
2023 PRE-BUDGET SUBMISSION
HOUSE OF COMMONS
STANDING COMMITTEE ON FINANCE

5 October 2022

ACTRA

LIST OF RECOMMENDATIONS

Recommendation 1

The federal government take the following steps to generate additional revenues to support film, television and digital media production:

- Ensure all online programming services, as well as Internet Service Providers and Wireless Service Providers, contribute a percentage of their gross Canadian revenue from broadcasting-related activities to the creation of Canadian audiovisual and music programming through a public fund; and
- Allocate a portion of the proceeds of all spectrum auctions to the production and distribution of Canadian content, including audiovisual and music programming.

Recommendation 2

The federal government permanently increase funding for the film, television and digital media industry, including CBC/Radio-Canada, Telefilm Canada, Canada Media Fund, National Film Board, Indigenous Screen Office, Black Screen Office and Disability Screen Office.

Recommendation 3

The federal government support professional artists through the following measures:

- Change the eligibility requirements of the current EI program to allow self-employed artists to contribute to the program and receive EI benefits;
- Increase the current 55% benefit replacement rate so it provides a livable income to Canadian workers;
- Introduce a four-year income averaging system to ensure tax fairness; and
- Make the first \$5,000 of professional artistic income tax-free.

Recommendation 4

The federal government support professional artists through the following measures:

- Strengthen copyright laws for all artists;
- Extend performers new economic and moral rights on their performances related to audiovisual supports; and
- Amend the private copying regime to make it technology-neutral for audio/visual work and sound recordings.

Recommendation 5

The federal government should make federal funding programs for the film, television and digital media industry (including public and public-private funding and tax credits) contingent on the achievement of appropriate equity-related targets and agreed-upon quotas.

WHO WE ARE AND WHAT WE BRING TO THIS DISCUSSION

This is the submission of ACTRA (Alliance of Canadian Cinema Television and Radio Artists) regarding the Standing Committee on Finance's 2023 Pre-Budget consultation. ACTRA brings to this process the perspective of over 28,000 professional performers working in English-language recorded media in Canada. For almost 80 years, ACTRA has represented performers living and working in every corner of the country who are pivotal to bringing Canadian stories and music to life in film, television, radio, sound recording and digital media.

In this submission, ACTRA will make federal budget recommendations to strengthen and promote the film, television and digital media industry in which our members work and to improve the working lives of professional artists.

IMPORTANCE OF FILM, TELEVISION AND DIGITAL MEDIA INDUSTRY TO CANADA'S ECONOMY

Canada's screen-based industries continue to create green, high-end jobs crucial to our economic growth and sustainability. Between April 2020 and March 2021 – capturing the aftermath of what is arguably the single biggest disruptive element experienced in the sector: the COVID-19 pandemic – the Canadian screen-based media production sector reported \$9.09 billion in total production volume, a decrease of 5 per cent from 2019/20.¹ The mix of foreign and domestic production across Canada created an estimated 216,660 full-time equivalent jobs. Total direct GDP from this production was estimated at \$11.27 billion in 2020/21.

ACTRA members are among those professionals who work in the screen-based industries. Our members are passionate about bringing Canadian stories to life and making programs that provide audiences with a Canadian perspective. While foreign production remained steady in 2020/21 (\$6.05 billion, a modest increase of <1 per cent), we continue to see a downward trend in the production of Canadian content made by Canadian writers, directors, producers and performers.

Production of Canadian content in 2020/21 decreased by 12 per cent to \$2.75 billion of total production volume. Canadian broadcaster in-house productions decreased by 8 per cent to \$1.07 billion.

During the 2021 federal election, the Liberal Party of Canada made a commitment to permanently increase funding to Telefilm Canada, the Canada Media Fund (CMF), the Canada Music Fund, the Indigenous Screen Office, and the CBC/Radio Canada. ACTRA is hopeful Budget 2023 will deliver on the promised and much-needed investment in Canada's screen industry.

Now more than ever, we need adequate, long-term investment in Canadian content production. In consultation with industry stakeholders, increased investments should be made to help our industry recover from the pandemic and to achieve diversity. Additionally, increased

¹ [Profile 2021](#), Canadian Media Producers Association;

investments are also required to these funding bodies to ensure appropriate regional and linguistic representation.

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- Allocate a portion of the proceeds of all spectrum auctions to the production and distribution of Canadian content, including audiovisual and music programming.

Recommendation 2

The federal government permanently increase funding for the film, television and digital media industry, including CBC/Radio-Canada, Telefilm Canada, Canada Media Fund, National Film Board, Indigenous Screen Office, Black Screen Office and Disability Screen Office.

THE IMPORTANCE OF ARTISTS AND RECOGNIZING THE UNIQUE WAY THEY WORK

As Canada’s gig economy continues to grow, so too do concerns regarding protections for these precarious workers. Low wages, no benefits and no retirement funds compounded with uncertain long-term work often puts gig workers in a perilous situation.

While labour issues in this area have mostly focused on increasing protections for app-based workers, governments should pay attention to an equally important group of gig workers — Canada’s performers.

Performers are the original “gig” workers: self-employed artists who make a living from a variety of sources. Most artists, including ACTRA members, do not work a traditional workweek with many working multiple jobs, either within the sector or outside, to survive economically.

While individual engagements in ACTRA’s jurisdiction are well-paid, performers are constantly searching and competing for available work. In 2019, the median income of actors, singers, dancers, comedians, musicians and other performers was roughly \$24,300. This was approximately 44 per cent lower than the median income of all workers. For actors, the median income was even lower: \$18,600 for men and \$18,400 for women.²

² *Demographic Diversity of Artists in Canada in 2016*, Hill Strategies Research Inc, January 2020;

At the onset of the COVID-19 pandemic, millions of Canadians lost their jobs because of rapidly emerging business reductions and closures, yet many of those workers were not eligible for Employment Insurance (EI).

Under the *Employment Insurance Act*, regular benefits are only available to eligible workers in insurable employment, which relies on a traditional employee-employer relationship to ensure a worker has lost their job through no fault of their own.

However, if a self-employed artist works at another job between gigs, they (and their employer) will pay into the program on the insurable hours. But, if they are laid off from that employment, they are ineligible to collect regular EI benefits.

For a modernized EI program to provide adequate income support to all unemployed workers, it must be expanded to include self-employed artists by allowing them to contribute to the program and receive EI benefits. If artists are to fully participate in the Canadian economy, they must be treated equally as other Canadian workers.

Recommendation 3

The federal government support professional artists through the following measures:

- Change the eligibility requirements of the current EI program to allow self-employed artists to contribute to the program and receive EI benefits;
- Increase the current 55% benefit replacement rate so it provides a livable income to Canadian workers;
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- Make the first \$5,000 of professional artistic income tax-free.

CANADIAN CULTURAL INDUSTRIES AND ARTISTS

The *Copyright Act* has a material impact on a performer's ability to sustain a living and contribute to Canadian culture. New technology has dramatically changed the creative industries and Canada's copyright legislation needs to reflect the new economic reality in which artists operate. While it's easier than ever for a performer's work to be seen or heard by people around the world, it's harder than ever for them to be properly compensated for their work.

Every performer uses their unique creativity to bring a scripted character to life. Yet Canada's copyright laws, which are designed to protect the creative aspect of an artist's work, do not provide the same legislated protections for audiovisual performers as they do other creators and artists.

Additionally, consumers and digital giants have, for years, been enjoying the benefits of making unlicensed private copies of music on devices while rights-holders go unpaid for this valuable

use of their intellectual property. A technology-neutral private copying regime would ensure music creators and their business partners could earn income from their intellectual property.

Recommendation 4

The federal government support professional artists through the following measures:

- Strengthen copyright laws for all artists;
- Extend performers new economic and moral rights on their performances related to audiovisual supports; and
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DIVERSITY IN CANADIAN FILM, TELEVISION, RADIO, SOUND RECORDING AND DIGITAL MEDIA

Canada continues to address a long overdue reckoning with systemic racism as well as a history of injustices against Indigenous Peoples. These issues are often compounded by harassment and gender inequality across the country.

While Canada’s film, television and digital media industry continues to take steps to address these issues, more needs to be done to ensure equitable access for Canadians of all backgrounds and identities to create content and to allow all Canadians to see themselves authentically reflected on our screens.

A correlation can be made between income inequality and opportunities for Black, Indigenous and People of Colour (BIPOC) and women artists to create content when comparing the median income for artists. For a racialized artist, the median income is 25 per cent (\$18,200) lower and 32 per cent (\$16,600) lower for an Indigenous artist compared to the median income for all artists (\$24,300). And for women artists, the median income is 18 per cent (\$22,300) lower than that of men artists (\$27,100).³

Additionally, BIPOC professionals have reported difficulty in accessing funding for the development or production of film or television programs with a disproportionate amount of funding being accessed by white creators. One reason cited for the lack of access to funding is a weakness in the funding system where those making the decisions are not representative of the population.⁴ Another reason is how access to funding can be reliant on informal, reputationally driven recruitment processes that disproportionately limit the participation and advancement of certain creatives, often according to ascribed characteristics (gender, ethnicity, disability, etc.).⁵

³ *Demographic Diversity of Artists in Canada in 2016*, Hill Strategies Research Inc, January 2020;

⁴ [Changing the Narrative](#), Commissioned by Reelworld Film Festival and Reelworld Screen Institute; and

⁵ [Inclusivity in Canada’s Screen Sector: How Social Capital is the missing link](#), POV, 2022.

There is a long way to go to ensure women as well as BIPOC creators have equal opportunities for work on-screen, in other creative categories, and as technicians, crew and support personnel.

Recommendation 5

The federal government should make federal funding programs for the film, television and digital media industry (including public and public-private funding and tax credits) contingent on the achievement of appropriate equity-related targets and agreed-upon quotas.

Although our analysis is brief to comply with submission requirements, ACTRA would be pleased to provide additional details upon request.

Thank you for allowing ACTRA to participate in this public consultation.