

EXTERNAL FACT SHEET

TV/DIGITAL MEDIA/OUT OF HOME (VIDEO) "BUNDLE" PILOT PROJECT

Objective

This is a Pilot Project for organizing purposes as we simplify and modernize the agreement to create new work opportunities, bringing non-union work to ACTRA and its partner agencies and advertisers.

Term

This Pilot Project is for **National** commercials produced in English and in Canada for Canadian use only and is available during the term of this agreement (June 12, 2024 to May 31, 2025).

Qualifications and Conditions

1. Residual Bundle options are available for original new National productions only. The bundles do not apply to edits and subsequent cycles for commercials produced prior to June 12, 2024.
2. The bundle use periods are for concurrent Television, Digital Media, and Other Media/Out of Home use.
3. Engagers **must** indicate the residual bundle option on the Casting Breakdown, Intent to Produce, and Performer Contract. bundles cannot be accessed without this declaration.
4. All performers engaged in the commercial must be offered the same bundle term (i.e.: no mixing of tables and bundles or bundle terms).
5. Subsequent 13-week or 6-month residual bundle options may be renewed without re-contracting. For clarity, bundles shall be paid for subsequent cycles where the cycle begins before the expiry of the Pilot Project (2025-May-31).
6. Dormancy only applies to the 13-week bundle option.
7. Product Conflicts apply to bundle options as it includes Television and Other Media/Out of Home use.
8. Except where the provisions of this Pilot Project provide otherwise, the provisions of the NCA shall apply.

Minimum Rates

Residual bundles option rates are minimums and subject to negotiation. The minimum rates per commercial, **exclusive of Session** and related fees, I&R and taxes are:

BUNDLE RESIDUAL OPTIONS <i>(Exclusive of Session Fees [article 1202])</i>			
	1 Year	6 Months	13 Weeks
Principal Performer (PP)	\$7,560.00	\$4,200.00	\$2,520.00
Silent on Camera (SOC)/Stunt (ST)	\$5,040.00	\$2,782.50	\$1,837.50
Voice Over (VO)/Solo Singer (SS)	\$3,780.00	\$2,100.00	\$1,354.50

Payment Details

Residual bundles may be paid for subsequent cycles where the cycle date begins before the expiry of the Pilot Project (May 31, 2025).

1. Residuals for bundle options are **guaranteed** and **pre-paid upfront** for the duration of the cycle selected. Payments shall be made not later than **fifteen (15) business days** after the work **Session**.
2. Payment Remittances must indicate the bundle Option selected.
3. The cycle (13 weeks, 6 months or 1 year) shall begin within thirteen (13) weeks from the on-camera session.
4. Cycle declarations shall be provided to the local ACTRA office where the production took place twenty (20) business days from the beginning of the cycle, if the cycle isn't declared with the bundle payment.
5. Once a bundle cycle has expired, subsequent use can be paid according to the tables/charts of the NCA. An Engager cannot move from tables/charts to bundles.
6. Bundle payments for subsequent cycles are due within twenty (20) business days from the first day of the new bundle cycle.
7. ACTRA Apprentice Member and Non-Member Service Fee Deductions apply.

QUESTIONS & ANSWERS

- 1. Who can access these residual bundle options?** *These residual bundle options are available to National commercial spots only, not Local & Regional commercials.*
- 2. What happens if the residual bundle option is not indicated on the casting breakdown, contract, etc. Would they still be allowed to use this option?** *No. If the residual bundle option has not been indicated on the casting breakdown and contract then the residual bundles may not be accessed.*
- 3. Can an Engager extend the residual bundle period by topping up the payment before the initial cycle is complete?** *The residual bundle is an upfront payment. If an Engager would like to purchase another residual bundle cycle, a bundle rate must be paid. An Engager cannot simply top up and pay the difference. Residual bundles must be renewed for the selected cycle length each time at the applicable rate.*

E.g. An Engager buys a 13-week residual bundle cycle (Principal Performer @ \$2,520) and decides at week 11 they want to extend the cycle to 1 year. They cannot pay the difference of \$5,040 to top it up to \$7,560 for the 1-year bundle Option, but rather, the Engager must pay the separate 1-year residual bundle Rate of \$7,560, in addition, once the 13 weeks have expired.
- 4. What are the residual bundle rates for Group Singers?** *At this time, there are no Group Singer rates for bundles. Group Singers shall be paid according to the NCA.*
- 5. What happens if the commercial is never used?** *If the commercial is never used, since it is an upfront payment, the Engager still pays the residual bundle rate.*
- 6. What happens if a performer is downgraded or edited out?** *The Engager pays the Performer upfront regardless of downgrading or editing out. The Engager gets the flexibility, and the Performer gets the payment upfront.*
- 7. What happens if a performer is Upgraded?** *Payment shall be made for the upgraded performance category.*
- 8. If after the 6-month option, and you want to go to traditional NCA table rates, do you need written permission from talent?** *The Performer must provide permission as you are changing the terms of the initial contract.*
- 9. Do engagers need to sign a new continuance letter?** *Engagers continue to be adhered to the 2024-2025 NCA. No Letter of Continuance is required currently for existing Engagers, except within Quebec's jurisdiction. New Engagers are required to sign a Letter of Continuance.*
- 10. Are there any other differences from conventional residual payments?** *Yes. Markets do not need to be declared for a residual bundle payment. A cycle declaration must be made 20 business days from the start of the residual bundle cycle.*
- 11. As long as the residual bundle payment is made within 15 business days, does the standard dormancy period before 1st use still apply (26 weeks + 1 business day after the session) or must the bundle cycle start within 15 business days?** *The dormancy period and terms remain the same.*
- 12. Does a residual bundle payment trigger dormancy the same way as a conventional residual payment (26 weeks + 1 business day after the end of the bundle cycle)?** *The residual bundle payment doesn't trigger the Dormancy date, the end of the declared cycle does. Cycle declarations must be provided 20 business days from the start of the residual bundle cycle.*
- 13. If a permittee is engaged on a commercial that is intended to be used as a bundle. What Work Permit rate applies to this Performer?** *Work Permits for the Pilot Project residual bundles will be paid according to the applicable TV Work Permit rates.*