

### Majors win first round in Quebec

MONTREAL — On Nov. 27, the Quebec Cabinet decided not to approve the regulations of Quebec's Bill 109 touching on the question of distribution of films in the province, among other items. *Cinema Canada* learned from a well-informed source on Nov. 28 that Bernard Landry, then minister of finance in the Parti Québécois government, had opposed the regulations in cabinet. On Dec. 2, the P.Q. lost the provincial election in a landslide vote that returned Robert Bourassa and the Liberals to power in Quebec after nine years of P.Q. rule.

These are the bare bones of a news story which held the front pages of both *Le Devoir* and *La Presse* for three days running, from Dec. 9-11. Curiously, the English press outside of Quebec took scant notice of the events.

As background to the story, Claude Fournier, president of the Institut Québécois du Cinéma, had been asked last August by then minister of Cultural Affairs Clément Richard to negotiate an understanding with the U.S. Majors around the regulations. Originally, Fournier's twin brother, Guy,

author of the study on which Bill 109 was based, had been negotiating with the Majors, and a sort of understanding had resulted, Claude Fournier told *Cinema Canada*. Leaks from the Majors, however, coupled with the fact that Guy Fournier was negotiating as a free agent for the government without any organizational backing, diminished the results, and Richard asked the president of the IQC to begin again. In August, Claude Fournier, Clément Richard and Jack Valenti, head of the Motion Picture Association of America, began discussions.

In September, public hearings were held on the subject of the regulations (see *Cinema Canada* No. 124), and the final draft of these regulations was sent by the Régie de Cinéma to the minister of Cultural Affairs who, in turn, would present them to the Cabinet.

At stake was the definition of just who would be permitted to distribute films in Quebec. The overwhelming recommendations heard at the public hearings was that only Quebec companies should distribute films. Two exceptions would, however, be permitted. The

"producer" of a film or the holder of "world rights" (already doing business in Quebec on Dec. 17, 1982) would be permitted to distribute on a film-by-film basis. In brief after brief, it was suggested that "producer" should be defined as the person who holds copyright on the first day of principal photography, and the "holder of world rights" encompass, effectively, rights in all parts of the world. These were tougher definitions than those in the first draft of the regulations.

These hearings, then, and the resultant regulations constituted what Fournier refers to as "the fall-back position", and made the job of negotiating with the Majors effective. "As time went on and they became convinced that the government was serious about passing the regulations as they stood (if nothing were to come of the negotiations), their position became more and more supple. We made enormous progress from August to October, and, while it would be exaggerating to say that an understanding was at hand, there

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### Caplan-Sauvageau report running late

OTTAWA — The federal task force on broadcasting policy won't be meeting its original Jan. 15 deadline to present its recommendations to the minister of Communications. In fact, "If God is good", says task force co-chairman Gerry Caplan, it's only within the following two months that the recommendations will likely be passed. "March is what we're looking for," says Caplan.

Caplan attributes the delay as the product of various factors: the two months last summer spent "gearing up and roaming around" (a process that included public meetings at 14 cities across Canada); a misunderstanding by the task force's creators of what Caplan called "the magnitude of the task"; the temporary resignation last fall of Marcel Masse over allegations of federal election campaign overspending; and an avowed commitment to "stick with" promises to hear out the concerns of interested public and private groups (in some cases more than once) and just generally being as accessible as possible. Masse's

exoneration and return to cabinet late in November would not change the task force's revised submission of recommendations, Caplan told *Cinema Canada*.

Since late November, the task force has been in what Caplan referred to as "our semi-final to final stages," a period in which the seven task force members conferred among themselves and their researchers in a bid to agree on recommendations. Retaining his upbeat outlook (he, in fact, candidly regards his group's existence and experience since its creation last spring as "a wonderful time"), Caplan said that, while a general drift to the task force's report is still outstanding, "We ought to be able to reach a consensus on a whole lot of different issues."

One key recommendation certain to appear when the report is presented (and, as vowed by Caplan, made public) is the continued significant presence of the CBC in the Canadian broadcasting spectrum. Speaking at a November gathering of CBC trade-union

employees (groups that included ACTRA, NABET, and the National Radio Producers among others) at Toronto's Hampton Court Hotel, Caplan pointed out "The question is not whether there should be a CBC. There will be a CBC when we finish. The question is what size it will be, what scale, and what areas will be served." Caplan, who mildly chastised the CBC unions for "missing the boat for five or six months" before finally forwarding submissions to the task force on their concerns, added the public broadcasting system he envisions would "probably be a significant one" with its relative weight vis-a-vis the private broadcasting system to be determined.

As if to emphasize the CBC has a future role to play, the former national secretary to the New Democratic Party found himself trying to allay the mutual concern of the approximately 60 assembled network employees that the federal Conservative government

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### Feature Task Forces wants Canadian distribution, funds

TORONTO — On Dec. 10 the Film Industry Task Force, appointed last September by federal Communications minister Marcel Masse to analyze the structural problems of the Canadian film industry, released its eagerly awaited report, *Canadian Cinema — A Solid Base*.

In its 118-page bilingual report, the Task Force unimously requested that the elected government unilaterally establish a firm domestic film policy, aimed not so much at improving Canadian access to foreign markets, but at gaining access to its own domestic market. "We urge you, Mr. Masse," stated the report's covering letter to the minister of Communications, "to resist being distracted by the ongoing trade talks, and to steadfastly pursue your oft-stated policy of developing and enforcing, unilaterally in Canada, a truly Canadian film policy."

In its analysis of the Canadian film industry, the Task Force identified the three major structural problems that required solution for the development of a healthy, dynamic, profitable and competitive Canadian film industry. These are: the foreign domination of film and video distribution in Canada that prevents Canadian producers from taking their rightful place in the Canadian market; the chronic under-capitalization of production companies

and the difficulty of financing feature films; and the concentration of theatre ownership, as well as the vertical integration of distribution companies that reduce competition in the field of distribution and exhibition.

The Task Force's major recommendations, as regards Canadian control of film distribution, is that the distribution of films and videos in all media in Canada be by companies owned and controlled by Canadians. Canadian ownership and control of distribution in Canada is essential, the Task Force stated, recommending the government take the appropriate legislative and regulatory measures to ensure that this policy is carried out to rectify Canadian distribution companies' marginalization in the domestic market, where Canadian films only occupy three to five percent of screen time.

As regards private-sector capitalization of companies and the financing of Canadian feature films, the Task Force recommended the creation of tax incentives and other support mechanisms to encourage investment in Canadian production, distribution and export companies, as well as the creation of a Canadian Feature Film Fund with an annual budget of \$60 million.

The Feature Film Fund, to be administered by Telefilm

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### Quebec box-office, distribs strong

MONTREAL — According to Quebec-based film distributors, 1984-85 was an excellent year in terms of box-office receipts for many of the province's films.

"1985 has been a very, very good year for us," Victor Loewy, president of Vivafilm Ltée, told *Cinema Canada*. "We had many films that were very successful at the box office. *Le Matou*, directed by Jean Beaudin and produced by Justine Héroux, has already brought in \$900,000 since its release in early September, and is still going quite strong."

"*Hold-up*, the Canada-France co-production starring Jean-Paul Belmondo, is now in its eighth week in Quebec and has already grossed over \$600,000. I project it to bring in close to \$850,000 before its run in the province is termi-

nated. We have also had success with some of the foreign films which we distributed.

"I am also very excited about our line-up for 1986," continued Loewy. "We will be releasing *Night Magic*, directed by Lewis Furey and produced by RSL of Toronto, as soon as Lewis Furey has secured a record deal for the film's soundtrack. We will also be releasing the new Nardo Castillo film *Claire... Cette nuit et demain* on March 7, as well as *Pouvoir intime* by Yves Simoneau. I am very optimistic about both these films."

In 1986, Vivafilm will also be distributing a line-up of foreign films that includes Federico Fellini's latest, *Fred and Ginger*, and Eric Rohmer's newest feature, *Les Rayons verts*.

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## IN THE CAN

## TV SERIES

## JACK OF HEARTS

The last of Bell Canada Playhouse Series. Shot in Montreal December 5 to 13. Co-production between NFB and Atlantis Films Ltd. p. NFB Giles Walker p. Atlantis Cindy Hamon-Hill d. Cynthia Scott line p./p. man Jonathan Goodwill 1st a.d. Pedro Gandol 2nd a.d. Vicki Frodsham p. coord. Liz Joyce unit man. Peter Lafreniere 3rd a.d. Maureen Goodwill p. asst. Thom Richardson cont. France Lachapelle d.o.p. Andreas Poullson asst. cam. Zoe Dirse 2nd asst. cam. Sharon McGowan sd. rec. Hans Oomes boom Marc Lapointe gaffer Roger Martin best boy Jean Maurice DeErnsted key grip Pierre Charpentier grip Bernard Arseneau art d. Michael Joy props Mario Hervieux set dresser/buyer P.K. Lanshaw art dept. asst. Annie O'Donoghue ward des. Lise Bedard dresser Ellen Garvie makeup-hair Brigitte McCaughy choreographer Paula Frank post p. Grace Avrieth sync rushes Kevin Smith 2nd unit cam. Susan Trow l.p. Renée Gersovitz, Bronwen Mantel, John Friesen, Patricia Phillips, Pauline Rathbone, Michelle Polak, Phaedra Hicks, Susana Urta, Jill Gamberg, Joan Heney, Aline Van Dine. p.c. Atlantis Films Ltd./National Film Board of Canada (514) 283-9807.

## PHILIP MARLOW PRIVATE EYE

For details see Cinema Canada No. 125 ON LOCATION. pub. Janice Kaye (416) 691-4224 p.c. Chandlertown Productions Inc. (416) 366-1806.

## CAP LUMIÈRE

Pilot for series shot in Moncton Sept. 2 to 10. In association with the Société Radio-Canada and assistance of Telefilm Canada and NFB. p. Lawrence Carota line p. James Gray asst. p. Karen Carota p. man. Marie Christine Lavoie 1st p. asst. Louise Olivier p. coord. Gilles Losier acct. Cecile Goguen p. asst. Lorette LeBlanc, Denis Fortier, Philippe Beaulieu sc. Monique LeBlanc d. Hermenegilde Chiasson 1st a.d. Michel Gauthier 2nd a.d. Louis-Philippe Rochon 3rd a.d. Claudette Babineau cont. Marie Daoust d.o.p. Christian Duguay asst. cam. Michelle Paulin gaffer Pierre Provost asst. elec. Mario Paulin, Claude Boulet key grip Marc Paulin grip 2 Mark Carota art d. Louise Carota props André Thériault cost. Francine Blais makeup Cécile Rigault sd. mix. Gabor Vadnay boom Georges Hannan synch. Yolande Desjardins ed. Denis Papillon l.p. Kim Yaroshevskaya, Viola Léger, Clément Cormier, Isabelle Cyr, Marie Josée Thériault p.c. Cine Est En Action In (506) 854-2459.

## GETTING TO WORK

Pilot for series set in the Maritimes. Shot from October 2 to 6. In association with the CBC and assistance of Telefilm Canada and the NFB. exec. p. Lawrence Carota p. Karen Carota d. Jack Nixon-Browne 1st asst. d. Betty Arsenault 2nd asst. d. Paula Fairfield sc. Karen Carota, Bruce McKenna, Barry Morgan p. man. Luciano Lisi asst. p. man. Lorette LeBlanc cost. Doris Léger makeup Betty Belmore hair Rick Mann art d. Louise Carota set dresser Yves-Daniel Thibodeau asst. cost-makeup Sharon Pretty tech. d. Peter MacDonald d.o.p. James Gray man. op. Marc Paulin, James Gray asst. cam. Peter Sutherland, Mike Dawson gaffer Serge Raymond asst. gaffer Denis Fortier grip Eric Emery, Mario Paulin sd. Jim Reilly boom Georges Hanna, Mark Carota props James Armstrong, Kathleen Ross, Paul Vautour cont. Ginette Bertrand p. sec. Gilles Losier ed. Jean-Guy Montpetit, Tim Reed Music Nando Speranza, Steve Naylor, Richard Savoie l.p. Dixie Seattle, Billy Van, Sheila McCarthy, Dennis Doherty, Glen Cairns, Hugh Webster, Dan MacDonald, Maurice Victor, Peter Eberhardt, Ernie McAuley, Kent Stenson. p.c. East In Motion Pictures Inc. (506) 854-2459.

## THE EDISON TWINS

For details see Cinema Canada No. 125 ON LOCATION. p.c. Nelvana Enterprises (416) 863-0091.

## MANIA

4 1/2 hour pilots for TV series. Tales of contemporary urban fear. Shot November 25 to December 20 in Edmonton. p. Peter Simpson asst. to p. Lesley Calbick financial cont. Peter Haley p. exec. Ilana Frank p. sup. Ray Sager p. man.

Bob Wertheimer p. coord. Cheryl Skoreyko loc. man. Mike Gazley p. sec. Nicole Noel p. asst. Monika Wolff p.a./TO Suzanne Colvin p. acct. Sue Anderson books Chris Donnelly d. Paul Lynch 1st a.d. David Robertson 2nd a.d. Cam Kjellbotn cont. Shay Garner d.o.p. John Spooner focus pull. Ken Hewlett clapper Richard Zyp sd. mix. Clancy Livingston boom Peter Wugalter art d. Scott Dobbie asst. art d. Rick Roberts graphic art. Wayne Schneider set dec. Cindy Gordon asst. set dec. Rick Molnar cost. des. Maya Mani ward. mist. Jill Lakeman makeup/hair Nancy Howe props Andy Deskin asst. props. Paul Haigh gaffer Jim Wallace best boy Bill Montgomery 1st elec./genny Steve Zacerkowny key grip Brian Kuchera 2nd grip Eddie Washington swing grip Ostop Toroshenko p.a./set Greg Coyes sc. John Sheppard ed. Mike McLaverty l.p. Bill Croft, Deborah Grover, Rikki Lynn Wosnack, Elan Ross Gibson, Stephen Hunter, Stan Kane, Dan Lehman, Lenore Zann, Dwight McPhee, Andrew Deskin, Wayne Robson, Deryck Hazel, David Peterson, Tom Peacocke, Susan Sneath, Paul Whitney, Jim Defelice, Graham MacPherson, Kevin George, Christine McInnis, Bob Koons p.c. Bullies Productions Incorporated (403) 436-1250/ (416) 961-6278.

## THE DREAM &amp; THE TRIUMPH

Part of the Bell Canada Playhouse series. Shot November 14 to 20 in Montreal. NFB p. Bill Weintraub Atlantis p. Gillian Richardson d. Bruce Pittman line p./p. man. Jonathan Goodwill 1st a.d. Pedro Gandol 2nd a.d. Vicki Frodsham p. coord. Liz Joyce 3rd a.d. Peter Lafreniere d.o.p. Savas Kalogeras ed. Rita Roy p.c. Atlantis Films Ltd./National Film Board (416) 960-1503.

## FAMILY LIFE STUDIES

A series of one-half hour dramas concerning family oriented issues. Fight of series titled *Out of a Job* Shot in Montreal December 4-13. p. Sam Granna, Robert Fortier exec. p. Barry Howles sc. Bob Carney, Judith Thompson l.p. Dan McDonald, Dan Lett, Arlene Meadows, Robert Parsons. Also completed in series are: *The Gift* produced in August 1985, *One Step Away* produced March 1985, *Running Scared* produced September 1984 and *The Last Rite* produced in June 1984. p.c. National Film Board of Canada (514) 283-9000.

## VID KIDS

Thirteen x 1/2 hour series of videos for children. Principle photography completed November 5 in Toronto. Additional production in Ultimate Studios in Ottawa completed December 6. To air on CBC starting January 14. A co-production with Avenue TV. With the participation of Telefilm Canada, in association with the CBC and Carleton Productions Ltd. exec. p. John MMuller, Tom Reynolds d. John Muller, Chris Terry line p. Henia Muller senior story ed. Janis Nostbakken Bob Schneider's songs Bob Schneider videos Bob Schneider, Hallary Dworet theme characters & computerman Peter Jarvis p. sup. Nancy Harvey p. man. Debbie Nightingale, Christopher Bird d.o.p. Richard Grunberg cam. asst. Robert Burt gaffer/grip Jan Madlener, Hugh McLean grip asst. Richard Teodorczyk gaffer asst. Wayne Wightman sd. mix. Paul Barr sd. asst. Cal Coons event vid. coord. Carolann Reynolds 1st a.d. Paul Schultz 2nd a.d. Bonnie Laufer cont. Christine Akrey loc. man. Paul Casselman props Cheryl Junkin asst. props. Shirley Gulliford makeup/hair Irma Parkkonen ward. Annie Bradley asst. ward. Ron Rodda acct. Madeleine Meredith stills Paul Casselman graphics Rudi McToots/RPM Art logo Kim Lew-Kee 2nd unit cam. Greg Foad, Bongo Kolycius, Robert Burt, George Dyke, Barry Elliott, Scott Brown office coord. Barbara Bell p. asst. Doug Brisbois, Jane Chittick, Suzanne Colvin, Leslie Hollenberg, Carol Korm, J.P. Locherer, Laurie Mirsky, Andrew Robertson Ultimate coord. Christopher Howard ed. Christopher Howard, Jim Erickson, Allan Novak guests Bob Schneider, Peter Jarvis, Famous People Players, Menuzo, The Rainbow Club, The Nylons, Inner City, Cano, The Canadian Aces, Dynasty, Belinda Metz, The Good Brothers, Glenn Bennet, The Junior Jug Band, The Boinks. p.c. Vid Kids Productions Inc. 1985 (416) 968-9300.

## BABY JOHN DOE

A made for TV feature of 95 mins. Shot Nov. 27 to Dec. 30 in Toronto. p. Don Haig, Patricia Gerretsen d./sc. Peter Gerretsen d.o.p. Doug

Koch 1st a.d. Glen Carter p. coord. Alic Dwornick ed. Michael Todd l.p. Jayne Eastwood, George Millenbach, Helen Hughes, Janet Laine-Green, Chuck Shamata, Jeff Bowes, Ken James, Jim Loxley, Ardon Dess, Jacqueline McLeod. p.c. Gerretsen Productions Ltd. (416) 484-9671.

## ONE-HOUR PROGRAMS

## MICHAEL AND KITTY

A one-hour drama shot in Toronto. Set for spring 1986 release. p. Alan Burke d. Grant Alianak sc. Suzette Couture art d. Robert hackborn cast. Gail Carr asst. Suzanna Conezbeare d.o.p. Ed Long lighting d. Eric Harris sd. David Brown film ed. Gord McClellan l.p. Booth Savage, Janet-Lane Green, Don Ferguson, Allan Aarons, Guy Thawette, Sky Gilbert, Angie Gei, Devin O'Brien, Molly MacNeil pub. David McCaughna p.c. CBC-TV Toronto.

## Classified Information

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## Errata

ERRATA - Documentary filmmaker Peter Raymont was incorrectly identified as the founder of the Canadian Independent Film Caucus in a story in the December issue about his departure to Boston. Raymont is, in fact, one of the founding members of the CIFC and was elected its vice-chairperson last January. The group itself was formed to lobby for the inclusion of documentarists for funding from the Broadcast Program Development Fund.

Another story in the December issue on Rhombus Media Inc.'s success at the 21st Yorkton Short Film and Video Festival incorrectly identified John Walker as a member of Rhombus and, together with another Yorkton winner Louise Shekter, as a founding member of the Canadian Independent Film Caucus. Walker in fact is not a member of Rhombus, nor was he present at the CIFC's founding meeting held Nov. 24, 1983. Shekter is a new and not a founding member of the CIFC.

The photos of *Samuel Lount*, published in issue No. 123, were taken by Halifax photographer Chris Reardon.

## Keegstra wins CBC injunction

TORONTO - The CBC "should definitely appeal" a Calgary judge's injunction that barred the network from broadcasting the drama *Oakmount High* in the province of Alberta during a national telecast Dec. 8 if it has the grounds to do so, according to its producer. Commenting three days after his program was denied broadcast within Alberta, Peter Lower, in discussion with CBC Head of TV Drama John Kennedy, said the injunction was still being reviewed by the network. Uncertain then as to whether the CBC would launch an appeal, Lower commented "It's one of those corporate decisions where we shall have to wait and see."

The injunction itself was granted just two days prior to the Dec. 8 airdate by Justice Gregory Forsyth of the Court of Queen's Bench in Calgary in response to a request from James Keegstra, the former Eckville, Alberta high school teacher who is currently appealing his conviction last July of wilfully promoting hatred against Jews. Keegstra, with his lawyer Douglas Christie, persuaded Justice Forsyth that the hour-long *Oakmount High* (set in Ontario, but in which a high school teacher is providing his students with anti-Semitic history lessons) amounted to "a thinly-disguised characterization of Keegstra." Because of Keegstra's appeal (and one launched by the Crown arguing for a jail term instead of the \$5,000 fine levied on Keegstra), Christie's argument also contended the program's airing in Alberta would likely

amount to a contempt of court.

While Keegstra and Christie felt the injunction didn't impair the CBC's freedom of speech, *Oakmount High's* director Timothy Bond was emphatic that it did just that. "I think it's censorship," Bond told *Cinema Canada*, "and I think it's a very hypocritical act on the part of the lawyer (Christie) who calls himself a champion of free speech." Bond did find something positive however in this latest turn in the Keegstra controversy, explaining "It's quite wonderful for nine of the 10 provinces because Douglas Christie has got everyone thinking about censorship and free speech" - precisely Bond's goal. "I wanted to involve the audience emotionally," said Bond, "to show the kind of pain that can be caused to innocent people by people like Harry Gibson (the drama's high school teacher, played by previous Genie best actor winner Thomas Peacocke)."

Bond did succeed in getting some emotional involvement from people but interestingly those responses were in the form of "a couple of touching calls" from Alberta reporters trying to assure Bond that the province was not totally a land of red-necks. Bond, crediting Christie as a "really smart operator" for his last-minute move to get the injunction, hopes the CBC can get it lifted so that *Oakmount High* is eventually shown to Alberta viewers. One thing he is certain of though, is a boost in the show's ratings elsewhere across Canada as a result of the injunction.

## Feature Task Force

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Canada, should support every stage in the life of a film and be made available to a producer only once a commitment by a Canadian distributor has been established.

As for the problem of concentration of theatre ownership and the vertical integration of distribution and exhibition, the Task Force recommended that the government enact measures to prevent all vertical integration of distribution, including video retail, to the extent that such integration limits competition and freedom of trade in Canada.

In Canada, there are currently only two major national exhibition circuits, Famous Players-United Cinemas and Cineplex-Odeon. Together they account for 78 per cent of

box-office receipts in the nine major centres in Canada. Each of these circuits is vertically integrated with a distributor: Famous Players theatres and Paramount (distribution) are controlled by the same conglomerate, Gulf-Western, while Cineplex-Odeon control distributor Pan Canadian.

This concentration of ownership, said the Task Force report, severely limits competition and distorts the marketplace since, by ensuring that it has access to the most lucrative products, an integrated company can simultaneously reinforce its own position and limit competition in exhibition.

The members of the Task Force included co-chairpersons Marie-José Raymond and Stephen Roth, Ken Chapman, Gordon Guiry, François Macerola, René Malo, Peter Pearson, Bill Stevens and Dan Weinzwieg.