



GUIDELINES

Legacy Program - Development

January 2015

Table of Contents

Table of Contents	2
1. Mandate	3
2. Structure	3
3. Development Program – Digital Media Content Development	3
4. Applicant Eligibility	4
5. Project Eligibility	4
6. Financial Participation	5
7. Evaluation Process	5
1. Independent Producers.....	5
2. Broadcaster-Affiliated Production Companies	6

Application Deadlines: February 1, May 1, July 15, October 1

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1. Mandate

The Bell Fund (formerly The Bell Broadcast and New Media Fund) advances the Canadian broadcasting system.

The Bell Fund:

- Encourages and funds the creation of excellent Canadian digital media,
- Promotes partnerships and sustainable businesses in the broadcast and digital media sectors,
- Engages in research and sharing knowledge,
- Enhances the national and international profile of industry stakeholders

2. Structure

The Bell Fund is a not-for-profit organization. It has been certified by the CRTC as an independent production fund eligible to receive and administer contributions from broadcast distribution undertakings under section 29(2) of the *Broadcasting Distribution Regulations*.

The Fund is governed by a nine member Board of Directors which operates as an arm's-length corporation with representatives from broadcasting, the television and digital media production sectors and from Bell TV and its affiliates.

The Fund is administered through the facilities and services of the Independent Production Fund, with offices in Toronto and Montreal.

3. Development Program – Digital Media Content Development

An endowment of \$10 million was committed to the Bell Fund as a result of the BCE/CTV Benefits program. The revenue generated by this endowment is available for development funding.

The Legacy Development Program supports Canadian television programs that have a proven broadcast track record of success but have never had an associated enhanced digital media component. This Program is intended to support the library of outstanding Canadian television programming that is “evergreen”, and continues to attract audiences over the long term and which would benefit from enhanced digital media content.

Digital media content development provides funding for digital media content development and planning. Digital media producers will take projects from the concept stage to fully developed production proposals.

Development should be considered “proof of concept and feasibility” of the project and may include, but is not limited to, activities such as prototype development, detailed production planning, content and technology design, design documentation, budgeting and financing, production scheduling, business and marketing planning, research and testing, and project proposal development.

Funding is available in the form of grants not to exceed 75% of the costs of development of the digital media project to a maximum of \$50,000.

4. Applicant Eligibility

1. Applicants must be independent producers or broadcaster-affiliated production companies (which will in the aggregate, be eligible for a maximum of 25% of the funds awarded in any fiscal year). The definition of "independent producer" and "broadcaster-affiliated production company" shall be as set out in Appendix A.
2. Applicants must have creative control over the respective components of the project and own the copyright or have obtained copyright permission to adapt any material for the project, and hold or have access to digital media rights.
3. Applicants must be Canadian citizens or landed immigrants, and, in the case of a company, must be Canadian-controlled within the meaning of the Investment Canada Act and as defined under section 1106(1)(c) of the Regulations under the Income Tax Act.
4. Applicants must demonstrate a sound financial position, required expertise, and relevant experience to successfully complete the project.

5. Project Eligibility

Eligible projects must obtain at least one licence **renewal** from a Canadian broadcaster, with terms according to industry norms. The project must still be scheduled for broadcast.

1. Projects must be content that is delivered on a digital network and is created to extend and enhance the television viewing experience. For the purposes of the Bell Fund, interactivity may also include original linear content such as webisodes and mobisodes. Acceptable platforms include, but are not limited to, websites/internet applications, iTV and mobile.
2. Projects must obtain a letter of support for the proposed digital media component from the broadcaster of the associated television program.
3. Projects may not be an industrial, corporate, or primarily promotional project; projects may not be game projects intended primarily for the video arcade market; projects may not be stand-alone DVDs.
4. The television component must meet eight out of ten points for Canadian content certification as certified by CAVCO, or be an official Canadian co-production as certified by the Co-production office of Telefilm Canada.
5. Eligible programs may not be News, Reporting and Actualities, or Sports programming.
6. Project must be in compliance with the laws, regulations, standards and policies applicable to broadcasting and to intellectual property, and it will not infringe upon any public or private rights and will not otherwise contravene any civil and criminal laws in effect.
7. The application may be submitted at anytime during the licence term but the production of new digital media content must be completed and available to the audiences at least two years prior to the end of the licence term. This should be considered when applying for development funding so that the production will align with this expectation.

6. Financial Participation

1. Grants for digital media content development may not exceed 75% of the costs of digital media development, to a maximum of \$50,000. Projects with committed funding from a third party source will receive a bonus point in the evaluation process.
2. Disbursements will be made in 2 installments:
 - 75% on execution of Financing Agreements between the applicant and the Bell Fund; and,
 - 25% upon completion of the development stage, submission and approval of a final cost report and producer's final report.

7. Evaluation Process

1. Applications are reviewed to ensure that all eligibility criteria are met and that the required documentation is complete.
2. Eligible applications are assessed by industry consultants who evaluate the digital media content, feasibility of the project, business assessment and broadcaster support.
3. The intent is that all funding decisions are made by the Board of Directors within the month of application.
4. Projects that do not receive funding may only be resubmitted if there is a *significant* change to the production. These significant changes should be outlined in a separate document or in the cover letter. An unsuccessful project may only resubmit one additional time in the applicable program.
5. Successful applicants must finalize financing of their projects within 90 days or the Bell Fund's commitment may be cancelled at the Board's discretion.
6. The Bell Fund Evaluation Grid contains the key criteria that are examined in the evaluation process. (available under Useful Tools – www.bellfund.ca)

All interpretation of these Guidelines and all policy decisions are at the Board's discretion and the Board reserves the right to final judgment in this regard.

Appendix A / Eligible Applicants

Access to the Bell Fund is limited to individuals, corporations, partnerships and joint ventures which are independent producers or broadcaster-affiliated production companies:

1. **Independent Producers**

An "Independent Producer" is a production company that is not an "affiliate" of any licensed Canadian broadcaster or programming undertaking (a "Canadian Broadcaster"). The Bell Fund uses the Canada Business Corporations Act ("CBCA") definition of the word "affiliate" when assessing the relationship between a production company and a Canadian Broadcaster. The production company should operate principally as a television or digital media production entity. Eligible applicants to the Bell Fund must be a Canadian-controlled corporation as defined in subsection 1106(1) of the *Income Tax Regulations* under the definition of "Canadian" with its head office based in Canada.

2. *Broadcaster-Affiliated Production Companies*

To be eligible, a “Broadcaster-Affiliated Production Company” must be a separately incorporated entity and distinct from the operations of its affiliated Canadian Broadcaster. In effect, a production company is an affiliate of a Canadian Broadcaster if:

- one is a subsidiary of the other;
- both are subsidiaries of the same body corporate; or
- each is “controlled” by the same person.

Production entities which are affiliated with publicly-funded Canadian Broadcasters (e.g. CBC/SRC) are not eligible to apply for funding.

An Independent Producer and a Broadcaster-Affiliated Production Company are eligible to jointly apply for a co-production project, or may apply via a jointly-owned and/or controlled entity or joint venture.