

## **NORTHWEST TERRITORIES FILM REBATE PROGRAM**

### **PURPOSE OF PROGRAM**

To encourage Film and television production companies active in the Northwest Territories (NWT) to Film on location in the NWT, to purchase Goods and Services in the NWT, and to hire/train local NWT Residents.

### **PROGRAM OBJECTIVES**

1. Facilitate the growth and sustainability of the NWT Film and media arts Industry;
2. Support the development of members of the NWT Film Industry via the acquisition of skills and experience;
3. Position the NWT in the national and international Film markets as a competitive northern location for production; and
4. Encourage Film activity in all regions of the NWT.

### **DEFINITIONS**

#### **“Assistant Deputy Minister”**

Means the Assistant Deputy Minister – Economic Development, Department of Industry, Tourism and Investment (ITI).

#### **“Contribution Agreement”**

A Contribution Agreement is a legal and binding commitment by the recipient to undertake a specific project within a defined time-frame. General terms and conditions for a contribution will be specified in a Contribution Agreement. Specific terms and conditions will vary according to the nature of the contribution and the project or activity being supported and will be attached as a schedule to the Contribution Agreement.

#### **“Digital Media”**

The integration of emerging media technologies such as text, graphics, audio, video, animation and interactivity delivered using diverse methods such as Internet web sites, CD-ROMS, DVDs and other Digital Media.

**“Goods and Services”**

Any Goods and Services purchased within the NWT to be used towards the approved project.

**“Film”**

Except where specifically indicated, Film refers to video productions that use Film, video or digital support media.

**“Film Commissioner”**

The NWT Film and Media Arts Commissioner; a position designated by the Minister of ITI and certified by the Association of Film Commissioners International. The Associate Film Commissioner will fulfill the responsibilities of the Film Commissioner as delegated.

**“Fiscal Year”**

Refers to the period beginning on April 1 in one year and ending on March 31 in the next calendar year.

**“Guest Producer”**

A business that does not qualify as a NWT Business but that is a participant to the NWT Film Rebate Program.

**“Inappropriate Content”**

Content that contains elements of and gratuitous or explicit and excessive violence, any element which is predominantly characterized by the undue exploitation of matters of a sexual nature, or matters of a sexual nature and one or more of the following subjects: crime, horror, cruelty and violence, or any other sexual offence under the *Criminal Code of Canada* or any matter which is libellous, obscene or in any other way unlawful.

**“Industry”**

Refers to all those persons, non-governmental organizations, associations and businesses involved in Film, television and Digital Media.

**“Minister”**

Means the Minister of ITI.

**“NWT Business”**

A northern business that has been resident in the NWT for the six months prior to application and complies with the following criteria:

- (a) Maintains an approved place of business by leasing or owning office, commercial or industrial space or where applicable, residential space, in the NWT on an annual basis for the primary purpose of operating the subject business;
- (b) Maintains a local NWT Resident manager;
- (c) Undertakes the majority of its management and administrative functions (related to its operations) in the NWT, and
- (d) Has applied for and received designation as a local NWT Business at least two weeks prior to the tender opening.

**“NWT Co-Production Partners”**

A project produced by a Guest Producer in collaboration with a NWT Production Company.

**“NWT Labour”**

Employment of a NWT Resident as a member of the production crew; includes the dedicated labour component of production services hired by the production.

**“NWT Production Company”**

A Film and/or Digital Media company that is owned and operated in the NWT by a NWT Resident(s).

**“NWT Resident”**

A person who has resided in the NWT for twelve months prior to the NWT Film Rebate Program application.

**“NWT Spend”**

Expenditures on Goods and Services purchased from NWT Residents and NWT Businesses, not including capital assets purchased prior to the submission of the application.

### **“Recognized Positions”**

Includes, but are not limited to the following:

Assistant Director	Graphic Artist
Art Director	Key Grip
Line Producer	Key Make-up Artist
Location Manager	Production Assistant
Best Boy Electric	Script Supervisor
Best Boy Grip	Sound Editor
Boom Operator	Set Decorator
Costume Designer	Set Carpenter
Director of Photography	Technical Director (television)
Camera Operator	Performer(s) in Speaking Roles
Composer	Film Editor
Dolly grip	Visual Effects Editor

### **PROGRAM FUNDING**

The NWT Film Rebate Program budget is subject to annual Government of the Northwest Territories budget allocations and stated in Canadian Dollars.

### **MAXIMUM AMOUNT AVAILABLE PER APPLICANT**

No maximum per applicant.

### **ELIGIBLE APPLICANTS/PRODUCTIONS**

- Guest Producers, NWT Co-Production Partners and NWT production companies;
- Pre-production and production costs for Film and television filming in the NWT, where NWT Labour content equals or exceeds 30 percent of total in-territory (NWT) spend;
- Minimum NWT Spend of \$100,000 (can combine NWT Labour/NWT Spend (excludes GST));
- Preference will be given to projects with TV broadcast or theatrical distribution commitments; and
- Commercials are only eligible to apply under the NWT Travel Rebate category of the NWT Film Rebate Program.

## **INELIGIBLE PRODUCTIONS**

- News, current events or public affairs programming;
- Talk shows; sports events/activities, gala presentations or award shows;
- Projects that solicit funds;
- Inappropriate projects such as pornography;
- Projects produced primarily for industrial/corporate/institutional purposes;
- Projects, other than documentaries, which substantially consist of stock footage;
- Projects that contravene any civil or criminal law; and
- Projects that spend less than \$100,000 on Goods and Services consumed in the NWT in accordance with NWT Spend.

## **PROGRAM CATEGORIES**

There are three categories to the NWT Film Rebate Program:

### 1. NWT Labour/Training Rebate

- 20 percent rebate for eligible NWT Labour.
- An additional 15 percent rebate for Recognized Positions or for NWT Resident candidates receiving on-set training.

### 2. NWT Expenditure Rebate

- 20 percent rebate for all Goods and Services that qualify as NWT Spend purchased and consumed in the NWT.
- An additional 15 percent rebate for Goods and Services for productions shooting outside of Yellowknife city limits.

### 3. NWT Travel Rebate

- Ten percent rebate for travel to/from the NWT from anywhere in the world (south of the 60<sup>th</sup> Parallel).
- 30 percent rebate for travel within the NWT (excluding aerial photography).

*Please note: Travel costs for a non-NWT Residents may not be eligible in cases where a qualified NWT crew member could have been hired instead. NWT Travel Rebate amount may not exceed \$10,000 per production.*

## **APPLICATION PROCESS**

Application form and guidelines for the NWT Film Rebate Program can be found on the NWT Film Commission website at: ([www.nwtfilm.com](http://www.nwtfilm.com)).

Applications must be received by predetermined dates each year and funding distributed to those that meet the NWT Film Rebate Program criteria and provide the greatest benefit to the NWT.

Completed applications are will be evaluated by staff of the NWT Film Commission.

Successful applicants will be notified by the NWT Film Commission of the decision and provided with a written estimate of the pre-approved rebate, based on the information provided, along with a Contribution Agreement. The Contribution Agreement will outline the deliverables and requirements by the NWT Film Commission, which must be entered into by the applicant to receive funding under the NWT Film Rebate Program.

The NWT Film Commission reserves the right to exercise discretion throughout this process, including the evaluation of projects that realize significant benefits to the NWT.

## **APPEALS**

Appeals must be in writing and received by the Assistant Deputy Minister no later than thirty (30) days following the date that the applicant has received notification of the approving authority's decision.

## **PROGRAM AUTHORITY**

The Program is established under the authority of the Minister of ITI.