing their own organization to serve their interests.

Buttignol described the overture by McAndrew toward the small independents as "an attempt to reconcile the different kinds of producers who exist now." Bob Lang of Kensington Prod. said the small independents are attracted by the CFTA offer, but must make certain their own interests will be served.

"The question is," said Lang, "is it an effort to co-opt us, is it a drive to boost membership, or is it a genuine effort to improve the organization?"

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Richard's finest hour: Bill 109 is law Ontario moves on fund for film

MONTREAL — As the applause from the standing ovation that greeted his arrival died down, Québec's cultural affairs minister, Clément Richard, ash-faced with exhaustion, announced jokingly that he had "nothing Major" to report.

Then he told the gathering of Quebec producers, distributors and service houses, holding their first joint convention at Montreal's new Palais des Congrès, that approximately two hours earlier—at 6:45 pm, June 17—the parliamentary commission in line-by-line second reading of the Quebec government's Bill 109 draft law on the cinema had voted approval of the government's amendments.

A second standing ovation immediately ensued, in an enthusiastic culmination to a hectic week that saw the proposed legislation publicly condemned by the U.S. Embassy in Ottawa, followed by last-minute stalling on the part of Quebec's parliamentary opposition, and an impassioned defence of the cultural law by Quebec premier René Lévesque.

For Clément Richard the evening of June 17 was one of personal triumph, the high point of two years' work that produced the bill, against the background of the 20-year

struggle of the Quebec film milieu to have its own cinema law. Pointedly, out-going Association des Producteurs de Film du Québec (APFQ) president Nicole Boisvert likened Richard to a film producer—"someone who delivers the goods."

Terming the bill "a minimal but significant reappropriation", Richard said that the new law will create "a truly national cinema industry." He stressed the "extraordinary solidarity" of Quebec's film professionals and made special mention of the Fournier Report whose "indispensable research" so greatly facilitated the drafting of the law. Richard singled out—and embraced—policy advisor Michel Houle whose small stature was in inverse proportion to the important role he played as a go-between in bringing together the industry and the ministry.

Richard also thanked two political figures, both of whom played key roles in supporting Bill 109. The first was Quebec premier René Lévesque "for his unflagging support for something of a hot issue." Lévesque, Richard said, "at no point gave in to the pressures that got pretty strong."

The second politician Richard mentioned, keeping him for

last, was federal Communications minister Francis Fox who, Richard said, laughingly, "did not harm me as much as he could have." (Fox who was to give the closing speech at the two-day convention was in Florida for the Anik C launch.)

Speaking with Cinema Canada, Richard stressed that the importance of the bill was in its immediate economic and cultural impact. Bill 109, according to reliable estimates, means an additional \$2 million influx into Quebec film production. Richard dismissed the eventuality of economic reprisals by the Majors. "The main thing," he insisted about Bill 109, "is that Article 97 is intact."

Article 97, in the original draft of the Bill, had required distributors in Quebec to have 80 percent Quebec ownership. According to press reports, this was changed in response to American protests. But, according to Michel Houle, the original formula was "tightened" to create a two-tier system of general and special distribution permits.

Art. 96 in the amended version of the bill, grants a general distribution permit to a person or corporation which owns a business whose principal establishment is located in Quebec. The amended article further defines "principal establishment" as the decision-making centre or true management of the business.

Art. 97, as amended, grants a special distribution permit to the producer of the film or the holder of world-rights to the film, on a film by basis.

Citadel & Cannon

Independent distributor *Lia* Films has settled its dispute with the Cannon Group and will handle a guaranteed 10 Cannon releases over the next two years.

Citadel president Andy Emilio told Cinema Canada June 16 that he expected imminent confirmation of the deal from Cannon's offices in New York.

The dispute began in April, when Cannon and MGM/United Artists announced that effective immediately, all Cannon films would be distributed in North America by MGM/UA as "an MGM/UA and Cannon Group release." Citadel held a contract at the time with Cannon to distribute the company's films in Canada.

Now, Citadel will share distribution of Cannon product in Canada with MGM/UA. Cannon currently has 31 films in its lineup, and Emilio said, "There is now way MGM can take on 31 pictures." However, Citadel has lost two big Cannon releases, *The Wicked Lady*, starring

TORONTO — The Ontario Film and Video Office will soon announce a pilot program in conjunction with the Ontario Development Corp., a \$1 million interim financing fund designed to stimulate Canadian film and television production in the province. Cinema Canada has learned.

Producers of drama, documentary, variety, or children's programming, who have distribution guarantees of pre-sale agreements in place and a completion guarantee, may apply for the fund, which will cover 30% of the eligible budget or \$125,000, whichever is less.

Applicants must be Canadian citizens and companies must be 60 percent Canadian-owned, and applications will be assessed on the basis of need and of expected benefits for Ontario.

Programming, which must be one hour or more in length (with special exceptions to be considered), must meet either the Canadian Film and Video Certification Office's Canadian content requirements under the capital cost allowance or the forthcoming standards from the Canadian Radio-television and Telecommunications Commission (CRTC).

Projects receiving financial assistance from other government agencies will be eligible, with the exception of goods and services obtained from the CBC or the National Film Board, since the program's rationale is to stimulate the private sector.

Applications will be assessed by the Film and Video Office and the Special Financial Services Board of the ODC, with final approval to be made by the ODC board.

A spokesman for the Film and Video Office said already four full applications have been received for the loan program, despite the fund still being in its very preliminary stage.

Grey Fox still strong

TORONTO — *The Grey Fox*, which won seven 1983 Genie Awards including best picture, has earned over \$500,000 at the Canadian box office during its first 11 weeks, reports Ron McCluskey, managing director of the film's distributor, United Artists Classics of Canada.

Engagements in Vancouver, where the film opened Mar. 25, and in Toronto, where it opened Apr. 8, have grossed over \$300,000.

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(cont. on p. 8)

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Neighbourly relations languish as suits pile up over copyright

MONTREAL — In the still-unreleased movie *The Man in 5A*, (working title *The Neighbour*) George Segal makes off with a bundle. In real life, various creditors are having a difficult time getting paid by the production, and interest charges and other fees are increasing the film's debt daily.

Only an important sale of the film could satisfy the obligations of Les Productions Claude Léger and Les Films du Neighbour Inc. The chances of making such a sale seem diminished since an advertisement appeared in Variety on May 11 stating that the film had been placed under "seizure before judgement" by FilmCorp Entertainment Finances Inc. in support of its claims against the producer.

Claude Léger, the film's producer, insists that the problems surrounding the film stem from the fact that it got caught just as the bottom fell out of the market. "It was the announcement of the McEachen budget which

caused the problems. Suddenly there was no market for a film, and everyone backed off." He also says that "some little problems" with the guarantees offered the Mercantile Bank, and some confusion about the rights to the film, have created an atmosphere which might now harm the film.

"When we had a closing, everyone signed, everyone agreed, and there were 18 people there, lawyers and accountants. Now one small complaint is being blown all out of proportion. Within one month's time, the whole thing will be settled, everyone will be paid back and the film will have the largest North American launch ever for a Canadian film," Léger says.

Everyone involved in a very complicated situation hopes Léger is right.

For the moment, the Mercantile Bank is trying to recover the \$3 million odd it loaned the production, with interest. The guarantees for the loan were a

letter of credit from H. Albert de Bary and Co. N.V., a Dutch bank (which in turn was secured by a guarantee by Dutch company Mueller International B.V.), a world-sales guarantee by Cambridge Films in California and a trust deed to cover the assets — including the copyright to the film — of Les Films du Neighbour Inc. Mercantile asked for and received a backup guarantee from Télémétropole.

For its part, FilmCorp Entertainment, headed by Bruce Mallen, has filed suit in Quebec's Superior Court to try and receive payment of \$752,490 it loaned the production.

In his affidavit, Mallen charges the defendants (Les Films du Neighbour Inc., Les Productions Claude Léger Inc. and Claude Léger) with "fraudulent misrepresentations and manœuvres." Mallen claims that the production had offered FilmCorp guarantees by "insolvent parties", and had assigned receivables to the Royal Bank

while promising these same receivables to FilmCorp. Moreover, FilmCorp maintains that the production never had a clear title to the screenplay or the motion picture, despite assurances to the contrary. The copyright, registered in Ottawa, is assigned to the Royal Bank, according to Mallen's statement. (Sonolab, a division of Télémétropole, is named as a their party to the action for seizure).

The Royal Bank of Canada has also lodged a suit; this time against Léger's lawyer, Charles L. Smiley. Smiley had undertaken to pay all debts owed the bank by Léger up to a limit of \$150,000. The bank is asking Smiley for that sum, plus interest and costs, but Smiley, in his Defendant's Plea, claims he owes no such sum. He claims that, by going to Holland with Léger and securing the letter of credit for Les Productions Claude Léger from Bary and Co., he had discharged his obligations to the Royal. He further claims that he negotiated with Mueller, and the bank was fully aware of all his actions during this period. (According to that agreement, Mueller contributed a letter of credit to cover the \$3.15 million referred to in the letter of credit from Bary, used to secure the Mercantile loan. For his trouble, Mueller was to be paid 15% of the letter of credit.)

To date, the Dutch bank has refused to cash the letter of credit in the hands of the Mercantile, which has requested payment from Télémétropole. Since the payment has not been forthcoming, the Mercantile is currently suing Télémétropole presented by Smiley.

Meanwhile, representatives of the Mercantile state that negotiations they, as the first creditor, have also started in

Amsterdam, but these may take years. People close to the Mercantile suggest that the situation grows more complicated every day, but the bank is still looking for offers to buy the film.

In many cases, loans to Les Productions Claude Léger were secured, in part, by assigning the copyright of the film to the creditor. Yet the ownership of this copyright seems one of the most contentious points. FilmCorp, the Mercantile and the Royal Bank all appear to hold the rights. For the moment, the film is physically at Sonolab. Mallen would like this film to be seized to stop all efforts to sell it until he is assured of some return on his loan.

"This whole thing," Smiley explains, "is just a lot of reasonable people having reasonable doubts about pieces of paper."

One last piece to the puzzle. Film agent Sy Jacobson of Limelight Productions in Richmond, Virginia was recently in Montreal. He is the chap who finally bought *The Lucky Star*, also a production by Claude Léger; that sale was eventually made by Télémétropole. Asked to confirm reliable information that Jacobson was interested in buying the film and was, in fact, the owner of the copyright of the film, Judy Thayer of Limelight responded, "I think your information is completely correct, but let me get back to you." She never did.

Citadel (cont. from p. 7)

Faye Dunaway, which was screened at the *Hercules*, starring Lou Ferrigno, to MGM/UA under the new deal.

Citadel's next Cannon release is *Sword of the Barbarians*, scheduled for the fall.

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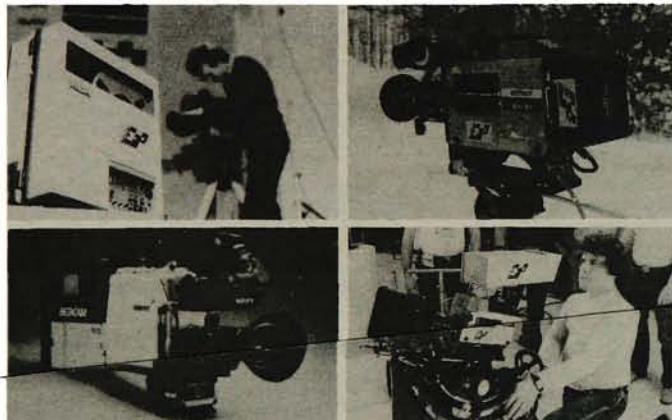
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SHOOT ALBERTA

by Linda Kupecek

Superchannel in Alberta, besieged and barraged by over 350 submissions, has negotiated several deals with Alberta producers, announced creative development manager Ed Richardson recently.

Since Feb. 1, Marc Schoenberg of Juma Productions has been shooting *Movie Week*, a weekly movie guide and review, at CFRN. Doug Hutton of Doug Hutton Video has produced nine episodes of *Devil's Lake Corral* music specials. At ITV, Ben Gordon has produced two episodes of the comedy show *Last Satellite*.

In development is a 90-minute pilot for a family action-adventure series, *Striker's Mountain*, to be produced by Wendy Wacko in and around Jasper. Also in the works is a comedy show by an Edmonton producer.

Meanwhile, other projects include two equestrian events shot by CFCN at Spruce Meadows in Calgary, and a children's series, also in development.

The supergold available on loan from the Alberta Motion Picture Development Corporation is being showered selectively on Alberta producers, with a few sprinkles out-of-province.

Among the recipients of the loans: Maxine Samuels of Four Nine Film Productions in Calgary for John Ware project, a 2 1/4 hour movie aimed for pay-television. Samuels has attracted other funding and support from CFDC, as well as a development contract against licensing from First Choice. The story of the black pioneer cowboy, originally slated for a fall '83 shoot, has been postponed to the spring of '84, because of the need for a diversity of seasons, as well as the temporary cash flow problems of First Choice, reports Samuels. Rob Forsythe (CBC's *Vanderberg*) is the writer of the \$3 million venture.

• Wendy Wacko of Wacko Productions in Jasper for the pilot of *Striker's Mountain*.

• Nick Bakya of Tinsel Media of Edmonton for *River of Bones*, a co-production with NFB, the loan being for research and development only. The 60-minute \$250,000 documentary about early paleontology will shoot in August in Drumheller. Also receiving approval in principle is a loan to Tinsel Media for *Blood Sweat and Cheers*, a TV series about the psychological aspect of sports.

• Michelle Stirling and Per Asplund of Calgary for a feature film based on *The Studhorse Man*. The loan has been granted in principle with the terms under negotiation.

• Michael Spencer, David Patterson and Pieter Kroonen-

burg of Filmline in Montreal for a six-part mini-series based on Rudy Wiebe's *Temptations of Big Bear*. Pete White in Edmonton will write the treatments, slated for a fall '83 or spring '84 shoot.

André Lamy and Donna Wong

Juliani of the CFDC, and Roman Melnyk of the CBC, met with Alberta filmmakers in Calgary in late May to unveil and demystify the new Canadian Broadcast Program Development Fund. "Every Canadian is equal before the CFDC," said Lamy in response to questions about regional distribution of the funds. Bill Marsden, director of the Film Industry Development Office of Alberta Economic Development, commented "If I were still in the private

sector, I would know there is money available that wasn't available last month, and I would be trying to capitalize on it. This is the most impressive recent development in the industry in terms of regional access."... Famous Players opened Studio 82 in Calgary on June 17, and will open a five-plex in the West Edmonton Mall on Aug. 19... Peter Campbell of Dreamland Pictures has directed and co-produced (with Kicking Horse) a one-hour film covering

the Mr. and Mrs. Nude Entertainment of Canada competition... Tinsel Media is developing a series on the politics of heroin, *Veins of Darkness*... Renfrew Insurance in Calgary is now providing insurance to the entertainment industry after a successful stint with Eda Lishman.



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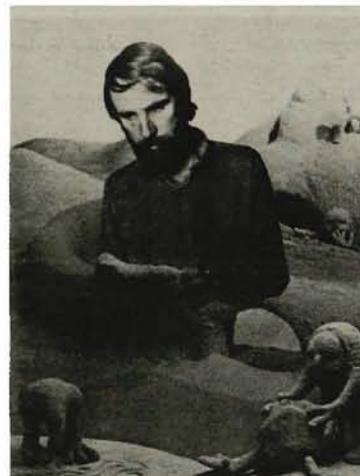
NEWS

NFB Animates Paris

A summer-long exhibit of the work of the NFB's French animation studio opened in Paris at the Canadian Cultural Center June 16. "Portrait d'un studio d'animation" includes selected films and displays of animation sets and technical equipment. Animators from the studio will be present throughout the summer to field questions from visitors and to demonstrate the variety of techniques used in the studio. As well, Co Hoedeman, Pierre Hebert, and Jacques Drouin will give special weekend demonstrations of their individual techniques. According to Yves Leduc, coordinator of the exhibit, "Portrait" was designed to reveal "all facets of the art of animation—the people, the philosophy and the films." A handsome 90-page brochure about the studio has been published as both a companion piece to the exhibit and as a resource document for film students and others interested in the history of animation. Following its run in Paris, the exhibit will travel to Holland in the Fall, to Brussels in March, and then back home for a national tour of Canada.

NFB Films on Texas T.V.

For the month of July, Texas television station, KERA, will telecast NFB documentary and feature films as part of its salute to Canada. KERA is boasting to be the first American television station to run such a Canada film program. "The series is patterned after the Canadian film retrospective at the Museum of Modern Art in New York... but this is the first time such a collection



Co Hoedeman

has been shown on television in this country (U.S.)," said Christina Worden, manager of broadcast scheduling for KERA. Among the films included in the retrospective are documentaries directed by Michael Rubbo, Donald Brittain, and Bill Mason; and the controversial *Acid Rain: Requiem or Recovery*, which was labelled political propaganda by the United States Justice Department.

BUMPER YEAR FOR NFB AT AMERICAN FILM FESTIVAL

Nine NFB films earned awards at the American Film Festival in New York (May 30 – June 4). Sponsored by the Educational Film Library Association (EFLA) the American Film Festival is one of the largest audio-visual markets. All blue and red ribbon award-winning films will be retained by EFLA for special public

screenings in the U.S. First place Blue Ribbons went to:

- *A War Story*, a feature documentary directed by Anne Wheeler, in the history category;
- *Steady as She Goes*, an NFB Ontario Regional Production directed by Robert Fresco, in the crafts and hobbies category;
- *Top Priority*, an animation film directed by Ishu Patel, human concerns category;
- *If You Love This Planet*, directed by Terri Nash for the NFB's Women's Studio, nuclear issues category;
- *Acid Rain: Requiem or Recovery*, commissioned to Crawley Films Ltd. by the NFB for Environment Canada, environmental issues category.

The American Film Festival awarded Red Ribbons to:

- *People at Work: A Right to Refuse?* directed by Clayton Bailey and produced by the NFB in cooperation with the Canadian Labour Congress, Labour Education and Studies Centre, in business and industry category;
- *"E"*, an animated film directed by Bretislav Pojar, humor and satire category;
- *Magic in the Sky*, directed by Peter Raymont and co-produced by the NFB and Investigative Productions, in the lifestyles and profiles category;
- *Distant Islands*, directed by Bettina Malone received honorable mention, in the animation category.

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John Trent

TORONTO - Producer and director John Trent, one of the Canadian film industry's most prolific and outspoken participants, was killed June 3 in a car crash near Snelgrove, Ont.

Trent, 47, was alone in his car returning to Toronto from his farm near Caledonia, Ont., when he collided head-on with an Ontario Provincial Police cruiser on Peel regional Road Nine.

The cruiser, driven by OPP Constable Wayne Bell, had pulled out and passed a school bus when the cars collided. Bell, 30, suffered minor injuries. The accident is under investigation.

Born in London, England, Trent came to Canada shortly after attending the University of London. He is survived by his wife Julia, 49, and two children, Allistair, 15, and Sara, 12.

Trent had a varied career both with the Canadian Broadcasting Corp. and in the private production sector. For the CBC, he was the producer of such early dramatic series as *Wojeck* and *Quentin Durges MP*, and

the first Canadian soap opera, *Moment of Truth*, also produced for NBC in the U.S.

Trent produced the CBC mini-series *The Whiteoaks of Jalna, Riel, and Krieghoff*, along with *The Albertans* and *Fighting Men*. His directing credits include *The Great Detective*, *The Phoenix Team*, *Crossbar*, *Blind Faith* (nominated by ACTRA as one of the top TV productions for 1982), and *Moving Targets*. At the time of his death, Trent had just completed directing three episodes of the upcoming drama *Backstretch*.

"He could produce, put deals together, direct, he brought style to a film," said CBC drama head John Kennedy. "He did some of the nicest things CBC has ever done. He was a first-class producer and director."

"I felt he was just hitting his prime as Canada's top director. It's an incredible tragedy, a terrible blow," said Keith Leckie, who wrote *Crossbar*, and was also developing a sequel to that film this year with Trent.

Leckie remembers working

on an early production of Trent's. "I was nailing a board on the set. John didn't like the way I was doing it, so he took the hammer and nailed it himself.

"He had an incredibly high energy level on set - you had to rise to his level."

Leckie also said of Trent's work on *Crossbar*, a film which cut between actor Brent Carver and one-legged jumper Arnie Bolt, "I don't feel any director working in Canada could have done a better job, both technically and dramatically."

Anne Frank, who produced *Moving Targets*, especially admired Trent's talent in taking the hardware needed for a story about air-traffic controllers and making it dramatically effective. "He found whatever it was necessary to make those machines come alive," she said.

"John felt very good about it (*Moving Targets*). He worked with the actors and improvised a lot, fleshed out the script. He told me he felt it was the best team effort he had been involved with."

Many people felt Trent's best film was *Homer*, a coming-of-age drama he made in the U.S. Trent was also involved in about 10 productions at Quadrant Films with producer David Perlmutter, including *The Neptune Factor*, *Find The Lady*, *A Day in the Country*, *Blue Blood*, *Malachi's Cove*, *It Seemed Like a Good Idea at the Time*, and most recently, *Misdeal* (now titled *Best Revenge*), a film seized by a bank when its producers failed to sell its tax shelter units.

Trent sued the bank for his contracted right to a final cut, after the bank had seized the print, claiming the action could set a precedent against other artists. He lost, and the film, which according to producer Perlmutter is still unfinished, has yet to be screened in Canada.

"He contributed a lot to the industry," said Perlmutter of his former partner. "He wasn't only a producer, a writer, and a director. He was also an instigator."

"John Trent was a friend and a professional collaborator and I'll miss him," said John Eckert, producer of the 1979 production *Middle Age Crazy*, starring Bruce Dern and Ann Margaret. Trent's work on the film was favourably received by critics.

"He was a trying, argumentative, and wonderful person. He was no saint," said Eckert. "We had our share of differences, but there were more agreements than differences. I enjoyed working with him."

Trent was a former president of the Director's Guild of Canada and a champion of an independent Canadian production industry. While the first to admit he took jobs occasionally on "schlock" films, Trent also publicly lamented the Canadian industry's inability or unwillingness to grow out from under the shadow of the U.S.

"I don't think, sad to say, that John will be remembered for his work on the screen," said Stanley Colbert, a personal friend and executive producer on *Riel*.

"John was on the edge of fulfilling himself, but that was abruptly cut short. What he had done on-screen and off-screen was preparation for what he still had to offer."

"He had a sense now of what he wanted to do. It will be sad for us all not to see it."

Errata

The photographer's credit accompanying the photographs in Cinema Canada No. 97 was inadvertently omitted and should have read: *Photos: Yves Bélanger*.

Cinema Canada apologizes to the many readers who called to express their concern over the absence of the Production Guide in issue No. 97. Due to last-minute considerations of space, the section could not run. It is hoped that this month's ample Production Guide adequately makes up for last month's omission.

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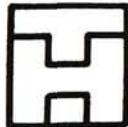
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Film Canada Center's future doubtful as feds ponder policy

MONTREAL — The Film Canada Center in Los Angeles may be one of the victims of the belated federal film policy. Its monies run out on Sept. 1 and, for the moment, no one seems ready to foot the bill until the federal policy clarifies its situation.

According to Roland Ladouceur, head of the Film Canada Center, opinion is unanimous that the Center is accomplishing what it set out to do: to build a bridge between the private sector and the American film industry. To date, its entire operating budget was covered by the National Film Board, despite the fact that no NFB activities took place at the FCC.

All indications, says Ladou-

ceur, are that the federal policy will put the Center on more permanent footing, perhaps transferring it to the CFDC or to an independent body within the department of Communications in Ottawa.

The Board, however, is hard-pressed for funds and must choose between the FCC and other priorities like regional offices. The CFDC shows no indication of being willing to step into the breach, and the DOC has no ready answer, says Ladouceur. A meeting of the principals is scheduled during the World Film Festival of Montreal to try and resolve the difficulty.

Toronto's industry news in brief

TORONTO — Independent producer/director Richard Zywtkiewicz of Zyzosner Productions has edited his comedy pilot *Guilty Pleasures* into a half-hour version, and is talking with producer Jack Rhodes (who helped launch *SCTV*) about handling the show in syndication. Zywtkiewicz also reports that a 90-minute drama he co-produced and directed last winter, *The Apartment on the Dark Side of the Moon*, has been picked up by the Eridan Corp., a San Diego-based video distributor. Eridan has invested \$250,000 in the production to complete post-production and pay for promotion.

Alcliff Productions Inc. have begun taping for a second season of *Fighting Words*, a talk/debate show hosted by Peter Gzowski. The show is being taped at CHCH's Hamilton studios for broadcast on the station this fall, produced by Alan Gordon and Cliff Solway... Picture edit is completed on *Indigo*, an Insight Production for Superchannel and the CBC. Sound edit on the musical special is still underway in Toronto... *Billy Bishop Goes To War*, the Primedia/BBC co-production starring Eric Peterson and John Gray, will be recast on CBC July 2.

RSL Films has opened a Toronto office at 175 Bloor St. East. Robert Lantos will head up operations, which will be mostly TV production, with the assistance of Arleen Glickman. Stephen Roth heads the company's Montreal office... Nadira Somwaru has been appointed assistant to Cineplex Corp. vice-president of communications Lynda Friendly, replacing Ilona Pokol, who moves over to assist Cineplex's home video and pay-TV head Doug Brooker... Sheila MacVicar has been appointed Ontario reporter, based in Toronto, for CBC's *The National*.

She has previously worked as a CBC News reporter in Toronto, Montreal, and Calgary.

Three Daytime Emmy Awards were won by *Lorne Greene's New Wilderness* in New York June 7. Robert Ryan won for best cinematography, Les Brown for best editing, and Jack Urbont for best music composition/direction. The show is seen on CTV... Playing With Time, in association with TV Ontario, recently premiered a half-hour documentary on adults learning to overcome illiteracy, *Don't Call Me Stupid*, produced by John Helliker and Linda Schuyler and directed by Kit Hood.

The Ontario government has announced a special committee to study the relationship of government to the arts. Chairman is Robert Macaulay, with Geraldine Sherman and Peter Day. Bruce McCaffrey, Minister of Citizenship and Culture, announced the project in the legislature April 28.

York University honoured three film students at the convocation for the Faculty of Fine Arts June 17. Bryan Bruce received the Famous Players Maple Leaf Award of \$100, Mary Carty won the \$500 Sterling Campbell Scholarship, and Ruth Taylor the \$250 Mactronix Award.

TORONTO — York University film professor Vincent Vaitiekunas was one of seven professors honoured with the Ontario Confederation of University Faculty Associations (OCUFA) 1983 Teaching Award.

Active in the Canadian film industry since 1959, Vaitiekunas has made several independent films, including *Multiplicity* (1970) for Crawley Films, *Explore Expo '67* for Alcan, *Strike: Men Against Computers* (1965), for the CBC public affairs show *This Hour Has Seven Days*, and most recently, a feature, *Lakeshore* (1982).

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Produced by Roy Krest

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(MCA/Universal)

Produced by George Tavelman

MOTHER LODE

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Actor, writer, mover, shaker, Charles Dennis churns them out

MONTREAL - "I know what I do at long last - directing films involves everything I'm best at."

Charles Dennis was on a promotional tour, sponsored by MacMillan, to flog a re-edition of some of his eight novels. He spoke with Cinema Canada about his career, and the new

opportunities he now has to get into filmmaking.

Dennis is from the 'Hey-guys! Let's-make-a-movie' school of filmmaking. Energetic, confident, he sells himself and his projects with ease. And like those other kids who wanted to make movies long ago, Dennis started his career as a child

star, playing at the Children's Theatre in Toronto for five years.

Events followed in quick succession. At 16, he wrote, produced, directed and starred in "Catcher in the Rye" at the Coachhouse Theatre. He worked in master classes under Eli Rill, and played the Red Barn

Theatre at 17. He graduated from the University of Toronto while working as second-string film and theatre critic at the Toronto Telegram, "did" Stratford in 1967 and flew off to California in 1968.

In L.A., John Vernon put him up on a couch for a while, and then sent him to Donald and

Shirley Sutherland's to live. He wrote, "did" the TV show "The Dating Game", got cast and then un-cast in "But Seriously" which played in New York. Richard Dreyfus finally playing the lead. Hassled by immigration in the States, he returned to Toronto. Anxious to get back on the stage, he wrote and then starred in three one-act plays called "Everyone But Mr. Fontana" which he says was a "great success" at the Colonnade. From the time he began to write the plays until the curtain rose on opening night, only 30 days had passed.

And so it went. During six years in England, from 1969 to 1975, he directed a West-end musical, created a TV series and published his first novel. Seven years in Los Angeles brought him writing assignments, enough money, and 14 scripts, none of which were ever produced. His 35th birthday went by and he realized that nobody knew who he was, and that he wasn't certain either.

His unlikely saviour was Pierre David of Filmplan International who asked him to write *Models*, retitled *Dreamworld*. He not only wrote it, but acted in it and cast the male players, old friends like Ken Welsh, Henry Ramer and others whom he fondly refers to as "my Rep Company." (Before that he "did" *Double Negative* which got him little attention.)

Now his star is rising. Teamed up with Sean Ryerson and Damien Lee, Dennis is directing films which he writes from ideas others have. And he loves it. Damien Lee, who through Rose and Ruby Productions had been active mainly in filming sports events and working with Club Med ("The smartest thing they did was to offer the investors a free week's vacation for two at the Club Med"), gave Dennis a 25-page treatment of his own story. In record time, *Reno and the Doc* was written and filmed, bankrolled by Larry Nesis.

From an idea of Nesis's, Dennis wrote *Girl Bikers* which is a "very affectionate send-up of various genres" and due to start filming this month in Ontario. "What we have here is Warner Bros. without the over-head," exudes Dennis.

Meanwhile, Richard Lester is set to shoot *Next to Last Train Ride* for 20th-Century Fox in Calgary this summer; at long last, an adaption from a novel by Dennis. As he says, "Any way you look at it, this is a big Charles Dennis season."



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