Economic Development & Transportation

FILM, TELEVISION & DIGITAL MEDIA DEVELOPMENT CONTRIBUTION POLICY

POLICY STATEMENT

The Government of Nunavut is committed to supporting culture and the arts, the use of the Inuit language, and community-based sustainable economies, by fostering the development of film, television and digital media, and the participation of Nunavummiut in the industry.

PRINCIPLES

This policy is based on the following principles:

- Development activities supported by this policy will respect and adhere to the Inuit societal values of *Pilimmaksarniq/Pijariuqsarniq* (development of skills), *Qanuqtuurniq* (being innovative and resourceful), *Piliriqatigiinniq* (working together), *Pijarnirniqsat Katujjiqatigiittiarnirlu* (Simplicity and Unity), *Ilippallianginnarniq (*Continuing Learning*), Tunnganarniq* (fostering good spirit by being open, welcoming and inclusive), *Aajiiqatigiinniq* (decision making through discussion and consensus), and *Avatitinnik Kamatsiarniq* (respect and care for the land, animals and the environment).
- Funds will be directed toward viable projects that support industry growth and socio-economic benefits for Nunavummiut.
- Funds will support the development and promotion of Inuit language, culture, and traditions, and Nunavut's natural and traditional landscapes.
- Funds will be used to foster partnerships with industry associations, and to leverage resources from other levels of government, non-governmental organizations and the private sector.
- Decisions on funding will be reported to the public, and all decision-making processes will be fair, transparent and without conflict of interest.

APPLICATION

The *Film, Television*, *& Digital Media Development Contribution Policy* establishes the general terms and conditions by which support for the film, television and digital media industry will be provided by the Government of Nunavut, through the Department of Economic Development & Transportation, for:

1. Nunavut Film Development Corporation Operations Fund (Schedule A);
2. Film, Television & Digital Media Development Fund (Schedule B); and,
3. Nunavut Film Commission Operations Fund (Schedule C).

DEFINITIONS

Commissioner
The Nunavut Film Commissioner, as described in Schedule C and Appendix C.

Contribution
A conditional transfer payment, made to a recipient, for which the Government will not receive any goods or services. Contribution payments are conditional on performance or achievement and are subject to audit. Contributions are issued and accounted for as accountable advances.

Contribution Agreement
A contractual agreement between two parties, which outlines the obligations and reporting responsibilities of the parties involved.

Corporation
The Nunavut Film Development Corporation.

Department
The Department of Economic Development & Transportation.

Deputy Head
The Deputy Minister of Economic Development & Transportation.

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. In the context of this policy, the term digital media will be associated with common usage; that is: usage that is not for the commercial benefit or for marketing a single business.

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

Foreign Location Service Projects
Visiting, fully-funded productions that seek appropriate locations for their film in Nunavut.

Government of Nunavut Management Committee
The interdepartmental Committee mandated to monitor and advise the Corporation, provide recommendations to the Deputy Head as required, and facilitate interdepartmental cooperation. The Committee consists of departmental representatives designated by their respective Deputy Ministers. The Departments of Culture, Language, Elders and Youth, Economic Development & Transportation, Executive & Intergovernmental Affairs, and Finance have permanent representation on the Committee. Other departments may participate at the invitation of the Deputy Minister of Economic Development & Transportation.

Industry
Refers to all those persons, non-governmental organizations, associations and businesses involved in film, television and digital media.

Industry Association of Record
A society representing the collective interests of businesses operating in the film, television and digital media industry; for example: Ajjiit Nunavut Media Association.

Inuit Language
Refers to Inuinnaqtun in or near Kugluktuk, Cambridge Bay, Bathurst Inlet and Umingmaktuuq, and Inuktitut in or near other communities.

Local Labour
Labour performed by a Nunavut resident.

Minister
The Minister of Economic Development & Transportation.

Nunavut Co-production
A project produced by an out-of-territory or out-of-country production company in collaboration with a Nunavut Production Company, and which meets the criteria set out in the Policies, Administrative Procedures and Program Evaluation processes of the Corporation, as submitted annually to the Deputy Head.

Nunavut Production Company
A production company which complies with the legal requirements to carry on business in Nunavut, and meets any of the following relevant criteria:

1. Is a limited company with at least 51 per cent of the company's voting shares owned by Nunavut Residents; or,
2. Is a corporation without share capital with at least 51 per cent of the members being Nunavut Residents; or,
3. Is a cooperative in which at least 51 per cent of the members are Nunavut Residents; or,
4. Is a sole proprietorship, the proprietor of which is a Nunavut Resident; or,
5. Is a society in which at least 51 per cent of the members are Nunavut Residents; or,
6. Is a partnership, the majority interest in which is held by Nunavut Residents and in which the majority benefits accrue to Nunavut Residents; or,
7. A business conducting operations in Nunavut that is on the list of Inuit Firms that is maintained by Nunavut Tunngavik Inc. in accordance with Article 24.7.1 of the Nunavut Land Claims Agreement and which complies with the legal requirements to carry on a business in Nunavut.

The production company must also:

1. Maintain a registered office in Nunavut on an annual basis for the primary purpose of operating the subject business;
2. Maintain a Resident Manager within Nunavut; and,
3. Undertake the majority of its day-to-day operations within Nunavut.

Nunavut Resident
A person residing in Nunavut and in possession of a valid Nunavut Health Card number or a corporation with at least 51 per cent of its members being persons resident in Nunavut and in possession of a Nunavut Health Card number.

Nunavut Spend
Expenditures on goods and services purchased and consumed in Nunavut.

Production Company
A business whose principal activity is the production of film, television or digital media programs, products or services.

Public Producer
A non-profit agency that has as its primary purpose the development and production of distinct programming that reflects Nunavut to Nunavummiut through the Inuit Language and culture; for example: the Inuit Broadcasting Corporation.

AUTHORITY AND ACCOUNTABILITY

Executive Council
The Executive Council shall approve program provisions and any exceptions to this policy.

Financial Management Board
The Financial Management Board approves an annual budget for contributions specified within this policy, as well as expenditures additional to those appropriated in the Main Estimates in the event of unplanned contribution needs.

ROLES AND RESPONSIBILIES

Minister
The Minister will table the Annual Report of the Nunavut Film Development Corporation.

The Minister may delegate his or her authority with respect to this policy to the Deputy Head of the Department, including the resolution of appeals.

The Minister will provide an annual letter of expectation to the Corporation outlining key priorities to be addressed by the Corporation in its delivery of programs under this policy.

Department
The Deputy Head of the Department, through a Contribution Agreement and Memorandum of Understanding (MOU), may delegate authority to the Nunavut Film Development Corporation to provide contributions under Schedule B.

Government of Nunavut Management Committee
The Government of Nunavut Management Committee reviews the Corporation's proposed activities, its Policies, Administrative Procedures and Program Evaluation processes, Annual Report, and makes recommendations to the Deputy Head for approval as required; monitors the Corporation's activities, facilitates coordination of government programs and spending of relevance to the Corporation, and advises the Corporation on issues of mutual interest.

The Committee meets a minimum of four times a year.

Nunavut Film Development Corporation
The Nunavut Film Development Corporation will organize itself in a manner consistent with Schedule A of this policy, and will discharge the responsibilities set out in this policy.

GENERAL CONDITIONS

- All provisions contained in the *Financial Administration Act*, *Government Contract Regulations* and the Financial Administration Manual shall apply to the financial administration of all contributions issued by the Department.

The following general conditions apply to the Nunavut Film Development Corporation (Schedule A) and the Nunavut Film Commission (Schedule C) and to recipients of funding administered by the Corporation under Schedule B. The Corporation will include appropriate stipulations in its agreements with Schedule B recipients, including:

- The *Access to Information and Protection of Privacy Act* applies to all aspects of the content, financial management, and general performance of any agreement signed under this policy;
- Contributions are one-time only, with a reporting period from April 1 to March 31 of each fiscal year;
- A recipient of a contribution under this policy shall apply the funding to expenditures made by the end of the fiscal year in which the contribution was made, and shall repay or account for the contribution within 60 days of fiscal year-end;
- Where a recipient of a contribution is unable to account for the contribution by the end of the fiscal year in which the contribution is made, and intends to complete the project to which the contribution applies in the subsequent year, the Nunavut Film Development Corporation may agree to provide a second contribution in the subsequent year equal to the amount repaid from the first contribution;
- The Department may terminate, suspend or reduce the scope of an agreement under this Policy if the recipient fails to comply with the terms of the agreement.
- The Department, or the Corporation in the case of contributions under Schedule B, is only responsible for the amount provided and not for any shortfalls or deficits; and,

- In their use of funding provided under this policy, recipients must comply with the spirit and intent of the Government of Nunavut's *Nunavummi Nangminiqaqtunik Ikajuuti* (NNI) Policy, and must provide reasonable assistance to Inuit businesses, Nunavut businesses, and Local businesses to enable them to compete for contracts that use program funds. Support and assistance will take the form of inclusive bid solicitation practices and preferential bid criteria.

PREROGATIVE OF THE EXECUTIVE COUNCIL

Nothing in this policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or to take actions, respecting contributions for film, television and digital media by the Government of Nunavut, outside the provisions of this policy.

SUNSET

This policy will be effective from the date of signature until March 31, 2015.

SCHEDULE A: NUNAVUT FILM DEVELOPMENT CORPORATION OPERATIONS FUND

Purpose

The *Nunavut Film Development Corporation Operations Fund* contributes funding to help offset the operations and maintenance and salary costs of the Corporation. The Department partners with the Corporation, an independent, arm's-length organization mandated to provide support and resources to the film, television and digital media industry in Nunavut, to provide film, television, and digital media development programs.

The Corporation contributes to the Government's *Tamapta* commitment to increase support for culture and the arts, and to support community-based, sustainable economies.

The Corporation's operations will focus on carrying out the five core functions set out in Appendix A.

Eligibility

Eligibility is limited to the Nunavut Film Development Corporation, and is conditional upon the Corporation organizing itself in a manner consistent with this schedule and with the requirements and criteria set out in Appendix A.

Review

The Government of Nunavut Management Committee will review the proposal from the Nunavut Film Development Corporation and provide a recommendation to the Deputy Head of the Department. The Deputy Head will appoint the chair for the Committee who will ensure the proposal submission and review process is timely.

Supporting Data

The provision of annual operational funding is contingent upon review and approval of an acceptable budget and business plan and the completion of an annual Contribution Agreement.

The Corporation will comply with the Governance and Program Accountability Requirements set out in Appendix A, unless a variance is approved by the Minister.

Amount

Operational funding provided to the Nunavut Film Development Corporation under this Schedule is limited to $175,000 annually.

Financial assistance will be provided only to the limit and availability of funding allocated to this program within the approved Main Estimates of the Government of Nunavut's annual budget.

Eligibility for funding under this Policy does not guarantee subsequent approval for financial assistance of any kind.

Payment

Contribution agreement payments will be provided in installments based on the working capital requirements of the Corporation.

Accountability

The Nunavut Film Development Corporation will provide the Annual Report to the Minister no later than September 30 in the fiscal year immediately following the fiscal year in which the funding was received.

The Annual Report will detail all the activities of the Corporation during the fiscal year, including:

1. Outreach activities undertaken to advance each of the five core functions of the Corporation;
2. Production volumes, including levels of indigenous and service production, types of productions, film days, etc.;
3. Employment statistics, including Inuit participation;
4. Trend analysis to quantify the level of industry size;
5. Specific project funding amounts and outcomes;
6. Number and types of inquiries, and number of inquiries converted to activities; and,
7. Audited financial statements.

If the Corporation fails to adhere to the accountability requirements, the Department will take the following actions:

- Send a letter to the Corporation's board of directors and Chief Executive Officer signalling the department's concern;
- Include the issue of the unmet accountability requirements in the negotiation of the next year's business plan; and
- Impose stricter payment terms for operational funding.

Audit

The Department may audit the financial records and affairs of the Corporation to verify the use of the contribution provided under this Schedule. The Corporation will agree to permit access to all books, electronic information and systems, statements and other documents regardless of their nature to the Department or its agents for these purposes.

SCHEDULE B: FILM, TELEVISION AND DIGITAL MEDIA DEVELOPMENT FUND

Purpose

The *Film, Television and Digital Media Development Fund* provides support for Nunavut-based productions and co-productions for:

1. Marketing Assistance;
2. Professional and Industry Development Training; and,
3. Nunavut Spend Incentive.

The Corporation will fund projects under this Schedule using the approved Policies, Administrative Procedures and Program Evaluation processes referred to in Appendix A.

Eligibility

Eligible productions are those set out in Appendix B.

Eligibility is limited to Nunavut Production Companies and Nunavut Co-productions, as defined in this Policy. General conditions for Nunavut Co-productions are set out in Appendix B.

Review

Review of project proposals will be conducted by the Nunavut Film Development Corporation using the approved Policies, Administrative Procedures and Program Evaluation processes described in Appendix A and submitted annually to the Government of Nunavut Management Committee and approved by the Deputy Head.

Supporting Data

Applicants must submit to the Corporation a completed and signed application form, as well as the supporting information required to assess eligibility and need. This includes, at minimum:

- Project description, budget, timelines and resources required;
- Proof of eligibility, including whether the project is being undertaken by a Nunavut Production Company as a Nunavut production or Nunavut Co-production, and level of Nunavut Spend;
- Demonstrable commitment to the film, television and digital media industry that can be calculated in terms of sufficient years and/or remarkable contribution to the industry in Nunavut; and,
- Any other information deemed necessary by the Nunavut Film Development Corporation to assess the application.

Amount

Financial assistance will be provided only to the limit and availability of funding allocated to this program within the Main Estimates of the Government of Nunavut's annual budget.

Program funding provided to the Nunavut Film Development Corporation under this schedule is normally limited to $575,000 annually.

The policies and procedures of the Corporation will indicate how the level of funding for projects is calculated, including, where applicable, details of any formulas used, and allowable types or classes of expenditures.

Eligibility for funding under this policy does not guarantee subsequent approval for financial assistance of any kind.

Projects selected to receive contributions under this policy may be funded at a level below the amount requested.

Payment

Specific payment terms and conditions will be contained in a Contribution Agreement.

In the event that eligible costs are less than the amount set out in the Contribution Agreement, the surplus will be repayable to the Government of Nunavut through the Nunavut Film Development Corporation.

Payments to the Nunavut Film Development Corporation will be made following the approval of the Policies, Administrative Procedures and Program Evaluation processes for the proposed programs within each of the areas identified in the purpose of this Schedule.

Disbursements to the Corporation will be cash flowed based on the Corporation's requirements for contributions to film projects.

Appeals

In the event that an applicant is not satisfied with the decision of the Nunavut Film Development Corporation, the applicant may appeal to the Corporation in writing no later than 30 days following the date that the applicant has received notification of the decision. Grounds for appeal will be considered if:

- New information which affects the applicant's demonstrated need, viability or proposed benefits becomes available after an application has been submitted and a decision made; or,
- There is reason to believe that the provisions of this Policy or the approved Policies, Administrative Procedures and Program Evaluation processes of the Corporation were not fairly and adequately applied.

Applicants may further appeal the decision of the Corporation on the appeal by means of a subsequent appeal to the Deputy Head, whose decision will be final.

Credit

All productions which access funding under this Schedule will be required to provide screen and promotional material credit to the

Government of Nunavut.

Specific terms will vary depending on the project and medium and will be contained in the Contribution Agreement between the Corporation and the applicant, in a form agreed upon by the Department and the Corporation.

Accountability

All recipients of a contribution must agree to public disclosure and to allow agents of the Nunavut Film Development Corporation and the Department access to the project site or premises to inspect all books and other financial information related to the project and to obtain any other information necessary for evaluating the success of the project.

Recipients who fail to meet the accountability requirements will be ineligible for future contributions under any of the Department's contribution programs.

Audit

The Department may audit the financial records of the Corporation to verify the use of funds provided under this schedule.

The Corporation will provide access to all books, electronic systems, statements and other documents, to the Department or its agents, for such purposes.

The Corporation may audit the financial records and affairs of recipients to verify the use of contributions provided under this schedule. Recipients will agree to permit access to all books, electronic information and systems, statements and other documents regardless of their nature, to the Corporation or its agents, for such purposes.

SCHEDULE C: NUNAVUT FILM COMMISSION OPERATIONS FUND

Purpose

The *Nunavut Film Commission Operations Fund* Schedule contributes funding to help offset the operations and maintenance of the Nunavut Film Commission and the Nunavut Film Commissioner.

The purpose of the Nunavut Film Commission is to undertake the external marketing functions specified in Appendix C.

The Commissioner is appointed following the process set out in Appendix C.

Eligibility

Eligibility is limited to the Nunavut Film Development Corporation operating the Nunavut Film Commission as a program of the Corporation, with its own budget, distinct from the budget provided under Schedule A and the budget provided under Schedule B.

Review

The Corporation will submit a marketing plan annually to the Government of Nunavut Management Committee for approval by the Deputy Head.

The policies and administrative procedures of the Nunavut Film Commission will be included as a separate section of the Policies, Administrative Procedures and Program Evaluation processes manual of the Nunavut Film Development Corporation, as described in Appendix A.

Supporting Data

The provision of annual operational funding is contingent upon review and approval of an acceptable budget and business plan.

Funding will be provided through an annual Contribution Agreement.

Amount

Operational funding provided to the Nunavut Film Development Corporation under this schedule is limited to $50,000 per year.

Payment

Contribution agreement payments to the Corporation for the operations and maintenance of the Nunavut Film Commission will be provided in installments based on the working capital requirements of the Corporation for this purpose.

Accountability

Activities of the Nunavut Film Commission, and their related expenses, will be reported separately from those of the Nunavut Film Development Corporation.

The Nunavut Film Commission will provide an Annual Report as an annex to the Annual Report of the Corporation.

The Annual Report will detail all activities of the Commission in

carrying out its five core functions, including those listed in Appendix C.

The consequences of failing to adhere to the accountability requirements are set out in the Accountability section of Schedule A.

Audit

The Department may audit the financial records and affairs of the Corporation to verify the use of the contribution provided under this schedule.

The Corporation will agree to permit access to all books, electronic information and systems, statements and other documents regardless of their nature, to the department or its agents, for such purposes.

Appendix A

Nunavut Film Development Corporation: Governance and Program Accountability Requirements

1. Corporate Structure

The Nunavut Film Development Corporation is an independent legal entity incorporated under Part 2 of the *Canada Corporations Act.*

In order to receive funding under any schedule of this policy, the Corporation must organize itself in the manner stipulated in this policy.

The Corporation is to be headquartered in the City of Iqaluit and all meetings and daily operations of the Corporation will take place in Nunavut.

2. Core Functions

The Corporation shall undertake the following five core functions:

1. Deliver the Government of Nunavut's *Film, Television and Digital Media Development Fund*, (Schedule B), including the development and communication of programs, eligibility, application procedures, evaluation criteria, and proposal assessment processes, and the preparation of contribution agreements, consistent with the requirements of the Financial Administrative Manual Directive no. 801;
2. Promote the growth of Nunavut's current and emerging film, television and digital media industry sectors through liaison and public relations activities with industry associations, the private sector, and key stakeholders;
3. Develop strategic plans and priorities to support labour force development and skills training by the film, television and digital media industry according to the Inuit societal values of *Pilimmaksarniq*/*Pijariuqsarniq* (development of skills through observation, mentoring, practice, and effort) and *Qanuqtuurniq* (being innovative and resourceful);
4. Collect data and statistical information for annual reporting of program funding outcomes, including the development of an industry tracking framework and social impacts/benefits tracking framework, to document and evaluate the development of the film, television and digital media industry sector; and,
5. Operate the Nunavut Film Commission and provide support for the Nunavut Film Commissioner, as set out in Schedule C of this policy.

3. Board of Directors

The Corporation shall be composed of a board of directors of no fewer than nine voting members and two non-voting members, as follows:

<u>Voting</u>

- One representative of a Nunavut-based Chamber of Commerce (1)
- One representative of a Nunavut broadcaster or public producer (1)

- One representative of a film agency from outside Nunavut (1)
- One representative of each of the three regions of Nunavut, selected from nominations by the Regional Inuit Organizations (3)
- Three representatives of Nunavut-based industry association(s) of record, viz., the Ajjiit Nunavut Media Association (3)

Board members normally will not be involved in funding decisions, and may not in any circumstances participate in a decision concerning a funding application by an organization in which they hold an office or other interest.

Non-voting Government of Nunavut

- One representative of the Department of Economic Development & Transportation (1)
- One representative of the Department of Culture, Language, Elders & Youth (1)

4. Selection of Board of Directors

The process for the selection of board members will be specified in the corporation's by-laws, and shall ensure that the board maintains a balance of diverse industry knowledge, skills, and personal and professional attributes.

A majority of voting members shall be residents of Nunavut. Inuit participation on the board must be in the majority.

Criteria used to determine composition of the board will include, but is not limited to:

- Demonstrated commitment to the film, television and/or digital media sector;
- Industry association affiliation in the arts and/or business communities; including the distribution and broadcast of film, television and digital media works;
- Understanding of labour force needs and training/skills development;
- Reflective of the population diversity of Nunavut (youth, elder, gender balance);
- Regional representation to reflect the population distribution of Nunavut;
- Knowledge of the goals, aspirations, traditions and culture of Nunavummiut;
- Strong business acumen and knowledge of economic development principles; and,
- Understanding of the operations of a not-for-profit corporation and a board members' role and responsibilities.

5. Appointment of the Board of Directors

Immediately following its annual general meeting, the Nunavut Film Development Corporation will submit a list of the Board of Directors, including the name of the Chairperson as elected by the Directors, to the Minister.

In the event that the Corporation does not submit a complete list of the Board of Directors or the name of the Chairperson, the Corporation's by-laws will provide for the Minister to appoint Directors and a Chairperson to correct the deficiency.

6. Term

Board members may be appointed for a term of up to four years.

The Board of Directors will meet a minimum of four times a year.

7. Chief Executive Officer

The Board of Directors, in consultation with the Department, shall appoint a Chief Executive Officer (CEO) to lead the operations of the Corporation. The CEO is accountable to the Board of Directors. The CEO may also serve as Nunavut Film Commissioner under Schedule C of this policy.

The CEO is responsible for implementing the programs under Schedule B of this policy, as well as staffing, leveraging additional operational and program funds, developing new alliances and partnerships, communications, day-to-day management of the Corporation, and other duties to advance initiatives related to the four core functions of the Corporation.

The Board of Directors shall conduct an annual performance review of the CEO.

8. Policies, Administrative Procedures and Program Evaluation

The Policies, Administrative Procedures and Program Evaluation processes established by the Corporation must be consistent with this Policy.

On an annual basis the Board shall prepare and submit to the Deputy Head a manual of Policies, Administrative Procedures and Program Evaluation processes as approved by the Board, including:

- Records and information management protocols;
- Financial management procedures (spending authorization levels, travel expenses, accounting, reporting, etc.);
- Conduct and conflict of interest guidelines; and,
- Communications guidelines.

On an annual basis the Board will prepare and submit to the Deputy Head a manual of its Policies, Administrative Procedures and Program Evaluation processes as approved by the Board.

The manual will be consistent with those directives of the Government of Nunavut's Financial Administration Manual pertaining to contributions (i.e. directives 801 and 817-4) and will include:

- Application procedures for each program in Schedule B;
- Purpose and eligibility criteria for each funding program, including evaluation processes and timelines;

- Procedure for review of eligibility;
- Supporting data required in any program application;
- Accountability requirements expected of the recipient, including the Government's right to conduct and audit, the obligations and accountabilities of the parties involved and the consequences of failing to adhere to these conditions;
- The maximum amount payable and the method to be used to determine the maximum amount payable to each recipient, including details of any formulas used.
- Appropriate provisions for the Department to terminate the agreement and withdraw from the project if the original objectives are not being met.
- Provision for the disposition of any surplus funds.
- A provision that the Government's liability is limited to the amount of funding authorized and that the Government will not be responsible for any shortfalls or deficits.
- The conditions to be met before a payment is made and the schedule or basis of payment.
- The allowable costs and the types or classes of expenditures eligible for reimbursement.
- The level of funding and method of payment.
- Program monitoring and appeals procedures.
- An evaluation of the outcomes of program funding.
- Detailed definitions of Local Labour and Nunavut Spend.

The manual of Policies, Administrative Procedures and Program Evaluation processes will be made available to the general public, either at the discretion of the Corporation or the Department, or upon request by a member of the public.

9. Consultation & Collaboration: Industry Advisory Forum

In concert with the industry association(s) of record, the Nunavut Film Development Corporation will conduct an Industry Advisory Forum at least once per year to provide a venue for interest groups to contribute to the preparation of strategic priorities and plans for film, television and digital media sector development.

In accordance with the Inuit societal values of *Tunnganarniq* (fostering good spirit by being open, welcoming and inclusive) and *Aajiiqatigiinniq* (decision making through discussion and consensus), attendance at the Industry Advisory Forum shall be open to the public and any person with an interest in film, television or digital media industry may participate.

Within 30 days of each Industry Advisory Forum, the Corporation will submit a report on the proceedings and recommended action items to the Government of Nunavut.

The report will be used to inform the preparation of the annual letter of expectation to the Chairperson of the Board of Directors of the Corporation.

Appendix B

Eligible and Ineligible Productions and Additional Conditions for Nunavut Co-productions

1. Eligible productions

Eligible productions are intended for television, cinema, videotape, digital, CD-ROM, digital media or non-theatrical formats.

2. Non-eligible productions

- News, current events or public affairs programming;
- Programs that include weather or market reports;
- Talk shows;
- Sports events or activities;
- Gala presentations or award shows;
- Projects that solicit funds;
- Pornography;
- Advertising and commercials;
- Projects produced primarily for industrial, corporate or institutional purposes; and,
- Projects, other than documentaries, which substantially consist of stock footage.

3. Co-productions

- In the case of co-productions, proposals must be submitted by the Nunavut Production Company.
- Shares in the copyright of the project should be commensurate with the Nunavut portion of total investment in the project.
- Private investment and co-productions will be assessed according to the particular co-financing arrangements.
- Ownership of completed projects should be beneficially and equitably owned by the Nunavut producer(s)/production company.
- Co-productions with Government departments, public agencies, public producers, institutions and public or private broadcasters may be eligible, based on significant share in corporate control, copyright, management and creative decision-making and the ownership in the completed project commensurate with the percentage of the Corporation's investment and with demonstrated control in overall production that takes place in Nunavut.

Appendix C

Nunavut Film Commission

1. Core Functions

The purpose of the Nunavut Film Commission is to undertake the following five core functions:

1. Market Nunavut's current and emerging film, television and digital media industry sectors to national and international industry associations, other national and international jurisdictions, the national and international private sector, and key stakeholders;
2. Develop strategic plans and marketing priorities to support Nunavut's role as a world-class circumpolar filming location;
3. Ensure that national and international location managers and production crews are made aware of permitting and licensing requirements (e.g., Wildlife Observation License), cultural sensitivities, service suppliers, community capabilities, etc.;
4. Maintain a location library, and offer a location scouting service; and,
5. Collect data and statistical information for annual reporting on Foreign Location Service (FLS) Projects in the territory, and document and evaluate the economic impact of FLS production within the territory.

2. Nunavut Film Commissioner

Upon recommendation of the Board of Directors of the Nunavut Film Development Corporation, the Minister may appoint the Chief Executive Officer of the Nunavut Film Development Corporation as Nunavut Film Commissioner.

3. Annual Report

The Nunavut Film Commission's annual report will provide details of the following activities of the Commission in carrying out its five core functions:

1. Production volumes, including levels of FLS production within the territory and types of productions, film days, etc.;
2. Employment statistics, including Inuit participation;
3. Trend analysis to quantify the level of FLS production;
4. Specific information on assistance provided; and,
5. Number and types of inquiries, and number of inquiries from out-of-territory and out-of-country production companies that are converted to new activities by out-of-territory or out-of-country production companies and to Nunavut Co-productions.