

Majors win first round in Quebec

MONTREAL — On Nov. 27, the Quebec Cabinet decided not to approve the regulations of Quebec's Bill 109 touching on the question of distribution of films in the province, among other items. *Cinema Canada* learned from a well-informed source on Nov. 28 that Bernard Landry, then minister of finance in the Parti Québécois government, had opposed the regulations in cabinet. On Dec. 2, the P.Q. lost the provincial election in a landslide vote that returned Robert Bourassa and the Liberals to power in Quebec after nine years of P.Q. rule.

These are the bare bones of a news story which held the front pages of both *Le Devoir* and *La Presse* for three days running, from Dec. 9-11. Curiously, the English press outside of Quebec took scant notice of the events.

As background to the story, Claude Fournier, president of the Institut Québécois du Cinéma, had been asked last August by then minister of Cultural Affairs Clément Richard to negotiate an understanding with the U.S. Majors around the regulations. Originally, Fournier's twin brother, Guy,

author of the study on which Bill 109 was based, had been negotiating with the Majors, and a sort of understanding had resulted, Claude Fournier told *Cinema Canada*. Leaks from the Majors, however, coupled with the fact that Guy Fournier was negotiating as a free agent for the government without any organizational backing, diminished the results, and Richard asked the president of the IQC to begin again. In August, Claude Fournier, Clément Richard and Jack Valenti, head of the Motion Picture Association of America, began discussions.

In September, public hearings were held on the subject of the regulations (see *Cinema Canada* No. 124), and the final draft of these regulations was sent by the Régie de Cinéma to the minister of Cultural Affairs who, in turn, would present them to the Cabinet.

At stake was the definition of just who would be permitted to distribute films in Quebec. The overwhelming recommendations heard at the public hearings was that only Quebec companies should distribute films. Two exceptions would, however, be permitted. The

"producer" of a film or the holder of "world rights" (already doing business in Quebec on Dec. 17, 1982) would be permitted to distribute on a film-by-film basis. In brief after brief, it was suggested that "producer" should be defined as the person who holds copyright on the first day of principal photography, and the "holder of world rights" encompass, effectively, rights in all parts of the world. These were tougher definitions than those in the first draft of the regulations.

These hearings, then, and the resultant regulations constituted what Fournier refers to as "the fall-back position", and made the job of negotiating with the Majors effective. "As time went on and they became convinced that the government was serious about passing the regulations as they stood (if nothing were to come of the negotiations), their position became more and more supple. We made enormous progress from August to October, and, while it would be exaggerating to say that an understanding was at hand, there

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Caplan-Sauvageau report running late

OTTAWA — The federal task force on broadcasting policy won't be meeting its original Jan. 15 deadline to present its recommendations to the minister of Communications. In fact, "If God is good", says task force co-chairman Gerry Caplan, it's only within the following two months that the recommendations will likely be passed. "March is what we're looking for," says Caplan.

Caplan attributes the delay as the product of various factors: the two months last summer spent "gearing up and roaming around" (a process that included public meetings at 14 cities across Canada); a misunderstanding by the task force's creators of what Caplan called "the magnitude of the task"; the temporary resignation last fall of Marcel Masse over allegations of federal election campaign overspending; and an avowed commitment to "stick with" promises to hear out the concerns of interested public and private groups (in some cases more than once) and just generally being as accessible as possible. Masse's

exoneration and return to cabinet late in November would not change the task force's revised submission of recommendations, Caplan told *Cinema Canada*.

Since late November, the task force has been in what Caplan referred to as "our semi-final to final stages," a period in which the seven task force members conferred among themselves and their researchers in a bid to agree on recommendations. Retaining his upbeat outlook (he, in fact, candidly regards his group's existence and experience since its creation last spring as "a wonderful time"), Caplan said that, while a general drift to the task force's report is still outstanding, "We ought to be able to reach a consensus on a whole lot of different issues."

One key recommendation certain to appear when the report is presented (and, as vowed by Caplan, made public) is the continued significant presence of the CBC in the Canadian broadcasting spectrum. Speaking at a November gathering of CBC trade-union

employees (groups that included ACTRA, NABET, and the National Radio Producers among others) at Toronto's Hampton Court Hotel, Caplan pointed out "The question is not whether there should be a CBC. There will be a CBC when we finish. The question is what size it will be, what scale, and what areas will be served." Caplan, who mildly chastised the CBC unions for "missing the boat for five or six months" before finally forwarding submissions to the task force on their concerns, added the public broadcasting system he envisions would "probably be a significant one" with its relative weight vis-a-vis the private broadcasting system to be determined.

As if to emphasize the CBC has a future role to play, the former national secretary to the New Democratic Party found himself trying to allay the mutual concern of the approximately 60 assembled network employees that the federal Conservative government

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Feature Task Forces wants Canadian distribution, funds

TORONTO — On Dec. 10 the Film Industry Task Force, appointed last September by federal Communications minister Marcel Masse to analyze the structural problems of the Canadian film industry, released its eagerly awaited report, *Canadian Cinema — A Solid Base*.

In its 118-page bilingual report, the Task Force unimously requested that the elected government unilaterally establish a firm domestic film policy, aimed not so much at improving Canadian access to foreign markets, but at gaining access to its own domestic market. "We urge you, Mr. Masse," stated the report's covering letter to the minister of Communications, "to resist being distracted by the ongoing trade talks, and to steadfastly pursue your oft-stated policy of developing and enforcing, unilaterally in Canada, a truly Canadian film policy."

In its analysis of the Canadian film industry, the Task Force identified the three major structural problems that required solution for the development of a healthy, dynamic, profitable and competitive Canadian film industry. These are: the foreign domination of film and video distribution in Canada that prevents Canadian producers from taking their rightful place in the Canadian market; the chronic under-capitalization of production companies

and the difficulty of financing feature films; and the concentration of theatre ownership, as well as the vertical integration of distribution companies that reduce competition in the field of distribution and exhibition.

The Task Force's major recommendations, as regards Canadian control of film distribution, is that the distribution of films and videos in all media in Canada be by companies owned and controlled by Canadians. Canadian ownership and control of distribution in Canada is essential, the Task Force stated, recommending the government take the appropriate legislative and regulatory measures to ensure that this policy is carried out to rectify Canadian distribution companies' marginalization in the domestic market, where Canadian films only occupy three to five percent of screen time.

As regards private-sector capitalization of companies and the financing of Canadian feature films, the Task Force recommended the creation of tax incentives and other support mechanisms to encourage investment in Canadian production, distribution and export companies, as well as the creation of a Canadian Feature Film Fund with an annual budget of \$60 million.

The Feature Film Fund, to be administered by Telefilm

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Quebec box-office, distribs strong

MONTREAL — According to Quebec-based film distributors, 1984-85 was an excellent year in terms of box-office receipts for many of the province's films.

"1985 has been a very, very good year for us," Victor Loewy, president of Vivafilm Ltée, told *Cinema Canada*. "We had many films that were very successful at the box office. *Le Matou*, directed by Jean Beaudin and produced by Justine Héroux, has already brought in \$900,000 since its release in early September, and is still going quite strong."

"*Hold-up*, the Canada-France co-production starring Jean-Paul Belmondo, is now in its eighth week in Quebec and has already grossed over \$600,000. I project it to bring in close to \$850,000 before its run in the province is termi-

nated. We have also had success with some of the foreign films which we distributed.

"I am also very excited about our line-up for 1986," continued Loewy. "We will be releasing *Night Magic*, directed by Lewis Furey and produced by RSL of Toronto, as soon as Lewis Furey has secured a record deal for the film's soundtrack. We will also be releasing the new Nardo Castillo film *Claire... Cette nuit et demain* on March 7, as well as *Pouvoir intime* by Yves Simoneau. I am very optimistic about both these films."

In 1986, Vivafilm will also be distributing a line-up of foreign films that includes Federico Fellini's latest, *Fred and Ginger*, and Eric Rohmer's newest feature, *Les Rayons verts*.

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American Majors win first round

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was the basis for one. We had a working hypothesis," Fournier told *Cinema Canada*.

This working hypothesis was developed by Fournier and Valenti during a meeting in New York in October. Marie-José Raymond, Fournier's partner, and co-chair of the federal Film Industry Task Force, was also present at that meeting. According to Fournier, the plan would have been quite complicated to work out, and would have been broader than the one suggested in the regulations. "It would have involved all sectors of the industry and would have been financially interesting for production as well as distribution," said Fournier.

A final effort was made to work out an understanding before the regulations went to Cabinet. On Nov. 11, Remembrance Day (Armistice Day in the U.S.), Fournier and the then newly appointed P.Q. minister of Cultural Affairs, Gérald Godin, met at the Ritz in Montreal with Majors' representatives Millard Roth of the Canadian Motion Picture Distributors (Association (CMPDA), lawyer Jacques Laurent, and the Majors themselves: Barry London of Paramount, Barry Reardon of Warner Bros., and Richard Graff of MGM-UA.

The first press report about the failure of the Cabinet to pass the regulations appeared in *La Presse*, Dec. 6. The Majors' lawyer, Jacques Laurent, denied that any pressure had been exercised by the Majors to produce such a result. No one in the Cabinet was willing to talk about the incident.

Within two days, Gérald Godin was ready to go on record, and told *La Presse* that the Cabinet backed-off due to direct pressure brought to bear by the U.S. State Department, that, if the Quebec Cabinet did not heed these verbal warnings but proceeded to pass the regulations, Godin was told a written protest would be registered in Ottawa. Further, Godin was reported as saying that there were veiled threats of a boycott of theatres in Quebec, and that U.S. President Ronald Reagan was taking a personal interest in the situation.

On the eve of an election, this was more trouble than the Parti Québécois wanted, and the regulations were not approved.

Fournier doubts that any of the Majors requested that such action be taken, though the American Consulate in Quebec

City has admitted making the calls to the ministers. It was not a question of interference in cultural affairs, say the Americans; the Canadians were about to interfere with the commercial interests of the American companies. Bill Soady, president of Distribu-

tion at Universal, told *Cinema Canada*, however, that such intervention would be routine anywhere in the world: "Our business was being attacked and the State Department was made aware of it."

Nevertheless, both Prime Minister Brian Mulroney and minister of Communications Marcel Masse reacted strongly to the intervention of the Americans, though the news ran only on Radio-Canada,

"The American have no business interfering in the democratic process in the country," Masse commented.

Coming on the heels of Mulroney's "essence of Canada" Chicago speech Nov. 5, in which he stated that cultural sovereignty was not negotiable, and preceding by only a few days the report of the federal Film Industry Task Force, the context is more propitious than ever for the governments,

both provincial and federal, to take action concerning film distribution in Canada.

In Quebec, Fournier will meet with Lise Bacon, the Liberal minister of Cultural Affairs (and deputy Premier), during the holidays. She is on record as stating that the situation is grave for filmmakers in Quebec, and that she intends to take quick action so as not to prolong the current situation unduly.



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NEWS

NEW PLAN IN EFFECT

After a long process of consultation with all levels of staff, the NFB has begun implementing a comprehensive operational plan that will enable the Board to increase production and ensure that its films and videos reach a much wider audience. The plan, which will be phased in gradually over a five-year period, also includes provisions for advanced technical research, increased training, employment equity, particularly for women, and closer collaboration with the private sector Canadian film industry.

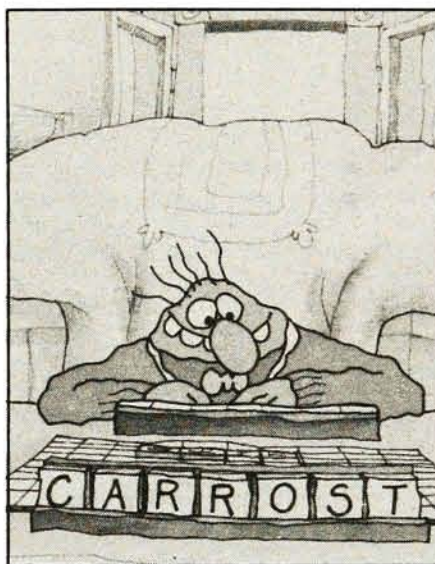
An administrative re-organization has merged production and marketing activities and created six branches: English and French Programs; Services; Administration, Finance and Personnel; Corporate Affairs and Communications. The streamlining of the administrative infrastructure, which will involve no layoffs, will result in a saving of \$12 million which will be re-invested in production, distribution, training and research programs across the country.

FESTIVAL WINNERS

90 Days, which has been playing in theatres across Canada since its release last summer, continues to garner international awards. At the International Film Festival in Rio de Janeiro, *90 Days* star Christine Pak shared the Best Actress award with well-known stage and screen star Glenda Jackson. The film also won a Gold Plaque in the feature film category at the 21st International Film Festival in Chicago where the filmmakers were singled out for their "innovative method of creating film comedy."

Other winners in the animation category at the Chicago Festival were: *Champignons/Mushrooms* (Silver Hugo); *Sylvia* (Gold Plaque); and *The Big Snit* (Silver Plaque).

Anne Trister, a feature film co-produced by the NFB and Les Films Vision 4 has been selected for the official competi-



The Big Snit, winner of the Silver Plaque at the Chicago International Film Festival.

tion at the 36th International Film Festival to be held in Berlin in February. Directed by Lea Pool (*La Femme de l'Hôtel*) the film explores with subtlety and finesse love and human relationships.

NEW FILM CANADIANA

Film Canadiana 1983-1984, Canada's national filmography, has been published by the National Library of Canada; the National Film, Television and Sound Archives; the National Film Board of Canada; and the Cinémathèque québécoise. This authoritative catalogue includes bibliographic data on over 2500 Canadian films produced in 1983-1984, a variety of useful indexes (subjects, director, producer, production company, feature films, co-productions), and an indispensable directory of Canadian producers and distributors with up-to-date addresses and phone numbers for over 1500 film organizations. Send direct orders and payment (\$20.00 per catalogue,

plus provincial sales tax, if applicable, payable to the Receiver General of Canada) to: Customer Services, National Film Board of Canada, P.O. Box 6100, Station A, Montreal, H3C 3H5.

CONCOURS DZIGA VERTOV

La Programmation française de l'ONF annonce la création du CONCOURS DZIGA VERTOV auquel sont invités à participer les cinéastes désireux de réaliser un film documentaire.

Ce concours s'adresse à toute personne d'expression française résidant au Canada, ayant déjà réalisé un ou plusieurs films ou vidéos documentaires artisanaux et qui souhaitent faire une oeuvre imaginative. Les professionnels sont aussi éligibles, à l'exclusion des réalisateurs et réalisatrices ayant à ce titre plus d'un document professionnel à leur actif.

La pré-sélection et le choix du projet gagnant seront assurés par un jury formé de cinéastes professionnels.

Chaque projet doit être adressé, avant le 28 février 1986, à: CONCOURS DZIGA VERTOV, Office national du film du Canada, Programmation française, Studio D (P-34), C.P. 6100, Succursale A, Montréal (Québec) H3C 3H5.

NFB/UN COLLABORATION

The NFB recently hosted a week-long meeting of television producers from 24 countries who gathered in Montreal to screen working copies of a United Nations television series promoting global disarmament. The series, entitled *Agenda for a Small Planet - Phase III: Disarmament* will be aired worldwide in 1986 which the UN has designated International Year of Peace. The NFB will not only produce Canada's official entry in the series but will also be the Canadian repository for the 24 programs and will make them available to all television networks and private stations in the country.

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