

ACTRA

SIDE LETTER NO. 7

ACTRA Online Opportunity Pilot Project

Letter of Understanding

between

the Alliance of Canadian Cinema, Television and Radio
Artists (hereinafter “ACTRA”)

and

the Association of Canadian Advertisers
(hereinafter “ACA”)

Digital Media Only – New side letter that will expire upon expiration of NCA unless renewed.

Objective:

To increase work opportunities for ACTRA Performers in low budget, digital media commercials.

To enable signatory Engagers to be in a position to compete effectively for low budget, digital media productions.

Term:

The Parties recognize and agree that the ACTRA Online Opportunity Pilot Project is a Side Letter that forms part of the NCA. The Pilot Project will expire at the end of the term of the NCA.

Qualifications and Conditions:

For smaller productions in respect of which the Engager and the Advertiser have executed and delivered to ACTRA a declaration (in the form attached hereto) certifying that the production budget is \$75,000 or less, the Engager may access the ACTRA Online Opportunity Pilot Project. The production budget presented shall consist of production, post-production, talent and audio (inclusive of music) costs.

This Open Casting opportunity will involve the following:

- will apply to Digital Media productions only;
- This pilot project does not include distribution on SVOD

TELEVISION AND RADIO

- the Engager will post, either through agents, or through ACTRA online once it is operational, opportunities to Performers;
- the posting shall include the nature of the commercial, time and date of the shoot, requirements for the job and the length of time that the Performer is expected to work [this shall constitute the intent to produce];

The minimum rates per commercial, inclusive of both session and use fees (but exclusive of I&R and taxes) for 365 consecutive days Digital Media Use in accordance with 1902 (b) are:

PP- \$1020	1 Year Use
SOC – \$1020	1 Year Use
Voice Over – \$714	1 Year Use
Demonstrator – \$357	1 Year Use
Group Singer – \$306	1 Year Use
Background – \$294	
Group Background – \$146	

- In the event that an additional session day is needed for the same commercial under this pilot project, no additional use fees are payable, however, the Performer will be paid the lesser of the day session fee under the NCA or the all in fee for the Performer set out above.
- Except where the provisions of this pilot project provide otherwise, the provisions of the NCA shall apply.
- A second year of use can be secured with the payment of a step up to NCA Digital Use fees for residual Performers WITH THE WRITTEN PERMISSION OF THE PERFORMER.
- Additional session days for VO under 1902(b) for work under this pilot project will be compensated in accordance with the rates above.
- No stunt performances permitted;
- The pilot project is LIMITED TO CANADIAN RESIDENT PERFORMERS available to Performers who are Canadian residents or citizens;
- Versions in accordance with 1902(b) will be permitted;

TELEVISION AND RADIO

- There will be no traditional casting, however, Performers may upload an audition (via ACTRA Online once available);
- The posting will be open to both ACTRA and non-ACTRA members, however, preference of engagement will be given to ACTRA members;
- In the event that a Non-ACTRA member is selected under the pilot project a work permit will be issued ACTRA undertakes to ensure that permit fees are reasonable but in no case will such fees exceed \$100
- Payment for the project will be made within 15 business days;
- There shall be no contract service fees;
- Product conflicts do not apply;
- Engagers shall not request Performers to disclose any commercials in which they have been previously engaged;
- There will be no move over to television unless thereafter applicable TV rates, conditions and upgrades are applied AND WRITTEN PERMISSION OF THE PERFORMER IS RECEIVED;
- The parties agree that the project will be an appropriate topic for discussion at their quarterly meetings
- The Engager who is making the production must be a direct signatory to the NCA. To be clear, in accordance with Article 401, this pilot project is only available to Engagers in respect of Digital Media commercials created by the Engager.

ACTRA

