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Direction

Recommendations of the Film Committee of Direction Ontario for the Canadian Conference of the Arts. Approved February 10, 1973.

1. DEFINITION – Any definition of a Canadian film (for purposes of funding, quotas, tax benefits, etc.) must be based on the premise that artistic and financial control rests firmly in Canadian hands. While we recognize that foreign talent and financing may be beneficial in certain instances to the development of the Canadian film industry, we feel that development based on such importation leads to the production of essentially foreign films in Canada which is short sighted and self defeating. If we do not develop a policy that aids creative initiative at all levels of filmmaking, Canadians will be relegated to grippers of lights and processors of film as they too often have been in the past.

Therefore, we recommend the following definition of a Canadian film as an absolute minimum necessary to maintain creative and profitable control of this important popular cultural resource:

a) At least 51% of the financing must come from Canadian sources to ensure ownership of the film and guarantee that profits return to Canada for future investment.

b) The production company and executive production services must be Canadian as well as the production union.

c) All processing and post-production work must be done in Canada.

d) All technicians and assistants must be Canadian citizens or landed immigrants of at least one year standing (with the exception of specialized technicians mentioned below with knowledge unavailable in Canada).

e) Within the following creative positions non-Canadian or landed immigrant participation cannot exceed 6 points:

Directors	7 points
Scriptwriter	6 points
Producer	6 points
Dir. of Photography	4 points
Art Director	4 points
Editor	4 points
Acting leads	3 points each
Acting supports	2 points each
Specialized technicians	2 points each

2. FILM INDUSTRY – We believe that all corporations operating in Canada must be at least 51% Canadian owned and controlled. Any corporations which provide film products, processes, or services supplied or manufactured in Canada must be 51% Canadian owned. This applies to products manufactured in Canada but excludes those imported.

3. FILM UNIONS – We support the creation of a truly indigenous Canadian filmmaking union in English Canada (equivalent to the Syndicat national du cinéma in Québec). In the interim, no government agency or crown corporation should invest in a film made by a production union controlled from outside Canada (such as IATSE).

4. EXHIBITION – First and foremost, we insist that the provinces institute a Canadian content quota in all commercial cinemas at a minimum of 15% (or approximately 7 weeks per theatre per year) for feature films and 50% for short films (to be maintained at the present ratio of shorts played per feature).

Secondly, we demand that a minimum of 15% of the box office gross of any feature film shown in Canada be returned directly back to the film's producer by the exhibitor. This is not on top of the film's contract, but provides a floor for the producer which Canadian filmmakers especially need while swimming in a river of piranha. The government would not collect this money, but legislate this as a condition of the exhibition contract – like rent control between landlord and tenant.

Thirdly, apart from the quota, the government should set up a chain of cinémathèques around the country to present films of limited commercial appeal.

Ontario's film brief

5. **DISTRIBUTION** – The Canadian Film Development Corporation should draw up a standard exhibition and distribution contract which the provinces should use as a model to regulate commercial exhibition and distribution of Canadian films.

The federal government should increase the withholding tax on payments to non-residents of Canada in the United States for film rentals and royalties from 10% to 20%. (also, see *NFB*).

6. **TELEVISION** –

a) The CBC should program ongoing series of experimental Canadian cinema and make far greater use of Canadian feature films (paying for sub-titling if necessary). In addition, the CBC should allow its filmmakers to distribute and sell prints of their work; encourage independent filmmakers by commissioning more freelance work; and should become a completely non-commercial network by abolishing commercials with appropriate re-evaluation of programming goals (even if this means a tax on television sets).

b) The CRTC should follow the above definition of Canadian film for purposes of television broadcasting. It should require all commercials broadcast on CTV and independent VHF, UHF, or cable stations to be Canadian produced.

c) OECA should commission films from independent Canadian filmmakers as a part of their educational mandate.

7. **CENSORSHIP** – We urge the abolition of all theatrical and television censorship and instead a classification board set up by each province for theatres and one set up by the federal government for television. In each case it would be composed of at least 50% by filmmakers. Hopefully, this latter suggestion would take the onus of self-censorship off the television networks where decisions are often without consistent rationale.

8. **TAXATION AND RATES** –

a) The Ontario Arts Council should administer the \$250,000 script development fund outlined in the Basset Report. In addition they should be given at least \$250,000 to develop other aspects of filmmaking and filmmakers.

b) The provinces should return money from theatre admission taxes back to the film producer of Canadian films. If this cannot be done directly, then in the case of Ontario \$2,000,000 should be set aside for films produced in Ontario and awarded each year on two criteria – commercial and critical success. Half should be apportioned by the Ontario Film Office on the basis of box office receipts (with the top grossing films getting most of the money). The other half should be apportioned as prize money for the Ontario films receiving highest critical acclaim at the Canadian Film Awards. This latter system is important to avoid a lowest common denominator spiral by film producers.

c) The federal government should allow a tax write-off leverage of at least 2 to 1 for investment in Canadian films. This means the investor would not gain or lose money through the 60% write-off and encourage badly needed private investment.

d) Copyright laws should be investigated in light of the technological advances represented by video and modified to protect independent filmmakers.

e) Customs laws should be investigated and modified to help the Canadian film industry.

f) Canadian films should get special freight rates from Canadian carriers on all their routes.

g) A special tax should be levied on the profits of any film which grosses over \$1,000,000 in Canada. This money should be added to the Canadian Film Development Corp. fund. (also see Distribution above).

9. **EDUCATION** – The provincial departments of education and university affairs must require the local boards of education across Canada to buy and rent more Canadian films at all levels. Where suitable films are not available they should commission these from Canadian producers. Eventually a 50% Canadian content quota should be

instituted for films and other audio-visual material used in educational institutions (with possible exemptions for specialized courses). Of course this does not mean the content of the films should be Canadian, but that their production should be.

10. **MUSEUMS, LIBRARIES, AND ARCHIVES** – should recognize film as art and collect and conserve our national film heritage primarily through a properly funded national archive. (We realize this point was covered by the Secretary of State's speech July 4, 1972; however, we reiterate the point and draw attention to the Canadian Film Institute's brief "Cinema Canada".) Archival functions should be coordinated across the country and brought up to date to cover all Canadian films as produced including television. This information should be easily accessible to the public.

11. **SPECIAL PROGRAMS AND ADVICE** –

a) LIP/OFY are condemned for giving cultural groups low priority and also for not making use of independent juries for those cultural decisions they do make. As a result a great deal of money is not being used to best advantage. We urge an immediate change.

b) We urge greater use of filmmakers on advisory committees for all groups dealing in film (such as CFDC, CRTC, etc.). This means more power in the decision making process at all levels.

c) We urge the more stronger application of fair employment practices for women in the film industry and film organizations at all levels.

12. **NATIONAL FILM SCHOOL** – This idea should be understood to exist on two distinct levels.

a) Existing facilities at post-secondary institutions teaching film production should be coordinated and synthesized to avoid needless duplication of resources. For example, some colleges or technical schools might specialize in animation, others in documentary, others in dramatic, others in television, others in experimental approaches, etc. There should be some duplication within regions so a student in Vancouver would not be forced to go to Halifax for training.

b) Above and beyond present film facilities, one specialized national film school should be established that would bring together working filmmakers and developing filmmakers at the highest level with apprenticeship as the method of instruction to refine the talents of our most promising people.

13. **NATIONAL FILM BOARD** – It must become a center for all film information including legal aid to filmmakers; it must provide much more help and facilities for independent filmmakers; it should begin distribution of non-NFB films (in effect becoming a non-commercial distributor) both in 16mm and 35mm.

14. **FILM BANK** – The federal government should create a film bank, similar to the Canada Council's art bank, to provide independent Canadian films to Canadian embassies and consulates abroad. The film bank should also be used to establish an archive which reflects the scope our filmmakers' work and be available to the Canadian public (through the NFB distribution system).

15. **FESTIVALS** – We would like to encourage at least one international festival in Canada, perhaps in conjunction with the Canadian Film Awards. In addition we would like to see artists' grants to travel expanded by the Canada Council (perhaps a special pass could be created for standby travel on CP Air or Air Canada).

These recommendations are aimed at different levels of government and different government agencies. We didn't want to get bogged down in jurisdictional questions, however provincially, they are aimed primarily at Ontario. Also, we kept in mind the Basset Report to the Ontario government which, in general, we strongly support.