



March 29, 2010

Mr. Robert A. Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

CRTC Broadcasting Notice of Consultation: 2009-777
Call for comments on a new definition of “Canadian program” that includes the dubbing of Canadian programs

Dear Mr. Morin,

1. The Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) welcomes the opportunity to **comment** on the above-mentioned Notice on behalf of our 21,000 members and will bring to it the particular perspective of professional performers working in the English-language recorded media in Canada.
2. ACTRA's primary regulatory objective is making sure that Canada has an independent, robust domestic television, film and new media production, distribution and exhibition system. Specifically we are motivated by the need to ensure that Canadian creative resources are predominantly used on the public airwaves; and there is a reasonable supply of high-quality English-language drama, and scripted comedy programs and series in every medium.

ISSUES

3. In Public Notice 2000-42, the Commission set out its revised approach to the Certification of Canadian Programs. A policy was set out for the dubbing of foreign programs originally produced in an official language of Canada or a native Canadian language, and for those originally produced in a language other than an official language of Canada or a native Canadian language. However it did not provide details regarding Canadian-produced programs in either official language that are subsequently dubbed in Canada or abroad.
4. This issue impacts directly on a large number of ACTRA members who are professional voice-over artists. The question of what defines a program as 'Canadian' impacts directly on the careers and livelihood of all of ACTRA's 21,000 members. It is ACTRA's longstanding view that themes, location, and subject matter do not define what is "Canadian." A "Canadian" production is one that is produced, written, directed and

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performed by Canadians.

5. The persons doing the 'dubbing' are 'voice over artists', who are professionally trained actors no different than any other category of 'performer'. Voice or off-camera performers should be given equal weight and consideration in the calculation of a program's Canadian certification as other performers.

QUESTIONS

6. *Should a Canadian production dubbed in Canada in one of the official languages or in a Native language be given the same time credit as its original version or should it be given a greater time credit?*
7. It is ACTRA's view that such a Canadian program should be given an equal time credit as the original version.
8. *Should a Canadian program dubbed outside of Canada in one of the official languages or in a Native language be given a 100% Canadian content credit and be considered an original program or should it receive a lower credit, given that the audio portion is converted outside Canada, thus involving the hiring of non-Canadian performers and linguistic cultural markers that French-Canadian speakers have difficulty recognizing?*
9. A Canadian program dubbed outside of Canada using non-Canadian voice-talent should receive a lower credit as it will no longer meet the basic Canadian certification requirements set out in 2000-42:
 - *"At least one of the director or screenwriter positions and at least one of the two lead performers must be Canadian"*
 - *"A production in which non-Canadians are the only lead performers will not be certified as Canadian. The addition of Canadians in minor roles will not be sufficient for a production to qualify."*
10. An animated program where there is no performer visible on screen, or a live action program that is dubbed using voice-over artists that are non-Canadian clearly no longer have Canadian performers playing the leading roles since those roles are substantially modified by the dubbing performance. If the voice-over/dubbing performers are non-Canadian, the leading roles modified by addition of such non-Canadian performance cannot be considered fully Canadian.
11. *With respect to a foreign production dubbed by a process of lip synchronization done in Canada using Canadian resources, are the 25% and 50% time credits currently awarded still appropriate or should they be revised? In the event they are revised, what revisions should be made?*
12. It is ACTRA's view that the maximum credit for a foreign program dubbed in Canada using Canadian resources should be 25%. ACTRA does not see why a foreign language program dubbed into one of Canada's official languages should receive double the time credit as a program dubbed from one official language to another.

13. ACTRA thanks the Commission for the opportunity to provide comment on this important issue.

Thank you.

A handwritten signature in black ink, appearing to read 'Stephen Waddell', with a horizontal line extending to the right.

Stephen Waddell
National Executive Director
ACTRA

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