

Valenti threatens pull-out if law enacted

MONTREAL — The application of Quebec's Cinema Law would "make it very very difficult, if not impossible" for the U.S. Majors to continue to do business in Quebec, says Jack Valenti, president of the Motion Picture Association of America and the Motion Picture Export Association of America.

Speaking with journalists following a press-conference at the World Film Festival Aug. 28, Valenti, the chief lobbyist for U.S. motion-picture industry interests, said "We don't think this law is in the best interests of the citizens of Quebec."

"It's a very restrictive law," Valenti said, "it defines the rights of a non-Quebec producer or a distributor in such a way that would make it impossible for him to license his films in Quebec; it constructs unnatural arrangements between theatre-owners and distributors which makes both of them very unhappy; it has very restrictive covenants about home video and video-cassettes. It's a very difficult law and makes it very difficult for non-Quebec companies to literally do business in Quebec."

Valenti was in Montreal for a meeting that afternoon with Quebec cultural affairs minister Clément Richard and Quebec government officials in order to make known the U.S. industry's objections to Quebec's Cinema Law, and in particular section 105 which authorizes the Régie du Cinéma du Québec to determine who constitutes a pro-

ducer in Quebec and issue distribution permits accordingly.

Section 105 is the subject of a public hearing to be held by the Régie Sept. 10 to hear the views of the Quebec film industry on the regulation of this section of the law. The Majors in Canada, represented by the Canadian Motion Picture Distributors' Association, will at that time be officially presenting a brief objecting to section 105. The objections of the Majors, which at bottom constitute a rejection of the Quebec government's right to intervene in the cinema distribution market, have been the subject of on-going negotiations between the Régie and the CMPDA, negotiations which, given the public hearing, have not produced a compromise acceptable to either side.

Valenti stressed that the Majors were not objecting to the Cinema Law's French-dubbing provisions within 60 days of an English-language film's Quebec release. "We can handle that — no problem," Valenti said.

Parallel negotiations between the federal minister of Communications and the CMPDA towards increased distribution by the Majors of Canadian films in Canada are "still going on," Valenti told Cinema Canada. But at the federal level too, Valenti fundamentally objected to any kind of intervention by the Canadian government.

"Keep in mind that in the last five years 53 films have been financed wholly or in part in Canada by American com-

panies. One-hundred and 21 films in the last 10 years have been distributed in the United States by American distributors, and these are 121 Canadian films," Valenti told Cinema Canada.

"Now the only thing that makes sense is that the film, in the view of the distributor who is going to spend hundreds of thousands, maybe millions of dollars to promote that film, in his judgment, has to be worth it. Not all films are worth it.

"We can't put a numerical quota on anything we do — we can't be a party to it. We can say we'd like to distribute more Canadian films, but then you would have to have Canadian films of such quality that we can invest \$1 million, \$2 million, \$3 million to launch that film in America. If the film isn't good, we lose that \$3 million, and the Canadian government doesn't say, 'We'll replenish that money.' Of course not, it's a business proposition.

"What I'm saying to you is that we can't say we're going to distribute 20 films next year. I don't even know what films we'll have available next year.

"I can say we'll take 20 cars made in Canada and bring those to the United States because I know exactly what they're going to be. But with films, how can you make such a covenant?"

Valenti's objection to what he termed the "monetary" or "manufacturing" approach to film production by the Quebec and Canadian governments was only part of additional

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Régie hearings crucial

MONTREAL — The Régie du Cinéma will be holding public hearings on Law 109, the Quebec Cinema Law, on Sept. 10 at 9 am at Montreal's Cinémathèque Québécoise. The hearings will be presided by Régie president André Guérin.

"The hearings will obviously be very important," Guérin told Cinema Canada. "There will be a total of 22 interveners, 19 of which have submitted briefs. Representatives from all the Majors will be present as well as representatives from all the associations and organizations in the province."

The hearings, according to Guérin, will only deal with items in section 168 of the Quebec Cinema Law. Section 168 concerns the intervention rights of the Régie in matters of film exhibition and distribution.

The Régie, said Guérin, will issue a report to the province. The Régie, said Guérin, will issue a report to the provincial government based on the interventions submitted at the public hearing.

Expected to be a key issue at the hearing is sub-section eight of section 168 which refers to the right of the Régie to define the terms "Producer" and "Holder of world rights" as used in section 105 of the law.

Section 105 states that a special distributor's license can only be issued, within the regulations of the Régie, to a film's producer or to the holder of a film's world-rights, and, as of December 17, 1982, had received a license issued in accordance with section 30 of the Quebec Licensing Law.

The ruling reached on this issue as a result of the public hearing is expected to have an important impact on the distribution rights of the Majors in the province, as well as on all the smaller local distributors.

Reactions of the distributors both to the regulation and the hearing have been mixed.

"It is a lot more complicated than just the adoption of a technical term," André Monette, president of Action Film Ltée, told Cinema Canada. "The final decision will affect all the distributors. Personally I am in favour of the free enterprise system and I don't really like it when the government tries to impose itself on the private sector.

"The American film industry is a lot stronger than our own and if the Quebec government tries to go too far in their regulations, the U.S. Majors will

impose the law in their own way.

"There are some things that we, the smaller distributors, can do that the Majors cannot," Monette continued. "We work our own areas, for example, the European distribution market. The U.S. had agreed not to buy the distribution rights for European films."

Not all of the province's distributors, however, are in agreement with Monette's anti-government intervention attitude concerning the role of the Majors in Quebec's distribution market.

"I am 100 per cent in agreement with law 109," Victor Loewy, president of Vivafilm Ltée, told Cinema Canada. "I am in full agreement for what the law stands for and I am prepared to back it."

Others were somewhat cautious in predicting what the outcome of the public hearings would be, preferring to wait until after the hearings.

"The big debate is obviously going to be the issue of the role of the U.S. Majors in the Quebec distribution market," Maryse Rouillard, head of the Association Québécoise des Distributeurs et Exportateurs de Films de TV et de Vidéo (AQDEFV) and president of Filmoption Internationale Inc., told Cinema Canada. "The AQDEFV has presented a very firm brief to the Régie for the public hearing. We want to see who will be and who will not be distributors in Quebec."

TORONTO - Cineplex-Odeon Corporation announced record financial results for both the second quarter and the 26-week period ended June 27, 1985.

For the 26-week period the Corporation reported net income of \$4.195 million on revenues of \$73.381 million. Net income excludes an extraordinary gain of \$1.532 million. Net income for the comparable period the previous year was \$154,000 on revenues of \$14.69 million.

Extraordinary gain in 1985 and 1984 arose from the use of prior years' income tax losses.

Net income for the current 26-week period before extraordinary items was \$0.24 per share compared to \$0.01 per share in the corresponding period in 1984.

Second quarter results, for the 13-week period ended June 27, 1985, showed net income of \$2.722 million on revenues of \$39.154 million.

Two-year report on Broadcast Fund positive

MONTREAL — Year two of the Canadian Broadcast Program Development Fund has produced results as positive as year one with the fund injecting over \$43 million into 99 projects totalling budgets of nearly \$142 million.

These were some of the figures released by Telefilm Canada chairman Ed Prévost and executive director Peter Pearson on the occasion of the publication of *After Two Years*, a statistical report on the Broadcast Fund's second year. The press-conference was held in the context of the World Film Festival.

"The past two years have confirmed our belief that the

Broadcast Fund is an effective way of integrating private sector production into the very fibre of Canadian culture," Prévost said.

As in the fund's first year, the CBC was the major market for 1984-85's 99 projects (65 in English and 34 in French). In 84-85, 55% of Telefilm-baked projects were licensed to CBC and 69% to Radio-Canada. Since the fund was established in 1983, CBC has invested \$27 million into fund-assisted projects.

The participation of Canadian private broadcasters doubled their 12% participation in 83-84. In 84-85, private broadcasters invested some \$12 mil-

lion in 34 projects totalling budgets over \$50 million.

But "statistics don't tell the whole story," said Pearson. "Productions are not only being created, they are also extremely well received at home and abroad." Pearson noted that audience ratings were "very positive", and that Canadian productions had won awards in Japan, Europe, the U.S., and at home.

Since the fund's inception, more than 630 hours of new independently produced programming have been created. In 84-85, 12% of Telefilm Canada investment went to regional based projects, as compared to 3.8% in 83-84.

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QC reaction to initiatives

MONTREAL — Reaction from Quebec-based distributors after meetings with Telefilm Canada's new men at the top in late July has been very positive, perhaps ushering in a new era of co-operation between distributors and the federal film-funding agency.

"The meetings with Telefilm went very well. We are pleased with the direction of their distribution services in both Montreal and Toronto," Victor Loewy, president of Montreal's Vivafilm Limited, told Cinema Canada. "The new people in charge of the distribution department are very competent and have a good understanding of the film industry."

Telefilm has decided to revise its policy towards assistance for distribution for Canadian films, as well as for film distribution in general, Loewy explained.

"They have realized that we need the revision. What this means is that there will be less government interference and better services," Loewy said. "There was always a lot of bureaucratic problems with the accounting when dealing with Telefilm. They would ask

for financial statements every month and we were getting peanuts in return, whereas producers were getting millions and did not have to do anything. It will be a lot easier to take advantage of Telefilm's distribution services now."

Maryse Rouillard, president of Filmoptio Internationale Inc., and head of the Association Québécoise des distributeurs et Exportateurs de Films de TV et de Video (AQ-DEFV), was also very pleased with the new programs undertaken by Telefilm.

"I was not at the meetings with Telefilm myself, but the feedback has been very positive," Rouillard told Cinema Canada. "Telefilm will be releasing some of the funds they have for distributors. They have also said that they will be assisting exporters, which affects me more directly. Their programs will provide assistance for dubbing from one language to another, for video-coding from one country's system to another as well as broadcasting promotion. We are indeed thrilled these new developments."

Video eats into adult theatre audience

MONTREAL — Because of film censorship and evolving tastes in film-going, André Pépin, owner of Montreal adult-film theatre Le Beaver and president of the Vampix distributing company, also specializing in erotic films, has decided to change the direction of his exhibition and distribution facilities.

Pépin is currently attempting to sell most or all of his stock of erotic films to Canadian and/or foreign buyers.

"As far as Vampix is concerned," Pépin told Cinema

Canada, "we will be almost completely terminating our business in that field. We might still do a little distribution but only through videos, and that will only consist of 10% of our total business. The narrow-mindedness of Canadian censors makes it very difficult to operate in this country outside of Quebec and British Columbia.

"This is especially true for the distribution of 16mm and 35mm films in Alberta theatres. Alberta is like a closed parish," Pépin adds jokingly. "The laws in that province make it impossible for a distributor from outside Alberta to distribute his films in their theatres. Anyways, it is becoming a lot more advantageous to make and distribute these types of productions on video.

"It only costs \$25,000 to produce erotic films on video as opposed to \$250,000 on film, and it seems people are more interested in watching them in the privacy of their own home."

This new trend in the adult entertainment film industry has also caused Pépin to decide to change the exhibition direction of the exclusively erotic

film theatre Le Beaver, one of Montreal's eight theatres devoted to adult movies.

"I will be turning Le Beaver into a type of mini-Parisien," Pépin explains. "It will be showing a lot of French intellectual and artsy-type films. It is a good time to get out of the erotic film distribution and exhibition now because, as the cinemas which used to play adult films exclusively become legitimate theatres, they will need distributors and suppliers for legitimate-type films."

If Pépin is correct in assessing a trend away from erotic films, it will be a good sign for Montreal film-goers who have been longing for greater diversification and more international film-fare.

Pépin has also sold the bankrupt New Yorker repertory theatre on Montreal's St. Laurent boulevard, previously known as the Verdi, to three Montreal investors, including one-time owner of the Verdi Roland Smith, owner of the Outremont and l'Autre Cinéma rep houses.

The new theatre, to be called Le Milieu, will primarily feature live entertainment but will also hold film-screenings.

Valenti sets the tone for Régie hearings

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complaints that the U.S. industry via Valenti's visit wished to bring to the attention of Canadian political authorities.

The other objections, after Quebec's Cinema Law, included the non-payment of royalties on copyrighted U.S. "intellectual property," that is, films and television programming pirated by Canadian cable companies or videocassette distributors. Since last March's summit between U.S. president Ronald Reagan and Canadian prime minister Brian Mulroney, the U.S. film and television industry has vociferously made known their unhappiness with Canada's 1924 Copyright Act.

Finally, Valenti said he was "puzzled and saddened" that Walt Disney Pictures of Burbank, California, which is considering opening a Canadian production office, would have to be vetted by Investment Canada's provisions to protect Canadian cultural industries.

"I can't see any reason why Walt Disney, one of the great names in family entertainment, can't come into Canada. Disney is a good citizen; they do a lot of filming in Canada; they do a lot of investment in Canada. If you had to pick one company with the most spendid reputation in all the world for family entertainment, that would be Disney. So I'm puzzled and I'm saddened that this great institution can get into a lot of trouble just doing business in Canada."

Erratum — Cinema Canada apologizes for the typographical error which appeared in the Zaza Sound Productions Limited advertisement in the last issue. The text should have read "Some very good reasons why Zaza Sound and Post-Production Studio is clearly the winners' choice..." -Ed.

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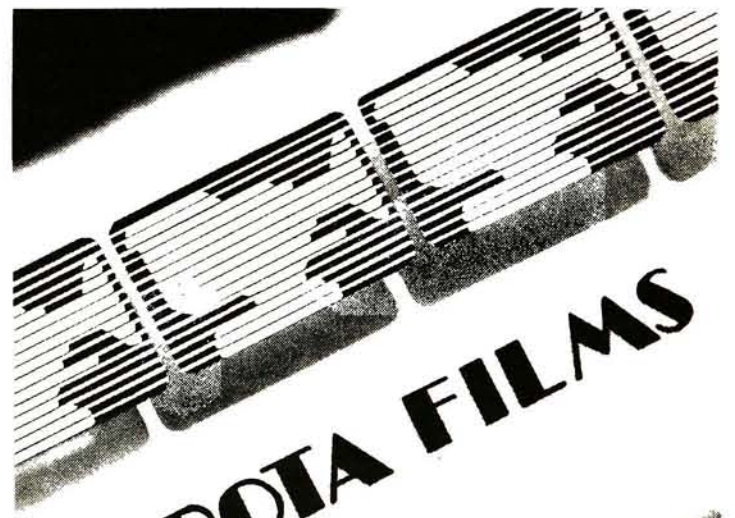
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Telefilm revamps policies about domestic distribution and export

TORONTO - Telefilm, in response to pressure from distributors, has expanded its test marketing, promotion and advertising programs. These programs were previously restricted to Canadian feature films having a first commercial theatrical release in Canada. They have now been expanded to include television programs and videos as well as films having a first commercial release in any media. Distributors had complained about Telefilm sponsored productions being driven by broadcasting and not having distribution support into those media.

A redrafted program was circulated among distributors in mid-July with follow-up discussions held at the beginning of August. Ian McLaren, Telefilm's director of distribution, told Cinema Canada that distributors' response at meetings held in Montreal and Toronto was very positive. He said that Telefilm is trying to do everything possible to "assist and strengthen the independent distribution sector."

Under the national distribution program, Telefilm may advance funds covering up to 50% of the costs of test marketing and/or marketing and launching a Canadian film or

video in the Canadian market. Telefilm may also advance up to 100% of the costs of dubbing or subtitling productions from one official language to the other for marketing purposes. Productions must be certified as Canadian to be eligible.

Distributors were generally pleased with Telefilm's efforts. However, Morey Hamat of Frontier Amusements, said that the independents want Telefilm to reconsider its recoupment position. In the draft program, repayment of advances to Telefilm is cross-collateralized. In other words, an advance for a theatrical launch can be recouped from either theatrical, television or other ancillary revenues. The distributors would like to "uncross" the recoupment so that theatrical revenues would pay for theatrical advances.

Hamat also would like that advances for Canadian films for theatrical distribution be grants rather than repayable loans. He noted that most Canadian film is not of theatrical interest. Nevertheless, distributors are pushed into launching it theatrically at a loss which has to be recovered through ancillary sales.

Hamat noted that Telefilm

seemed to be very responsive to their recommendations. "I found them to be very helpful," he said.

McLaren said that while Telefilm is not set up to give grants - "it's not the way we operate" - it is looking at ways of responding positively to the distributors' requests.

He said that Telefilm will be announcing further policy changes in the next few weeks to support the distribution sector. He added that Telefilm is strongly encouraging the sector to lobby the ministry of Communications and Investment Canada for a film policy comparable to the one Marcel Masse, minister of Communications, announced for the book industry.

Masse, in statements over the last few months, spoke very strongly about maintaining and increasing Canadian control in publishing. He suggested all ownership changes in the pub-

lishing industry would be intently scrutinized by Investment Canada.

To date, there is no indication that the policy is being implemented. Observers are awaiting a decision on the Prentice-Hall case now before Investment Canada. Prentice-Hall's American parent has been taken over by Gulf & Western, who also own Famous Players. There has been intense pressure within the publishing industry to disallow the Canadian portion of the takeover. The industry would like to see Prentice-Hall Canada divested to Canadians. The result of this case is being seen as the litmus test of the federal government's intent concerning a Canadian cultural industry.

For distributor Danny Weinzwieg, head of Norstar, Telefilm's efforts are laudable. He told Cinema that "Peter Pearson was supportive of

Canadian distributors and would do anything in his power to back us up." Unfortunately, added Weinzwieg "there is not a damn thing Telefilm can do to help theatrical distribution through the Broadcast Fund which systematically rejects theatrically inclined projects."

The situation is made worse, he said, by the fact that private investors now gratitate towards investment in television. He complained that the Broadcast Fund ignores theatrical, pay-TV, home video and the export market.

He said that independent distributors are making representations to government about their sector. He would give no details. Morey Hamat also refused to say anything more except that a brief will be submitted to government.

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More features, fewer theatres

MONTREAL - A study for the Société Générale du Cinéma du Québec highlights two major new trends in the movie-viewing habits of the population of Quebec.

First, Quebecers actually see more feature-length films today than in the past and, second, fewer and fewer of these films, especially in non-urban regions, are being seen in movie theatres.

Michel Houle, author of the study entitled *Le Parc d'établissements et l'exploitation cinématographique au Québec, 1974-85*, drew these important conclusions after looking at the indicators that reflect the province's movie-viewing habits. These include attendance; box-office receipts; size of the enterprises; the trend towards multi-theater cinema; the capacity and the occupation rates of theaters; comparisons between large urban centers and the non-urban regions, and the language of programming.

The SGC study, taking into account all forms of broadcasting available to Quebecers, indicates that more of the province's population are seeing more films. However, cinemas

have suffered serious losses over the last five years. In fact, there has been a decrease of 5.7 million customers in the province's cinemas and drive-in theaters from 1980 to 1984. In 1984 alone, there was a decrease of 2.9 million spectators. Translated in percentages, this marks a drop of 29 per cent. The smaller non-urban regions have registered an even more substantial loss in attendance.

While Montreal had a marked decrease of 18 per cent, the Saguenay-Lac-St-Jean region suffered a drop of 66 per cent, while the Témiscamingue area registered a drop of 77 per cent.

The SGC study attributes these serious decreases in attendance to several factors, including a decrease of 17.5 per cent of available screens to Quebecers, in which 104 towns and villages have lost all accessible cinemas; a decrease of 20 per cent of cinematographic presentations in Quebec; the video-cassette market which saw an 80 per cent rise in video-clubs between 1982 to 723 in 1984; wider and more up-to-date programming offered by both regular and

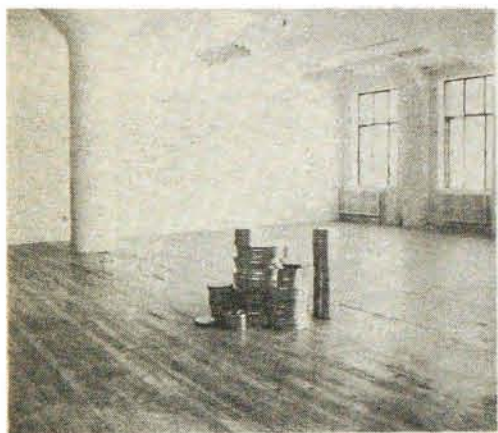
pay-TV broadcasters; and the increase of homes with VCRs from 4.2 per cent in 1983 to 9.4 per cent in 1984. This increase is expected to reach approximately 30 per cent by the end of 1985.

The study also indicates that more theatre-owners who want to program first-run features are forced to rely on the

original English-language versions. The increase in English-language original version programming is 57 per cent in Montreal and 208 per cent in Quebec City, while in the regions where such programming cannot be presented, there is a substantial decrease in attendance.

Perhaps the only areas of

optimism for the province's producers and distributors is that the video-cassette and pay-TV industries are mainly interested in presenting feature-length fiction films, creating a larger audience for each particular production in this category.



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Producers object to CBC building

TORONTO - The Canadian Film and Television Association has expressed its deep displeasure with CBC's plans for the Broadcast Centre Development.

In a letter to Janet Dey, director of planning and development at the CBC Broadcast Centre, Wilson Markle, CFTA president, expressed his deep "concern with the balance between broadcasting and production in the designs of your Broadcast Centre. After perusal of your brochure it was determined that more than 90% of the structure is dedicated to production rather than broadcasting. This makes your Broadcast Centre one of the largest production centres in North America. Our membership is mostly concerned that we are, by approving your plans, inviting direct competition by the public sector with our membership."

Markle emphasized that while the CFTA supported the

CBC and its contribution to Canadian culture and was unanimous in accepting that public broadcasting is a necessity, its members were also "of one voice when we insist that the public sector should not duplicate that which is already established in the private sector." As a result the CFTA was unable to support the Broadcast Centre.

Markle attached a list of post-production companies the Broadcast Centre would be in direct competition with. The list included his own Mobile Image as well as A.K.O. Productions, P.F.A. Labs, Global, Huchm Productions, Omnibus Group, Motion Picture Video, VTR Productions, Glenn-Warren Productions, Alndon Productions, Magnetic North Productions, M.P.I. Productions, Palette Productions, C.F.A. Productions, Off'N'Online Post Production and Editech.

In an interview with Cinema Canada Markle said that the CFTA did not want "the largest production centre in North America run by the federal government." He was emphatic that production services

should be farmed out. He noted that the trend at CBC has been to do it themselves and "they are drowning in their inefficiencies." He accepted that the CBC needed production facilities for news and current affairs "otherwise they should be using the private

sector." He noted that the private sector is "desperate for the CBC's business."

He is not sure what pressure the CFTA could bring to bear to have the CBC alter its development plans. He said the CFTA would look to the federal government which has been

encouraging the growth of small business. He also said city aldermen were becoming aware of how the CBC's plans would affect other industries and "they are taking a second look." Janet Dey was away on holiday and unavailable for comment.

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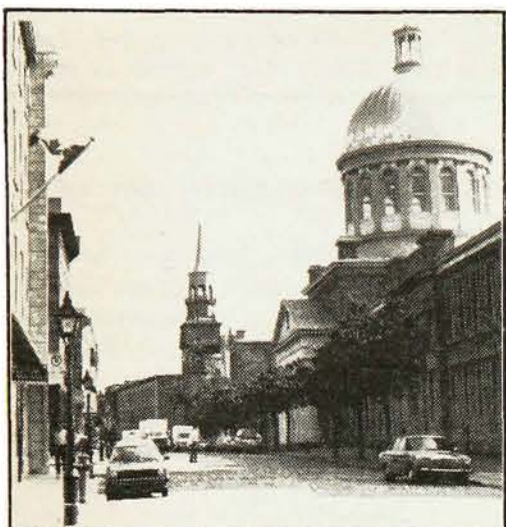
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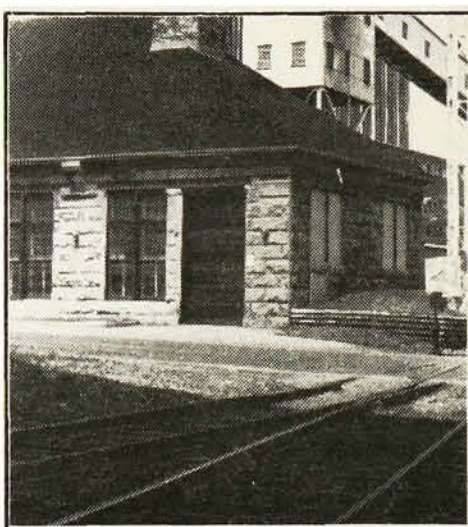
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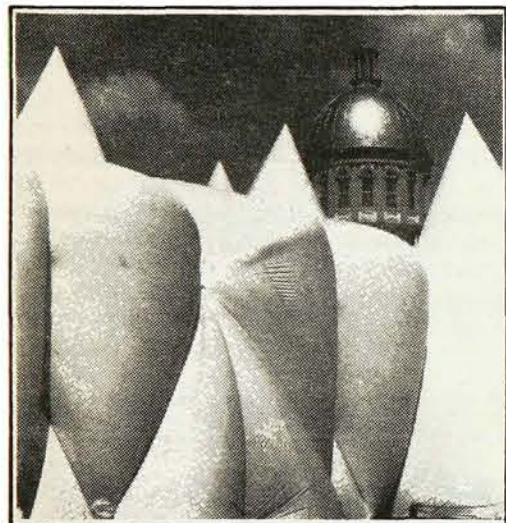
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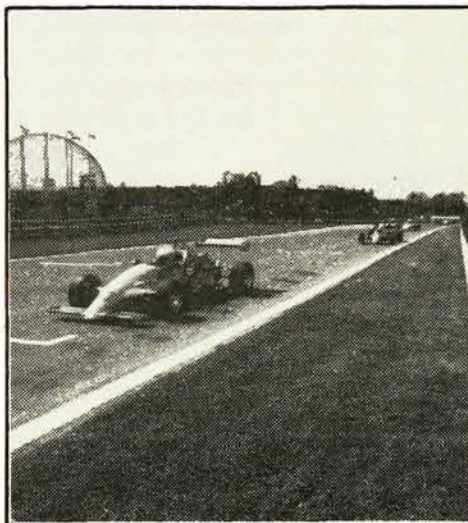
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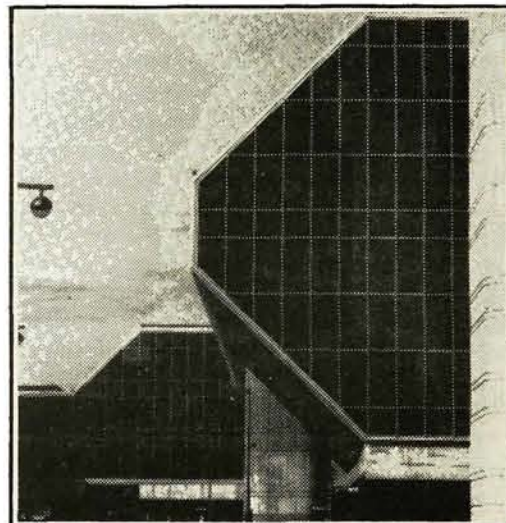
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Rendez-vous

montréal

Canada/U K sign treaty for enlarged co-operation and production

LONDON - At a press conference held at Canada House near Trafalgar Square, on July 11, Canadian Communications Minister Marcel Masse, made public the key issues underlying his official visit to England.

Masse was in London to meet with top British representatives of the film, television and telecommunications industries from both the public and private sectors.

One of the important events of Masse's visit was the signing of a document with the British minister in charge of trade and commerce, Norman Lamont, aimed at widening the film co-production agreement established between the two countries in 1975.

"Due to the evolution in communication technology, the audio-visual sector has been vastly transformed and the agreement reached between the two countries in 1975 is no longer reflective of the international market needs

of cinema and video," said Masse. "This is why we had to modify the agreement in such a way as to include all types of film, television, videodisc and (magnetoscopic) productions as well as their distribution."

In the terms of the new agreement, either of the two parties can consider a co-production to be entirely Canadian or British and can, consequently, receive the economic and cultural benefits offered by each country. Canadian productions, for instance, can have access to the monies offered by Telefilm Canada's Development Fund for Canadian programs established in 1983.

With a budget of \$254 million over five years, the Fund, which originally permitted Telefilm to finance 33% of the Canadian participation, has recently been modified to finance up to 49 per cent of the total Canadian participation if the Canadian producers meet

the agency's requirements.

Co-productions can also benefit from several other advantages such as fiscal stimulants, deduction for amortization, dispositions concerning Canadian content in programming, Canadian participation requirements, as well as other programs aimed at assisting production and promotion.

Masse explained that the expanded treaty marked the first bilateral agreement to be signed by both Conservative governments and that it represented a new economic and cultural link between the two countries in matters of film, television and video production as well as distribution.

The signing of the agreement was the result of three years of discussions and negotiations between the Canadian government and the British ministry of Commerce and Industry. A similar type of agreement was reached be-

tween Canada and France in 1984 and has already resulted in 23 co-productions between the two countries.

"This agreement will favor the rise of the Canadian film and video industries, will open the doors for Canadian cultural expression in these fields, will stimulate the private film and video production sectors and will help promote Canadian culture internationally," said Masse. "We will undoubtedly profit from the competence and experience of the British in this field and they, in turn, will be able to take advantage of our understanding of the North-American market."

While in London Masse also met with the leaders of the film and television producers and distributors to discuss the possibility of establishing new projects within the framework of the recent co-production agreement. Joining Masse in this discussion were John Durie, director of Telefilm's London office, Jeremy Isaacs, president of the British Channel 4 television network, and Allan Sapper, president of the British Cinematographic Technicians Association and Allied Trades.

Masse and the British representatives also agreed that both Canada and the U.K. should collaborate in the establishing of international standards in matters of information technologies and that collaborations and co-enterprise projects between the two countries should be favoured.

In meetings with the British minister responsible for information technology, John Butcher, and other industry representatives, Masse stressed that the new Conservative government would look favourably on all foreign investments that would stimulate economic activity in Canada.

"Canada is opening its doors to investors and we have established a new agency, Investment Canada, to encourage and facilitate investments," Masse told British industry representatives.

In other meetings with British industry representatives, Masse discussed the possible sectors where Canada and the U.K. could collaborate in matters of research and development in the fields of telecommunications and information industry, as well as in the establishment of new policies in these areas.

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Norstar scouts English product

TORONTO - Danny Weinzwieg, president of Norstar, an independent Canadian distribution company, has broken with precedent during a recent trip to England to buy films directly from producers. Usually, Canadian rights to foreign films are packaged with American rights and Canadian distributors usually subcontract from American companies.

Weinzwieg said that he had a very positive response from people in England. He said that producers did not realize that the Canadian marketplace is a lucrative one which does not automatically have to be thrown in with an American sale. Weinzwieg noted that although he didn't acquire anything on the trip, it was an education for foreign producers and sellers. "It was an eye opener to them," he said. "Many of them did not realize that they were needlessly selling Canadian rights."

Weinzwieg told Cinema Canada that access to independent films remained an overriding problem for independent producers. He said that independent distributors will be asking Investment Canada to take a stand in support of the Canadian production and distribution industries.

Norstar recently lost a bid-

ding war for *Kiss of the Spider Woman* to distributor Pan-Canadian which is owned by the Cineplex-Odeon Corporation.

Weinzwieg told Cinema Canada that that kind of integrated exhibition-distribution corporation may represent another threat to independent distribution in Canada. He was afraid that Pan Canadian could use its position to pressure films. He said that although he hopes Garth Drabinsky, president and chief executive officer of Cineplex-Odeon, will "let independents earn a living," there still should be a separation between distributor and exhibitor as there is in the United States.

Weinzwieg puts the blame for the situation on the Combines Branch. He says "they completely fouled things up," and that competition in exhibition and distribution has been lessened in this country.

He said that other independents are suffering but "nobody wants to say anything."

Morey Hamat of Frontier Amusements agreed that it was "conceivable that Pan Canadian could squeeze out the independents but why anticipate?" He said that he has had no problems in accessing or showing his films.

LEGAL EYE

by Michael Bergman

Securities and insecurities

The story of contemporary Canadian feature film is a tale of the quest for money. In the private market this quest has often led producers to seek out investors who, through public subscription, would purchase units in the film. At first glance it may seem that the hardest part of the process is finding an investor who actually will invest. It is probably not often realized, though, that an equally difficult element of the process is the legal requirements for simply starting the search for private funds.

The public sale or, more properly, the offering to the general public of shares, units or equity in feature films involves complicated matters of securities legislation. Securities legislation is designed to protect the general public in its dealings with stocks, bonds and other types of investments that many lay people would associate with the stock exchanges. Securities legislation is much broader than simply covering the stock market; it reaches into every transaction involving shares or equity where the sale of these securities is offered to more than a small limited number of individuals, generally no more than 25 or 50 depending on special circumstances.

One of the principal ways securities legislation protects the public is by compelling companies seeking funds to disclose all material or significant elements of the circumstances, facts and background of a project and its sponsors. This disclosure is normally made through a document called a prospectus—a detailed booklet prepared in advance of offering securities to the public, and filed with a provincial securities commission for its approval. The prospectus would normally contain detailed explanations of the object of the project, the sources of funding, the principal personnel associated with it and their backgrounds, a description of the risks involved, the means of generating revenue or income from the project and other important matters which may influence an investor in his decision. The importance of the prospectus is demonstrated by the stringent requirements for the kind of type and print used and the format of its publication: firstly a written summary, then a detailed description, and then the signed statements of auditors and directors of the company.

Failure to prepare the prospectus properly can entail important and serious consequences. The securities commission receiving an improperly prepared prospectus will

refuse to approve it, and consequently the securities intended to be sold through deficient prospectuses may not lawfully be transacted. Where it is later discovered that a company did not disclose a material fact, the company may be liable to criminal prosecution. The investors who purchased without knowledge of the undisclosed information may be able to take important civil recourse to have the purchase

cancelled and obtain damages. It may be gathered, then, that the simple preparation of a prospectus is a time-consuming, well-thought-out task.

The early uncertainties and instability of many production companies and the risks involved in film investment have led various securities commissions to issue a national policy statement on film prospectuses. The film industry is one of the few to be graced by

national policy. The national policy is indicative of the need to tighten film financial packages and offerings to the public. The policy provides for more stringent requirements than normal. It limits to some extent the means and method of producer remuneration and producer dealings with distributors and sales agents, among others.

Obtaining the approval of



National Film Board of Canada

Office national du film du Canada

NEWS

Festival of Festivals

Six National Film Board productions, including the premiere of the NFB/CBC co-production *Canada's Sweetheart: The Saga of Hal C. Banks*, will be screened at this year's Festival of Festivals in Toronto.

Directed by Don Brittain, *Canada's Sweetheart* tells the story of Harold Chamberlain Banks, a convicted felon and union strongarm who was called in to oust the Communist-controlled Canadian Seamen's Union in 1949. Combining dramatic re-enactments of the period and interviews with many of the principals, the film traces 13 years of terror on the waterfront when the careers of over 6,000 seamen were destroyed by the power of one man. *Canada's Sweetheart* will be screened Sunday, September 8 at 5:00 p.m. and Monday, September 9 at 3:00 p.m. at the Cumberland Theatre.

Other NFB productions selected for screenings are the feature films *90 Days* by Giles Walker scheduled Sunday, September 8 and Monday, September 9 at 10:00 p.m. at the Cumberland Theatre; and Roger Frappier and Jacques Leduc's *Le Dernier Glacier*, Saturday, September 7 at 5:00 p.m. and Sunday, September 8 at 3:00 p.m. at the Cumberland Theatre.

Three short films, Albert Kish's *The Age of Invention*; *Do the Crawl*, directed by Derek May; and Phillip Borsos' award-winning *Nails*, will also be screened.

DramaLab Continues

On September 3 the NFB will welcome 19 filmmakers from across the country for Phase 11 of DramaLAB '85, an



Maury Chaykin as Hal Banks with Andrée Cousineau in a scene from the NFB-CBC production *Canada's Sweetheart: The Saga of Hal Banks*.

intensive four-month course on all aspects of production and marketing of dramatic films. The group will divide into seven writer / director / producer teams and produce 15 minute dramas on film.

Phase I of DramaLAB '85 was held last spring at the University of Alberta, and saw seven teams create half-hour dramas on video while concurrently receiving intense instruction in all phases of the dramatic production process.

DramaLAB '85 is being administered by Studio B under Executive Producer Andy Thompson. All inquiries should be directed to Program Co-ordinator Liz Hamilton at 283-9607.

PBS Launches "War"

This fall American audiences will be able to see the NFB's acclaimed series *War* on Public Television.

Billed as the centerpiece of the Fall schedule, *War: A Commentary* by Gwynne Dyer will begin Tuesday, October 1 at 9:00 p.m. This highly successful series, tracing world military history from the Napoleonic Wars to the Falkland Islands, was aired in Canada in the fall of 1983 and was consistently in the top-20 programs during its seven-week run.

In addition to the seven original hours produced by the NFB, the presenting station (KCTS/Seattle) has produced an eighth episode, "The Knife Edge of Deterrence," which presents alternate points of view on the most salient issues Dyer sets forth in the preceding weeks of commentary. This epilogue program will focus on the concept of deterrence from U.S. President Truman's post-World War II administration to President Reagan's Strategic Defence Initiative (SDI) or "Star Wars" plan. Edwin Newman will serve as host.

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Quebec region - Montreal (514) 283-4823
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plus offices in most major cities

Securities and insecurities

the securities commission for the prospectus is not the end of the securities surveillance regime. Public subscription to prospectuses creates an ongoing obligation to report on a very regular basis to the securities commission information about the revenue and dealings with the project once

it is completed. It follows that reporting requirements necessitates the maintenance of some staff and the continuing participation of professionals even after the project is completed.

It is axiomatic that the use of prospectuses to obtain financing is a very expensive propos-

ition. Their preparation involves detailed and costly work by lawyers, accountants and other professionals. In the '70s especially, film financing was often effected through prospectuses using stockbrokers, all of which significantly added to the cost of making a feature film, so much so that it would not be incorrect to say that the budgets of many of the middle- and late-'70s feature films financed through this

method were one-third devoted to financing and related costs. The investor paid for the cost of finding other investors so that all of them collectively could enable the producer to make the film. The result was that only 66 to 75 per cent was reflected in any kind of production value on the screen.

The decline of investor and stockbroker interest in film investments at the beginning of the '80s has correspondingly

brought a significant decline in the number of prospectus-financed, Canadian feature-films. This has not necessarily brought about a decline in the need to consider the different aspects of securities legislation in film financing. Today, those film projects seeking public subscriptions concentrate on doing so by methods that either do not require prospectuses or are exempt from most securities legislation requirements. One of the principal ways of being exempted from the necessity of a prospectus is to reduce the maximum number of investors eligible to buy into the project, normally, as mentioned earlier, 25 or 50.

The exemption process, though, may not be automatic. In many cases it must be acquired through complying with certain minimum disclosure requirements. This means preparing a brief notice or circular designed to be given to the prospectus investors in advance of their purchases and containing certain essential information. The notice or circular would be deposited with the securities commission which, depending on local requirements, would then, if satisfied, grant an exemption. Although not as costly and complicated as the prospectus, it is still a detailed process.

Most producers no longer go to the public market for private funds. They have lost interest in this approach because most private investors have lost interest in the Canadian film industry. Today, Canadian feature films, to the extent that they are privately funded, are financed by television or from principally American film companies or distributors. The prospectus method of film-financing today is rare. The use of notices or circulars to obtain exemptions under securities legislation is more frequent, although principally confined to first-time producers, smaller projects or special circumstances.

Going to the public market requires a well-thought-out position. It is a commitment to work in the interests of others and not just oneself.

In the past, financing devices subject to securities legislation were generally viewed as a means to tap tax-sheltered money. Re-thinking the aims and objectives of private financing to the public market may one day serve to reactivate this mode of financing in the Canadian feature film industry.

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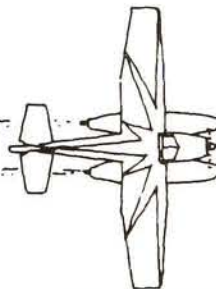
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MONREF G

SHOOT ALBERTA

by Linda Kupecek

West Edmonton Mall, a \$1.6 billion development billed as the largest shopping centre in the world, will be the site of a \$30 million futuristic feature starring Christopher Reeve, reports Doug Hutton, president of the Motion Picture and

Television Bureau of Edmonton. Other locations in Edmonton include the MacDonald Hotel, the University of Alberta, the LRT, and the Convention Centre.

Hutton says the original September start-date has been

postponed to January because producer John Vietch of Taft-Barish Productions in Los Angeles was concerned that Christmas decorations in the mall would cause too lengthy a disruption in the filming.

In the meantime, the newly formed Motion Picture Bureau, with the objective to create jobs and opportunities for the industry in Edmonton, promises to provide "full cooperation from the community" for visiting filmmakers. "We want to bend over backwards to accommodate productions," says Hutton.

Patrick Tivy, an entertainment columnist at *The Calgary Herald*, ruffled a few feathers at the Children's Television Workshop, resulting in a change in the prints of *Follow That Bird*.

The Kestrel Films, Henson Associates and Follow That Bird production, filmed at Toronto International Studios in Kleinburg last year, opens with a shot of Oscar the Grouch against a gigantic American flag. When Tivy took his children to a press review, he was incensed at what he

called "Yankee propaganda." He maintains that just as CTW's *Sesame Street* is international in nature, the film should use the same approach.

Tivy called Ellen Rodman, Children's Television Workshop vice-president in charge of corporate communications, who passed on his concerns at a board meeting at the end of July. Tivy was told that earlier discussion on the flag scene was revived thanks to his call, and that the scene is being dropped from all prints of the movie to be released in foreign markets.

But... since Canadian prints are already in circulation, the U.S. flag still flies in Canadian theatres.

Storm, a low-budget feature produced by Calgarian David Winning, had its Canadian premiere at the World Film Festival in Montreal. Winning also wrote and directed the screenplay. The original music score is by synthesizer wizard Amin Bhatia, who has twice won the international Roland Synthesizer contest, and has now been invited to spend a

week in Los Angeles working with Toto. Bill Campbell of Campbell Post Production edited. Telefilm Canada in Los Angeles has been promoting *Storm*, with copies available for preview.

The Can Pro Awards honoured three Alberta productions: *Musical Portraits* from CFAC in Calgary; *Day by Day* from the Southern Alberta Institute of Technology (Educational award from TV Guide and TV Hebdo) and *Gagmen* from CFAC in Lethbridge (special mention)... Ruth Bertelsen Fraser has been appointed director of the Alberta Culture Film and Literary Arts Branch... CBC Television will present the gala opening of the Calgary Centre for the Performing Arts live Sept. 14 during Canada Week... Glenn Ludlow of Take One Print One is in development with Kicking Horse Productions and Bradshaw MacLeod and Associates on two hours for television titled *Trilogy*: Don Haig of Toronto's Film Arts will serve as executive producer, with hopes for a late fall shoot.

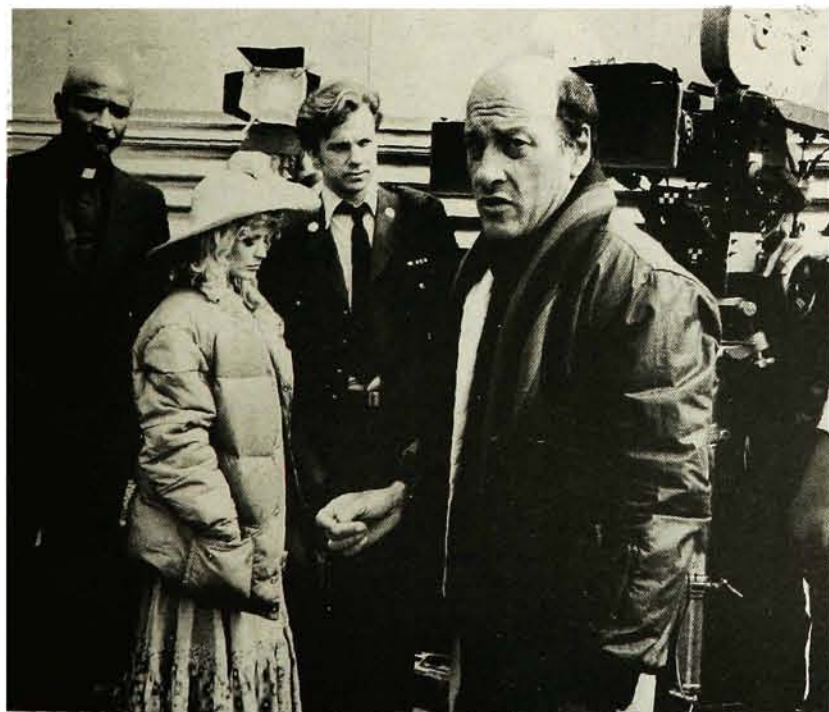
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A consortium of CTV affiliates are pooling their resources to produce Canadian drama for television. The five prairie-based stations, CFRN-TV (Edmonton), CFCN-TV (Calgary), CKY-TV (Winnipeg), CKCK-TV (Régina) and CFQC-TV (Saskatoon) will share a two-million dollar fund for ongoing production. Each station will accept scripts and present proposals to the board. Bruce Nelson in Calgary and Bob Gibson in Edmonton will accept Alberta proposals.

Allan Stein and Mairi MacLean of Stein/MacLean Productions are in production on a compelling project, *Shooting Stars*, a one-hour dramatized documentary on the Edmonton Grads (the Edmonton Commercial Graduates Basketball Club). The female team, North American champions from 1923 to 1940, collected fame, fans and stories along the way. The film, with support from the AMPDC, combines interviews, historical footage and dramatic re-enactments.



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DOC integrates in reorganization

OTTAWA Federal minister of Communications Marcel Masse has announced a reorganization of the structure of the department of Communications.

The changes are intended to improve the integration of departmental activities and to consolidate the provision of advice to the minister concerning the agencies and Crown corporations, which include Telefilm, the Canadian Radio-Television and Telecommunications Commission (CRTC), and the CBC.

The reorganization is taking

place in two stages with stage one effective as of the beginning of August. It involves the consolidation and rationalization of programs and activities within the department and the clarification and integration of the functional responsibilities of all assistant deputy ministers.

As a result, the Broadcasting and Content Services Policy branch will be transferred from the policy sector to the Cultural Affairs sector. The effect of this change will be to group all copyright-based industries - video, broadcasting, sound

recording, film and publishing - in a single sector. The department indicated that the change is essential because all these industries are closely related to each other both in commercial and artistic terms. It will also augment the resources available to the sector.

The current assistant deputy minister for cultural affairs, David Silcox, is resigning. A successor has not been named.

The telecommunications policy branch will be transferred from the Policy sector to a reorganized Research and Technology sector which will include the former Technology and Industry sector. This sector will also assume temporary responsibilities for the department's laboratories until the second stage of the reorganization is completed.

The Research and Technology sector will concentrate its activities for the support of industrial and technological development in the telecommunications field. Ken Hepburn will be assistant deputy minister for the new sector.

The present Policy sector will be renamed as the Corporate Co-Ordination sector and will include only corporate activities, strategic planning and policy. It will take over those functions from other sectors. This sector will also develop centralized capacities for socio-economic research, tax and labour relations.

Alain Gourd will continue as senior assistant deputy minister and will also assume the duties of assistant deputy minister of this sector.

The functions of the personnel and administration branch will be grouped with the former financial management sector to improve coordination of the department's human and financial resources. Michael Binder will act as assistant deputy minister.

New financial analyst at Telefilm

MONTREAL - Telefilm Canada executive director Peter Pearson announced the appointment Aug. 21 of Francine Forest as financial analyst with Telefilm's head office in Montreal.

Forest has worked in the Canadian production industry for the past 10 years and has held many different positions including line producer, production manager and location manager.

Most recently, Forest worked as line producer on the feature film *Pouvoir intime* directed by Yves Simoneau and

produced by Les Films Visions 4 Inc. Prior to this she had been involved in the productions of *Divine Sarah*, *Les Petits contes cruels*, *Les Beaux souvenirs* and several promotional films.

Based in Montreal, Forest replaces Diane Arcand who recently returned to private-sector production. Under the direction of program director André Picard, Forest will be responsible for evaluating the financial aspects of all projects submitted to Telefilm's Montreal and Halifax offices.

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CRTC publishes policies for ethnic broadcasting across Canada

OTTAWA - After 10 months of public discussion, three consecutive public hearings, 107 submissions from organizations representing 3.2 million Canadians, the Canadian Radio-Television and Telecommunications Commission (CRTC) has issued its policy on ethnic broadcasting.

The 35-page public notice, entitled A Broadcasting Policy Reflecting Canada's Linguistic and Cultural Diversity, was released July 4. The basic tenet of the CRTC's approach is "that the scarcity of broadcast frequencies will not permit the licensing of a single language service to each ethnic group in a given market." As a result, the Commission proposes five types of ethnic programming that would qualify: A) programs in a language other than French, English or native Canadian; B)

programs in French or English directed to cultural groups whose first or common language is French or English (e.g., Francophone Africans or groups from India); C) programs in French or English directed to culturally or racially distinct groups whose heritage language is neither French, English nor native Canadian; D) bilingually mixed programs (e.g., French and Arabic, English and Punjabi); and lastly E) programs in French or English directed to an ethnic group or mainstream audience and depicts Canada's cultural diversity.

Since 1962, Canada's broadcasting regulatory authority has licensed seven radio stations to provide significant amounts of third-language broadcasting; TV station CFMT in Toronto in 1979; B.C. regional pay network World View in 1982; and two

discretionary pay services, Chinavisión and Teletatino, in 1984. Subsequent applications were frozen pending the formulation of an ethnic broadcasting policy.

In its new policy, the Commission defines an ethnic radio or television station as "required to devote not less than 60% of its weekly programming time between 0600 and 2400 hours to ethnic programs of types A, B, C, D or any combination thereof."

The remaining 40% of the broadcast week can be devoted to A, B, C, D, E ethnic programming or combinations thereof, or any other type of conventional programming.

Among conventional broadcasters, CFCF Montreal, CIII-TV Toronto, CHFD Thunder Bay broadcast some type A programming, while 52 conventional AM

and FM radio stations currently broadcast some total 260 hours of type A programming weekly.

With the exception of unrestricted type E programming, the Commission "expects all broadcasters to increase their efforts to provide adequate levels of multicultural programming."

Under the new policy, where an ethnic television station has been licensed, any conventional television station whose signals reach the area may devote up to 10% of its weekly programming to types A, B, C, D or combinations thereof without application to the CRTC.

Where an ethnic radio station has been licensed, any conventional radio station whose signals reach that area may devote up to 15% of its weekly programming time to ethnic programs types A, B, C, D or any combination thereof without application to

the CRTC.

Where there is no ethnic radio or television licensee, conventional radio and TV licenses can devote up to 15% of programming time to the types A, B, C, D or combinations thereof.

And any conventional or radio or television station may apply to the CRTC for authorization to devote up to 40% of of weekly programming to types A, B, C, D or any combination thereof. The CRTC would establish by condition of license the percentage of that 40% to be devoted to program types A and B.

The issue of Canadian content emerged as a central concern at the ethnic policy hearings. With 60% Canadian requirements for TV, and 30% for musical selections, the intervening parties unanimously called for Canadian content reduction for ethnic programs due to the high cost of productions, lack of access to production facilities, insufficient Canadian resources, and scarcity of quality ethnic programming.

While the Commission recognized the difficulties faced by television stations broadcasting significant amounts of ethnic programming, "present regulations do not, at this time, allow for an exception to the general requirement."

The CRTC has proposed to amend television regulations to make Canadian content requirements vary by condition of license. A similar variability for types A, B, C, D or E ethnic programs has been referred for further study, as has the determination of appropriate levels of Canadian content for radio stations broadcasting "significant amounts" of ethnic programs.

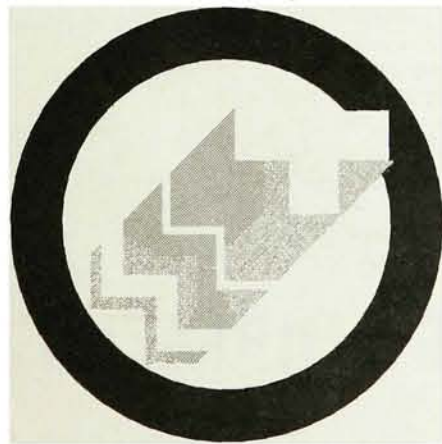
In a separate public notice, the CRTC called for FM radio applications to provide ethnic programming services in Vancouver, Victoria, Chatham, Gravenhurst, Parry Sound, Hamilton, London, Niagara Falls, Toronto and Brockville. Deadline for applications is Aug. 15.

Existing ethnic broadcasters, and all Am, FM and TV licensees wishing to devote a significant portion of weekly programming to ethnic programs have until Aug. 30 to file an application to revise their licenses.



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Clarkson announces final fest choices

TORONTO - Wayne Clarkson, director of Toronto's Festival of Festivals, has announced the latest selection of gala films.

Topping the list is the North American premiere of Volker Schlöndorff's film of the Arthur Miller classic *Death of a Salesman* starring Dustin Hoffman, John Malkovich, Kate Reid, Stephen Land and Charles Durning. The film will close the 10th anniversary festival on Saturday, Sept. 14. Dustin

Hoffman and Volker Schlöndorff will be present at the gala.

Other galas include the Canadian premiere of Bud Yorkin's *Twice in a Lifetime* featuring Gene Hackman, Ann-Margret, Ellen Burstyn, Amy Madigan, Ally Sheedy and Brian Dennehy; the festival will have the North American premiere of Paul Aaron's *Maxie* starring Glenn Close, Mandy Patinkin and Ruth Gordon; Richard Marquand's *Jagged Edge* with

Glen Close and Jeff Bridges will have its world premiere at the festival; as well Hector Babenco's *Kiss of the Spider Woman* will have its Canadian premiere at the festival.

Another Canadian premiere will be Jeremy Kagan's *The Journey of Natty Gann*. Finally, the Festival will be having the world premiere of Fred Schepisi's *Plenty* based on David Hare's acclaimed play.

Le Matou recreates beanery for publicity stunt

MONTREAL - A "coming together" of the cast of Jean Beaudin's latest film, *Le Matou*, was celebrated in suburban Montreal's Rockland Center shopping mall Aug. 21 as a promotional event for the film's completion and theatrical premiere at this year's World Film Festival.

The event was attended by most of *Le Matou* cast members, as well as by director Beaudin, producer Justine Héroux and the author of the best-selling novel of the same name, Yves Beauchemin.

The promotional event attracted many members of the press, as well as the general public. Who were invited to lunch with the celebrities in a mock-up of the Binerie restaurant where much of *Le Matou*'s action takes place.

"It is nice to have finally finished the five months of production that this film required," Beaudin told Cinema Canada. "In fact I saw the final release print for the first time just yesterday. The

film looks great and I am optimistic about its success."

Production of *Le Matou* consisted in the shooting of a six-hour made-for-television miniseries, as well as a two-and-half-hour feature film on a \$6.25 million budget.

"We could see the potential of the film from the very beginning," *Le Matou*'s producer Justine Héroux told Cinema Canada. "The actual production was very efficient. I was very much in control of the scheduling and the budget requirements and with a director like Beaudin the producer's task is made easier. The entire process of a production is a very delicate balance of all the elements and in this production they all came together. I am very satisfied with the end product."

The promotional event was staged by Héroux, the film's distributor, Carméla Tutino of IFFC International, and the promoters of the Rockland Center in collaboration with CJMS radio.

Yorkton gears up for short film and videos

YORKTON North America's oldest continuous short film and video festival, the Golden Sheaf Awards, will be held in Yorkton, Saskatchewan from Oct. 30 to Nov. 3. The Golden Sheaf symbolizes the best in Canadian short subjects.

The Golden Sheaf Award of Excellence will be presented

to the best film or video production in the festival while others will be awarded in production and craft categories.

There will also be a new music video category for the first time this year, as well as numerous special and cash awards.

The Film and Video Marketplace will hold a central part in the five-day event in an effort to bring some of Canada's major distributors to Yorkton. The marketplace will offer 24-hour-a-day screening facilities, as well as free popcorn.

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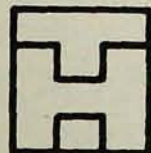
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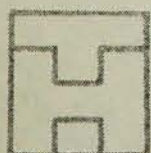
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Montreal market gathers strenght as buyers, sellers join at fest

MONTREAL - Early reactions to the International Film Market, held in conjunction with the ninth Montreal World Film Festival, range from enthusiasm to disenchantment on the part of the large international contingent of participants.

Held in Montreal's Meridien Hotel, this year's market has attracted a record 250 companies from over 37 countries. This marks an increase from the 214 companies in attendance at last year's market.

Two participants which have received considerable interest in their products are the National Film Board of Canada and the Australian Film Commission, both government film agencies.

"It is hard to say exactly how successful our product will be this year since it is still very early," Richard Guardian, the AFC's North American representative, told Cinema Canada. "But there has been a lot of interest in our films. *Empty Beach* by Chris Thomson and *A Street to Die* by Bill Bennett in particular have attracted a lot of attention.

"Part of the reason the Montreal film market has

become so important to us, and that it is successful this year, is that there are more American buyers here than in the past."

In the short time Cinema Canada spent in the office of the Australian Film Commission, seven buyers, most of them Americans, came in to inquire about both *Empty Beach* and *A Street to Die*.

"Coming to Montreal is also important for us in that the film festival itself is interesting. It is a good place for us to see audience reaction to our films, especially North American audience reaction," concluded Guardian. "It is also our only real opportunity to have access to the French Canadian market."

The NFB has also had early success in this year's market and has already struck major deals with American distributors.

"It is still a little early to say whether or not we will be more successful this year than in the past, but we have been more aggressive and so far we've started off with a bang," Anthony Kent, sales representative for the NFB, told Cinema Canada. "We have already sold

Giles Walker's *90 Days* to CBS/Fox. Everybody has been in the office to ask about that film.

"We have also made a deal with Columbia Pictures. They were interested in our children and family oriented productions, and they ended up buying three of our animations, *Paradise*, *The Boy and the Snougoose* and *The Owl That Married the Goose*. Actually, many of the requests we have had have been for these type of productions. We've been approached by representatives from Bulgaria, Holland, China and four U.S. distributors."

Some foreign distributors, although pleased with the size and importance of the film market, had certain reservations about the six-day event, while others are here to try and take advantage of Canadian co-production money.

"We have come to this market before and it is a pretty good one," Joseph Lai, representative for Hong Kong's IFD

Film & Art Ltd., told Cinema Canada. "But our main purpose this year is not really to buy or to sell. What we are looking for are possible co-production partners. We have had some interesting contacts but we have the problem of combining both countries' co-production regulations.

"If we do have the opportunity to buy or sell, well, that makes this market all the better. Actually, we were looking for a Canadian feature-length documentary but have been unable to find one that is really interesting and really Canadian," Lai concluded.

The People's Republic of China has also sent a large contingent to buy and sell and to represent that country's ever-growing film production industry.

"This is the second year we come to the Montreal market to do some buying as well as some selling," Chen Xialin, sales representative for China

Export/Import Corporation, told Cinema Canada. "We also have two films in the festival, one of which, *Border Town*, is in the official competition. We have also had some buyers interested in our other film *Yellow Land*, but we have 30 films here to sell and so far things have been pretty slow.

"We are also looking for some Canadian features for theatrical release in China. We have bought *The Terry Fox Story* and will be looking at other ones, but there is a real lack of Canadian films here, considering that it is a Canadian festival."

The Soviet Union is also represented at the film festival, as well as at the market by the Russian film distributors Sovex-portfilm. The Russians, although mainly interested in selling their films, are also manifesting some interest in the purchasing of foreign productions.

cont. on p. 71

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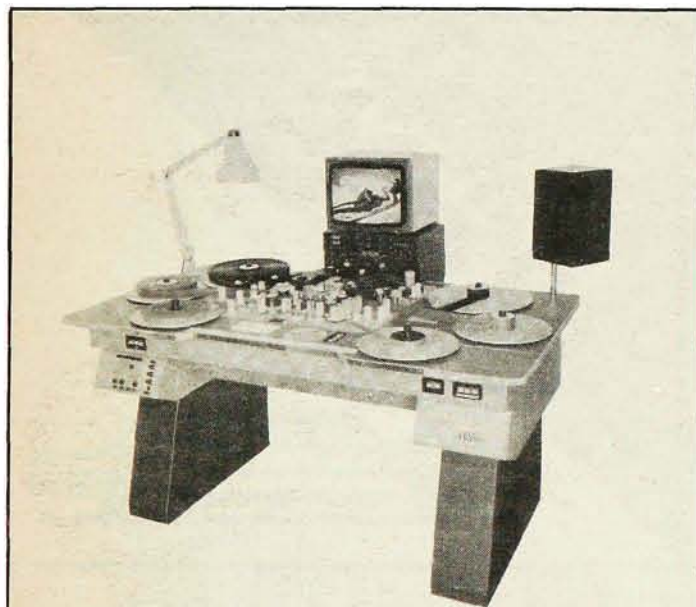
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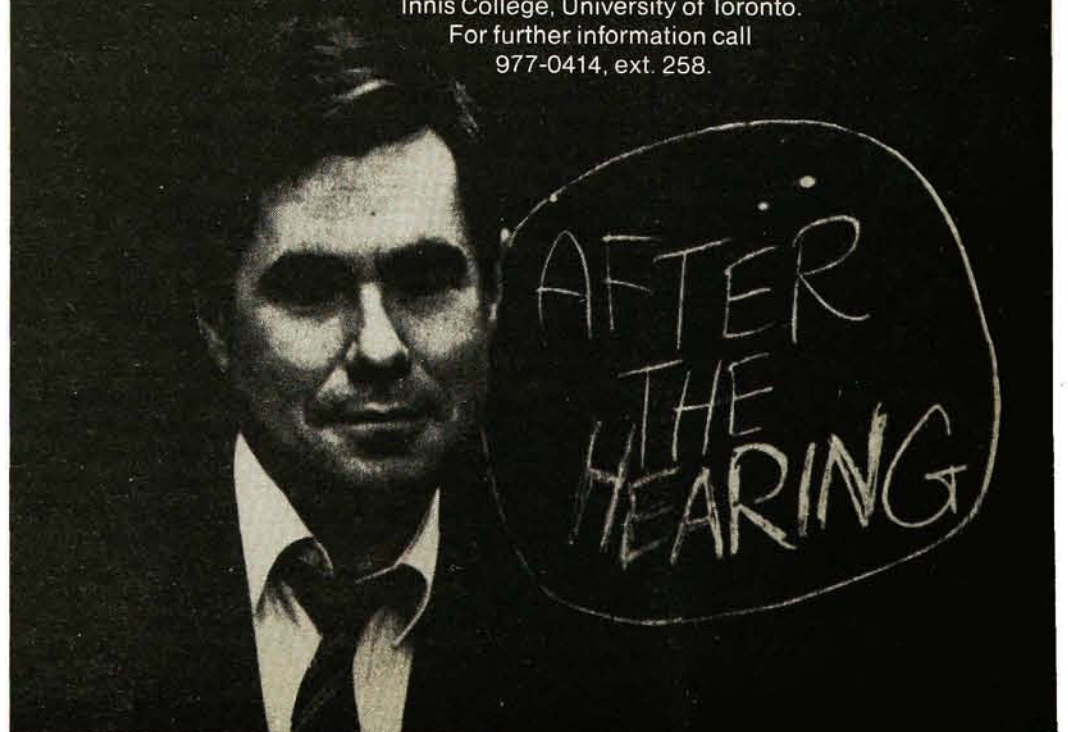
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Payette new SGC legal consultant

MONTREAL Nicole M. Boisvert, president of the Société générale du cinéma du Québec, announced July 4 that Jean-Raymond Payette has been selected to act as the provincial film-funding agency's legal consultant.

Payette, associate of the law firm Montgrain, St. Germain, Dubreuil Lapointe et Payette, will be bringing to the SGCQ his experience in government relations with the public and private sectors.

Payette is replacing Zenaide Lussier, recently named general director of the Société du droit des auteurs, compositeurs et éditeurs du Canada (SARDEC).

ACTRA writers

TORONTO - For the third consecutive year the ACTRA Writers' Guild of Toronto is presenting six seminars featur-

ing leading screen writers. The seminars are tentatively scheduled for the third Sunday of each month from October 1985 to April 1986.

Seminar leaders signed up are Norman Jewison, Mordecai Richler, Ted Allan, Lister Sinclair, Jean-Claude Labreque and Donald Brittain.

The seminars will be presented at Medallion Labs, 19 Mercer St. in Toronto. Season tickets are \$50.

Toronto film women form organization

TORONTO A Toronto chapter has been formed of Women in Film and Video. Toronto Women in Film and Video is a non-profit organization of professional women founded to recognize and promote the contributions of women in the Canadian film and video industry. It maintains a support network and an education forum that links women in the international film and video fields. The organization is concerned to ensure that all areas of the

public and private sectors are responsive to the needs of women in the industry.

TWIFV was initiated in December 1984 by a group of Canadian film professionals who came together at the international women's film festival, Through Her Eyes. TWIFV is linked to similar chapters in New York, Chicago, Washington and Los Angeles and through Women in Film International to chapters in over a dozen foreign countries.

Membership is open to all women working in every facet of the film and video industry. Full members must have a minimum of three years of professional experience. For women who do not meet the requirements for full membership there is an associate member category which gives them access to the TWIFV's newsletter and meetings without voting privileges. Membership is \$50 a year for full members; \$25 for associate members. TWIFV is sponsoring a production workshop at the 1985 Trade Forum.

Montreal market

cont. from p. 70

"We have been coming to this market for the past five or six years and we can see it has grown in scope and in the number of participants," Sovexportfilm representative, Yury Zhukov, told Cinema Canada. "Since we do not participate in the Los Angeles market the Montreal market becomes our only North American participation and is, therefore, very important to us.

"We actually do most of our business here and at the Moscow market and have brought with us some of the best Russian films from the past two years. The problem we have in making many sales here, though, is that our films are not well enough dubbed for Canadian TV. On the buying side we are ready to buy Canadian films but they are too representative of a social reality very different to our own. They are aimed at a Canadian audience. If we find a film that suits us, we will not hesitate in buying it."

For others the market has been quiet, and in some cases, even counter-productive.

"Up to now the market has been very quiet," Roland Per-

rault, sales representative of the Belgian Wallonie Bruxelles, told Cinema Canada. "Everything here works by personal contact. It is our first year at this market and we did not really know what to expect, but there is very little contact and very little activity.

"It is, however, a very important market for us to attend in order to maintain good relations with the Quebec film community and to discuss possible co-production deals. Anyway, we have a policy to attend all the film markets and the festival itself is becoming more and more important internationally."

The biggest disappointment seemed to come from Egyptian representatives who were disenchanted with the uncooperative attitude of festival and market organizers.

"We came here to enter the international market for the first time because we heard that it was an important event," Dr. Adel Hosny, representative of Egypt's Sphinx International, told Cinema Canada. "We are looking to buy some scary films and some love stories for theatrical release in Egypt and also to sell our film *A Cry From Beyond*. So far we have found neither a buyer nor a seller that is interesting. I don't think it will be a good market."

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Gagnon takes Pale Face to festivals

MONTREAL - With his third feature screening at both the Montreal and Toronto festivals, Claude Gagnon is confident that both he and his company are on the right track - making a long-term commitment to the film industry.

Visage Pâle, like his earlier film *Larose, Pierrot et La Luce*, initially generated little enthusiasm at Telefilm or at the Société Générale: "I just don't fit easily into their requirements," comments Gagnon. The stumbling block is his insistence on using improvised dialogue, with the result that he never has a proper screenplay to present to the funding bodies.

"This time, I simply wrote out dialogue in which everybody sounded the same. I went in to ask for funding and said, 'Let's both admit this is a lousy dialogue. It'll be better in the film.'" While TF and SGC may not have believed him, both agencies were impressed by the \$400,000 investment that Gagnon had raised in Japan.

The irony is that Claude Gagnon is big box-office in Japan. Having spent the first 10 years of his adult life there where he made his first feature, *Keiko*, which was a success, Gagnon has little trouble getting Japanese investment. Shiro Sasaki of the Art Theatre Guild of Japan provided the money which eventually brought both TF and the SGC on-board.

With *Visage Pale*, Gagnon feels that he has delivered a \$2.5 million film for the \$1.5 million he spent. "Every penny went on the screen, and the investors are going to be happy." Nevertheless, he is

anxious to have the festival screenings to judge the public reaction.

The film will be launched in Quebec in seven theatres Oct. 11 by Yoshimura-Gagnon Inc, which also has a distribution branch, run by Gagnon's wife, Yuri Yoshimura, and his brother, Alain. "We began to distribute with *Larose* and certainly did a better job with it than anyone else would have done. It had a better box-office than Lefebvre's *Les fleurs sauvages*, Dansereau's *Doux aveux* or Simoneau's *Les yeux rouges* which were all playing at the same time," reports Gagnon. Since then, Yoshimura-Gagnon have also distributed a few foreign films, among them *The Tattooed Lady* and *Brussels by Night*, both of which did well

for the company.

Being in distribution makes things easier for Gagnon as a producer, providing a steady flow of business when production is in a lull. And diversification is fine with him. "In Japan, there's no such thing as a film company which isn't also investing in other things like manufacturing or real estate. It's the other investments that make the involvement in film possible."

Gagnon, who has always thought in terms of the long term - despite his tendency to improvise - is ready to undertake production of *Le Petit Perron*, whose script he wrote after he came back from Japan for a film he felt was too ambitious for him then. Now he's ready.

Video centre east

HALIFAX The first videotape duplicating center in Atlantic Canada will be opened by Studio East Limited of Halifax, Andrew Cochran, Studio East president, announced Aug. 21.

The operation will provide services to business, government departments and institutions who require several copies of marketing training tapes.

Until now volume orders for videotape duplicating have been going to similar operations in Montreal and Toronto. The new equipment purchased by Studio East will enable the Maritime company to provide equivalent services at a lower cost to Atlantic Canadian customers. The new facilities will enable Studio East to turn out multiple copies of any VHS,

Betamax, 3/4 inch or one inch videotape.

Studio East is already one of the main suppliers of people and equipment for original productions in the Atlantic provinces serving all four Atlantic provinces.

TORONTO Ralph Ellis, president of Ralph C. Enterprises Limited, has joined the board of directors of Young Canada Television, one of the applicants to the CRTC for a national non-profit cable channel for children.

The board, chaired by former Canadian minister of Communications Francis Fox, held its inaugural meeting in Montreal June 8 and 9, and expects to appear before the regulatory agency at a public hearing scheduled in October.

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Owl's editors move from print to TV

TORONTO - *Owl/TV*, a new weekly series of 10 half-hour television programs for children, will premiere in Canada and the United States in November. The series is based on Canada's award-winning children's nature/science magazine *Owl*, published by the Young Naturalist Foundation.

The series is the first Canadian one to be sold prior to initial broadcast to public television in the United States. CBC will carry the series in Canada.

The series, says Annabel Slight, executive producer and founding editor of *Owl*, aims to help children learn respect for all living things while teaching them how they themselves can take responsibility for protecting the environment.

Each half-hour show contains four segments of three to seven minutes that present different facets of nature, science

and the environment. Linking the segments are fast-paced games and puzzles. Slight says that the series is based on a decade of research by *Owl* magazine on what captures a child's imagination.

Regular features include: **The Might Mites** - three children, able to shrink at will, discover firsthand the "whys" as well as the fact so of animal behaviour;

Fooling around with Science - kids are taught how to turn everyday household objects into safe, easy science experiments;

Animals Close-Up - will attempt to nurture an awareness of civilization's impact on wildlife and the importance of human responsibility toward the environment.

Tomorrow Today - looks at the 21st century through kids' eyes;

You and Your Body - is a dramatized segment in which

kids learn all about themselves with the surprising aid of a wisecracking skeleton;

Real Kids - are minidramas of kids showing courage and determination in saving the environment;

and **Hoot** - the finale to each show in which kids trade ideas about life through projects they create themselves.

Owl/TV is coproduced with the National Audubon Society, a global conservation organization with over 500,000 members.

Brought in to help with the production are Linda Scuyler and Kit Hood of *Playing With Time* which produces *Kids of DeGrassi Street*. Michael Lennick is the writer/director. Robert Fresco and Philip Earnshaw are the cinematographers; Christopher Howard the editor and Claude Bonniere the art director.

Academy adds databased services

TORONTO - The Academy of Canadian Cinema and Television has announced a number of new programs and services.

The co-production bureau inaugurated at last year's Festival of Festivals will be back. The bureau is a computerized database service with multiple cross-indexing possibilities. It is designed to assist producers in finding co-producing partners. Producers register their projects with the Academy and a booklet containing basic information is compiled and distributed on a bi-monthly basis to Canadian and international film and television producers, production companies, producers' associations and broadcasters. The service will be free for a one-year trial basis.

A new service is the script database service designed to match Canadian screenwriters with Canadian and international producers and directors. The service enables producers and directors to receive current lists of Canadian scripts and treatments. This service is also free for a one-year trial basis.

The Academy is in the process of compiling a comprehensive all-in-one directory listing personal data and credits of all Canadians who work in film and television. The Who's Who in Canadian Film and Television will include writers, directors, distributors, producers, cinematographers, actors, etc. The listings will be computerized and updated yearly. To-date a four-month pilot project focussing on directors and editors has been completed and will be published in October.

The Academy is also working on a comprehensive handbook on the business of film and television production in Canada. Leading experts in the field have been commissioned to write contributions to the handbook which will provide practical assistance to those engaged in all level of film and television production. The publication is being overseen by a steering committee chaired by Louis Applebaum. Publication is set for the spring of 1986.

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Dry Noodles new Newland ingredient

VANCOUVER Director/ animator Dan Collins has just completed a new animated short entitled *Dry Noodles* for the Vancouver-based production company International Rocketship Limited.

Collin's previous film, *Points*, was invited to the Cannes Film Festival in 1984 and was a prize winner at the 12th annual Northwest Film and Video Festival in Portland, Oregon. *Dry Noodles* is a three-minute cartoon produced in the same style as *Points*, with a stronger emphasis on action and danger.

International Rocketship has also sent award-winning director/producer, Marv Newland to the first Hiroshima International Animation Festival held Aug. 16-30. This festival, along with many related events, commemorates the 40th anniversary of the atom bombing of that city during the Second World War.

Three animated shorts produced and directed by New-

land will be screened at Hiroshima. They are *Sing Beast Sing*, in a "Best of the World" screening, *Anijam* and *Hooray for Sandbox Land* in regular festival presentations. *Anijam* will be eligible for a festival award. Telefilm Canada's Festivals bureau provided the funds for transportation of Newland and the films to Hiroshima.

Newland has also been recognized by the Denver International Film Festival which asked him to put together a 90-minute program of animated shorts for the primarily feature film festival. The Denver festival will be screening the animation program from Oct. 16-20.

The 1969 International Rocketship production of the animated classic *Bambi Meets Godzilla* will be the cartoon-short to run before the latest Toho Studios feature film, *The Return of Godzilla*. The deal was made by New World Pictures, the U.S. distributors of *The Return of Godzilla*, and

Pyramid films, who distribute *Rambi Meets Godzilla*.

Banff Mountain Fest in 10th year

BANFF The Banff Festival of Mountain Films will be held this year from November 1-3. The festival which began in 1976 has grown to be one of the top six internationally celebrated mountain film competitions along with Kendal in England, Trento in Italy, San Sebastian in Spain, Telluride in the United States and Les Diablerets in Switzerland.

To celebrate its 10th anniversary the Festival will feature award-winning entries from past years as well as its usual selection of new films.

All films are judged prior to the Festival by a national panel of judges with accredited experience in mountaineering and film.

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"Frank and passionate," Hersch offers course in script writing for pros

TORONTO Phillip Hersch, noted film and television screenwriter, will be offering a 30-week course in the craft and mechanics of screenplay writing through the Continuing Ed department of the University of Toronto.

In an interview with Cinema Canada, Hersch, who created and wrote the first year of the '60s CBC hit *Wojeck* series, said that "the writing level for TV and film in Canada is low, indeed non-existent. Anyone who can write a note to the milkman gets scooped up by Hollywood." He added that "Canadian producers are so stupid. They imitate bad American films badly. They mismanage screenplays." He hopes his course will produce writers "tough enough to stand up to producers."

Hersch, who has been working in Hollywood for most of his career, returned to Canada four years ago. He feels that, after spending a few years here talking to producers, watching films made here, "it's all sheer garbage. If we can't do better let's give it up."

The place to start, Hersch proposes, is with the writers.

He noted that he "would be happy if at the end of 30 weeks, I come up with 20 anarchists who will throw bombs at film producers and apply for visas to the U.S. or Britain."

The course, co-ordinated by Dr. Sierra Shiffman, will be structured so that each student will have a fully completed screenplay at the end of it. Hersch emphasized it was not a course in creative writing. "It is divided into three ten-week segments because more writer/producer contracts are written in 10-week periods: 10 weeks for the story and first draft; 10 weeks for the second draft; and 10 weeks for the final draft and polish."

Hersch said that he gets "very passionate about teaching. I become very frank about some things." He added that he doesn't believe he can teach writing. "This is about mechanics, the craft of writing a screenplay. It's a very practical, hands-on course. I want to get a lot of people writing, arguing, shooting. Canadians are very placid, easy-going, banal people. We should scream our heads off."

Latin American fest runs at Outremont Studio Centre opens near Broadcast Centre

MONTREAL - Carrefour International, an information center for international and development problems specializing in film and television distribution, will be presenting Images de l'Autre Amérique, a film festival on Latin America at Montreal's Cinéma Outremont, from Sept. 5-12.

Directed by Latin American, European, American and Québécois filmmakers, the 14 films that have been selected for the festival all reflect the social, political and cultural realities of South America. Most will be premiering in Montreal, and seven of the features have been picked up for commercial distribution.

Some of the films to be presented include the winner of the Grand Prize of the 6th Festival of New Latin America Cinema, *Memories of Prison (Memorias do Carcere)* by Brazilian filmmaker Nelson Pereira dos Santos; *Alsino and the Condor (Alsino y el Con-*

dor) by Chilian Miguel Littin, and *To a Certain Extent (Hasta Cierta Punto)* by Cuban director Tomas Gutierrez Alea, as well as many others.

In addition to the screenings other activities are planned, including meetings with invited filmmakers Eduardo Coutinho from Brazil, Guillermo Escalon from El Salvador, and Mirta Ibarra from Cuba; an exhibition of Cuban poster art, and a photography exhibition.

The ministry of Cultural Communities and Immigration has donated \$5000 to the event in support of the promotion of culture and cultural exchange. The Quebec ministry of International Relations took care of the transportation costs for the three guests and the National Film Board assisted by offering several technical services in the production of French versions.

TORONTO A development company is undertaking a \$35 million studio development in Toronto within a stone's throw of the proposed CBC Broadcast Centre.

City Core Developments say that the "Studio City Centre" will provide a one-stop production centre with two major studios and a host of post-production facilities. Alndon Productions will be running the two fully equipped studios. Other tenants presently signed up for the development, ready for occupancy in the spring of 1986, include Masters Workshop, Insight Productions, Krash Video.

The developers are also negotiating with equipment suppliers, an animation house and other production houses. Lili Fournier, sales representative for the development, told Cinema Canada she is not worried about potential competition from the CBC Broadcast Centre Development project.

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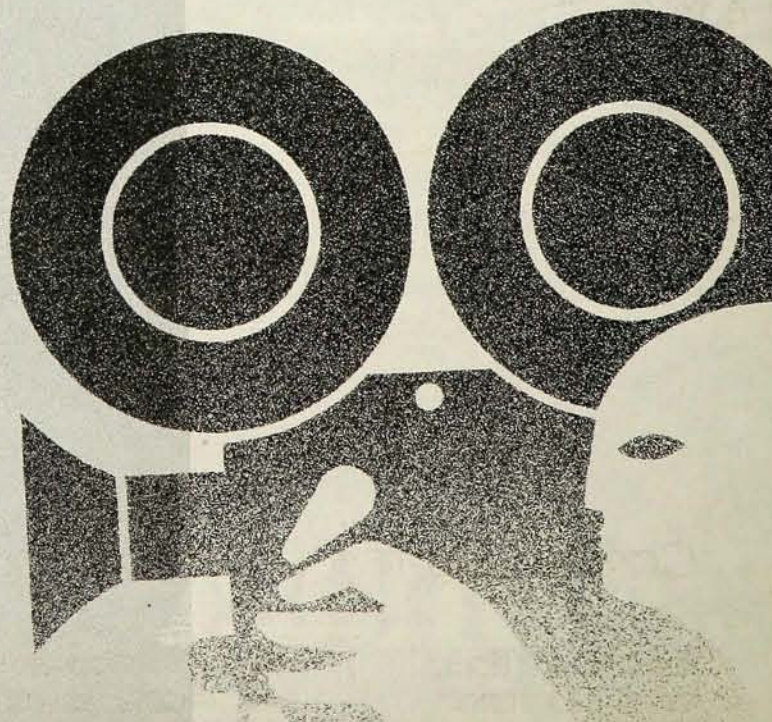
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Kitchener festival for third world films

KITCHENER An international film festival, billed as the Third Cinema Festival '85, takes place in Kitchener-Waterloo Oct. 30 Nov. 3 and will feature films and videos rarely seen in Canada.

The director and founder of the Third Cinema Festival '85, Renate Wickens is attempting to make the four-day event a unique film festival which will focus on the works by artists from Third World countries and works by directors identified with what is called "the Third Cinema." The films and videos to be shown emphasize

the importance of social and political concerns of developing countries.

Countries represented at the Kitchener festival include Brazil, Bolivia, Colombia, India, Argentina, Algeria, Nicaragua, El Salvador, Cuba, Chile, Korea, and Senegal. Indonesia, the Philippines, Sri Lanka, the Arab States and the Peoples' Republic of China are also expected to participate.

Popular films, short features, documentaries and serious social commentary comprise the program. Videos are included because of their

importance in many developing countries, where they serve as sources for news, political comment, entertainment and community development, Wickens explained.

A number of current films from Canada, the U.S., West Germany and France will screen as well. Several of these are co-productions with developing countries.

Along with the film and video screenings, the festival will hold two panel discussions and other forms of exchange. The panels will deal with women and Third Cinema and technology-exchange between developed and developing countries. Panelists include filmmakers and informed commentators. The events take place at several locations in Kitchener-Waterloo. The University of Waterloo, Wilfrid Laurier University and the Kitchener Public Library will serve as screening sites. Ethnic food-booths, child-care facilities and book-stalls featuring rare books on Third World cinema will also be in place. Passes for all screenings and individual tickets go on sale in early October.

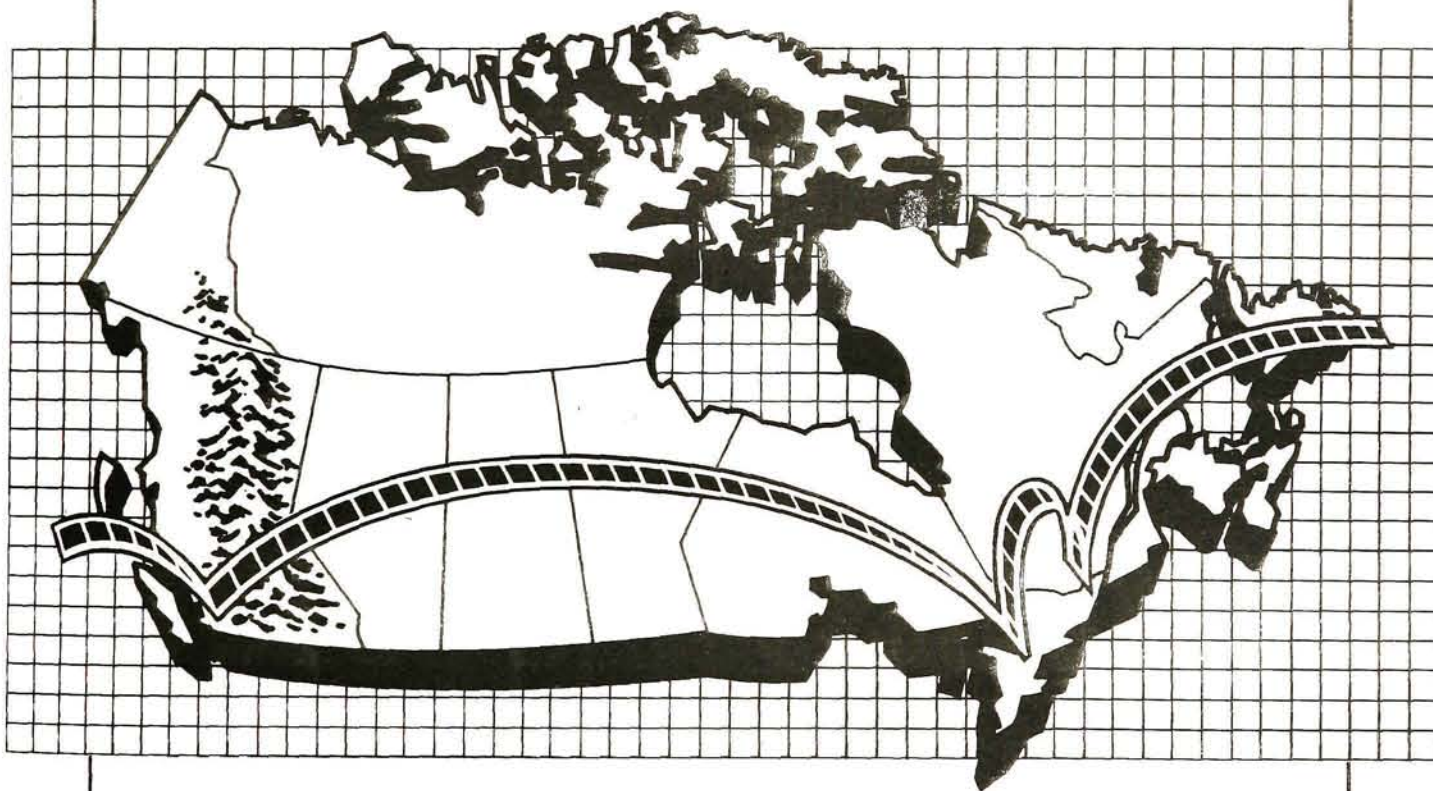
Support for the festival comes from the Canadian International Development Agency's (CIDA) Public Participation Program, the University of Waterloo, Wilfrid Laurier University, the University of Waterloo federated and affiliated colleges, Global Community Centre, St. Jerome's Centre for Catholic Experience (Waterloo), the Goethe Institute (Toronto), embassies of various countries, ethnic organizations and other agencies.

Festival director Wickens, who has served as founding member and program advisor of the Guelph International Film Festival, as programmer for Canadian Images Film Festival (1984) and as program organizer for a Latin American film series at York University (1983), is assisted by a four-person executive.

The executive members are Professor Jane Uhde of the University of Waterloo Film Studies department, professor John Chamberlin of Wilfrid Laurier University's Communication Studies department, Ken Epps, co-ordinator of the Global Community Centre, and Stephen Jones, a private consultant.

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CBC celebrates Canadian programs

OTTAWA - As a special tribute to Canada's creative artists, the CBC's six national networks (TV, AM & FM radio, in both French and English) will be featuring Canadian programming exclusively during the week of September 8-15.

CBC president Pierre Juneau stated that the week of exclusive Canadian programming was a continuation of the nearly 50 year commitment of the CBC toward Canadian artists and that the CBC has always been the best vehicle for the country's artists to reach wider audiences.

All the programs aired after 6 p.m. during the week of Sept.

8 - 15 will be Canadian. These include highlights from past seasons, international award-winners as well as a mixture of new drama and variety specials, sports and news.

Film Transit business

MONTREAL International film sales agents Films Transit

of Montreal report that 1984-85 were banner years for the sale of their Canadian products in world film and television markets.

Per company president Jan Rofekamp, Films Transit attributes their success to the good reputation established on the international market over the past five years; increased operation resources, and higher-

quality productions.

As well, says Rofekamp, the distribution assistance funds established by Telefilm Canada and by the Société Générale du Cinéma helped in diversifying Films Transit's presence at international markets and improving advertising and marketing capabilities.

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