

### Changes bolster Canadian content

TORONTO – Minister of Communications Marcel Masse announced the long-awaited changes to the Broadcast Fund here on Mar. 15. At a press conference Masse, flanked by deputy minister de Montigny Marchand, DOC officials and private consultant Paul Audley, predicted the revisions would lead to at least \$125 million worth of Canadian programming in 1985-86 and the equivalent of 5,000 full-time jobs.

Major changes include:

- The Fund may finance up to 49% of 100% Canadian content programs as defined by CRTC criteria. Under the old guidelines Telefilm was limited to a one-third investment regardless of the level of Canadian content.

- Telefilm may increase its participation in a project by matching dollar for dollar license fees paid by Canadian broadcasters, conventional or pay, to a maximum of 49% of the projects budget. This provision will only apply for 1985-86 and is designed to increase the production value of Canadian programs. Masse noted that "this approach provides a completely objective basis for offering additional financial support to production projects which directly reflects the degree to which broadcasters are committed to each project. It will encourage the development of an orderly market for Canadian television programs, exploiting fully all components of the domestic broadcasting market."

- Telefilm Canada may use up to 10% of its funding each year to support the development of scripts and production projects. Producers have long claimed that development has always been the weak link in the production chain. Under the new guideline Telefilm can make available up to \$5.4 million for development in 1985-86. As with program financing development funds will only be released to a producer where a broadcaster has indicated interest in the project.

- In a related measure the Broadcast Fund will be able to provide up to 49% of the financing for pilots of television series.

- Documentary programs of at least 30 minutes in length will now be able to access the Fund provided they are suitable for prime-time exhibition. Previously, only documentaries masquerading as performance pieces, such as Primedia's film about the National Ballet, *Bold Steps*, were eligible for Fund support.

- Provincially owned educa-

tional broadcasters, such as TVOntario, Radio-Quebec, and the Access Network in Alberta, will henceforth be able to access the Fund directly for prime-time entertainment programming. Until now producers could only trigger Fund support with a letter from private off-air broadcasters or the CBC.

- In a move that caught pay-TV off-guard, pay broadcasters are locked out of the Fund. Masse noted that the money for the Broadcast Fund comes from a 6% tax on cable companies paid by their consumers. He said that he had to make sure that that money goes back to the people who paid it in the form of programming. Pay-TV does not meet the criteria of having a signal that is "freely and widely available."

- Telefilm-funded projects will have to be distributed in Canada by Canadian companies. This has been the case till now but the provision was not spelled out in the previous guidelines.

- CBC will commit \$15 million to the private sector for Telefilm-funded productions. After the CBC budget cuts Pierre Juneau announced a freeze on CBC purchases of private production, throwing the private sector into a tailspin. In the Fund's first full year of production, over 80% of the Broadcast Fund was accessed via the CBC. The CBC last year committed \$24 million to Telefilm funded projects. Although CBC's commitment for 1985-86 is substantially less, it will have greater leverage under the new guidelines resulting in about the same total level of production at \$75 million.

In announcing the changes Masse emphasized that the "fundamental guidelines originally established are sound." In particular, production must be market-driven via a broadcaster's letter of intent. Secondly, "as a general policy the Fund should continue to be limited to providing one-third of the financing for television productions. That general formula should be exceeded only in specific and precisely defined circumstances."

The new policy guidelines come into force April 1.

Masse made it clear to his audience of press and leading figures in the TV and film industry that the Telefilm changes were only a short-term solution in developing a stable Canadian production industry. He stressed the "fact that the re-

view of the Broadcast Fund has raised many issues that cannot be properly resolved either by changes to the criteria which govern access to the Fund or changes in the way that Telefilm administers the fund." He noted that the "resources that public and private broadcasters in Canada make available for the purchase of Canadian television programs may reflect many different influences – including the strength of the private broadcasting industry, the way the industry is structured, the regulatory policies of the CRTC, the existence or absence of effective tax incentives, as well as the mandate of the CBC and the way the CBC interprets that mandate." Masse noted that all of those issues would be addressed in the general review of the Broadcast policy. A reliable source indicated that the review process would be completed sometime in the fall of 1985.

The new Telefilm guidelines appear to signal a shift from the Liberal's internationalist, co-production policy, as the funding formula will now allow more Telefilm dollars to flow into 100% Canadian content productions.

One of the effects of the new formula may be to boost regional productions which are more likely to meet that Canadian content requirement.

In making the announcement Masse said that "the Fund must support a genuinely national production industry, drawing effectively on the creativity and the resources of all parts of the country." He added that "the revised criteria also reflect an awareness that it has always been more difficult for independent producers to arrange the necessary financing for projects that are fully Canadian, however important those projects may be culturally."

He also indicated that he would like to see more Canadian productions emanating from the private broadcasters who in the past have not been overly active in the financing of Canadian programmes.

In a warning statement, Masse said, "I shall be communicating to the CRTC my conviction that, where private broadcasters have adequate resources available, they should be expected by the Commission to make a responsible commitment of air time and funds to the kind of projects supported by the Fund." Last year, private broadcasters accounted for less than 20% of Broadcast Fund projects.

### CBC layoffs leave many problems unresolved

TORONTO – With the April 1 deadline for the CBC layoffs passed, many issues remain unresolved between CBC management and the three CBC unions – the Association of Television Producers and Directors, NABET and CUPE.

NABET official Bryon Lowe told Cinema Canada that "arbitration will continue through the summer." Len Carter, press officer for CUPE Local 667, confirmed that there were many unresolved disputes waiting on arbitration. Kathy Viner, executive director of the producers' union, said that all of her union's cases – 22 producers were laid off – were going before arbitration.

Negotiations have been complicated by bumping provisions in the union contracts which allow for a laid-off senior employee to take over the job of a junior colleague. Lowe said that the "Corporation has made things difficult because they picked people with 15 to 16 years seniority thereby creating a ripple effect because of the bumping. They should have dealt with the most junior people."

To make matters worse, a controversial ruling by federal labor arbitrator, Andre Sylvestre, allows CBC managers who at some time in their careers have worked within a union to

bump back into that union. Carter said that management bumping was ridiculous. He noted one case where a management veteran was bumping back into a union job she had done for eight months 21 years previously. He suspected management bumping was a way CBC could keep their managers and shift them into other positions later on. He added that managers who have not had technical upgrading would not be able to do the work.

As a result of the arbitration ruling, CUPE may institute a ban on overtime which would severely disrupt productions which are often worked on intensively over a period of several weeks.

Viner noted that her members had refused to bump back into the bargaining units.

All three unions were bitter at the way CBC has handled the layoffs. "Relations with management have been strained," said Viner. Carter felt "there was a tremendous amount of bitterness." For Lowe "the process has been acrimonious. We were completely taken aback by the lack of humanity shown by the Corporation in an admittedly difficult situation." Lowe asks "Why didn't they come to us and say we have to reduce staff by

*cont. on p. 30*

### Artists' protest in Ottawa yields "useful day"

OTTAWA – Contrary to negative reports in the dailies, the Mar. 20 protest by 40 arts groups under the umbrella Coalition for Canadian Cultural Survival was "a very useful day," according to Brian Anthony, national director of the Canadian Conference of the Arts, the principal arts lobby behind the protest.

For the first time, a representative of the arts and culture sectors, CCA president Curtis Barlow, was invited to participate in the National Economic Conference which got underway two days after the protest against Conservative cuts to cultural agencies.

"The two events coming together really helped," Anthony told Cinema Canada. "The message was delivered, and we got in on the consultation process. One of the benefits (of Curtis Barlow's presence at the summit) was his ability to meet with people from different (eco-

nomic and policy) sectors as well as cabinet ministers. I think we've made a broader and longer-lasting impact."

If Prime Minister Mulroney did not have time to meet with the protesting artists, other members of the Cabinet did, notably Communications minister Marcel Masse whose contacts with the cultural community has in recent weeks been "more extensive than (predecessor) Francis Fox managed in his entire career," as one Toronto film industry source put it.

"I've met with the minister (Masse) on several occasions," Anthony told Cinema Canada. "I know him to be very eloquent in French. A lot of people in English Canada don't give him the benefit of the doubt, but I get the impression he's energetic and intelligent and wants to do the right thing."

*cont. on p. 28*



## Agreement reached on Joshua

TORONTO - A tentative agreement has been reached among the interested parties in the intricate financing of *Joshua: Then and Now*. Motion Picture Guarantors (MPG), Lloyds of London, Telefilm, CBC, RSL and several banks involved in the financing of the film have worked out a settlement in principle to enable completion of the film.

Douglas Leiterman, executive officer of MPG, told Cinema Canada that under the terms of the agreement "MPG will contribute \$1 million and our reinsurers (Lloyds) will contribute \$486,363 plus a further \$100,000 if required. Other amounts will be contributed by Telefilm, CBC, RSL and other beneficiaries for the enhancement of the film. MPG will return full control to the producers. MPG or a representative of the investors will remain a signatory on cheques."

*Joshua* produced by RSL and directed by Ted Kotcheff from a script by Mordecai Richler, has been plagued with financial difficulties almost from inception. Severe budget overruns, amounting to about \$2 million, forced competition guarantors to take control of the film on Dec. 10.

As the most expensive Cana-

dian financed film (originally \$9.2 million, now over \$11 million) *Joshua* required complex financial agreements among producers, Telefilm, CBC, the banks and distributor Twentieth Century Fox. Twentieth Century has agreed to advance \$2 million on delivery of the finished film. The overruns essentially created a new kind of movie which required the agreement of all parties. Negotiations on the distribution of the additional financing for the enhanced movie has been going on for months. CBC's Rudi Carter told Cinema Canada that they had been close to agreement two or three times before. He added that although an agreement in principle has been reached, nothing has been signed. Until the agreement was signed he could not comment, he said. Peter Pearson of Telefilm was equally tight-lipped. He told Cinema Canada he anticipates an early resolution. He noted that "the business of every project is Byzantine. Any alteration of any financial arrangement is extremely complex. However, I anticipate a hugely successful movie."

Leiterman commented that although MPG has legal control of the film, RSL has been pay-

ing for post-production since Jan. 28 when an agreement in principle had been reached. He added that when MPG took control of the film it put in \$600,000 "to pay urgent unpaid bills." That will be raised to \$1 million as soon as the final papers are signed. "That is MPG's own cash contribution as separate from the reinsurer's," said Leiterman. He added that "credit for working out the final terms of the claim should be given to the adjuster for the underwriters who has worked tirelessly to achieve it. Everybody is putting in extra money but no one has come near the \$1 million we're putting up."

This is the largest claim MPG has paid out on a completion bond. Its fee for undertaking the completion guarantee of the film was \$450,000. Since *Joshua* MPG has bonded 12 pictures including *Murder in Space*, *Night Heat* (for RSL), *Street Comedy*, *Floating*, *Evangeline Deusse*, *Samuel Lount*, and *My American Cousin*.

MPG currently has pictures running in Argentina, Australia, New Zealand and the United Kingdom as well as the largest bonded picture in history, *Peter the Great*, shooting in Russia for \$35 million.

Leiterman noted that "MPG pays its claims out of its loss reserves. It has paid four claims this year including a claim in France on which a settlement in principle has been agreed."

## Shamir and Masse sign treaty on Israel-Canada coproduction

TORONTO - Canada's Communications minister Marcel Masse and Israel's vice-premier and minister of foreign affairs, Yitzhak Shamir, signed a film and video co-production agreement here on Mar. 18. The ceremony was witnessed by leading figures in the Canadian film and TV industry including Garth Drabinsky, president of Cineplex, Moses Znaimer, president of City-TV, Murray Chercov, president of the CTV network, and Simcom's Peter Simpson.

Masse told the gathering that "this agreement will foster the co-production of films and videos that will enhance the prestige of the Canadian and Israeli private-sector film and video industries, contribute to their economic growth and encourage exchanges between our two countries in these areas."

In 1978 Canada and Israel had signed a feature-film coproduction agreement. One film was produced under that agreement in 1982. The new agreement reflects the impact of changing technologies in production and distribution by including all forms of film and

video products and all distribution methods.

Under the terms of the new agreement, official coproductions will be eligible for all financing programs available to the private film and video access to tax incentives in both countries. In addition, both governments will use all available means to promote the importing, distribution and exhibition of each other's film and video productions.

Sam Jephcott, executive director of the Canadian Film and Television Association, commented that "while the Association supports international coproduction treaties, we find it amusing to witness a renewal where the number of officials visits have exceeded the number of productions under the treaty in question."

After the signing and Shamir's departure, Masse remained behind to exchange views with industry leaders.

MONTREAL - *Jacques et Novembre* production Les Productions du Lundi matin Inc. are developing a new feature, *Duluth et St-Urbain*.

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Published by the Film Studies Association of Canada in conjunction with Cinema Canada magazine



# General approval meets new Broadcast Program Fund regulations

TORONTO - Reaction to Communications minister Marcel Masse's Mar. 15 announcement of new guidelines for the Broadcast Fund has generally been positive.

Stephen Ellis, president of the

## Conference of the Arts

cont. from p. 26

"I'm encouraged by the fact that he has turned to the Canadian Conference of the Arts as a source of advice. I get the impression he's well-intentioned and has more broad-based support in Cabinet than his predecessors.

"How that translates into reality is another thing."

According to Anthony, "if there are no unpleasant surprises in the budget, we can hopefully turn to some mid- to long-term planning in cultural strategy. Masse, I think, may have been misunderstood so far. If we can get more Cabinet ministers around the table, it should be possible to evolve a *de facto*, real cultural policy. But that isn't likely to happen unless you've got the studies and statistics in real terms."

Within a month, the CCA intends to release a 20-page compendium of data related to the economic size and impact of the cultural sector in relation to the overall economy.

"But providing the economic data in policy-neutral terms is only a beginning," cautions Anthony, and will be followed up with further meetings with cabinet ministers. "We'd like to have a look at every non-cultural program and see what cultural benefits can be shaken out of them," he adds.

"When you look at all Canadian economic activity, there isn't a single sector that isn't subsidized. Government accepts that it has to intervene in agriculture, for instance. If you add up government intervention in all sectors, you see that the expectation that culture pay for itself is simply erroneous. There's no point strengthening cultural industries, unless at the same time you strengthen the end-source. If writers can't make a living writing books, what are publishers going to publish?"

Some of the specifics the CCA intends to look at in up-coming months include the training needs and concerns of the cultural community via Employment and Immigration programs, cultural export development programs via the Federal Business Development Bank, as well as a study of "the extent of Canada's cultural trade deficit compared to outflow."

"If we can do that in the next three-four years," concludes Anthony, "we can change a lot of things."

Canadian Film and Television Association, told Cinema Canada he is "very pleased. An awful lot of what the minister said is what we asked for. We are delighted the government has taken it to heart."

For John Walker, chairman of the Canadian Independent Film Caucus, representing documentary filmmakers, it "was a victory for us. We feel that the changes in the Telefilm Fund are a recognition of the vital role played by the documentary film in the development of Canadian culture and identity."

He noted that CIBC's next battle was to convince "Canadian television networks, particularly the CBC, to participate in the productions and televising of independently produced documentary films." At the moment CBC's major showcase for such work is *Canadian*

*Reflections*, a half-hour series whose survival has been the subject of uncertainty.

The CIBC was organized last autumn to represent independent documentary filmmakers. For the last few months the CTFA has been wooing the CIBC to join its ranks. But Walker, while content to cooperate with the CFTA, wishes to maintain his independence. He told Cinema Canada that "the strong desire from members is to maintain our independence. Our priority now is to build membership across the province."

Private broadcasters have also reacted favourably to the Telefilm changes. However, David Mintz, president of Global TV, expressed the private sector's continuing concern with Telefilm's recoupment position. Under the existing guidelines Telefilm is first in line to

recoup its investment in a project. This has been a subject to continuing debate with the private sector which feels the policy frightens-off private investors. In a question to Masse, Mintz noted that 100% Canadian productions are least likely to recoup their costs because they lack international sales-appeal. With Telefilm taking its 49% it would appear that the chances for a private investor to break even are slim. Masse responded that he did not like such a pessimistic approach.

Paul Audley, the private consultant brought in by Masse to oversee the CBC cuts and prepare a report on Telefilm changes, told Cinema Canada that Telefilm's recoupment position had yet to be considered. André Lamy, executive director of Telefilm, agreed and said that the matter is presently under discussion.

For Fred Klinkhammer, president and chief executive officer of First Choice pay network, the exclusion of pay from the Broadcast Fund was a "real surprise. The production community recommended our access to the Fund." He told Cinema Canada that he could not understand Masse's argument that Telefilm-funded programmes should be widely accessible. He said that, given an orderly market, a program seen on pay would eventually make its way to the regular broadcasting system. He said he has "written the minister expressing my confusion. We are the only players with specific spending requirements and we are denied access."

First Choice is in the process of preparing a brief to the CRTC to change Canadian content requirements for the pay networks.



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# Masse gives strong endorsement to CBC      Brief asks for more funds

TORONTO – In some of the strongest language yet, Marcel Masse, minister of Communications, reaffirmed the traditional Tory commitment to public broadcasting. Speaking before Ryerson film and television students on Mar. 26, Masse said that “the technologies apparent in broadcasting – such things as cable, satellites, video-cassette recorders – make a national public broadcaster more important than ever. Seventy-five per cent of our viewing time is spent watching American programs. But that does not mean that we should abandon our commitment to airing Canadian-made programs on our national television services. In fact, it means that a public, governmental commitment to providing a Canadian alternative is more important than ever.”

Although broadcast policies will be thoroughly reviewed in the coming months, he stated that “my government holds certain commitments which will not change: our commitment to the need for a national public broadcaster, to the service to the country that such a broadcaster must provide and our commitment to this country itself.”

Quoting the words of the Conservative prime minister, R.B. Bennett, who established the CBC in 1932, Masse noted that

Bennett’s “three principles – national sovereignty, equality of access and the airwaves as a national resource – are still in place today; are founded on our essential beliefs with respect to the role of government; and will not be forsaken by me or by the other members of our government. The commitment of our government to public broadcasting is unswerving and fundamental.”

Masse reiterated his support for CBC management and its president Pierre Juneau in particular. Quoting Prime Minister Mulroney’s speech to Parliament last November, Masse said “We have a high regard for Mr. Juneau and his accomplishments. That is a fact.”

In off-the-cuff remarks, Masse told his audience that Treasurer, Board officials last October wanted to cut the CBC’s budget by \$150 million. He said he convinced them that such an enormous budget reduction would severely affect the CBC’s role in the broadcast system. Masse said he was “optimistic” that CBC would be spared further cuts in the forthcoming budget, but noted that decision rests with Finance Minister Michael Wilson.

That evening Masse gave an abridged version of the speech to some of Canada’s leading developers and financiers at a reception marking the issuance

of the prequalification call for CBC’s Broadcast Centre Development Project. Hosted by Art Eggleton, mayor of Toronto, and Pierre Juneau, CBC president, the reception launched a \$500 million-dollar project which will see the consolidation of CBC’s English language production facilities on one site and the development of a multi-use site for commercial office, retail and residential/hotel uses. Located in downtown Toronto adjacent to Metro’s new convention centre and the proposed Dome stadium site, the project is “the largest urban development of its kind in North America,” said Janet Dey, director of planning and development for the Broadcast Centre Development project.

In an innovative move, CBC will lease the development site, which it owns, to a private developer who will finance and build the entire project. The CBC will lease back the broadcast and production facilities, thus becoming a major tenant.

Unresolved is how the CBC will finance the technical re-equipment which is estimated to cost \$100 million. Juneau told Cinema Canada that the money will come from the government. He said that the previous government had agreed to the financing but that the present government and the CBC have not had time to consider it. He added that the CBC has just resubmitted to the government its five-year capital budget.

When asked how the government could reconcile additional spending on CBC with its \$85 million cut including \$10 million cut in capital expenditures, Juneau said that “there is no contradiction between short-term cuts and long-term investment.” The capital expenditure for the Broadcast Centre would not start for another two years and would be spread over a five or six-year period.

CBC issued its pre-qualification call on Mar. 14. The call is the first in a two-stage competitive process to select a developer for the project. The purpose of the first stage is to arrive at a short list of developers with the experience, management expertise, financial capacity and imagination to undertake a project of the magnitude proposed. Developers have until May 30 to respond.

MONTREAL – Runaway box-office hit *La Guerre des tuques* has grossed \$832,333 in Quebec as of Mar. 7. After opening Mar. 1 in Toronto at five theatres, André Melançon’s kid flick grossed \$86,525 in three weeks. *La Guerre* opened Mar. 22 at one theatre in Hamilton, four in Edmonton and two in Winnipeg.

On Mar. 29, the film opened in Vancouver at four theatres.

TORONTO – In a brief to minister of Communications Marcel Masse, the Association of Television Producers and Directors, the CBC producers’ union, has recommended that “increased funding be committed to the CBC as the prime producer of Canadian programs and that the CBC be provided financing over a three-year period to allow it to undertake responsible program planning and growth and to acquire badly needed modern equipment compatible with the needs of the satellite age in communications.”

The document, entitled English Television in Canada: Response to Challenge, toned down some of the harsh rhetoric directed against the private production sector in a draft version reported in the last issue of Cinema Canada. While still challenging independent producers to prove themselves, the CBC producers concentrated on the question of Canadianizing television programming.

They recommend that Canadian content levels of at least 50% be achieved in public and private television by 1990. They asked that “a review of licensing standards for private broadcasters, be undertaken to

require them to increase their expenditures on original Canadian production.” In announcing changes to the Telefilm mandate Masse said Mar. 15 that he would be asking the CRTC to ensure that the private broadcasters make “a responsible commitment of air time and funds to the kinds of projects supported by the Fund.”

The CBC producers also recommended allowing pay-TV access to the Broadcast Fund. The producers urged Masse to establish an all-Canadian television network to be operated by CBC as a second network to “provide wider distribution of Canadian television programs both first-run and repeats.”

Finally, the producers asked that “discussion on the future of broadcasting in Canada should start with public hearings held by a Commons broadcasting committee or a Senate committee.”

## New Jutra film out

MONTREAL – Since opening Feb. 15 at one theatre in Montreal, Claude Jutra’s *La Dame en couleurs* grossed \$29,953 in seven weeks. Distributor is Les Films René Malo.

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## LEGAL EYE

by Michael Bergman

## Collecting on wooden nickels

In any walk of life where money has to change hands there is always a chance it won't. The film industry is no exception. If only few production companies default on their contractual obligations to their cast, crew and suppliers, the industry remains a high-risk business. Those who are not alert to the methods and means of covering outstanding debts may find the likelihood of payment significantly reduced when problems arise. The more immediate the initiation of recovery technique, the more likelihood of subsequently being paid. No amount of nasty letters, court cases and judgments will prove effective if the debtor does not have the means to pay. Most film production companies have been specially incorporated for a single purpose — the making of a single motion picture. Consequently they are not an ongoing operation continually in business upon which a creditor may rely should the immediate project completely fail.

A production company's ability to pay is contingent on essentially two factors. First, the budget of the film which normally comprises all its expected expenses and is initially the only amount of true cash in the company's coffers; and, second, the amount of any revenue or income from the project itself, an amount of money which after prepayment of exhibition and distribution expenses may only slowly, and in a greatly diminished amount, trickle down directly into the company's hands.

All this, of course, means that a production company that has used up its budget and does not have a reasonably successful project on its hands may not have funds available to pay unpaid creditors. Most production companies probably do not own any property other than certain rights in the project itself. Once a project has been sold, there may be no property left to seize should an unpaid creditor obtain a court judgment.

The whole matter may become somewhat more complicated when we consider the problem of whom to collect from. Only a party to the contract may be liable for payment. For example, on those occasions when completion guarantors take over projects, they are not legally bound to the unpaid creditor to pay the debt (although they will probably do so in virtue of the completion guarantee with the investors!).

After negotiations, nasty letters and prayers have failed, in most instances the only hope left is to seek redress before the

courts. Even successful court litigation is fraught with pitfalls. In the best of cases, creditors have to wait long delays for trial while the solvency of the debtor may diminish to zero. This difficulty may be overcome in certain provinces, especially those in Western Canada where the possibility of attaching or seizing before judgment the debtor's bank accounts for unpaid services or supplies exists. Assuming there is anything to attach, it can readily be imagined that the effect of freezing funds will have a lightening effect. Unfortunately this attaching process does not exist everywhere and, in fact, essentially does not exist in Ontario.

Another possibility to encourage rapid settlement of judicial proceedings is the threat of simultaneously or subsequently suing the board of directors of the production company. This recourse is provided by most statutes governing the incorporation of companies in Canada, federally or provincially, in favour of employees. Those film people who can demonstrate that their legal relationship with the production company is that of employee will be able to sue for anywhere up to several months' outstanding wages.

Some further advantage may be gained by investigating the legal relationship between production company and the investors in any effort to demonstrate that the company is simply the agent of the investors who may be consequently bound to the company's debts. This possibility may in particular exist where the production company is making a film on behalf of the investors, as is generally the case in most tax-shelter projects. While wise producers and investors will arrange their mutual relationships to avoid this possibility, it is nevertheless always prudent to consider if there is any avenue of recourse against the investor.

Perhaps the rarest forms of court proceedings in the film business are bankruptcy proceedings. While bankruptcy may be voluntary, it is more likely to happen when major creditors have lost so much confidence in the production company that they petition it into bankruptcy in order to freeze its remaining assets and monies and bring it under their control. For the average film person these extreme measures will have little appeal. Most film people who are owed money by bankrupt companies have little expectation of being paid anything as the bankrupt's assets are generally insufficient to pay more than a few cents on the

dollar. In most cases, the main beneficiary of bankruptcy proceedings are those major creditors who have taken guarantees or security against assets.

A more frequent concern is knowing when to be paid and how much. This is the situation of deferred fees, residuals and royalties, payment of which is determined by an accounting process in which generally only the producer and his principals take part. The problem here is to obtain a contract which establishes some sort of reporting and accounting system whereby the recipient of deferrals, etc., can be reasonably assured that his entitlement to them will be promptly conveyed with a statement that can be examined to determine the appropriateness of the accounting methods by which the amount owing is determined. To some extent recipients of these kinds of postponed or future payments may be assisted by information contained in required regular filings with provincial Securities Commissions for film projects whose financing is subject to Securities Commission legislation. This information will be available to the general public upon request. Unfortunately these kinds of filings may be superficial and perhaps lacking in the kind of detail required.

When there is a suspicion that money is owing on postponed payments and an uncertainty as to the amount, it is still possible to launch a somewhat speculative lawsuit asking for a court order for accounting. It is speculative because if the accounting is ordered and shows nothing, then a long process — and a costly one at that — will have been a needless adventure.

As an alternative to court litigation, many film people who are members of guilds or unions will generally be able to take advantage of the various kinds of collective agreements which these bodies may obtain. Generally these collective agreements foresee the posting of some type of security for the benefit of unpaid members and an arbitration process to settle disputes in a more timely, expeditious and cheaper fashion than recourse to the courts.

Needless to say, the best form of recourse is prevention. Sizing up the situation at the start of a contract will prevent payment with coins of wood.

*Michael N. Bergman, barrister & solicitor, is a member of the Bars of Quebec, Ontario and Alberta, with offices in Montreal and Toronto.*

## CBC bumping causes ripples

cont. from p. 26

150 people? We easily could have found two-thirds on early retirement. But it was only offered to 24 people."

Carter accused the CBC of political juggling to enhance management's position. He noted that many of the management positions declared redundant had been vacant, some for more than two years. He also said that the CBC deceived federal minister of Labour William McKnight. Under the Canada Labour Code, layoffs can be administered either under the Labour Code or the union contract, whichever provides the greatest protection for workers. According to Carter "the Corporation asked for a waiver of the CLC and at the same time went to the arbitrator to deny us the facts and figures we needed to make sensible decisions." He added that "the Corporation had gone to great lengths to prove to the Minister how great our contracts were. They virtually lied to the minister." Carter said that under the CLC the union would have had a greater say in how the layoffs were managed.

The CBC, however, denies the union allegations. Richard

Chambers, acting head of corporate communications, told Cinema Canada, "Things are moving in the right direction. In most cases the atmosphere has been very good. The joint management-union manpower committees on the local, regional and national levels have gone a long way to smooth the situation."

Lowe dismissed the effectiveness of the manpower committees. "They are only following the direction of the Corporation's senior industrial relations people. They're being hamstrung by headoffice." He added that "the Corporation made no moves to establish any training scenario to allow those declared redundant to fill vacant positions if given some assistance in retraining." Carter is also bitter about CBC's refusal to take part in a department of Labour relocation counselling scheme which has an 85% success rate.

Last December the CBC announced that 1150 jobs would be lost as a result of the Tory budget cutbacks. At the time CBC vice-president Denis Harvey called it "a bloodbath."

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# Task force: cooperation not regulation needed in broadcasting

OTTAWA - A longstanding Canadian Radio-television and Telecommunications Commission - that of promoting Canadian broadcasting service by containing the spread of U.S. services in Canada - has been deemed "no longer applicable in the changed environment of 1985," according to a CRTC report, released Feb. 25 by the Task Force on Access to Television in Underserved Communities.

The six-member Task Force, headed by CRTC commissioner Paul Klinge, and established Dec. 20 at the request of Communications minister Marcel Masse, made 34 recommendations to the CRTC on the distribution in underserved Canadian communities of satellite-received broadcasting services.

According to chairman Klinge, "The cultural goals of the Broadcasting Act of 1968 are still valid, but cannot be achieved through regulation alone... solutions can only come about through accommodation and co-operation."

Among recommendations aimed at cable service, the Task Force recommended "the CRTC should establish a list of optional services for the core market (any community receiving at most two TV signals) which would include all available Canadian services not distributed as part of the mandatory package; all U.S. satellite services that do not directly compete with Canadian discretionary services and which are compatible with existing CRTC policies; and all available U.S. superstations."

In reacting to this recommendation in particular, the Canadian cable industry warned that, if adopted, the recommendation would mean that viewers in underserved areas would have access to signals not authorized for Canadians in urban areas.

But according to chairman Klinge, "the fundamental problem (facing underserved communities) is one of cost. It is not that programming choice does not exist, it is that the cost of providing it in small, sparsely populated areas is often prohibitive."

Other recommendations include: greater regulatory flexibility concerning Telesat; core

OTTAWA - Canada will host an international colloquium on new television systems, including High Definition TV, May 13-16.

Chaired by assistant deputy minister Ken Hepburn of the department of Communications, the colloquium will take place at Ottawa's Congress Centre. In addition to experts from around the world, Canadian representation will come from the CBC, the NFB, the department of Communications and private industry.

market cable licensees should be required to carry a mandatory package of Canadian services; the CRTC and other government agencies should ensure that current legal remedies are used to the maximum extent in cases of unau-

thorized satellite signal distribution; core market cable licensees should have the option of distributing Canadian specialty services to subscribers either on a discretionary basis or unscrambled on the basic tier.

Task Force members also included CRTC vice-chairman Real Therrien, Commissioner Rosalie Gower and three independent representatives: Charles Feaver, senior policy advisor, Telecommunications Policy Office, government of Manito-

ba; Robert Lamb, president of the Alberta Broadcasting Corporation; and Finlay MacDonald, former president of the Atlantic regional pay-TV licensee Star Channel.

The task force report was entitled *The Costs of Choice*.

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# CRTC decisions reveal western border problems, public taste

OTTAWA - Recent Canadian Radio-television and Telecommunications Commission (CRTC) decisions spectacularly highlight the problems faced by the regulator who has to operate in a broadcasting environment that includes the signals of two nations, Canada and the U.S.

A decision, Feb. 13, approved the application by Western Approaches Ltd., Vancouver, to change CKVU-TV Vancouver's transmitting channel. Underlying the 17-page decision, which resulted from one of the largest public hearings in CRTC history (nearly 20,000 letters of intervention at the June '84 hearing in Victoria), was the fear expressed by cable subscribers that changing CKVU-TV's channel from 21 to 10 would interfere with the reception of the U.S. PBS signal on channel 9 (KCTS-TV, Seattle) which is receivable over the air south of Vancouver, but not in the Greater Vancouver area. At a subsequent fact-finding session by the CRTC, KCTS representatives stated it was their responsibility to provide a programming service only to viewers within the state of Washington, and that 1980 plans for a rebroadcasting station receivable throughout the lower British Columbia mainland had fallen through due to financial constraints. In its decision, the CRTC noted that "the possibility that the popular, high-quality programming provided by this PBS station could be lost to cable television subscribers was the cause of great concern to (Greater Vancouver) area residents."

Reserved for Canadian use since 1952, channel 10, the CRTC noted, "is the last remaining unlimited VHF channel available in this part of the country and is a scarce and valuable public resource. As such the use of this frequency for the broadcast of a Canadian television service has never been in question." Used by the CBC until 1980 when it became available to CKVU-TV, it was not until the June '84 hearing that the applicant would be "in a sufficiently healthy financial position to make the \$1.5 million expenditure necessary to effect the channel change."

The problem was that the change to channel 10 would "impact on the continued ability of cable television licensees to receive and distribute the signals of two Washington State television stations which broadcast on channels adjacent to channel 10" (KCTS and KSTW Tacoma). Alternatives examined included: construction of four additional rebroadcasting transmitters instead of going to VHF, an alternative which was dropped given the lower quality of the UHF signal; Cancom's offer to distribute via satellite

the PBS signal from Detroit, which was rejected by cable licensees because of the time difference between Detroit and the West Coast - "Several intervenors," noted the CRTC, "opposed this alternative, noting that the Detroit PBS station did not offer the programming broadcast by KCTS-TV which is

uniquely designed for the needs and interests of West Coast viewers"; other alternatives included uplinking the CKTS signal by satellite, rejected as too expensive by cable licensees.

In making the decision authorizing the channel change, the CRTC stated, "After careful

consideration of all the factors related to the proposal by Western Approaches and the technical implications arising from the use of channel 10, the Commission has concluded that the important role played by the licensee as the broadcaster of a Canadian television service justifies the use of

channel 10 by CKVU-TV and that approval of the proposal is in the public interest."

However the Commission made its approval conditional on being "satisfied that a) remedial measures have been taken to ensure no undue disruption of service to cable sub-

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## NEWS

### MARIO EARNS GENIE AWARDS

Mario, Jean Beaudin's highly acclaimed feature film starring Norman Xavier Petermann, earned three Genie awards presented by the Academy of Canadian Cinema. Pierre Mignot won the Genie for best achievement in cinematography; François Dompierre for best music score; and Bruce Nyznik, Richard Besse and Hans Peter Strobl for best achievement in overall sound.

### NFB AT MIP-TV

NFB representatives Lynne Williams, Joanne Leduc and Director of International Distribution Jacques Bensimon are attending MIP-TV in Cannes, April 20-25. They will present over 35 Film Board titles including Jean Beaudin's feature film *Mario*; *Paradise/Paradis*, Ishu Patel's new animation film which earned the Silver Bear at Berlin and a 1985 Oscar nomination; and a new release from the Women's Studio D, *Speaking Our Peace*, co-directed by Bonnie Klein and Terri Nash. The NFB delegation is located at Stand 1221. Representatives from the NFB's London and Paris offices will also attend the market.

### WOMEN'S STUDIO PROCLAIMED NATIONAL TREASURE

The Canadian Institute for Women's Culture has proclaimed Studio D of the National Film Board, and the Women's Programme, Secretary of State, National Treasures. In a written statement the Canadian Institute for Women's Culture stated:



Montreal representatives attending MIP-TV. From left to right, Lynne Williams, Joanne Leduc and Jacques Bensimon, Director of International Distribution.

In recognition of their vast contribution to the women's movement, the Canadian Institute for Women's Culture, in cooperation with the Canadian Congress for Learning Opportunities for Women, the Canadian Research Institute for the Advancement of Women, the Fédération des femmes du Québec, the Canadian Association for the Advancement of Women and Sport, and the National Action Committee for the Status of Women (NAC), are proud to proclaim Studio D, National Film Board, and the Women's Programme, Secretary of State, NATIONAL TREASURES. The Women's Programme and Studio D are National Treasures because they are vital centres of creative activity whose work has already received considerable international recognition. They have performed the role of producing great works and of making a major contribution to knowledge. They have in their turn brought about the production of a number of other treasures in all

parts of this vast land where women build together with vision and strength.

### NFB ANIMATOR HONORED IN NEW YORK

Animator Co Hoedeman presented a retrospective program of his films at the Museum of Modern Art in New York, March 23. The screenings, hosted by the Museum's Department of Film, included Hoedeman's Inuit legends (*The Owl and the Raven*, *The Owl and the Lemming*, *The Man and the Giant*, *Lumaaq*), the fantasy-satire of underwater life, *Le Trésor des grotocéans*, and his Oscar-winning film *The Sand Castle*. Screenings of Hoedeman's work were also held at New York University, at the School of Visual Arts, and at the MGM Penthouse, the latter organized by ASIFA.

### NFB Offices in Canada:

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plus offices in most major cities



## CRTC decisions

cont. from p. 32

scribers or b) the cable television licensees concerned have had sufficient time to put such measures in place." Further the Commission called "on all

parties to co-operate" to ensure that appropriate remedial measures are implemented "well within a 20-month period."

In a related decision two days later, the CRTC denied Napanee-Deseronto Cablevision's application to add distribution of the CBC Parlia-

mentary Television Network along with three additional U.S. signals. Noting that the Ontario licensee was already authorized to distribute CBS, ABC, and NBC signals, "the addition of the three duplicate U.S. television network signals would constitute a departure from the Commission's policy

generally prohibiting the carriage of duplicate U.S. network signals."

At the Nov. 27 hearing in Hull when the application was heard, the licensee stated "because of the viewing habits of the people and the requests that we have had, we believe we need the additional three (signals) in order to make the whole (augmented) service attractive enough for people to subscribe to it, for people to spend the money to get the converter."

In its Feb. 15 decision, the Commission did not feel the licensee had "provided sufficient justification to warrant an exception to the Commission's long-standing policy respecting the carriage of duplicate U.S. network services."

In other decisions, a public notice released Feb. 15 reviewed progress in the availability of closed caption versions of television programs to deaf or hard of hearing cable subscribers since the October 1983 amendment of the cable television regulations relaxed signal substitution requirements. The CRTC noted the efforts made by the major networks, in particular CBC and CTV, to increase the availability of closed captioned programs. The Commission pointed to the willingness of service organizations such as the Canadian Captioning Development Agency and the Canadian Coordinating Council on Deafness to provide broadcasters with information about the availability of closed captioned programming and monitor progress made in, as the Commission put it, "ensuring that closed captions become an integral part of the programming available to viewers."

The CRTC also noted that "there is an increasing number of advertisers who are providing closed captioned versions of commercials for television," and added that it expects licensees "to take the necessary care in handling these commercials to ensure that the captioned information reaches those viewers for whom it is intended."

Finally, in a public notice reviewing community radio policy prior to the April 23 National Capital region hearing, the CRTC proposed as a basis for discussion and comment that the special FM license under which Canada's 23 (21 in Quebec alone) community-owned and programmed licensees operates be modified to cover three types: Type A would include community stations serving a market that has no other AM or FM station broadcasting in the same language; Type B for community stations serving a market with at most one FM station broadcasting in the same language and engaged in local commercial activity; and type C for community stations serving a

market served by two or more FM stations in the same language and engaged in commercial activity.

The 20-page notice, released Feb. 22, also suggested elimination of restrictions on the type of advertising broadcast by these stations, with amounts of advertising varying with the type of license. The notice also addressed the possibility of permitting student radio stations to broadcast prepackaged national advertising.

The first community-student radio station, CKRL-FM Quebec City, was licensed in 1972. The two non-Quebec community radio licensees are in Kitchener and Vancouver.

Comments on the public notice's proposals can be submitted to the CRTC by Mar. 29.

## CBC license put off

OTTAWA - In the light of continued uncertainties still facing the Canadian Broadcasting Corp. and the minister of Communications' forthcoming "fundamental review" of Canadian broadcasting policy (expected for this fall), the Canadian Radio-television and Telecommunications Commission (CRTC) has postponed till 1986 hearing CBC television network renewal applications.

In a decision Mar. 12, the CRTC renewed to Mar. 31, 1987, the CBC's English and French television network licenses which were due to expire Mar. 31. "The Commission considers that the public interest would best be served if the Corporation were asked to file new applications when the review process has been completed," the 2 1/4 page decision stated.

Originally scheduled for December 1984, the CRTC hearing on the Corporation's license renewal applications was postponed Nov. 14 as a result of the \$85 million CBC budget-cuts announced Nov. 8. In a letter Mar. 4 to the CRTC, the corporation requested its renewal applications be withdrawn as "significant uncertainty remains as to the impact of the (budget) reduction on future plans, and in particular on the program priorities set out in the applications which were submitted to the Commission in mid-1984."

In the light of the broadcasting policy review, the Commission stated that it is responsible for ensuring that the CBC implement its mandate as defined by section 3 of the Broadcasting Act.

"Any revision, therefore, of the role, mandate and objectives of the national broadcasting service provided by the CBC is the prerogative of Parliament," the CRTC noted.

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# Quebec kids' film gets Golden Reel in parallel awards event

TORONTO — At a press reception Mar. 19, two days prior to the Genies, the Academy of Canadian Cinema announced the winners of three special award competitions which it presents jointly with the awards' sponsoring organizations.

The Golden Reel Award was presented to *La Guerre des tuques* (*The Dog Who Stopped the War*). The Golden Reel is

presented to the producers of the Canadian film with the highest box-office gross for the current year. *La guerre*, produced by Rock Demers and Nicole Robert and directed by André Melançon, won the award based on its success in Quebec alone where it grossed over \$800,000 in under five months. The Golden Reel award is sponsored by the Mayor's Canadian Motion Picture Distributors Association.

Also presented at the reception were the Canadian Independent Short Film Showcase awards, six prizes of \$3,000 each. In addition, each film is blown up to 35mm, multiple prints made and the films receive national theatrical distribution through the cooperation of the CMPDA. Individual CMPDA members select one of the winning films for national distribution with a major re-

lease.

The Short Film Showcase is funded by the Canada Council and administered by the Academy. This year's winners were *The World is Flat* by Tom Gravelstock; *Waterwory* by Rick Hancox; *The Listener* by Kirk Johns; *Sacré Tango* by Frank Le Flaguais; *Las Aradas* by Janis Lundman; and *Common Problems* by Nik Ranieri, Ric Sluiter and Cal Leduc.

Sixty-seven films were submitted in competition. The jury consisted of Eugene Amadeo, president of Universal Pictures and of the CMPDA; Jean Colbert, president of Cinécran; Orval Fruitman, senior vice-president of Pan Canadian Distributors' Association; Virginia Kelly, director of advertising at Spectrafilm; Jean-Claude Labrecque, Quebec director and cinematographer; Andrée Pelletier, screenwriter and ac-

triss; Marv Newland, director of animated films; and R.H. Thomson, actor.

The Showcase program was established by the Canada Council in 1982. However, last year there were doubts about its future, with the Council only committing to the Showcase this year and next. Ron Cohen, vice-chairman of the Academy, told the audience at the awards presentation that "those of you who feel concerned about the Shortfilm Showcase express your concern. Write letters. Let Canada Council know."

The final award was presented by Toronto mayor Art Eggleton. Bronwen Hughes, a fourth-year student specializing in direction at York University, walked away with the City of Toronto Apprenticeship Screen Award.

Funded by the City of Toronto and administered by the Aca-

demmy, the second annual award was set up last year to develop educational programs to increase the standards of filmmaking in Canada.

Six Toronto film schools — Ryerson, York, University of Toronto, Humber College, Centennial College and Seneca College — participated in the program this year.

Bronwen Hughes was selected from among the 13 students in competition. She will receive hands-on production experience while apprenticing for sixteen weeks on a Toronto-based production this summer.

The jury for the award included production manager Bob Wertheimer, director Don Owen, art directors Carol Spier and Susan Longmire, cinematographer Doug Kiefer, film editor George Appleby, producer Annette Cohen and composer Brenda Hoffert.

## Cobbett joins Astral Bellevue as v. p.

MONTREAL — Lawyer Stuart H. Cobbett has been appointed Astral Bellevue Pathe vice-president, legal and business affairs.

The appointment, effective May 1, was made by ABP president and CEO Harold Greenberg Mar. 7. Currently a senior partner with the Montreal law firm Hennan, Blaikie, Jolin, Potvin, Trepanier, Cobbett, Cobbett will have extensive responsibilities at the corporate level including coordinating ABP's expansion plans.

"Stuart Cobbett is one of the country's most prominent and innovative lawyers and we are extremely proud that he is joining Astral," Greenberg said in announcing the 36-year-old lawyer's appointment.

ABP operates over 100 camera stores across the country, several photofinishing installments, packages and distributes film, television and video programming, provides laboratory and sound studio services, and holds the controlling interest in pay-TV networks First Choice and SuperEcran.

## Rhombus makes music with Bach specials

TORONTO — Rhombus Media is completing two one-hour music specials on Bach festivals in Toronto. The festivals commemorating Bach's tricentenary have featured internationally acclaimed artists from all over the world. Shooting on the specials will be completed by mid-April. The shows are a co-production with CBC with Telefilm participation. Rhombus has been building a name for itself since 1978 as producers of fine music films. Their 1980 documentary *Music For Wilderness Lake* won a host of international awards and was sold to TV networks in Canada, the States, Sweden, Denmark, England, Ireland and West Germany. In addition to the Bach specials Rhombus in association with the National Film Board is preparing 10 30-minute

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# Nielsen and Ferns go separate ways

TORONTO — Pat Ferns, and Richard Nielsen, long-time production partners first in Nielsen-Ferns International and then in Primedia Productions, announced their separation on Mar. 5. Ferns has acquired Nielsen's interests in Primedia. In a related move Ferns announced that Primedia was entering into a relationship with British company Primetime. Primetime has acquired a 25% interest in Primedia. Richard Price, chairman of Primetime, noted at a press reception that he has "worked with Primedia for many years in production. This closer and formal association is a logical step. All our distribution of non-Canadian product will continue to be handled through our sales representatives Ron Hastings Communications and Ralph Ellis Enterprises."

Recent Primedia-Primetime coproductions have included three thirteen-part series with British naturalist Gerald Durrell. A fourth Durrell series, *Ourselves and Other Animals*, on the subject of animal communication will begin produc-

tion shortly. Primedia and Primetime are also working on a number of drama projects together.

Excited about the new association, Ferns told Cinema Canada that it holds "enormous advantages for Primedia. We will now get instant market feedback. Our marketing clout is that much greater." He noted that Primetime is the largest independent distributor in Britain. They also package and syndicate in the States where they have offices in New York and Los Angeles.

Ferns noted that the relationship with Nielsen remains good. The two will continue to work together on a number of projects. Ferns said that projects already in development will go to Nielsen if he has written them. Nielsen, who is setting up a new company, Norflicks, is taking over production of *The Little Vampire*, a thirteen-part international coproduction with Polyphon of West Germany, TVS of Britain and Allarcom of Edmonton. The \$2.5 million series is scripted by

Nielsen and is being made with Telefilm participation.

Nielsen told Cinema Canada that the separation was natural. "We were looking at two different lines of business. I was concentrating on the stuff I was writing. Pat was mainly involved in co-productions. As a company we were pursuing differing lines. Our interests diverged. We had different philosophies of how a company should operate."

Ferns said that the creative left by Nielsen's departure will be plugged by other writers. He said that "both Margaret Atwood and W.O. Mitchell have been signed to work on projects."

Ferns, who has been an active lobbyist for the private production sector as president of the Association of Canadian Film and Television Producers, said he will have to cut back on his political activities. He will not be standing for reelection at the ACFTP, but will, however, remain involved with the Banff Television Foundation of which he is president.

# CBC crucial partner in Telefilm productions

TORONTO — At a press conference Mar. 15 announcing changes to Telefilm's mandate, Marcel Masse, minister of Communications, predicted continuing strength in the independent production sector with at least \$125 million worth of production and the equivalent of 5,000 full-time jobs. Breaking down the \$125 million Masse said that \$75 million would come from co-production with CBC, the remaining \$50 million from co-productions with the private and provincially-owned broadcasters.

The new Telefilm guidelines greatly lever the broadcaster's investment in a project. Masse argued that CBC's \$15 million commitment (down from \$22 million last year) for 1985-86 will result in an equivalent level of production to last year.

To date CBC has borne the brunt of co-productions with Telefilm. Last year, all private broadcasters invested only about \$4 million in Telefilm projects. If private broadcasting funds are levered in the same proportion as CBC's, they will have to put up \$10 million to

reach the \$50 million production level. Admittedly, they will be helped by the entry of the provincial broadcasters. Last year TVOntario had a \$22 million production budget. Much of that, however, was devoted to strictly educational projects which are not eligible for CBC funding.

At the press conference, Masse's deputy minister, de Montigny Marchand, noted that at least 50% of the Fund must go to private broadcasters and the provincially-owned networks. The CBC can access up to 49% of the Fund. "There is no corresponding limit on the other side." He added that even without the CBC cutbacks the Fund would have been endangered. "We would have had to readjust the triggering mechanism."

Masse explained that the prediction of 5,000 full-time jobs derives from an econometric analysis of the impact of \$125 million worth of production. A sophisticated economic model developed by Statistics Canada indicates that, for each \$1 million in investment, 49 full-time jobs are created.

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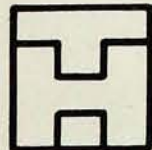
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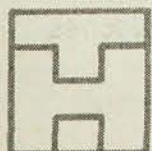
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# Nielsen and Ross join to form Norflick Productions

TORONTO - Richard Nielsen and John Ross, formerly partners with Pat Ferns in Primedia, announced Mar. 11 the formation of a new film production company, Norflicks Productions.

Ferns and Nielsen went their separate ways after an amicable separation over differing business philosophies. Nielsen told Cinema Canada "I was concentrating on writing, Pat was mainly involved in co-productions. We reached a stage where a single entity cannot fully reflect our various aspirations." For his part, Ferns said that he is "pleased that Primedia has been instrumental in launching the career Dick has always wanted as a writer."

In the new company Nielsen noted, "I'll be more heavily on the creative side; John is stronger on the business and finan-

cing side."

John Ross remains president of Linpar, a completion guarantor company. He and partner Michael Spencer separated last December, with Spencer setting up a competing company. Ross told Cinema Canada that there was enough room for competitors. He added that Norflicks would be giving Spencer a completion guarantor contract on its first major production, the thirteen-part series, *The Little Vampire*.

Ross said that although his major concern would be Norflicks, he intends to keep Linpar as a going concern. "I'm bringing in a new partner. We're going to start small. Likely deal with maximum budgets of \$4 million." He said that Linpar will be announcing a reinsurance scheme soon.

# Foreign producers out-spend Canadians in Ontario film boom

TORONTO - More than \$72 million was injected into Ontario's economy by film and television productions in 1984. The final tally for 1984, released March 14, showed a 24% increase over 1983. The productions included 21 theatrical movies, 18 pay-TV and TV features, one TV mini-series and four TV series and anthologies. Foreign producers spent \$46.825 million while Canadian producers spent \$25.248 million in the province.

TORONTO - Adding to its hardware arsenal, Toronto EFP has purchased two Sony BVW-30 dione-gun plumbicon Betacam plus another BVW-40 Betacam editing VTR.

In a news release Apr. 1, the company announced that the two new BVW-30's, along with two BVW-3's, bring the total number of Toronto EFP's broadcast cameras to nine.

# Ferns associates Primedia with Primetime for coprods

TORONTO - A reorganized Primedia Productions, now majority-owned by Pat Ferns and associated with British-based Primetime Productions, has announced a busy 1985-86 production season.

Primedia's next major drama project is a six-part 18th-century action/adventure series. Entitled *Frontier*, it is a co-venture with Télécip (France) and HTV (U.K.) Canadian partners include Global Television, Tele-Metropole, Astral Film Enterprises and Les Films Vision 4.

Primedia also has several TV movies in various stages of development. *By Special Appointment* is a film about Burmese, the horse from Canada's west which became the lead horse in the RCMP Musical Ride and then Canada's gift to Queen Elizabeth. The film, a co-venture with Judith Crawley, will be scripted by W.O. Mitchell and directed by Eric Till. Production partners are CTV and BBC. Both the Alberta Motion Picture Development Corporation and Telefilm are participating in the project.

Primedia is adapting Sher-

man Snukal's play *Talking Dirty* for television. The company has recently signed with Irene Shubik to develop a film entitled *War Guest* based on Shubik's book of the same name. Shubik conceived the critically acclaimed series *The Jewel in the Crown*. Also in the works is an adaptation of Michael Jacot's novel *Wind From Across the River* and a film on John Buchan (Lord Tweedsmuir), the governor-general of Canada who wrote thrillers, including *The Thirty Nine Steps*, under this pseudonym.

Two major film productions originally scheduled for 1985 production will now be produced in 1986. They are *Walking by Night* (The Legend of Grey Owl) and *Heaven on Earth* by Margaret Atwood and Peter Pearson.

Primedia intends to continue its commitment to major music productions, particularly the National Ballet of Canada for whom Ferns is television consultant.

**Canadian facts:** There are 983 movie theatres in Canada, with a total of 670,028 seats.

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# Bidding causes damage Cineplex has record year

TORONTO - Landmark's recent long-term leasing of about half of its theatres to Cineplex comes as a direct result of the bidding system, according to the Western exhibitor. Hector Ross, a founding partner and principal shareholder of Landmark Cinemas, a theatre chain operating in western Canada, told Cinema Canada that "it got a little too rough for us. We couldn't afford to bid. Independent exhibitors haven't got a chance."

An obviously angry Ross blamed government for the mess independent exhibitors were finding themselves in. "We should make government people accountable for the damage they've done." In somewhat stronger language, he indicated that the bidding system was no good. "It's so loose. There are no penalties; no disclosure requirements. Anyone can fool around with it and nothing happens."

Ross said that Landmark had

begun negotiating with Famous Players when they were independently approached by Garth Drabinsky, president of Cineplex. "Garth and I happened to meet at dinner," said Ross. Asked if he blamed Drabinsky for initiating the process that led to bidding Ross replied, "No, he (Drabinsky) didn't intend to cause damage to the independents. He was smart enough to convince those yos in Ottawa."

Ross added that Landmark was not getting out of the cinema business. It had retained 24 cinemas with 34 screens and was in the process of adding more theatres to its chain. By the end of the year it will have 10 more theatres including two in Pentick, B.C., and three in Brandon, Manitoba. The only change is they will no longer operate in the same territory as Cineplex or Famous Players. Some of the new theatres to be constructed are strategic moves to keep the two big chains out of their region.

TORONTO - Cineplex Corporation has announced record financial results for the year ended Dec. 27, 1984. The year-end results reflect the acquisition of Canadian Odeon Theatres on June 28, 1984.

Earnings before income taxes and extraordinary items were \$7,492,000 for the 52-week period ending Dec. 27, 1984 compared to a loss of \$875,000 in the corresponding 1983 period.

Net income for 1984 was \$4,587,000 on revenues of \$87,006,000. The net income excludes an extraordinary gain of \$7,385,000. Net loss for 1983 was \$3,725,000 on revenues of \$29,520,000. Reported net income in 1984 before extraordinary items represents a profit of \$0.31 per share as compared to a loss of \$0.47 per share in 1983. Earnings per share before extraordinary items were \$0.30 per share in 1984 compared to a loss of \$0.47 per share the previous year.

The number of common

shares outstanding for 1984 was \$13,905,208.

Extraordinary items result from a recovery of income-taxes resulting from the utilization of prior year's income-tax losses and from elimination of deferred income-tax of Canadian Odeon Theatres resulting from amalgamation with Cineplex.

## CFI hires staff for Ottawa NFT posts

OTTAWA - Film critics Martin Delisle and Geoff Pevere have been appointed director and manager respectively for the National Film Theatre.

The undated announcement was made by Frank Taylor, executive director of the Canadian Film Institute.

As director of the NFT, Delisle can draw upon a varied background in film, photography, radio and television. Well-known in the national capital region for his radio commentaries on film on CBOF and CBO, Delisle has taught film at

Algonquin College and the University of Ottawa. He has written widely on Canadian film.

The NFT's new manager, Geoff Pevere, teaches film at Carleton University and is the film and entertainment commentator for CHEZ-FM 106. In 1984 he was assistant program coordinator for Northern Lights, Toronto's Festival of festivals' 400-film retrospective of Canadian cinema.

Throughout March and April the NFT will programme film classics like *Harlan County, USA*, *Union Maids*, Canadian director Jean-Pierre Lefebvre's rarely seen *Ultimatum*, and both English and French versions of the CBC's controversial historical epic *Riel*.

As well The Many Faces of Sherlock Holmes will programme one of the most extensive film retrospectives of Holmesiana ever presented in North America, from such classics as *The Hound of the Baskervilles* to the more recent *Seven-percent Solution*.

Upcoming special presentations include the British animal rights documentary *The Animals Film*, Atom Egoyan's distinguished ethnic comedy *Next of Kin* and Claude Jutra's return to French language film-making, *La Dame en couleurs*.



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- effective organizational, communications and interpersonal skills;
- knowledge of the issues facing the independent film community in Canada.

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## RSL creates more Night Heat

TORONTO—RSL Entertainment have announced that CBS and CTV have ordered seven more episodes of their late-night drama *Night Heat*. The one-hour police drama series, starring Scott Hylands and Jeff Wincott, is proving an enormous hit on its midnight time spot at CBS. *Night Heat* is produced by Robert Lantos and Stephen J. Roth in association with Sonny Grosso and Larry Jacobson. The series will continue to be shot in Toronto.

The success of *Night Heat* should act as a salve to the disappointing failure of RSL's *Heavenly Bodies*. The aerobics dance-film penned by a Toronto Star movie critic was singled out at last fall's Trade Forum as an exemplar for Canadian cinema's access to U.S. markets. At the time U.S. world sales agent Mark Damon of PSO urged his audience of Canadian producers to use *Heavenly Bodies* as a model for co-ventures. He spoke glowingly of the marketing know-how that PSO had brought to the project: "We took it over and fashioned the product to make it most appetizing to the buying public."

*Heavenly Bodies* opened last month in 1504 theatres across North America to critical ire and audience indifference. The picture was pulled within two weeks.

Eddie Kalish, senior vice-president for world-wide marketing for PSO, told Cinema Canada in a phone interview that hope remained for the film. He said that the film "will do extremely well on video." He added that the theatrical failure of the project had not soured relations with RSL. "We enjoyed working with them. We are still

talking. There may be some other films in the future. The outcome here does not necessarily doom our relationship." Asked who would bear the losses on the project, Kalish said "We still have a long way to go before all that is finalized. The book is still open. We don't know all the financial results. Everything will be resolved in the most equitable manner." He added that PSO was not involved with any Canadian production company at the moment. "No one is coming to us with anything. It has nothing to do with nationality."

RSL also faced problems on a current project, *Joshua Then and Now*, losing control of the production to the completion guarantor, Motion Picture Guarantors.

RSL is currently in production on two new feature films for release later this year: *Separate Vacations* and *The Big Deal*.

## Rhombus

cont. from p. 34

films on Canada's greatest composers. They will do about three films a year in the series. Composers selected so far are John Lange and Robert Desrosiers. Barbara Sweete, one of the three partners in Rhombus, noted that the selection process was cumulative. "We talked to composers, conductors, scholars and critics. We also wanted composers who are filmic. Their music has to be able to be treated visually." Sweete, with partners Niv Fichman and Larry Weinstein, alternate producing and directing roles on their various projects.

# Catering for stars is a challenge

EDMONTON (CP) — Sid Estrin says catering to the taste quirks of movie stars and musicians can be a challenging responsibility, but he enjoys his work.

Kirk Douglas, in Edmonton last year to film the movie *Draw*, insisted on simple, bland foods.

"He would have been happy eating boiled chicken and boiled potatoes every day," Estrin says.

Actor Robbie Benson, a vegetarian, wanted whole grains, fish and natural foods. Jazz player Al Jarreau had a 36-page rider in his contract listing the foods his band could eat.

"The whole band was macrobiotic, so there were only certain foods they could eat. They even provided recipes."

Estrin says he works hard to maintain his reputation as a catering expert to the entertainment industry.

"It's demanding — these people are on the road a lot, maybe for

five or six months at a time, and they want wholesome, nutritious and different food.

"You're looking at a wide diversity of tastes and if you're working with them for 14, 15 or 16 weeks the trick is to offer a wide variety of foods."

He says actors and musicians are selective about the food they eat, often listing definite preferences such as freshly squeezed orange juice or a certain brand of mineral water.

Estrin, owner of the Hot Box restaurant in Edmonton and a caterer for 11 years, says he enjoys backstage and film catering. He says he gets most of his assignments through referrals from film producers and production managers.

In most cases, he says, back-

stage concert jobs involve catering several meals over 24 hours.

"But when we did the Willie Nelson concert we were there for four days around the clock while they built the stage and tore it down."

Film assignments can last for months, Estrin and his staff follow the crew on location with a trailer stocked with food supplies.

Estrin recalls a shoot in which the crew travelled around Quebec and Ontario for several weeks and at one point found themselves in an isolated farm field in southeastern Ontario.

"We had a crew of 180 to feed but one day we had 800 extras and we had to be creative in cooking for 1,000 people with limited resources. I would walk



**Stars' caterer:** Sid Estrin of Edmonton has spent 11 years catering to recording and movie stars' culinary quirks. Tastes range from bland food for Kirk Douglas to whole grains for Robbie Benson.

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## SHOOT ALBERTA

by Linda Kupecek

A sell-out crowd of over 300 at the 11th Annual Alberta Film and Television Awards Feb. 16 in Edmonton surprised itself with its downhome dazzle and optimism, with filmmakers collaring each other and whispering in happy surprise, "Who are all these people? I didn't know there were that many of us!"

After a year of hardship, the patient may moan and groan in private, but sure knows how to put on a cheerful, healthy face in public. Despite a season of teetering uncertainly from month to month, the Alberta industry seems to have landed on its feet, keeping its balance with sponsored, industrial, educational and some (not enough) location shooting. (Another incredulous whisper: "85 entries? Were we that busy last year?")

There were no features entered in this year's competition. *Isaac Littlefeathers* did not qualify as an Alberta production under the current point system because its producers were non-Albertan. *Snowballs* never did make it to the bottom of the hill. *Birds of Prey* was still in post-production. And *Nattie Gann* was a Disney effort on location.

That aside, the bread-and-butter part of the industry put on its glad rags and travelled from all parts of the province to party at the Terrace Inn's parking courtyard, amid cameras poised for a provincial broadcast on the CBC.

Hosts Fred Keating (the quintessence of effervescence) and Vicki Gaboreau guided the crowd through a snappily paced (but, alas, barely audible) awards presentation, which saw *Change of Heart*, an NFB/CBC co-production snag more honors than any other entry.

*Change of Heart*, produced by Anne Frank of CBC (For the Record) in Toronto, and Tom Radford of the NFB Northwest Studio, was shot in Vermilion in October '83.

"I would like to thank John Kennedy (head, CBC TV Drama) for the faith he had in this from the beginning," said executive producer Radford as he accepted the award for Best Production of the Festival. Anne Wheeler won the Best Direction award for the same program, and Sharon Riis (*Latitude 55*) won Best Script - Dramatic. *Change of Heart* was also named Best Dramatic Production Under 60 Minutes.

The Special Jury Award was given to *Turn It Off*, a stylish music video performed by Ross Campbell and produced by Allan Stein for Tri-Tone Music. The zippy clip shown turned the crowd on, and judging from the wild reaction, *Turn It Off* may take off.

Editor Chris Tate (*Bridge to*

*Terabithia*) and Shirley Inget rallied the Edmonton film crowd to volunteer cater an after-hours party, adding more than a touch of class to the event. (In fact, talented Tate classes up any event in Alberta.)

Grand Patrons for the 11th Annual Alberta Film and Television Awards were the Banff Television Foundation, Telefilm Canada, Allarcom and Kodak Canada Inc. Jury Chairman David Scorgie headed a jury of Jim Burt (supervisor of script development, TV Drama, CBC, Toronto), Les Wedman (film critic, Vancouver) and Robert Rouveroy (president of the Canadian Society of Cinematographers, Toronto).

### Winners

**Best Documentary**  
*To the Ends of the Earth*  
Image Works Alta. Inc.; Les Stahlke, producer

**Best Wildlife**  
*Landscapes: The Badlands and River Valleys*  
ACCESS Network; David Flux, producer

**Best Dramatic Production Under 60 Minutes**  
*Change of Heart*  
National Film Board; Tom Radford, executive producer

**Best News and Public Affairs**  
*New Party - The Edmonton File*  
CBC Edmonton; Cam Morton, producer

**Best Motivational**  
*Powers and Becoming* (Parts 1, 2, 3)  
Edwards/Hunter and ITV; Missy Geffen, producer

**Best Musical/Variety**  
*Tales from the 'O' Zone*  
CFCN Television; Brian Vos, producer

**Best Educational**  
*A Matter of Soils*  
Alberta Agriculture; Tom Dodd, producer

**Best Promotional**  
*Fentanyl - In Anaesthetic Practice*  
Communications Media Department, University of Calgary; Corinne Linder, producer

**Best Short Under 10 Minutes**  
*Kangeiko*  
C.S.T.R. Productions; Walter Shepherd and Mark Stewart, producers

**Best Commercial**  
*Glenn Miller - Big Band Series*  
ITV Productions; Jim Smith, producer

**Craft Categories**  
**Best Direction**  
Anne Wheeler for *Change of Heart*

**Best Cinematography**  
Doug Cole for *Children of Alcohol*

**Best Editing**  
Wayne Anderson for *Powers and Becoming* (1, 2, 3)

**Best Script (Dramatic)**  
Sharon Riis for *Change of Heart*

**Best Script (Non-Dramatic)**  
Ken Low for *Powers and Becoming* (1, 2, 3)

**Best Musical Score**  
Gord McCrostie for *Powers and Becoming* (1, 2, 3)

**Best Sound Recording**  
Graham Zapf for *Youth and Music*

**Best Acting by Male or Female**  
Graham McPherson for *Komagata Maru Incident*

**Best Host/Narrator Performance**  
Judith Mabey for *Aspects of Ecology - Micro-organisms*

**Special Jury Award**

**For a music video:**  
*Turn It Off*  
Tri-Tone Music Productions Ltd.; Allan Stein, producer

**Best Production of the Festival**

*Change of Heart*  
National Film Board; Tom Radford, executive producer

Postscripts: The Banff Television Festival is slated for June 2-8, with guests including Jeremy Isaacs (Britain); Roger Laughton (BBC) and representatives from *Sesame Street*. Seminars include an examination of public television in the wake of the conservative wave; "Wendy Wacko Goes to Market: Can She Make It Internationally?" and an acting workshop and panel session. Awards Night will move to Friday, June 7... Dale Hardy of Vicom Limited is the Edmonton Vice-President of AMPIA... Rick Benwick is the newly elected president of the Motion Picture Society of Calgary... Northern Alberta ACTRA is one of the spearheads of a provincial arts lobby March 12 to protest government cuts in the arts. Southern Alberta is organizing as well in Calgary... "And What Are You Going to Do For Us?", a book of audition speeches from Cana-

dian plays by Albertans Margaret Bard, Miriam Newhouse and Peter Messaline, is now in its second edition...

## Hungarian at rep

MONTREAL - *Gueuse de vie* (*Bloody Life*, a Hungarian feature which netted its star Shirley MacLaine lookalike Dorottya Udvaros the prize for best actress at last year's World Film Festival, opens at Montreal rep houses the Outremont Mar. 29-Apr. 4, and L'Autre Cinema Apr. 5-25.

The 213-min. film, written and directed by Peter Bacso (*Le Témoin, Avant-hier*) satirizes the cultural pretensions of the newly established Hungarian Communist regime of the early '50s. Deported from Budapest because of her brief marriage to an ex-count, actress Lucy Sziraky (Udvaros) joins a group of former landowners and capitalists now forced to work the lands they once owned. From this unlikely setting, Lucy plots her triumphant return to the stage.

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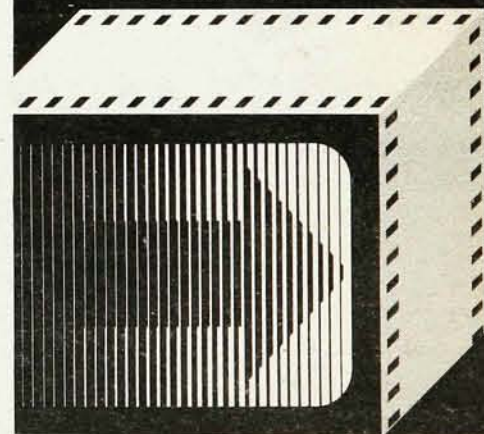
## THE GUIDE

to Film, Television, and Communication Studies in Canada

1985



Compiled and edited by the Canadian Film Institute





## Lauron to coproduce with Goldcrest

TORONTO - Lauron Productions Ltd. has signed an agreement with England's Goldcrest Films to produce three one-hour television specials in the thirteen-part Assignment Adventure series.

The series has been pre-sold to Channel 4 in England and Channel 10 in Australia. Lauron, in association with Mundo-

vision, is negotiating sales of the series in Canada.

The first of Lauron's productions *Yukon Quest* is presently being filmed in Alaska. It is the story of novice adventurer Rick Anderson who entered the world's longest dogsled race from Whitehorse in the Yukon to Fairbanks, Alaska.

Two further adventures will

be filmed this summer in Canada.

Lauron is receiving Telefilm funding for the three specials. The company has recently completed its first feature film, *Isaac Littlefeathers*, shot in Alberta last year. Lauron has five feature films in development for 1985.

## Producers talks with unions

TORONTO - The producers' associations - Canadian Film and Television Association and the Association of Canadian Film and Television Producers - have completed their first round of talks with ACTRA and the Directors Guild leading to new union contracts. Sam Jephcott, executive director of CFTA, told Cinema Canada that negotiations are going smoothly. "I don't think we'll end up with serious problems."

At stake with ACTRA are a writers' contract and a performers' one. Jephcott noted that the difficulty with the writers' contract is that all writers are paid on the same basis - a percentage of the budget - regardless of the type of project. He argued that a high-priced documentary which requires a lot of expensive photography and special effects will pay a writer the same as a low-budget feature and that was not fair. He asked whether writing for a series, where characters and situations are well-established, should pay the same as being "handed an Alice Munro story and having to introduce the characters and setting?" Jephcott said that ACTRA acknowledges the difficulties but "can't find an accommodation at this point because no one likes to be seen to be retreating. Their response is let's stick up all the other

rates." Jephcott noted that the system worked for "a great many average programs but, as soon as you get into something that is not standard, it becomes very difficult." The producers, he said, would like to see some flexibility in the contract.

The two areas of the performers' contract which are taking up a lot of time are safety and the use of children. Both sides are attempting to write into the agreement much more protection for performers. They are trying to identify when a stunt person should be used and when a stunt person can refuse to do a stunt, said Jephcott. Similarly, they are trying to establish rules that "allow child performers to be used but not abused."

Although producers have held discussions with the Directors Guild, no collective agreement has ever been signed. Jephcott said that about half the agreement is now written, based on a document currently used by the Directors Guild. One sticking point is permits for non-Canadian performers.

Margaret Collier, director of the Writers Guild in ACTRA, would not comment on the negotiations. "We are hopeful of an outcome," she said. "We see no insurmountable difficulties." She added that "professional negotiators do not talk about negotiations."

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## Concordia to host broadcasting forum

MONTREAL - A public forum on Broadcasting and Canadian Identity will be held Friday afternoon, Apr. 26, at the F.C. Smith auditorium of Concordia University's Loyola Campus.

Moderated by Cinema Canada associate editor Michael Dorland, a six-person panel of leading Canadian journalists, filmmakers and intellectuals (Patrick Watson, Gretta Chambers, Micheline Lanctôt, Harry Gulkin, Kimon Valaskakis, and Arthur Kroker) will examine national, regional local, cultural, economic, and political/social aspects of the relations between public broadcasting

and Canadian identity. Above all, the forum hopes to gauge the extent of public support for a public broadcasting system which exists to serve the Canadian public.

While each speaker will be making a 15-minute presentation on his/her area of expertise, questions and statements from the public-at-large are cordially invited. If you can't attend, you can phone in your questions to the panel. For further information, contact Elspeth Probyn at Concordia University department of Communications, (514) 482-0320, local 276.

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# Raport and MAP get high marks as Telefilm goes to market abroad

TORONTO - Telefilm's pilot Marketing Assistance Program (MAP) has proven a smashing success at its first market.

Distributors returning from the Monte Carlo television

market held in mid-February had nothing but high praise for the program and its co-ordinator, Margo Raport. Ted Riley, head of marketing at Atlantis Television International, told Cinema Canada that the pro-

gram was of "invaluable help. I thought it was great. The profile of all the Canadian companies was raised. Not a day went by when there wasn't a Canadian story in the daily trade paper." Isme Bennie was "so impres-

sed that I wrote a letter to Communications minister Marcel Masse." She noted that the program was a "very practical and direct way of helping distributors. We looked better in print through our advertising,

and more advertising leads to more editorial content. We had better press-coverage than ever. I certainly felt that some of the extra traffic came as a result of the extra advertising."

Beverly Shenken of Visual Productions concurred. "I was extremely pleased with Telefilm's coverage," she told Cinema Canada.

Telefilm introduced MAP at the beginning of the year to help distributors in their export markets. Under the program Telefilm will contribute half of the distributor's advertising costs in those markets. Additionally, Telefilm will arrange block booking of advertising and ensure added editorial coverage.

A large factor in Telefilm's success at Monte Carlo seems to have been the unrelenting efforts of Margo Raport. As Bennie noted "I was certainly very impressed with Margo's efforts personally." Riley said that "having Margo made a great difference."

Raport told Cinema Canada that she "worked with all international publications to make sure all the companies were mentioned in articles and in the day-to-day listings of activities." She said her aim was to place stories on the Canadian companies based on business. "I'm interested in helping them make sales. If I do that, the program is successful."

Actual sales figures, however, won't be known for some time. Monte Carlo acts as an introduction to the international marketplace and a lead-up to MIP-TV. As important as sales are the contacts made at Monte Carlo. Often the deals initiated at Monte Carlo won't be finalized for weeks, sometimes months.

For Raport the big test of the program comes at MIP. At Monte Carlo she dealt with six Canadian distributors. At MIP the figure will be 20 plus. MIP is a larger, more competitive, more frantic market.

Raport is convinced that the Telefilm program is up to the challenge. "Canada will be highly visible at MIP-TV," she said. "There will be major cover stories in the international trades and more advertising than ever before."

She noted that she will keep the emphasis on business. "My task is to go out and have a business orientation. I choose to go with a product theme, a company theme. I am selling product. I am not selling Canada. I am not selling a cultural identity."

The pilot marketing program will be assessed after the Cannes film festival. If Monte Carlo is anything to go by, the program will become an entrenched Telefilm feature.

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# Régie eases restrictions      Filmline to shoot northern dog-race tale

MONTREAL – In a liberalizing move stemming from the application of Québec's Cinema Act, the Régie du cinéma has eased restrictions on the 14 years and under age-category of the film-going public, on film previews, as well as announcing the abolition of the Bureau de surveillance du cinéma (BSC).

Making the announcement, Régie president André Guérin indicated that certain articles of the 1983 Act were now in effect as of Mar. 18. The articles the BSC, which is abolish integrated into the Régie as the Direction du classement des films. As well, the new articles leave to parental guidance the decision whether or not films hitherto classified for 14 years and over can be seen by a child under 14 years of age.

Thirdly the new articles

leave the content of film advertisements, either in print or in previews, "up to the initiative of the industry." The Régie, according to Guérin, "hopes that the industry will take on this new responsibility with seriousness, balance and good taste... and that all publicity material will conform to the content of the film with a graphic treatment that respects the social consensus of the citizens of Quebec."

## Rage covers Quebec

MONTREAL – *Ô Rage électrique*, a 90-min. feature on Quebec rock star Plume Latraverse, opens on 38 screens throughout Quebec at the end of March. Film is produced by Les Productions de la Chasse-Galerie inc.

MONTREAL – Filmline International Inc.' *Toby McTeague*, an action-adventure drama set in the rugged beauty of Northern Quebec, began shooting on location in Ste. Rose du Nord, Quebec, on Mar. 23.

*Toby McTeague* recounts the adventures involved in an adolescent boy's coming of age in the man's world of big-time dog-sled racing, one of the region's most popular and exciting pastimes. When his father is unable to compete in a championship race, 16 year-old Toby takes his place and struggles to win his father's respect as an adult capable not only of victory, but of doing it right.

Veteran Canadian actor Winston Rekert stars as Tom McTeague, the widower father of two young sons, Toby and Sam, played by Yannick Bisson and Andrew Bednarski res-

pectively. Also featured in the cast are Liliane Clune, Evan Adams, Stephanie Morgenstern, Timothy Webber and George Clutesci.

*Toby McTeague* is directed by Jean-Claude Lord (*Bingo, Visiting Hours*) from a script by Montreal screenwriter Jamie Brown based on an original screenplay by Jeff Maguire and Djordje Milicevic. The picture is being shot on a five-week shooting schedule mostly on location in the area of Chicoutimi, Quebec.

Nicolas Clermont is the producer of *Toby McTeague* for executive producers David Patterson and Pieter Kroonenburg, whose previous credits include *Breaking All The Rules* (formerly *Fun Park*) for New World Pictures; *Don Shebib's Heartaches*; *Cross Country*; and two U.S. co-ventures, *Cook*

and *Peary: The Race For The Pole and The Hotel New Hampshire*.

*Toby McTeague* is being produced with the participation of Telefilm Canada, the Société Générale du Cinéma, the CBC Television network and Radio-Canada.

Set for a December '85 release, the film will be distributed worldwide by Spectrafilms and in Quebec by Cine 360.

## Detroit PBS syndicates big Canadian pack

TORONTO – WTVS/Channel 56, Detroit's Public Broadcasting Service station, is offering one of the largest packages of Canadian programming ever syndicated to a U.S. market. The station will offer over 120 hours of Canadian-produced programming in its second syndication package to other U.S. PBS stations. The package includes five separate series and six specials.

Included in the package are three children's series: *Today's Special* and *Polka Dot Door*, both from TV Ontario and *Troupers* produced by Atlantis Films for Global TV.

Other series include the 13-part *Cities*, co-produced by John McGreevy Productions and Nielsen-Ferns International. *Cities* first aired on CBC. Another Nielsen-Ferns production, *Portraits of Power*, 26 half-hour programs on the lives of great historical figures will also be part of the syndication package.

The specials are *The Cleo Collection*, featuring Cleo Laine in concert; *The Red Baron*; *The Jews of Spadina* by David Troster; *Storytelling* by Kay Armatage; *Hockey: of sport and men*; and *Not Dead Yet*, Ed Mowbray's exploration of punk culture in Toronto.

WTVS operates a Toronto office headed by Canadian producer Bill Nemtin. "Ever since word got out that we were in business to syndicate Canadian programmes to PBS, we've been overwhelmed with material," said Nemtin. "My sense is that this current package is a good representative sample of what's available. I expect our next package will have more drama and performance. I think it will be possible to offer about 300 hours per year from Canada on a regular basis."

Last year WTVS syndicated a seven-hour package of Canadian programmes including *Chautauqua Girl* and *Magic in the Sky*. The station intends to undertake syndication of Canadian productions twice yearly.

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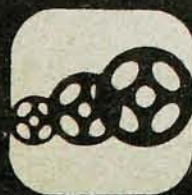
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# Television awards to Academy if ACC and ACTRA able to resolve differences

TORONTO - The Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) released the list of nominees for the 14th - and possibly last - annual Nellie awards, as the Academy of Canadian Cinema has announced plans to mount its own television awards ceremony starting in 1986.

Andra Sheffer, executive director of the Academy, told Cinema Canada that the Academy is in the process of broadening its membership base to include television. "It is a recognition of the fact that the industry is changing so much. The theatrical industry is slowing down. It would be foolish to ignore major productions going on out there," said Sheffer. She added that in its first two years of operation (the Academy was founded six years ago) the Academy had presented television awards. "We are returning to the mandate we took on in the beginning."

The Academy is negotiating with ACTRA about taking over the awards ceremony. ACTRA is holding back on two issues. The Academy wants non-Canadian performers to be eligible for awards. This is totally unacceptable to ACTRA.

A lesser issue is the future of the radio awards. The Academy would like ACTRA to continue the radio awards but on radio with highlights presented on TV for the television awards ceremony.

Alex Barris, ACTRA vice-president and chairman of the national awards committee, told Cinema Canada that ACTRA is in principle in favour of industry-wide awards. "We have indicated our willingness to take part," he said. "There are several stumbling blocks. Arthur Weinthal at CTV is not interested at all in radio awards. We are not prepared to dump radio to please CTV." Barris said ACTRA also doesn't totally "want to lose our identity. The Nellie should be retained."

The most contentious issue relates to eligibility of foreign actors. Barris said that "the Academy, more specifically CTV, wants foreign actors to be eligible. The ACTRA awards were established to celebrate Canadian talent. We do not want to lose that principle."

He pointed out that the Academy has itself been inconsistent on this with its Genie awards. "Over the last years they've gone back and forth

over that issue." Barris is not certain they've gone back and certain how the issue can be resolved. "We are by no means ready to abdicate until we know what we are abdicating for," he said. Barris thinks that the ACTRA awards will continue in 1986. He noted that Texaco Canada, who are sponsoring the 1985 show, have agreed to extend their sponsorship to 1986.

Meanwhile, the Academy is still working out the details of their expansion. Among other things it is considering amalgamating the television awards with the Genies.

Leading the Nellie nominees is CBC's ratings runaway *Chautauqua Girl* with three nominations: for best television program; best writer (Jeannine Locke, also the producer); and best actress (Janet Laine Green). Competing for best television program is *Balconville*, David Fennario's stageplay about working-class Montreal and *Tighten The Traces*, a portrayal of a cerebral palsy victim.

Hosting this year's ceremony are Joyce Davidson and Roger Abbott. Davidson recently hosted her own series, *Parenting*, on CBC-TV. Abbot is one of the founders of the Royal Canadian Air Farce. The ceremony, to be broadcast live on April 3 from the Congress Centre in Ottawa, is produced by CBC-TV Variety.

## Vancouver filmmakers make first feature

TORONTO - Two young Vancouver filmmakers, Charles Wilkinson and Cal Shumiatcher, have taken a typically Canadian path to making *My Kind of Town*, their first feature film. Asked by the NFB Pacific region to produce a documentary on Chemainus, a town struggling to survive on Vancouver Island, they realized that the budget NFB allowed them had plenty of slack - enough to make a feature.

"We had a 15:1 ratio," revealed Wilkinson in an interview, "and we had the confidence about our documentary skills to know we didn't need that much. We decided to use the excess to make a drama." One of the things that made it feasible was that all the film was processed in Montreal. "By the time the rushes came in we had gone too far. John Taylor (NFB exec. producer) hopped on a seaplane to see us. He had mixed feelings. He was thrilled to see the dramatic footage but he was also concerned we honour our commitment to finish the documentary within the budget."

## CFTA explores export initiative

TORONTO - Sam Jephcott, executive director of the Canadian Film and Television Association, has told Cinema Canada that the CFTA is co-ordinating a new export initiative.

In discussions with External Affairs and the department of Communications, the CFTA is trying to establish a market solely for Canadian product. Under the CFTA scheme, selected buyers will be flown in all-expenses-paid to view Canadian product. Jephcott noted that for such a scheme to work, all sectors of the production and distribution industry had to work together. Isme Bennie, CFTA vice-president in charge of distribution, told Cinema Canada that "we would have to

make sure the timing is right. And we have to make sure we have the product. We have to have enough for next year and the year after. The key will be sustaining the product and there will have to be a tremendous effort to make buyers feel welcome."

One sticking point in the plan may be the opposition of Montreal and Toronto film festival directors Serge Losique and Wayne Clarkson. Losique in particular feels that such an initiative will reduce the importance of the market at the Montreal International Film Festival. He has been urging CFTA officials to locate the initiative in Montreal concurrent with the World Film Festival. The CFTA is resisting the suggestion.

## Vancouver (cont)

The documentary, *The Little Town That Did*, had been sponsored by Chemainus luminary Karl Schutz who mortgaged his house to put up \$60,000 for the film when the provincial government was slow in funding. Subsequently, he recouped his money when a delighted provincial government granted \$50,000 for the film. The remaining \$10,000 came from a CBC license fee.

The documentary and much of *My Kind of Town's* dramatic footage was shot in July, 1983.

It was a year, however, before Wilkinson and Shumiatcher could return to complete shooting on the feature. A polished script had to be developed and money found.

Initially, Telefilm rejected the project but when the filmmakers came up with letters of support from CBC regional, City-TV and the support of veteran editor Frank Irvine and cinematographer David Geddes as well as a recoupment position for Telefilm that assured them in the worst scenario a return of half their investment, Telefilm threw in \$80,000.

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## Toronto's U-Knows gets TV show

TORONTO - CBC Television will be broadcasting this year's U-Know awards on April 24. The U-Knows are "people's choice" awards honouring the Canadian music industry. By means of a public balloting system, run in two magazines, the public select their favourite performers in 14 categories. The U-Knows are sponsored by CFNY-FM and CBC's flagship station, CBLT. The awards ceremony is in its fifth year. It was originally set up to spotlight musicians not widely known. Past winners include Carole Pope of Rough Trade, Lorraine Segato and Billy

Bryans of Parachute Club, and the Spoons. CFNY is currently running a contest to select a new name for the U-Knows. The new name will be announced at the commencement of the awards show. This is the first year that the show will be televised.

MONTREAL - Shooting ended Mar. 20 on Pierre Harel's surrealist feature *Grelot rouge et sanglot bleu* with an action painting session at nightclub Les Foufounes électriques.

Nine leading Montreal action painters were on-hand to whip up the paintings that will serve as the film's intertitles.

## Bay Boy, Québécois sweep Genie Awards

TORONTO - The question everybody seemed to be asking at the sixth annual Genie awards Mar. 21 was: who won more - the French or the English? The answer depends on how one views *The Bay Boy*. Although its script and actors are English, the producers and technicians are Québécois.

With six awards *The Bay Boy* swept the Genies. It won for best picture (producers: John Kemeny and Denis Héroux); best supporting actor (Alan Scarfe); best art direction (Wolf Kroeger); best costume design (Renee April); best sound editing (Charles Bower, Peter Burgess); and best screenplay (Daniel Petrie).

Daniel Petrie who works mainly in the States told Cinema Canada how much the project meant to him. "It was the most incredible homecoming in the world. I was a Bay Boy." He said it was the most emotional movie he has done, but "I don't think it's possible to get so autobiographical again."

He felt that *Bay Boy* is a truly Canadian film with international appeal. It is just opening in the U.S. and will open early April in England and mid April in Australia. Petrie said that at a screening of *Bay Boy* in Australia in January, the projectionist had told him, "It's the first Australian film shot out of Australia." Petrie added that he is working on another Canadian project - set on Sable Island off Nova Scotia in the 1920's.

The only other English feature film to win a Genie was *Draw*. Linda Sorenson, now living in the States, took the prize for best supporting actress.

Louise Marleau, who won Best Actress for her part in *La Femme de l'hôtel*, wasn't even sure that she was going to make it to the awards ceremony. She had been up since

6:30 working and didn't think they would finish in time. But she was delighted that she came, reflecting that the film hadn't done too well in Toronto perhaps because it was categorized as an art film.

For Micheline Lanctôt, winner of the best direction award for *Sonatine*, which hasn't opened in Toronto, the categorization of French-language films as art films was hampering the distribution of Quebec films in English Canada. She told Cinema Canada that "a lot of French Quebec films are slotted into the art pigeonhole. They are not played on the major circuits. We've been told to shoot in English. We can't and that's that. The whole problem lies in exploitation rather than in culture and identity. We are condemned to the art circuit."

In other awards, *Mario* picked up three Genies for cinematography (Pierre Mignot); music score (François Dompierre); and overall sound (Bruce Nyznik, Richard Besse, Hans Peter Strobl). *La Femme de l'hôtel* picked up a second award for best original song ("Touch Me" by Yves Laffiere, Marjolene Morin, Paule Baillargeon). The editing Genie went to Andre Corriveau for *La Guerre des tuques*. Gabriel Arcand took Best Actor for his role in *Le Crime d'Ovide Plouffe*. Jon Minnis took the best theatrical short award for his student film *Charade*, made on a \$300 budget. (Four nights later he picked up an Oscar for the film in the same category.) Best theatrical documentary went to *Raoul Wallenberg: Buried Alive* (producers: Wayne Arron, David Harel).

The Academy also presented two special awards to "distinguished members of the Canadian film community." Paul Le

Blanc received his Genie for outstanding motion picture hair and make-up design for such films as *Return of the Jedi*, *Death Hunt*, *Places in the Heart*, and *Amadeus* (for which he also won an Oscar) among others.

Ivan Reitman was presented with a Genie for his "outstanding contributions to contemporary motion picture comedy." Reitman, who directed such box-office smashes as *Animal House*, *Meatballs*, *Stripes* and *Ghostbusters*, told Cinema Canada that it was a "great honour for me. I made my first film in Canada." He added that "it's important to go into the U.S. It was very important for me. It is the centre for international filmmaking."

Cinema Canada has learned that Reitman intends to set up an international fund for young filmmakers. In Canada, he is currently discussing a project with Toronto filmmaker Ron Mann. Reitman said he plans to make an announcement in the near future.

## Ottawa Film Society fetes Golden with AGM, discussions

OTTAWA - The Ottawa Film Society - Canada's first - is celebrating its fiftieth anniversary. As part of its Golden anniversary celebrations the OFS will be hosting the annual general meeting and preview weekend of the Canadian Federation of Film Societies from May 17-20. A key topic at the AGM will be the future of 16mm film distribution.

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# Coproduction deals highpoint of Berlin festival

MONTREAL - *La femme de l'hôtel*, Lea Pool's 1984 feature, picked up where *Les bons débarras* left off four years ago, in focussing Berlin's attention on a high-quality Canadian feature at February's Berlin Film Festival. This high-profile success, however, was only one in a year which officials are quick to call a "breakthrough" year for Canada in Berlin.

"Canada was very visible this year at Berlin, not only with *La femme de l'hôtel*, but also with a number of films which had received publicity elsewhere," reflects Francine Allaire of Telefilm Canada's festivals' bureau. "*Sonatine* (directed by Micheline Lanctôt) had been well-received in Venice, *Les années de rêve* (directed by Jean-Claude Labreque) has been screened in the Directors' Fortnight at Cannes, while *La guerre des tuques* (*The Dog Who Won the War*) was enough of a commercial phenomenon to be commented on in *Variety*.

"In addition, Canada doubled the number of features being screened in the FilmMesse (Market), and we began negotiations on several co-production ventures with West German independents."

While *La femme de l'hôtel*, which was screened in the

Young Directors' Forum section, attracted much attention (becoming the only Forum film featured on the front page of the daily *Film Fest Journal*, distributed to the festival's 1200 visiting journalists), four other films were also entered in various festival sections.

Ishu Patel's NFB animation film, *Paradise Paradis*, was judged the best film in the short film category, winning a Silver Bear award. The short tells the story of an envious blackbird and "the lesson he learns when he tries to transform himself into something he is not." *Paradise Paradis* was also nominated for an Academy Award.

Other Canadian films being screened included *The Boy and the Snow Goose* and *Blackberry Subway Jam*, both screened in the children-oriented Kinderfest, and *Universe*, a short which was praised for its special effects.

The ten Canadian features screened at the FilmMesse (Market) included not only *La femme de l'hôtel*, *Les années de rêve*, *Sonatine* and *The Dog Who Stopped the War*, but also, *Hockey Night*, *Jacques et Novembre*, *Le jour 'S'*, *Mario*, *Next of Kin* and *Walls*.

Among the producers, dis-

tributors and government agencies present at Berlin were Viva Films, Spectra Films, Yoshimura-Gagnon, Films Transit, Les films Rene Malo, Quebec's Societe Generale du Cinema (SGC), and Telefilm Canada. As well, Kay Armatage and David Overbey represented the Toronto film festival, Jim Munroe came from Vancouver, Dimitri Eipides and Claude Chamberlan were scouting for their New Cinema fest, while Montreal's World Film Festival sent its director, Serge Losique.

Francine Allaire of Telefilm Canada, however, emphasizes that the spinoffs of the Berlin festival are yet to be fully counted. She underlines that a "breakthrough" has occurred in negotiating co-productions with West German independents and TV networks, and that this should soon lead to agreements involving pre-sales between Canadian and German producers.

"One problem we have always had with West German independents and TV is that the networks there are very decentralized, with the Länder involved to a great extent. But now we have overcome that problem, especially with the Cologne-based first network, ARD. I expect we will see the commer-

cial results of this breakthrough in negotiations when the first group of German independents comes to Canada in June."

David Winch ●

## Annual women's fest planned for Montreal

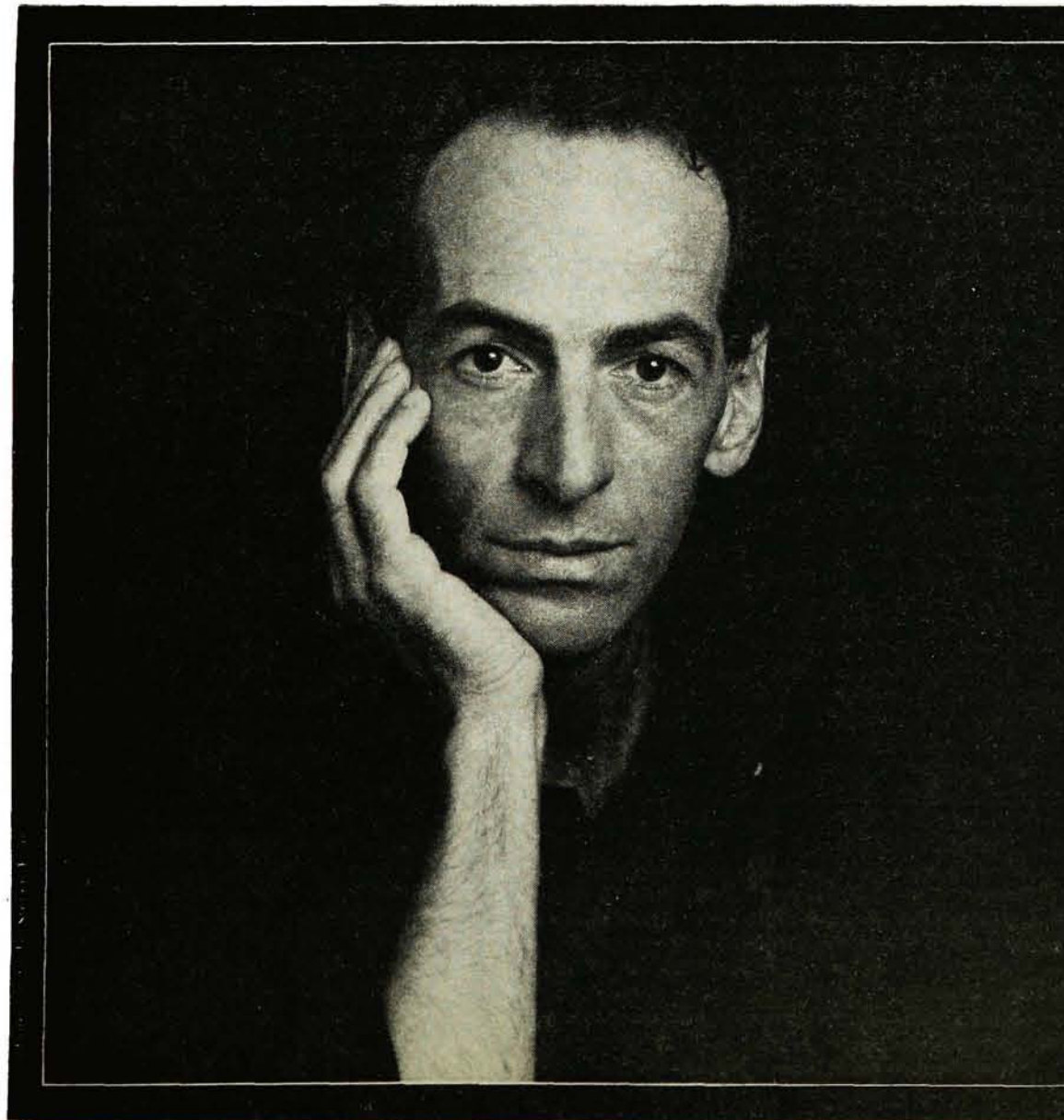
MONTREAL - "Silence! Elles tournent." an annual international festival of women's film and video, with a first edition set for this June 6-16, has been announced by a seven-woman committee organized under the non-profit corporate name of Cinema Femmes.

Created in June 1984, Cinema Femmes' four-woman board, made up of Louise Martin, Linda Soucy, Claude Krynski, Jeannine Gagné, with the support of co-organizers Nicole Fréchette, Josée Drolet and Daniella Lavallée - all of whom have festival programming, filmmaking or publicity experience - hope to provide the North American equivalent to such well-established women's film festivals as Sceaux and Créteil in France. The first international women's film festival

was held on this continent at New York in 1972.

With \$64,000 of the \$150,000-budgetted event raised so far by the end of February, organizers are confident such an event "answers an urgent need to open up women's film production, as well as provide a launching pad for letting it be known that more and more women are directing, and that their cinema represents a new discourse, a new way of looking at women and the world around them."

So far confirmed are features by Jeanne Labrune (*La digue*), Aline Isserman (*Le destin de Juliette*), Ula Stöckl (*Le sommeil de la raison*), Jutta Brückner (*Les premiers pas, Les racines en l'air, Les années de faim*), Sheila McLaughlin and Lyne Thillman (*Committed*), Sally Potter (*Thriller, The Gold Diggers*), Megan McMurphy and Jeni Thornley (*For Love or Money*), as well as a retrospective of Swedish director Mai Zetterling's major films. Negotiations are on-going with foreign filmmakers such as Chantal Ackerman, Marleen Gorris, Jeanne Moreau, Nouchka Van Brakel, Marta Metzarus, Lee Grant, and Canadians Micheline Lanctôt, Léa Pool, Sophie Bissonette, Suzanne Guy, Anne Claire Poirier, Diane Poitras, Kay Armatage, Gail Singer, Gloria Demers and Margaret Westcott, among others.



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