

### Ottawa to deal with broadcast report

OTTAWA — The Caplan-Sauvageau report on broadcasting has set off a flurry of activity within the department of Communications as bureaucrats weigh the implications of the political decisions which must be made; it will soon receive close scrutiny by the Commons.

The Report of the Task Force on Broadcasting Policy — informally, the Caplan-Sauvageau Report — was officially made public on Sept. 22, 15 months after work had begun on what was, at first, a six-month project. It is now the responsibility of the minister, Flora MacDonald, to guide

the report through the various stages of examination. She has promised a new broadcasting act as a result of the study by the end of the Conservative term of office.

A thorough and exhaustive study of the state of broadcasting in Canada, the report has met with general approval within the industry, indicating that the high expectations created by the time and energy put into the study were met (see article pp. 9).

MacDonald has said that she will act promptly to bring the report before the Commons, the first step being to submit it to the Standing Committee on

Communications and Culture.

The members of this committee for the current parliamentary session were named Oct. 15 and DOC insiders expect Jim Edwards (PC-MP Edmonton South) to be elected president. During the 1985 session, he served as the parliamentary secretary to the minister of Communications.

Edwards age 50 has spent most of his professional life in the broadcasting industry. In 1967, he joined CFRN AM/FM in Edmonton, resigning his post as general manager in 1984. That year he was elected

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### Non-theatrical industry looks to Ottawa for financial help

OTTAWA — Situation desperate reports a federal government task force commissioned in May 1986 to study the non-theatrical film and video industry.

The 38-page report entitled *The Other Film Industry*, released Oct. 6, recommends a \$15 million per year support package for the industry to ensure a balance between public and private sources of product.

The main problem as the task force sees it is that the small Canadian market makes it difficult for Canadian producers to recoup the cost of producing Canadian material indigenously. Only 30 to 40 per cent (or approximately \$11 million) of the total non-theatrical purchases made in Canada in 1985 were of Canadian material. Sixty per cent of this Canadian material was bought from a federal or provincial government institution with the remaining 40 per cent from private industry.

The report also states that the non-theatrical sector is "generally neglected or completely ignored when government policies are formulated and programs established."

Thus in order to ensure a balance between public and private sources of production, major recommendations within the support package are as follows:

- a rebate program to encourage increased purchases of Canadian non-theatrical material.
- creation of a production fund.
- establishing of a marketing, promotion and advertising program.
- a 150 per cent Canadian content credit for eligible films shown on television.
- an increase in the capital cost allowance to 150 per cent allowable in the first year for eligible films.
- a tax credit of 150 per cent for Canadian corporations which use private production companies to produce eligible films.

Also recommended is that the NFB should share half of its production volume with private companies; that Canadian distributors be allowed to tender for the distribution of NFB films. The CBC should avoid repackaging programs that compete with private sector programming and allow Canadian distributors to handle 50 per cent of videocassette and other non-theatrical materials.

The interests of Canadian non-theatrical producers and distributors should be the subject of stronger federal copyright legislation and a joint federal/provincial training program should be established to help improve the use of audiovisual materials in education.

Non-theatrical programs include films and videos used in classrooms from kindergarten through university, audio/visual training materials, 16mm prints or videos borrowed from public libraries or government departments, demonstration films or videos used in hospitals, museums and industry.

Co-chairpersons appointed to the task force by the former communications minister Marcel Masse were François N. Macerola, commissioner of the National Film Board of Canada and Merit Jensen of the Winnipeg Film Group.

Task force members were Aimée Danis, Les Productions du Verseau Inc.; Cari Green, Canadian Filmmakers Distribution West; Bernie Hart, Media Services, Nova Scotia Department of Education; Les Modolo, Marlin Motion Pictures.

### Astral and Telefilm into romance series

MONTREAL — Eight TV movies based on the romance novel will be shot in Montreal for approximately \$1 million each on two week schedules. Entitled *Shades of Love*, the series is being financed by Astral Film Enterprises in association with First Choice Canadian Communications Corporation and L/A House Romances Inc. (Los Angeles) with the participation of Telefilm Canada. The series will be released on TV and to the home video market simultaneously in Canada and the U.S. during the spring of 1987. Stewart Harding is producer, Ken Atchity is executive producer.

*Lilac Dreams*, the first in the series is shooting during the first two weeks in October. Director is Marc Voizard. Dack Rambo who currently stars in Dallas as Jack Ewing will play the leading man.

Titles in the series include *Rose Café*, *Champagne for Two*, *Sincerely Violet*, *Make Mine Chartreuse*, *Garnet Princess*, *Coincidence in Crimson*, *Ballerina and the Blues*.

### UK accepts Cancon case-by-case

MONTREAL — The British television industry has agreed to grant a 100 per cent British content ruling to Canada/U.K. co-productions on a case by case basis following a meeting Sept. 17 and 18 of the Canada/U.K. Film and Video Mixed Commission in London, England.

Paterson Ferns, president of Primedia Productions Ltd., Toronto, who has worked extensively with the British industry as an independent Canadian producer, characterizes as "successful" this meeting between representatives of both governments, industry and unions.

The meeting was held to finalize details of the Canada/U.K. co-production treaty

signed in 1975 and amended in 1985 to include television.

"I would say a great clarification took place," says Ferns, who is also a past president of the Association of Canadian Film and Television Producers and the Canadian Film and Television Association.

The focus of the meeting was centered on the reluctance of Britain's Independent Broadcasting Authority (IBA), the regulatory agency for independent British television, to give 100 per cent British content approval to Canada/U.K. co-productions under the extended agreement.

With jurisdiction over the 15 independent ITV channels in Britain, the IBA has held fast to the British Broadcasting Act

allowing for 14 per cent of all programming to be foreign of which a minimum of 1.5 per cent is reserved for Commonwealth programming. This ruling has relegated Canada/U.K. co-productions to the programming margins already crowded with U.S. programs and a high percentage of Australian programs, Vladimir Skok, policy advisor with the Canadian federal department of Communications, says the "defensive position" taken at the outset of the meeting by the IBA might have been avoided by more in-depth consultation prior to the signing of the 1985 amendment.

However, Skok says the mixed commission succeeded in softening this position.

This was accomplished, he says, by a clarification of the treaty advantages in Canada for a British producer which includes 100 Canadian content status and subsequent access to Canada's feature film and broadcast funding.

The need for an agreement amenable to both sides was underscored by Telefilm Canada statistics showing \$50 million generated by British/Canadian co-ventures outside of the co-production treaty, in the past two years, and \$40 million generated by co-productions.

The British were also nudged towards re-thinking their position, says Skok, by the undeniable high quality of Denys Arcand's *Le Déclin de l'empire américain* and Kevin Sullivan's *Anne of Green Gables*, two award winning Canadian films drawing large British audiences at the time of the meeting.

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### Taxes pull Viacom out of BC

VANCOUVER — Viacom Productions Inc., the Los Angeles company that is producing the *Return of Perry Mason* series which shot in Toronto and Vancouver last year, has cancelled its fall shoot in Vancouver because of "uncertain application of Canadian tax laws to foreign performers." It is the first loss of a confirmed production to hit the West Coast, but will not be the last if the new implementation of income tax on foreign film stars is not relaxed or at least clarified to U.S. producers.

While production companies in the East are being asked to open their books to federal audits, the 11 producers currently shooting in Vancouver are keeping a nervous silence, but tacitly agree that the uncertainty of the application of the tax is unfair (the 15

per cent withholding tax is just a down-payment on what could be as high as a 65 per cent income tax on high-income performers; as well, hotel costs, airfares, transportation, per diems are being reclassified as taxable).

The tax that is causing so much consternation, particularly for B.C., whose film industry is 90 per cent U.S. generated, is a result of the new Canada/U.S. tax treaty, which officially came into effect Jan. 1, 1985, though a year of grace was given in which the most beneficial treaty (old or new) could be applied. In 1985, then, U.S. performers chose the old treaty which stated that employees of a corporation (in the case of film performers, loan-out personal

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**UK treaty** *cont. from p. 45*

The British delegation finally agreed that although the specifics of the co-production treaty must comply with the Broadcast Act there is no clear cut schedule to define British content and that an advanced ruling on the quality of every Canada/U.K. co-production would determine British content status.

Ferns says an accurate assessment of the outcome of the mixed commission meeting is that the British have suddenly become aware that Canadians can produce high quality television programming.

Put another way, Skok says, "the British feel superior and don't want to see anymore sub-standard American schlock."

The mixed commission was co-chaired by Jeremy Kinsman, assistant deputy minister of cultural affairs and broadcasting with the Canadian federal department of Communications and Hugh Evans, deputy undersecretary of the department of Trade and Industry (Britain). The Canadian delegation included Peter Pearson, executive director of Telefilm Canada and representatives of the ACFC, IATSE and ACTRA.

**Morning Man fights back as critics lower box office draw**

MONTREAL - "We are fighting back," says Gaston Cousineau, executive producer of the recently released theatrical drama, **The Morning Man**, directed by Danièle J. Suissa and produced by SDA Productions Ltd.

Cousineau, who is not pleased with the critical response to **The Morning Man**, which premiered Sept. 25 in English in Montreal and opened in a dubbed French language version the following day in four venues, says that launching an "intelligent commercial film" in Quebec is risky business. He says he may open his next film outside the province.

**The Morning Man** is based on the true story of Robert Lavallée - Ménard who is currently a morning talk-show host for CJMT 420 radio in Chicoutimi. The story focuses on his determination to prove his own rehabilitation after escaping from a prison where he served time for 22 counts of

armed robbery.

Ménard who was in the audience for a well-attended Chicoutimi opening during the last week in September says the film is an accurate interpretation of the more crucial events of that period of his life.

Cousineau takes exception to the critics who say the fictional element in the storyline is too strong.

"A critic has the right not to like a film," says the executive producer, "but it is his duty to see if the filmmaker has reached his or her objective. We set out to make an intelligent commercial film which is entertaining and we have succeeded."

Although Cousineau is disappointed with the first weeks box office in Montreal (\$13,073 in four French-language theatres and \$2,113 in one English-language theatre, Sept. 25 - Oct. 12), he says word-of-mouth publicity and a revamped advertising campaign, will send more people into the theatre where they can judge the film for themselves.

"The best way to fight the critics is to get people to see the film for themselves," says Cousineau, who expects a Toronto and Vancouver opening before Christmas.

**Filiatrault and Gang make low budget film with a little help from the Board**

MONTREAL - It would appear that Denise Filiatrault, one of Quebec's leading film actresses, is not beyond lending her considerable acting skills, not to mention box office potential, to a young filmmaker named Peter Gang.

Filiatrault will play the lead role of Margot in the 60-min., 16mm Peter Gang Production entitled **Portrait de femmes** - a feature drama shot in and around Montreal and currently in post-production.

A story about the fear of aging as portrayed by three women of different generations, **Portrait de femmes** is Gang's first foray as writer, producer and director.

The 27-year-old Montrealer has personally raised most of the \$15,000 spent on the production to date against a deferred budget of \$150,000. He calls Filiatrault's participation on a pay deferral basis, "nothing less than a stroke of great fortune," and adds that the time and energy spent by his cast and crew is the greatest incentive to make a noticeably good first film.

Gang explains that he could not afford to wait for a public funding decision by La Société générale du cinéma before making his first film.

"There are other projects, the subject is timely and the spirit to make this film is here now," says Gang.

Thus, stretching every available dollar with help from his friends and assistance from the PAFPS program of the NFB, Gang is currently using the facilities at Main Film in Montreal for post-production work.

Among Gang's friends are Markita Boies (Marie), a regular cast member of Théâtre du Nouveau Monde in Montreal, Philippe Dubé (the curator) and Irene Keesler who plays Martha. The cameraman is Steven Reizes. First assistant director is Sylvia Porter. Paul Herbison is the director of photography. Peter Gang is a graduate of CÉGEP Lionel in theatre. He has a communications degree from Concordia University and has worked on several theatrical and film productions in Quebec and overseas.

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