

Interim support for TV Canada

OTTAWA — Support for TV Canada and an immediate amendment to the broadcasting act to give the federal government power to issue policy direction to the Canadian Radio-television and Telecommunications Commission (CRTC) have been recommended in an interim report by the Parliamentary Standing Committee on Communications and Culture.

May 6 is the new date for a final report by the committee on legislative recommendations in the Caplan-Sauvageau report on broadcasting policy.

In the interim report, the committee asks Communications Minister Flora MacDonald to develop a proposal for TV Canada, a French and English nonprofit Canadian satellite television channel which will include Canadian programming exclusively.

Meanwhile, the CRTC had set an April 30 application deadline for specialty services. Following consultation with the standing committee, the original deadline of Oct. 24 has been pushed ahead twice by the CRTC.

Also in the report, the committee has asked the CRTC to leave open the option of establishing the satellite service "in any licensing decision it may make as a result of receiving applications to establish specialty services."

In a series of recommendations on specialty services policy, the committee approves case by case consideration of applications from Canadian specialty services on basic cable but opposes the carriage of non-Canadian services which would compete directly with Canadian specialty channels.

Immediate legislation, prior to a complete overhaul of the broadcasting act, would give the federal government power to issue policy direction to the CRTC. This power would be subject to a series of conditions including provisions for public comments before government directives go into effect.

The CRTC has agreed with this recommendation in the past and has suggested that the power of appeal (of a CRTC decision to the federal cabinet) should also be an open process.

Pierre Pontbriand, director of information for CRTC, told *Cinema Canada* that the CRTC is prepared to accept a government decision on policy direction and an open appeal process.

"The CRTC has stated that it is in favour of these recommendations and that it can live with both."

However, with the April 30 deadline approaching, the CRTC has also advised that

these directives not be issued while CRTC proceedings are underway.

"If the government is considering issuing directives, it should be done before CRTC starts considering specific applications. This will not preempt issuing directives, it is only fair to the parties involved," explains Pontbriand.

The interim report was released April 15 by the committee following two and a half months of hearings on the legislative recommendations in the Caplan-Sauvageau report. A second phase of the review to examine the non-legislative findings in the report was also announced April 15.

The tabling of the interim report in the House of Commons was delayed on April 15 due to a filibuster on another unrelated issue in the House of Commons.

Flora MacDonald has asked for the full (final) report on legislative recommendation prior to the summer recess beginning in June. Legislation of a new broadcasting act is expected in the fall.

Regions encouraged by Telefilm and CBC

MONTREAL — Regional production was a hot issue when independent film and television producers met behind closed doors, April 9-10, with Telefilm officials to future-gaze and discuss the next five years of coexistence.

Billed as Independent Production and Broadcasting: The Next Five Years, this Telefilm-sponsored confab drew public and private broadcasters, producers, representatives of unions and government agencies, politicians and regulators into a round table discussion at the Le Chantecler hotel in St-Adèle, north of Montreal.

The guest list was limited and the press uninvited in order to facilitate "open and honest discussion," according to a Telefilm spokesperson.

However, observers say discussion ranged from Telefilm funding disparities between Montreal/Toronto and the rest of Canada; a consensus that a capital cost allowance for film be maintained in upcoming federal tax reform legislation,

and ways and means to raise broadcast licensing fees.

Among higher profile guests at various round table discussion sessions were Pierre Juneau, president of the CBC-SRC; André Bureau, chairman of the Canadian Radio-Television and Telecommunications Commission; Flora MacDonald, federal minister of Communications and Jim Edwards, chairman of the Parliamentary Standing Committee on Communications and Culture.

Although the Chantecler conference did not yield any formal resolutions, Flora MacDonald did reiterate that the Broadcast Fund would be administered on a permanent basis.

CBC representatives, with the support of Telefilm, entered into the first phases of a production agreement with regional independent producers.

According to Brian O'Leary, director of regional programming, English television at CBC, details are sketchy. However, at press time, O'Leary told *Cinema Canada* that the "piddly little pot that CBC once had to work with in the regions," has expanded as a result of pressure from independent producers and Telefilm.

"Based on our own feelings that not enough was being done in the regions, we all had a meeting and worked out a ground plan together," explains O'Leary.

This ground plan, calls for a 26-part thematic drama series. 13 parts will be produced independently and 13 parts will be produced in-house by CBC in 1988-1989 and again during the following year.

"The independent producers will end up with 26 of their own programs which hopefully can be marketed elsewhere," says O'Leary.

The details concerning themes, script writing, who triggers the money, and who receives it have yet to be determined. CBC has approved of the project with an increase in the CBC budget for regional independent production of half-hour dramas to \$1.2 million in 1988-1989 plus a current \$650,000 for development and Telefilm has guaranteed 49 per cent participation.

"There is a lot to work with but little time to get it going," says O'Leary, who hopes to work out a process by the end of April.

Alliance/Cooper merge

TORONTO — In a Canadian version of 'the strong just get stronger', film and television giant Alliance Entertainment Corporation has joined forces with Los Angeles-based Robert Cooper Productions.

The two companies have agreed in principle to merge with the new venture operating under the banner of Alliance Entertainment Corporation.

Stephen Roth, former Alliance president, is chairman of the new firm with David Ginsburg, the former president of Robert Cooper Productions, stepping in as Alliance president.

Alliance, a Canadian production house with more than \$110 million in film and television shows in 21 months of operation, has joined with a Canadian company that has penetrated the U.S. film and television market.

Alliance spokesmen at a recent Toronto press conference stressed their commitment to remaining Canadian-based.

Robert Lantos, a principal owner of the new firm, said the merger is a major step towards achieving the goal of growing into a fully developed film and television company.

"We remain committed to our Canadian roots and intend to stem and reverse the long-standing tradition in the Canadian entertainment business of fleeing south at the first flash of success in the pursuit of greater opportunity," Lantos said.

"We're exporters and we're committed to staying exporters and not becoming émigrés," Lantos told reporters.

Robert Cooper said negotiations for a merger have been going on for a long time. He said the two companies have merged from a position of strength and not a position of weakness.

"You don't merge because of a restricted view of the past, but a clear vision of the future."

Robert Cooper has produced or co-produced four films for HBO including *The Terry Fox Story*, *Between Friends*, *The Guardians* and *Florida Straits*.

He also produced the 1985 television movie *Murder in Space* for Showtime and First Choice and in 1986 *Vanishing Act* for CBS and CTV. He is currently co-producing the *Adderly* adventure series that

Contagion feared by Valenti

WASHINGTON — American movie industry attempts to stop a government plan to open up foreign movie distribution in Canada have run up against a head strong federal communications minister.

Despite protest from Jack Valenti, Hollywood's chief lobbyist and director of the Motion Picture Association of America, federal communications minister Flora MacDonald was not swayed, a spokesperson for the MPAA said.

Valenti and MacDonald discussed the issue at a meeting in Ottawa, April 21, said Barbara Dixon, a MPAA vice-president of public relations. The MPAA represents the major Hollywood distributors.

"She was very courteous to listen to our views but I don't think (she) gave us much indication that she was willing to move very far on the issue," Dixon said in a telephone interview from Washington.

Jeremy Kinsman, deputy minister of cultural affairs in the department of Communications referred to the meeting as "positive." He explained that both sides are aware that the proposed legislation, in effect, codifies U.S. film distribution rights to 85 per cent of the Canadian market and that Valenti cannot argue with that.

"No other country in the world is in our position," Kinsman told *Cinema Canada*. "Valenti has not found a way to address Canada's specific interests in film distribution and neither have we found a way to address their specific interests."

He said the distribution proposal will go to legislation intact as outlined in February.

The MPAA is opposed to proposed legislation that will set up a film import licensing system in Canada for the first time.

The film import licensing

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Davies' novel adapted for screen

words, for more than the original cost of the unit.

Capital gains are subject to the ordinary capital gain tax rules, that is, one-half of any capital gain is taxable at the taxpayer's normal income tax rate. The consequence of all this is that selling a tax-sheltered film unit investment can undo the tax savings that were the original reason for this investment. For this reason, even if there were a market for trading in film units, there is probably nothing to be gained by an

investor selling his unit. This deficiency in the CCA concept justifies its re-evaluation in a film industry where profit is now very possible and expected.

In this context the Australian alternatives being examined in that country appear attractive.

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effect" on movie distribution around the globe.

"I think he is very concerned that it sets a terrible precedent," Dixon explained.

André Link, president of the Association Québécoise des distributeurs et exportateurs de films de TV et de vidéo, says the contagion effect - or fear of setting a world-wide precedent - is "no argument at all".

"I recognize Valenti has a job to do but that is a strange argument to make," said Link, who describes the distribution proposal as "fair and equitable."

Link says the contagion effect is Valenti's problem and that the fact that this was the thrust of Valenti's argument is testimony to the validity of the proposed licensing legislation.

As for any sort of reprisal from the MPAA, Link says Canada is too lucrative a market for the U.S. majors to threaten a boycott as was the case when Quebec attempted to implement restrictive legislation.

"You can be sure that they will fight this tooth and nail but it is more the independents than the majors who will be hurt," said Link.

system would allow Canadian companies a better chance at domestic distribution rights for some foreign-made movies.

Under the terms of the anticipated licensing legislation, foreign distributors will be able to distribute films which they have produced or to which they hold world sales rights. All other films must be distributed by a Canadian distribution company.

MacDonald said it is an attempt to stimulate both Canadian movie distribution and production and will not mean a decrease in the number of foreign movies which enter Canada.

But Dixon said the proposed system is too harsh.

"Canada is the only nation in the free world that has that kind of a system and it would not be acceptable to our member companies and to American film producers to work within that system."

In a Canadian Press story after his meeting with MacDonald, Valenti was quoted as saying that the proposed system could have a "contagion

TORONTO - The work of Canadian literary giant Robertson Davies will at last be recreated for the camera under a plan to produce a major television mini-series.

Two Toronto companies, Primedia Productions and John McGreevy Productions, have acquired the option to Robertson Davies' *What's Bred in the Bone*.

It will be the first time one of Davies novels has been made into a television show. Rights to one of Davies' earlier novels, *Fifth Business*, is in the hands of a Hollywood producer and the story is to be made into a television show.

During a recent press conference in the book-lined walls of his University of Toronto office Davies said he is glad the series will be made by Canadians.

"I was delighted about this because I have a very strong feeling that there is in the Canadian landscape and Canadian architecture and Canadian sur-

roundings marvellous backgrounds for fascinating filming," Davies said.

Canada should be able to make more lasting movies than Hollywood, such as quality European or Australian films, he added.

"We could do the same sort of thing and it would be great because there is a great thrill about this northern country."

What's Bred in the Bone is the second volume of the current trilogy being completed by Davies. The agreement reached by the two companies also includes right of first refusal on *The Rebel Angels*. The third novel is not yet complete.

The television mini-series has a budget of between \$6 million and \$10 million and initial support from the CBC, Telefilm Canada and the BBC. The series is expected to air in 1989.

"It is incredibly important to finally get Robertson Davies on the national screen," John Ken-

nedy, head of CBC drama, said. Kennedy said he is delighted that barrier is at last broken.

Davies said Hollywood is too conventional.

"The Hollywood people have got to be after the last dollar and that is death to doing anything properly," Davies said. "If that is your main object you're sunk."

He said of the Canadian producers, "They will do it their own way and they will see things that Hollywood doesn't see because they haven't got a gigantic industry standing on their backs."

Co-producer John McGreevy said, "We've satisfied ourselves that there is a strong market for this...and we're quite confident that we'll be able to make this one happen - in contrast to the fantasies of Hollywood."

Davies isn't going to get involved in the creation of the television series because, he said, it is an area he isn't familiar with.



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Film Production

The Department of Cinema of the Faculty of Fine Arts, CONCORDIA UNIVERSITY, announces a probationary tenure-track position in FILM PRODUCTION at the starting rank of Assistant Professor, to begin with the academic year 1987-88. Duties include full-time teaching responsibilities within our undergraduate Major and Specialization in Film Production, and a contribution to the administration of the programme and the Department. The successful candidate will also be expected to maintain artistic productivity during the appointment.

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Vita and inquiries should be addressed to Associate Professor André Herman, Head of Film Production, Department of Cinema, CONCORDIA UNIVERSITY, 1455 de Maisonneuve Blvd. West, VA-259, Montreal, Quebec, H3G 1M8. The deadline is May 1st, 1987 or until the position is filled.