



CANADA  
MEDIA FUND

FONDS DES MÉDIAS  
DU CANADA

# **APPENDIX A**

## **2024-2025**

### DEFINITIONS & ESSENTIAL REQUIREMENTS

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Please be advised Appendix A provides further detail and important information on CMF Essential Requirements and Definitions and is an integral part of the CMF's Guidelines.

## 1. GENERAL INFORMATION

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### **Interpretation, Application, Disclaimer, and other Important Information**

The CMF has full discretion in the administration of its Programs and in the application of its Guidelines to ensure funding is provided to those projects that contribute to the fulfillment of its mandate and the spirit and intent of its policies. In all questions of interpretation of its Programs, Guidelines, Agreements and whether Applicants and/or Projects meet the spirit and intent of any CMF policy, the CMF interpretation shall prevail.

Projects that receive CMF funding in a given year are subject to the Guidelines and CMF policies in effect for that fiscal year. To be clear, changes to CMF Guidelines and/or policies made in a subsequent fiscal year will not apply retroactively, unless specifically stated. The CMF fiscal year is April 1 to March 31.

*Note: These Guidelines may be changed or modified as required, without notice. Please consult the CMF website at [www.cmf-fmc.ca](http://www.cmf-fmc.ca) for the latest Guidelines' news and documentation.*

## 2. CMF ELIGIBLE GENRES

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The CMF supports the following genres in its Linear Content Programs: Drama, Documentary, Children and Youth, and Variety and Performing Arts. Each of these genres are explained in greater detail in separate sections in this document.

The following is a non-exhaustive list of genres and programming formats that are not eligible to apply to the CMF: sponsored productions<sup>1</sup>, sports, news, game shows, current affairs, public affairs, lifestyle productions, “how-to” productions<sup>2</sup>, reality television, instructional television, infomercials, music videos, formal or curriculum-based educational programs, foreign format buys without significant Canadian adaptation and creative contribution, magazine productions, talk shows, “talkshows culturels”, non-cultural galas and award shows<sup>3</sup>, reporting and current events, religious programs, fundraising productions, benefits, tributes, promotional productions, pep rallies, travelogues and interstitials.

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<sup>1</sup>The CMF will use the Canadian Audio-Visual Certification Office’s definition of “Advertising” in section 4.03.08 of the [Canadian Film or Video Tax Credit Application Guidelines](#) as its guide in interpreting the parameters of a “**sponsored production**”.

<sup>2</sup>Beginning in 2024-2025, provided an Eligible Project meets the other applicable requirements of the Documentary definition (set out in section 4 below), documentaries from Applicants owned and controlled by individuals who are First Nations, Inuit or Métis may include “how-to” programming related to Indigenous cultural elements (e.g., content related to Indigenous food, dance, language, etc.). This flexibility will be extended to linear content Programs at the development and production stages.

<sup>3</sup>Cultural award shows and galas that meet the CMF’s Variety and Performing Arts definition shall be considered eligible programming.

### 3. CHILDREN AND YOUTH

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#### A) DEFINITION

Children's programming is defined as being targeted to children aged 12 years and under, is designed and produced according to their needs and expectations (rather than to those of adults) and reflects reality from a child's point of view. Children's programs usually have a major protagonist who is a child or youth under the age of 15, or a puppet, animated character, creature of the animal kingdom, comic book character or folk/super/classical/historical hero. Children's programs engage the creativity of children and provide them with an entertainment and learning experience.

Youth programming is defined as being specifically targeted to youths aged 13 to 17. Such programs should include youth protagonists and reflect reality from a youth's point of view.

Some flexibility exists for Children and Youth programming regarding the application of the non-exhaustive list of genres and programming formats that are not eligible for CMF funding noted on page 3 above. The CMF will give paramount effect to the above definitions over other genre considerations. However, the following types of programming remain ineligible for funding as Children and Youth programming: sponsored productions<sup>4</sup>, sports, lifestyle productions, reality television, infomercials, music videos, foreign licensed formats without significant Canadian adaptation and creative contribution, religious programming, fundraising productions, benefits, promotional productions, and pep rallies.

Children and Youth programming does not include family programming, which the CMF considers as Drama programming.

Peak viewing hours for Children and Youth programming is defined as the time when the largest audiences of children and/or youth are available.

#### B) ESSENTIAL REQUIREMENTS

The CMF will allow certain exceptions specific to Children and Youth programming. In order of importance, the Essential Requirements ("ER") and exceptions are as follows:

1. The Eligible Project will be certified<sup>5</sup> by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the project), as determined by the CMF using the CAVCO scale.

*Note: For In-house Programming only, certification of the project by the CRTC as a "Canadian program" will be accepted in lieu of CAVCO certification for the purposes of meeting Essential Requirement #1.*

The CMF may allow, at its sole discretion, a format buy to meet ER#1 notwithstanding that it does not receive two (2) CAVCO points for Canadian writer(s) if there are Canadian writers that are significantly involved in the writing such that they obtain writing credits and that Canadians meaningfully control the adaptation of the format.

The following exception applies to animation: The project has achieved 8/10 points according to the CAVCO scale, with one (1) point going to foreign in-betweening or one (1) point to a non-Canadian camera operator or one (1) point going to foreign "layout & background", for a maximum of two (2) non-Canadian points.

Beginning in 2024-2025, some flexibility will be allowed for Eligible Projects from Applicants who are owned and controlled by individuals who are First Nations, Inuit or Métis. Please see [Linear Content – Core Production Guidelines – Schedule A Indigenous-Led Project Flexibility Measures](#) for more information.

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<sup>4</sup>See Note 1.

<sup>5</sup>Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

2. Underlying rights are owned, and significantly and meaningfully developed by Canadians<sup>6</sup>.

Eligible Projects must be developed by Canadians. Canadian creators must have significant and meaningful involvement in the project, from concept to final script.

In the case of a format buy, the original owner of the format may retain approval rights for creative elements and a non-Canadian consultant may be hired to ensure format elements are respected.

3. The Eligible Project is shot and set primarily in Canada.

Allowable exception for live-action and animation programming with generic or fantasy settings: The setting must not be identifiably foreign.

Please refer to section 3.2.1.1 of the [Linear Content – Core Production Guidelines](#) for details respecting the application of the Essential Requirements to audiovisual treaty co-productions.

Clarification: The following is meant to clarify the CMF's interpretation of "setting" as it relates to Essential Requirement #3 for animated Children and Youth programming.

The descriptive characteristics and examples in each of the sections below should be read as interpretative guides and not definitional absolutes.

The CMF has interpreted the ERs and exceptions above to allow generic and fantasy settings and to permit significant portions of programs/episodes to be set outside of Canada. Concerning the latter, the CMF's acceptance of foreign locales, characters, and plots depends on the extent to which the program has created a Canadian context that unmistakably grounds the show "in" Canada.

The two most common examples of eligible foreign content usage in animated Children and Youth programming are as follows:

1. When the characters and/or setting are established as Canadian, and they make foreign references:
  - It is not uncommon for programs to establish their setting as Canada and their characters as Canadian, but also to incorporate the "reality" of foreign contexts through foreign cultural and social references. In this way, creators are not constrained by having to avoid the most sensible or creatively useful elements. This eligible approach is distinctly different from generic settings/characters combined with exclusively foreign references (i.e., United States) which effectively set the program in Any Town, USA rather than Canada.

Example: *Being Ian* is an example of an eligible program that is grounded in Canada but makes use of foreign references. It is firmly established that Ian and his family live in Burnaby, British Columbia. Ian, however, is obsessed by film and television and most of the films and television shows referenced by him are American-cultural references, which are reasonable given their influence over typical Canadian teenagers.

2. When the characters and/or setting are established as Canadian and the characters travel to foreign locales:
  - As noted previously, it is not uncommon for programs to establish their setting as Canada and their characters as Canadian, but also to incorporate foreign locales/settings as integral to the programs. In this way, creators need not constrain the environments and settings that are essential to the program. It is typical in such programs

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<sup>6</sup>For content that is created with the assistance of AI technology, it is the responsibility of the Applicant to ensure that (i) all underlying rights to Eligible Projects are owned and meaningfully developed by Canadians and (ii) Eligible Projects have unobstructed access to all underlying rights.

to unmistakably root the program in Canada – usually through early establishment of the protagonist's identity as Canadian, and home as Canada and/or through references to Canadian experiences, events, people, etc., while in the foreign locale.

Example: *A World of Wonders* is an example of an eligible program that features foreign locales seen through the eyes of its armchair-travelling Canadian hosts.

The two most common examples of ineligible foreign content usage in animated Children and Youth programming are as follows:

- 1) When the program is set in a foreign location(s) and there is no firm establishment of a Canadian context – through either character, setting, or plot:
  - While no judgment is made about the creative merit of such programs or their appeal to viewers, it is evident that they do not meet the CMF's mandate.

Examples: *Paddington Bear* is clearly set in London, England and, as far as the viewer can tell, Paddington is British. Even though the characters are clearly of the fantasy realm, the context of the show is entirely grounded in a foreign locale/culture. *The Simpsons*, while being set in a generic town named Springfield, makes frequent social/cultural references that ground the program in the U.S.

- 2) When the program is ostensibly set in a generic/fantasy world, but foreign elements effectively establish a setting through inference:
  - Often, programs of this nature incorporate anthropomorphized animals, space aliens, and other non-human characters and settings, which do not resemble real places. The frequent presence of foreign elements, however, (i.e., character names, signage, place names, social/cultural references, etc.) conspires to effectively place the program in a foreign setting.

Example: A fictional show called *Adventure Land* is not established as being set in the U.S. (or elsewhere) through blatant naming of a city/country. However, when the air force jet rolls up behind a character, it is stickered with a U.S. flag and star; the characters often talk about calling in the FBI; as the characters fly down the road in their jet car, a sign points in one direction to Gotham City and in another to Disney World; a character talks about visiting his mother in the *Lone Star State*; etc.



## 4. DOCUMENTARY PROGRAMMING

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### A) DEFINITION

A Documentary is defined as an original work of non-fiction, primarily designed to inform but that may also educate and entertain, providing an in-depth critical analysis of a specific subject or point of view over the course of at least 30 minutes (less a reasonable time for commercials, if any). These programs shall not be used as commercial vehicles.

*Note: Although the CMF recognizes that there is market demand for factual programming that contains elements of lifestyle or reality television, this type of programming will not be eligible for CMF funding because it does not qualify as a “Documentary”. The CMF’s mandate is to provide funding support to projects in the underrepresented genres, including Documentary programs. The definition of “Documentary” set out in this section (including the definition of Ineligible Programming) implements this mandate. The CMF will closely adhere to this definition of “Documentary”. Other than the exceptions noted herein, the CMF will not fund projects that are “Ineligible Programming” or that do not otherwise meet the definition.*

#### 1. Format Definition

- Feature-length Documentary is defined as being of 75 minutes in length or more.
- A series is defined as seven (7) episodes or more.
- A mini-series is defined as six (6) episodes or less.

#### 2. Ineligible Programming

Projects presenting information primarily for its entertainment value are not considered Documentaries for CMF purposes. The descriptive characteristics and examples in each of the categories that follow should be read as interpretive guides and not definitional absolutes.

The following are examples of ineligible types of programming:

##### “How-to” Programming<sup>7</sup>

“How-to” programming presents information or explores topics in order for the viewer to, for example:

- Learn the methodology for accomplishing a task, project, or the like;
- Understand the manner in which an issue or situation can be resolved (i.e., improve one’s finances or marital relations, help students deal with bullying and peer pressure, etc.);
- Gain a view or understanding towards achieving an objective;
- Receive information which enhances skill development in a field; or
- Receive tips on how to accomplish tasks.
- The presentation of the information above may be superficial or in-depth. Typically, “how-to” programming will be directive in approach and will draw conclusions for the viewer to aid them in fulfilling one or all of the points above and, as such, is results-oriented. As well, such programming often features a demonstration element(s) to illustrate how to achieve resolution of the matter at hand. Often, “how-to” programming will incorporate tips (either verbal or with on-screen supers) in order to condense information for the ease of consumption of the viewer.

Examples: *‘Til Debt Do us Part; Love, Lust or Run; Jamie’s 15 Minute Meals; Tidying Up with Marie Kondo; Hugo Express; Jehane et moi; Ricardo; Les rénos d’Hugo; Décore ta vie.*

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<sup>7</sup>Beginning in 2024-2025, provided an Eligible Project meets the other applicable requirements of the Documentary definition (set out in section 4), documentaries from Applicants owned and controlled by individuals who are First Nations, Inuit or Metis may include “how-to” programming related to Indigenous cultural elements (e.g., content related to Indigenous food, dance, language, etc.). This flexibility will be extended to linear content Programs at the development and production stages.

## Lifestyle Programming

- Lifestyle programming presents information or explores topics in a manner that emphasizes the practical information aspect of the subject matter. While the programming is informative, it typically addresses topics in a superficial way, such that depth of insight and critical analysis/commentary are rudimentary or absent. Usually, lifestyle programming reflects the aspirations of the viewer.
- Lifestyle programming, like “how-to” programming, often focuses on subject matter in which accomplishing practical objectives is illustrated, discussed, or explored. Practical information is shared with the primary goal of helping to achieve those objectives and thus, the aspirations of the viewer. Unlike “how-to” programming, Lifestyle programming usually has a less linearly structured manner of conveying the information.
- Lifestyle programming often contains elements of other ineligible genre forms (i.e., travelogue, “how-to,” reality television). The inclusion of these forms, while typically necessary to explore the subject matter in the desired manner, is indicative of an approach designed primarily for entertainment and the receipt of information with practical utility.

Examples: *The Gift (Deuxième chance)*; *Seatbelt Psychic (Taxi vers l’au-delà)*.

## Reality (fully contrived)

- Reality show elements drive the program: competition, teams, set-up devices, prizes and conceits propel the plot.
- The intent of the program is not to convey information but instead celebration, voyeurism, entertainment, sensationalism, etc.
- Often the characters seek to be subjects to gain media or other exposure.

Examples: *The Amazing Race*; *Survivor*; *Loft Story*; *The Bachelor*; *Big Brother Canada*; *L’amour est dans le pré*, *Le lot du diable*; *Les naufragés de l’amour*; *Occupation Double*.

## Reality (less contrived)

- The line between fact and fiction is blurred as it is between actuality and a set-up or contrivance.
- A lack of exploration of a real storyline beyond immediacy of events.
- Little or no establishment of context and story.
- Cinéma-vérité style is used as an excuse to suggest that in-depth treatment unfolds through following subjects through their experience/lives, but the short time frame of exploration, the formulaic nature, and repetitive approach strip cinéma-vérité of its true Documentary contribution.
- Often the characters seek to be subjects to gain media or other exposure.

Examples: *Cake Boss (Le Boss des gâteaux)*; *First Dates*; *Below Deck*; *90 Day Fiancé*; *Selling L.A.*

## Reality/Lifestyle (Celebrity-based)

- The line between fact and fiction is blurred as it is between actuality and a set-up or contrivance.
- A lack of exploration of a real storyline beyond the immediacy of events.
- Celebrity-focused, where entertainment value and sensationalism are at the forefront.

Examples: *Bianca Vie d’famille*; *Keeping Up with the Kardashians*; *Total Bellas*; *Very Cavallari*.

### **Lifestyle/Achievement**

- The exploration of the topic is second to providing the vicarious achievement of the aspirations of the viewer.
- Often, the storyline is held together merely by an unveiling of a “result,” which is the product of the hosts/participants’ expertise.
- A program is a hybrid of ineligible elements, such as “how-to” and eligible ones such as Documentary.

Examples: *Chef à la rescousse; Un chef à la cabane, Vendre ou rénover au Québec; Love It Or List It; Property Brothers; Botched; Mariages sur mesure; Dog Whisperer with Cesar Millan.*

### **Lifestyle/Contest**

- Is formulaic, with contrivances and elements, which emphasize entertainment and reduce the exploration of a topic in any in-depth manner, or where the contest/prize element drives the viewer’s interest.
- The contest and prize need not be money, but can just be the experience or exposure.

Examples: *Dans l’œil du dragon/ Dragons’ Den; Chopped Canada; Un souper presque parfait; RuPaul’s Drag Race; Les chefs!; Moment décisif; Forged in Fire; L’addition svp.*

### **Lifestyle/Travelogue**

- Is an exploration, often through a host, relying on visits, fleeting encounters, and superficial commentary.
- Has a lack of assessment of themes or analysis.

Examples: *It List: California; Rick Steve’s Europe; La Petite séduction; Partir autrement; Chiller au Québec avec Felipe; Benoît à la plage; Bizarre Appétit; Le cuisinier rebelle prend l’air; Wild On; Spectacular Spas, Partir autrement en famille.*

### **Lifestyle/Docusoap**

- Depends on extreme formula and contrivances.
- Has non-recurring characters.
- The location changes such that the setting is not an integral part of the storyline.
- Often, the storyline is held together merely by an unveiling of a “result” which is the product of the subjects’ participation.

Examples: *Say Yes to the Dress Canada; Restaurant Stakeout; Hoarders; Intervention; Where To I Do?; Dating Around.*

*Note: A Documentary that includes elements from ineligible formats, be they large or small in proportion to the total program time, are considered ineligible.*

## **3. Eligible Programming**

While the following two categories of programming share some superficial similarities to the foregoing ineligible categories, the CMF views these as eligible because they meet the Documentary definition.

### **Living Histories**

- Where competition and selection of subjects is behind the scenes and where any prize or contest element is eliminated.

- Is characterized by voluminous research.
- Has a window into the past through use of subject/characters (i.e., a docudrama brings alive the past through recreation).

Examples: *Pioneer Quest*; *1900 House*; *La Ruée vers l'or*; *Destination Nor'Ouest*; *Back in Time for Dinner*.

### **Docusoap**

- Is not dependent on contrivances.
- Characters recur on future episodes.
- The location does not change and therefore, the setting is integral to the storyline.
- Generally, the in-depth critical analysis is provided through the natural evolution of the characters, throughout the episodes of the series.

Examples: *Ice Pilots NWT*; *Hope for Wildlife*; *Highway Thru Hell*; *180 jours*; *De Garde 24/7*; *SPCA en action*; *À deux pas de la liberté*.

### **Auteur Point of View/Creative Documentaries (POV)**

The CMF makes a distinction between Factual Documentaries as described above and Auteur Point of View/Creative Documentaries (POV), for the purposes of tracking the incidence of the latter among projects supported.

The CMF will make a discretionary evaluation of what it considers a POV. The CMF will apply a very narrow and traditional interpretation of the above Documentary definition. In all cases, the director's approach as much as the subject will determine whether the CMF regards the project as a POV. Specifically, the CMF will review:

- Who the director (or director team) is and his/her track record and/or film background, regardless of whether they are an emerging or experienced director;
- The intent of the director in making the film;
- The research that has gone into the project;
- The production and post-production crew that is crafting the piece;
- In the case of arts auteur documentaries, how experimental is the director's approach;
- The budget and the cost of the production;
- That it is a single work (or in rare situations - a miniseries);
- Whether the project is licensed to air in a broadcast strand recognized or formatted for POV documentaries (e.g., *Passionate Eye*).

### **A POV Documentary is not:**

- A docudrama, docusoap, historical re-enactment or performance piece with people playing themselves or with professional actors;
- A factual project;
- A profile or biography;
- A segmented or capsular one-off or series;
- A video diary of social events (i.e., a series on graduations or family reunions);
- A project dependent on light information format; or
- Surveillance television.

## B) ESSENTIAL REQUIREMENTS

In order of importance, the Essential Requirements and exceptions are as follows:

- 1) The Eligible Project will be certified<sup>8</sup> by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the project), as determined by the CMF using the CAVCO scale.

*Note: For In-house Programming only, certification of the project by the CRTC as a “Canadian program” will be accepted in lieu of CAVCO certification for the purposes of meeting Essential Requirement #1.*

Allowable exceptions: In the POV Program only and at the CMF’s sole discretion - for documentaries shot outside of Canada - one point, according to the CAVCO scale, may go to a non-Canadian director of photography.

The CMF may allow, at its sole discretion, a format buy to meet ER#1 notwithstanding that it does not receive two (2) CAVCO points for Canadian writer(s) if there are Canadian writers that are significantly involved in the writing such that they obtain writing credits and that Canadians meaningfully control the adaptation of the format.

Beginning in 2024-2025, some flexibility will be allowed for Eligible Projects from Applicants who are owned and controlled by individuals who are First Nations, Inuit or Métis. Please see [Linear Content – Core Production Guidelines – Schedule A Indigenous-Led Project Flexibility Measures](#) for more information.

- 2) Underlying rights are owned, and significantly and meaningfully developed, by Canadians<sup>9</sup>.

Eligible Projects must be developed by Canadians. Canadian creators must have significant and meaningful involvement in the project, from concept to final script.

In the case of a format buy, the original owner of the format may retain approval rights for creative elements and a non-Canadian consultant may be hired to ensure format elements are respected.

- 3) The Eligible Project is shot and set primarily in Canada.

Allowable exception: The project may be shot and set in a non-Canadian location if it is integral to the story being told.

Please refer to section 3.2.1.1 of the [Linear Content – Core Production Guidelines](#) for details respecting the application of the Essential Requirements to audiovisual treaty co-productions.

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<sup>8</sup>Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

<sup>9</sup>For content that is created with the assistance of AI technology, it is the responsibility of the Applicant to ensure that (i) all underlying rights to Eligible Projects are owned and meaningfully developed by Canadians and (ii) Eligible Projects have unobstructed access to all underlying rights.

## 5. DRAMA PROGRAMMING

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### A) DEFINITION

Drama is defined as an entertainment production of a fictional nature, including but not limited to: series, mini-series, made-for-television movies, theatrical feature films shown on television, situation comedies, sketch comedy<sup>10</sup>, and stage plays adapted for television (television movie).

Dramatic programming targeted to children or youth (up to 17 years of age) falls into the Children and Youth genre.

Dramatic programming targeted to families is included in the Drama genre. Such programming is differentiated from Children and Youth programming by virtue of its attraction to people of all ages: adults and children or youth together, or to adults watching without children.

#### 1. Format Definition

- A series is defined as seven (7) episodes or more.
- A mini-series is defined as six (6) episodes or less.

### B) ESSENTIAL REQUIREMENTS

In order of importance, the Essential Requirements and exceptions are as follows:

- 1) The Eligible Project will be certified<sup>11</sup> by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the project), as determined by the CMF using the CAVCO scale.

*Note: For In-house Programming only, certification of the project by the CRTC as a “Canadian program” will be accepted in lieu of CAVCO certification for the purposes of meeting Essential Requirement #1.*

Allowable exceptions:

- In live-action drama, one (1) point, according to the CAVCO scale, may go to a non-Canadian performer who has significant recognition among Canadian audiences. This non-Canadian performer may not play the protagonist role in the production.
- In animation, the project has achieved 8/10 points according to the CAVCO scale, with one (1) point going to foreign in-betweening or one (1) point to a non-Canadian camera operator or one (1) point going to foreign “layout & background”, for a maximum of two (2) non-Canadian points.

The CMF may allow, at its sole discretion, a format buy to meet ER#1 notwithstanding that it does not receive two (2) CAVCO points for Canadian writer(s) if there are Canadian writers that are significantly involved in the writing such that they obtain writing credits and that Canadians meaningfully control the adaptation of the format.

Beginning in 2024-2025, some flexibility will be allowed for Eligible Projects from Applicants who are owned and controlled by individuals who are First Nations, Inuit or Métis. Please see [Linear Content – Core Production Guidelines – Schedule A Indigenous-Led Project Flexibility Measures](#) for more information.

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<sup>10</sup>In order for a project to be eligible as a sketch comedy in the Drama genre, 100% of the content must be fictionalized.

<sup>11</sup>Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

- 2) Underlying rights are owned, and significantly and meaningfully developed, by Canadians<sup>12</sup>.

Eligible Projects must be developed by Canadians. Canadian creators must have significant and meaningful involvement in the project, from concept to final script.

In the case of a format buy, the original owner of the format may retain approval rights for creative elements and a non-Canadian consultant may be hired to ensure format elements are respected.

- 3) The Eligible Project is shot and set primarily in Canada.

Allowable exception: The Eligible Project may be shot and/or set in a non-Canadian location, provided it is integral to telling a Canadian story. For live-action and animation programming with generic or fantasy settings, the setting must not be identifiably foreign.

Please refer to section 3.2.1.1 of the [Linear Content – Core Production Guidelines](#) for details respecting the application of the Essential Requirements to audiovisual treaty co-productions.

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<sup>12</sup>For content that is created with the assistance of AI technology, it is the responsibility of the Applicant to ensure that (i) all underlying rights to Eligible Projects are owned and meaningfully developed by Canadians and (ii) Eligible Projects have unobstructed access to all underlying rights.

## 6. VARIETY AND PERFORMING ARTS PROGRAMMING

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### A) DEFINITION

#### Variety

To determine eligibility, the CMF will look at the program in its entirety to see if, as a whole (purpose, content, form and structure), it truly meets the spirit of the definition.

Variety is defined as productions containing entertainment consisting of one or more on-screen artistic acts or performances such as singing, dancing, acrobatic exhibitions, comedy sketches, drama sketches, magic or stand-up comedy. Such acts or performances must be professional in nature. Acts or performances, or material directly related to the acts or performances (such as interview segments with performers), must comprise at least 50% of the program's total running time. Genres ineligible for CMF participation (i.e., tributes, prize presentations, non-cultural<sup>13</sup> award shows and galas, promotional activities or commentary, sponsored presentations<sup>14</sup>, music videos and talk shows) cannot qualify as Variety programming merely because they are comprised of acts or performances.

#### Performing Arts

Performing arts programming is defined as productions composed of live or pre-recorded performances of traditional and popular music, opera, operetta, musicals, taping of live stage plays, ballet and other forms of dance or performing art.

### B) ESSENTIAL REQUIREMENTS

In order of importance, the Essential Requirements and exceptions are as follows:

- 1) The Eligible Project will be certified<sup>15</sup> by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points (or the maximum number of points appropriate to the project), as determined by the CMF using the CAVCO scale.

*Note: For In-house Programming only, certification of the project by the CRTC as a "Canadian program" will be accepted in lieu of CAVCO certification for the purposes of meeting Essential Requirement #1.*

Allowable exceptions: One (1) point may go to a non-Canadian performer who has significant recognition among Canadian audiences.

The CMF may allow, at its sole discretion, a format buy to meet ER#1 notwithstanding that it does not receive two (2) CAVCO points for Canadian writer(s) if there are Canadian writers that are significantly involved in the writing such that they obtain writing credits, and that Canadians meaningfully control the adaptation of the format.

Beginning in 2024-2025, some flexibility will be allowed for Eligible Projects from Applicant s who are owned and controlled by individuals who are First Nations, Inuit or Métis. Please see the [Linear Content – Core Production Guidelines – Schedule A Indigenous-Lead Project Flexibility Measures](#) for more information.

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<sup>13</sup>Cultural award shows and galas that meet the CMF's Variety and Performing Arts definition shall be considered eligible programming.

<sup>14</sup>See Note 1.

<sup>15</sup> Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.



2) Underlying rights are owned, and significantly and meaningfully developed, by Canadians<sup>16</sup>.

Eligible Projects must be developed by Canadians. Canadian creators must have significant and meaningful involvement in the project, from concept to final script.

In the case of a format buy, the original owner of the format may retain approval rights for creative elements and a non-Canadian consultant may be hired to ensure format elements are respected.

3) The Eligible Project is shot and set primarily in Canada.

Allowable exceptions:

- The Eligible Project does not have to be set in Canada.
- The Eligible Project does not have to be shot in Canada if it is meant to follow Canadian artists that are performing outside Canada.

Please refer to section 3.2.1.1 of the [Linear Content – Core Production Guidelines](#) for details respecting the application of the Essential Requirements to audiovisual treaty co-productions.

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<sup>16</sup>For content that is created with the assistance of AI technology, it is the responsibility of the Applicant to ensure that (i) all underlying rights to Eligible Projects are owned and meaningfully developed by Canadians and (ii) Eligible Projects have unobstructed access to all underlying rights.

## 7. CMF DEFINITIONS<sup>17</sup>

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### Broadcaster-Affiliated Programming

A Broadcaster-affiliated production company is an Applicant (as defined in section 3.1 of the [Linear Content - Core Production Guidelines](#)) that is affiliated with a Canadian Broadcaster (the CMF uses the definition of “**Affiliate**” set out in the Canada *Business Corporations Act*). Broadcaster-Affiliated Programming covers projects produced by a Canadian Broadcaster-affiliated production company and licensed by its affiliated Canadian Broadcaster(s).

### Canadian Broadcaster

Any of the following will be considered a Canadian Broadcaster:

- a) A Canadian programming undertaking, public or private, licensed to operate by the Canadian Radio-television and Telecommunications Commission (“**CRTC**”) and carried by a Canadian broadcasting distribution undertaking (“**BDU**”) licensed to operate by the CRTC<sup>18</sup>;
- b) An online service<sup>19</sup> owned, controlled and operated by a Canadian CRTC-licensed programming undertaking carried by a Canadian BDU licensed to operate by the CRTC;
- c) An online service<sup>20</sup> owned, controlled and operated by a Canadian BDU licensed to operate by the CRTC; and
- d) CRTC-licensed VOD services.

### Circumpolar North<sup>21</sup>

The Circumpolar North refers to the area traditionally covered by the terms “Arctic” and “Subarctic”, the northern lands of the world’s eight northernmost countries: Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden, and the United States (Alaska).

### Creative Team

The Creative Team is comprised of the Writers and Directors on the Linear content Project. For clarity, “**Writer**” and “**Director**” shall be ascribed the same meaning as commonly understood in the broadcasting, television, and film industries and, if applicable, defined in accordance with Guild collective agreements.

### Diverse Community

The term Diverse Community refers to the following communities (that are separately defined below):

- a) Indigenous Peoples to Canada (i.e., First Nations, Inuit and Métis);
- b) Racialized Communities (i.e., Black people and people of colour);
- c) Members of the 2SLGBTQ+ Community; and
- d) Persons with disabilities/Disabled persons.

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<sup>17</sup>The terminology included in these definitions is evolving as we strive to advance equity, diversity, and inclusion in our practices. If you have suggested changes, please contact us at [persona-id@cmf-fmc.ca](mailto:persona-id@cmf-fmc.ca).

<sup>18</sup>This includes exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

<sup>19</sup>This includes services accessed via a set-top box.

<sup>20</sup>This includes services accessed via a set-top box.

<sup>21</sup>As defined by the University of the Arctic (UArctic) at: <https://education.uarctic.org/circumpolar-north>.

## Diverse Community (Key Personnel) Project

A Diverse Community (Key Personnel) Project is a Project in which at least 40% of the cumulative paid<sup>22</sup> positions on (i) the Production Team and Creative Team (for Linear content) or (ii) Eligible IDM Positions (for IDM content) are held by members of one (or a combination) of the Diverse Communities.

## Diverse Community (Ownership) Project

A Diverse Community (Ownership) Project is a Project in which:

- Final control in all matters relating to the Applicant company<sup>23</sup> and the Project; and
- at least 51% of the Applicant company's ownership and of the Project's copyright

are retained by a member (or members) of one (or a combination) of the Diverse Communities (defined above).

For clarity, the Diverse Community member (or members) of the Applicant company:

- Exercises full control of the creative, artistic, technical and financial aspects of the Eligible Project; and
- Has meaningfully participated in the Eligible Project's development.

Where the final control and central decision makers in both the Applicant company and the Project are not with the Diverse Community members from the Applicant company, the Project is not considered to be a Diverse Community (Ownership) Project. The CMF reserves the right to request additional documentation (including by-laws and articles of incorporation) to ensure the ownership and control provisions are met.

## Eligible Canadian Distributor

An Eligible Canadian Distributor is a company that has demonstrated to the CMF's satisfaction that:

- It is Canadian-controlled within the meaning of the *Investment Canada Act* with its head office in Canada;
- It has been incorporated for at least twelve (12) months in advance of submitting a financial contribution to a CMF Eligible Project;
- If it has previously committed a financial contribution to a CMF-funded Project, it has not significantly reduced or withdrawn this financial contribution;
- It has a sufficient volume of business and a business plan to ensure the company's future financial viability;
- It has distributed projects of a similar (i) budget size and (ii) genre as the CMF Eligible Project to which it is attached;
- It regularly attends relevant international audiovisual markets; and
- It has a level of experience and expertise sufficient to arrange for the distribution of the Project.

Eligible Canadian Distributors must be confirmed by the CMF's program administrator ("**CMFPA**") in advance of an Applicant submitting a Project for CMF funding.

Eligible Canadian Distributors contributing to the Eligible Triggering Commitment Threshold on Projects seeking CMF funding must contact the CMFPA no less than fifteen (15) business days in advance of submitting their Project for funding in order for an eligibility determination to be made (*note: an Eligible Distributor Questionnaire may be required to be completed and submitted to the CMFPA for this assessment*).

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<sup>22</sup>Only paid positions will count towards the evaluation of Diverse Community positions and the information provided in the Project's budget will take precedence.

<sup>23</sup>Including the Applicant company's Board of Directors.

## Eligible IDM Positions

Eligible IDM Positions shall be defined as Producer, Executive Producer, Director (including Technical Director, Creative Director, Art Director, and Interactive Director), Senior Programmer, Designer, and Project Manager.

## Equity-Seeking Community

Equity Seeking Community refers to the following communities:

- a) Racialized Communities (i.e., Black people and people of colour);
- b) 2SLGBTQ+ Communities;
- c) Persons with disabilities/Disabled persons;
- d) Individuals who publicly identify as women;
- e) Regional; and
- f) Official Language Minority Communities.

## Gender Balance (Key Personnel) Project

A Gender Balance (Key Personnel) Project is a Project in which at least 40% of the cumulative paid positions on either (i) the Production Team and Creative Team (for Linear content) or (ii) Eligible IDM Positions (for IDM content) are held by individuals that publicly identify as women.

## Gender Balance (Ownership) Project

A Gender Balance (Ownership) Project is a Project in which:

- Final control in all matters relating to the Applicant company<sup>24</sup> and the Project; and
- at least 51% of the Applicant company's ownership and of the Project's copyright

are retained by individuals who publicly identify as women.

For clarity, the individuals who publicly identify as women in the Applicant company:

- Exercise full control of the creative, artistic, technical and financial aspects of the Eligible Project; and
- Has meaningfully participated in the Eligible Project's development.

Where the final control and central decision makers in both the Applicant company and the Project are not with individuals who publicly identify as women from the Applicant company, the Project is not considered to be a Gender Balance (Ownership) Project. The CMF reserves the right to request additional documentation (including by-laws and articles of incorporation) to ensure the ownership and control provisions are met.

## In-house Programming

In-house Programming comprises Projects produced and owned by a Canadian Broadcaster.

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<sup>24</sup>Including the Applicant company's Board of Directors.

## Indigenous Peoples to Canada

Indigenous Peoples to Canada is an umbrella term that the CMF uses to address and acknowledge the First Nations, Inuit and Métis Peoples who live in the territory that is today known as Canada and are descendants of the original inhabitants of this territory prior to colonization. Indigenous persons are encouraged to communicate their affiliation to one or more specific nations, communities, tribes, settlements, reserves or families to ensure the representation of their people's narrative sovereignty is handled in a responsible way.

- First Nations: Status and non-status individuals who are citizens, recognized members or direct blood relatives of a self-governing band, a reserve-based community, or a larger tribal group.
- Inuit: Individuals recognized as the First Peoples of the Arctic regions of Canada including Nunavut, Nunavik, Nunatsiavut, and parts of the Northwest Territories, whose relatives are also in Greenland and Alaska.
- Métis: Individuals who are culturally distinct from First Nations and Inuit and have a direct line of Métis ancestry to a known Métis settlement, community, or family group.

## Official Language Minority Community

Official Language Minority Communities (OLMCs) are groups of people whose chosen official language (of Canada) is not the majority language in their province or territory – in other words, English-language communities in Quebec and French-language communities outside Quebec.

## Persons with disabilities or Disabled persons

Person with disabilities or Disabled person refers to someone living with one or more physical, mental, intellectual, cognitive, sensory or communicational conditions or functional limitations that, in interaction with a social, policy or environmental barrier, presently hinders their full and equal participation in society. These conditions or functional limitations – evident or not – may be permanent, temporary, or episodic in nature.

## Production Team

The Production Team is comprised of the producers of the Linear content Project. For clarity, “**Producers**” shall be defined as either Producer, Executive Producer/Showrunner, Executive Producer, Co-executive Producer, Supervising Producer, Associate Producer, or Creative Producer positions.

## Racialized Communities<sup>25</sup>

Racialized Communities refers to Black people and other non-white communities, often designated as people of colour in the North American context. The CMF recognizes that being racialized is a social construct that cannot solely be determined by a DNA test or ancestry, but rather by the collective acknowledgement that individuals from these communities are seen as non-white and currently experience specific barriers, prejudice, and discrimination in Canadian society.

The CMF currently recognizes the following communities in Canada as Racialized Communities:

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<sup>25</sup>Indigenous Peoples to Canada are defined separately and excluded from the CMF's Racialized Community definition.

- Black people: also known as Afro-Canadians, are individuals who are originally or direct descendants from Sub-Saharan Africa including those with origins in the United States, the Caribbean and Latin America, etc.
- People of colour/other non-white communities: are groups that fall within one or more of the following standardized ethnocultural categories:
  - Latin Americans: also known as Latino, Latina, Latinx, or Latine are people originally or direct descendants from communities in Mexico, Central and South America (including Brazil) as well as Spanish-speaking Caribbean nations, etc.
  - Middle Eastern people or West Asians and North Africans: are people originally or direct descendants from communities in the Middle East or West Asia and North Africa, including the Arab-speaking nations, Iran, Turkey, etc.
  - South Asians: are people originally or direct descendants from communities in Afghanistan, Pakistan, India, Nepal, Bangladesh, Sri Lanka, Bhutan and Maldives, etc.
  - Southeast Asians: are people originally or direct descendants from communities in Brunei, Cambodia, East Timor, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam, Palau and Micronesia, etc.
  - East Asians: are people originally or direct descendants from communities in China, South and North Korea, Japan and Mongolia, etc.
  - Indigenous people from outside of Canada: are Indigenous peoples from other regions not mentioned above such as Oceania, Pacific Islands, United States, or Northern Asia and Northern Europe.
  - Biracial or Multiracial: is a person who has a combination of any of the above categories or any of the above categories with white or European ancestry and who identifies as non-white.

## Region

A Region is defined as any part of Canada more than 150 km by the shortest reasonable roadway route from:

- Toronto for English-language Projects
- Montreal for French-language Projects

## Regional Project (Predevelopment, Development or Conceptualization)

A Regional Project (Predevelopment, Development or Conceptualization) is defined as follows:

- a) The Applicant who exercises control of the creative, artistic, technical and financial aspects of the Project is based in a Region (defined separately above) with its head office in the Region.
- b) The Regional Applicant initiates and continues to meaningfully participate in the Project's development and retains at least 51% ownership of the copyright interest in the Project.

Where the control and central decision makers in the Eligible Project are located outside of a Region, the Project is not considered to be a Regional Project.

## Regional Production Project

A Regional Production Project is defined as follows:

- a) The overwhelming majority of principal photography<sup>26</sup> occurs in a Region (defined separately above), with suitable exceptions for Documentaries<sup>27</sup>.
- b) The Applicant is based in the Region (with its head office in the Region) and meets the following eligibility criteria:
  - i. Exercises control of the creative, artistic, technical and financial aspects of the Project.
  - ii. Owns and controls the distribution rights to the Project and retains an ongoing financial interest in the Project.
  - iii. Owns and controls the copyright of the Project.
  - iv. Has initiated and continued to meaningfully participate in the Project's development phases.

Where the control and central decision makers in the Eligible Project are located outside of the regions, the Project is not considered to be a Regional Production Project.

In the case of a Regional/non-Regional coproduction:

- a) The Applicant exercises control of the creative, artistic, technical and financial aspects of the Project in proportion to its copyright ownership, which is at least 51%.
- b) Shares equitably in fees payable to producers and corporate overhead.
- c) The markets and potential revenues are shared equitably in proportion to the financial participation of each coproducer.

## Related Digital Content

Related Digital Content is defined as original content associated with or derived from a linear CMF Eligible Project that is consumed on digital media platforms. It should aim to extend, deepen or expand the audience's engagement with the linear Eligible Project.

Related Digital Content can be linear or interactive, and can include audio, audiovisual or multimedia elements, and can be consumed on any number of digital media platforms: internet, gaming, mobile, social media or streaming services.

Examples of Eligible Related Digital Content include but are not limited to: Podcasts, audio books, smart speaker applications, companion websites, companion mobile or console games, content for social media channels, promotional or marketing content, and synchronised or "second screen" experiences.

A non-exhaustive list of In-Eligible Related Digital Content includes: Industrial, corporate or curriculum-based projects, and system software.

## Related Party

Related Parties exist when one party has the ability to exercise, directly or indirectly, control, joint control or significant influence over the other. Two or more parties are related when they are subject to common control, joint control or common significant influence. For more information on Related Parties, control, influence and fair market value, please see section 4.1 of [Appendix B](#).

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<sup>26</sup>In the case of animated productions, this requirement will be interpreted to mean key animation activities carried out in the specific Region.

<sup>27</sup>The Project may be shot and set outside of the Regions if it is integral to the story being told.