

Grandfathering clause gives short-term shelter relief

● Finance modifies regulations ● Quebec alarmed

TORONTO — Taking a step back, the federal government has given film industry investors a little breathing space by delaying implementation of some of its proposed tax reforms.

Finance Minister Michael Wilson, on August 31, announced three basic changes to proposals first outlined in his June White Paper on Tax Reform.

Wilson said the new transitional rules will ease the change to the new system governing film industry investment "consistent with the government's firm commitment to the growth of the film industry in Canada."

The Canadian Film and Tele-

vision Association (CFTA) thanked Wilson in a letter the next day stating that the amendments will help members in the short term. The CFTA also said it will help some producers to be better equipped to finance their operations in future.

Sam Jephcott, CFTA executive director, told *Cinema Canada* concern still exists about smaller independent producers of culturally significant Canadian-content productions working under the system proposed in the white paper.

"Further consideration" may still be needed, particularly for regional and French-language producers, the CFTA letter states.

The changes outlined August 31 by Wilson include:

- allowance for television series with principal photography completed before 1989 to fall under the 1987 100 per cent capital cost allowance system when certain conditions are met.

- The new rules apply to the whole series if the pilot episode or first series of episodes fall under the old rules and future episodes are made at a fixed cost. Wilson's release states that this change will allow such films, which are in various stages of production, to complete their production cycle.

- film productions started before the end of 1987 get an extension to July 1, 1988 to be completed and qualify under the old tax system. Originally, films started in 1987 would have had only 60 days after year's end to be completed.

- the cumulative net investment loss proposal will not apply to productions taking the 100 per cent capital cost allowance for 1987 and 1988. This means the capital gains exemption will continue to apply to such films in 1987 and 1988.

On June 18 last Wilson's White Paper on Tax Reform proposed that the 100 per cent capital cost allowance for film investors over two years be dropped to 30 per cent per year on a declining basis.

Strong film industry lobbying followed hard on the heels of the announcement.

Members of the industry anxiously anticipated a clarification of the tax reform proposals, grandfathering clause and new provisions to get 1988 productions treated the same as those in 1987.

The National Ad Hoc Committee, formed within days of the June 18 delivery of the White Paper on Tax Reform, sent a brief, in August, to Finance outlining the impact of tax reform on the film industry.

At that time, Jephcott and Peter Mortimer, co-ordinator of the committee, began to express concern that regional and smaller producers would be hurt most if, as proposed, the 100 per cent capital cost allowance was reduced to 30 per cent. They argued that the more culturally significant films, such as *Dancing in the Dark* and *The Decline of the American Empire* would never have been made without an incentive for film investment.

MONTREAL — Time is running out on Quebec-based film producers who are facing the grim likelihood that federal tax reform will go ahead as proposed without any significant amendments. In the White Paper on Tax Reform (June 18), the federal government has proposed that a 100 per cent Capital Cost Allowance for investment in certified Canadian films be reduced to 30 per cent.

At risk since June 18 is close to \$120 million in 28 television and 18 theatrical feature productions registered with the Quebec Securities Commission between Jan. 1, 1987 and July 1, 1987. Of this aggregate production budget, close to \$76 million has been publicly offered in investment prospectus.

Several meetings between a six-member committee representing Quebec producers and the federal department of Finance, have failed to win any reassurances that tax reform will not severely undermine film investment in Quebec.

The producers say they are powerless in their efforts to stem a massive exodus by brokers and investors from film portfolios and that an Aug. 31 announcement by Finance Minister Michael Wilson will by no means solve the problems that tax reform causes for Quebec producers in particular.

It is too early to determine whether the (announced) six month extension (to July 1, 1988) of the the grandfather clause to exempt films acquired and in production prior to January 1, 1988 will restore a semblance of investor confidence in the film industry. The producers had proposed a one-year extension to Jan. 1, 1989.

(Also exempt are television shows with principal photography completed before 1989.)

Wilson's announcement makes certain that capital gains from films covered by the grandfather clause will not be nullified by the tax reform. This requires a second grandfather clause regarding the investment loss account.

Producer Charles Ohayon, chairman of the Quebec producers' committee, told *Cinema Canada* that Finance has questioned the difference an extended grandfather clause would make and is reluctant to be seen as backing down on tax reform.

The painful truth, says Ohayon, is that 1987-1988 is the first year that brokers were going into film "in a big way."

Without an attractive tax shelter, there is little else to lure the investor to Quebec films, says Ohayon. Pre-sales

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Astonishment follows broadcasting hitch

TORONTO — The fall release of a new broadcasting act has been put on hold by federal government requests for a review of several key broadcasting issues.

In a surprise move, Minister of Communications Flora MacDonald has asked a parliamentary committee to examine CBC efficiency, the most appropriate roles for the National Film Board and Telefilm Canada programs, and options to the current Canadian content regulation system.

MacDonald raises the questions in a letter to MP James Edwards, chairman of the Standing Committee on Communications and Culture. The five-page letter marks the government's response to two recent committee reports on Canadian broadcasting.

The Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) has charged that the delay means MacDonald is reneging on a promise for a revised broadcasting act to be passed within the mandate of the current government.

"We suspect she's doing that, and the government has reneged on other promises, because those commitments conflict with the demands of United States free trade negotiators," ACTRA general secretary Garry Neil said.

"In our opinion Canada's cultural industries are a major issue at the free trade bargain-

ing table, despite repeated assurances to the contrary," Neil added.

MacDonald explains in her letter that there is a need to examine a wider range of solutions to Canadian broadcasting problems than those outlined in the massive \$3 million Caplan/Sauvageau task force on broadcasting released in 1986.

Before framing any long range broadcasting policy, MacDonald says the government is waiting for the parliamentary committee's final report, which is due in the fall of 1987.

Patricia Dumas, MacDonald's press secretary, told *Cinema Canada* that the timing of the release of the new broadcasting bill will depend on when the committee issues its final report. However, many broadcasting industry observers anticipated the release of the bill sometime this fall.

Dumas said work is going on "full speed" toward the production of the legislation, but more information on broad policy is needed before the bill can be completed.

"As analysis progressed here internally it became totally evident that you can't move on legislation in a fundamental way if you haven't established what the broad policy is going to be."

Dumas explained that the questions raised in the letter

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Telefilm releases figures

MONTREAL — Telefilm Canada will publish details of its investments in film and television on a yearly basis, says executive director Peter Pearson, who with Chairman Jean Sirois presented the corporation's annual report and financial statements for the 1986/1987 fiscal year during the Montreal World Film Festival.

Pearson also announced that Telefilm is temporarily suspending an administration fee of 2.5 per cent charged to clients on all transactions.

He explains that this initiative to assist the industry during a difficult period with regard to tax reform and financing productions, is retroactive to August 1, 1987 and will continue to March 31, 1988.

At a press conference, consisting mainly of reporters and Telefilm executives, it was learned that Telefilm contributed \$86 million to the film, television and video industries

between April 1, 1986 and March 31, 1987.

Of this total, television programs received \$56.3 million, feature films received \$19.8 million. Other investment categories include short term loans \$1.3 million; industrial and professional development \$1.1 million; distribution, marketing and versioning of film and television \$1.7 million; festival grants \$1.1 million and \$2.7 million for production and development projects not covered by various Telefilm funds.

Recoupment in 1986/1987 on all investment amounted to \$9.3 million, a figure that Pearson says will increase in time.

"Cultural properties increase in value the longer they stay in the market," says Pearson, "we will recover more as time goes on."

The Feature Film Fund, es-

cont. on page 53

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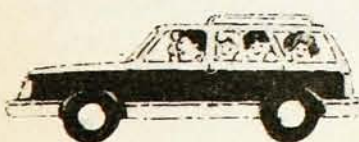
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Need to write policy retards Bill

cont. from page 51

are just that at this point — questions.

MacDonald, in the letter, asks if the time has come to strengthen the CBC by making it "a more focused instrument of public policy."

The broadcasting task force didn't examine innovative ways of strengthening CBC programming by redirecting the corporation's budget, she says.

"There may be services which could be purchased from the private sector at less expense than continued ownership of stations and transmitters, or in house production of programs. There may be more efficient corporate structures."

On the issue of Canadian content regulation, MacDonald says the existing system has had only limited success particularly in ensuring prime-time Canadian television program-

ming. She adds that the government wants suggestions about other options including incentives to encourage Canadian programming by private broadcasters.

The government wants input on the most appropriate role to be played by the NFB and the various programs of Telefilm Canada, specifically in the production of broadcast programming, the letter says.

MacDonald adds that the government agrees with the idea that cabinet should be allowed to issue binding policy directions to the Canadian Radio-television and Telecommunications Commission (CRTC). The cabinet should also have a limited power to review certain CRTC decisions, MacDonald concludes.

The minister also touched on the issue of the recently concluded specialty channel hearings by stating that the govern-

ment is "confident" the CRTC won't close off options about the roles of specific parts of the broadcasting industry or its economic structure.

Terming MacDonald's letter a "non-response" to the common committee reports, Neil said ACTRA is concerned that the government has cleared the way for the CRTC to set fundamental broadcasting policy in its specialty channel decision.

"In essence, the government has abrogated its policy-making role to a regulatory agency," Neil said in a press release.

On the overall situation, Neil said the Conservative government and MacDonald now have a major credibility problem with the cultural community.

"They can begin to restore their credibility only with the implementation of the revised broadcasting act."

Telefilm's annual report

cont. from page 51

established in July 1986, served 22 Canadian features with an aggregate budget of \$40 million of which Telefilm provided 40 per cent or \$16.2 million (\$6 million for eight films in French and \$10.2 million for 14 films in English).

Telefilm also directed \$2 million from the Feature Film Fund towards advances to 63 development projects and \$1.6 million to corporate loans.

The Telefilm Broadcast Fund, established in July 1983, provided \$56.3 million in signed contracts. Of this amount, \$52.5 million (\$18.1 million for 51 projects in French, \$34.4 million for 62 projects in English) was invested in the production of 113 television projects with an aggregate budget of \$172 million. Telefilm provided 30.6 per cent of the aggregate figure.

In addition, \$3.8 million was advanced to 102 development projects.

Telefilm will award grants totalling \$1,221,000 to 15 Canadian film, television and video festivals during the 1987/1988 fiscal year. This represents a 14

per cent increase over the 1986/1987 figure.

With the investment list (April 1, 1985 to March 31, 1986) in hand, Pearson announced that Telefilm will publish a list of productions for which contracts have been signed during the preceding fiscal year. This list is broken down into drama, children's programming, variety and documentaries. Also recently published and available from Telefilm is a series of brochures outlining policies and procedures. These include broadcast program development, feature film financing, interim financing, closed captioning for the hearing impaired, versioning assistance, international marketing and policies governing co-productions, co-ventures, production packages and twinning arrangements.

New Telefilm services include a (toll-free, long distance) 800 telephone number for the Halifax and Vancouver offices.

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'No Go' as ACTRA refuses producers' offer

TORONTO — In a strong show of opposition, performers have scuttled a proposed contract between ACTRA and independent television and film producers.

Performer members of the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) turned down a proposed agreement with independent producers by more than 90 per cent in a vote announced in August. At the same time, writer members approved terms of the agreement that must be ratified by both writers and performers before coming into force.

Spokesmen for ACTRA and the producers said they want to start negotiations again as soon as possible, but questions remain about exactly why the proposal was scuttled.

"In this case there very much is a question about why there was such an overwhelming negative vote," said Garry Neil, ACTRA general secretary. Neil said ACTRA meetings indicate the dissatisfaction goes beyond monetary concerns alone. "It's really difficult to say. It was a kind of generalized concern about the terms of the agreement."

Monetary items in the proposal included a two per cent

general rate increase for the last six months of 1987 and a completely overhauled royalty, prepayment and residual payment package. An ACTRA press release states that some performers feel the monetary aspects of the proposed agreement are completely out of line "given the current economic situation of the production industry."

Sean Mulcahy, chair of ACTRA's performers' guild, said it's a clear statement by ACTRA members that their work in the production industry is "significantly undervalued."

A total of 1,847 performers and 227 writers voted on the proposed agreement with the Canadian Film and Television Association (CFTA), the Association of Canadian Film and Television Producers, and the National Film Board. The percentage of writers in favor of the proposal was not available at press time. The current contract was originally due to end December 31, 1986, but now remains in effect.

Sam Jephcott, executive director of the CFTA, said he is disappointed by performers rejection of the proposal. "We thought we were being reasonably generous in what we were giving."

Independent producers will

return to the bargaining table, but they first will have to examine the specific reasons for the rejection of the proposal, Jephcott said. He said it is also a question of what ACTRA members were asked to vote on. The proposal is roughly 80 pages long, he explained.

The next stage of talks, Jephcott added, is going to be held in a changed economic climate for producers considering developments like the white paper on tax reform, the winding up of free trade talks and the funding problems of CTV and CBC television.

Jephcott said he would like to see negotiations resume quickly, but added it depends on how soon the exact problems with the proposal are outlined by ACTRA. In any case, Jephcott said he foresees very little possibility of approval of a

new contract before 1988. A new proposal must be prepared and submitted to the various groups including ACTRA members and then ratified by all parties, he explained.

ACTRA's rejection of the proposal was led by a vocal campaign by Toronto performers.

Merger off

TORONTO — The potential merger between Canada's two English language film and television producers' associations has been called off.

Association of Canadian Film and Television Producers (ACFTP) board members decided against the proposed merger with the Canadian Film and Television Association (CFTA).

Samuel Jephcott, CFTA

executive-director, expressed surprise that the proposed deal was scuttled.

"I think it's a great shame," Jephcott added. He said he thinks that the membership of the two groups would have been best served by unification. Jephcott said that as far as he can tell the CFTA has not been given any reason for the decision.

ACFTP executive vice-president Peter Mortimer told *Cinema Canada* "There just wasn't agreement about it and it's over for now."

The ACFTP split from the more broadly based CFTA, which also represents labs, post-production companies, videotape and sound studios and other sectors of the industry, about three years ago. Recent talks between the two groups were aimed at merging the associations to create a single voice for Canadian producers.

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Tax reform, foreign productions, labour on agenda

MONTREAL — Quebec film producers are searching for ways to save the Quebec film industry from financial ruin. This, says Louise Baillargeon, director-general of the 75-member Association des producteurs de films et de vidéo du Québec (APFVQ), is the stated priority of the 20-year-old producers' association following a general assembly and the election of a new slate of executive officers earlier this summer.

Tax reform is a major item on the APFVQ agenda this year. The federal government White Paper on Tax Reform, June 18, has forced the creation of a six-member committee to find ways to reduce the impact on the film industry of the federal government's proposed reduction of the 100 per cent Capital Cost Allowance to 30 per cent. In recent year, says Baillargeon, the Quebec industry has become increasingly dependent on private investment.

"In 1988 we were expecting

to grow, given our major successes — particularly in Europe — in the past year: **Anne Trister**, **Pouvoir intime**, **Henri** and Demers' films. We were starting to build our industry and again the rules are changing and again we will have to build on something else."

Rock Demers, president of the APFVQ for the second consecutive year and principal of the Les Productions La Fête, says relying on private investment for 30 per cent of film financing makes its "impossible" for Quebec producers to plan financing for 1988.

Demers, who has already produced seven widely acclaimed films in his family oriented **Tales For All** series, says both the federal and Quebec governments (a 50 per cent CCA reduction in 1986) appear to be doing their best to discourage filmmaking in Quebec.

"The films I am making this year may be the last films I ever

produce," says Demers.

Labour negotiations on several fronts will also keep the 20-year-old producers' association busy this year.

The APFVQ is negotiating contracts with several organizations including the 3,500-member Union des Artistes (UDA), representing performers in French-language film and television. During the last week in August, a general assembly of the UDA failed by a slim margin to ratify its third general agreement with the APFVQ. Negotiations have been ongoing for over a year. Sticking points include the definition of an actor, specific recognition of the APFVQ as the official producer of the the UDA and a letter of agreement regarding buyout percentages for new cable companies.

The outcome of negotiations with the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) is still uncertain following overwhelming

refusal (90 per cent) by the performers to accept royalty and residual proposals and ratify the contract.

Once these contracts are settled, the APFVQ will enter into negotiations for a first contract with the Association des réalisateurs et réalisatrices de films du Québec (ARRFQ) and the Société des auteurs, chercheurs, documentalistes et compositeurs (SARDEC).

Baillargeon says the APFVQ hopes to settle contracts with the writers and the directors within the year once ongoing negotiations have been completed.

"We want to sit down with these associations but we don't have enough staff and it takes a lot of time."

After long, hard-fought negotiations with the 700-member Syndicat des techniciennes et techniciens du cinéma du Québec (STCQ), settled in January, the APFVQ / STCQ working relationship is hindered by what Baillargeon calls a "minor problem."

Baillargeon explains that the STCQ is placing too many minor grievances before a joint (APFVQ/STCQ) grievance committee, established for the first time under the terms of the new general agreement.

"The STCQ is putting down

more grievances than we have time to hear. They have hired someone who looks at the minute details of contracts. This creates obstacles in the work relationship."

A specified limited number of non-unionized technicians and a five-day work week in the general agreement is also the source of tension between the APFVQ and the STCQ.

Explains Baillargeon, "What we have signed is a tough agreement for our producers to work with."

Given the terms of this agreement, the producers face a shortage of experienced crew when U.S. productions, shooting in Quebec, offer U.S. rates (\$2 to \$5 U.S.) above Canadian rates for their services.

However, François Leclerc, president of STCQ, argues that U.S. productions are never more numerous than one in four productions shooting at any given time. Although it is true, says Leclerc, that the best technicians will take the plum U.S. productions, there are many highly qualified STCQ technicians.

"We could field 12 full crews," says Leclerc. "If there is a shortage of technicians it is because they are breaking a

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very simple law of supply and demand and shooting too many films at once."

Where the grievance committee is concerned, Leclerc says, "Yes, it is busy and if the producers can't accept what they have agreed to, it will get busier."

Several options currently are being studied by the APFVQ to enable Quebec producers to compete in their own backyard with U.S. productions and assure greater Quebec industry involvement in the whole production and development cycle of films shot in Quebec.

The most probable solution, says Baillargeon, is a de-emphasis of promotion and advertising in the U.S. by the City of Montreal and Quebec Film Commission and special incentives for Canadian productions in Quebec. Consultations between the APFVQ, the city and

the Quebec government are ongoing, she says.

"You can control the advertising," advises Baillargeon, "you don't have to oversell. The money spent promoting Montreal for a week at a film industry event in the U.S. could be spent on building the industry at home. It's good to have a relatively small number of U.S. productions in Quebec but it is not to our advantage to draw them here because this will kill the industry."

While Demers remains in the president's seat for another one-year term, Claude Bonin has been replaced as vice-president and secretary-treasurer by Marie-José Raymond of Rose Films Inc. Jacques Lambert of Lambert, Lepage, Labbé Inc., remains as president of the documentary and sponsored films section.

Roger Frappier of Les Productions Oz Inc. replaces Raymond as president of the

feature film section.

Jacques Bilodeau of P.M.T. Vidéo Inc. is the president of the technology section and Aimée Danis of Les Productions du Verseau Inc. is the new president of the television section.

Christiane Hamelin of Fabrique d'Image is the president of the advertising section.

Zoo to Toyko

MONTREAL - *Un Zoo, La nuit*, directed by Jean-Claude Lauzon has been selected by the Tokyo International Film Festival (Sept. 25-Oct. 4, 1987) to compete in the Young Cinema section with 15 first-feature films. Two directors in this section stand to win either the Sakura Gold, worth \$182,000 Cdn., or the Sakura Silver, worth \$91,000 Cdn.

Produced by Roger Frappier and Pierre Gendron, *Un Zoo, La nuit* premiered at the 1987 Cannes Film Festival.



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Academy grows in Quebec

MONTREAL — The Quebec wing of the Academy of Canadian Cinema and Television is busy this summer seeking ways to promote Quebec film and television across Canada.

Marc Boudreau, director of the Montreal office, says the first presentation of the Prix Géméaux (Feb. 1986) for achievement in television (which drew a television audience of 1 million) gave the academy confidence to plan other large-scale promotional events in Quebec.

Though still in the early stages of discussion, Boudreau says new ways to promote film and television in Quebec might include a combination of several annual award events rolled into one well-sponsored television gala.

By no means does Boudreau rule out the possibility of a bilingual television format or that of staging the Genie Awards (March) in Montreal.

"Montreal may not be as important as Toronto in terms of economic activity but the film-making tradition here is much longer," says the former aide to a Quebec minister of culture.

Having established the academy in Montreal with over 300 members in film and television, Boudreau says professional associations in Quebec should take a more mature approach to promoting the whole industry.

"We all have to promote the industry, not as closed individual associations but as a cultural network. It would be less costly and, because of our tradition in Quebec, we have a good chance to get things moving."

Academy (Quebec) ac-

tivities this summer included electing a new slate of executive committee members, sponsoring the filmmaking apprenticeship of three students, hosting a national board meeting of the academy, (Aug. 28) at the Montreal World Film Festival and negotiating with Radio-Canada and Télé-Métropole to

broadcast the second annual Prix Géméaux Awards, tentatively scheduled for January 1988.

Seven new award categories have been added to the Prix Géméaux Awards. These categories are: best lighting, best make-up, best current affairs programming, best talk

show, best leading man in a drama or comedy, best leading lady in a drama or comedy, best host-interviewer.

Support for the academy (Quebec) by its members was evident during the May-June elections of the 11-member executive committee, says Boudreau, when 25 members stood for election and over 50 per cent of the membership voted.

The new executive commit-

tee is: Donald Pilon, president; Justine Héroux, vice-president; François J. Coté, vice-president TV; Michael Spencer, treasurer; Andréanne Bournival, Marie-Josée Caya, Richard Goudreau, Nicole De Rochemont, Jacques Payette, Yvon Trudel, Suzanne Villeneuve.

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Alliance brings back Ben Casey

MONTREAL — Alliance Entertainment Corporation is bringing Ben Casey back to the screen with a two-hour television movie that completed principal photography here August 19.

Vince Edwards, who starred as doctor Ben Casey of *County Hospital* in the popular '60s television series, will return in the movie that is to be a pilot for a potential series. Toronto-based Alliance is producing *The Return of Ben Casey* in association with Coca-Cola Telecommunications, Inc.

John Kemeny and Robert Cooper are executive-producers and Julian Marks is producing.

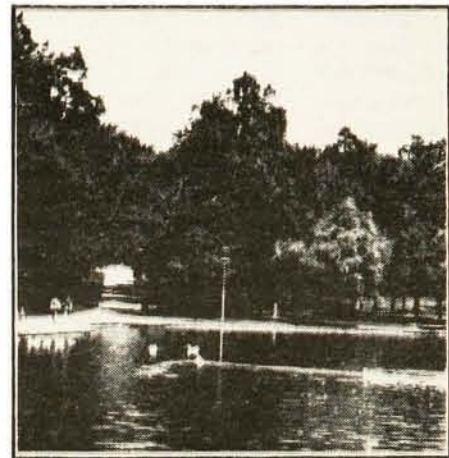
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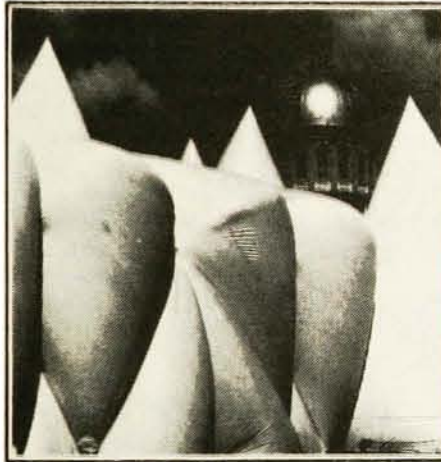
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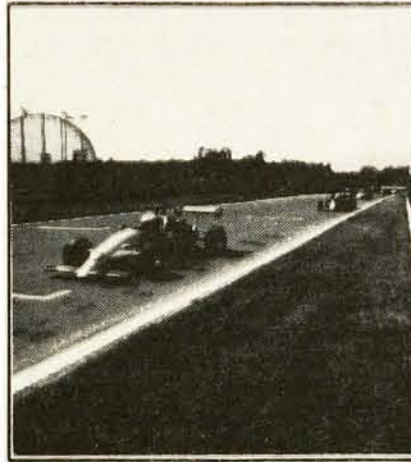
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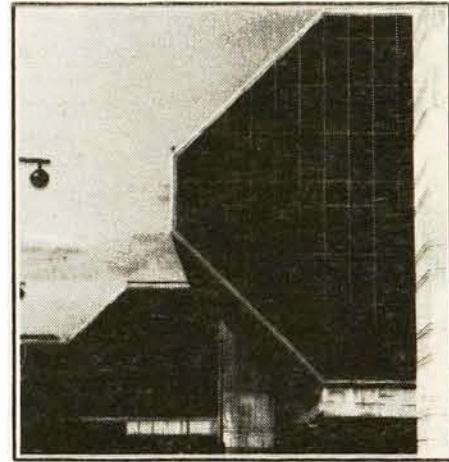
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Cineplex multi-use facility in Toronto to cost \$40 M

TORONTO — Cineplex-Odeon Corporation has announced plans for a \$40 million mixed-use facility that boasts six theatres and could become a future home for the Festival of Festivals.

Garth Drabinsky, president of Toronto-based Cineplex, told reporters the development will be located on the present sites of the now closed University theatre and the adjoining Lothian Mews on Bloor Street West between Avenue Road and Bellair Street in central Toronto.

In addition to the theatres, the 195,000-square-foot complex will include retail shops, office space, restaurants, underground parking and a five-storey luxury hotel situated above the other facilities. The complex is to be located behind the restored facades of the University Theatre and the Lothian Mews.

The six new movie theatres will be called the Cineplex-Odeon Festival Cinemas and all will be located on the Lothian Mews property. Drabinsky said the 1400-seat University, closed by Famous Players Ltd. along with the Towne Cinema after last year's Festival of Festivals, was "an uncomfortable theatre" that needed a lot of design changes anyway.

Also, Famous Players retained a right of first refusal when it sold the University to unrelated Famous Players Realty. The clause allowed Famous Players' first chance to rent the cinema if a theatre were built on the site in future. Drabinsky said no new theatre will be built on the University Theatre site.

The Cineplex complex will include a 1,200-seat, wide-screen theatre with a two-storey skylit lobby, two 450-seat theatres and three 300-seat

movie houses.

Drabinsky said the cinema complex has been offered to the Festival of Festivals as a permanent home and is scheduled to be ready in time for the 1989 Toronto film festival.

"We tried to create an atmosphere here, frankly, that is a little bit reminiscent of sitting in front of the Majestic Hotel at the Cannes Film Festival..." Drabinsky said. "We can create a whole vibrant focus because of the hotel that was deemed a very sensible use for the property."

Helga Stephenson, executive director of the Festival of Festivals, told *Cinema Canada* the potential permanent home of the Toronto film festival could bring several benefits.

She said a stable central location will help the box office and mean that festival staff can spend more time working on programming the event rather

than searching for theatres. The festival, after an extensive search, is using the 1,250-seat Ryerson theatre for most gala events. After last year's festival two main theatres, the University and Towne cinemas on Bloor Street, were closed.

Drabinsky, who is a member of the film festival's board, said he was very aware of the difficulties the festival had in finding theatres. A business arrangement for use of the theatres during the annual film festival has yet to be set up with CineplexOdeon.

Drabinsky said, "We're going to sit down, I hope, very shortly

and try to work out some sort of proper economic basis for the festival to be situated here and to enjoy the benefits of this project for many years."

Asked for details about the hotel, Drabinsky explained Cineplex will not operate the facility and instead will appoint a manager. He said there is significant demand in downtown Toronto for a European-style, luxury, suite-facility hotel. "We are trying to fill a niche obviously because we are not going to compete with the convention-type facilities that exist in Toronto already."

TORONTO — North American theatre chain giant Cineplex-Odeon Corporation reported record profits of \$15.3 million (U.S.) for the first six months of 1987.

Cineplex revenues for the period ending June 30, 1987 were \$250.4 million. In comparison, profits for the same period one year earlier were \$7.5 million on revenues of \$146.8 million. Basic earnings per share for the first six months of 1987 were 37 cents compared to 34 cents per share for the same period one year earlier.

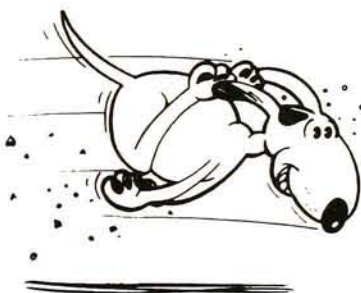
Forest to Cléo

MONTREAL — Francine Forest, formerly of Telefilm Canada, has joined Cleo 24 as executive producer.

The announcement was made by Arnie Gelbart and Charles Ohayon, principals of the Montreal-based production company.

In August 1985, Forest was appointed by Telefilm Canada as director of operations and business affairs in Eastern Canada.

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New administration weakens Montreal film promo office

MONTREAL — A new administration in Montreal's City Hall and a restructuring of the bureaucracy has Guy Trinqué, city film commissioner since 1985, thinking seriously about returning to the private sector.

"I'm working here for the remainder of the summer but I don't think I will be here much longer than that," says the young film commissioner.

Trinqué explains that in his efforts to reorganize City Hall and save an estimated \$3.4 million, Mayor Jean Doré, elected November 9, 1986, has rendered impotent the film commissioner's office.

Despite an estimated \$45 million expenditure, in 1985, by Canadian and foreign (U.S.) productions in Montreal, \$110 million in 1986, an anticipated \$150 million in 1987 and \$200 million in 1988, Trinqué says the City Hall reform will allow his successor the same administrative power as a parade commissioner.

"Film will become one small section of a larger cultural service," says Trinqué. "However much you explain to them that a film will bring \$1 million versus a parade that will cost \$20,000, that parade is now as important as a film, an art exhibition as important as a film production."

Within the new reform, designed to eliminate an overlap of a number of City Hall jurisdictions by integrating and scaling down the number of departments, the film commissioner's office has been moved out of the Commission d'initiative et de développement économique de Montréal (CIDEM) and placed in the larger Commission d'initiative et de développement culturel (CIDEK).

Foreign sales up for Film Board

MONTREAL — The National Film Board of Canada reports the best sales year ever for the International Marketing Division. Gross revenue from television, video, theatrical and non-theatrical foreign sales in 1986-1987 was just over \$3 million, up 34 per cent from fiscal year 1985-1986.

New international markets were developed in Brazil and Argentina and an agreement was struck with France (Ministry of Culture) to make video copies of NFB films available throughout France.

The NFB reports that in Japan, 25 animation films were released on Laserdisc for home consumer markets.

Trinqué argues that City Hall should not have moved the business of running a film commissioner's office out of the realm of economics and placed it in the realm of cultural development.

"I can't say that they're wrong, just that my thinking is different. I tend to want the city to support an industry that will create employment and investment and a massive return on taxes. This administration wants to place more emphasis on developing the cultural aspects of the city in general. I don't see the point — why there is as much if not more of an emphasis on a parade as there is on a film production."

He says a larger office, more bureaucratic red tape and less

accessibility to City Hall will make Montreal less attractive to foreign and domestic producers.

"It won't work. You need a commissioner, somebody who has the power to say 'go ahead.' If I wanted Chalet Mount Royal for a shoot I used to say 'shoot.' Now I write a thick dossier, go to the executive council and hope they say yes. I'm afraid for my successors."

Bruno Blache, an official working closely with Pierre Beaudet, the director of CIDEK (who was on vacation at press time), says the larger department will not be any less accessible.

He explains that prior to the reform, the film commissioner's office was the only cul-

tural office with an economic mandate under the CIDEM umbrella. CIDEK, he says, will treat all cultural industries equally and fairly with a three-tier system of management — politics, cultural industries and equipment, events and facilities. Each tier will be run by a management team expected to be active in early 1988.

"It is true that there will be more people to deal with but they will get the job done," says Blache, stressing that City Hall is well aware of the economic impact of film production in Montreal.

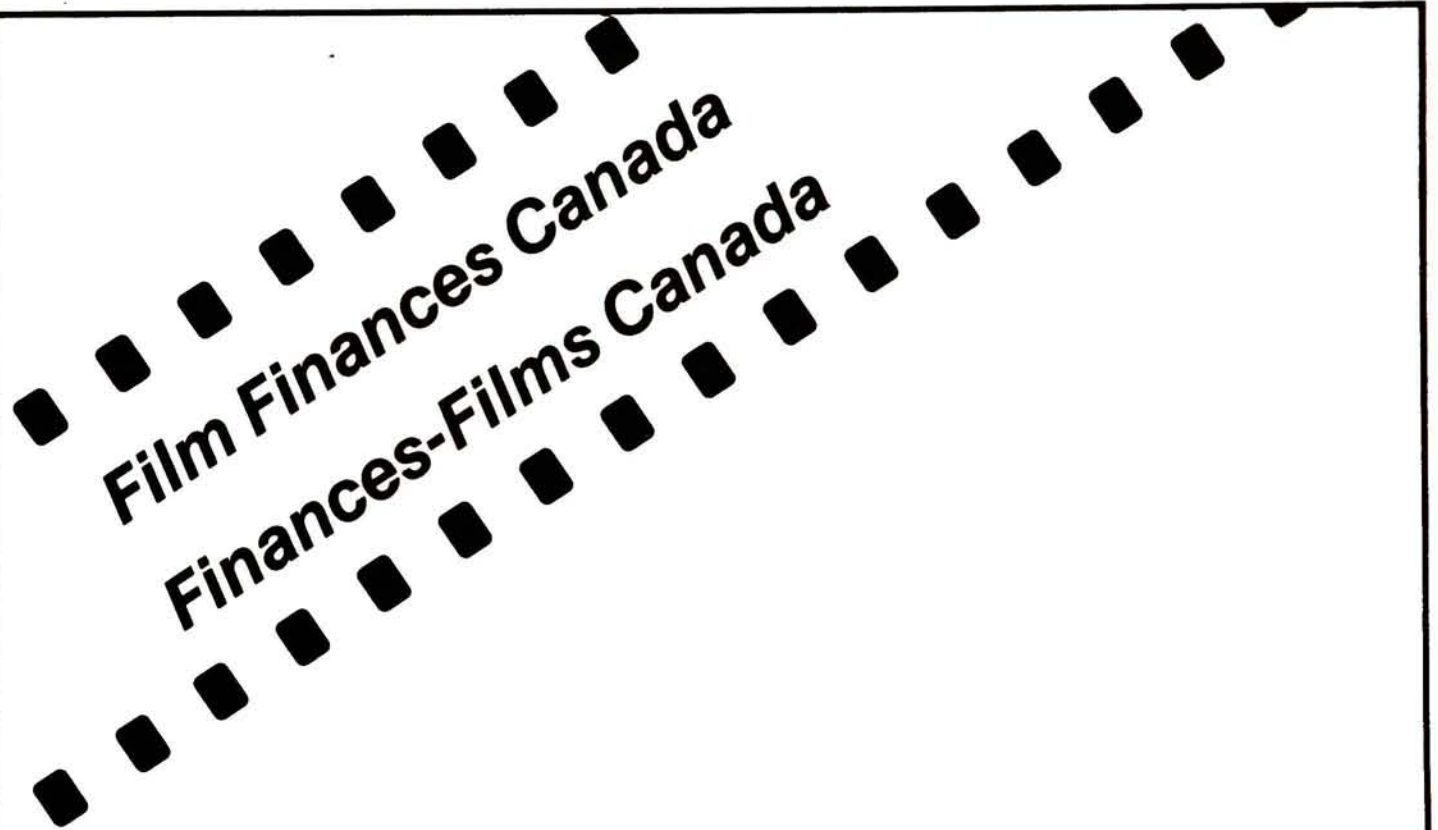
"The role of the film commissioner is to develop good relations with the film industry and provide facilities for producers.

We feel this can be handled better."

Blache argues that a smaller office is not necessarily a more accessible office. "That small things are easier to manage is a matter of philosophy. A smaller office would focus only on last-minute demands."

Asked why he did not leave sooner, Trinqué says, "I am still here because I respect the industry and I don't want to compromise any ongoing production by leaving too quickly."

"If I go tomorrow they will hire three or four persons to do my job. One will be in charge of permits, one in charge of something else and the third when he is not busy... will do a parade."



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Closing Festival gala at Roy Thompson Hall in Toronto

TORONTO — This year's Festival of Festivals continues to cover new ground with the decision to hold its closing-night gala presentation of the film adaptation of *The Glass Menagerie* at Roy Thomson Hall.

Following the closing of the University and Towne theatres last year, festival officials conducted a lengthy search for new venues and eventually announced a first with the Ryerson Theatre scheduled for gala presentations.

Festival director Helga Stephenson told a recent press conference Roy Thomson Hall will install a full-stage cinema screen and film projection equipment to handle the job on closing night.

Stephenson termed it the premiere gala theatre in North America. The initial news from the festival box office is good, Stephenson said. Although she had no specific numbers,

Stephenson said box office sales are up more than 30 per cent this year.

Other features of this year's event include:

— Robert Frank and Rudy Wurlitzer's feature **Candy Mountain** has been added to the Perspective Canada section of the festival. **Candy Mountain**, which follows the exploits of a young musician in search of a long-lost master guitar craftsman, was shot in Nova Scotia and New York and is a Swiss-France-Canada co-production produced by Xanadu Film Zurich, Ruth Waldburger, Les Films Plain Chant Paris, Les Films Vision 4 Inc. Montreal.

— The addition of the features **Eva: Guerrillera**, by Quebec filmmaker Jacqueline Levitin and **Train of Dreams** by John Smith of the National Film Board to the Perspective Canada program.

— Jean-Claude Lauzon's feature **Night Zoo** (*Un zoo, la*

nuît) will be presented as a gala at the festival, held Sept. 10-19. Lauzon and stars Gilles Maheu and Roger Lebel and producers Roger Frappier and Pierre Gendron are also lined up to attend.

— The North American debut of the first feature film to be shot entirely with high-definition electronic cameras. Peter Del Monte's **Julia & Julia** stars Kathleen Turner, Gabriel Byrne and Sting and was produced for RAI by Francesco Pinto and Gaetano Stucchi. The film was made using a new system of videotape-to-film transfer developed by Sony.

— Raoul Walsh's silent film classic **The Thief of Baghdad** will be presented with the accompaniment of a 26-piece orchestra. A full two-hour-and-twenty-minute print, hand-tinted to match the 1924 release, will be shown.

— Presentations of Eric Rohmer's **L'Ami de mon**

amie, director Stephen Frears' **Sammy and Rosie Get Laid** (the sequel to **My Beautiful Laundrette**), Luis Mandoki's **Gaby**, Charles Shyer's **Baby Boom** and Bill Condon's **Sister, Sister**.

— Garth Drabinsky, president of Cineplex-Odeon Films, will be the keynote speaker kicking off the Trade Forum.

— David Putnam, chairman and chief executive officer of Columbia Pictures, and John Daly, chairman of Hemdale Film Corporation and executive producer of the hit Vietnam war movie **Platoon**, will also speak to delegates.

The Trade Forum will offer six panels and six workshops

between Sept. 12 and 14. Two of the panelists for sessions on the creative process in television and film production will be Canadian producer Peter O'Brian and Academy Award nominee Hanif Kureishi, screenwriter of **My Beautiful Laundrette** and **Sammy and Rosie Get Laid**.

Workshops will include a session on screenwriting for low-budget feature films to be presented by Patricia Rozema, screenwriter and director, for **I've Heard the Mermaids Singing**, and Kureishi.

The Sundance Institute will present a script development analysis of the Canadian feature **Milk and Honey**.

Patterson to head up Academy

TORONTO — David Patterson, co-founder and president of Filmline International in Montreal, has been elected president of the Academy of Canadian Cinema and Television for a one-year term. Patterson succeeds Ronald I. Cohen as president following the eighth annual general assembly, June 29, of the 1,300-member organization.

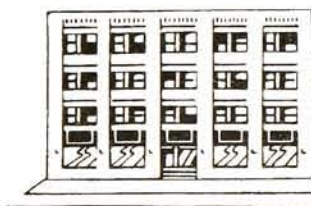
Researcher/director Donna Dudinsky replaces Audrey Cole as director of the television section. Cole is currently employed with Dancevision.

David Ellis is the new co-ordinator of advertising and promotion and Maria Topalovich has been promoted to director of marketing and communications.

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Fest of Fests may get new deal from censors

TORONTO — Festival of Festivals movies could eventually receive a blanket exemption from the Ontario Film Review Board, predicts board chairman Anne Jones.

Jones told *Cinema Canada* that a blanket exemption, which was discussed as a possibility at last year's Festival of Festivals, is something that may come to pass in future, although not immediately.

"These films come in and many of them are not seen again. It's a one time showing, maybe, because of the nature of the film. And I think that they're in a different category... I think that sometimes an exemption would be good for something like that," Jones said.

In the meantime, the Ontario Film Review Board approved the Festival's program of 235 movies this year after reviewing written descriptions of the films submitted by the festival.

Jones said that only the movie *Big Shot* will be screened to determine if it should be classified as Family or Parental Guidance, but the board hasn't

asked for any cuts in the movies.

It's the first time the board has cleared the movies based only on written descriptions.

Jones said there was no departure from normal procedures in reviewing the films and added that in the past most films have been cleared based on documentation.

Jones complimented the Festival's efforts this year in getting all documentation in at once, which made it possible for two review panels to examine the material on a co-ordinated basis. In the past the documentation was submitted in bits and pieces, she explained.

This year the board has been very conscious of maintaining the integrity of the whole film, she said.

Jones said she was pleased with this year's approvals "because I think that it has cost the festival a lot of trouble in former years, internationally."

Matrix sets up Canadian operation

TORONTO — A major new film and television production and distribution company has set up its head office in Toronto.

Matrix Entertainment Corporation already has a long list of projects in development and boasts a management team of U.S. film industry heavyweights.

The company says it has 16 projects for theatrical production, three projects for direct sale to home video, three television movies of the week, and three series for television syndication in development.

Entertainment lawyer Jon Webb is president of the company that is preparing to distribute its own and other projects directly in the Canadian market by early 1988. A Matrix press release describes the new venture as a "Canadian controlled" company.

Sidney Kiwitt, a former executive vice-president of

Warner Bros. Inc., is chairman of the Matrix board and will be based in the company's New York office.

Kiwitt, who has worked more than 23 years with Warner Bros. and whose duties included obtaining outside feature film financing, will remain a consultant to Warner Bros. Kiwitt represents major financial institutions and established producers in the United States, the release states.

Kiwitt was a senior negotiator on projects including the *Towering Inferno*, *The Goodbye Girl*, *Dirty Harry* and *Every Which Way But Loose*. Kiwitt also negotiated the acquisition of distribution rights to the movie *Superman* and two sequels.

Frank Capra Jr. is executive vice-president of Matrix and will be based in the company's Los Angeles office. Capra is past president of Avco Embassy Films and has produced movies

such as *Born Again*, *The Black Marble*, *An Eye for an Eye*, *Firestarter* and *Marie*.

"This team among them have contacts at all of the major production and distribution companies as well as many international financial institutions specializing in film financing," the release states.

Matrix plans two theatrical films to start production in 1987 and the company is negotiating with a major U.S. distributor for release in the United States.

Mountain fest

BANFF — The 12th annual Festival of Mountain Films will run Nov. 6-8 at the Banff Centre this year.

The festival will feature new films about French climbers Christophe Profit and Eric Escoffiers. Also expected this year is a delegation from National Geographic magazine.

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Defense of Freedom of Expression Committee on go

MONTREAL – The Committee for the Defense of Freedom of Expression, representing 15 artistic organizations in Quebec, made its first appearance recently to declare stiff opposition to the federal government's Bill C-54 anti-pornography legislation.

Committee spokesman Joseph F. Beaubien, lawyer and video distributor, told a press conference at the Montreal World Film Festival that the draft bill undermines basic freedoms guaranteed in the Canadian Charter of Rights and Freedoms and should be withdrawn from the legislative process.

Ultramar backs Lance et Compte II

MONTREAL – **Lance et Compte II (He Shoots, He Scores)** a 13-week TV series, produced by Claude Héroux Productions will, again, receive the financial participation of Ultramar Canada Inc. following a highly successful Fall season in 1986. The Ultramar investment represents twice the amount invested in the production of the first series.

The Montreal-based oil company will invest close to \$500,000 in the production of the **Lance et Compte II** (second series) scheduled to air on Radio-Canada and CBC in January. Last December, the final episode of the first series reached an estimated 2.7 million viewers in Quebec on Radio-Canada.

Ultramar, with 1,500 service stations across Ontario, Quebec and the Maritime provinces, spent overall \$560,000 on the first series including an investment of \$125,000 in service station promotions and a weekly televised game show.

cont. on page 65

"There is a difference between sexuality as a social and cultural phenomenon and the criminalization of all its manifestations under the pretext of attacking pornography," says Beaubien.

Among the greatest flaws evident in the draft legislation, he says, is the reverse onus mechanism requiring that the accused (charged in a criminal case under Bill C-54) show that the (offending) matter has artistic merit or an educational, scientific or medical purpose. This, says Beaubien, clearly offends the presumption of innocence in the Charter.

"The federal government is turning artistic production into a potentially criminal act and relegating artistic value to the sole function of clearing the accused. By adopting this law, it exposes art to all the restrictions of puritanism, giving narrow-mindedness the upper hand over artistic creation."

The Ottawa-based Canadian Association of Broadcasters (CAB) has also condemned Bill C-54, as a flawed document difficult to enforce and leading to endless prosecutions and court challenges.

Representing the majority of private radio and television broadcasters in Canada, CAB has recommended in a letter, sent to Federal Justice Minister Ray Hnatyshyn, dated August 6, and signed by Bill Roberts, senior vice-president (television), that Bill C-54 be overhauled to conform with the Canadian Charter of Rights and Freedoms.

"Bill C-54 has gone unreasonably far in...defining pornography too broadly," reads the letter.

CAB is also clearly opposed to the proposed definition of erotica which it calls "unduly narrow."

"It is our belief that these provisions represent an unreasonable infringement of

freedom of expression, as guaranteed by section 2(b) of the Canadian Charter of Rights and Freedoms. Blurring the dis-

inction between unacceptable pornography, which is characterized by the degradation and dehumanization of its partici-

pants, and erotica, would inevitably have a dampening effect on the creativity of Canadian artists and producers."

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Additional funds to strengthen TVO role

TORONTO — Ontario premier David Peterson has promised TVOntario an extra \$10 million for programming as part of a campaign promise to spend \$300 million a year more on elementary education.

Peterson told Liberals during an August 6 campaign speech in Ottawa that his government, if re-elected Sept. 10, would spend the money.

Responding to the announcement, TVO chairman Bernard Ostry said "This unexpected but welcome addition to our base funding is another indication of the confidence in and regard for TVO held by the premier and his colleagues.

"It's as important as much for the money as it is for the recognition of the role of the institution," Ostry explained about the announcement. He said details of how Peterson's \$10 million pledge for education programming is to be used had not

been revealed.

"We have to sit down with the ministry of education and sort out what we think we should be doing with that money in relation to school broadcasts," Ostry told *Cinema Canada*. He said the additional \$10 million would encourage TVO's producers and educational colleagues across the province.

The \$10 million campaign pledge comes after TVO announced its estimated overall budget for next year has been reduced to \$52.7 million (excluding money from membership drives, market sales and underwriting) down by \$7.2 million. Although operating grants from the province went up four per cent in 1987-88, an overall decrease occurred largely because of a reduction in one-time government spending for specific projects. Depending on several factors,

Ostry said TVO's total budget for the year will be between \$60 to \$70 million.

In other news, Ostry told delegates to the 56th annual Couchiching Conference near Orillia that Canada must co-operate with other countries to further develop its cultural sovereignty.

Growing acrimony around the world between governments and industries that deal with the U.S. in film, television and telecommunications is a concern, Ostry told those attending the annual think tank.

Canada should take the lead in developing a general agreement on information and entertainment trade (GAIET) with Western Europe and the Third World, he urged. Ostry said cultural industries require teamwork to flourish. He said the Americans have contributed greatly to prosperity and peace in the world and added that

Canada's fortunes have been strongly tied to those of the U.S.

But Ostry told the conference, which was called to debate the future of the American empire, that Canada must continue with measures to prevent the complete takeover of its cultural industries.

"No one, Canadians included, wants to build walls. None of us wants to wage cultural wars. But Canada, like the United States and our friends and allies, is committed to the development of cultural sovereignty," Ostry said.

Ostry said in the written text of his speech that U.S. cultural influence in Canada is more pervasive than in other countries "because we are already in some sense American. The U.S. does not need to teach us its values: There is always a Canadian ready to do it for them."

Canadian agencies such as The Canada Council, Telefilm Canada, the CBC, TVOntario and many others have given Canadian culture room to develop, he said. But American multinationals, which already have captured a large part of Canadian markets, complain about restrictive practices unless they can gain 100 per cent.

Ostry cited American film industry lobbyist Jack Valenti's strident opposition to the proposed Canadian film distribution licensing system as an example. "Canadian cultural sovereignty cannot exist in these conditions," Ostry said.

cont. from page 64

The first series was budgeted at \$8 million.

At press time, Michel Dalarie, advertising director at Ultramar, told *Cinema Canada* that a budget for media promotion had not been determined. **Ultraquiz Lance et Compte**, the weekly game show, programmed to bridge the off-air time between series, has been discontinued.

The second series is budgeted at close to \$11.6 million. Participation includes a \$4.6 million public offering and an aggregate total of close to \$4 million in financial participation from Telefilm Canada (\$3 million), O'Keefe Brewing Company Ltd. (\$500,000) and Ultramar Canada Ltd. (\$500,000).

The co-producers of the series, TF1 and SFP of France, will invest \$2.7 million. Radio-Canada and CBC will pay \$1.6 and \$1.9 for five and four year Canadian television rights, respectively.

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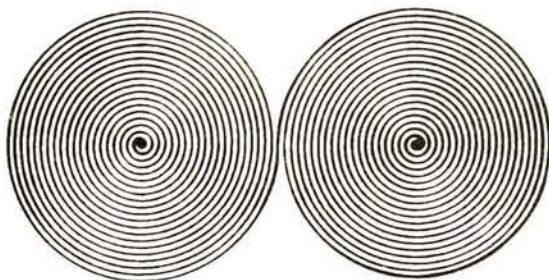
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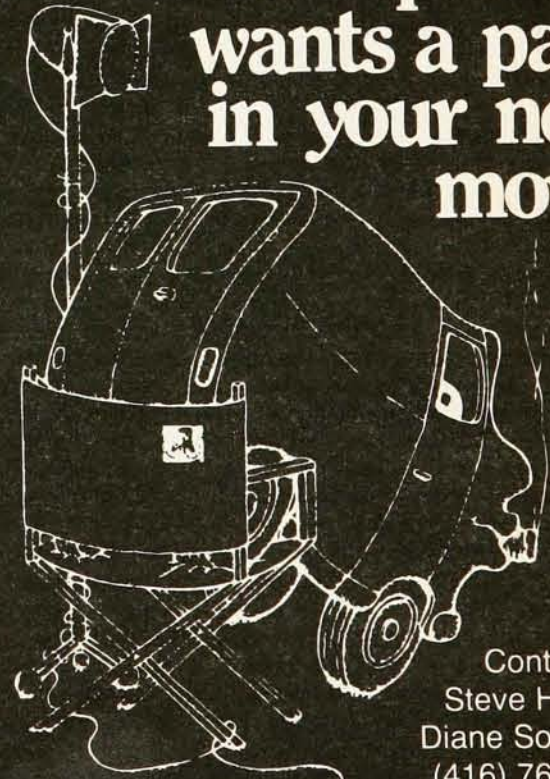
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Plus and Oz join forces in new Quebec production co.

MONTREAL — "It has always been our goal at Cinéma Plus to get into production and Les Productions Oz has had an eye for distribution," says Richard Goudreau, one of five principals of Cinema Plus Productions Inc., who announced the merger of Cinéma Plus and Les Productions Oz, at the Montreal World Film Festival.

Goudreau, Yves Bohemier, Gordon Guiry, Pierre Gendron and Roger Frappier, partners and majority shareholders of the new company, have com-

bution) talents after 15 months of negotiation and planning. Current revenues of the new company are estimated at close to \$12 million.

Frappier says linking production, distribution and foreign sales will place Cinema Plus Productions Inc. and its international sales arm, Cinema Plus International, in a stronger position to deal with the sorts of financial problems that characterize the Canadian film industry.

He says foreign sales through

Cinema Plus International will strengthen pre-sales, adding an extra financing incentive.

"Ultimately our aim is to become independent for productions," says Frappier.

In announcing the new company, the principals outlined details of their production slate currently in development including Denys Arcand's *Jésus de Montréal*, *Kahnawake* and *Ruée vers l'art*.

Un Zoo, La nuit, making its English-Canadian debut at the Festival of Festivals, and *Esprit*

de famille, also debuting, will be sold internationally through Cinema Plus International.

In 1986, Cinémas Plus, under the guidance of Goudreau and Bohemier, announced an exclusive three-year distribution deal with three Quebec-based production companies. These companies are Les Productions Oz (which will cease to exist for new productions), Les Films Vision 4 and Les Productions La Fête responsible for the *Tales For All Series* produced by Rock Demers.

Gordon Guiry, formerly of Astral Films Ltd., was hired early in 1987 to form Cinema Plus International which will open offices in Paris and Los Angeles.

In 1985, Les Productions Oz was formed by Pierre Gendron and later joined by Roger Frappier, who joined the company soon after. Les Productions Oz produced *Un Zoo, La nuit* and Roger Frappier, while at the National Film Board, co-produced *The Decline of the American Empire* with René Malo.

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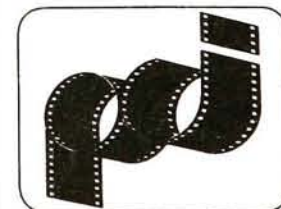
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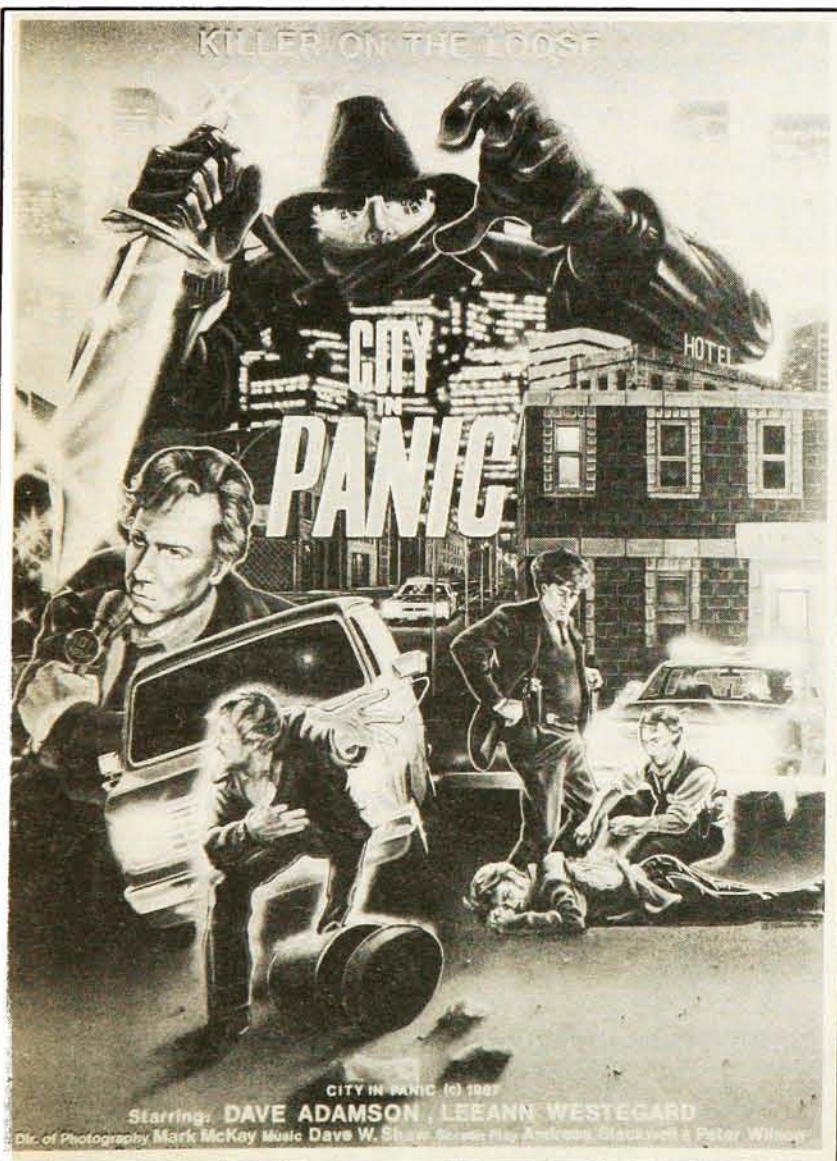
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Singing Mermaids profitable

MONTREAL — Within six months of its world premiere Patricia Rozema's *I've Heard the Mermaids Singing* has earned secure revenues of over \$1.5 million or roughly five times its production cost.

Produced by Rozema and Alexandra Raffe for Vos Productions Ltd., of Toronto, this \$350,000 comedy starring Sheila McCartney, Paule Baillargeon and Anne Marie MacDonald premiered in May 1987 at the Directors' Fortnight, Cannes Film Festival, where it won the *Prix de la jeunesse*.

Sales were concluded in 32 territories within one week of winning the prize, says Jan Rofekamp of Film Transit Inc., Montreal. Film Transit has, to date, negotiated advances on royalties for more than \$1.1 million (Canadian).

Rofekamp, says distributors expect that revenues from theatrical release and television

sales around the world will double within the next two years. *Mermaids* will be released in most countries this fall.

"In nearly every country, national television stations have expressed interest in the film but these television rights have been granted to the distribution companies to be concluded later on in their contracts," says Rofekamp.

Cinephile of Toronto has secured Canadian television sales of more than \$325,000.

Hollywood North for October shoot

TORONTO — The long-awaited Independent Pictures' feature film *Hollywood North* could soon become a reality with principal photography tentatively scheduled to start Oct. 5.

Shooting on the \$2.3 million

movie will last about five weeks with most of the work done in Toronto and the rest in Los Angeles.

Hollywood North, a comedy about the making of a Canadian feature film in the tax shelter heydays of the late '70s, has seen production delayed because it has been rewritten several times, said Gabriella Martinelli, an Independent Pictures line producer.

"We wanted to make it universal instead of just an in-joke for the Canadian film industry," Martinelli said.

Meanwhile, Independent Pictures has delayed production of the feature *Burger Zombies* until 1988. The script needed further development, an Independent Pictures spokesman said, and with summer at an end — and because it's a summer film — it had to be put off until next year.

Burger Zombies was the first script slated for production that was developed through support from the Foundation to Underwrite New Drama for Pay Television (FUND).

Société awards development

MONTREAL — Fourteen Quebec-based writers and directors have been granted development funds totalling \$73,373. The fund is awarded annually by the Société générale du cinéma du Québec to filmmakers with a proven record of achievement and who are working on a project.

The 1987-1988 recipients are: Jacqueline Barette, Carl Brubacher, Iolande Cadrin-Rossignol, Bruno Carrière, Bachar Chbib, Monique Crouil-

lére, Helen Doyle, Stella Goulet, Suzanne Guy, Arthur Lamothe, Robert Ménard, Monique H. Messier, Bernadette Renaud and Ida Eva Zielinska.

The SGCQ has also announced that it will invest \$500,000 in a feature film directed by Léa Pool entitled *Kurwenal* and \$200,000 in *A plein temps*, a television series directed by François Coté, Michel Bériault and Claude Boucher.

Atlantis cowboys out West

ALBERTA — Atlantis Films Limited has started principal photography in Alberta on its \$2.9 million feature length drama *Cowboys Don't Cry*.

Cowboys Don't Cry is based on the award-winning novel of the same name by Marilyn Halvorson and chronicles the stormy relationship between a teenage boy and his father, a rodeo cowboy.

Ron White stars as Josh Morgan and Zachary Ansley as his son, Shane. Other cast members are Janet-Laine Green, Michael Hogan, Rebecca Jenkins, Candace Ratcliffe, Thomas Peacocke and Thomas Hauff.

Anne Wheeler, director of

the feature film *Loyalties*, is writer/director, Janice Platt producer and Peter Sussman executive producer.

In Canada, *Cowboys Don't Cry*, which is being shot on 35mm, will premiere as a feature-length drama on CBC television early in 1988.

Cowboys is produced by Toronto-based Atlantis in association with the CBC and with the participation of Telefilm Canada and the Ontario Film Development Corporation.

Filming is scheduled to continue through Sept. 9 in and around Edmonton and Pincher Creek.

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LEGAL EYE

by Michael Bergman

In recent years, litigants have been seeking a more efficient less costly way of litigating disputes than is afforded by the courts. The court process is long, sometimes cumbersome, complicated and costly.

Even when the trial is over and the judgement rendered, the parties could face interminable appeals and further delays. In the intervening years the financial abilities of parties could turn for the worse — affecting the winner's ability to collect — and in some cases, important business decisions can be delayed pending the outcome of the determination of the parties' rights.

As an alternative to the use of the courts for dispute resolution, arbitration has grown increasingly popular. Arbitration is conducted by an independent arbitrator selected by the parties or through some mechanism that they have contractually put in place. The arbitrator hears the dispute often in an informal setting and follows a much more summary procedure than the courts. While the arbitrator does hear legal counsel and witnesses, the amount of written pleadings

are significantly reduced and the arbitrator is often not hamstrung by certain technical points of evidence and procedure. Furthermore the arbitration hearing and the decision that is subsequently rendered are usually subject to time delays in order to assure the speediness of the process. The costs of the arbitrator are generally shared by the parties.

One of the great advantages of arbitration is that although the arbitrator is independent he is often selected for his particular knowledge of the industry concerned. Although judges in court are well versed in law, it is only natural that they do not understand the commercial aspects of every industry and therefore considerable time may be spent examining witnesses to establish the parameters within which a certain industry operates and the normal practices and customs of that industry.

Commercial arbitration has been around for quite some time and indeed it is not unusual to find arbitration clauses in contracts from partnership agreements to supply, service and building contracts. Dispute resolution between manage-

ment and unions and their members is affected by arbitration as provided for in the collective agreement or in the Labour Relations Act concerned.

In fact most jurisdictions presently have arbitration

legislation on the books which provide the rules for arbitration in the absence of contractual provisions. Nevertheless with the exception of labour relations matters and certain other special statutes, no one can be forced to submit to arbitration

in lieu of the courts unless he has contractually bound himself to do so. Although there may be certain instances in which parties who have contracted to submit themselves to arbitration may avoid the pro-

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cess and go directly to court, in most cases these parties would be precluded from recourse to the courts without recourse to the arbitration first. Arbitration awards can be enforced by the court. In most instances legislation provides

that an arbitration award can be registered with the court and thereon become automatically enforceable through the usual means of seizures, etc. The arbitration process is usually designed to be more or less final. Nevertheless it is not possible to prevent some recourse to the courts in the event that one

of the parties to an arbitration is unsatisfied. This recourse is usually not in the form of a formal appeal but rather an attack on some irregularity in the arbitration process. One problem that existed until recently with arbitration awards was that arbitration awards rendered in one coun-

try were usually unenforceable in another. As many commercial dealings are international in nature, this tended to diminish the portability of the arbitration process. Gradually there grew up certain centers such as London or New York where most significant commercial arbitrations were held.

These jurisdictions had developed special rules to encourage commercial arbitration. The United Nations has addressed this problem and has promulgated a uniform arbitration code which it has encouraged its member countries to adopt. Canada has adopted legislation to implement this code on a federal basis. However, since much of the arbitration process is within provincial jurisdiction, further enabling legislation in the provinces was necessary. Happily many provinces such as Quebec, Ontario, Alberta and British Columbia have recognized the usefulness of adopting the United Nations code and have passed legislation to do so. It is therefore now currently possible to hold arbitration proceedings in the United States or in most centers in Canada and have the arbitration award recognized and enforced by the courts of other provinces or states.

Arbitration provisions are a common feature of many contracts used in the film industry, from distribution agreements to joint ventures. In fact the industry in the United States has, through several industry associations, encouraged the use of arbitration as a dispute settlement mechanism between producers. The American Film Marketing Association has set up such a program for this purpose and maintains a list of arbitrators to act on arbitration panels.

Michael N. Bergman • Barrister and Solicitor of the Provinces of Quebec, Ontario and Alberta with offices in Montreal and Toronto.

Bobet's script, Lord's direction

MONTREAL — Jean-Claude Lord is directing the sixth feature film in Rock Demers' *Tales For All* series.

The *Frog and the Whale* will feature Fanny Lauzier in her film debut. Shooting began in Quebec's Iles Mingan in late July followed by two weeks in Métis, Florida and the Virgin Islands.

This family-oriented feature about a young girl who has a special relationship with whales and a dolphin, was written by veteran director/producer Jacques Bobet and André Melançon, director of *The Dog Who Stopped the War* and *Bach and Broccoli*. The inspiration for the story came, says Bobet, while working with Jacques Cousteau in the St. Lawrence River. Participation includes Telefilm Canada, la Société générale du cinéma du Québec, Culinart Inc. and First Choice/Superchannel and private investors.

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Critics' Week, Commonwealth come to Vancouver Fest

VANCOUVER — The annual Vancouver International Film Festival, with possibly the most ambitious program of its six-year history, will take place in Vancouver during the last two weeks of October.

The VIFF has changed its traditional schedule (usually in May) to coincide with the first Commonwealth Conference to be held in Vancouver.

Under executive director Hannah Fisher, the festival has put together five themed series — Cinema of the Commonwealth, Worlds of Asia, Cinema of Our Time (contemporary international films), Canadian Images, and Critics' Choice.

The Honourable Flora MacDonald will host the opening gala and the first screening will be Bill Forsyth's film, **House-keeping**, shot in Nelson, B.C., last year.

The opening of the Commonwealth series, on October 16, will be followed by a reception hosted by Jean Sirois, head of Telefilm Canada.

As a complement to the Commonwealth theme, the Asia series will feature a tribute to India as the world's largest film — producing country. "We're bringing in a first-class delegation of Indian filmmakers, performers and critics, including Shashi Kapoor and G. Aravindan," says Fisher.

The Commonwealth will also be represented with films and guests from such countries as Australia, New Zealand, Malaysia, Ghana, and Kenya.

The opening night of Cinema of the Commonwealth will feature the signing of a formal co-production agreement between Canada and New Zealand for future film projects, and the screening of the all-Maori cast film, **Ngati**, about a Maori child who loses his best friend.

As well, Australian director Paul Cox will premiere his film, **Vincent — The Life and Death of Vincent Van Gogh**.

The first week of the festival will also see the Second Annual Film Industry Trade Forum. The forum parallels the festival's Commonwealth theme, with a special emphasis on marketing, and will be held in the Robson Square Media Centre on October 18 and 19.

Guests from countries such as India, Australia, Hong Kong, New Zealand, the Philippines, Malaysia, Canada and the U.S. will conduct workshops, panels, seminars and master classes.

Besides several aspects of marketing and distribution, there will be seminars on animation, film investment, aboriginal filmmakers, and government involvement in the

film industry, particularly B.C.'s new film fund.

Visiting artists will conduct master classes for directors, actors and writers, and forum director Kathryn Allison feels this will provide a wonderful op-

portunity for local industry people to learn about filmmaking in other countries.

One of the highlights of this year's VIFF will be the presentation of the entire Critic's Week from the Cannes Film Festival.

Critic Jean Roy, co-ordinator of the Cannes event, will be on hand along with numerous other critics such as Roger Ebert of the *Chicago Sun-Times*, Kathleen Carroll of the *New York Daily News* and

Derek Malcolm of the *Guardian*.

The Critics' Choice series will culminate in a critics' panel

cont. on page 74

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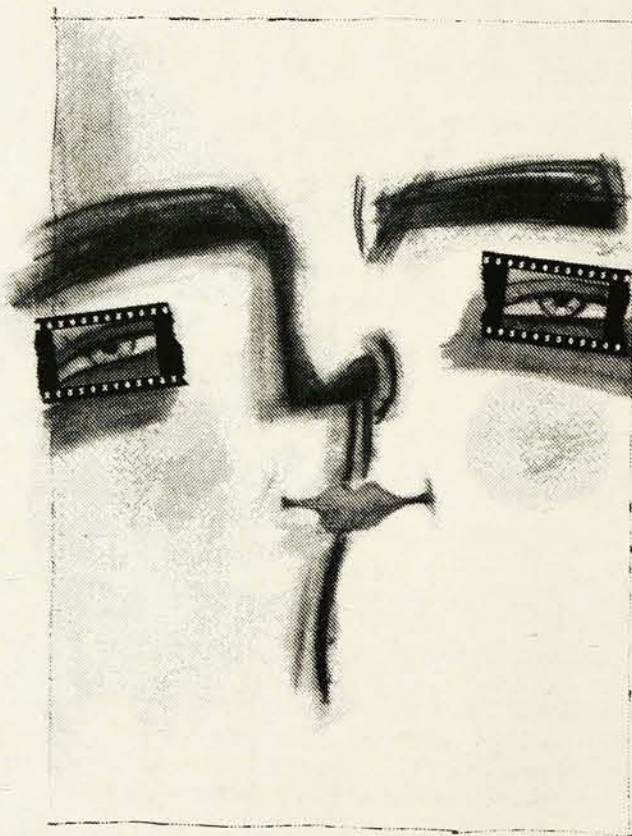
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Hannah Fisher

FRONTS WEST

by Calvin Wharton

Now that the British Columbia Film Fund has been approved by Cabinet, the local film community is waiting for Bill Reid, Minister of Tourism, Recreation and Culture, to choose a board of directors. One of the board's first tasks will be to establish guidelines and program details. The province may set up an arm's length agency to determine who will receive funding, and how much each project chosen will get from the first year's \$2 million budget. The ministry seems to be moving fairly slowly on this project, but maybe it's just the time of year.

CBC has licensed, from Vancouver's Primetime Productions, three half-hour segments of **Comedy College**, a comedy game adapted from the live show (of the same name) at Expo 86's Canada Pavillion. The program was created by Colin Yardley and Jeff Groberman, and is written by them along with Phil Savath. Executive Producer, Michael Lebowitz, says the project has gone ahead with joint funding by Telefilm and the B.C. Comedy College.

Ryan Stiles, a tenured professor at the college, will host the program with regular guests such as Dave Cameron, Peter Anderson, Janice Ungaro, Bryan Myers, Meg Soper and Roger Fredricks. The shows will feature improvisation competitions, "joke-offs", and audience participation.

Northern Lights Media has launched a more orthodox game show, called **Second Honeymoon**. Produced through facilities at BCTV in Vancouver, the series will be broadcast in Canada and the U.S.

As well, Northern Lights producer Stephen Foster says their feature film project, **Max Glick**, is now fully funded and will begin pre-production in Manitoba at the end of September. Foster says this film, to be shot in Winnipeg and Portage la Prairie, is the first to be made with the backing of the Cultural Industry Development Office and Film Manitoba.

And in a venture even further from home, this production group has sent a crew to Gilgit, in Northern Pakistan, to shoot another development film for the Aga Khan Foundation (they're previously done four).

The recent agreement which provides for Telefilm to contract services from the National Film Board on feature productions will apply only to the re-

gional offices, not to Montreal or Toronto, says Barbra Janes, the B.C. regional director of the NFB. Details are still being worked out, and it may be a while before the program is in

full operation.

Meanwhile, the Film Board here has several films in various stages of production, many of them aimed at the educational market. These include three films on sex education by Mo Simpson, director of **Feeling Yes, Feeling No**, and a 20-minute drama for kids by Peg

Campbell, titled **Bombs Away**, which deals with fears of a nuclear holocaust. In final editing is Colin Browne's **White Lake, or The Making of Canadians**, an 80-minute experimental film about landscape, narrative and memory, shot near Penticton, B.C.

Last November Janes became

B.C. region head of marketing and production, the first time both responsibilities have been combined. She hopes to have integrated premises by next February (presently, she divides her time between the two

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offices, located in different buildings).

CBC Vancouver is interested in doing several more episodes of **Blue's Folly**, the first of which aired last fall in the Lies From Lotusland series. Bebob Pictures is working from their im-

pressive start with writer, Nora Kelly, Blu Mankuma in the title role, and director, John Newton.

At the end of September, Women in Focus and the Australian consulate in Vancouver will co-host an evening of new work in film by Australian women. The films are from the Australian Film Commission

Women's Unit (the equivalent to the NFB's Studio D). One of the highlights of the program is Julie Cunningham's **Double X**, an animated short with rap dialogue that makes fun of early human society and sex-role stereotyping.

Also, in October, Women in Focus and the Goethe Institute are co-sponsoring an evening

of film and discussion on new German women's cinema with German critic and curator, Renate Mohrman.

One facet of B.C.'s maturing film industry is the appearance of new companies designed to take advantage of the increasing amount of local film activity.

The Beacon Group, a motion

picture investment business which will provide venture capital for Canadian certified features, is now beginning to look for investment possibilities. Grant Allen, director of their Vancouver operation, describes the group as, "a private version of Telefilm with broader parameters." Allen says their primary interest is in features shot in B.C. but they will also fund some films made outside the province and have a network across the country.

They are looking for features with six out of ten Canadian points with production budgets between one and five million dollars and distribution guarantees at 50 percent of the investment. Allen claims they will provide 15 to 30 percent of the total budget - what he calls gap money. "We have a mutual fund concept," he says, "with our investments to be spread over a number of features."

Another new enterprise is Gastown Productions' film processing lab which will be operational by January, 1988. This will provide Vancouver with a second post-production facility. Local industry growth indicates the new lab won't be short of work.

Praxis Film Development Workshop is in the process of selecting scripts and inviting guests for its fall workshop. They expect Paul Cox will spend a day a Praxis while he is in town for the Film Festival.

Meanwhile, the New Play Centre is finishing the third of three projects accepted in the "Test Tape Competition."

Already shot and posting are the first two script selections - **Serenade Bay**, written by David King and directed by Joan Juliani; and **Shelter**, written by Stephen E. Miller and directed by Peg Campbell.

The third script, **Star Crossed**, was co-written by Glenda Leznoff and Sylvie Fefer, and directed by Nick Kendall.

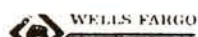
High profile for Vancouver Fest *cont. from page 72*

hosted by Jay Scott (*Globe and Mail*), which is open to the public, on October 26.

And the Air Canada Canadian Tribute evening, October 24, hosted by Brian Linehan from CITY-TV in Toronto, will honor Helen Shaver for her contribution to the international film industry.

"We're going to present an event in Vancouver that the city can be proud of," says Fisher. "We have an absolutely stellar collection of films, critics and remarkable guests - very high-profile."

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E A S T E R N W A V E

by Chris Majka

Somehow, despite all my efforts to the contrary, I suddenly noticed that the summer is almost over and, as usual, despite secret vows I took in the bleak, cold, dark moments of a March sleet storm, I've not spent even half the time in the sunshine and on the beach that I absolutely, solemnly, swore I would. My plans for a relaxed and unhurried summer somehow never materialized. Oh, well... there's always next summer...

The filmmakers I've talked to in the past while are even paler than I. At NIFCO, this could be due either to lack of sunshine or to a heavy coating of plaster dust, as renovations and expansion to the *NIFCO mansion* proceed apace. These renovations have a rather complicated history. The film unit at Memorial University has, during the past year, gone over entirely to video and they have therefore mothballed their considerable collection of film production and post-production equipment. Fears were expressed that it would simply get sold out of the province and this valuable resource would simply disappear.

Fortunately a solution was worked out — NIFCO has now become official custodian of this film equipment for a trial period of two years. It includes an excellent animation stand, a film sound dubbing system, cameras, steenbecks, etc. Obviously a resource worth having. However, the proviso that came with this gift was that the NIFCO premises be upgraded to accommodate it. With this in mind, the summer has been spent rewiring, gyrocing, building an extension on the back of the building and digging up the basement. NIFCO's Elizabeth Hagen told me she was feeling better about the premises now that the windows have frames again and the walls are more or less entire, but that renovations would go on well into the fall.

All this has seemingly not disrupted the steady stream of filmmaking at NIFCO. Jim Maunder has been working on a sound mix for his combination live action and animation film called *Zuchinni*. Ed Riche, whose name and film I have misspelled in this column, is in the final stages of work on *Roland's Progress* and De-

bbie McGee' editing of *The New Poverty* has been interrupted by her having a baby. Congratulations Debbie!

Elsewhere in Newfoundland, Ken Pittman's production of *Finding Mary March* has just wrapped. Ken being a sensible sort, has vanished for a well-deserved vacation and was unavailable for comment. In the meantime, rumour has it that all went very well on the shoot.

Also in production in Newfoundland is a film with the working title of *Pelts*. NIFCO's stalwart Derek Norton is directing this one for the National Film Board of Canada and it's a multiperspective view of Canada's fur trade. It will look at the history, and present state, of the fur industry from the perspective of the Montreal fur market and its commercial furriers; the native hunters and trappers; and the animal rights groups. This documentary is nearing the final stages of production with shooting having been completed this spring and summer in Montreal, Vancouver and the Yukon. Shooting will continue this fall and winter at a P.E.I. fur farm.

In New Brunswick, Fredericton's Capitol Films have finished and released their 82-minute, 35mm feature called *Tuesday Wednesday*. It is a drama about a man who, while drinking and driving, hits and kills a child. The film follows him as he leaves prison and tries to make amends with the family of the dead child and the community. Directed by Capitol shaker and mover Jon Pedersen it stars John Alexander and Liz Dufresne, both of Toronto, and a local Oromocto girl, Penny Belmont. Pedersen took the film to the Montreal World Film Festival where it was shown twice in the Panorama Canada section of the festival. Capitol Films has its eyes open for future projects.

Besides being the home of Capitol Films, Fredericton is also the headquarters of the Conservation Council of New Brunswick (CCNB) an organization that readers of this column may not be well acquainted with. The CCNB, however, is well-known in environmental circles. In the past year it has mounted a major campaign dealing with ground-

water pollution — perhaps one of the most crucially important environmental issues. This interest led CCNB's David Coon to approach Fredericton filmmaker Kevin Matthews about doing a film on the subject and Matthews in turn talked to the NFB. The result is that production is in the very early stages on a half-hour film with the working title of *Groundwater Pollution* which will be produced by the NFB's Atlantic Studios.

A documentary of New Brunswick politician and raconteur Louis Robichaud by Hermangiel Chaisson is also being done for the NFB.

In Nova Scotia the Atlantic studio of the NFB is also busy with production beginning on a documentary on black women in the province. It is being co-directed by Sylvia Hamilton (who also researched and wrote) and Montreal indie filmmaker Claire Prato.

Hubert Schurman from Nova Scotia's Land of Milk and Honey, the Annapolis Valley, has released two films in co-

cont. on page 76

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Kid Brother takes top prize at Montreal

MONTREAL – A Quebec director and his Japanese producer received top prize at the Montreal World Film Festival where a record breaking crowd viewed over 230 feature films and 130 shorts from over 50 countries.

Festival officials report that 270,000 people attended the 11th Annual Montreal World Film Festival (Aug. 21 to Sept. 1) compared to an estimated attendance of 251,000 in 1986.

A large crowd of film-goers also filled Place des Arts for the awards presentation Sept. 1, where Claude Gagnon and Kiyoshi Fujimoto received the Grand Prix des Amériques for **The Kid Brother**, a Canada/U.S./Japanese co-venture.

This feature about the relationship between a severely handicapped child and his working class family was one of 17 films entered in the Official Competition.

The prestigious Special Jury Award went to **Mi General**, di-

rected by Jamie de Arminan (Spain), and **The Big Parade** directed by Chen Kaige (China) took the third-place jury award.

Other winners are: **Un Zoo la nuit** directed by Jean-Claude Lauzon - Prix le Permanent as best Quebec film and **The O'Keefe Award** as best Canadian film. **Made in Argentina** directed by Juan José Jusid - Air Canada Award as the most popular film of the festival.

Special jury prizes went to the **Comedies and Proverbs** series of films, directed by Eric Rohmer (France), **Mosco Addio**, directed by Mauro Bolognini (Italy). **Le Grand Chemin**, directed by Jean-Loup Hubert (France), won an honorable mention.

Grand Prix de Montréal for best short film – **Shoeshine** by Tom Abrams (U.S.).

Jury Prize for a short film – **George and Rosemary** directed by David Fine and Alison Snowden (Canada).

International Critics' Prize –

Whooping Cough directed by Peter Gardos (Hungary) and **La Grand course** directed by Jerzy Domaradzki (Poland).

Best Actress – Irina Kupchenko in **A Lonely Woman Wishes To Get Acquainted** (U.S.S.R.).

Best Actor – Leo McKern in **Travelling North** (Australia).

The film festival market, Aug. 24 to 29, also reports a record number of buyers and sellers: 850 participants compared to 700 in 1986.

Jackie Dinsmore, market coordinator, says a preliminary attendance survey in the middle of the week showed more buyers than sellers and an unusually strong U.S. presence.

"I think the Americans are waking up to the fact that Montreal is a good place to catch independent sellers," says Dinsmore.

Although her overall market survey was not finalized, Dinsmore told *Cinema Canada*, that Canadians did a brisk business in film and television.

He Shoots He Scores and **Formula 1**, produced by Claude Héroux Productions Inc., were both sold (39 episodes each) to Vera television, Holland.

Un Zoo la nuit, directed by Jean-Claude Lauzon, was sold to Portugal with other sales pending while Peter M. Evan-chuck's **Platinum** was picked-up by Australia, France, Germany and invited to three film festivals.

Dinsmore says that next year's market will include a seminar on how-to-use the market for the uninitiated. Most participants were pleased with the Monday to Friday format, she says.

Eastern Wave

cont. from page 75

production with the NFB. The first is an hour-long documentary looking at poverty and the poor called **Ballad of South Mountain**. The second dovetails the concerns of the first and examines housing programs and conditions for the poor – in particular the **Hearth**

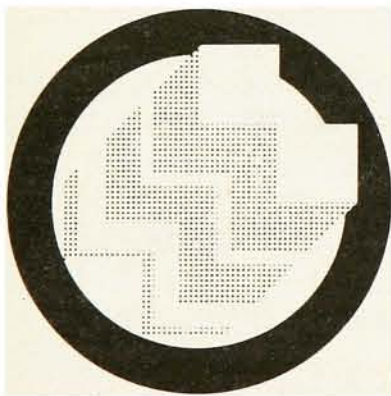
home housing program. It is a half-hour film called **The Church and the Hearth**. Both of these productions are being shown this month at a conference in Ottawa called **The Year of Shelter for the Homeless**. Also ready for release is Lulu Keating and Hubert Schurman's documentary on women in the workforce called **Enterprising Women**.

Since the Ottawa departure of Brian Hennington, the Atlantic Festival Atlantique has been under the stewardship of Elizabeth Clarke, who is on temporary leave of absence from her duties as publicist for the NFB. The burners are just beginning to heat up for this year's festival but already an unprecedented event is shaping up. Elizabeth told me she has five features (all in 35 mm to whit!) confirmed in competition and the possibility of a sixth! Is this a sign that the Atlantic film industry has come of age? In no particular order they are Picture Plant's **Life Classes**; Robert Frank's **No More Candy Mountain**; Capitol Film's **Tuesday Wednesday**; Salter Street Film's **Normanics**; and the Dutch production of **Mind Shadows** by Film Productions du Nieuwe Unie. Also out there in the of-fing with a possibility of completion is Nick Brun's **The Puracone Factor**.



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Indies on the road

MONTREAL – Theatres in 10 European countries are preparing to receive a tour of Canadian independent films that made U.S. audiences sit up and pay attention earlier this year.

The European leg of the Canadian Independent Film tour, Oct. 15 to May 31, has been organized by filmmaker Bachar Chbib and friends, to place low-budget, Canadian-made films firmly in front of world audiences.

Chbib explains that this \$400,000 tour is, at this time, the most expeditious way to promote independent filmmakers whose high-quality films have traditionally been given low priority for funding and distribution.

Support for independent production is gaining momentum in Canada, says Chbib. He believes Canadian independent film is a new wave that will break on the shores of North America and Europe five years from now.

"Last year (1986) was a limbo year for independents," says Chbib, but now we are beginning to see Telefilm becoming more lenient towards younger filmmakers; NFB is assisting and Flora MacDonald (Communications minister) has told me that she is aware of the need to support independent filmmaking. It is an issue that has reached the ministerial level," says Chbib.

"Independent features like Patricia Rozema's *I've Heard the Mermaids Singing* and Atom Egoyan's *Family Viewing* are opening doors for us," says Chbib.

He says audiences and the press during the American leg of the tour (Feb. 23 to May 15, 1986) were especially appreciative in the midwest and helped to support the tour's objective which is to spread "recognition that Canadian filmmakers are coming out of their provincialism."

The European tour, opening in Berlin, will consist of 20 films (twice the size of the American tour) including 10 short films. The NFB has made 120 prints and Chbib is negotiating with Telefilm for the full budget, half of which (\$200,000) will be spent on subtitling in German, Dutch, French and English.

The films are included in the tour are: *A Life*, directed by Frank Cole, *The Dead Father* by Guy Maddin, *C'est comme une peine d'amour* by Suzanne Guy, *Le Bonheur* by Claude Demers, *Crime Wave* by John Paizs, *\$3 Wash and Set* by Lynne Stopkewich, *La*

Couleur encerclée by Jean and Serge Gagne, *Tables of Content* by Wendy Tilby, *Low Visibility* by Patricia Gruben, *8 Frames Per Second* by Charles H. Clark, *Memoirs* by Bachar Chbib, *Red Shoes* by Andrea Sadler, *Mother's Meat/Freud's Flesh* by Demetrios Demetri, *Limited Vision* by Julie Warren, *Next of Kin* by Atom Egoyan, *Passion - A Letter in 16 MM* by Patricia B. Rozema, *Scissere* by Peter Mettler, *L'Usure* by Jeanne Crepeau and Stephan Fortin, *Stations* by William D. MacGillivray, *The Glass Door* by Attila Bertalan.

The filmmakers will accompany their films on tour whenever possible.

Chbib says a third leg of the tour is planned for the Far East in 1988.

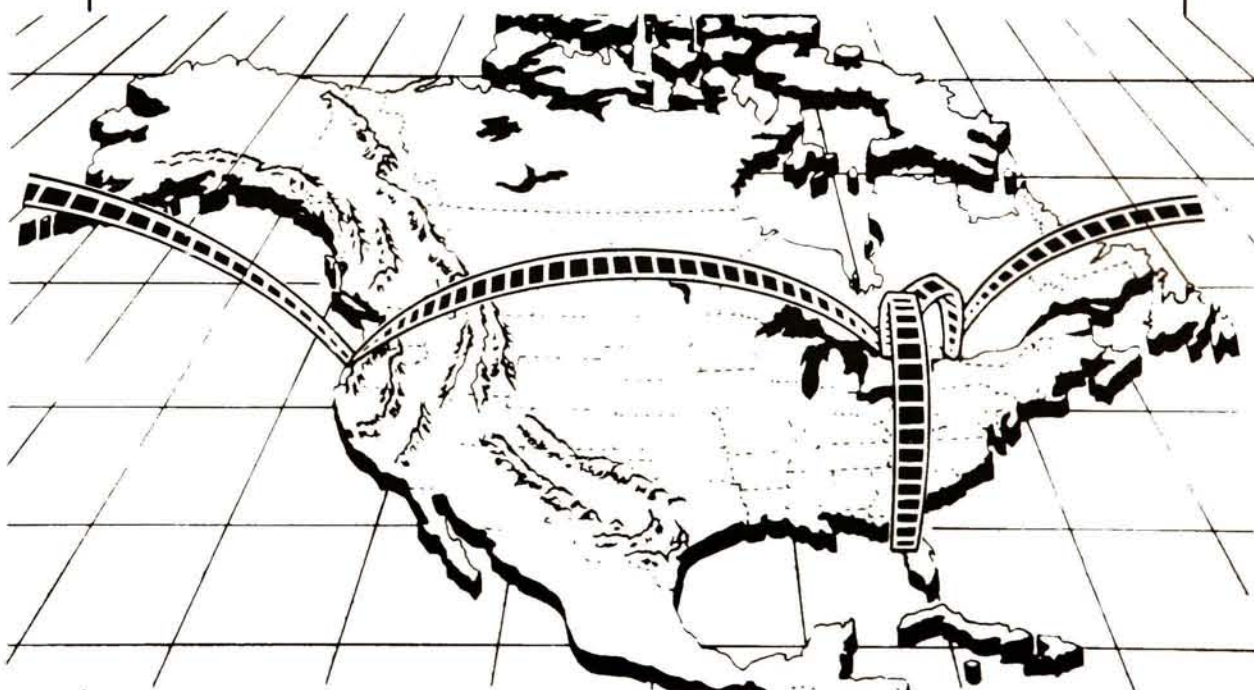
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ON (EXPERIMENTAL) FILM

by Richard Kerr

As a pinch writer, I will keep the rally going around the question of film education in our universities as it relates to our avant-garde cinema. The situation is desperate, to be sure.

I can only relate to the dire situation through personal experience as a film student and, now, educator. I consider myself fortunate because my mentors at film school (Rick Hancox and Jeffrey Paul), introduced us right off the bat to the classics of cinema art, the visionary works of the avant-garde and the European *auteur* cinema. They took great care in nurturing our sensibilities towards a responsible cinema, insisting that you can't make films about other people, other fictions, until you make a film about yourself. In other words, know who you are before you exploit the power of the medium towards others.

We were taught a personal vision which could be reinforced best by the American avant-garde. Times were good in the mid-'70s. We developed a passion for, and an understanding of, our culture. In this class were Holly Dale, Janis Cole, Lorraine Segato and later Michael Hoolboom, Gary Popovich and Philip Hoffman, all of whom are contributing to our culture by doing personal work inspired by a grounding in the avant-garde, not by studying the fashions of a consumer-based cinema. Remember, this is pre-tax-shelter financing and before the dark recessions (culturally and economically) of the early '80s.

The recession changed film education. Administrators and film educators became timid. Cinema education shifted from the liberation of ideas to job and product orientation. Film schools, by and large, convinced themselves they had to be training centres for the industry. This reactionary stance was the nail in the coffin that diminished the study of a visionary cinema. Film schools found it safe to champion the cinema of the box office and the pragmatics of industry production. Though this thinking might place students into entry level jobs, in the long run it short-circuits an innovative and responsible cinema of ideas, one that strengthens the integrity of our culture.

I would like to make it clear, though I champion good avant-garde work, I think it is vital that students screen and be provided with analysis of the classics of narrative cinema. After all, a good film is a good film whether it is from a narra-

tive school or the avant-garde. I refer interested readers to Fred Camper's "Two American Cinemas" in *Spiral*, Issue # 4, 1985. Camper makes the claim

that the work of Brakhage and the work of John Ford, though opposites in construction and intent, can both offer the viewer a rich cinematic experience. (As a digression, Camper also maligns the trend of new narrative methodologies in hope of accessing the larger mainstream audiences. The efforts

most often wind up being uninspired when compared to the artist's earlier work, which adhered to a more genuine *avant-garde* spirit. Camper's case in point is Bette Gordon's *Variety* which embraces Hitchcock's *Vertigo* but falls sadly short in terms of discourse and form. New narrative

practices have led many promising avant-garde artists into a box canyon of films that aren't particularly good narrative work).

The point being that the narrative films on university screening lists have to be the

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ground-breaking work (Godard, Truffaut, Antonioni, Welles, Bresson, and so on). The danger is in endorsing the mediocrity of our commercial cinema. It is healthier to screen a minor work from the avant-garde with a personal vision than to screen an uninspired Hollywood or network production. The responsibility is to screen only innovative work or a cinema that evolves narrative

language and takes the form to new places.

It is my position that the avant-garde offers the richer experience of screen education when given proper and thoughtful analysis. Unfortunately, avant-garde screenings are often overlooked in favour of the mediocrity of commercial productions for no other reason than their commercial success. Would you, in literature, study James Michener over James Joyce; or in paint-

ing, examine the work of Ken Danby instead of Pablo Picasso? Then why embrace a lowbrow populist cinema over a critically inspired cinema of ideas and form?

The reality is that our universities are poorly equipped to train our future *commercial* filmmakers. The equipment is often outdated, instructors are often tenure-tired and are out of touch with the industry they champion, and, most importantly, the curriculum does not

set the grounding for a career in today's film industry – There are few courses in accounting, or finance which hone the skills it takes to succeed in a producer-centred business.

Whenever I encounter zealous students who want to make it in the industry and question the study of art, I suggest they take Business Administration, observe the trends of Hollywood cinema, and get a subscription to *Variety*.

Our university film depart-

ments should be venues of intellect and social responsibility. When given the chance they can do that better than be training schools for the industry. I state this because when I teach a class in avant-garde cinema, the students respond to the challenge of the ideas offered in these works. This past year I taught a course in Canadian avant-garde cinema that was rewarding to the students; it generated a high level of attendance and enthusiasm. The students responded to the writing of R. Bruce Elder's *The Cinema We Need* and the work that it advocated. His writing (and films) challenged them; and in my heart I believe that is why they are at university studying film; it's for ideas and intellectual development.

In contrast, when I teach a documentary class and am forced to screen National Film Board or CBC product (budget reasons) I am met with cynicism and apathy because these films pale in comparison when it comes to teaching the fundamentals of film form. Our students are more visually literate each year, and they expect more in terms of philosophy, intellect and social awareness. The best way to satisfy their image/sound hunger is through the work of the likes of Stan Brakhage, Jean-Luc Godard, Robert Frank, David Rimmer, Michael Snow, etc. Everyone has their own list of ground-breakers who are important.

The rich heritage of Canada's avant-garde artist is being eroded in our film schools. I say it is time to reevaluate our curriculum and do what universities do best, and that is deal with ideas and research towards an advancement of all the cinemas in our culture, abandoning the pretense of just training people for the industry. Let Norman Jewison and his band of entertainers at the Canadian Centre for advanced Film Studies or DramaLab take the responsibility for industry training. Let's open university film departments to the writings and films of Frampton, Elder, Snow, Brakhage, Sitney and all artists and critics who have done the work and pioneered the language and aesthetics of a cinema concerned with a personal vision, as opposed to the reactionary cinema of the box office.

The avant-garde must be revered for what it is – cinema's truest art form.

Richard Kerr is Assistant Professor at the University of Regina. Film and Video Department. He is currently in post-production of a new film, Out There that investigates the American landscape.

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Trouble in Mount Royal

MONTREAL – Telefilm Canada is taking a second hard look at whether or not to invest in Canada's most expensive television series following disclosure that the lead role will not be played by a Canadian.

Peter Pearson, executive director of Telefilm, told a Montreal World Film Festival press conference, Aug. 31, that negotiations were ongoing with the Alliance Entertainment Corporation.

He said he was "not pessimistic" about the outcome of these negotiations.

Telefilm is the principal investor (30 per cent) in the \$17 million *Mount Royal* series, expected to premiere in a two-hour episode, Jan. 4, on CTV.

Robert Lantos, executive producer for the Alliance Entertainment Corporation, has defended his choice of Belgian-born actor Patrick Bauchau for a lead role, arguing that the lead role varies with each episode.

Telefilm maintains, however, that the lead character in the series is André Valeur, to be played by Bauchau. Telefilm has said it will not participate in the series unless the lead role is played by a Canadian in compliance with criteria for use of Telefilm's Broadcast Fund.

Lantos argues that it is a well-established tradition that international co-productions draw cast members from other countries.

Billed as a Canadian *Dallas*,

Quebec woes

cont. from page 51

and broadcast licensing fees are comparatively much lower in the French-language market than in the English-language market.

"The government must give advantages to the production house or the investor. He (Finance Minister Michael Wilson) must understand that he is going to back down on his white paper or kill the industry," says Ohayon.

Clive Hooton, a broker with Lévesque Beaubien Inc. told *Cinema Canada* prior to the Wilson announcement (Aug. 31) that time is running out on Finance to make any effective adjustment.

"It takes two months to put a prospectus together and one month to sell it," says Hooton.

"We (Lévesque Beaubien) were looking at three issues that we had to pull back because the yield was no longer attractive," says Hooton, adding that the yield on limited partnerships in film has been cut in half, to 25 per cent, making stock market or banknote investment more attractive.

He estimates that a potential \$200 million investment in Canadian films across Canada in 1987 has also been cut in half.

Hooton says that 1987 was the year that most of the major brokers chose to return to film portfolios after an absence of several years. Unfortunately, he says, most have been forced to pull back since the June 18 announcement.

Mount Royal is about the exploits and intrigues of the powerful Valeur family in Montreal. It is the most expensive series ever made in Canada and is produced by Alliance and SFP of France.

CTV will carry the series beginning Jan. 4. A dubbed version will be telecast in September 1988 by Radio-Canada and TF1 in France.

Cast members include: Monique Mercure, Emile Genest, Catherine Colvey,

Jonathan Crombie and Guylaine St. Onge.

At press time shooting was scheduled to begin Aug. 25 at the Panavision studios in Montreal.

Clayton to DOC

TORONTO – Canadian Film and Television Association president Alison Clayton has accepted a temporary appointment as a senior policy advisor to the federal department of

Communications.

Clayton, who is also vice-president of entertainment development for Ottawa's Crawleys International, will remain CFTA president until elections scheduled for November 19, 1987.

Week-long fest for Olympics

CALGARY – Calgary will host a one-week Olympic film festival next year that promises to bring screenings of 44 films from across Canada and around the world.

The Olympic Film Festival will be held from February 5-11, 1988 at the Cineplex Odeon Uptown Cinemas in

downtown Calgary and is being organized by the Olympic Arts Festival in conjunction with the Canadian Film Institute.

At the same time, a retrospective of winter and summer Olympic sport films, dating back to 1936, will be shown at the W.R. Castell Branch of the Calgary Public Library.

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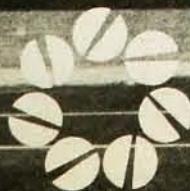
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