2019-20 FILM FUND GUIDELINES
Development Stream
Including Diversity Enhancement

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The Ontario Creates Film Fund Development stream is intended to support development activities that lead to the production of domestic feature film in Ontario. The Film Fund provides support to Ontario producers for all stages of development activities.

The prime objectives of the fund are to:
- increase investment and jobs in Ontario by Ontario-based feature film production companies;
- increase the number of high quality, original feature films produced in Ontario by Ontario-based production companies; and
- assist in capitalizing Ontario-based feature film production companies.

The Film Fund supports a range of projects across genres with both industrial and cultural benefits. Ontario Creates measures the results of the Film Fund primarily based on the net benefit from the project to the province which includes but is not limited to return on investment and jobs created in the Ontario film industry.

As a pilot for 2019-20, Ontario Creates will offer a joint initiative with Telefilm Canada, where producers who receive support via the Telefilm Canada Feature Film Development Program can access a top-up from Ontario Creates. Producers who are not eligible for support from Telefilm Canada but meet Ontario Creates’ eligibility criteria are eligible to apply for development support on a case-by-case basis.
Ontario Creates is committed to fostering respectful workplaces in all sectors and companies we support. A respectful workplace is one that values diversity and inclusion, dignity, courteous conduct, fairness, positive communication and professional working relationships. A respectful workplace is free from harassment and discrimination including sexual harassment.

Ontario Creates expects that all funding recipients maintain the principles of a respectful workplace including taking every reasonable step to:

- Cultivate and sustain a respectful, positive, inclusive and supportive work culture
- Provide a safe mechanism for staff to report incidents or allegations of inappropriate behavior
- Take action to prevent, identify and eliminate workplace harassment and discrimination in a timely manner

An eligibility requirement for this program includes the applicant organization confirming that they have in place both guiding principles and a process for maintaining a respectful workplace. Please download the Applicant Affidavit from the Ontario Creates website or from the application form in the OAP, sign, and include with your application as instructed.

1. **Program Deadlines 2019/20**

Applications will be accepted on a continuous basis between October 15, 2019 and January 31, 2020 at 5:00pm ET.

Please note that applications will be assessed on a continuous basis as they are received. All applications must be submitted and received on or before the applicable deadline to be considered.

Decisions will be communicated to applicants between 4 and 8 weeks after their application is submitted.

2. **Applicant Eligibility**

*The Production Company must be:*

- incorporated in Ontario or incorporated federally and registered in Ontario
- Ontario-based:
  - have a permanent establishment in Ontario which serves as head office and base of operations (i.e. applicant is eligible to pay corporate income taxes in Ontario and Ontario address is listed as head office in T2 filing); and,
  - be able to demonstrate that they had a permanent establishment in Ontario for at least one year prior to the deadline.
- a Canadian-owned and controlled organization as defined in the Investment Canada Act (Canada).
Applicant companies and any associated production entity must be in good standing with Ontario Creates at time of application submission.

The Individual Producer(s) must:
- be Ontario residents and Canadian citizens within the definition of the Citizenship Act or permanent residents within the definition of the Immigration and Refugee Protection Act (Canada).
- have previously produced at least one of: a dramatic or documentary feature film theatrically released in Canada; a television movie; a dramatic or documentary series; or, two one-hour documentaries that have been broadcast in Canada.

Ontario Creates will consider applications from producers who do not meet the above minimum applicant producer requirements provided that they can demonstrate in writing the attachment to the project of an Ontario based executive producer who does meet the above qualifications. In this instance applicants are required to seek pre-approval of the executive producer by Ontario Creates prior to application.

3. Funding Levels

Telefilm Top-Up

Through a joint initiative with Telefilm Canada, recipients of support from the Telefilm Canada Feature Film Development Program can request $5,000 (min) to $15,000 (max) from Ontario Creates.

Please be advised that:
- Ontario Creates will only consider single projects (not slate), maximum one project per producer;
- Overall Development support between Telefilm and Ontario Creates cannot exceed $30,000;
- Ontario Creates support cannot exceed 75% of the development budget.

Other Eligible Producers

Projects/Producers who meet the eligibility criteria for the Ontario Creates Film Fund but do not meet Telefilm eligibility (ie. third language films) can apply for Development support from Ontario Creates directly on a case-by-case basis, for requests to a maximum of $15,000. In this instance applicants are required to seek pre-approval by Ontario Creates prior to application, or the application will be deemed ineligible. Ontario Creates support cannot exceed 75% of the development budget.

Ontario Producers not applying to Telefilm

Producers who are choosing not to access Telefilm for Development support and have an eligible project may be eligible for support; please contact Ontario Creates directly to discuss prior to November 30, 2019.
Ontario Creates’ contribution is a loan, which must be repaid at the commencement of principle photography.

The number of applicants who will receive funding and the amount of funding received will be determined by the annual confirmed budget of the Ontario Creates Film Fund and the quantity and quality of the applications received.

4. Eligible Activities

All stages of development activities are eligible for support, including but not limited to:

- option fees including on a literary work (ineligible if paid to producer);
- director’s fees for this phase;
- writer and story editor fees for the screenplay or documentary treatment;
- the budgeting of the screenplay or documentary treatment;
- producer’s fees and corporate overhead;
- casting fees and expenses;
- travel and related costs to assist final packaging and financing of the film;
- legal fees;
- research costs;
- For documentaries, activities could also include writing a story proposal, working with communities, and community engagement strategy research.

Eligible expenses must be directly associated with the project. Ontario Creates will support development-related budget items that are not eligible for Telefilm’s Canada Feature Film Development Program.

Costs supported through the Ontario Creates Export Fund or From Page to Screen option incentive will not be eligible for support under the Ontario Creates Film Fund Development Stream.

5. Application Requirements

Telefilm Top-Up

To apply for the top-up to the Telefilm Canada Feature Film Development Program you are required to provide:

1. An executed Telefilm agreement. Agreement must be dated after September 1, 2019.
2. Producer statement (maximum one page) detailing:
   (a) Projected benefits of the project to Ontario;
   (b) Development history of applicant company;
   (c) Proven market support for project (if applicable); and
   (d) Diverse elements reflecting key creatives and/or voice/story (if applicable).
3. Budget for development activities
Please note that funds are available specifically for diverse projects that meet the provincial definition of diversity which recognizes/states that the dimensions of diversity include, but are not limited to ancestry, culture, ethnicity, gender identity, gender expression, language, physical and intellectual ability, race, religion (creed), sex, sexual orientation and socio-economic status. Diversity will be evaluated based on information provided by the applicant in the producer statement.

**Other Eligible Producers**

Projects/Producers who meet the eligibility criteria for the Ontario Creates Film Fund but do not meet Telefilm eligibility (ie. third language films) can apply for Development support from Ontario Creates directly on a case-by-case basis. In this instance applicants are required to seek pre-approval by Ontario Creates prior to application, or the application will be deemed ineligible.

Applicants will be required to provide:

1. Project Synopsis (one page maximum)
2. Development Plan with Schedule (one page maximum)
3. Budget for development activities
4. Producer statement – (maximum one page) detailing:
   a. Projected benefits of the project to Ontario;
   b. Development history of applicant company;
   c. Proven market support for project (if applicable); and
   d. Diverse elements reflecting key creatives and/or voice/story (if applicable).
5. Complete chain of title documentation including summary and all supporting agreements (if applicable).

Please note that funds are available specifically for diverse projects that meet the provincial definition of diversity which recognizes/states that the dimensions of diversity include, but are not limited to ancestry, culture, ethnicity, gender identity, gender expression, language, physical and intellectual ability, race, religion (creed), sex, sexual orientation and socio-economic status. Diversity will be evaluated based on information provided by the applicant in the producer statement.

6. **Submitting Your Application: Process and Evaluation**
   - Applicants must submit their application to Ontario Creates electronically through the Online Application Portal (OAP) at [https://apply.OntarioCreates.ca/](https://apply.OntarioCreates.ca/);
   - Applicants that do not have a user account on the OAP, should go to [https://apply.OntarioCreates.ca/](https://apply.OntarioCreates.ca/) and click on “Register”. For assistance, please see Ontario Creates’ website for the “OAP Quick Start Guide”;
   - Applications must be received electronically via the OAP system no later than 5:00 pm ET on the applicable deadline;
   - Applications that are received after the deadline will not be considered;
   - Applications will be reviewed by Ontario Creates for eligibility and completeness;
   - Incomplete applications will not be considered;
   - Applications will be evaluated on a continuous basis. Decisions will be announced 4 to 8 weeks after the application has been submitted;
• Successful applicants must accept and sign an agreement within one month of notification;
• Ontario Creates reserves the right to withdraw its funding commitment should the project no longer meets one or more of the funds eligibility requirements or the project changes significantly from time of initial commitment.

7. Decision Criteria

Applications will be assessed on the following criteria:

| Projected benefits of the proposed production to Ontario / the Ontario economy | 10 points |
| Feasibility of the project with respect to budget, financing, and scope | 5 points |
| Creative merit of the project | 5 points |
| Demonstrated track record and ability of the proponent and production team to implement the development activities / production | 5 points |
| Diversity (Bonus) Extent to which activity supports and reflects diversity in Ontario as described in the Government of Ontario definition of diversity and/or gender parity; and/or applicant company is primarily Francophone, Indigenous, or culturally diverse. | 10 points |

The provincial definition states: the dimensions of diversity include, but are not limited to: ancestry, culture, ethnicity, gender identity, gender expression, language, physical and intellectual ability, race, religion (creed), sex, sexual orientation and socio-economic status.

All Ontario Creates decisions are final. Ontario Creates reserves the right to alter program guidelines with general public notice to all potential applicants and to refuse any application for any reason. The number of awards and amount awarded is contingent on confirmation of Ontario Creates’ annual budget. Ontario Creates is not required to make any minimum number of awards. Subject to the Freedom of Information and Protection of Privacy Act, all information contained in the application will remain strictly confidential.

8. Payments to Successful Applicants

Successful applicants will receive the full amount awarded on execution of contract. Please note that a final report as per contracted deliverables will be required. Ontario Creates’ contribution is a loan, which must be repaid at the commencement of principle photography.

9. Ontario Creates Agreement and Participant Obligations

• Agreement: The recipient company will be required to sign a standard Ontario Government agreement covering the terms of their participation in the program including providing Ontario Creates with permission to use the project and delivery materials for promotional purposes. Recipients may not amend the agreement template.
• FTEs: Applicants must indicate the number of Full-Time Equivalent (FTE) positions that will be created and/or retained as a result of the Ontario Creates-supported activity/activities and funding. Additionally, applicants must provide a minimum commitment of paid weeks of work for Ontario resident’s as a direct result of the production.

• Ontario expenditures: Applicants are required to indicate the total expenditures paid to Ontario residents for labour AND allocated within the province for goods and services.

• Funding from other sources: Applicants are required to report the total unregulated private sector project funding (financing that is not influenced by government regulation such as internal revenues, venture capital investment, sponsorship, loans, distribution fees, AND the total public sector funding (Federal, provincial, and/or municipal government funding and tax credits).

• Insurance: Recipient companies will be required to carry Commercial General Liability Insurance on an occurrence basis for Third Party Bodily Injury, Personal Injury and Property Damage, to an inclusive limit of not less than $2,000,000 per occurrence, $2,000,000 products and completed operations aggregate. Ontario Media Development Corporation* and Her Majesty the Queen need to be named as additional insureds on all policies. Please budget accordingly. Additional information on insurance requirements is available on request.

• Changes to the Project: Ontario Creates must be notified of any changes to the project as defined in the contract, changes will require consent of Ontario Creates.

• Accessibility: Ontario Creates encourages applicants who host event-based activities to choose accessible venues and offer accommodations for people with disabilities as required. More information on the Accessibility for Ontarians with Disabilities Act can be found here https://www.ontario.ca/laws/statute/05a11.

* Ontario Media Development Corporation is Ontario Creates’ legal name

Ontario Creates Film Fund Recognition and Promotional Rights
Ontario Creates Film Fund support is to be acknowledged with an Ontario Creates credit and logo on all versions of the production, as well as on all publicity and promotional materials relating to the production, e.g., billing block; subject to customary exclusions and exceptions.

More Information
Please contact Karam Masri, Program Consultant
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Ontario Creates
An agency of the Ontario Ministry of Tourism, Culture and Sport, Ontario Creates facilitates economic development opportunities for Ontario’s cultural media industries including book and magazine publishing, film and television, music and interactive digital media industries.