



ACTRA Montreal

# Grapevine

Fall 2004

**WHERE IN THE WORLD ARE THEY  
GOING TO MAKE THIS MOVIE?**

*INSIDE: Why you MUST come to the  
2004 MEMBERS' CONFERENCE!*



**Brand New!  
Affordable!**

## **Professional Development Workshops**

### **The Art of the Audition**

This two-night workshop will focus on the entire audition process, from the agency phone call to leaving the audition room - with the role!

The first evening in this workshop will consist of a round table discussion on the Dos and Don'ts of auditioning, with some of Montreal's leading actors. You will have the opportunity to relate some of your own experiences, ask questions and find out how other professional performers prepare for their auditions. You will then go home with a bit of homework - sides for a role that you will use for your own audition in the second class.

The second evening in this workshop will have you auditioning in front of the camera in a realistic casting setting. Each audition tape will be screened in the course - enabling the participants, our casting director and workshop coaches to discuss your audition in a setting which will promote constructive evaluation and a free exchange of ideas - aimed at helping you nail that audition and get the role!

**Part One:** October 18, 2004 @ 7 pm

**Part Two:** October 25, 2004 @ 6 pm

**Where:** ACTRA Montreal office

**Cost:** \$20.00

Space is limited, so please call Randy at ACTRA to reserve your spot.

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ACTRA has been telling you for years to update your profile on Face to Face Online. Now find out how and why!

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**When:** November 8, 2004 @ 7 pm

**Where:** ACTRA Montreal Office

**Cost:** Free

Please contact Randy at ACTRA to R.S.V.P.

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**ACTRA**  
Montreal

## *the Grapevine*

Fall 2004

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# Contents

*President's Message*

**Page 2**

*Come to the Members' Conference*

**Page 3**

*It's My Damn Union*

**Page 4**

*And the Winner Might Be...*

ACTRA Awards 2005

**Page 5**

### **Cover Story:**

*Where in the World are they Going to Make this Movie?*

What's Going on with American Production?

**Page 8**

*The Little Picture*

Low Budget production is up

**Page 10**

*Grand Theft Audio*

Organizing in the videogame industry

**Page 12**

*Cotoons*

Protecting our jurisdiction

**Page 13**

*Sides*

**Page 16**

### **JOIN THE TEAM**

If you're an ACTRA member or apprentice and want to write an article, contribute original cartoons, artwork or photos, we'd love to hear from you! Send us an email at [rduniz@actra.ca](mailto:rduniz@actra.ca).



### Where are the Canadians?

I was struck by the Canadian media coverage of the recent Olympic games in Athens and the way every other commentator offered a condemnation, or at least a shameful recognition of how the sports programs are woefully under-funded in this country compared to others of similar population and demographic make-up. Australia spends over five times as much as we do on their Olympic athletes, and their results show it.

I was equally struck by the recent angry responses from readers of a national newspaper who wrote in to chastise the Canadian government for promoting a culture of mediocrity and allowing our best athletic talent to be lured away by other countries (not only in order to survive in their chosen profession, but to thrive, be supported and celebrated). I couldn't have hoped for a more clear parallel to what happens every day to people in our profession. Performers know this; performers feel this. If only the Canadian public would get this up-in-arms about their shrinking representation on TV & movie screens.

Earlier this summer, I was interviewed by a reporter from a local TV station on the dearth of U.S. service production in Montreal this year. She was looking for a hard-luck story about the financial devastation affecting the membership, but I calmly assured her that our members are used to the vagaries of the industry and they, when they can, plan accordingly. What I tried to get across (but which was of little interest to her) was that when the Americans don't come, what ends up being thrown into relief is the lack of Canadian productions to take up the slack.

But it's not for want of trying. Talk to most film & TV producers in this town and you'll quickly find that they haven't been idle. They want to produce. They've got scripts and treatments and outlines backed up through the funding agencies. But nothing seems to be moving or, at least, it's not moving fast enough. And once it does, where is it supposed to go? The movie theatres show predominantly Hollywood fare, while the networks are clogged with cheap "reality" programming.

Distributors and broadcasters are always watching the bottom line, and the ACTRA-led fight for more drama too often falls on deaf ears. At least the Canadian government seems to have gotten the message lately, but the institutions set up to finance Canadian culture can only do so much with the funds they're allotted and are further hampered by overlapping mandates and a lack of direction (the Olympic comparison comes to mind again). It's all well and good to have your eye on 5% of the domestic box office for indigenous films, but don't forget that there is no magic formula for making a successful movie.

Producers and trade papers have been calling for a return to the old film financing system of the late '70s and early '80s, wherein tax shelters and middle-income investors brought a flood of poorly-conceived, dimly-executed grade Z films into being, while a mere handful garnered critical acclaim or box-office success. I'm all for increasing the number of films and TV shows that we produce in this country but I can't help but be mindful of quality too.

At the last ACTRA National Council meeting in Toronto, there was a spirited discussion about finding new ways to develop and finance Canadian film and TV programs. The consensus was that ACTRA should be doing more at the public policy level to lobby for increased screen time for indigenous product. I'm all for that too, but I tried to caution against moving too quickly, for two reasons: first of all, it puts a lot of performance pressure on TV series' and films (anybody remember "Foolproof?"); and second, it runs the risk of skipping crucial development steps which results in inferior productions.

I recently had dinner with a producer friend of mine (not a contradiction - in this case) and, in response to my lamentations and confusion about the current state of the industry, he offered up a poignant observation: "There are only two indigenous film industries in the whole world that turn a profit without any government subsidy - The U.S. and India. What do they have in common? - A large population." Once that sunk in, I didn't feel so discouraged. I started to look at our achievements in film and television in a different light. I eased up on the pressure and immediately saw the pride and determination behind our efforts, despite overwhelming odds against us. Again, the sports comparison fit.

Don't get me wrong, I will always be in favour of advancing our industry, showcasing our creativity and promoting work opportunities for our members, but the more I understand our position and the more I know of our circumstances, the more vital it becomes to get it right as much as possible before plunging headlong into risk; quality in equal measures to quantity. Respect will grow, confidence will rise and success will come, because the Canadians are here, and they're not going anywhere.

In solidarity,

**Matt Holland,**  
Branch President, ACTRA Montreal

*You must come to...*



**ACTRA**  
Montreal's  
*really big!*  
**Members**  
**Conference**

**FEATURING THE...  
PITCH THE PANEL  
BREAKFAST!**

**AND...  
ACTRA SHORTS  
FILM FESTIVAL!**

**WITH THE  
ANNUAL  
GENERAL  
MEETING &  
COCKTAIL!**

**November 20th, 2004**

**10 a.m.    1 p.m.    7 p.m.**

**@ Centre Mont-Royal**

# IT'S MY DAMN UNION!

by Holly Gauthier-Frankel

Hello again! First off, I want to thank everyone for their incredible support and all the warm responses I've gotten over the past few months. It looks like we have a strong core of members who are willing to help out in many ways, and I look forward to hearing more of your opinions and suggestions as the year goes on. Don't think I won't wring them out of you, either!

However, folks, it's that time of year again. Can you feel it? Actually, can you feel anything after being so cold all summer?? Well, put away your umbrellas and sweaters, and get your parkas out for fall! Because it looks like we have lots of fun work ahead of us. And I'm not just saying this to lure you in. Really. While this may not be the most groundbreaking news, I have to say that the overall vibe in the acting community is changing. And it is infinitely more exciting than trying to cultivate a tan while wearing a slicker in the middle of July. Which doesn't work, by the way.

I did in fact try very hard to let the idle days of summer consume me, and I almost succeeded due to a lack of auditions, and to the abundance of 5 à 7s our fair city has to offer. Damn you, Smirnoff! After many nights of complaining, however, I realized that I was not really fulfilling my duty as ACTRA cheerleader. So I put down my pint glass, wiped my mouth on my cute sweater and put my ear to the ground instead. And I heard the sweet sound of computer keys tapping, of cameras whirring, of extras whining, and of directors yelling 'cut!'

Yes, I know Raymond told you in the last Grapevine that there is very little work to be had in the city, and it's partly true - though work seems to be picking up more than we thought it would, which makes me happy and hopeful. But I also know that actors are starting to take risks on their own. They are taking back their futures and unleashing their ideas and energy into countless personal projects: films, plays, music, scripts, pilot ideas. They are becoming producers, directors, and

writers, and the buzz on the street is that it is starting to pay off in many ways. And though there is never any guarantee of financial success, they are still putting everything they have into these projects. We are starting to get happy, people! We are starting to feel creative again, and to have a real excuse to go the bar at the end of the day! And I'm thrilled to be able to remind you that it can only get better from here, and that no matter what, our community is thriving and our people are supporting each other. Sniffle. I'm sorry. I also saw *The Notebook* this summer, and I've been crying and spouting sappy stuff ever since. So, I'll keep it short and sweet and give you a bit of a recap of what's in store for members over these next few months so we can see more and more of each other and develop lasting bonds of friendship and camaraderie! Doesn't that sound fun? Well, I think it does. So there.

First off, the Professional Development Committee is back at it and we have our two workshops, The Art of the Audition, and the Face-to-Face Online class. These two workshops will be lots of fun, even though they will also be highly informative. Imagine that! I recommend that you sign up quickly, however, because space will be limited. And for that, I'm sorry. So that pretty much wraps up October. Short and sweet. Are you ready for more? Good!

Next up, we have the infamous AGM, which has a notoriously bad attendance record, until the party happens later on in the evening. Shame on us! This year, however, we've decided to incorporate the Pitch the Panel Breakfast and the ACTRA Shorts Fest on the same day, so now we can all just hang out, and eat brekkie, and watch movies and then have a little meeting, and then PARTY! See, it doesn't sound so bad when you think about it that way, right? It's almost like a sleepover! So don't forget to send in your ideas for pitches, as well as your short films so we have something to do all day!



# L'ATELIER

PRESENTS

THE

## JOHN STRASBERG PROFESSIONAL WORKSHOP

**FOUR (4) DAY INTENSIVE - TOTAL 20 HOURS - \$310.00**

### *The Organic Creative Process*

My Organic Creative Process evolves from where the Method, other systems, and the great teachers like Stanislavski, my father and Stella Adler, left off. I define, and train Talent, Imagination, Intuition and Spontaneous Inspiration, the Natural Laws of Creativity that remained a mystical, invisible world to teachers before me. My basic training develops the actor's knowledge of him/her self. Beginning with, and developing from, your natural capacity to become deeply involved, an actor dreams awake, creating a new life, from real and imaginary life. You make the invisible world visible; expressing your, intuitive and conscious, vision of life in your art. Because, an artist has something to say about life.

JOHN STRASBERG

In January (and more details will follow in subsequent Grapevines, I promise!) we'll also be holding the how-to-do-your-taxes seminar, along with a separate evening of financial investment planning for those of you who actually want to have money saved one day. And for the rest of us, well, see you at Cabane I suppose.

In the meantime, I also want to hold a meeting concerning a Women's Committee initiative. I've gotten a few ideas from some of you, but I'd like some more. I'm very demanding, I know. But I feel like we could really go far with a little bit of time, energy, and brainstorming. Come on ladies, don't you want to rule the world? Please let me know as soon as possible. I need to start baking!

Basically, as I may have mentioned several thousand times before, the theme this year is community, and the importance of sticking together when times are a little rough. And it seems as though we've survived the summer pretty well. I'm really looking forward to seeing what the coming year will bring us, and what wonderful projects our members have in store for each other.

Thanks again for reading. Can't wait to hear from you. I'm at tappyco@yahoo.ca if you have suggestions, questions, or comments. And if you're going to be mean or cruel, then you should contact Randy at ACTRA. Good luck with that.

Happy creating! And remember...  
(all together now)...

**It's YOUR damn union too!!!**

Holly

#### WE ALSO OFFER YOU:

##### **THE INTRODUCTION WORKSHOPS**

**WITH GILLES PLOUFFE**

ONE NIGHT A WEEK - 8 WEEKS - \$345.00 **OR**  
FOUR DAY INTENSIVE - THURSDAY TO SUNDAY - \$235.00

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*THE "ORGANIC CREATIVE PROCESS" IS  
AT THE HEART OF THE WORK IN ALL OUR WORKSHOPS*

WORKSHOPS ARE OFFERED IN ENGLISH AND FRENCH

#### ABOUT THE TRAINERS

**JOHN STRASBERG's** international career as teacher, actor, director, producer, designer, and writer exemplifies, and continues, the artistic tradition of the Strasberg family.

**GILLES PLOUFFE** is an experienced professional actor who has studied many years with Mr. Strasberg. He has taught acting at ACTRA, the National Screen Institute, the Algonquin College Theatre Program, Dynamic Theatre Factory and Theatre North America.

**\* CLASSES STARTING NOW \***

#### **INFORMATION/REGISTRATION**

NICOLE (514) 279-1945

L\_ATELIER2004@HOTMAIL.COM

*and the  
winner  
might be...*



Early in 2005, ACTRA Montreal will be hosting an awards night to celebrate the creative accomplishments of our members. For the first time in over 20 years, local performers will be honoured for their hard work and dedication to their craft in English language projects produced in this city.

The ACTRA Award of Excellence made its return last year in conjunction with our 60th Anniversary. Now, using that as a starting point, branches across the country have begun to expand the number of awards presented - recognizing exceptional performances by the members in projects produced in their jurisdiction.

## Four awards

Four categories have been singled out by ACTRA Montreal in which members may be nominated for an award. They are:

**Best Performance, Female**, in a Short, Film or Television Project,

**Best Performance, Male**, in a Short, Film or Television Project,

**Best Voice Performance**, Original or Dubbed in an Animated Project, and

the **Award of Excellence**, honouring a member for their contribution to the industry throughout their career.

ACTRA Montreal's first Award of Excellence was presented to writer, director, producer and performer, **William Shatner**, at the ACTRA 60th Anniversary Gala in 2003.

## What you need to do

Nominate your fellow members!

Shortly after the 2004 Members' Conference in November, ACTRA Montreal will be collecting **Nominations for Consideration** from the membership for the Performance Awards. These Nominations for Consideration will make up the pool from which the final **Nominees** are chosen.

A jury made up of members will screen copies of the projects in which members were Nominated for Consideration and a final list of Nominees will be released early in the New Year.

A final jury will then choose a **Winner** in each category and everyone is invited to the Awards ceremony next year to celebrate our members' achievements.

The key to this, of course, is your participation!

We're counting on your nominations. Check the [www.actramontreal.ca](http://www.actramontreal.ca) website or contact **Randy** at the ACTRA Montreal office to find out more about which projects are eligible and how to Nominate a fellow member for Consideration.

# For Your Consideration

Basic rules of eligibility and the nomination procedure...



Only film and television projects with a first run broadcast or theatrical release between January 1, 2003 and December 31, 2004 (the past two years) are eligible.

The date of production is irrelevant, except in the case of a Short, which may not have a broadcast date.

Nominations must be received by the ACTRA Montreal office by January 31, 2005.



Film and television projects must be produced under ACTRA's jurisdiction, but not necessarily under ACTRA Montreal's jurisdiction to be eligible.

Meaning, a performance by an ACTRA Montreal member in a film shot in Toronto is eligible.

IPA film and television projects (including CIPIPs), AIPs and MIPS (including Shorts) are eligible.



Any ACTRA Montreal member can nominate another member.

ACTRA Montreal members may submit more than one nomination.



ACTRA Montreal members may be nominated for more than one role.

Nominations may only be made for "Lead" and/or "Supporting" roles; specifically, no background roles.



Nominees must have been ACTRA Montreal members when the project was produced to be eligible.

# Out in '03 & '04

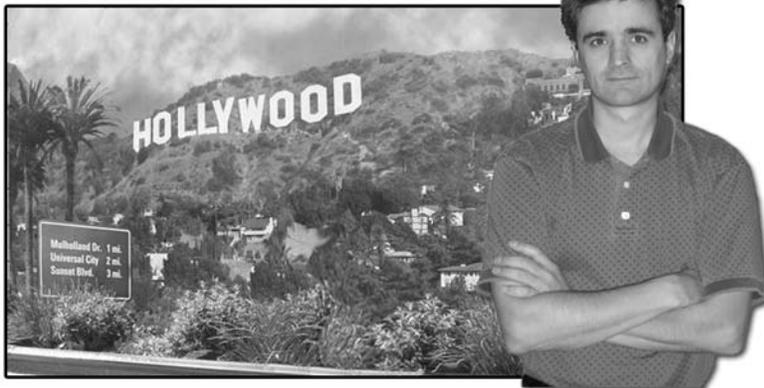
Here is a list of just some of the projects shot in Montreal from which members may be nominated:

11 Somerset  
15/Love  
Beyond Borders  
Bliss (Season 3)  
Blue Butterfly, the Choice  
Christmas Without Ornaments, a Ciao Bella  
Confessions of a Dangerous Mind  
Daniel and the Superdogs  
Deadly Betrayal  
Deception  
Delta State  
Fries With That  
Head in the Clouds  
Human Stain, the  
Il Duce Canadese  
Last Casino, the  
Last Sign, the  
Levity  
Mambo Italiano  
Mental Block  
My First Wedding  
Naked Josh  
Nightwaves  
Nouvelle France  
Rudy: The Rudy Giuliani Story  
Shattered Glass  
Silent Love, a  
Timeline  
Veritas: The Quest  
Wicker Park

Plus more than 30 low budget projects!

# What's Going on with American Production?

by Regional Director Raymond Guardia



When I started working at ACTRA almost 8 years ago, the Montreal production scene was anchored by a strong indigenous base and complemented by a modest number of American projects. How things have changed! The decline in Canadian production and rise in American production has transformed our production scene, resulting in an ever-increasing reliance on attracting American projects.

So long as the decline on the Canadian side was offset by an increase on the American, most players in the production community saw no cause for concern. Studios were being booked, technicians were being hired, honey-wagons were being rented - did it really matter who was doling out the cash?

ACTRA members took a different view, quickly realizing that securing roles - particularly challenging roles - on these American shows was much more difficult than it was on indigenous projects. And so - even though we created "The Opportunity Project" to get our fair share of work on these projects - ACTRA members witnessed this transformation of our production scene with much trepidation.

In addition, ACTRA members understood that American production could be fickle; here today, gone tomorrow. The American presence was fine as "the cherry on the sundae", but to depend on it was a risky proposition.

As I write this article, Montreal has hosted to 6 American projects in 2004 and a 7th - *The Fountain* - has just been confirmed. And while there is talk that we might get a few others, we won't come close to matching last year's total of 15.

Well, if things weren't so depressing, we could all rise in unison and say: "We told you so!"

So, what's going on? Don't they love us anymore?

I recently went down to Los Angeles and - along with ACTRA Toronto Executive Director Brian Topp - visited the studios looking for answers. We met with ABC/Touchstone, Fox, Paramount, MGM, Sony/Columbia/Tri-Star, Disney and New Line.

Let's start with the good news. The studios like shooting in Montreal. Their experiences here continue to be very positive and - more specifically - they consider their relationship with ACTRA to be a mature and healthy one.

So, if they still like us, why aren't they coming here as often as before?

Let's try to answer this question by treating television and feature film production separately.

## Television

Montreal has never been a destination of choice for television series. With the exception of *Soldier of Fortune* in 1998 and *All Souls* in 2000, American series shooting in Canada have opted for Toronto or Vancouver.

Where we have enjoyed some success is with MOWs. The economics of this type of production has meant that over 90% of MOWs destined for the American airwaves are shot in Canada. This type of production has also been a big hit with members, who have secured many larger and challenging roles because the smaller budgets make it impossible for the producers to air-lift huge numbers of American performers.

But as we can see from the graph, the number of MOWs that shoot in Montreal is on the decline. Why?



It all begins with the demand for product on the American airwaves and the impact that reality shows have had on our business. Last year, there were 8 reality shows on American prime-time television; this year, there are 18. The consequence is that fewer dramatic series and MOWs get made. And so - all things being equal - it stands to reason that the number of MOWs shooting in Montreal will be on the decline.

Unfortunately, it doesn't end there. All things are not equal, as more and more of the remaining MOWs opt to shoot in Halifax and Winnipeg. The ultra-rich tax credits that these two locations offer have made the attraction almost irresistible. In fact Manitoba offers an additional tax credit to producers who return; a sort of 'frequent flyer' program for producers.

### Feature Films

In our tour of the studios, we discovered that the overall number of feature films being produced has not declined. Then why - as the graph shows - have the number of films shot in Montreal dropped so dramatically this year?



There are two reasons.

First, the competition is global and fierce. In the course of our meetings with the studios, we were struck by just how many films were being shot in every corner of the world; Mexico, South Africa, Spain, Ireland, Romania, Slovakia, Australia, etc. We've known that this was the case for some time, but the trend is definitely accelerating and there is nothing like looking at a studio's production board and seeing it with your own eyes.

And - as if this wasn't bad enough - a number of American states want to get in on the action. New York, Louisiana, Pennsylvania and New Mexico are now offering tax credits and incentives to lure feature films. Other states are sure to follow suit, adding to the competitiveness.

Second, the campaign to keep films from "leaving" Los Angeles is working. You can see it in the numbers - as off-lot production volumes in LA County jumped 36% in April - the most recent figures we have. And you can hear it when you talk to the studio folk.

*"In the course of our meetings with the studios, we were struck by just how many films were being shot in every corner of the world..."*

No one wants to admit it, but they'll say something like; "Yeh, it doesn't make much economic sense to shoot it here in LA, but that's where it's being shot".

Simply put, it is not cool to be a big star and be shooting outside of LA. And when you read that Ben Affleck - who seemed to be having a very, very good time in Montreal when he was here shooting *The Sum of All Fears* - saying that so-called runaway production is "criminal" and "probably the most important issue facing the state of California today", you have to conclude that we've reached an emotional and rhetorical fever pitch.

### Now What?

It is not in keeping with my temperament to conclude by saying that everything is going to be OK. It's not. Many of the changes that are occurring in our industry are beyond our control.

And so, I offer the following thoughts;

- The window for Montreal to get its act together on the promotional front is closing. On September 10, the industry came together to agree on a plan to better promote Montreal. Success is not guaranteed, but the industry in this city cannot afford to fail.
- Never has ACTRA's campaign to re-energize indigenous production been more critical. Funding for the Canadian Television Fund must become stable and enhanced. The CRTC cannot continue to let broadcasters reap obscene profits without contributing their fair share to the production of dramatic programming. Our political work on this front must be relentless.
- ACTRA Montreal's effort to support low budget production should encourage the next generation of filmmakers to get their projects off the ground, gain valuable experience and develop a body of work that will enable them to access larger and larger sources of funding for future projects. The hope is that these filmmakers will stay in Montreal and remain loyal to ACTRA members.

If we do these three things properly, then, maybe - just maybe - we will once again be able to boast that Montreal is not like Toronto and Vancouver; that our scene has a solid base of indigenous production and American projects that come to town are "the cherry on the sundae".



# *the little picture*

*small* projects a  
*big* part of the Montreal production scene...

## Canadian production

in this city has been on the decline for some time. It's been years now since many of the giants in our local production scene went the way of the dodo and one would venture a guess that some newer members of ACTRA have probably never even heard of companies like *Motion*, *Telescene*, *Allegro* or *Filmline*. While our first inclination may be to lament the loss of potential jobs derived from their demise, another, more culturally significant problem arose: there weren't many Canadians telling Canadian stories in English Montreal.

Last year, that changed. There were 38 projects produced by Montrealers under ACTRA's jurisdiction in 2003, and even if their average run-time was only 10 minutes and the average budget \$1000, that's still a good start. Short films are taking Montreal by storm and 2003 was a banner year, as ACTRA unveiled two new low-budget incentive agreements intended to encourage local producers, writers and directors to put their money - what little they may have - where their mouth is, and create their own films.

Low budget productions have been a part of ACTRA's jurisdiction for a long time. The **Canadian Independent Production Incentive Program (CIPIP)**, an appendix to the **Independent Production Agreement** has always allowed engagers with a budget of anywhere between \$10 000 and \$1 million to produce their project with the use of professional ACTRA talent - paying performers a discounted rate of the IPA's

minimum fees. In the past five years, 50 projects - everything from shorts to feature films - have been produced under the program. Most recently, the CIPIP produced ***Moose TV*** (Rezolution Pictures), starring **Adam Beach** (*Windtalkers*) and **Nathaniel Arcand** (*North of 60*), garnered some attention after airing on the CBC.

Of course, not everyone has ten grand to spend on their first filmmaking experience. Many would be producers are working with a budget closer to...say...\$200. Luckily, the **ACTRA Indie Production Agreement** can accommodate most any project with even the smallest (within reason, of course) honorarium to share with the performers.

Finally, the **Member Initiated Production Agreement** was created to encourage our own members to make use of their creative skills as performers, producers, directors, writers, editors and anything else you can name. Unlike the other low budget agreements, no fees are paid to performers (or anyone else) on a MIP project. Rather, the members (and non-members) involved come together to form a partnership in which they share in the ownership of the finished product. Like the CIPIP, however, both the AIP and MIP adhere to all of the terms of the IPA - other than requiring the engager to pay the minimum fees - and with the minor addition of one rule: no stunts and no nudity allowed.

“It's nice to see our own members up on the screen in a prominent role every once in awhile.”

9  
AIPs  
2003

20  
Low budget  
projects  
in 2004  
(so far)

22\*  
MIPs  
2003

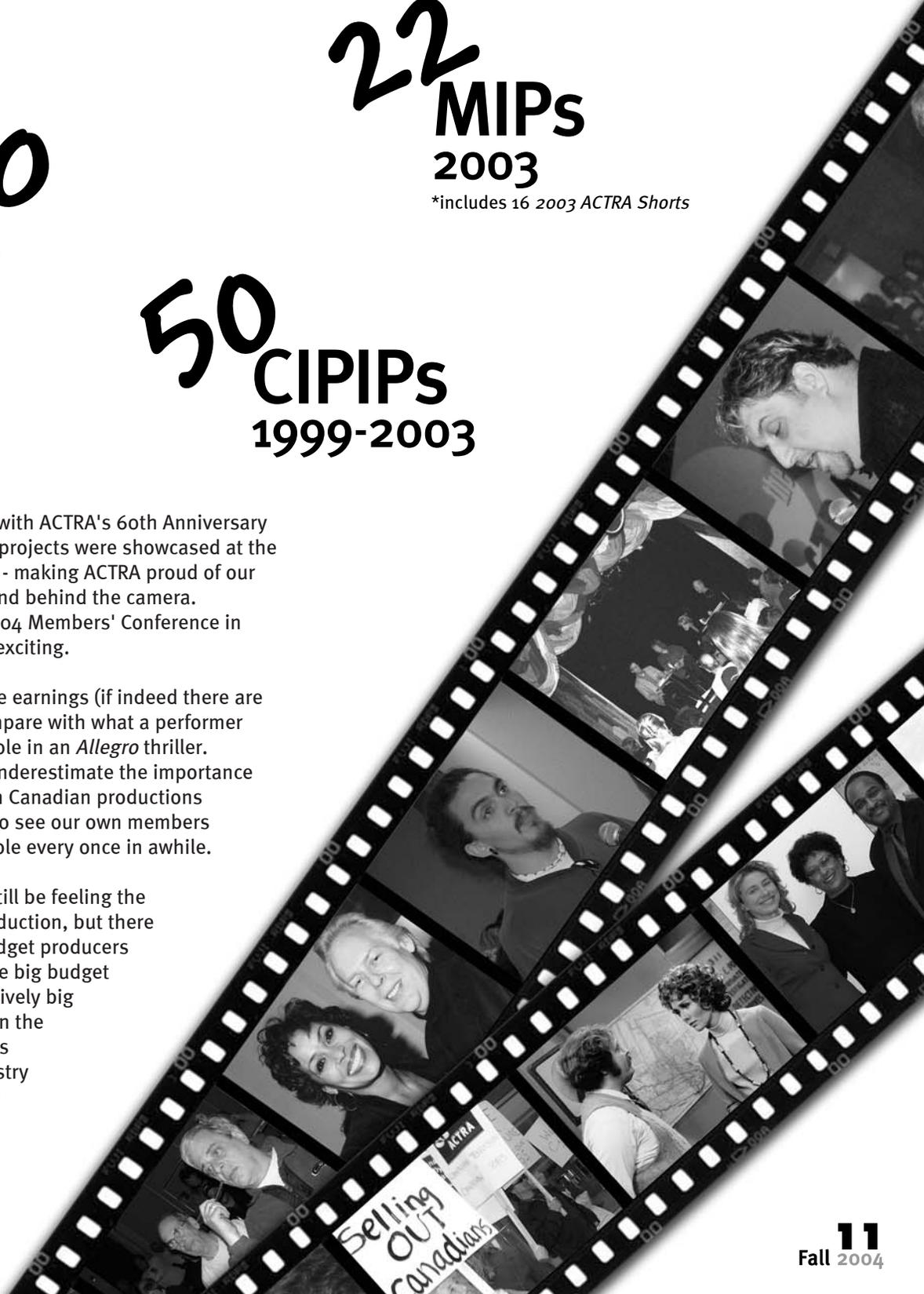
\*includes 16 2003 ACTRA Shorts

50  
CIPIPs  
1999-2003

Rolled out in 2003 in conjunction with ACTRA's 60th Anniversary celebration, many of the first MIP projects were showcased at the first annual ACTRA Shorts Festival - making ACTRA proud of our members' talent both in front of and behind the camera. The return of the festival at the 2004 Members' Conference in November promises to be just as exciting.

Granted, there is no doubt that the earnings (if indeed there are any) on these projects cannot compare with what a performer may have earned from a 3-4 day role in an *Allegro* thriller. Yet it is essential that we do not underestimate the importance of Canadian performers starring in Canadian productions produced by Canadians. It's nice to see our own members up on the screen in a prominent role every once in awhile.

Montreal and our members may still be feeling the pinch from a lack of Canadian production, but there is a genuine hope that the low budget producers of today will ultimately become the big budget producers of tomorrow. Well, relatively big budget - this is Canada, after all. In the absence of a legitimate indigenous Canadian film and television industry right now, it is encouraging to see that there might just be a future somewhere on the horizon.



Selling  
OUT  
Canadians

# ORGANIZING

with Gary Saxe



ACTRA members are contributing their talents to an \$11 billion a year industry, yet some videogame producers still expect voice performers to give them a free ride.

The summer started badly. Unexpectedly, a local producer contested our jurisdiction over video game production. This was the first of three challenges ACTRA recently faced regarding the growing video game industry. Each presented new and important matters for us to confront as this multi-billion dollar business has the potential to create many, many job opportunities for our Members.

In May 2004, **Swat Films** approached ACTRA to discuss a video game they were producing for **Atari**. Since Swat is a member of the Quebec producer's association (the **APFTQ**), they are obliged to use our collective agreement, the IPA, which is quite clear on the subject. It specifically mentions "multimedia" as "a type of production covered by the IPA." It also states: "It is understood that in the province of Quebec, the IPA, once ratified by the APFTQ, shall bind its members". The IPA had been ratified by the APFTQ that same month; May 2004.

This is why we were quite surprised when Swat Films, supported by the APFTQ, decided to use a non-union cast. We immediately launched a grievance. At the grievance meeting, both Swat and the APFTQ claimed that video games are not covered by ACTRA's jurisdiction - regardless of what they so recently ratified in the IPA.

The matter is now headed for arbitration. We are asking not only for a recognition of our jurisdiction and a declaration that all APFTQ members who produce video games and other multimedia projects be bound by the IPA, but also demanding monetary compensation for ACTRA Members who were not considered for the project because SWAT decided to hire a non-union cast.

This experience got me thinking. I haven't spent much time playing video games since my grandfather bought me a **Pong** game in the 1970's. Since then, the video game industry has grown into a multi-billion dollar business. I needed to do some research, so I consulted a video game expert - my 12-year-old nephew.

He introduced me to his **Nintendo Game Cube** and together we spent many hours doing in-depth *research*. Aside from becoming quite adept at playing a large gorilla in **Super Smash Brothers**, I discovered that our favorite *research project*, called **Prince of Persia**, was produced here in Montreal by **Ubisoft**.

Back at the ACTRA office I discovered that ACTRA Members voiced Prince of Persia and other Ubisoft video games. Ubisoft contracted performers under an expired agreement that was originally negotiated in 1998. Back then, video game production requiring performers was in its infancy. The old Ubisoft agreement provided for a session fee, which included 30 years of Use without an additional Use Fee.

Our problem over the years in achieving a Use Fee for video games is that the **Screen Actors' Guild (SAG)**, our sister union in the U.S., doesn't charge a fee for Use of the product. If a producer can have Use in perpetuity without any additional costs in the United States, it's hard for us to demand better conditions here. The producer would just voice the game in the U.S.

Things are now changing. SAG has informed us that their video game agreement will expire at the end of this year. They intend to renegotiate and demand a Use Fee in addition to the Session Fee. If they are successful, it will significantly help us in our demands for Use Fees.

As a result of the changing context for Use Fees, we decided it was time to meet Ubisoft and begin renegotiating the 1998

agreement. We informed Ubisoft that they can no longer use the expired agreement and that we must meet in order to agree on wages and working conditions.

In August, ACTRA's Director of Collective Bargaining and Research, Kelly Lynne Ashton, and our Digital Media National Organizer, Jill Rosenberg, flew in from Toronto.

We met Ubisoft on August 9th and 10th. They still insist on obtaining 30 years Use. However, they now know that they will have to pay Use Fees in order to get it. The negotiations should conclude soon and we are hopeful that we can win an overall wage increase of more than 15%.

The third video game challenge came when a new local producer developing their first game approached ACTRA to discuss the possibility of hiring our Members. Even though this is a smaller company, they still need to hire at least 35 performers to voice over 100 characters. We've been discussing their needs and our requirements for the last few weeks and are very close to an agreement.

They hope to start recording the voices by the end of September for a release of the game by February 2005.

While the summer started badly with the SWAT/APFTQ jurisdictional battle, we seem to be well positioned to secure our jurisdiction and make substantial gains over the coming months.

I look forward to many more hours of video game "research" in the service of ACTRA Members.

- Gary Saxe

# COTOONS

Every once in a while, the APFTQ (Quebec producers' association) tries to poke us in the eye and challenge our jurisdiction. And every time they lose. Sometimes I wonder why they even bother. Then it hits me. "Oh yeah...Greed."

Last year's attempt was about "double shoots", those productions filmed in both English and French at the same time. For 30 years performers have received two contracts when they work on a double shoot; a **Union des Artistes** (UDA) contract for the French performance and an ACTRA contract for the English performance. The producer saves lots of money by building sets, costumes, etc. once, and yet has two final original projects to sell.

These savings weren't good enough for them. They wanted to save more money by paying performers only once for the two projects. ACTRA said "No!", rallied the support of the UDA, Talent Agents and Members, and made sure that they could not cast their projects without signing ACTRA contracts. We won the battle.

Then this summer we faced two jurisdictional challenges. The first, by Swat Films and the APFTQ, is reported in another article. The second came in August from APFTQ member **Zone 3**.

A few months earlier, Zone 3 approached ACTRA and the UDA to discuss "double shoot" conditions for a television series called **Cotoons**. The seven-minute episodes will consist of 5 minutes of animation and 2 minutes of live action. Zone 3 changed their mind about filming it as a double shoot, but somehow forgot to tell us. We started to get suspicious when they stopped returning our phone calls. A few days before the production was to begin, Zone 3 called the UDA and told them that they will be filming the live action segments in English only, but sign the performers on UDA contracts. And, of course, the APFTQ was fully supporting this bizarre position.

The UDA then called us to verify our position. We asked them to confirm that UDA contracts cannot cover the English language performances, and the UDA agreed. We then informed Talent Agents that performers should not work in English without an ACTRA contract. All

Agents agreed with us and were remarkably strong in their refusal to sign UDA contracts for English performances.

Zone 3 and the APFTQ were not pleased when they couldn't get their way and sent us lawyer's letters to "cease and desist". ACTRA refused to "cease and desist". We remained in constant contact with Talent Agents, and, when Zone 3 couldn't find performers who would agree to work in English on UDA contracts, they gave up. Zone 3 agreed, reluctantly, to provide ACTRA contracts for the live action segments.

Why did they do this? As mentioned above... greed.

They could have done the entire project in English, then dubbed it into French, or the entire project in French and then dubbed it into English. Dubbing rates are significantly lower than original off-camera voice rates. However, to qualify for dubbing rates, a producer has to have a completed project in one language.

Zone 3 didn't want to do it that way. They wanted to voice the animated segments in French then dub it into English while producing the live action segment in English and dub it into French. In other words, they wanted to have 2 original products - one in English and one in French, but only pay for one original and one dubbed project.

The only way for them to gain access to the dubbing rates was to claim that they were producing first in only one language. Zone 3 and the APFTQ decided that the way to accomplish this objective was to film the live action segment in English, but declare it part of the French production by engaging performers under UDA contracts. Their ploy did not work.

We won round one of the battle. ACTRA contracts were provided for the on-camera, live action two-minute segments. However, we must be vigilant. Zone 3 may try to engage performers to voice the five-minute animated segments under the dubbing rates. If they do, we will insist on the higher off-camera rates.

We would like to thank the UDA and Talent Agents for their support. If anyone hears about Zone 3 attempting to contract performers for *Cotoons* under the dubbing section, please give me a call the ACTRA Montreal office.

- Gary Saxe

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*ACTRA Montreal*

*would like to congratulate Andrea Kenyon,*

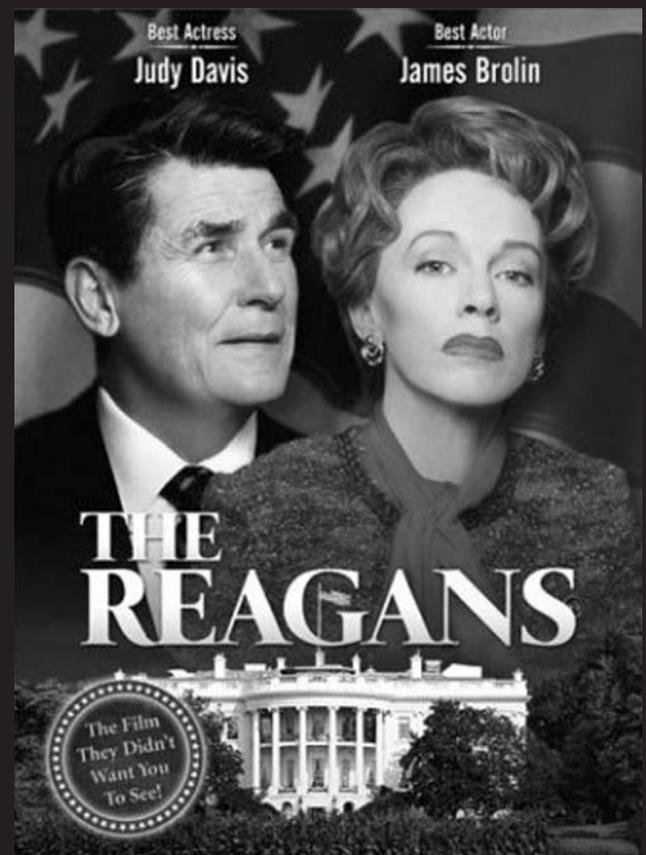
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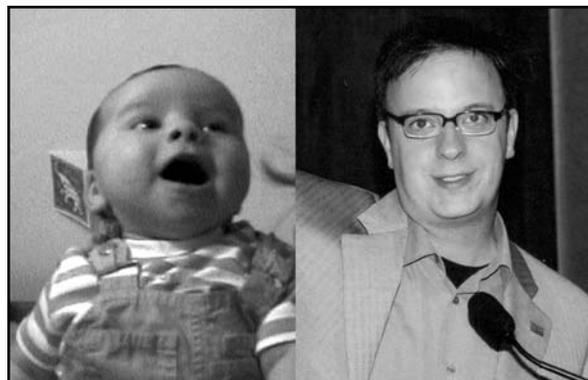
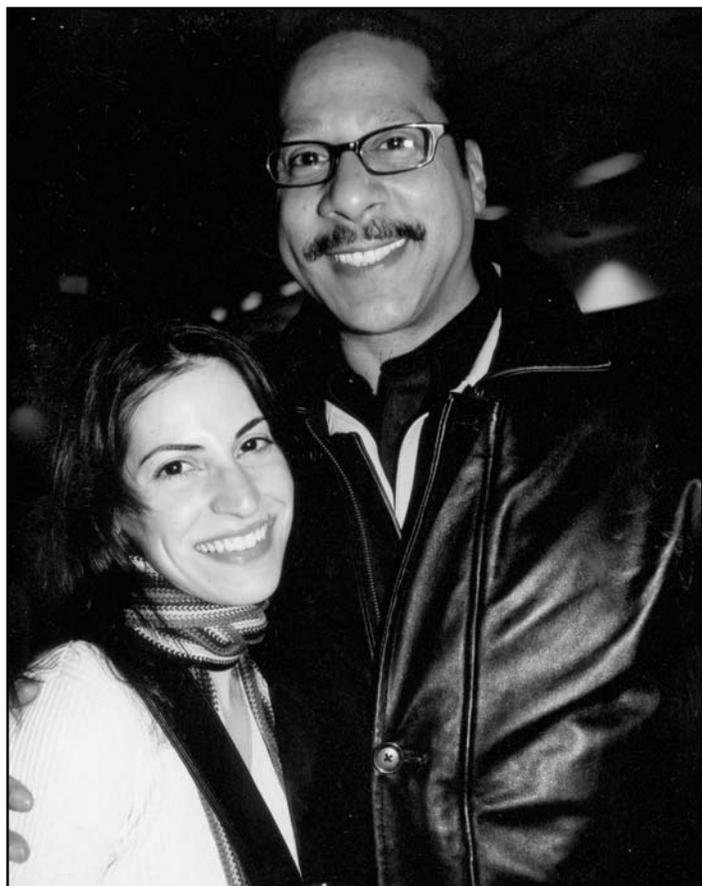


*Congratulations to all of the Montreal members  
who contributed to this outstanding achievement!*

# SIDES. SIDES.

## *It's a boy*

Congratulations to **ACTRA Montreal Branch President, Matt Holland** and his wife, **Margaret McBrearty** on the birth of **Nelson Etienne Holland**. Weighing in at a whopping 9 pounds and 1 ounce, Nelson arrived at 4:27 am, July 5th 2004.



Nelson and dad: the resemblance is uncanny!

## *Thanks Sabrina*

It's been a year already and August marked the end of **Sabrina Gallo's** time here at ACTRA. Filling in as a branch clerk this past year, Sabrina has stepped aside now that **Carmy Renda** has returned from maternity leave, ready once again to take up the cause.

Off to bigger and better things, Sabrina will be missed by the members and staff here at ACTRA. Her hard work and great enthusiasm was well appreciated this past year by one and all.

Thanks for everything, Sabrina!

Sabrina with council member, Don Jordan.

## Welcome New Members

Lila Bata-Walsh  
Gabriel Belanger  
Vincent D'Arbouze  
Dominic Desjardins  
Jean Francois Harrisson  
Lynn Herzeg  
Yves Jacques  
Dana Klyszejko  
Maïta Lavoie  
Mathieu Ledoux  
Sara Leger

Dominic Longo  
Spiro Maland  
Carlo Mestroni  
Laura Jane Mitchell  
Oleg Popkov  
France Raymond  
Alex Rice  
Connie Rotella  
Jonah Wexler  
Stephen Wong



## **Apprentice Member Initiation Course**

Have you taken it yet?  
Sign up now for the next date!

**Wednesday, September 28, 2004**  
**Monday, October 25, 2004**  
**Wednesday, November 24, 2004**

Come to the ACTRA office to register  
in person or download the form at  
[www.actramontreal.ca](http://www.actramontreal.ca) and mail it back  
with your cheque!

# SIDES. SIDES.

## *New National Commercial Agreement*

ACTRA members have ratified the **National Commercial Agreement Terms of Settlement** by **96.65%**. The new 3-year agreement with the Canadian ad industry came into effect August 1, 2004.

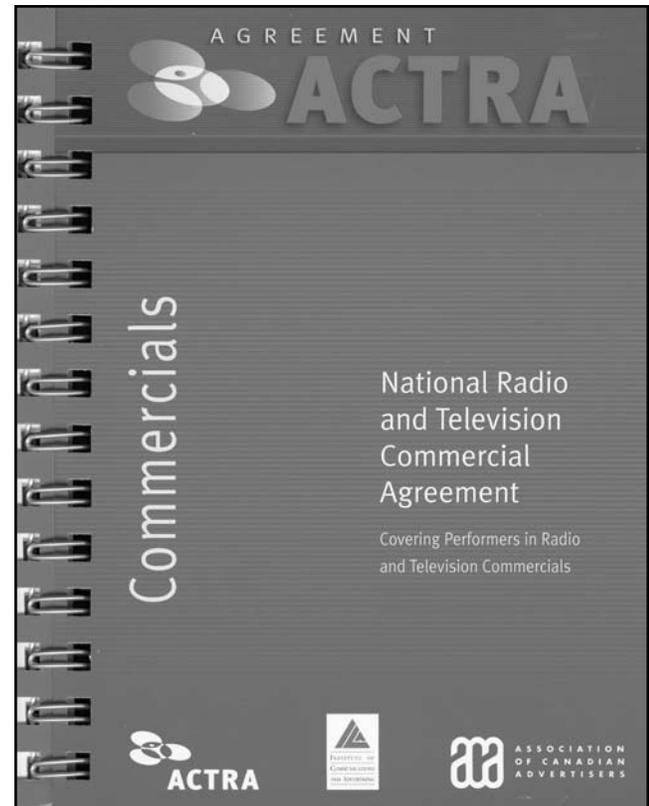
The new deal was concluded before the expiry of the old agreement as a result of a swift resolution of the issues in sidebar negotiations with the support of the parties' respective negotiating committees.

In June, 2004, ACTRA reached new terms for the National Commercial Agreement with the Canadian ad industry represented by the Association of Canadian Advertisers (ACA) and the Institute of Communications and Advertising (ICA).

Highlights of the agreement include:

- 6% increase for union performers in television and radio commercials over the course of the agreement (2% per year)
- 1% increase in producers' contribution to insurance and retirement benefits
- doubling of the audition callback fees and late-payment penalties
- set use periods for internet commercials

The new National Commercial Agreement will be in effect until June 30, 2007. The agreement covers all the terms and conditions of engagement of professional performers in all English-language radio and television commercials produced in Canada.



## *ACTRA Congratulates New Cabinet Appointees*

ACTRA welcomes **Prime Minister Paul Martin's** appointment of **Liza Frulla** as **Minister of Canadian Heritage** and Minister responsible for the **Status of Women** and looks forward to working with the new government on a number of pressing cultural issues.

"We have worked with Ms. Frulla on many occasions in the past and we have always been impressed by her knowledge of our industry's issues. She has an impressive record on important cultural initiatives and has proven to be a great supporter of the arts," said **Thor Bishopric, ACTRA's National President**. "We see her appointment as a sign that this government is prepared to take cultural issues seriously and provide our industry with the support and investment it needs."

ACTRA plans to meet with the new Heritage Minister and her cabinet colleagues, **Ralph Goodale, Minister of Finance and Industry** and **Minister David Emerson**, at the earliest opportunity. ACTRA's agenda includes: fighting moves to relax rules restricting foreign ownership of media, ensuring the **CRTC** is directed to review its 1999 Television Policy, securing long-term stable funding for the Canadian Television Fund and giving artists a chance to earn a living in Canada by reinstating federal income tax-averaging rules.

"During the election, ACTRA's members worked hard to get culture on the agenda. We'll be keeping up the pressure to ensure that immediate action is taken to advance Canada's vulnerable cultural industries," said Bishopric. "We need to quash talk of increased foreign ownership and find a real solution to the crisis in Canadian drama."

**ACTRA Montreal**

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