

## **NORTHWEST TERRITORIES FILM REBATE PROGRAM**

### **PURPOSE OF PROGRAM**

To encourage film and television production companies active in the Northwest Territories (NWT) to film on location in the NWT, to purchase goods and services in the NWT, and to create employment and skill development opportunities for NWT Residents. For general conditions applying to all ITI contribution programs, please see ITI's Grants and Contributions Policy. Where there is a conflict or inconsistency between the Grants and Contributions Policy and a provision of this Policy, the provision of this Policy will prevail.

### **PROGRAM GOALS AND OBJECTIVES**

1. Facilitate the growth and sustainability of the film and television industry in all regions of the NWT;
2. Support the career development of members of the NWT film and television industry by increasing employment opportunities;
3. Position the NWT in national and international film markets as a competitive location for production; and
4. Diversify the NWT economy.

### **DEFINITIONS**

1. Assistant Deputy Minister

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

2. Commercial

A media project commissioned for the purpose of advertising a company or industry's goods or services for sale (can include music videos).

3. Contribution Agreement

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

4. 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, social media applications, CD-ROMS, DVDs and other Digital Media.

5. Goods and Services

Any goods and services purchased within the NWT to be used towards the approved project.

6. Film

Except where specifically indicated, film refers to motion-picture productions that use film, video or digital support media.

7. Film Commissioner

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

8. Fiscal Year

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

9. Guest Producer

A film or television business that does not qualify as an NWT Business but which is registered as an extra-territorial corporation with GNWT Corporate Registries and is eligible to participate in the NWT Film Rebate Program.

10. Inappropriate Content

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

11. Industry

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

12. Minister

The Minister overseeing the Department of Industry, Tourism and Investment (ITI).

13. Music Video

A recording of a musical performance meant to advertise a performance, musician, band, musical track, or album for sale or streaming/download.

14. Non-scripted:

Media content which records events and/or interviews that are not pre-written, such as documentaries, factual/reality television and lifestyle programming,

15. NWT Business

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

- (a) Maintains an approved place of business by leasing or owning office, commercial or industrial space or, where applicable, residential space, in the NWT on an annual basis for the primary purpose of operating the subject business;
- (b) Maintains a local NWT Resident manager;
- (c) Undertakes the majority of its management and administrative functions (related to its operations) in the NWT, and
- (d) Has applied for and received an NWT business license, and is registered and in good standing with GNWT Corporate Registries.

16. NWT Co-Production Partners

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

17. NWT Labour

Employment of an NWT Resident as a member of the production crew.

18. NWT Production Company

A film, television and/or digital media company that is operated as an NWT Business.

19. NWT Resident

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

20. NWT Spend

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

21. Scripted

Media content produced from a pre-written script and usually performed by actors, such as narrative dramatic television and film.

**PROGRAM AUTHORITY**

1. Minister

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

The Minister may:

- a. prescribe operational guidelines for the Program, including the setting of limits on individual contributions or related parameters, allocate funds for use in meeting the goals of the Program and settle other procedural matters as needed; and
- b. delegate authority to approve contributions, prescribe operational guidelines for the Program, including the setting of limits on individual contributions or related parameters and allocate funds for use in meeting the goals of the Program to the Assistant Deputy Minister.

## 2. Assistant Deputy Minister

The Assistant Deputy Minister may:

- a. prescribe operational guidelines for the Program, including the setting of limits on individual contributions or related parameters, as delegated by the Minister;
- b. delegate authority to approve contributions to the Director of Economic Diversification for ITI; and
- c. is the final authority to rule on appeals on decisions regarding applications.

## **PROGRAM FUNDING**

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

## **MAXIMUM AMOUNT AVAILABLE PER APPLICANT**

No maximum per applicant.

## **ELIGIBLE APPLICANTS**

- Guest Producers, NWT Co-Production Partners and NWT Production Companies that are registered with GNWT Corporate Registries and licensed to do business in the NWT, or will be prior to the start of funded activities.

## **ELIGIBLE PRODUCTIONS**

- Projects with an anticipated NWT Spend of \$100,000 (CAD) or more and are;
- Feature length films, intended for release in cinemas, on physical media, or via streaming, or;
- Television programming intended for broadcast, on physical media or via streaming, or;
- Digital media projects, including those convergent to a television program intended for cross platform digital media exploitation and/or download; or,
- Commercials and music videos.

Preference will be given to:

- Projects with TV broadcast or theatrical distribution commitments, and/or;
- Projects that generate the greatest economic benefit to the NWT or professional experience benefit to NWT Resident(s)

### **INELIGIBLE PRODUCTIONS**

- News, current events or public affairs programming;
- Projects that solicit funds;
- Inappropriate projects such as pornography;
- Projects produced primarily for industrial/corporate/institutional purposes;
- Projects, other than documentaries, which substantially consist of stock footage;
- Projects that contravene any civil or criminal law.

### **MULTI-YEAR PRODUCTIONS**

In accordance with Section 805 of the Financial Administration Manual, multi-year funding **may** be provided for productions that span more than one fiscal year. Productions considering a schedule spanning two fiscal years should discuss it with the NWT Film Commission as early as possible prior to preparing their application to understand the conditions of a multi-year funding arrangement.

### **PROGRAM CATEGORIES**

There are two categories in the NWT Film Rebate Program:

#### **1. NWT All-Spend:**

- Scripted Projects: 40% rebate for goods and services from NWT Businesses and NWT Resident labour
- Non-scripted Projects: 30% rebate for goods and services from NWT Businesses and NWT Resident labour
- Commercial/Music Video: 20% rebate for goods and services from NWT Businesses and NWT Resident labour

#### **2. NWT Travel:**

- 50% rebate on scheduled airline travel within the NWT:
  - Scheduled passenger and cargo flights whose departure and arrival are both within the NWT (excludes helicopter travel).

- Charter flights are eligible only if scheduled flights are unavailable for the desired itinerary/destination.

## **APPLICATION PROCESS AND FUNDING**

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

### 1. Intake

Applications are currently accepted year-round with funding disbursed on a first-come-first-served basis.

### 2. Evaluation

Completed applications will be evaluated by staff of the NWT Film Commission. Applicants will be notified by the NWT Film Commission of the funding decision. Successful applicants will be provided with a written estimate of the pre-approved rebate and a draft Contribution Agreement for review.

### 3. Funding

The NWT Film Commission and the applicant will then finalize and execute the Contribution Agreement, which will include the financial and results reporting requirements and the funding release schedule.

### 4. Reporting

Successful applicants will be responsible for providing satisfactory financial and results reporting as outlined in their Contribution Agreement. Should the financial or results reporting be unsatisfactory according to the NWT Film Commission, the applicant may be invoiced, in whole or in part, for funds already disbursed.

The NWT Film Commission reserves the right to exercise discretion throughout this process, in both evaluation and funding decisions.

## **APPEALS**

(a) Applicants may appeal an application decision that resulted in a denial of funding. Appeals can be pursued on the grounds that:

- (i) the applicant believes the provisions of the policy were not fairly and adequately applied; or
- (ii) where new information has become available after submission to the approving authority.

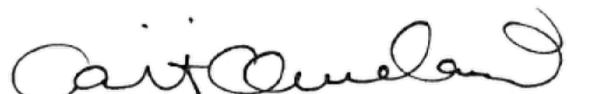
Reasons other than (i) or (ii) above will not be considered ground for appeals.

(b) Appeals must be made in writing to the Deputy Minister within 30 days of the decision. The Deputy Minister may choose to delegate authority for reviewing an appeal.

(c) Once a decision is made by the Deputy Minister or delegated authority, the applicant will be notified in writing. Appeal decisions are final with no further levels of appeals.

#### **PREROGATIVE OF THE MINISTER**

Nothing in this Program will in any way be construed to limit the prerogative of the Minister to make decisions or to take actions, respecting contributions, or any other form of related assistance, either direct or indirect, outside the provisions of this Program.



Caitlin Cleveland  
Minister  
Industry, Tourism, and Investment

November 7, 2024

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Date