

Valenti praises Canadian talent, raps government intervention

TORONTO—Jack Valenti, president and CEO of the Motion Picture Association of America, a man *Time* magazine called "the best lobbyist in Washington", spoke to the Empire Club of Canada and representatives of the Canadian film industry October 18.

In a passionate speech, full of high praise for Canadian talent and sweeping phrases about the "mystical knowledge of the human condition", he firmly rejected of any government interference in international trade of film products. "Cinema is not insular. It is global," he said. He went on about the "flawed theory of government intervention" and said even the U.S. Congress is incapable of intervening in the production and distribution of film. "Regulations and restrictions don't produce film or television of any worth," he said. "No Parliament can command a good film to be made. Only talent can do that."

Valenti singled out the Canadian Centre of Advanced film studies, and its creator, director Norman Jewison. Calling Jewison a friend and a man of vision, he said that the centre "may well be the single most important step this nation has ever taken to fortify its creative future." He noted that all the best directors today come out of film schools and concluded, "the centre will do more for your national pride, as well as your fiscal ledgers, than all the trade barriers which can be devised." He displayed a wide knowledge of Canadian politics, movies, literature, and joked about his reputation of being the tough man. "Snider (quoting from Norman Snider's *The Changing of the Guard*) recalls how a prominent Canadian politician described one of his colleagues: 'He looked like the driver of the getaway car.' I am afraid that is how a good many Canadians would describe me."

When asked at a press conference that followed the speech about the impending Canadian Film Importation Act, he said he has not seen the legislation and would not comment on its contents. "I do not intervene in Canadian affairs," Valenti said. He did, however, admit to talking to the former communications minister Flora Macdonald after she introduced the first version of the Act, which would have licensed Canadian distributors. He said she couldn't be persuaded to change her views, so he didn't "intervene." Shortly thereafter the Act was changed to bring it more in line with the Free Trade Agreement and the notion of licensing was dropped entirely.

Daniel Weinzwieg, spokesperson for the National Association of Canadian Film and Video Distributors, took exception to some of

the figures Valenti was throwing around during his 30-minute speech. Valenti said the distributor took only 47 cents of the dollar from the box office and the exhibitor takes the other 53. Weinzwieg noted that of the two major exhibitors who dominate the market in Canada, Cineplex Odeon is owned 49 per cent by MCA and Famous Players is 100 per cent owned by Famous Inc. (formerly Gulf and Western).

The Association had called a press conference/forum the day before Valenti's speech in support of the impending Film Importation Act. Joseph Beaubien, Ex. Dir. of the Quebec Association of Film Distributors, who led the forum, called the legislation "an important first step in gaining access to our own market... allowing Canadian distributors the fundamental right to negotiate for independent and foreign films for exhibition in our own country."

The legislation was introduced in the last parliament, but died when the election was called. It requires Canadian rights to any film be sold independently of U.S. rights, except for those films in which a foreign distributor owned the world rights or had invested more than half of the production budget. Importers of films would have to demonstrate that Canadian rights for a film, not excluded by virtue of foreign ownership, have been negotiated under a separate agreement. The Act calls for the establishment of a Film Imports Office which would license distributors' applications, review complain and administer fines and penalties.

Historically the U.S. distributors have considered English-speaking Canada as part of their domestic market. "They use the leverage of the size of their market to force foreign producers to 'throw' in Canadian rights," said Weinzwieg, in a prepared statement. "Canada is unique in the world in its inability to buy foreign rights." Weinzwieg claimed that U.S. film distributors take almost \$1 billion from the Canadian market, and don't invest a dime on Canadian Productions.

"This (legislation) is not a grab at foreign distributors' rightful revenues, as some would have us believe," said Peter Mortimer of the ACFTP. "It is simply a long overdue government intervention designed to reinforce Canada's status as a separate, sovereign nation and to provide our distributors with a solid base to redress the longstanding imbalance." Valenti has successfully prevented any change to the distribution status quo in Canada. However, Mortimer is confident the current piece of legislation will pass this time. "It constitutes unfinished business and we would like to see it finished," he said.

Quebec controls videos in attempt to limit piracy

MONTREAL—Quebec's Régie du cinéma, the provincial film regulatory agency, has reported figures for video registrations, aimed mainly at reducing piracy in the province. The portion of the Quebec cinema act requiring distributors to register their video releases with the Régie, came into effect on April 1, 1989. Since then, all video releases must carry a sticker attesting to the certification of the release. Video merchants pay for the stickers with a 50 cent surcharge on the price of the cassettes.

The Régie reports that it has received and registered 270 distribution agreements in the first six months, leading to the certification of 2,600 films and tagging of 500,000 individual cassettes. The Régie also claims to have been able to respond to requests for certification by 135 Quebec distributors within 36 hours.

Norman Ouimet, National Director of the Film/Video piracy office of the Canadian Motion

Pictures Distributors' Association, says the program is a good one, and adds "any measure to control piracy is a good measure." Ouimet told *Cinema Canada*, "all the tools are in place" to deter piracy, which he says, has dropped dramatically since the early years of videocassettes. The Copyright Act now provides stiff fines for piracy, and recent court actions here have resulted in convictions of pirates on fraud charges as well.

Régie to survey theatregoers

MONTREAL—The provincial film regulator (the Régie du cinéma) will start attempting to get in touch with public opinion on film ratings by asking cinema patrons to fill out an exit poll/questionnaire. They'll be asked whether or not they agree with the Régie's rating for the film they've just seen. The bait being dangled in front of theatregoers is a one-year pass for two to Cineplex Odeon cinemas, the chain being the site of the survey. Those who reply to the questionnaire and identify themselves become eligible for the prize.

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