



## TELEVISION AND WEB-BASED DEVELOPMENT FUND

### Program Guidelines

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Note: The following documents are an integral part of the guidelines for the Television and Web-Based Development Fund:

- 1) Program Guidelines (this document);
- 2) Calculation Criteria for Manitoba Expenditures (Schedule A to this document);
- 3) Television and Web-Based Development Fund application form, **which includes the list of documents required for a complete submission.**

All documents are available on the Manitoba Film & Music website at [www.mbfilmmusic.ca](http://www.mbfilmmusic.ca).

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In recognition of the need to stimulate the creation and development of innovative and marketable projects, the **MANITOBA FILM & MUSIC** Television and Web-Based Development Fund will provide funds to support the development of television and web-based projects that have already secured third party financing that represents an acceptable market trigger for broadcast or distribution.

The **MANITOBA FILM & MUSIC** Development Fund will provide financial support to producers to prepare a set of pre-determined deliverables, as outlined by the development arrangements in place with other third party funders.

The **MANITOBA FILM & MUSIC** Development Fund will also assist producers of web-based programs to develop their projects for the expanding digital marketplace.

Producers may apply to one of the following two streams – television or web-based:

#### **STREAM ONE – TELEVISION**

##### **A1. TELEVISION – GENERAL INFORMATION**

To access the television stream of the **MANITOBA FILM & MUSIC** Development Fund, a project must have secured development-targeted financing from an

industry-recognized arms' length third party – a broadcaster development licence, a distribution advance, or a combination thereof. **MANITOBA FILM & MUSIC** retains the sole discretion to determine what, for the purposes of this fund, will qualify as an acceptable third party market trigger.

Producers may receive up to a maximum of two rounds of development funding from **MANITOBA FILM & MUSIC** per project. Each round will be for a pre-determined set of deliverables, as determined by the third party market trigger agreement/budget. Since **MANITOBA FILM & MUSIC** provides a Pre-Market Development Fund to support the early development of projects (such as the creation of a project treatment), the earliest acceptable deliverable for the **MANITOBA FILM & MUSIC** Development Fund is a 1<sup>st</sup> draft.

The producer must apply to the **MANITOBA FILM & MUSIC** Development Fund with the same budget, time frame and deliverables as are supported by the arm's length third party agreement. Copies of budgets prepared for third party funders must be provided to **MANITOBA FILM & MUSIC**.

**MANITOBA FILM & MUSIC** will assess requests for television development funding on the following:

- Producer experience and track record, notably success with previous projects receiving **MANITOBA FILM & MUSIC** development funding;
- Relative level of financial support from the third party trigger compared to the budget;
- Stronger applications will contain convergent elements (elements on different media, derived from the required television component);
- Scripted, fictional series (drama and comedy) are a priority;
- Proposed marketing plan;
- Readiness of the project to meet the marketplace and to align to stated broadcaster / distributor mandates;
- All other things being equal, providing funding to projects with Manitoba-based creators will be a priority;
- **MANITOBA FILM & MUSIC** will consider the benefits of the project on the development of sustainable indigenous production, the strengthening of Manitoba screen-based industry and the growth of the local production company.

## **A2. TELEVISION – ELIGIBILITY REQUIREMENTS**

To be eligible for financial support in the television stream, the applicant must:

- Be a resident Manitoba producer, defined as a producer who operates a production company in Manitoba that is majority owned and controlled by Manitoba residents. Note: Applications must be

submitted by an eligible Manitoba resident producer. Please note that the Eligibility Requirements detailed in the **MANITOBA FILM & MUSIC** Audit Guidelines shall apply;

- Have a minimum of two years of production experience as a producer and have previously produced at least one project (minimum 30 minutes in broadcast length), which has been either screened by a major network (such as CBC, CTV, Shaw, etc.) or distributed by a recognized distributor (such as eOne, Mongrel, Lionsgate, etc.);
- Producers who do not meet this requirement but who are judged to have equivalent experience (including experience in interactive digital media) may be deemed eligible at **MANITOBA FILM & MUSIC**'s sole discretion. The onus is on the applicant to demonstrate this;
- Have proof of ownership in the underlying property and the necessary, corresponding current rights or options to develop, produce and exploit the production throughout the world (may be shared in the case of co-development applications).

To be eligible for financial support in the television stream, the project must:

- Be a series, mini-series (a minimum of two thematically connected episodes), pilot, MOW, or one-off;
- Be a scripted and fictional drama or comedy, documentary, variety, or children's production;
- Be live-action or animation;
- Have secured a minimum of 20% of the development budget by development-targeted financing from an industry-recognized arms' length broadcaster or distributor, or a combination thereof.
- Stronger applications will contain convergent elements.

The market trigger's development participation must be in the form of cash, not services, to be eligible.

Co-productions or co-ventures will be considered eligible, but **MANITOBA FILM & MUSIC** will require evidence that the resident Manitoba producer shares ownership in the project.

Projects do not have to be intended primarily for the Canadian market, but must meet all other guidelines herein to be eligible.

Returning series are eligible and do not have to have received **MANITOBA FILM & MUSIC** Development funding in previous cycles to apply.

The project must be in the compliance with the laws, regulations, standards and policies applicable to broadcasting and to intellectual property, and the project must not infringe upon any public or private rights and must not otherwise contravene the Canadian civil and criminal laws in effect.

The following is a non-exhaustive list of genres and programming formats that are **NOT ELIGIBLE** to apply for **MANITOBA FILM & MUSIC** funding:

- Sponsored productions, sports, news, game shows, current affairs;
- Public affairs, lifestyle productions, “how-to” productions, reality television;
- Instructional television, infomercials, music videos, formal or curriculum based educational programming;
- Talk shows, talk shows “culturels”, award shows, galas, reporting and current events;
- Religious programming, fundraising productions, benefits, tributes, promotional productions;
- Pep rallies, travelogues and interstitials;
- Pornography.

**MANITOBA FILM & MUSIC** retains the sole discretion to determine whether a project meets genre and format eligibility.

### **A3. TELEVISION - FINANCIAL CONTRIBUTION**

Funding will be offered in the television stream in the form of a recoupable advance that must be repaid on the first day of principal photography of the production. Any sale or transfer of ownership (either copyright or share) by the Manitoba producer must be at fair market value, and “first-dollar-in” proceeds must be used to repay **MANITOBA FILM & MUSIC**’s development loan immediately.

Eligible Production Companies may receive up to the following per project caps:

- Up to \$40,000 per project for scripted, fictional, multi-episode programming (including drama, comedy, and children’s scripted programming);
- Up to \$25,000 per project for scripted fictional MOWs and pilots (including drama, comedy, and children’s scripted programming);
- Up to \$10,000 per project for Documentary and Variety multi-episode programming;
- Up to \$5,000 per project for Documentary and Variety one-offs.

Projects in the Television Stream may receive up to two rounds of funding, up to the noted per project caps.

In addition, the funding per round will not exceed up to 50% of the development budget for the round in question.

Please note that any funds received via **MANITOBA FILM & MUSIC**'s Pitch Readiness Program (PRP) will be included in the calculation of the per project funding caps at the development stage.

**MANITOBA FILM & MUSIC** reserves the right to increase or decrease the level of its participation in any given project based on budget, Manitoba expenditures, genre, length, level of related party transactions and overall demand on the funds available.

#### **A4. TELEVISION - NOTES REGARDING ELIGIBLE COSTS**

The advance must be used exclusively for direct development costs that, in **MANITOBA FILM & MUSIC**'s opinion, will significantly improve the product's marketability, such as, but not limited to: research, script writing, story editors, development of production budget and financing, audience research, focus groups, options and legal costs, as well as costs for convergent elements such as, but not limited to: market and concept research, technical research, gaming consultants and designers.

A separate budget must be submitted for any convergent elements to the project.

Should the recipient of development funding have previously received funds under **MANITOBA FILM & MUSIC**'s Pitch Readiness Program (PRP), the expenses included in the PRP budget or final cost report cannot be included in the development budget.

Budgets provided must be consistent and timely with those provided to other invested parties.

Please note that the story editor and the project writer cannot be the same person.

Producer fees and corporate overhead may be eligible costs with each capped at 20% of the development budget for the round in question. **MANITOBA FILM & MUSIC** reserves the right to review and reduce all eligible costs.

SEE "IMPORTANT INFORMATION" SECTION AFTER THE WEB-BASED STREAM FOR ADDITIONAL INFORMATION APPLICABLE TO THE TELEVISION STREAM.

## **STREAM TWO – WEB-BASED**

### **B1. WEB-BASED – GENERAL INFORMATION**

To access the web-based stream of the **MANITOBA FILM & MUSIC** Development Fund, a project must have one or more of the following two “triggers:”

- Development or broadcast contract with a web “broadcaster” with an industry-recognized track record – projects with cash advances from the web “broadcaster” will be considered stronger;
- Development or distribution contract with a web-content specialist distribution company with an industry-recognized track record.

**MANITOBA FILM & MUSIC** will assess the development funding of web-based projects based on the following:

- Presentation of a strong, well-developed marketing and promotional plan for the project, including specific strategies for distribution and monetization, including post-broadcast data collection;
- Strength of an audience-building plan, including a social media strategy;
- Strength of the financial plan, both in terms of confirmed, verifiable financing and a strategy for securing outstanding financing, sponsorship and advertising;
- Maintenance plan, both in terms of content and financial support;
- Scripted, fictional series are a priority;
- Web series or online content development experience of the attached production team;
- **MANITOBA FILM & MUSIC** will consider the benefits of the project on the development of sustainable indigenous production, the strengthening of the Manitoba screen-based industry and the growth of the local production company;
- All other things being equal, projects with Manitoba-based creators will be a priority.

It is anticipated that the time required for a web-based project to go through the development phase will be shorter than that for a typical television project, as time is of the essence to get the project to the market. To that end, **MANITOBA FILM & MUSIC** will provide funding to web-based projects in a single phase.

## **B2. WEB-BASED – ELIGIBILITY REQUIREMENTS**

To be eligible for financial support in the web-based stream, the applicant must:

- Be a resident Manitoba producer, defined as a producer who operates a production company in Manitoba that is majority owned and controlled by Manitoba residents. Note: Applications must be submitted by an eligible Manitoba resident producer;
- Have a minimum of two years of production experience as a producer and have previously produced at least one project (minimum 30 minutes in broadcast length), which has been either screened by a major network (such as CBC, CTV, Shaw, etc.) or distributed by a recognized distributor (such as eOne, Mongrel, Lionsgate, etc.);
- Producers who do not meet this requirement but who are judged to have equivalent experience (including experience in interactive digital media) may be deemed eligible at **MANITOBA FILM & MUSIC**'s sole discretion. The onus is on the applicant to demonstrate this;
- Have proof of ownership in the underlying property and the necessary, corresponding current rights or options to develop, produce and exploit the production throughout the world (may be shared in the case of co-development applications).

To be eligible for financial support in the web-based stream, the project must:

- Be a series, mini-series (a minimum of two thematically connected episodes), pilot, MOW, or one-off;
- Be a scripted and fictional (drama or comedy), documentary, variety, or children's production;
- Be live-action or animation;
- Have secured one of the following two "triggers:"
  - o Development or broadcast contract with a web "broadcaster" with an industry-recognized track record – projects with cash advances from the web "broadcaster" will be considered stronger;
  - o Development or distribution contract with a web-content specialist distribution company with an industry-recognized track record;

The market trigger's development participation must be in the form of cash, not services, to be eligible.

The onus is on the applicant to demonstrate that the market trigger is an industry-recognized web broadcaster or web distributor and that the strategy for monetization is viable.

Co-productions or co-ventures will be considered eligible, but **MANITOBA FILM & MUSIC** will require evidence that the resident Manitoba producer shares ownership in the project.

Projects do not have to be intended primarily for the Canadian market, but must meet all other guidelines herein to be eligible.

Returning series are eligible and do not have to have received **MANITOBA FILM & MUSIC** Development funding in previous cycles to apply.

The project must be in the compliance with the laws, regulations, standards and policies applicable to broadcasting and to intellectual property, and the project must not infringe upon any public or private rights and must not otherwise contravene the Canadian civil and criminal laws in effect.

The following is a non-exhaustive list of genres and programming formats that are **NOT ELIGIBLE** to apply for **MANITOBA FILM & MUSIC** funding:

- Sponsored productions, sports, news, game shows, current affairs;
- Public affairs, lifestyle productions, “how-to” productions, reality television;
- Instructional television, infomercials, music videos, formal or curriculum based educational programming;
- Talk shows, talk shows “culturels”, award shows, galas, reporting and current events;
- Religious programming, fundraising productions, benefits, tributes, promotional productions;
- Pep rallies and travelogues;
- Pornography.

**MANITOBA FILM & MUSIC** retains the sole discretion to determine whether a project meets genre and format eligibility.

### **B3. WEB-BASED - FINANCIAL CONTRIBUTION**

Funding will be offered in the web-based stream in the form of a recoupable advance that must be repaid on the first day of principal photography of the production. Any sale or transfer of ownership (either copyright or share) by the Manitoba producer must be at fair market value, and “first-dollar-in” proceeds must be used to repay **MANITOBA FILM & MUSIC**’s development loan immediately.

Eligible Production Companies may receive up to the following per project caps:



- Up to \$10,000 per project for scripted, fictional, multi-episode programming (including drama, comedy, and children's scripted programming) (minimum total series broadcast length of 20 minutes);
- Up to \$5,000 per project for scripted fictional MOWs and pilots (including drama, comedy, and children's scripted programming);
- Up to \$5,000 per project for Documentary and Variety multi-episode programming (minimum total series broadcast length of 20 minutes);
- Up to \$2,500 per project for Documentary and Variety one-offs.

In addition, per project funding will not exceed up to 50% of the development budget.

Web-based projects are eligible for a single round of development funding.

Please note that any funds received via **MANITOBA FILM & MUSIC's** Pitch Readiness Program (PRP) will be included in the calculation of the per project funding caps at the development stage.

**MANITOBA FILM & MUSIC** reserves the right to increase or decrease the level of its participation in any given project based on budget, Manitoba expenditures, genre, length, level of related party transactions and overall demand on the funds available.

#### **B4. WEB-BASED - NOTES REGARDING ELIGIBLE COSTS**

The advance must be used exclusively for direct development costs that, in **MANITOBA FILM & MUSIC's** opinion, will significantly improve the product's marketability, such as, but not limited to: research, script writing, story editors, development of production budget and financing, options and legal costs.

For this stream, **MANITOBA FILM & MUSIC** will also consider costs associated with technical research (such as with respect to web hosting and maintenance), market research, and concept research.

Should the recipient of development funding have previously received funds under **MANITOBA FILM & MUSIC's** Pitch Readiness Program (PRP), the expenses included in the PRP budget and/or final cost report cannot be included in the development budget.

Budgets provided must be consistent and timely with those provided to other invested parties.

Please note that the story editor and the project writer cannot be the same person.

Producer fees and corporate overhead may be eligible costs with each capped at 20% of the development budget for the round in question. **MANITOBA FILM & MUSIC** reserves the right to review and reduce all eligible costs.

### **IMPORTANT INFORMATION – APPLICABLE TO BOTH STREAMS**

Eligibility under these guidelines does not guarantee financial support. The funding decisions of **MANITOBA FILM & MUSIC** are final.

#### **Sale or Transfer of Project:**

The percentage of project ownership held by the Manitoba producer must be maintained.

Any sale or transfer or ownership (either copyright or share) by the Manitoba producer must be at fair market value, and “first-dollar-in” proceeds must be used to repay **MANITOBA FILM & MUSIC**’s development loan. **MANITOBA FILM & MUSIC** must be informed of the sale or transfer within 5 business days and all **MANITOBA FILM & MUSIC** funding for the project must be repaid in full within 10 business days.

If the producer loses control of the project through option lapse (and the project does not go into production), then **MANITOBA FILM & MUSIC**’s financial contribution will become a forgivable loan. However, if the producers (or a related company) subsequently regain control, or become re-involved in the project during the life of the project or re-option the project, then **MANITOBA FILM & MUSIC** remains entitled to have any and all of its advance repaid at first day of principal photography.

#### **Application Requirements:**

**MANITOBA FILM & MUSIC** reserves the right not to review or assess any application considered to be incomplete, does not provide the minimum required documentation, is inconsistent with the present guidelines, or to require additional information before proceeding with the application.

All documents submitted must be versioned, dated and signed by the Manitoba producer. Agreements cannot be stale-dated.

Any changes or revisions to creative, financial or other supporting documents must be identified as new versions and must be submitted within 3 business days, and no later than the submission to any other funder.

Applicant companies (or their affiliates) must be in good standing with **MANITOBA FILM & MUSIC** at the time of application. Applications from those companies in default on any contractual obligation to **MANITOBA FILM & MUSIC** will not be considered. It is the responsibility of the applicant to verify its status with **MANITOBA FILM & MUSIC** prior to applying for funding.

It is the applicant's sole responsibility to have their own independent legal counsel review the **MANITOBA FILM & MUSIC** Funding Agreement to ensure that the contents and the responsibilities within the Funding Agreement are fully understood and agreed upon. In the event the applicant requests to have changes to the **MANITOBA FILM & MUSIC** standard agreement, all legal fees incurred by **MANITOBA FILM & MUSIC** to review the request will be at the expense of the applicant.

#### Investment Acknowledgment:

Any documents or media presented to broadcasters, distributors, and the public must clearly acknowledge receipt of development funding by **MANITOBA FILM & MUSIC**. **MANITOBA FILM & MUSIC**'s funding agreement will include specific acknowledgment requirements.

**MANITOBA FILM & MUSIC** reserves the right to review and update these and any guidelines at any time, without notice. Please refer to the **MANITOBA FILM & MUSIC** website for any changes or revisions to our guidelines or documentation. In all questions of interpretation of these guidelines, or regarding the spirit and intent of **MANITOBA FILM & MUSIC**'s funding programs, the interpretation of **MANITOBA FILM & MUSIC** shall prevail.

## **SCHEDULE A**

### **Calculation Criteria for Manitoba Expenditures**

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This Schedule applies only to MANITOBA FILM & MUSIC's TV and Web-Based Development Fund and does not apply to the Manitoba Film & Video Production Tax Credit Program.

General: A Manitoba expenditure refers to any production expense that is paid to a Manitoba resident or company\*.

Specific considerations:

Airfare:

- Include 50% regardless of how it is booked.

Per Diem:

- Include 50% for Manitobans working outside Manitoba;
- Include 100% for Manitobans working inside Manitoba;
- Include 50% for non-Manitobans working inside Manitoba.

Hotel/Accommodations:

- Include 0% outside Manitoba;
- Include 100% inside Manitoba.

Vehicle Rentals:

- Include 0% outside Manitoba;
- Include 100% inside Manitoba.

Interim Financing/Bank Fees:

- Include 100% if through a Manitoba bank account, regardless of where the account manager is located.

Insurance:

- Include 100% if through a Manitoba insurance broker.

Legal:

- Include 100% if through a Manitoba lawyer.