



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

**LINEAR CONTENT
PROGRAMS
CORE PRODUCTION
GUIDELINES
2024-2025**

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1. GENERAL INFORMATION

Interpretation, Application, Disclaimer, and other Important Information

These Guidelines are for the information and convenience of Applicants (as defined in section 3.1) to the Canada Media Fund (CMF). They provide an overview of the objectives of the CMF, the manner in which the CMF is administered, and information on typical administrative practices of the CMF. Compliance with these Guidelines is a prerequisite to eligibility for any CMF funding.

The CMF has full discretion in the administration of its Programs, and in the application of these Guidelines, to ensure funding is provided to those Projects that contribute to the fulfillment of its mandate. 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.

All Applicants and broadcasters (where relevant) must abide by the Accounting and Reporting Requirements (ARR) of the CMF and follow applicable business policies as created and amended from time to time. Business policies, including the ARR, may be found in [Appendix B](#) of these Guidelines and are also available from the CMF website at www.cmf-fmc.ca. Information included in [Appendices A](#) and [B](#) is an integral part of these Guidelines.

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.

Please note: These Guidelines may be changed or modified as required, without notice. Please consult the CMF website at www.cmf-fmc.ca for the latest Guideline news and documentation.

Provision of Documentation

It is the responsibility of the Applicant to ensure that the CMF receives all relevant documentation and to update such documentation and information after a material change. The CMF may request other documentation and information to conduct an assessment and evaluation of the project and, once assessed, to complete CMF file reviews. For the purposes of project assessment and evaluation, the CMF reserves the right to rely solely on the written and audiovisual materials initially submitted by the Applicant.

Failure to Comply

If an Applicant fails to comply with these Guidelines, as determined by the CMF, then the CMF may refuse the application, revoke the eligibility status of the Applicant's Project and may demand repayment of any sums paid to the Applicant.

Misrepresentation

If, at any time, an Applicant, as required by the Guidelines or as requested by the CMF, provides false information or omits material information in connection with an Application, the Applicant may suffer serious consequences. These may include, among other outcomes:

- Loss of eligibility for funding of the current Project;
- Loss of eligibility for funding of future Projects;
- Repayment of any funds already advanced, with interest; and/or
- Criminal prosecution, in the case of fraud.

These measures may be imposed not only on the Applicant but also on related, associated and affiliated companies and individuals (as determined by the CMF at its sole discretion). Any Applicant receiving approval for funding will be required to sign a legally enforceable agreement, which includes further provisions concerning misrepresentations, defaults, and related matters.

PERSONA-ID self-identification information

The PERSONA-ID self-identification allows individuals to disclose their demographic information directly and securely to the Canada Media Fund (CMF).

The CMF shall rely solely on the self-identification information associated with each individual's PERSONA-ID number to determine (as applicable) eligibility for Programs, exclusive reserved portions of Program budgets, Broadcaster Envelope credit, Evaluation Grid points and/or for statistical and analytical purposes.

All PERSONA-ID self-identification information in connection with the Project is provided in accordance with the [PERSONA-ID Terms of Use & Privacy](#).

For more information about PERSONA-ID, please visit the [CMF's PERSONA-ID page](#).

2. LINEAR CONTENT – CORE PRODUCTION GUIDELINES – OVERVIEW

2.1 INTRODUCTION

When applying to the CMF for production funding of a Linear content project¹, Applicants must comply with the eligibility criteria contained in the following key documents:

1. **Linear Content – Core Production Guidelines (THIS document)**
2. **Linear Content – Program Guidelines**
3. [Appendix A](#) – Definitions and Essential Requirements
4. [Appendix B](#) – Business Policies

While the Linear Content – Core Production Guidelines (**Core Guidelines**) set out *general eligibility* requirements applicable to *all* CMF Linear Programs, the Linear Content - Program Guidelines (**Program Guidelines**) set out the *specific* eligibility requirements for *each* CMF Linear Program.

The Production Program Guidelines are:

Linear Production Programs

- [Broadcaster Envelope Program – English and French](#)
- [Broadcaster Envelope Program – Diverse Languages](#)
- [Indigenous Program](#)
- [Official Language Minority Communities \(OLMC\) Production Funding](#)
 - Anglophone Minority allocation
 - Francophone Minority allocation
- [Program for Racialized Communities](#)
- [POV Program](#)
- [Regional Production Funding](#)
 - English Regional Production Bonus
 - Northern Production Incentive
 - Quebec French Regional Production Incentive

2.2 DEFINITIONS

Please see [Appendix A](#) for definitions on the following terms found in these Core Guidelines:

- Broadcaster-Affiliated Programming
- Canadian Broadcaster
- Circumpolar North
- Eligible Canadian Distributor
- In-house Programming
- Related Digital Content
- Related Party

2.3 FLEXIBILITY FOR INDIGENOUS-LED PROJECTS

Beginning in 2024-2025, projects from companies owned and controlled by individuals who are First Nations, Inuit or Métis will be granted additional flexibility. Please see Schedule A below for more information.

¹With the exception of the Digital Creator Pilot Program and some CMF Partnership Programs. Please see those specific Program Guidelines for more information.

2.4 LANGUAGE OF PROJECTS

2.4.1 Original Language of Production

The CMF applies different Eligible Triggering Commitment Threshold Amounts, Maximum Contribution amounts, Maximum Terms and other calculations depending on the original language of production of the Eligible Project.

The applicable language category is a single language determined by the original language of production of the project. With some reasonable exceptions for documentaries, where a project is versioned into another language, the language into which the project was versioned is not the original language of production. In cases where there are multiple languages in a production, the CMF will evaluate a variety of factors (e.g., proportion of the different languages in the production, language of development materials, language of submitted creative materials, language of the first-window broadcaster, etc.) to determine the Project's original language of production.

For clarity, in the case of animated productions, the original language of production will be determined by which individual CMF triggering entity (e.g., Canadian Broadcaster, Eligible Canadian Distributor) commits the highest market commitment to the project.

The specific language requirements for Eligible Projects varies by CMF Program and is detailed in the applicable Program Guidelines.

2.4.2 Versioning

For versions of the Eligible Project broadcast in Canada, prior to delivery to the first window broadcaster or platform, the CMF requires all versioning (i.e., dubbing or subtitling) be performed in Canada using Canadian artists, actors, employees and technicians (as applicable). Exceptions may be made in the case of audiovisual treaty coproductions.

The CMF requires that versioning costs be included in the budget if it is required contractually by one of the Eligible Project's financiers. The CMF will only support versioning costs normally incurred by distributors to assist in foreign market sales under Eligible Marketing Expenses in section 4.2.4 below.

3. LINEAR CONTENT – CORE PRODUCTION GUIDELINES – ELIGIBILITY

3.1 ELIGIBLE APPLICANTS

In addition to any further requirements/qualifications noted in the specific Linear Content – Program Guidelines, an Eligible Applicant to the CMF is either a for-profit (i.e., a taxable Canadian corporation, within the meaning of Canada’s *Income Tax Act*) production company or Canadian Broadcaster (defined in [Appendix A](#)) that:

- a) Is Canadian-controlled as determined in sections 26 to 28 of the *Investment Canada Act*.
- b) Has its head office in Canada.
- c) Is in good standing with all applicable talent and industry associations and guilds.
- d) Has affirmed and attested that the Project submitted for funding complies with the [CMF’s Narrative Positioning Policy](#).

AND

- e) All individuals that own and control the Applicant company/Applicant Canadian Broadcaster have registered for a PERSONA-ID account(s) and have provided this account number as part of their Application.

Applicants must own and control all rights necessary to produce and exploit the Eligible Project. Entities that provide services but do not own applicable rights are not eligible to apply to the CMF.

Note: For the purposes of the Linear Content Guidelines, the term Applicant includes all co-applicants, and/or all Related Parties (defined in [Appendix A](#)), associated, affiliated or parent companies and/or individuals (as determined by the CMF at its sole discretion), as applicable.

3.2 ELIGIBLE PROJECTS

In addition to any further requirements/qualifications noted in the specific Linear Content – Program Guidelines, an Eligible Project must be linear audiovisual content that meets the following requirements (as further explained in this Section):

- the Essential Requirements;
- the Eligible Genre Requirements (as set out in [Appendix A](#));
- the Ownership and Control Requirements;
- the Eligible Triggering Commitment Requirements and Conditions; and
- the Miscellaneous Requirements.

3.2.1 Essential Requirements

An Eligible Project must meet the Essential Requirements listed here. For a series (or mini-series, as applicable), the Essential Requirements apply to each episode of the cycle, even if all episodes are not submitted for CMF funding. The CMF solely decides whether an Eligible Project meets the Essential Requirements and its interpretation shall prevail.

- 1) The Eligible Project will be certified² by the Canadian Audio-Visual Certification Office (CAVCO) and has achieved 10/10 points³ (or the maximum number of points appropriate to the Eligible Project), as determined by the CMF using the CAVCO scale.

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

- 2) Underlying rights are owned⁴, and significantly and meaningfully developed, by Canadians.
- 3) The Eligible Project is shot and set primarily in Canada.

Further details on Essential Requirements and permissible genre-specific exceptions are in [Appendix A](#).

3.2.1.1 Audiovisual Treaty Coproductions

With respect to the CMF- eligibility of audiovisual treaty coproductions, these Essential Requirements shall be interpreted so as to treat the treaty coproduction partner as “Canadian.”

Accordingly, the term “Canadians” in Essential Requirement 2, and the term “Canada” in Essential Requirement 3 include the coproduction country. The 10/10 points referenced in Essential Requirement 1 must be attained by citizens of Canada or the coproducing country.

Notwithstanding the above, once an Eligible Project has received its preliminary recommendation from Telefilm Canada’s Business Affairs and Coproduction Department to be certified by CAVCO as an official audiovisual treaty coproduction, such Eligible Project will not be required to meet the Essential Requirements listed herein.⁵

For information on audiovisual treaty coproductions between Canada and other territories please see [Telefilm Canada’s treaty coproduction guidelines](#).

3.2.2 Genres of Programming

The CMF supports the following genres: Drama, Documentary, Children and Youth, and Variety and Performing Arts. The CMF defines each in [Appendix A](#) (some flexibility exists for Children and Youth programming and Indigenous content).

3.2.3 Ownership and Control Requirements

- a) It is under Canadian ownership and Canadian executive and creative control.
- b) It is under the financial control of Canadian citizens or permanent residents.

²Exceptions may be granted by the CMF for exempt broadcasters regulated by the CRTC via *Broadcasting Order CRTC 2015-88*.

³Some exceptions exist for projects from Applicants owned and controlled by individuals who are First Nations, Inuit or Métis. Please see Schedule A below for more information.

⁴For content 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.

⁵Should an Eligible Project receive a preliminary recommendation to be certified by Telefilm’s Business Affairs and Coproduction Department - but not ultimately receive audiovisual treaty coproduction certification by CAVCO - the failure of such Eligible Project to meet all applicable CMF eligibility criteria will be considered an Event of Default pursuant to [Appendix B](#) and the CMF Financing Agreement.

- c) It is, and has been, controlled creatively and financially by a Canadian production company during all phases of production, from development through post-production. Moreover, all distribution and exploitation rights are owned and initially controlled by a Canadian production company.
- d) Generally, no more than 49% of the production financing/final costs is provided by a single non-Canadian entity, person or related entity (via licence fees, distribution advances, goods and services and/or equity investment). Interim lending of more than 49%, however, may be provided by a non-Canadian arm's-length entity in the business of lending money and taking security.
- e) The Applicant retains and exercises all effective controls or approvals necessary for any stage of the development and/or production of the Eligible Project. This includes control and final approval of creative decisions and development and/or production financing, distribution and exploitation, and preparation and final approval of the budget, subject to reasonable and standard approval rights customarily required by arm's-length financial participants, including Canadian Broadcasters and distributors.
- f) The Applicant owns all rights (including copyright) and options necessary for the development and/or production and distribution in Canada and abroad (with appropriate case-by-case exceptions for a purchased format) and retains an ongoing financial interest in the Eligible Project.

3.2.4 Eligible Triggering Commitment Requirements and Conditions

3.2.4.1 Eligible Triggering Commitment Requirements and Conditions – Production

All applications for production financing are required to have an Eligible Triggering Commitment which must be comprised of an Eligible Licence Fee from a Canadian Broadcaster.

An Eligible Triggering Commitment may also include an Eligible Market Contribution from an Eligible Canadian Distributor.

This Eligible Triggering Commitment must meet or exceed a minimum amount, expressed as a percentage of the Eligible Costs of the Project (i.e., Eligible Triggering Commitment Threshold is explained in greater detail below) to be eligible for CMF production funding. Please see section 3.2.4.2 for more information on the Eligible Triggering Commitment Threshold.

Eligible Triggering Commitments in production are:

- a) Cash contributions
- b) Paid by a Canadian Broadcaster (and, if applicable, an Eligible Canadian Distributor)
- c) Paid to the CMF Applicant
- d) Which are in exchange for enumerated exploitation rights
 - i. Canadian Broadcaster – Canadian Broadcast Right
 - ii. Eligible Canadian Distributor – International Territory Exploitation Right
- e) All of which is subject to one or more current, legally binding contract(s) – i.e., a broadcast licence agreement and, if applicable, a distribution agreement.

Note: The CMF will consider the applicability of this section to In-house Programming on a case-by-case basis.

Aspects of an Eligible Triggering Commitment in production:

a) Cash contributions

Cash contributions must be genuine, industry standard, for fair market value and cannot be reduced once the CMF has entered into a production financing agreement with the Applicant.

Cash contributions for (i) Canadian Broadcasters are non-recoupable licence fees and for (ii) Eligible Canadian Distributors are minimum guarantees/distribution advances that can be recouped within the parameters of what is generally and customarily followed by distributors of linear content in the audiovisual industry (and the CMF's Distributor requirements set out in [Appendix B](#) – Chapter 9).

Cash contributions cannot include facilities, goods or services, equity, an Applicant time-buy, donations or corporate sponsorship monies negotiated and obtained by the Applicant, tax credits or any arrangement which, in the CMF's assessment, does not constitute a genuine cash contribution. The foregoing does not preclude a Canadian Broadcaster (and if applicable, Eligible Canadian Distributor), from contributing an equity investment, services, facilities, or other fees in addition to cash contributions that make up the Eligible Triggering Commitment.

In cases where the provision of a cash contribution is wholly or partially dependent on a buyback of services from the provider of the contribution, the CMF may elect to deduct the value of the services or facilities from the total value of the contribution, for the purposes of determining Eligible Triggering Commitment amounts for the Eligible Triggering Commitment Threshold assessment; this determination will be made on a case-by-case basis.

b) Canadian Broadcaster (and, if applicable, Eligible Canadian Distributor)

A Canadian Broadcaster and Eligible Canadian Distributor as defined in [Appendix A](#).

c) Applicant to the CMF

Eligible Triggering Commitments in production may be paid by the Canadian Broadcaster (and, if applicable, Eligible Canadian Distributor) directly to the Applicant. The CMF will also allow Eligible Licence Fees to be paid by Canadian Broadcaster indirectly via an intermediary Canadian corporation affiliated with both the Applicant and the Canadian Broadcaster.

d) Enumerated Exploitation Rights

i. *Canadian Broadcaster – Canadian Broadcast Right*

The Eligible Licence Fees of a Canadian Broadcaster are in exchange for an Eligible Project's Canadian Broadcast Right.

The Canadian Broadcast Right is the right of a Canadian Broadcaster to broadcast and/or make the Eligible Project available on any broadcast and online platforms the Canadian Broadcaster owns, operates and controls in Canada in the language of the Broadcaster in question during the Maximum Term (defined below).

The Canadian Broadcast Right cannot include:

- Broadcast rights for non-Canadian territories.
- Other Exploitation Rights (as detailed further below) for Canadian or non-Canadian territories.
- An ownership, profit, repayment or recoupment position in the Eligible Project.
- Rights in excess of the Maximum Term as described below.

For clarity, while Canadian Broadcasters are free to negotiate and may acquire *separate* rights other than the Canadian Broadcast Right (i.e., International Broadcast rights, Other Exploitation Rights), these separate financial contributions made by Canadian Broadcasters must be valued and paid for separately and will not count towards the Eligible Triggering Commitment Threshold requirement necessary to unlock CMF production financing.

Further, regardless of whether the CMF has made an equity investment in a project, Other Exploitation Rights (discussed further below in section 3.2.4.4) shall only apply to the various subsidiary and ancillary exploitation rights of the project and not merely consist of additional access to revenue or recoupment to the Canadian Broadcast Right or Other Exploitation Rights themselves. Broadcasters may only recoup on exploitation revenues if they are making a financial investment in a project's financial structure.

Finally, if the Canadian Broadcaster does not secure the world premiere rights of an Eligible Project and a non-Canadian premiere occurs first, the Canadian premiere of the Eligible Project must occur within 12 months of the non-Canadian premiere (**Canadian Premiere Requirement**).

ii. *Eligible Canadian Distributor – International Territory Exploitation Right*

The Eligible Market Contributions of an Eligible Canadian Distributor are in exchange for an Eligible Project's International Territory Exploitation Right.

The International Territory Exploitation Right is the right to exploit the Eligible Project in territories outside of Canada.

While a variety of different exploitation rights may form part of the International Territory Exploitation Right, in order to count towards a Project's Eligible Triggering Commitment Threshold, Eligible Canadian Distributors must at a minimum secure the right to make the Eligible Project available to be seen on either broadcast television or an online platform in territories outside of Canada as part of this Right.

Applicants and Eligible Distributors are free to negotiate one or multiple territories outside of Canada for the International Territory Exploitation Right.

In order for the securing of the International Territory Exploitation Right to count towards the Eligible Triggering Commitment needed to unlock CMF production financing, Eligible Canadian Distributors must comply with all the applicable sections of the Linear Content Production Guidelines (i.e., these Core Guidelines, applicable Program Guidelines, [Appendix A](#) and [Appendix B](#)), including but not limited to meeting the designated Eligible Triggering Commitment Threshold (in combination with the Canadian Broadcaster's Eligible Licence Fee).

For clarity, while Eligible Canadian Distributors are free to negotiate *separate* rights other than the International Territory Exploitation Right, these separate financial contributions made by Eligible Canadian Distributors will not count towards the Eligible Triggering Commitment Threshold requirement necessary to unlock CMF production financing.

e) Legally binding contract

- i. A Canadian Broadcaster's broadcast licence agreement for the Canadian Broadcast Right:
 - Must include an unconditional commitment by the Canadian Broadcaster to broadcast and/or make the Eligible Project available to be viewed in the language in which the Broadcaster is licensed to operate on any of the broadcast and online platforms the Canadian Broadcaster owns, operates

and controls, in peak viewing hours⁶ and closed captioned⁷, within eighteen (18) months of completion and delivery of the Eligible Project⁸ and meeting the Canadian Premiere Requirement. Should the Canadian Broadcaster fail to comply with these requirements, the licence fee will be deemed not to be an Eligible Licence Fee. The CMF will consider requests for an extension to this period case by case. “Peak viewing hours” is defined by the CMF as 7:00 pm to 11:00 pm, with an exception for some Children and Youth programming as described in [Appendix A](#). For second and subsequent window Broadcasters, the commitment to broadcast the Eligible Project in peak viewing hours (or, if applicable, make the Eligible Project available to be viewed) within eighteen (18) months will start at the beginning of those Broadcasters’ licence periods.

Notes: The CMF may waive the broadcast/availability requirement for pilots where both the Canadian Broadcaster and Applicant agree, upon completion and delivery of the Eligible Project, that the pilot should not be broadcast/or made available.

- Cannot restrict the Applicant’s ability to exploit non-Canadian broadcast rights, with the exception of traditional broadcast spill-over protections and exclusive world premiere rights. Where exclusive world premiere rights are taken by a Canadian Broadcaster, licence agreements must provide for waiver of the world premiere rights if a bona fide sale to a foreign entity is made, provided the foreign entity agrees not to broadcast the program within six (6) months of delivery to the Canadian Broadcaster. To be clear, a Canadian Broadcaster cannot hold world premiere rights longer than six (6) months from delivery if a bona fide sale has been made to a foreign broadcaster.
 - With the exception of dual-language broadcast channels, can only include the language rights of the language in which the Canadian Broadcaster is licenced to operate. For example, the contract cannot include the acquisition of French-language rights by an English-language Canadian Broadcaster or of English-language rights by a French-language Canadian Broadcaster. The dual-language Canadian Broadcaster in such cases must specify to the CMF the licence fee paid for each language right acquired. No single-language licence shall prevent the exploitation of the other language rights by the Applicant.
 - Cannot confer upon the Canadian Broadcaster a right of last refusal for any rights other than additional broadcast windows for the currently licensed Eligible Project cycle. This means a Canadian Broadcaster cannot acquire a right of last refusal for broadcast windows for future cycles or versions of the Eligible Project. Canadian Broadcasters may acquire the right of first negotiation and/or last refusal for additional broadcast windows for the currently licensed Eligible Project cycle.
 - For the purposes of series, cannot include co-terminus rights clauses. Co-terminus clauses (i.e., clauses that extend the terms of existing licences to the end of the term of the renewal licence with no additional payment) are prohibited in eligible licence agreements for renewed series, but these licences may include rights of first negotiation and/or last refusal for extension of licences for existing episodes of the series.
 - A payment schedule that aligns with the Broadcaster Business Policy in [Appendix B](#);
- ii. An Eligible Canadian Distributor’s distribution agreement:
- Must include parameters and practices that are generally and customarily followed by distributors of linear content in the audiovisual industry, including but not limited to an outline of:
 - all exploitation rights being licensed or acquired,

⁶For clarity, an Eligible Project must meet the ‘peak viewing hours’ requirement only when it is broadcast by an entity that meets section (a) of the “Canadian Broadcaster” definition in [Appendix A](#).

⁷As applicable, based on the respective platform.

⁸For dual-language productions, this requirement shall be interpreted to mean eighteen (18) months from the first completed version.

- the amount being paid for each exploitation right,
 - the territory(ies),
 - the term,
 - all relevant terms and conditions.
- Must align with all Eligible Canadian Distributor responsibilities outlined in Chapter 9 of [Appendix B](#);

3.2.4.2 Eligible Triggering Commitment Threshold

An Eligible Triggering Commitment Threshold (“**Threshold**”) is the minimum amount of financial contributions an Eligible Project must receive from the marketplace in order to unlock CMF funding for that project.

In production, the Eligible Triggering Commitment Threshold is the minimum amount of Eligible Licence Fees from a Canadian Broadcaster (and, if applicable, Eligible Market Contributions from an Eligible Canadian Distributor) that an Eligible Project must receive to be eligible for CMF funding.

Please refer to the applicable Program Guidelines for the applicable Threshold for the Eligible Project.

The entirety of the Eligible Triggering Commitment contributing to the Threshold must be used in the production financing of the Eligible Project.

3.2.4.3 Maximum Terms

In production, the CMF shall assess the maximum allowable period of all broadcast windows granted to the Canadian Broadcaster(s) for the Canadian Broadcast Right.

Please refer to the specific Program Guidelines for the applicable Maximum Terms per CMF Linear Program.

The start of the licence term shall begin at the contractually agreed-upon term commencement date, as negotiated between the Applicant and the Canadian Broadcaster. The licence term is the period in which a Canadian Broadcaster has the right to exploit a Project. In the case of a series (or mini-series, as applicable), the term is measured from the commencement date of the first episode of the series and not the commencement dates of each episode.

For clarity, the start of the term and the first air date may not always coincide. By way of example, a Canadian Broadcaster’s term may be from September 1, 2024 to September 1, 2030, but the Broadcaster may choose to make the first broadcast date November 15, 2024. For eligibility purposes, the licence term begins on September 1, 2024. In no case will the term commence later than the first airing of the first episode.

Applicants can incorporate contributions in excess of the Maximum Term within the financial structure. Only the portion of the contributions, however, within the Maximum Term will be used for the purposes of all CMF calculations, including Threshold assessment, and, if applicable, allowable Broadcaster Envelope contributions and Broadcaster Envelope calculations. Contributions that commence within the Maximum Term but extend beyond it will be pro-rated to match the Maximum Term set for each genre.

The Maximum Term does not apply to (i) licences acquired by Canadian Broadcasters for Broadcaster-Affiliated Programming and In-house Programming or (ii) Eligible Canadian Distributors for the International Territory Exploitation Right.

3.2.4.4 Treatment of Other Exploitation Rights

In production, all other rights that are not part of the Canadian Broadcast Right (and, if applicable, International Territory Exploitation Right) must be separately identified and valued.

Other Exploitation Rights include (but are not limited to) the following:

- i) Free Internet broadcast/distribution.
- ii) CRTC-licenced VOD.
- iii) Paid Internet broadcast/distribution (including Subscription Video on Demand)
- iv) Mobile/wireless distribution.
- v) Electronic sell-through and/or digital rental.
- vi) DVD, Blu-ray, or other compact video device distribution.
- vii) Theatrical distribution.
- viii) Non-theatrical distribution (e.g., educational institutions and airlines).
- ix) Merchandising and ancillary rights.

All of the above-listed Other Exploitation Rights and any exploitation right which is not encompassed by the above, whether currently existing or developed in the future, shall be ascribed the meaning as commonly understood and in accordance with the standards of the television, digital media and communications industries. Canadian Broadcasters, Eligible Canadian Distributors and Applicants are free to further delineate separate rights within or in addition to these categories, but the above list represents the minimum degree of distinct rights valuation in the legally binding contract connected to an Eligible Project.

For Canadian Broadcasters that commit an Eligible Licence Fee to an Eligible Project:

- all Other Exploitation Rights that are acquired must be subject to a “use it or lose it” provision that requires the rights to be exploited within twelve (12) months of the first broadcast/premiere of the Eligible Project, failing which the rights revert to the Applicant without restriction.
- For Other Exploitation Rights that are not acquired, the agreement with the Applicant cannot restrict the Applicant’s ability to exploit the Other Exploitation Rights for longer than twelve (12) months from the first broadcast/premiere of the Eligible Project.
- Where the CMF provides an Equity Investment to the Eligible Project, Other Exploitation Rights acquired must:
 - Be exploited in accordance with the CMF’s Standard Recoupment Policy (with the Canadian Broadcaster acting as a distributor for the purposes of that policy). For rights under paragraphs i-v above only, the CMF may consider a 50/50 gross revenue sharing arrangement between the Applicant and the Canadian Broadcaster (or other arrangement that is no less preferable to the CMF than a 50/50 gross revenue share); or
 - For rights under paragraphs i-iv above only, be paid for at a reasonable, fair-market value.

The CMF will apply this section in an adaptable and purposive manner, with the objectives of promoting transparency in the rights market, maximizing the availability of CMF-funded content on multiple platforms for the benefit of Canadian audiences, and maximizing the CMF’s return on investment when the CMF is an equity investor.

3.2.5 Miscellaneous Requirements

The Eligible Project must meet these criteria:

- a) It conforms to the Canadian Association of Broadcasters' (CAB) Code of Ethics and to all programming standards endorsed by the Canadian Radio-television and Telecommunications Commission (CRTC), including the CAB Violence Code and the CAB Equitable Portrayal Code.
- b) It is closed-captioned⁹ if it contains narrative, dialogue or lyrics. Exceptions may be permitted for Eligible Projects targeting children under the age of five, Projects in Indigenous languages that do not use the Roman alphabet, and live-to-air productions.
- c) It is a new production. A new production is one which is not substantially a repackaged version of a previously produced production. In the case of a series, the CMF will consider the entire cycle to determine if the project is a repackaging (e.g., some "making-of", "best-of" and/or "catch-up" episodes may be permitted). Projects comprised mainly of stock footage may be new productions provided the footage is not merely repackaged in whole or from large segments for the Project.
- d) Generally, the CMF expects a production to begin principal photography/key animation within the fiscal year in which it is funded or within three (3) months thereafter. Special considerations may be made, for example, for Eligible Projects that need to capture a time-sensitive event or ones that are required to commence production during the period in which the CMF is closed to funding applications (e.g., December to March).

Note: An Applicant commencing production before CMF funding is confirmed does so at its own risk.

- e) It, or any version of it, has not been broadcast/presented on any platform prior to its application for CMF funding.
- f) When working with First Nations, Métis and Inuit communities, cultures, concepts and stories, the CMF encourages all Applicants to respect the guiding principles and best practices set out in the [On-Screen Protocols & Pathways Media Production Guide](#).
- g) The CMF encourages all Applicants to implement more environmentally-sustainable practices and cleaner technologies – and reduce the use of unsustainable resources – in the development, production and exploitation of their Projects.
- h) All live-action Eligible Projects with Eligible Costs over the following Eligible Cost thresholds must use a carbon calculator to track the carbon emissions generated by their Project:
 - Drama: \$800,000 or more per hour
 - Children & Youth and Variety and Performing Arts: \$750,000 or more per hour
 - Documentary: \$400,000 or more per hour
- i) For content that is created with the assistance of Artificial Intelligence (AI) technology:
 - the CMF encourages all Applicants to respect the CMF's [AI Guiding Principles](#); and
 - 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.

⁹ As applicable, based on the respective platform.

4. LINEAR CONTENT – CORE PRODUCTION GUIDELINES – CMF CONTRIBUTION

4.1 NATURE OF CONTRIBUTION

While the below section offers a general overview on the types of CMF contributions, the specific type of a CMF contribution to an Eligible Project varies by CMF Program and is detailed in the applicable Program Guidelines.

In Linear content production, depending on the Program, Eligible Projects may receive different types of contributions from the CMF:

- A Licence Fee Top-Up supplements a successful Applicant's Canadian Broadcaster cash licence fees. This type of contribution forms part of the Canadian Broadcaster's licence fee for the Eligible Project and is non-recoupable.
- An Equity Investment is a cash investment which results in the CMF acquiring an undivided copyright ownership interest in all versions of the Eligible Project. Equity Investments are recoupable, and subject to a standard and non-negotiable recoupment schedule, as described and subject to, any exceptions in the CMF Standard Recoupment Policy (see [Appendix B](#)).

The initial CMF contribution to an Eligible Project will be in the form of a Licence Fee Top-Up, up to a maximum percentage of the Project's Eligible Costs. Please refer to the applicable Program Guidelines for this specific percentage.

CMF contribution amounts in excess of the Licence Fee Top-Up cap will be in the form of an Equity Investment up to the maximum amounts (Licence Fee Top-Up and Equity Investment combined) noted in the applicable Program Guidelines. The CMF considers an eligible Equity Investment request of less than \$100,000 too small for equity participation. Such requests will be automatically converted to a Licence Fee Top-Up.

For audiovisual treaty coproductions, the CMF Maximum Contribution for the Eligible Project will be calculated on the lesser of the Eligible Costs of the Canadian portion of the Eligible Project's global budget and the Eligible Costs of the Canadian portion of the global final costs of the Eligible Project, as certified by Telefilm Canada's Business Affairs and Certification Department.

4.2 AMOUNT OF CMF CONTRIBUTION

The specific amount of CMF contribution to an Eligible Project varies by CMF Program and is detailed in the applicable Program Guidelines.

4.2.1 Eligible Costs

Eligible Costs are costs set out in the development or production budget for the Eligible Project or the final cost report as applicable (including both related-party and non-related-party costs) – plus costs the CMF considers necessary and minus costs the CMF considers excessive, inflated or unreasonable.

CMF participation is calculated on the Eligible Costs of a Project and assessment of a Project's Eligible Costs is at the CMF's sole discretion. The CMF estimates Eligible Costs at the time of application, based on budgets for the Project. Eligible Costs may include cost increases between budget and approved final costs.

The CMF will allow reasonable costs related to environmentally-sustainable activities, practices and personnel connected to a project funded through the Linear Programs.

While gifts to the public are ineligible as marketing expenses per section 4.2.3 below, gifts made to Indigenous communities recognized as cultural practice and referenced in the [On-Screen Protocols & Pathways Media Production Guide](#) will be accepted as Eligible Costs.

4.2.2 Eligible Digital Content

While no longer a required element for CMF Linear content funding, producers can continue to include costs for the production of digital media content related to their linear project (“**Related Digital Content**”). For more information on the parameters of Related Digital Content, please see the full definition in [Appendix A](#).

If applicable, Related Digital Media Content costs (including budgeted upkeep and enhancement costs for the related project for a period of up to twelve (12) months after the launch of the content) must be submitted as line item #85 in the Eligible Project’s application budget.

Additional CMF Business Policies relating to Eligible Costs are in [Appendix B](#).

4.2.3 Related-Party Transactions

All Related-Party fees, Related-Party allowances and any other Related-Party transactions must be:

- a) Disclosed to the CMF; and
- b) In accordance with the current CMF Accounting and Reporting Requirements in [Appendix B](#).

4.2.4 Marketing Expenses

Eligible Costs of the Eligible Project may include:

- Unit publicity expenses incurred during production (e.g., production photographs, hiring a publicist to arrange interviews);
- Versioning costs to assist in foreign market sales¹⁰;
- Attendance at national and international markets to generate sales or other revenues from the Eligible Project; and
- Submission/registration to a relevant awards show/event.

The maximum allowable Eligible Projects’ eligible marketing expenses shall be the lesser of 5% of Categories B+C of the production budget or \$400,000. In the case of eligible marketing expenses of \$10,000 or less, no budget percentage cap will be imposed.

All marketing expenses of the Eligible Project – including those for Related Digital Content, if applicable – should be allocated to budget account # 70 in the production budget.

Non-eligible marketing costs include:

- Costs already financed or paid for by another financier or funding body;
- Wrap party, crew or cast gifts, and gifts to the public (e.g., t-shirts, mugs).

¹⁰Under the Marketing Expenses cap, the CMF will accept up to 90 minutes of versioning costs to assist in foreign market sales of an Eligible Project.

4.2.5 Pilots and Series

Eligible Costs for a series may include costs related to enhancements to a previously produced pilot where the series is consequent to that pilot.

4.2.6 Prizes

Any prize that is won, awarded, presented, or granted to individuals in connection with any CMF-funded production, in any genre, shall be an ineligible cost, even if such prize is deemed to be educational in nature.

5. LINEAR CONTENT – CORE PRODUCTION GUIDELINES – DECISION PROCESS

The CMF utilizes a combination of automatic (i.e., the CMF Envelope system), selective and first-come-first-served (FCFS) decision processes in its Linear Programs. Please refer to each set of Program Guidelines for specifics on how decisions are made.

For selective and FCFS Programs, the CMF reserves the right to limit how many Projects are awarded funding to a single Applicant in a given funding application round.



CANADA
MEDIA FUND

FONDS DES MÉDIAS
DU CANADA

SCHEDULE A
FLEXIBILITY FOR
INDIGENOUS-LED PROJECTS
2024-2025

Introduction

Beginning in 2024-2025, the CMF is introducing three new flexibility measures to reflect the experiences of Indigenous Peoples to Canada (defined in [Appendix A](#)) and to recognize the unique circumstances of the Indigenous production community. These measures will apply to all CMF Linear Content Programs.

Indigenous Applicants Based in the Circumpolar North¹¹

1. Essential Requirement #1 Flexibility

Essential Requirement #1 requires that an Eligible Project receiving Linear content funding must be certified 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.

Eligible Projects from Eligible Applicants that are owned and controlled by individuals who are First Nations, Inuit or Métis working in Canada's North will be granted the following flexibility on this requirement as determined on a case-by-case basis:

- Provided the majority of the Project's CAVCO scale positions are filled by Canadians, the CMF will also allow a minority of the Project's CAVCO scale positions to be filled by individuals working in the Circumpolar North (defined in [Appendix A](#)) who are not Canadian.

This flexibility will apply to all CMF Linear Programs across all genres and all phases of production.

2. Eligible Triggering Commitment Flexibility

An Eligible Triggering Commitment Threshold is the minimum amount of financial contributions an Eligible Project must receive from the marketplace in order to unlock CMF funding for that project.

While the CMF currently only allows Canadian Broadcasters (and, if applicable, Eligible Canadian Distributors) (each defined in [Appendix A](#)) to contribute to a Project's Eligible Triggering Commitment Threshold¹², Eligible Projects from Eligible Applicants that are owned and controlled by individuals who are First Nations, Inuit or Métis working in Canada's North will be granted the following flexibility on this requirement, determined on a case-by-case basis:

- Non-Canadian broadcasters from the Circumpolar North may contribute to a Project's Eligible Triggering Commitment Threshold (either in combination with Canadian Broadcasters and, if applicable, Eligible Canadian Distributors, or acting as a sole trigger).

The applicable rights, Maximum Term and other material elements connected to Projects where a non-Canadian broadcaster from the Circumpolar North contributes to the Eligible Triggering Commitment Threshold are subject to CMF approval and will be evaluated on a case-by-case basis.

For clarity, all CMF-funded production-stage Projects must be made available to Canadian audiences within 18 months of completion and delivery of the Eligible Project. Therefore, if a non-Canadian broadcaster

¹¹Please see [Appendix A](#) for the definition of Circumpolar North as defined by the University of the Arctic (UARctic).

¹² Additional exceptions exist for some Development and Predevelopment Programs – please see Addendum A to the Development and Predevelopment Funding Guidelines.

from the Circumpolar North is the only entity that contributes to a Project's Eligible Triggering Commitment, the Applicant meets the Canadian Premiere Requirement (defined in section 3.2.4.1 above) and must still ensure that the Project is made available in Canada via a Canadian Broadcaster within eighteen (18) months of completion and delivery of the Project or it will be considered an Event of Default pursuant to [Appendix B](#) and the Applicant's CMF Financing Agreement.

All Indigenous Applicants

3. Genre Flexibility

Provided an Eligible Project meets the other applicable requirements of the Documentary definition (set out in section 4 of [Appendix A](#)), documentaries from production companies 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 all Linear Programs at the pre-development, development, and production stages.