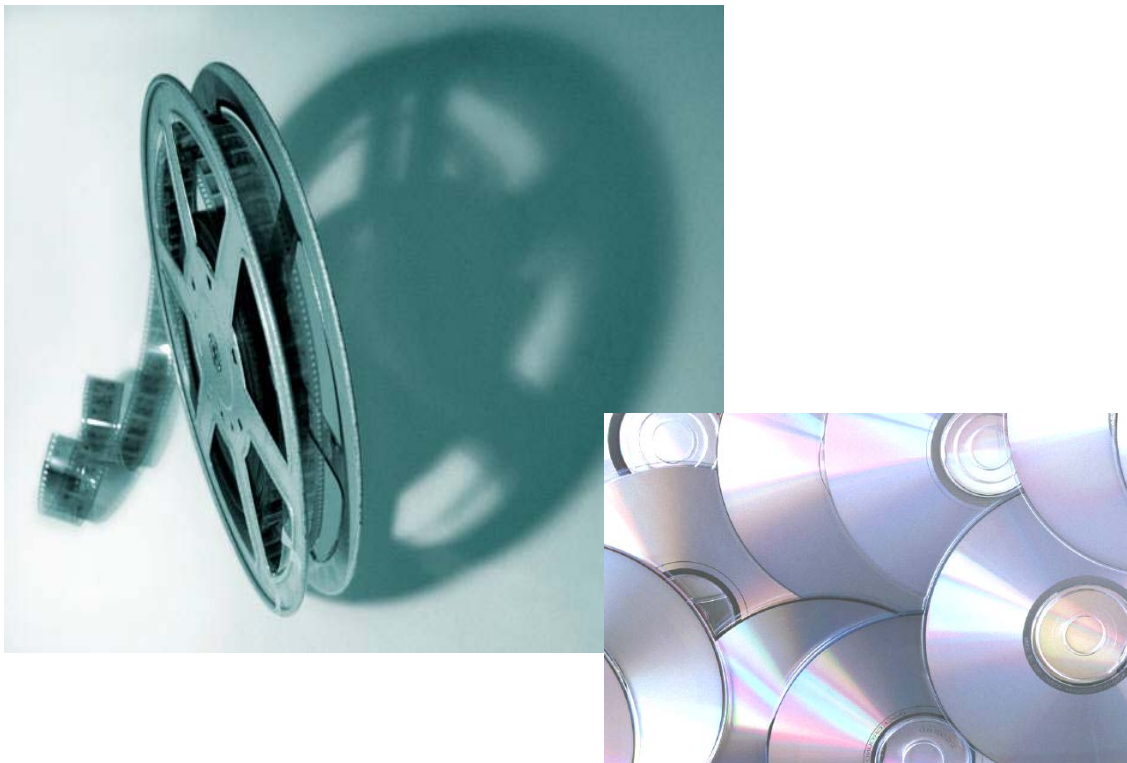


**MADE IN THE YUKON:
THE YUKON FILM COMMISSION REVIEW
DRAFT REPORT AND RECOMMENDATIONS**

**SUBMISSION TO THE YUKON FILM COMMISSION REVIEW
STEERING COMMITTEE**



JANZEN & ASSOCIATES

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1.0 Introduction and Methodology

The Yukon Government commissioned The Yukon Film Commission Review to assess the effectiveness of the Yukon Film Commission and to seek input to future directions.

There are four (4) areas involved in the review:

- Assessing the mandate and effectiveness of the current Yukon Film Commission operation.
- Determining the need and support for a role in encouraging the development of the local film and television industry.
- Exploring if there should be a role in encouraging the development of the Yukon sound recording industry.
- Identifying the appropriate operating model and the characteristics of such a model.

Industry participation, inclusion and sound research are key elements of this research.

The following methodology is being utilized in this review:

- Interviews with 50 industry and government representatives which have and are occurring both on-site and via the telephone. The interviews have explored the key questions above. A majority of these interviews are completed with the last few to be undertaken over the next few days.
- A review of a number of key industry reports which have been undertaken over the last number of years.





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- A review of internal Yukon Film Commission documentation.
- A national review of approaches in other Canadian jurisdictions to identify useful models and lessons learned through experience in other provinces or territories.
- Working with the Yukon Film Commission Steering Committee comprised of industry and government representatives
- Ensuring the input of Working Groups
- Building in information from the North Film and Video Association forum which was held on June 26th in the Yukon

Recommendations provided are based on all the above and are designed to have the support of the industry at large. In total there are 42 recommendations made to the Yukon government and to the Steering Committee. A community forum will be held in the Yukon on July 18th to seek large community input to the draft and a final report will be submitted by July 31st, 2003.

2.0 What The Industry Said

A key element of this review is the industry interview process to provide an assessment of current operations and to provide an opportunity to comment on the future directions of the Yukon Film Commission. A total of 46 interviews have been conducted with industry participants and government officials both on-site in the Yukon and via telephone. The interviews explored four (4) key questions as follows:

2.1 Assessing the Current Operation of the Yukon Film Commission

Assessing the performance of the Yukon Film Commission in the last number of years, how would you characterize its effectiveness in terms of mandate and operation?





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Most all participants indicated that they supported the basic mandate of the Yukon Film Commission as it had originally been established and felt that the operation of the Yukon Film Commission had been a success in the past but that it has lost its focus in the last few years. Its simple and flexible rebate program has been effective and is one of the most innovative in the country. For example, its turn around times in processing labour rebates are significantly faster than some other jurisdictions. The financing model is effective. The Yukon Film Commission has many successes to its credit and there is strong support for a continued and reinvigorated location attraction program.

Many participants identified concerns with the current operation of the Yukon Film Commission. Staff are working hard but the operation is currently without direction or focus. Staff were seen by many to be working under very difficult circumstances and without clear direction from government. While there was some disagreement about specifics of staffing, all participants pointed to the pivotal role that a Film Commissioner must play in providing leadership and direction to the Yukon Film Commission.

Another key theme related to the location marketing effectiveness. Many participants felt there is no marketing focus. While there is a sense of who the major competition is, there is no analysis or clear competitive strategy. The operation does not have a strong or targeted marketing approach and it is unclear who they consider to be their primary market. This has made efforts unfocussed and they do not currently market in any real way. Participants used words like “we are off the radar screen”, “we are no longer in the game”. Other research indicated that there are currently no mechanisms in place to build on repeat business by conducting client satisfaction or “revisit” or “repeat” initiatives to bring back clients from the past.





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Some participants identified the issue of mixed accountabilities and felt that there is sometimes a confusion of roles between the Film Commission and the industry association. For example, certain databases which belong in the purview of the commission because they service the location end of the spectrum do not exist inside the commission.

Approximately 40% of the film interview participants identified location management practices and/or policies as a key issue. These participants felt that location management policies or lack thereof was creating a difficult situation in the Yukon. Virtually all participants agree that there is a significant need to establish strong guidelines of hiring and service acquisition. The Yukon is in a very unique position in Canada. Its size and nature of development means it must manage issues of confidentiality and potential or perceived conflict of interest in a way that no other jurisdiction in Canada, with the exception of the other northern territories, has to. There is a strong theme of “have’s” and “have nots” in the industry which is potentially very divisive. There are conflicting themes of hiring the best and most experienced and giving people developmental opportunities which emerged during the interviews.

Leadership was identified by virtually every participant as a key ingredient of success for the Yukon Film Commission and identified the Film Commissioner position is a pivotal position for the organization. Many noted that the number of changes in leadership have been very damaging to the organization. This key leadership position will drive the success of the organization. Leadership, strategic thinking, extensive knowledge and the ability to work with and be ultimately accountable to industry and the Yukon taxpayers is pivotal. The changing and lack of consistent leadership is a key issue that must be addressed. Current staff are working very hard but ostensibly “without a net” and without a clear context or direction.





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Every sound recording participant noted that there is no current mechanism outside of arts funding to support sound recording production and development and that this represented both a need and an opportunity.

Virtually every filmmaker indicated that while the small \$25,000 financing mechanism for supporting independent film production was helpful and viewed it positively, it was so limited in means that it could not be considered to be a major industry development tool at this time. There was a unanimous call for enhanced support for the development of Yukon independent productions.

Training was identified as a theme by some participants. They noted that the current training program had been somewhat useful there was an overall sense that the approach is somewhat fragmented. A clear, concise and well-developed human development strategy was identified as a key need.

The issue of accountability was identified by the vast majority of participants in the film industry with a few dissenting individuals. Administrators and industry alike noted examples of lack of flexibility, slow responsiveness and difficulty in getting the appropriate permissions which hampered the organization. Two individuals indicated that they felt the operation had no difficulties at all with flexibility and responsiveness and felt the perception was “a red herring”.

A number of participants mentioned specific resources like the library as a key resources to retain and build on.





**2.2 *The Future of the Yukon Film Commission in Developing the Yukon's
Independent Film, Television and Sound Recording Industries***

What role, if any, do you see for the Yukon Film Commission in supporting and developing the local film and television industry?

What role, if any, do you see for an enhanced Yukon Film Commission in supporting and developing the local Yukon sound recording industry?

There is universal support for an enhanced role of the Yukon Film Commission in supporting the growth and development of the film and television industries in the Yukon. There are great opportunities in both industries. Participants described their industries as “on the verge of something great”, “ready to make it to the next level”, “positioned for great things.” In film significant strengths and depth are developed through location work although the intermittent nature has hampered skill development. On the independent side there are a number of well-positioned companies, but a clear strategy for “above the line” development must exist. The lack of support for indigenous development has meant that the skill set is stronger for skills at the location level and that industry development should have a strong focus for areas like directors, producers, associate producers, director’s of photography, writers and other above the line skills.

All sound recording interviewees supported a role for encouraging the growth and development of the sound recording industry in the Yukon. These participants indicated that they felt that the sound recording is well positioned with a relatively strong, albeit self described “fledging” and “developing” industry with “great potential”. There is a great sense of opportunity and a strong singer-song writer tradition in the Yukon which is an essential ingredient to success. There are a number of recording studios, labels and





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artists managers and form a strong core to start from. It is important to mention, however, that there is concern by some film producers that the inclusion of the sound recording industry in an approach will dilute the focus and resources and they would not support the inclusion of a sound recording mandate within an enhanced commission mandate.

Virtually every participant felt that location work and support for indigenous film development should be viewed as two aspects of a comprehensive industry strategy and not as competitive. They are two sides of the same coin and can be linked to create major industry opportunities. They felt that enhanced local support would provide much needed balance to the mandate.

Interviewees in the respective industries overwhelmingly stated the need for a strong role within the commission to support indigenous film and television and sound recording development. Specific needs include:

- Development support
- Training and mentoring
- Production support in equity financing or other mechanisms in film
- Production support for sound recording
- Marketing support

A number of interviewees indicated that they felt there must be a recognition that staff supporting these areas represent different areas of expertise. Sound recording is vastly different from film and cannot be delivered by the same person.

There were a wide range of opinions on the issue of the type and nature of support for film development in the Yukon. Many pointed to the need for recognition of where the





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industries are at and that it not be based on unrealistic expectations. The support should range from developmental to more expert and cover a wide range of genres. There should be the recognition of a significant developmental focus with the capability to finance larger productions as well. Flexibility was seen by all participants as an important element of any program to develop the Yukon film industry.

Industry associations have identified the need for core funding. Strong industry associations in both film and sound recording were identified as key elements of building these industries in the future.

One of the strongest themes emerging was the issue of leadership. Interviewees call for the Yukon Film Commission to provide a key leadership role which encompasses the following:

- Developing a strong vision with the industry which will build this group of industries over the next decade which are stable and are responsibly grown. There is a concern that “fast and loose” approaches “irresponsible expectations” should be avoided.
- Providing financial support to film, television and sound recording through a combination of instruments.
- Being an advocate with federal funders.
- Working with broadcasters such as CBC North.
- Working with other partners such as the Northern Film and Video Industries Association and the Recording Arts Industry Yukon Association (RAIYA), the Yukon Film Society, educational institutions and film festivals.
- Being a supportive catalyst for things like a Circumpolar Film Festival and new initiatives.





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- Being able to work in a government context and navigate through the necessary Estimates and Treasury Board processes.
- Serving as a resource for the industry in terms of industry information, marketing information and serving a strong supportive role to the developing parts of the industry. This would mean an enhanced library and other resource roles.
- Being a voice on the national and international scene given the nature of both industries.
- Supporting aboriginal filmmaking and sound recording.

2.3 Comments on the Future Structure of the Yukon Film Commission

What governance characteristics do you think will be important in the future to support an enhanced mandate for the Yukon Film Commission? What governance structure do you believe will best support those characteristics of success?

Respondents supported a core group of characteristics which they felt would make the Yukon Film Commission a successful model of operation:

- Knowledge and expertise
 - Ability to attract/retain a CEO at industry rates and to be competitive
 - Flexibility
 - Responsiveness
 - Meets the needs of the film and sound recording industries
 - Accountability to the taxpayer and to the Yukon Government
 - Accountability to the government and to the taxpayer





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- Access to decision makers in government at such a level where there is significant influence

The vast majority of respondents felt that the Yukon Film Commission should be moved outside of the purview of the Yukon Government and should either be an agency of the Yukon Government or a non-profit organization or corporation operating at arms length from government. Industry participants pointed to issues of responsiveness, flexibility and knowledge and expertise and key drivers in their opinions. Three respondents felt that it could go back to the Arts Branch or to an external Tourism organization and were concerned about what they felt would be a lack of accountability.

There is strong support for moving it to arms length but there are varying opinions about how far out it should be placed – as an agency reporting to or as a separate organization or non-profit corporation. Most participants agreed that there must be mechanisms to ensure strong accountability to the industry, back to government and to the taxpayer. Numerous participants pointed to a Management Board which would include government representation as well as industry and strong and established mechanisms of reporting. Majority agreed that accountabilities should be removed at the day-to-day operational level but ensured at the larger policy and financial accountability level within a clearly defined framework.

Most agreed there must be a role for industry which ensures industry representation in policy and guideline but ensures that there are clear Confidentiality and Conflict of Interest Guidelines. The Yukon Film Commission operates within a relatively small industry and this is an extra responsibility for governance.

The CEO or head position was viewed as pivotal by all respondents and his/her skills and leadership are critical to the success of the Yukon Film Commission.





3.0 Approaches from Other Jurisdictions to Film and Television: Lessons Learned and Applicability to the Yukon

A comprehensive review was conducted and a sampling agencies and programs across the country was presented below. It is important to note that there are vastly different approaches across the country which recognizes the unique character of each province and highlights the key point that the Yukon must identify a solution which is tailor-made to its industry. The various models do provide lessons and these are noted below.

3.1 What Can Be Learned from the Lessons of Other Jurisdictions: A Synopsis

The model that the Yukon adopts must first and foremost be a “made in the Yukon solution”. Its governance and programs and services must meet the specific needs of the Yukon film and sound recording industries and recognize its own uniqueness and developmental history. At the same time it is very instructive to look at models across the country and to glean from them the lessons they have learned along the way. Rather than simply identifying one model as ultimately superior, the following points are instructive for consideration by the Steering Committee, the industry and the Yukon Government.

- Look at the simplicity of the Alberta financing models – they stress one program with simple criteria, no jurying and a very simple formula based approach
- Look at British Columbia for its non-profit structure which is run through a Board and reports to government. It is a simple, accountable structure with very little set up cost and they have worked out issues of conflict of interest. BC also has a set





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- of strong support mechanisms ranging from development, to production, marketing and a tax credit system.
- Look at Manitoba for the orderly and sensible way in which it has developed its industries. Look at it as a model for an integrated service in all areas including locations, film financing and sound recording and one that works. It recognizes that you grow an industry and there is no “low hanging fruit” in industrial development. They know where they fit in the national scene and they have played to their advantage.
 - Look at Ontario for its integrated media approach which recognizes that comprehensive strategies. They are the most integrated in the country with film, sound recording, book and periodical publishing, locations, and media development.
 - Look at Saskatchewan for the way in which it has worked out a delivery system and decision-making system which recognizes some of the inherent dangers in developing a small industry. SaskFilm and Video Development Corporation has a strong model of community and business governance and policy Board, a film Industry Advisory Board to provide advice on policy and the establishment of a workable jury system which is free of conflict of interest and ensures confidentiality and also includes jurors from across the country as part of the mix ensuring a national link. Saskatchewan has made significant changes in its delivery system which had included industry members as part of a board that made decisions on projects which they felt created many situations of potential conflict of interest and confidentiality and this was especially notable in a small industry like Saskatchewan. Saskatchewan has advised the following: “Don’t put in a system that is too insular just so you can say you included the industry. Find a meaningful role for industry which ensures that conflicts of interest are not a major issue and that confidentiality is always ensured.”





3.2 *Mandates and Overall Structure*

Every provincial jurisdiction in Canada has developed an approach to the film and television industry. Canadian jurisdictions also have developed dual mandates where they support both the development of the local film and television industry and attracting productions from outside or offering Locations Programs. In the vast number of cases provinces have chosen to move the delivery outside of the government and placed it at arms length either through the creation of a government corporation, agency or a non-profit agency designed for the purpose. Examples include BC Film which is a non-profit organization and Manitoba, Saskatchewan, Ontario, and Nova Scotia which are provincial corporations or agencies. These agencies have made the decision to move to outside delivery for a couple of reasons. First and foremost, the delivery outside of government has ensured that when creative decisions are made they are made at arms length from government, a principle borrowed from many provincial Arts Councils across the country. It protects both the filmmaker and the government from getting into situations where they are defending content. Secondly, these agencies have the ability to hire film commissioners at industry rates which are sometimes incompatible with government classifications and there is a built in flexibility and responsiveness in the agency which sometimes cannot be ensured within a government structure. A notable exception in Canada is Alberta which delivers its film location program through Alberta Economic Development and its local film and video development programs through Alberta Community Development, (Alberta Foundation for the Arts). They also utilize a formula grant system which is vastly different from most other approaches in Canada which utilize loans and equity investment systems.

Sound recording programs in Canada are delivered in a variety of ways. In many jurisdictions they continue to be delivered through arts branches but there is a developing





trend which is beginning to recognize the integrated nature of the cultural industries which includes film and television, sound recording and book and periodical publishing. Three agencies in particular have taken an integrated approach to film and sound and they include Manitoba which was a pioneer in this area, Ontario through its new Ontario Media Development Corporation and Technology PEI.

3.3 Programs, Services and Levels of Contributions Across Canada

Janzen & Associates undertook research to determine the nature and scope of programs and services of various film agencies and the contributions of the provincial and territorial agencies across Canada.

In total Canadian film funding agencies outside the Yukon contributed between \$213.1 million and \$256.9 M annually from 1999 to 2002 to Canada's film, television and new media industries. This includes contributions of between \$39.6M and \$42.6 M in direct funding support with a wide range of financing instruments such as development support, production financing ranging from equity financing to grants, marketing support, professional development assistance, festival funding and organizational or company development funding. Tax credits are a vital part of provincial funding for many agencies with contributions of between \$173.5 million and \$215.4 million annually between 1999 and 2002. Provincial and territorial agencies gear their support in markedly different ways across the country. Some provinces such as British Columbia, Saskatchewan, Manitoba, Nova Scotia, PEI, New Brunswick, Quebec and Newfoundland utilize both direct funding and tax instruments, some like Ontario have opted for a more heavily weighted tax credit system and others like Alberta, and the North West Territories do not have a tax credit system but utilize direct funding support entirely.





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Support for television development and production ranged \$15.8M to \$13.9M between 1999 and 2002. Film support garnered greater support posting numbers of between \$16.1M and \$21.9M in the same years while new media has received significantly less support from \$191,046 to \$606,708 between 1999 and 2002. Marketing support has ranged between \$3.2M to \$3.8M annually. Most agencies also support professional development activities and provided a combined \$954,970 to \$1.4M on an annual basis. Finally, other support was provided for a variety of activities including festivals, organizational and company development activities totaling between \$2.6M and \$2.8M annually.

The following chart provides a specific breakdown of all types of support and a breakdown by year:





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SUMMARY OF PROVINCIAL FILM AGENCY SUPPORT - 1999 – 2002			
(Outside the Yukon)			
All Sources (Direct Funding and Tax Credits)			
A. Television Support	1999/2000	2000/2001	2001/2002
Development	\$ 1,603,646	\$ 1,413,888	\$ 1,503,780
Production	14,183,388	13,498,531	12,471,540
Other Television Specific Support	<u>0</u>	<u>0</u>	<u>0</u>
Total Television Support	\$ 15,787,034	\$ 14,912,419	\$ 13,975,320
B. Film Support			
Development	\$ 1,524,472	\$ 1,633,281	\$ 1,596,959
Production	\$ 12,917,144	\$ 12,019,914	\$ 16,453,638
Other Film Specific Support	<u>\$ 1,683,521</u>	<u>\$ 1,307,201</u>	<u>\$ 1,482,725</u>
Total Film Support	\$ 16,125,137	\$ 19,219,657	\$ 19,533,322
C. New Media			
Development	\$ 137,106	\$ 20,000	\$ 47,000
Production	\$ 294,602	\$ 444,000	\$ 115,000
Other New Media Specific Support	<u>\$ 175,000</u>	<u>\$ -</u>	<u>\$ 29,046</u>
Total New Media	\$ 606,708	\$ 464,000	\$ 191,046
Marketing Support	\$ 3,584,299	\$ 3,197,801	\$ 3,751,403
Professional Development Support	\$ 954,970	\$ 1,211,938	\$ 1,354,990
Other Support	<u>\$ 2,585,041</u>	<u>\$ 2,845,238</u>	<u>\$ 2,775,940</u>
TOTAL DIRECT FUNDING	\$ 39,643,189	\$ 37,591,792	\$ 41,582,021
Total Tax Credits	<u>\$ 173,548,923</u>	<u>\$ 230,906,387</u>	<u>\$ 215,379,518</u>
GRAND TOTAL	\$ 213,192,112	\$ 268,498,179	\$ 256,961,539

Provincial breakdowns indicate that Quebec leads the country in support for its film, television and new media industries and contributed \$105.7M to \$115.2M annually through a wide range of direct financing and tax credit instruments. This was followed





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by British Columbia whose contributions rose considerably from 1999/2000 to the present from \$34.6M to \$65.7M annually through a combined set of direct funding and tax credit instruments. Ontario contributed between \$34.9M to \$55.9M annually between 1999 and 2002 but focused their support largely on tax credit instruments. Manitoba, Saskatchewan, Nova Scotia, New Brunswick, Newfoundland and PEI all contribute to their industries through a mix of instruments with Newfoundland more than doubling its industry support from \$1.3M in 1999/2000 to \$2.8M in 2001/2002. The NWT provides a small contribution for marketing purposes but provides no direct industry support or tax credit support. The following charts detail provincial breakdowns of overall support, direct funding support and tax credit support from 1999 to 2002.

SUMMARY OF PROVINCIAL FILM AGENCY FUNDING - 1999 – 2002 (Outside the Yukon)			
Includes Direct Funding and Tax Credits by Province & Territory			
<u>Province</u>	1999/2000	2000/2001	2001/2002
Alberta	\$ 3,483,118	\$ 6,509,506	\$ 6,358,516
British Columbia	\$ 34,570,674	\$ 65,745,155	\$ 63,757,037
Manitoba	\$ 4,570,902	\$ 5,102,466	\$ 6,026,948
New Brunswick	\$ 3,267,119	\$ 5,452,833	\$ 3,476,184
Newfoundland	\$ 1,321,652	\$ 1,727,531	\$ 2,750,511
Nova Scotia	\$ 9,518,000	\$ 15,036,000	\$ 8,593,000
North West Territories	\$ 8,000	\$ 8,000	\$ 15,000
Ontario	\$ 34,953,075	\$ 55,981,943	\$ 49,932,325
Prince Edward Island	\$ 1,734,139	\$ 1,114,711	\$ 812,677
Quebec	\$ 115,207,742	\$ 105,655,056	\$ 110,178,649
Saskatchewan	\$ 4,557,691	\$ 6,164,978	\$ 5,060,692
TOTAL	\$ 213,192,112	\$ 268,498,179	\$ 256,961,539





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**SUMMARY OF PROVINCIAL FILM AGENCY DIRECT FUNDING - 1999 – 2002
(Outside the Yukon)**

Breakdown by Province and Territory

(Includes Development, Production, Marketing & Professional Development Support)

<u>Province</u>	1999/2000	2000/2001	2001/2002
Alberta	\$ 3,483,118	\$ 6,509,506	\$ 6,358,516
British Columbia	\$ 4,624,431	\$ 3,400,273	\$ 4,945,228
Manitoba	\$ 1,578,909	\$ 1,216,354	\$ 1,911,257
New Brunswick	\$ 1,834,875	\$ 1,676,112	\$ 1,557,165
Newfoundland	\$ 1,321,652	\$ 1,244,146	\$ 1,342,060
Nova Scotia	\$ 2,960,000	\$ 2,414,000	\$ 2,393,000
North West Territories	\$ 8,000	\$ 8,000	\$ 15,000
Ontario	\$ 2,255,900	\$ 2,482,000	\$ 2,732,700
Prince Edward Island	\$ 1,734,139	\$ 1,114,711	\$ 615,005
Quebec	\$ 18,422,399	\$ 16,093,816	\$ 18,736,892
Saskatchewan	\$ 1,419,766	\$ 1,432,874	\$ 975,198
TOTAL	\$ 39,643,189	\$ 37,591,792	\$ 41,582,021

**SUMMARY OF PROVINCIAL FILM AGENCY TAX CREDIT SUPPORT –
1999 – 2002
(Outside the Yukon)**

Breakdown by Province and Territory

Year End Dates Vary

<u>Province</u>	1999/2000	2000/2001	2001/2002
Alberta	\$ -	\$ -	\$ -
British Columbia	\$ 29,946,243	\$ 62,344,882	\$ 58,811,809
Manitoba	\$ 2,991,993	\$ 3,886,112	\$ 4,115,691
New Brunswick	\$ 1,432,244	\$ 3,776,721	\$ 1,919,019
Newfoundland	\$ -	\$ 483,385	\$ 1,408,451
Nova Scotia	\$ 6,558,000	\$ 12,622,000	\$ 6,200,000
North West Territories	\$ -	\$ -	\$ -
Ontario	\$ 32,697,175	\$ 53,499,943	\$ 47,199,625
Prince Edward Island	\$ -	\$ -	\$ 197,672
Quebec	\$ 96,785,343	\$ 89,561,240	\$ 91,441,757
Saskatchewan	\$ 3,137,925	\$ 4,732,104	\$ 4,085,494
TOTAL	\$ 173,548,923	\$ 230,906,387	\$ 215,379,518





4.0 Approaches from Other Jurisdictions to Sound Recording: Lessons Learned and Applicability to the Yukon

In the case of sound recording, approaches are more fragmented in the country. Many continue to deliver programs through arts branches but a couple of agencies in particular have taken a more industry-driven approach to the development of the industry. They include Manitoba Film and Sound which is a recognized national leader in this area. They provide detailed support for all aspects including the following: Sound Recording Production Funding, Demo Recording Funding, Record Product Marketing, Music Video Funding, Market Access Fund, Recording Artist Touring Support and the Portfolio Investment Envelope (PIE) Program. Ontario as well provides a more integrated approach through the Ontario Media Development Corporation and offers sound recording tax credits. Alberta also offers a formal Sound Recording Label support program through the Alberta Foundation for the Arts.

Generally speaking, sound recording has not enjoyed a strong industrial approach in provincial or territorial jurisdictions and it is the assessment of this report that most approaches are weak and fragmented. In many cases they are supported through arts branches which often do not capitalize on the industrial and economic opportunities and do not recognize the market aspects or the industrial approach of the industry. In addition, many provincial jurisdictions have no approach beyond individual artists and do not support labels and sound recording companies. Manitoba and Ontario are exceptions to this. Manitoba is viewed as an applicable model and is recognized nationally as a leader in sound recording industrial development. In this respect, the Yukon is ideally positioned to be a leader in supporting and developing its sound recording industry.





5.0 Key Principles

The following key principles have been adopted in developing the recommendations:

1. The delivery structure developed will be effective, efficient and accountable.
2. The programs and services will be responsive to the industrial and cultural needs of the Yukon film and sound recording industries.
3. The delivery model and the programs and services will utilize lessons learned from other Canadian jurisdictions.
4. The programs and services will recognize both economic and cultural development as relevant.
5. The programs and services will recognize the unique history and developmental status of the Yukon film, television and sound recording industries.
6. The programs and services will recognize the need to support the industries from a developmental to expert level and from small and fledgling to large and across all genres.
7. The delivery structure, programs and services will be accountable to the Yukon taxpayer, the industries themselves and to the Government of the Yukon.





6.0 Recommendations

There are 42 recommendations made in this report relating to five areas:

- Mission and Mandate
- Structure, Organization and Governance
- Accountability
- Programs and Services
- Financing

6.1 *Mandate and Mission Recommendations*

1. Establish a Yukon Cultural Industries Development Association (YCIDC) dedicated to the following:

- Attracting film and television productions to the Yukon from other parts of Canada and the world;
- Developing and supporting the local Yukon film and television industry;
- Developing and supporting the Yukon sound recording industry;
- Providing future opportunities to integrate other cultural industries including publishing and new media subject to supporting reviews.

A possible Mission Statement, subject to the adoption of a formal Mission Statement by the YCIDA could be as follows:

“The Yukon Cultural Industries Development Association is committed to the growth and development of Yukon’s cultural industries and to being a





premier film location, recognized nationally and abroad. Through our support, we will build the Yukon cultural industries recognizing that they are both an economic engine of growth for the Yukon and a vehicle for the cultural expression and reflection of our territory.”

This recommendation has been made in recognition of the successful history of the Yukon in attracting productions and the particular strength of its natural location attributes; the need and great potential for both the Yukon film and television and sound recording industries as an economic generator and vehicle for cultural development; and the recognition of the rapidly changing and integrated nature of media and the need for the new body to remain flexible enough to include it in the future should the research demonstrate it.

This would require that the current Yukon Film Commission be dissolved and an entirely new delivery body be established.

2. The mandate and mission of the YCIDA should have as inherent a **commitment to both cultural and industrial/economic development** in recognition of the nature of “cultural industries” and in recognition of the nature and size of both the film and sound recording industries in the Yukon.
3. The mission and mandate should demonstrate a strong **commitment to all aspects of industrial, economic and cultural development** of the Yukon film and sound recording industries including:
 - Development
 - Production
 - Location attraction





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- Marketing
- Training and education
- Industry association development

The review showed a significant need for support and development in all these areas and the need for a commitment to a broad strategy.

4. The Government of the Yukon should further explore the advisability of including **publishing and/or new media** as potential elements in the YCIC mandate. As a result, the mandate and name of the organization should remain as flexible as possible to accommodate future changes.

Provincial agencies such as Manitoba Film and Sound, the Ontario Media Development Corporation and Technology PEI have all recognized the integrated nature of the cultural industries and media and the further integration of the industries and blurring of traditional lines will increase in the future. The Yukon must ensure that it is forward thinking in this regard.

6.2 *Structure and Organization: Governance Recommendations*

1. Establish the **Yukon Cultural Industries Development Association as the key delivery body** for film, film location and sound recording support in the Yukon. It should be established as a **non-profit society** under the appropriate societies legislation of the Yukon Government or federal legislation, governed by a Board of Directors and operating in compliance with all appropriate legislation.

The review examined a number of options before providing this recommendation. The current YFC model which exists within the Government of the Yukon was





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examined and the majority of industry participants felt that the current operation was not able to be responsive, timely or operate in a fashion which reflected the requirements of the industry. The vast majority of Canadian agencies, with the exception of jurisdictions such as Alberta, have moved out of direct government delivery either by becoming agencies or crown corporations or by adopting this non-profit society model. They have done so primarily for two reasons. First and foremost, they needed to create agencies which could move quickly in response to industry imperatives. Secondly, the assessment of creative content is viewed by most jurisdictions to be best accomplished outside the confines of government – hence it is a protection for all parties including the producer, the agency and indeed the government itself. Officials of the Yukon Government advised that the establishment of a crown corporation or agency would be time-consuming and complicated, taking 2 or more years to establish. Thirdly, delivery by the industry itself either through the film or sound recording association was examined but the possibility for conflicts of interest or confidentiality breaches was seen as so high, it would not be a good model for adoption. While the non-profit society model is not the most popular model in Canada, it is successfully used at BC Film, is easy to establish, flexible and responsive to industry, and with the adoption of strong links back to government and industry including strong tools for accountability, can be a highly effective tool for governance.

The other issue addressed in this recommendation, relates to integration. The review looked at separate delivery of film location, film development and sound recording including having aspects delivered out of the Arts Branch or other departments of the Yukon government.

The integrated approach to the cultural industries is strongly recommended for three reasons. First and foremost, the “cultural industries” are based on the key





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- principle of the use of intellectual property, a strong common thread. Secondly, the last decade has seen a significant blurring of media forms and forward-thinking provinces and other jurisdictions have recognized this key industrial fact. Thirdly, the size and nature of the Yukon means that it must create economies of scale in delivery and a fragmented approach, hiving off certain portions to government institutions or other organizations, would both be ineffective and more costly. It would also miss out on opportunities which might be available to create linkages and partnership opportunities between the sectors.
2. Establish a **9-member Board of Directors** to oversee the operation of the Yukon Cultural Industries Development Association. The Board should be comprised of 6 members with expertise and knowledge of the industries but who are NOT directly involved and 3 representatives from the Yukon Government including Yukon Economic Development, the Arts Branch and one other representative from either the trade or tourism areas. The role of the Board of Directors should be as a policy governance board and ensure the overall effective and efficient operation of the YCIDA. While the YCIDA does not have formal project approval powers, it is recommended that 2 members, one from industry and one from the government sit on the Program Committees that make decisions on projects. The Board should be established through a process mutually agreed to by the Yukon Government and the industries. Membership should ensure a wide representation of skills and ensure representation from both sound recording and film expertise areas.

The six industry members could include the following examples of backgrounds: radio and television broadcasters, retired film producers and media educators, lawyers and accountants with expertise in these industries to mention a few. The





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government representation is important to ensure accountability and to provide important liaison back to the Yukon government.

A significant amount of time was spent in looking at the issue of appropriate governance and the following points are salient. Many of Canada's film funding agencies have moved away from direct participation of industry players at the board level. The potential for conflicts of interest and confidentiality breaches are so high that they work against the strong functioning of an organization. This is particularly relevant for small industries and a case in point is Saskatchewan which entirely overhauled its board and advisory structures for just this reason. Even in the case of British Columbia with one of the largest industries in the country, direct industry representation does not occur on the board due to the very same reasons and BC Film adjusted their structure accordingly.

In addition, the question of government representation was carefully considered. Accountability and visibility are two important considerations. Funding for the delivery body will likely come from the economic development arm of the government and accountability back to that department is very important. In addition, the Yukon Cultural Industries Development Association needs to ensure that it has strong support from the territorial government at all times and ongoing communication and visibility is key to its long term success.

2. Establish **Expert Panels** for creative and project assessment for both film and sound which would be comprised of 3 to 5 members with expertise in a given area (for example documentary filmmaking). The expert panels should also encourage the use of external experts given the highly international nature of the industries. The Expert Panels would provide advice to the CEO, staff and Program Committee of the Yukon Cultural Industries Association on creative assessment.





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Expert panels would be established on a program by program area as needed in both film and sound recording. It is also encouraged that the Yukon use external experts on panels in addition to Yukon panel members. They would provide important national and international perspectives and Saskatchewan has found this to be invaluable.

Expert panels would not be required in every program, as certain programs, such as those requiring a broadcast licence trigger, would not require the review by an expert panel. The names of the panel members would remain confidential but written assessments would be provided back to applicants to ensure transparency in the process.

3. Establish a **Program Committee of the Board of Directors** which would be the decision-making body for projects. The Program Committee would be comprised of 2 members of the Board one industry and one government, the CEO and relevant staff who would make the final decision on projects and would rely heavily on the advice of the Expert Panels. The Board would be advised of a listing of projects on a monthly basis.

Many funding agencies are moving towards no involvement of boards in funding decisions. In the longer term this may be an option for the Yukon but it was felt that at the early stages, some involvement should be ensured.

4. Establish a **Film Advisory Committee** which would be comprised of 5 to 7 members of the industry who would provide the Board of Directors with advice on policy and program structuring. The committee should include a wide representation ranging from producers, to technical professions to film festivals.





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- This should be established through a mutually agreed to process by the industry and Yukon Government.
5. Establish a **Sound Recording Advisory Committee** which would be comprised of 5 to 7 members of the industry who would provide the Board of Directors with advice on policy and program structuring. The committee should include a wide representation within the industry ranging from producers, to artists management companies to recording studio representation. This should be established through a mutually agreed to process by the industry and the Yukon Government.
 6. **Hire a core of professional staff including the following:**
 - **Chief Executive Officer and Film Commissioner** who is responsible for the overall establishment and effective operation of the Yukon Cultural Industries Association and is the key link with the Board of Directors
 - **Locations Attraction Officer** who operationalizes the Location Program
 - **Film Development Officer** who administers and coordinates all film development programs for the local film industry and works closely with Film Expert Panels
 - **Sound Recording Officer** who administers the sound recording programs and works with the Sound Recording Expert Panels
 - **Administrative and Financial Assistant** who provides support to the CEO as well as manages the office and supports other staff.
 7. **Hire the Chief Executive Officer** as soon as possible as this position is pivotal to the success of the organization. Remuneration should be set at





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industry standard rates in order to attract qualified applicants. Ensure the individual has strong skills in the following areas:

- Extensive knowledge of the cultural industries
- Ability to work in a wide array of environments including local, national and international
- Extensive knowledge of program delivery
- Ability to work well with Boards of Directors
- Ability to work well with the film, television and sound recording industries in the Yukon
- Ability to work well with the community
- Ability to work well with governments
- Extensive partnership development skills
- Ability to work with the media

6.3 *Accountability*

1. Establish a funding **agreement between the Yukon Department of Economic Development and the Yukon Cultural Industries Development Association** which provides a strong framework for the operations of the YCIDA. The agreement should clearly set out funding parameters, reporting requirements and management guidelines.
2. Establish a **Cultural Industries Policy** and ensure it is in legislation within the Yukon Government, Department of Economic Development. This is an important overall economic and cultural framework.





3. Designate a **program lead and policy lead at the Department of Economic Development** to ensure strong liaison between the YCIDA and the government.
4. As a condition of funding, require that the YCIDA prepare an **Annual Management and Program Plan** which will outline the organizational, operational, program and financial plan for the year. The plan should provide a clear set of objectives, goals and actions and should be approved by the Board of Directors and submitted to the Yukon Government for review and approval.
5. The YCIDA should report to the Yukon Government on a **quarterly basis** on program, operational and financial matters. Ongoing liaison and monitoring should also be ensured by the representation of the government representatives on the Board of Directors.
6. Establish clear **Conflict of Interest and Confidentiality Guidelines** which should be applied to all staff, board members, expert panel members and industry advisory committee members.
7. Establish a **Policy and Procedures Manual** for the YCIDA.
8. Establish a clear set of **Guidelines** for all film and sound recording programs.
9. Ensure that the YCIDA maintains a close relationship with the film and sound recording industries by consulting with them on a regular basis on policy and program development through the Industry Advisory Committees, through regular ongoing meetings with industry associations and by being an ongoing and visible presence in the industry at events and conferences. **A positive and cooperative relationship will be the key to the success of the YCIDA.**





10. Report back to the public through a well-developed set of **communication activities** including news releases, interviews with radio and television and through the preparation of an Annual Report.
11. Ensure that the CEO is an **active part of the overall local community** through involvement in the Chamber of Commerce, local economic development, tourism and cultural activities.

6.4 Programs and Services

1. Establish a **comprehensive set of programs** which supports five (5) streams:
 - A Locations Program built on the current model
 - A set of support programs for the Yukon film and television industry and a revamped and extended Film Incentive Program now renamed the Yukon Film Incentive and Co-Production Program which builds in local support and encourages co-productions
 - A set of support programs for the Sound Recording Industry in the Yukon
 - Support for professional development in both sectors
 - Support for industry associations, events and film festivals.

More specific recommendations are made below on programs. All programs require the full development of formal Guidelines and Application Forms.

2. Establish a formal **Locations Program** at current resource levels which builds on previous successes of the organization but makes a number of improvements and revitalizes it as follows:





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- Retaining and managing crew, cast and technical CV's and inventory on its website.
 - Establishing a clear Locations Strategy which identifies its target market, conducts a competition analysis and clearly articulates a marketing strategy to be undertaken.
 - Establishing a revisit strategy to connect with previous clients.
 - Establish a client satisfaction system to measure the satisfaction of clients and use the information to make improvements in the system.
 - Establishing a set of clear policies and guidelines to govern the allocation of location scout and service work to ensure a fair and competitive locations system. This should include everything from location scouting and management work to services like hotels, taxis, car rental and helicopter company work.
 - Develop an advantageous arrangement with Parks Canada.
3. Conduct a **formal economic survey of the film and television industry** in the Yukon to document and benchmark the industry.
4. **Establish a Film and Television Development Funding Program** which provides conditional grants as follows:
- Development investment for television development through a conditional grant capped at \$25,000 or 50% in total and in each phase (whichever is less) in three phases: Phase 1 Concept to Fully Developed Treatment, Phase II Treatment to First Draft Screenplay, and Phase III First Draft Screenplay to Final Draft Screenplay. Applicants must have confirmed funding in place





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from a third-party source and a broadcaster's cash commitment of 20% of the budget or a strong letter of interest from a distributor.

- Development investment for motion picture development through a conditional grant capped at \$35,000 or 50% whichever is less in the following phases: Phase I Concept to Fully Developed Treatment, Phase II Treatment to First Draft Screenplay, Phase III Second Draft Screenplay and Phase IV Final Draft Screenplay and Packaging. Applicants must show market potential through a letter of commitment from an acceptable Distributor.

5. **Establish a Film and Television Production Fund** through either equity investments or conditional grants as follows:

- Television production costs to a maximum of the lesser of 20% of the total production budget or 30% of the portion of the production budget to be paid to Yukon residents and businesses. Eligible genres should include drama, children's programming, documentary, animation and variety. The Yukon Cultural Industries Association should establish formal ceilings for dramatic series, television feature-length movies and documentary series, mini-series or television. Productions must also reflect the Film Incentive Program if they apply. Expert Panels should be utilized in assessing projects.
- Feature films covering to a maximum of the lesser of 20% of the total production budget or 30% of the portion of the production budget to be paid to Yukon residents and businesses. Limits should be set for theatrical feature films and theatrical documentaries of feature length with eligible categories being drama, children's programming, documentary, animation and variety. A distributor minimum guarantee should be required and market pre-sales of at least 30% should be sufficient. Expert Panels should be utilized.





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- Filmmakers Fund currently in existence in the Yukon should be retained and utilized for emerging filmmakers, experimental or art films and other guidelines kept in place as the program works well. Expert Panels should be utilized.

This document recommends that the Yukon Cultural Industries Development Association seriously consider adopting a conditional grant rather than equity investment approach. A review of provincial and national programs reveals that most programs currently recoup an average of less than 5% of their costs with considerable delivery implications.

6. Extend and revamp the successful Yukon Film Incentive Program and rename it the **Yukon Film Incentive and Co-Production Program** to include the opportunity for local production companies and for co-ventures and co-productions between Yukon companies and out of territory companies. This report does not recommend a formal Tax Credit system as the current Yukon labour rebate program has one of the most simple and lucrative systems in the country and it should retain this strength as a competitive advantage. The Yukon government should retain the current 35% labour rebate level and provide additional incentives for above the line training and below the line training in targeted areas. The guidelines will require redrafting to meet these new focuses and opportunities.
7. Establish a **Film Marketing Program** to assist producers who have been chosen to screen at festivals that have significant industry recognition or to provide other marketing assistance.





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8. Develop a specific approach to **Aboriginal film and sound recording development** in the Yukon and work with community leaders, the aboriginal broadcaster and business leaders to develop innovative partnership strategies to advance film and sound recording development in this area.

8. Conduct an **economic survey of the Yukon sound recording industry** to provide a complete economic picture of the industry and to provide a benchmark for future development.

9. Establish a **Demo Recording Program** to support the production of demo recordings by Yukon artists to be used for calling card purposes. Support should be in the form of a conditional grant up to \$1,500.

10. Establish a **Sound Recording Production Fund** designed to support commercially viable sound recordings and should cover up to 50% of a project's costs in the form of a conditional grant. Selection should be subject to an Expert Panel review.

11. Establish a **Music Video Fund** to encourage the production of music videos by the Yukon recording industry in order to aid in the promotion and marketing of album projects which have national distribution. Production support should be in the form of a conditional grant not exceeding 50% of a project's total budget to a maximum of \$10,000 dependent upon national distribution. Selection should be subject to an Expert Panel review.

12. Establish a **Sound Recording Marketing and Touring Program** to support product marketing and to support touring for artists to reach audiences. Financial





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- participation should be in the form of a conditional grant up to \$10,000 or 50% whichever is less.
12. Establish a formal **Human Resources Development Strategy** for the industry to plot its development over the next decade. The strategy should identify and benchmark the current skills base, identify key objectives such as developing a full crew, targeting certain below the line areas and developing above the line development. This strategy is key to the competitiveness of the industry.
 13. Establish a **Professional Development Fund** to support training and development in key areas. Emphasis should be on areas requiring significant development and should include a wide variety of instruments including workshops, producer's in residence or attendance at training institutions.
 14. Establish an **Industry Association/Event and Festival Support Program** to support industry associations, industry events or film festivals. Industry Association support is critically important for the development of the sound recording and film and television industries.
 15. Review the advisability and applicability of including **publishing and new media** under the umbrella of the Yukon Cultural Industries Association.

6.5 *Financing*

1. Establish an **annual financing base with a beginning \$1,536,000 allocation** broken down as follows:
 - \$425,000 for Salaries, Benefit and Overhead





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- \$924,000 for Film and Television Programs and Services which includes both a Locations Program at the current level of support and introducing a set of support mechanisms for the support and development of the local film industry which includes Film Development Fund, Filmmakers Fund (extended), Film Production Fund, Film Marketing Fund and an extended and revamped Film Incentive Program
- \$100,000 for Sound Recording including a Demo Recording Fund, Sound Recording Production Fund, Music Video Fund and Sound Recording Marketing and Touring Program
- \$30,000 for Professional Development for both sectors
- \$57,000 for an Industry Associations, Events and Festivals program for industry wide support.

A full Financial Scenario is attached.

2. Ensure that the Board of Directors retains the right to move allocated monies between programs depending on take-up levels.
3. Review overall allocations on an annual basis and provide recommendations to Yukon Economic Development for future year funding.
4. Reinstate the ability of the program to approach Cabinet for extraordinary funding for larger productions should the funds be depleted. This should only apply should productions meet all other criteria in the program.
5. Ensure a system of regular financial monitoring and accounting to the Board of Directors and quarterly to the Yukon Government.





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YUKON CULTURAL INDUSTRIES DEVELOPMENT ASSOCIATION

PROPOSED FINANCIAL SCENARIO (Annual Allocations)

AREA	ALLOCATION	NOTES
A. OPERATING		
• Salaries and Benefits	\$325,000	Includes 5 staff @ industry rates plus 10% benefits
• Overhead	<u>100,000</u>	Does not include O & M for the Locations Program
TOTAL	\$425,000	
B. FILM AND TELEVISION PROGRAMS AND SERVICES		
• Locations Promotion (As Is)	\$114,000	No increase. At current levels. This does not include staffing of Locations Promotion which is covered in Section A, Salaries and Benefits
• Film Development Funding Program	50,000	New
• Filmmakers Fund (Extended)	35,000	Extends current program for developmental film production.
• Film Production Funding Program	400,000	New
• Film Marketing Fund	25,000	New
• Yukon Film Incentive and Co-Production Program (Extended and Revamped)	<u>\$300,000</u>	Currently rebate portion of the program totals \$140,000 out of a total of \$175,000. This extends the focus and dollars available.
TOTAL FILM PROGRAMS	\$924,000	
C. SOUND RECORDING PROGRAMS AND SERVICES		
• Demo Recording Fund	15,000	New
• Sound Recording Production Fund	50,000	New
• Music Video Fund	10,000	New
• Sound Recording Marketing and Touring Program	<u>25,000</u>	New
TOTAL SOUND RECORDING	\$100,000	
D. PROFESSIONAL DEVELOPMENT	\$30,000	New
E. INDUSTRY ASSOCIATION/ EVENT/FESTIVAL SUPPORT	\$57,000	New
F. GRAND TOTAL	\$1,536,000	Currently the Yukon spends \$502,800. Therefore this is an increase of \$1,033,200 on an annual basis.

