

ACTRA

Winter 2011 *magazine*



The performers' global rights issue

ACTRA's international role

ACTRA

magazine

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from THE ALLIANCE OF CANADIAN CINEMA, TELEVISION AND RADIO ARTISTS

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Correction Notice

In the Fall 2010 issue, a photo caption on page 7 misidentified Jordan Hastings as Dallas Green. We apologize to both artists for the error.

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The performers' global rights issue

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your union magazine



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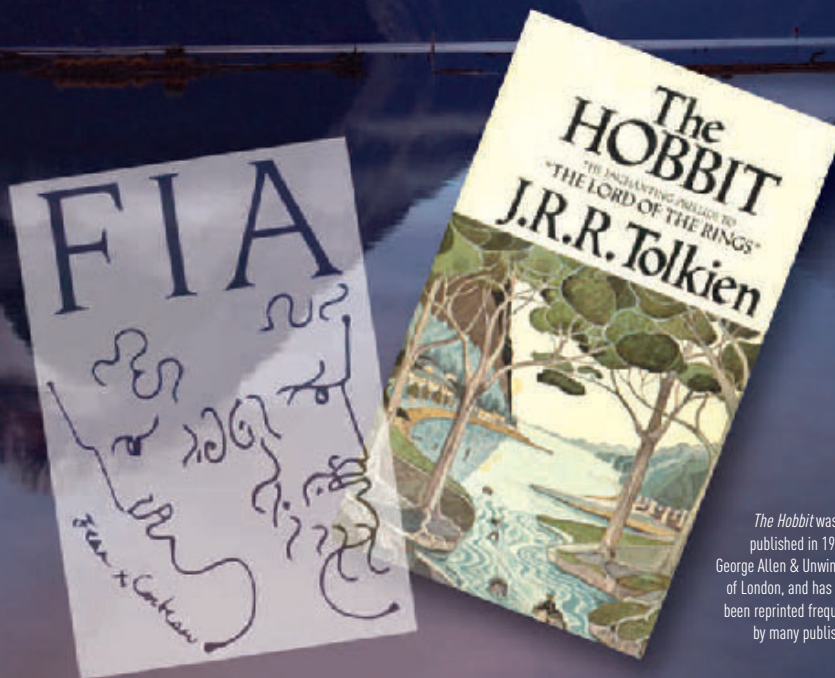
Standing Tall Down Under— High Stakes Poker



A message
from ACTRA National
President
Ferne Downey

Who's with us?
Who's against us?
The lines are
drawn.

When the actors' unions of the world moved to support New Zealand Actors' Equity (NZAE) in their righteous fight for establishing a first collective agreement on the film, *The Hobbit*, there was a thrill that rippled around the world. SAG, AFTRA, ACTRA, Equity UK, MEAA, CAEA, UDA and all the performers unions of the International Federation of Actors (FIA) had never made such a seamless show of global solidarity in the face of non-union production. We were clear in our objective, we were united and the battleground was an important one – getting fair wages and working conditions for all performers contracted on a huge budget feature film by a major U.S. studio shooting on location in New Zealand.



The Hobbit was first published in 1937 by George Allen & Unwin, Ltd. of London, and has since been reprinted frequently by many publishers.



“Warner Bros. flexed their muscle and threatened to pull production and relocate. This is a common enough scare tactic utilized by production, but one that always threatens to divide and conquer union solidarity.”



Let’s walk through the steps that the union Down Under took.

1. over the course of the summer, the union (working through MEAA in Australia) quietly pressed for a discussion directly with Warner Bros. on improving pay and working conditions for *The Hobbit*;
2. no discussion occurred over a period of months;
3. in late August FIA publicly supported the union in its initiative to have improved pay and working conditions for all workers on the film. A coordinated global boycott by all members of FIA was the tactic used to get producers to the table.

The acrimony that ensued was fuelled by powerful Hollywood studio players, the actions of the centre-right New Zealand government, the anti-union stance articulated by director Sir Peter Jackson and the lack of solidarity from other production personnel working in the jurisdiction in New Zealand. The flames of discord were fanned into a full-fledged media firestorm.

A colleague from B.C. emailed me as I was writing this story, worried that the rescinding of the do-not-work order on *The Hobbit* in late October had signalled that the international community had thrown in the towel. That was not the case. It was given at the request of NZAE whose leadership had been the subject of death threats as pressure escalated. They had also been mercilessly cornered by their own national government. They had solidarity around the world, but none at home.

As this story is destined to become part of union versus production mythology, I thought it warranted a second look in the bright light of a winter’s day. And I make no bones about it – this is my personal understanding of the events from a union perspective.

Then more players got involved – large demonstrations and rallies of NZ industry workers who opposed the union’s actions attracted thousands. The smaller membership of NZAE was forced to cancel planned face-to-face meetings due to unruly counter-demonstrations. The majority of industry workers in NZ wanted the film to stay, no matter what the terms. The union had little political support within New Zealand. When the centre-right government weighed in against them, the Labour Party was silent. Warner Bros. flexed their muscle and threatened to pull production and relocate. This is a common enough scare tactic utilized by production, but one that always threatens to divide and conquer union solidarity. (As we at ACTRA know well, solidarity is paramount when you need to make any substantial gains at the bargaining table. United we stand; divided we beg.) The record will show that a high-profile Canadian example of U.S. studios threatening to withdraw production when unions dare to resist their demands was the infamous *Daredevil* case in Montreal in 2001. Remember the furor when Fox tussled with

ACTRA over the Ben Affleck picture that was said to be leaving Montreal because of ACTRA’s stance? The reality was that the film was always meant to and did in fact shoot in L.A. *Daredevil* and *The Hobbit* both demonstrate the ability of studios to manipulate media, unions, industry and governments to get exactly what they want.

Threatening to leave the country is a big card to play, no question. In the *Daredevil* case, there was precious little chance that they were ever serious about shooting in Montreal. But it managed to drive a wedge and divide the membership. As performers, we all want every work opportunity we can get. But at what price? Where is the line in the sand?

The line in the sand had been drawn by NZEA. They wanted to improve performers’ terms and conditions in the screen industry. They had first tried several avenues, including a direct approach to the Screen Producers’ and Development Association (SPADA) to negotiate a standard industry agreement for production in New Zealand; sought to negotiate directly on individual projects with production companies; and, ultimately, harnessed relationships with international fellow unions to elevate conditions for all New Zealand performers.

“Experience showed that the existing guidelines for the engagement of performers in the screen industry (‘The Pink Book’) are rarely complied with in their entirety, and performers have been unable to insist on such compliance. Individual approaches to productions have also been problematic, and can only work when performers on the production have sufficient leverage. Our attempts to date have met with fierce resistance from production companies and made the legitimate desire of performers to negotiate together a high-risk strategy.” – www.actorsequity.org.nz

I happened to be in Los Angeles on September 27, observing the first day of joint SAG/AFTRA negotiations on the Exhibit A/TV/Theatrical contracts. It was an important day for the U.S. unions as the presidents, SAG President **Ken Howard** and AFTRA President **Roberta Reardon**, steered a calm, unflappable course together to improve pay and working conditions for their respective memberships. The big news was that the two unions were back at the table – together.

Arriving at that AMPTP offices that morning when the mercury bubbled at 113 degrees Fahrenheit, I was greeted with a dark story: director Peter Jackson had come out swinging on the front pages of the L.A. trade papers. He had zero empathy for the unions’ position on *The Hobbit*. We all understood that he was exceedingly popular in New Zealand, but it was of more than passing interest that he grabbed all the front pages in L.A. (a decidedly union town) with such a virulent attack on unions. Coincidentally (or not) on the opening day of negotiations.

The heat was turned up. Production challenged the mandate of NZ Actors’ Equity, threatened the security of jobs in NZ and suggested the union was acting unlawfully.

When the dust settled, Warner Bros. got exactly what they wanted – and even better. They would keep production in New Zealand and in exchange secured an extra \$25 million in production incentives from the island nation on top of tens of millions of dollars the project already qualified for. Plus, passage of anti-union legislation was “apparently negotiated directly between the government and key Warners executives...” According to the November 8, 2010 issue of the *Hollywood Reporter*: “In the end, the entire fracas resounded to the benefit of the government and Warner Bros. Under an ‘urgency’

procedure, the legislature passed in a single day laws that put all Kiwi film (and videogame) workers effectively beyond the reach of the unions. That conforms to the ruling National Party's political agenda. Government ministers at various times acknowledged that the legislation was being introduced and fast-tracked at the behest of the studio, and at other times denied this, but without explaining in that case why urgency was required."

There are many lessons to be learned from the whole *Hobbit* affair, no question. In retrospect, different cards perhaps could have been played at different times, but the intent of the international action was entirely honourable. I salute the tenacious leadership of NZEA, especially President **Jennifer Ward-Lealand**. She went to bat for her membership to ensure good and fair working conditions for all of them, not just some of them. And that was the right thing to do, in my books.

We don't win every battle, but it doesn't stop us from fighting the good fight – no matter how powerful and intimidating the opponent. A number of substantial victories came to fruition and the members of FIA bear witness to this fact – improved conditions for workers on *The Hobbit* including residuals for all performers, a promise of adherence to 'The Pink Book' (the existing guidelines for New Zealand production), and a pledge to negotiate new standard terms with SPADA and, importantly, the first global solidarity campaign among performers' unions. Wherever international production goes to evade the pay and good working conditions of union contracts, unions will follow and continue to push for higher standards. U.S. studios may be determined to limit union influence in the global arena, but we unions are equally galvanized to succeed.

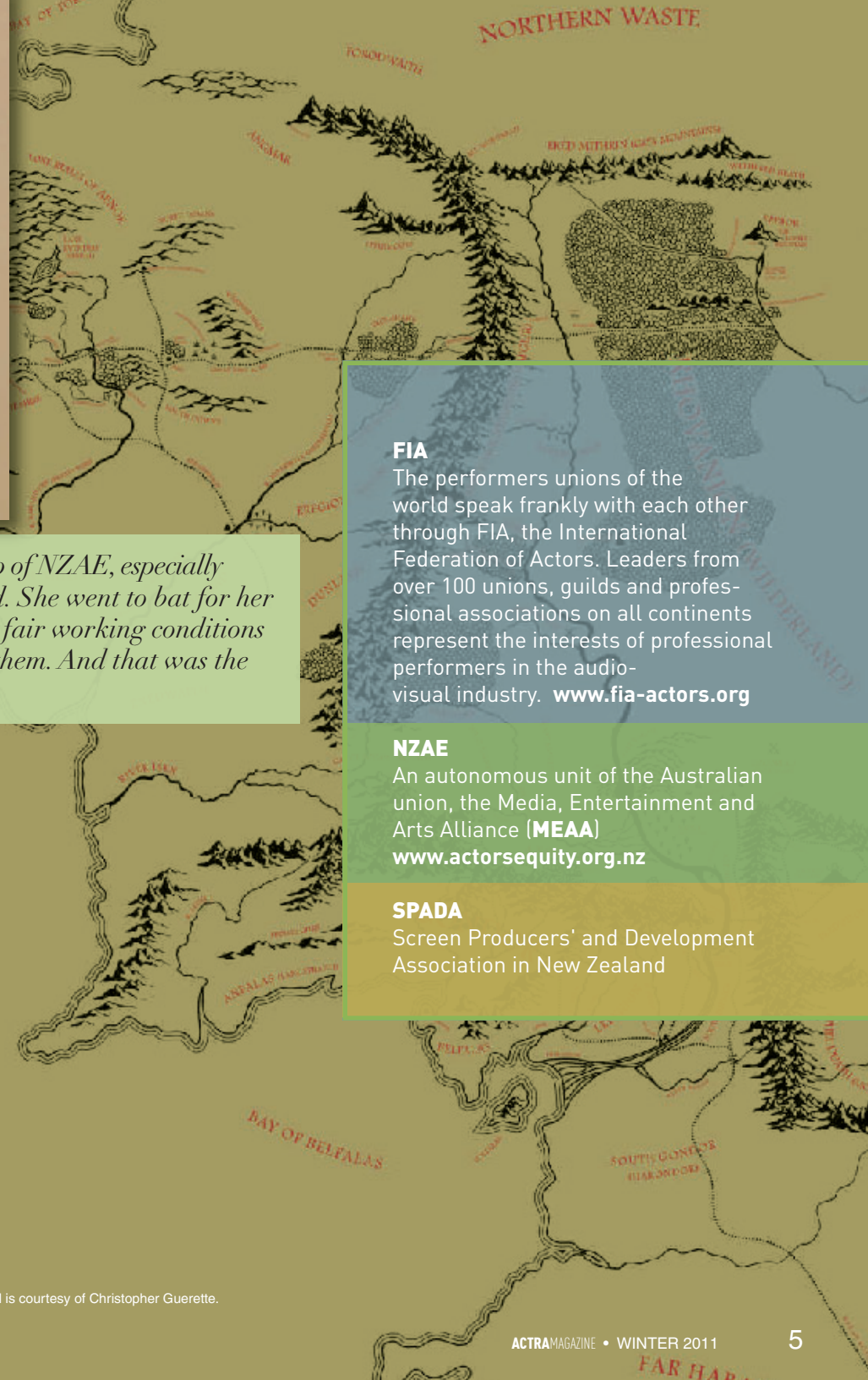
**In solidarity
there is strength.**

Ferne Downey
ACTRA National President



NZAE President **Jennifer Ward-Lealand**

"I salute the tenacious leadership of NZAE, especially President Jennifer Ward-Lealand. She went to bat for her membership to ensure good and fair working conditions for all of them, not just some of them. And that was the right thing to do, in my books."



FIA

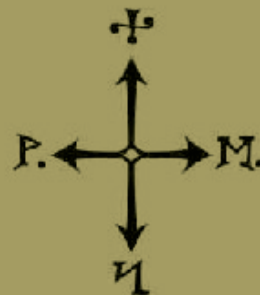
The performers unions of the world speak frankly with each other through FIA, the International Federation of Actors. Leaders from over 100 unions, guilds and professional associations on all continents represent the interests of professional performers in the audio-visual industry. www.fia-actors.org

NZAE

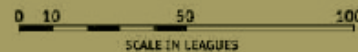
An autonomous unit of the Australian union, the Media, Entertainment and Arts Alliance (MEAA) www.actorsequity.org.nz

SPADA

Screen Producers' and Development Association in New Zealand



MIDDLE-EARTH
IN THE THIRD AGE



This version of the map of Middle Earth was created by and is courtesy of Christopher Guerette.

The global hunt

for your hard-earned money... and bringing it home to **you.**

Performers Rights' Society (PRS)

Brad Keenan, Director ACTRA PRS

Thanks to new technology your work is going global more than ever. The question is, just how do we make sure you get paid when someone turns on a TV in Spain and watches your fabulous performance? ACTRA PRS is on the case. **We're working to follow the money and bring it back home to performers, where it belongs.**

It has always been ACTRA's objective to collect all monies owed to our members on productions they have participated in regardless of where it has been broadcast sold, and enjoyed. But it can be tricky when it comes to dealing with varying copyright laws and collecting agencies. We've been very active in the international arena for many years with our sister organizations through our membership in the International Federation of Actors (FIA) and in the digital age, these ties are only getting more important. We're presenting a united front and working together to share information and best practices to meet the common goal of protecting our members.

We're particularly proud of our long-standing and close working relationship with our brothers and sisters in two of the largest performers' unions in the world, SAG and AFTRA. ACTRA PRS interacts with SAG and AFTRA regularly talking about best practices, lessons learned and problem situations with the objective of serving the best interests of all of our members as it relates to residuals. We have a great deal of information and common issues that help us learn from each other.

One recent example of how these relationships are benefitting performers is when two high-profile

content producers declared bankruptcy affecting performers in at least five different countries. ACTRA PRS joined with these other four countries to hire one joint bankruptcy counsel to defend all of our interests, cutting our costs and making our case stronger. The outcome was that ACTRA members will get 100 cents on the dollar of the money we claim from the producers, whereas if we had gone solo without the strength of a coalition we may have received much less.

Currently, there are more international tools in place to collect money for the use of music than film and TV. We have more than 12 agreements with international counterparts that help us collect monies for the sound and audio recording artists who have assigned their rights to our Recording Artists' Collecting Society (RACS). Meanwhile, in film and television, we have one reciprocal agreement, AISGE in Spain.

The reason things are more advanced for music is thanks to the international World Intellectual Property Organization Treaty (WIPO) signed in 1996 giving audio performers rights in this area. We're working hard with FIA to get these same rights for audiovisual performers so we can build the international tools to help collect money owed to you when your work is shown around the world. In the meantime, it is our objective to sign more deals with other collectives around the world for film, television and sound recording artists.

Our international ties are also helping to create global databases that identify whose jurisdiction a production was produced under. These systems that will help identify where money needs to flow have existed for years in Europe, now it's time to make them go global. You can be sure ACTRA PRS has a seat at the table in building these systems to ensure money makes it where it needs to be for productions that our members participate in – which is in your pocket. ☐



Today, over 11 million people in Canada are either culturally or physically diverse (visible minorities, Aboriginal or disabled).

The outcome of this is seen visually in our daily lives as one walks on our streets but is not reflected on our screens.

As one of the most culturally diverse countries on the planet, Canada is uniquely positioned and must use this asset to our best advantage. Today, over 11 million people in Canada are either culturally or physically diverse (visible minorities, Aboriginal or disabled). The outcome of this is seen visually in our daily lives as one walks the streets but not on our screens. It's clear that we still have work to do. The question is, what works and why.

ACTRA is taking this challenge seriously. Through the hard work of ACTRA's elected leadership and staff, our union is leading the fight for more diversity on our screens and on our sets. As part of our IWORXACTRA campaign we are making a concerted effort to reach out to diverse communities and bring them into our union, as performers and as producers.

One group that ACTRA is reaching out to is the rapidly growing group of Aboriginal filmmakers and performers who are interested in telling stories from the Aboriginal perspective. It was, after all, Louis Riel who prophesized that "Our people will sleep for a hundred years and when they awaken it will be the artists that give them back their spirit." Storytelling has long been the backbone of Aboriginal creative expression and now these filmmakers are seizing on to the digital technology to tell their stories to the world. The colonial legacy has made reaching out to these filmmakers challenging due to their mistrust of organizations and unions. We decided the best way to talk to these film makers is to come to them in a way that respects their culture and traditions. The National Diversity Committee is facilitating a number of sharing circles with Aboriginal filmmakers to better understand how to support the cultural and spiritual needs of the community while maintaining the respect and support that ACTRA members deserve.

We're excited to take this outreach to other diverse cultural groups. For example, by having a presence when Canada hosts the 2011 International Indian Film Academy Awards (aka the 'Bollywood Oscars'). Why not tell those filmmakers about ACTRA

and our diversity and encourage them to produce films right here, creating work opportunities for ALL members? The building of these bridges, this empire, will take time but ultimately it will allow a greater inclusion of cultural experience in our canon of Canadian productions.

One of the main goals of the Diversity Committee is to make our screens reflect our reality. What better way to start than by putting our money where our mouths are and create some videos that show the strength of diversity?

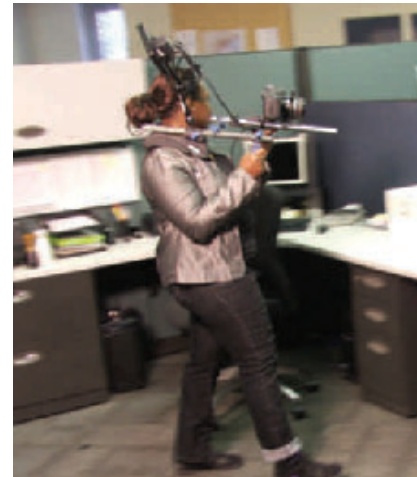
This fall we produced not one, but two short videos. We hope these productions will take our message literally around the world. One of the videos, starring the multi-talented **Spirit Synott** shines a light on the challenges physically diverse performers have and their struggle for what should be basic human rights. Other workers have the right to accessible workplaces, why don't performers? I am very proud that ACTRA is the first international co-sponsor of the I AM PWD (Inclusion in the Arts of People with Disabilities) campaign. Actors' Equity Association, AFTRA and SAG founded the global outreach and human rights initiative to give a voice in entertainment and media to performers and journalists with disabilities who often go unseen and unheard. Performers from around the globe endorsed the campaign at the FIA conference in June.

Our collective hope with the IAMPWD campaign is to change both perceptions and the rules so physically diverse performers and storytellers have the same opportunity to be part of our industry and tell their Canadian stories.

The very existence of our union in the first place is a result of the need for respect and recognition. Unfortunately the truth of the matter is that this work will never end, particularly for diverse performers. There will always be something to fight for and we invite you to join us as we continue to move forward and make a difference. □

DiversityWorks

... for ALL of us



Action! on set of a recent ACTRA National diversity video shoot. Photos by Christine Webber.

With a contribution from **Jani Lauzon** an award winning actor, a Gemini award-winning puppeteer, and a Juno- nominated singer/songwriter. Jani currently serves on both ACTRA Toronto and National councils and chairs both the ACTRA National and Toronto Diversity Committees.

Your ACTRA
Diversity Chair



Get in on the action! Contact Jani at jlauzon@actra.ca



Intellectual Property Rights, WIPO, and a Glimpse of Greenland

By Stephen Waddell

In early November I was returning from Geneva, Switzerland flying at 35,000 feet, when the clouds briefly parted below and I glimpsed the vast, frozen, mountainous expanse of Greenland. That barren white landscape reminded me of my commitment to write an article on WIPO — the World Intellectual Property Organization — the United Nations agency charged with developing international intellectual property treaties — and WIPO's relevance to performers in the digital world.

What is the connection between the bleak landscape of Greenland and WIPO?



Well I had just spent several days at WIPO headquarters in Geneva with my FIA (International Federation of Actors) and FIM (International Federation of Musicians) colleagues attending the

21st session of the Standing Committee on Copyright and Related Rights (SCCR). For the past 20 years the SCCR has been considering an international treaty that would grant new intellectual property rights to performers in audiovisual productions — you.

In 1996, WIPO passed a treaty creating new rights for performers in audio recordings. The Canadian government ratified the treaty in 1997 giving performers and makers of audio recordings in Canada new rights and allowing them to file for tariffs or levies at the Copyright Board. Those tariffs have put hundreds of millions of dollars into the pockets of Canadian audio performers and record companies to compensate them when their music is playing on commercial radio and when we make copies of songs performed by Canadian musicians and singers.

Before 1997, musicians, singers and record companies didn't earn a dime when commercial radio played their songs. Meanwhile the radio stations earned millions in ad revenue by attracting audiences with the music. The Commercial Radio tariff



changed that - a small percentage of the advertising revenue earned by Canada's radio stations now flows to the collection society ACTRA created along with the record companies. That collection society Re:Sound, passes the performers' portion of the money collected along to ACTRA RACS (Recording Artist Collecting Society), who distributes the money to the singers and musicians who assign RACS to collect tariffs and levies on their behalf.

The second major tariff, the private copying levy, was created in the 1997 *Copyright Act*. It compensates singers, musicians and record companies for the copies individual Canadians make onto compact discs, cassette tapes and mini-discs. The principle underlying the private copying levy is that music has value; so copying and listening to that music on multiple listening platforms also has value. And the creators and performers of that music deserve compensation for consumers copying their work.

Since 1997, the private copying levy has generated \$180 million for Canadian performers and record companies. However, that revenue is fast disappearing - we're not buying a lot of cassette tapes and blank CDs in 2010. Unfortunately, the 1997 *Copyright Act* was technologically specific and named the media to which the private copying levy would apply - CDs, audio cassettes and mini-discs. While the Copyright Board twice granted creators the right to extend the levy to digital audio devices - iPods and other MP3 players - the major hardware manufacturers - Apple, Sony, etc. opposed extension of the levy, took the private copying collective to Federal Court, and had the levy overturned.

Musicians and singers hoped that the Canadian government would listen to them in the lengthy consultations prior to introduction of the new copyright bill, C-32, and extend the private copying levy to digital audio devices. After all, the government said that one of the key features of Bill C-32 was to bring Canada's *Copyright Act* up to date with digital

technologies and that it would be technologically neutral. Instead of doing the right thing, the Minister of Heritage James Moore who shares the copyright file with Industry Minister Tony Clement, bowed to the influence of the multi-national corporations that manufacture MP3 players, refused to extend the levy to digital audio devices, and drove a political stake into the levy by calculatingly calling it the "iPod tax". The Ministers pronounced that Canada's musicians should tour, busk, sell t-shirts to earn a living, rather than have Apple and Sony contribute a tiny portion of their enormous profits to compensate creators for copies of their songs.

Canada's creators have banded together to press the government and opposition parties to amend bill C-32 to restore creators' right to remuneration for copying of their work for private purposes. ACTRA is right in the thick of it and we are turning up the heat.

But back to the cold expanse of Greenland and the WIPO AV Performances Treaty. What has held up adoption of an international audiovisual treaty for over 20 years? Audio performers have had rights in their work for over 15 years! Why shouldn't those same rights be extended to audiovisual performers? Especially since many European countries have amended their laws to give performers rights in audiovisual production.

In 2000, WIPO almost adopted the AV Performances treaty - 19 of 20 articles were provisionally agreed. The treaty floundered over one article, the 20th - national treatment - the provision that would require that money collected by one country for domestic use of foreign AV product should be transferred to the performers and makers of the country where that product was produced. The countries that already have an AV right, mainly European countries didn't like that idea. It meant transferring money collected on U.S. productions exhibited in their country to the U.S.

to benefit American performers and makers. Since U.S. product is the dominant product distributed worldwide, the national treatment article would upset the status quo.

That stalemate has endured for 10 years until an understanding with respect to the wording of a possible treaty article on national treatment was reached between the Motion Picture Association of America (MPAA), and the U.S. performer unions, SAG and AFTRA. The new national treatment article would recognize that performers may transfer their rights to producers, but performers still needed to be paid for transferring their rights through individual contracts or collective bargaining agreements. The possible new article could well break the deadlock at WIPO, if only it could be introduced.

The world has changed since 2000. Copyright and intellectual property rights have increased in profile and importance in the digital age. Every move to strengthen IP rights is met with opposition from those who demand access to product. The internet has made information product accessible anytime anywhere. Peer-to-peer file sharing and other forms of piracy are rocking the music, movie and videogame industries. Perfect copies can be made and shared without compensating the creators and makers. Educational institutions, the visually impaired, academics, researchers and libraries are all demanding free access to materials and seeking exceptions to copyright. Efforts to establish new rights are being opposed by those seeking limitations and exceptions to existing rights, and by those boldly opposing new rights for creators.

The prospects of finding compromise on copyright improvements at home and in Geneva appear as bleak as that Greenland landscape. That said, as we prepare to land in Toronto, the skies are clear, the sun is shining, it is a beautiful autumn day.

Optimism and determination rebound.

Given a clear vision of our goal, Canadian creators and our world colleagues are recognizing that we must fight to strengthen and protect creators' IP rights against those who would weaken or take away such rights. Happily the leaders of our union and those in the global creator community know clearly the objective and have the will to achieve it. ☐

Stephen Waddell is National Executive Director of ACTRA, the national association representing over 21,000 professional performers in the English-language recorded media in Canada.





The Global Actor



As ACTRA members, we don't just shoot in Canada, we shoot in many parts of the world where union jurisdictions may overlap, or on co-productions that move scenes from one country to the next. Many of us are multi-union cardholders, and with big network shows such as the Irish-Canadian production *The Tudors* and the eight-part *The Pillars of the Earth*, we need to do more than just keep our passports up to date. Christine Willes caught up online with some of our members to ask them how they navigate their careers in the international acting scene.



Multi-Union Card Holders:

a timely Q & A with Mark Hildreth, Robert Moloney and Sandra Oh

by Christine Willes

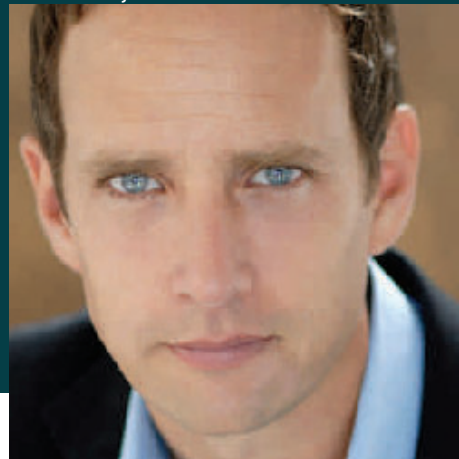
Sandra Oh



Mark Hildreth



Robert Moloney



Q: How hard was it to work outside Canada? Did you get a work permit, green card, or apply for dual citizenship? Do you pay taxes in both jurisdictions?

Sandra Oh: I came down to L.A. in the summer of '95. I was very, very lucky. I got a job as a reoccurring character in a sitcom that was promptly cancelled but not before getting me a six-month work permit. I stayed in L.A. working on that permit on various things – play workshops, short films – then I landed a pilot for HBO, *Arliss*. That was shot in December of '95 and I decided to apply for my green card then.

I came back to Toronto and did a play, and during that time the series was picked up and my application went through. So when I moved down permanently in the spring of '96 it was with a job and the green card paperwork. It then took me three more years to actually receive the physical card, so a lot of schlepping travel permits and so on. I gave up my residency because I couldn't afford to keep a place in both places. I know a lot of fellow Canadian actors who do keep residency and there are a lot of benefits (tax-wise) for that.

Q: For the most part I consider our production world to be full of organized producers, but if you are pursued for a part that shoots outside of Canada do they take care of the paperwork?

Mark Hildreth: When I worked on *The Tudors* in Dublin, all the paperwork was taken care of by the production and by my management team. I hardly had to lift a finger and I was treated very well by the Irish production company. This production was affiliated with Canada through the CBC, so all the paperwork was very easy and I was paid in the usual way through Canada, in Canadian funds.

I have also worked in L.A. under AFTRA and SAG contracts, and those jobs go through my L.A. management team. In order to be able to work there, I applied for a O1 VISA, which allows you to work in the U.S. on U.S. productions, but is not easy to get. You need to submit an application to U.S. Immigration that proves that you can do something no other American can do. Press, reviews and letters of reference help to prove this. This is how the U.S. tries to protect American jobs being hired out of country. This process costs around \$6,000 in legal fees – which I would recommend so you aren't dropped to the bottom of the immigration pile – and then you must add the costs of joining the unions there, another \$1,000 or so. That said, I found work very quickly once I got the working papers, which I have since renewed, and so they paid for themselves in the long run. My management in L.A. is an important part of this kind of a plan.

Robert Moloney: Having never dealt with a ACTRA/UBCP contract before, the Australians were unsure of the details and it took weeks for them to sort it out. I have to say a massive thank you to the team here at ACTRA/UBCP, especially **Lesley Brady**. Amid all the chaos, they really went to bat for me and had my back the whole way – keeping my agent informed, dealing with the Australian union, making sure my ACTRA/UBCP contract was honoured, ensuring that I was paid properly. I'll be forever grateful. Yes, the producers did the work on the visa. I simply needed to provide them with my passport.

Sandra: I don't think so because I have an accountant – who then hires an international accountant – for the handling of that paperwork.



Q: Do you have agents in each jurisdiction? Who else do you have to add to your team: publicist, manager, international tax accountant?

Robert: In Australia, I hired Jennifer Finikiotis, a very reputable accountant with a lot of international film tax accounting experience to do my taxes for me there. I found it hard to find anyone here in Vancouver who knew what the rules were regarding my specific tax situation. Not that there aren't any, but I couldn't find them. Even the people at Revenue Canada were unsure at times. My regular accountant and I eventually sorted it out ourselves.

Sandra: To work in all jurisdictions it is imperative to hire or be very well versed in accounting. Usually you need accountants in both countries. My team consists of agent, manager, lawyer and accountant. And a publicist, when needed. It's a lot of overhead, especially when it comes to working internationally and all the taxes.

Mark Hildreth in *The Tudors*

The Irish/Canadian series is co-produced by Peace Arch Entertainment and TM Productions in association with The Canadian Broadcasting Corporation and Showtime Networks Inc.



Robert Moloney



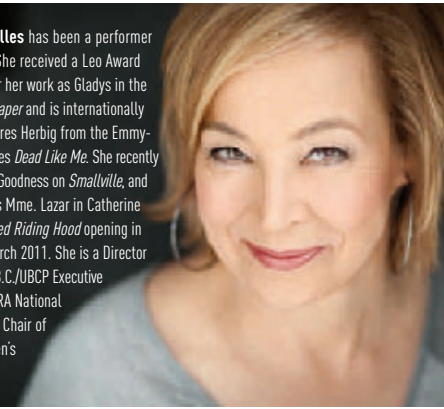
on the *K9* set making friends with the Korven between takes. Photo credit: Peter Kent.

Robert Moloney



Robert Moloney and Keegan Joyce in the British/Australian comedy *K9*. The series follows the adventures of the robot dog K9, from "Doctor Who". Photo credit: Peter Kent.

Christine Willes has been a performer for 30 years. She received a Leo Award Nomination for her work as Gladys in the hit comedy *Reaper* and is internationally known as Delores Herbig from the Emmy-nominated series *Dead Like Me*. She recently played Granny Goodness on *Smallville*, and will be seen as Mme. Lazar in Catherine Hardwicke's *Red Riding Hood* opening in theatres in March 2011. She is a Director on the ACTRA B.C./UBCP Executive Board, an ACTRA National Councillor and Chair of ACTRA's Women's Committee.



Q: From your experience on international productions, might you have a piece of advice for other actors who are about to go down the same path as you?

Mark: One of the greatest parts of being an actor to me is getting to see new places and meeting new people, and when you get to do this abroad it really adds to the experience. The best advice I can give to someone who is about to work abroad is: soak it all in!! Get out there and see the place you're in, interact with the people, video blog your experience there so your fans and friends and family can go on the journey with you. There is so much more out there to learn about human beings than you could ever soak up in a lifetime, so take in as much as you can and don't spend all your per diem on delivery pizza!

Robert: If you're involved in a co-production, try to get your agent to make sure you're paid through the Canadian producer as if you're working in Canada – it'll make it much easier in the long run. If not, I suggest finding a good international tax accountant before leaving. Discuss the particulars of your situation and get any advice you can from them. Then, make certain you stay well organized with your paperwork. After I filed here in Canada, the Canada Revenue Agency asked for proof of the taxes I paid in Australia. I was grateful I'd stayed organized. After that, soak up every minute of your experience and count yourself extremely fortunate!

My situation was frustrating at times – nothing compared to what the producers were dealing with – but I felt a duty to rep-

resent Canadian actors well. I always tried to remain patient and understanding. I know we get made fun of for our politeness at times, but I think they were very grateful for my Canadian attitude.

Sandra: Make sure you know why you're doing the project. If it's for creative reasons, financial or a new experience (exotic location), you have to take into account all the overhead, the agency fees, the taxes and your own expenses. Then balance that out with what's important to you because you might not want to leave your family for three months and go to Bulgaria for all-night shoots in a swamp when you're only going to end up making five bucks.



TV drama *Thorne: Scaredy Cat* debuted on Sky1 in the U.K. in October 2010. David Morrissey and Sandra Oh pictured here.

Q: Have you ever found performers in other countries have a different style or approach to their craft?

Sandra: Yes. Most recently I worked in the U.K. on *Thorne: Scaredy Cat* with an all-British cast. Everyone I worked with was trained and you could tell. I think when people don't make a lot of money – and that's usually the case in Canada and most other parts of the world other than perhaps the U.S. – and they accept a job, they tend to want to be there more than a gig just for money – for the script, the talent, the new experience.

Q: What's the most interesting or challenging experience you've had working outside Canada?

Mark: I was shooting the third season of *The Tudors* in Dublin with a great cast and some of the best writing I've ever read on TV, written by Michael Hirst. I spent most of the season working with the incomparable Max Von Sydow, who is perhaps the most professional actor I have ever had the privilege of spending time with. Now in his 80s, Max and I were doing a scene together, and he would often, in his eternally humble and respectful way, apologize to me when I would be in the middle of intense emotional coverage and he would forget a line or two. I sat there thinking to myself, "The EXORCIST is apologizing to ME! This is too weird....."

Sandra: It was again *Thorne: Scaredy Cat*. It was the most challenging first day of shooting, and general project, I've ever had and that's because of the lack of prep. I had just finished filming the final episode of the sixth season of *Grey's Anatomy*, flown to London and had one three-hour voice/dialect tutorial before shooting the next day. The production was not helpful with prep and I would never put myself in the same situation again. □



On Homeland Security, Non-Union Commercials and Kicking at Trees

by Gary Saxe



I have a weird job.
That's okay.
It matches my personality.



I get paid to kick at trees. The art in what I do is figuring out where on the tree to kick. And in choosing appropriate footwear. First, I hunt them down. Then I start kicking. I only stop when the tree does what I want. Or breaks. If I do my job well, a big juicy fruit falls from the branches and lands delicately at my feet, which then gets diced up and served to you, our ACTRA members.

My 'trees' are non-union productions: films, TV programs, commercials, video games, corporates – anything that can deliver that delicious, juicy peach of a role. And the more roles, the better. I've assembled a network of industry spies to help me hunt for my trees. Whenever a significant non-union production breaks ground, I get a phone call or an email, usually several.

Then I get busy kicking, hoping not to get whacked on the head by a falling coconut. Sometimes, my trees bear surprising fruit. Let me tell you about a recent one.

Last October, one of my spies informed me about a non-union commercial being shot for U.S. Customs and Border Protection, an agency of the American government and part of U.S. Homeland Security. One would assume that they could afford to pay union wages to professional talent. U.S. Customs referred me to the ad agency in Washington, who referred me to a production company in Maryland, who asked a bunch of questions on how much it would cost to go union.

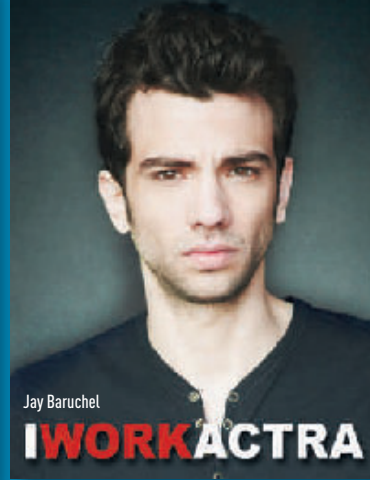
So far, so good. We caught the spot early on and the company was open to discussing ACTRA contracts. We had two days to the audition, not a lot of time but enough to reach a deal. Then, suddenly and dismissively, the production company thanked me for my efforts and let me know that everything was delayed up in Canada, but that they were proceeding with auditions in Washington.

Oh, well. Maybe I kicked the tree a bit too hard and it broke.

While I'd much rather have the commercial filmed here with jobs for our members, it's better to have the production go away than to have them successfully produce it non-union on our turf which undermines our wages, our rights and our jurisdiction.

Then, the day before the scheduled auditions, I found out through my network of spies that performers were still confirmed to show up. I also confirmed that the ad agency representative was on a plane heading toward Montreal. The lying, filthy bastards! So I headed out to the audition. I wanted the ad agency representative to look me in the eye and explain himself. I never got that opportunity.

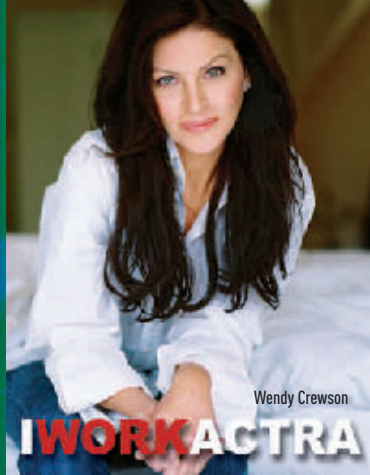
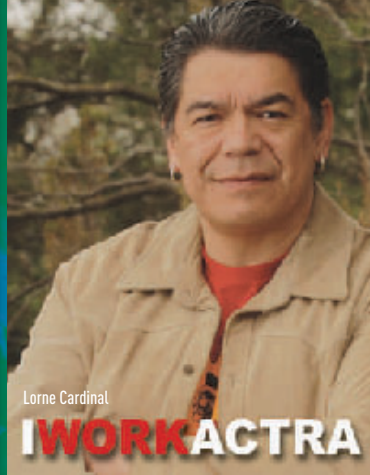
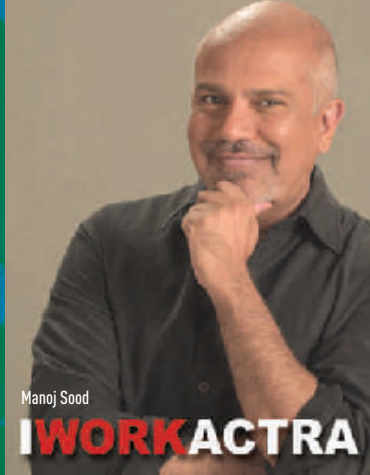
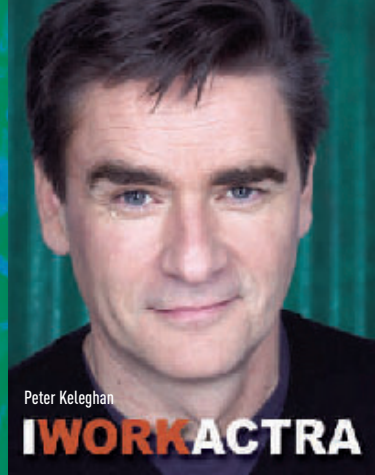
When I showed up, the casting assistant, assuming I was an actor present for the audition, asked my name and handed me a registration form and a waiver so I could sign away all my rights over any use of my performance on any device ever invented or that ever will be invented, now or at any time in the future, anywhere in the universe and for all time, up to and including the far side of eternity.



WE ALL WORKACTRA

Once I fully identified myself, these documents were impolitely ripped from my hands. Two casting assistants tried to physically remove me from the building. I stood my ground – not too difficult as both of them were under 5'3" and I weighed more than the two of them together. I asked to see the producer, who the assistants denied knowing, even though I knew he was on the other side of the door, a few feet away. I also asked to speak to the casting director, Helene Rousse of Total Casting. Both refused to speak to me. (continued on next page.)

If I do my job well, a big juicy fruit falls from the branches and lands delicately at my feet, which then gets diced up and served to you, our ACTRA members.



WE ALL WORK ACTRA

When I failed to do as they asked – to leave forthwith – they called building security. However, the production happened to have rented space owned by an organization known for their support of the local community and union movement. Once I explained the situation to the building's staff, they refused to throw me out and instead, briefly considered throwing out everyone involved with the production.

As I spoke to the organization's administrator, the police showed up, thanks to a panicked call from Rousse. More discussion ensued on whether or not I should be escorted out. After a while, the police deferred to the decision of the director of the organization, who refused to ask for my ouster. Separately, I assured the director that I had no intention of disrupting anything and simply wanted to gather information on the commercial for a potential hearing at the Quebec Labour Commission. I then went to the entrance hall of the building and interviewed anyone who looked like a performer arriving or leaving the audition.

Back at the office, I sent Notices of Negotiation under Quebec's *Status of the Artist Act* to U.S. Customs and Border Protection, the ad agency and the production company. I then considered

my next kick at the tree. Since it was a commercial sponsored by a U.S. government agency, I assumed that the Quebec government would be interested in defending our borders against such inappropriate incursions by foreign governments into our precious cultural sector. Seeking further advice, I called the office of Pierre Curzi, immediate Past-President of the Union des Artistes and an elected Member of the Quebec National Assembly for the Parti Québécois. His office referred me to the PQ culture critic, Yves-Francois Blanchet.

Mr. Blanchet immediately understood what was at stake and spoke to me many times over the next few weeks. A few days after the incident, he stood in the National Assembly to insist that the Minister of Culture, Mme. Christine St. Pierre, do something. Within minutes of his intervention, I received a call from a high-ranking ministry official eager for information on the problem.

I had hoped that the minister would agree to contact her counterpart in the U.S. government. The minister, however, wanted to wait and see what happened at the scheduled negotiation meeting between ACTRA and those responsible for the commercial required as a result of the Notices of Negotiations.

The next day, an article appeared in *La Presse* under the headline "American Advertising: 'Immoral' Filming in Montreal" (Publicité américaine: tournage "immoral" à Montréal"). I also received a call from Thomas Mulcair, NDP Deputy Leader and MP for Outremont, who generously offered to intervene and contact U.S. customs.

Most surprisingly, I received a call from the person responsible for the Status of the Artist legislation within the Ministry of Culture. Every year we send a few of these Notices of Negotiation, but we have never received a call from the ministry about them. The *Status of the Artist Act* is helpful in cases involving films, which record over weeks and months. However, I explained to the ministry representative that in the case of commercials which film very quickly, often in one day, the 10-day notice to negotiate under the *Act* can only be helpful if it can be applied retroactively, after production has wrapped. As things stand, the decision on retroactivity lies with the Labour Commissioner who hears the case, and each situation can be treated differently.

The ministry representative called every few days for updates and Mr. Blanchet also called regularly to follow up. And eventually there was good news to report: at the negotiation meet-

ing, the production company took responsibility for the commercial. We reached a deal and brought the commercial under ACTRA's jurisdiction.

So that stubborn tree bore more fruit than expected. Aside from just the usual fruit of roles on the commercial, we are now heading towards a meeting with ministry officials who would like to find a way for the *Status of the Artist Act* to work in all cases for all productions, including commercials.

After involving the media, politicians at two levels of government and three political parties, government bureaucracies, one obstinate foreign government and two American advertising companies, we may be able to fix the Quebec law so that it is able to protect performers and union jurisdictions for all types of productions going forward. ☐

That was just weird... but delicious.

Gary Saxe has worked as a union and community organizer for over 20 years. For the past decade he has served as an ACTRA Organizer in Montreal.

Straight talk about new membership rules

First, I want to congratulate all ACTRA members across the country for a near-record number of returned ballots on the membership referendum. You spoke loud and clear. With over 82% voting in favour of reducing qualifying credits for membership from six to three you've proven ACTRA performers are an engaged, confident and progressive membership. We can organize and protect our jurisdiction while welcoming performers with rules that are fair and equitable.

The last time we successfully addressed and made changes to our membership rules was in 1992 with the introduction of the Apprentice program. At the same time we went from six credits in two years to six credits with no time limit restrictions. Like this recent change, this was a calculated move to secure more work under ACTRA's jurisdiction by helping to dry up the non-union talent pool. It's quite simple really. When we made it our responsibility to represent most actors in the country then more and more producers became signatories in order to access our talent. Subsequently we were able to negotiate better terms and working conditions for all.

Our IWORACTRA organizing campaign has borne much fruit as **Gary Saxe** demonstrates on page 14, but it has also highlighted some major challenges for our union. For the first time in our history membership numbers had flattened and over the past year's economic downturn we actually saw a small decline in membership. Wanting to stay ahead of the curve we initiated a review of membership rules to make sure they were still serving the best interests of our membership and the industry as a whole. Anecdotally we heard of too many young well-trained

actors being counseled to remain outside of ACTRA. We found a perception among young actors that ACTRA was a closed shop and just too hard to join, so why even try? That isn't good for them, or for us. How can we maintain our work opportunities if the non-union world is allowed to build a strong talented pool of actors to choose from? ACTRA's new membership rules recognize how important it is to attract young trained actors into our ranks and going forward will provide an educational credit for those graduating with a post-secondary acting degree from eligible institutions. We need those actors to be in OUR ranks and have those projects shot under OUR contracts. Even with the changes we still have tough, professional standards. Do you know that before the current change ACTRA was one of the hardest performer unions to get into? Upon their first engagement, U.S. performers are able to join SAG and AFTRA upon payment. SAG's initiation fee rate is \$2,277 plus the first semi-annual dues and AFTRA's one-time initiation fee is \$1,600 plus dues for the current period.

Now let's talk to the financial question asked by many. With the old rules an apprentice member joined after earning and paying for six qualifying credits plus a set \$450. initiation fee. In some branches apprentice members were also obligated to take a membership training course. Permit costs vary widely across contracts and vary again according to categories. This meant there were no standardized costs for membership. As bizarre as this example sounds a voice actor could have joined under the audio code with six permits at \$15. Yes there is a \$15 permit somewhere in the agreement. So if all permits were at this rate

then the total paid including the initiation fee could hypothetically have been as little as \$540. On the other extreme a card-carrying commercial actor could have joined under the NCA with a first permit costing \$343. The total cost for six permits at that rate plus the initiation fee would have been \$2,513. Imagine an almost \$2,000 dollar difference in costs to become a card-carrying member of the same union? To be fair the new membership rules took the national average actors paid to join across the country and that average was \$1,600. As of now everyone will pay an equal amount to join ACTRA no matter what contracts they join under. Permits already paid for will be deducted from the total cost and the initiation fees will make up the difference. Simple, elegant and fair! Apprentices will still need to check with your local branches about the training courses.

As Canadians and as actors we know that DIVERSITY IS OUR STRENGTH! ACTRA's elected leaders and staff have committed energy and resources to a myriad of initiatives that promote culturally and physically diverse performers since 1984. Thanks to strong local and national diversity committees this work remains a priority going forward as we have much work yet to do. So, why the move to harmonize permit qualifications now? Simply put, the move to standardize three credits for all members' addresses the difficulty in administering the rule. ACTRA staff were being asked to make subjective judgment calls about people's ethnicity and or level of disability. This wasn't fair for anyone.

As National Treasurer I am assured, after looking at all the different scenarios we might see going forward, that we can make this new system work. The application of the new criteria

Becoming a Full Member

- By earning a total of three professional credits, and by taking a membership course where offered.
- Through a reciprocal agreement.

Becoming an ACTRA Apprentice

- By landing a professional engagement as a performer in a residual-bearing category for which you pay a permit.
- By graduating with a post-secondary acting degree from an eligible school. Check with your local branch for recognized schools.
- By working 200 days or 1600 hours during the past four years as a card-carrying ACTRA Additional Background Performer.

started December 15th. We will continue to watch the rollout and do what it takes to ensure an easy transition. I believe we will look back at this year's membership initiative and be proud of the opportunities it allowed us by helping us organize young performers in new media, digital, voice, etc. The members we welcome with this change will have proven themselves with three hard credits and this is still a formidable challenge. Membership services will remain a strong priority next year along with organizing in the new digital world, research and collective bargaining, lobbying government for positive cultural policies, international commitments and global affiliations.

Going forward we have rules that are easier to understand and administer. And most important, we have rules that will make our union stronger. □

Theresa Tova's career spans film, TV projects, the Broadway musical stage and jazz concerts around the world. She is National Treasurer of ACTRA.



International Commercial \$ucce\$\$*

by Christian Potenza

* (or how to take a wild stab at becoming well-known for having a sore throat,



I went to an audition for a commercial 12 years ago that pretty much changed my life. The breakdown was as follows: Male, mid-20s-40s, must have good physical and comedic timing. I had both of those covered. I showed up, slated, and then listened to the director and a bunch of non-smiling people tell me what the general idea of the spot was about. The director asked me if I had any questions, and I said, "No, seems pretty basic." I was to mime a golf swing, hit the golf ball, watch the ball go the wrong way, yell "FORE" (with a sore throat), see the ball hit a person, drop my club, and run off screen. The director then asked me, "Do you have any golfing experience?" I had seen other actors in the waiting room decked out head-to-toe in golfing attire and I was looking like I had just come from the skate-park, so I said ".....um.....no?" Well the back row of clients and producers all perked up, and the director cracked a smile. Uh-oh. On action, I teed up again, took a mighty mime swing, watched the invisible ball slice camera left (my good side), yelled "FORE" (with a sore throat), winced as it hit the other imaginary golfer, dropped my pretend club, and ran off camera right (my bad side). They stared at me for a bit, grumbled in that client/agency kind-of-way, that only they understand, stared at me for a bit more, and said, "Thank you, that was great!" I left thinking to myself, "Stupid! Ya should have told them you golfed all the time!"



a wonky swing and bonking seniors on the noggin.)

One week later I am on the back nine of Pheasant Run Golf Course, with the same director and agency folk and the Halls clients patting me on the back saying, "You were so good in your audition." So there I was with a real golf club in my hand and the camera rolling. We shot all day, had a lot of laughs, and a couple high-fives. I left with a pair of golf shoes, and that unsatisfied feeling of not really doing the best that I could have done. C'mon we've all done that!

The spot hits the air about a month later, and I think, "WOW, that's really funny, and my golf swing IS pretty good..." Well the response to the ad is HUGE! I have people yelling "FORE" at me while they duck for cover and laugh, while the residual cheques come in. Then it stopped. The commercial was pulled from the air because, some "group" failed to see the humour in senior citizens getting smacked in the head with golf balls, and how dare a trusted throat lozenge company think this was a good idea. DAMN! It was over! The fame, the free drinks, the MONEY... or so I had thought.

A few months later I start getting massive residual cheques for that Halls spot. I thought they had pulled the spot? Oh, they did but only in CANADA! But it took off in Scotland, Italy, Argentina, Ireland... all over Europe and Australia! It aired on the *World's Funniest Commercials*. This little spot that could, even won a Bronze Lion at Cannes. It didn't stop there. The U.S. now wanted that little commercial from Canada. Every time Tiger Woods hit the links, so too did that Halls spot. As per the SAG commercials contract, every time it played I got paid... and it played a lot for the next 3 year\$. Even Canada started to air it again - HA! Sadly, like all good things, they must come to an end... or so I thought.

I was getting requests to host and play in golf tournaments across the country, and get paid for it. I was playing on golf courses that most will only see on TV, or hear about in fishing boats and clubhouses. Glen Abbey, The Devil's Pupit... I felt like a golf pro, and still had a horrible slice to my swing! ("You were wrong guidance councillor McNulty - YOU WERE WRONG! You don't have to be the best at something to make a living doing it!")

Well it's now 2011 and we shot that Halls spot close to 12 years ago. And guess what? They want to start airing it all over again. FORE! ☐



Christian Potenza is recognised for his comedic commercial work, where he earned the title "THAT GUY" who is seen everywhere. While earning "buckets" full of ad industry cash, he voices numerous cartoon characters including *6teen* and *Total Drama Island*. His role on *The Newsroom Movie* earned him a Gemini nomination for Best Comedic Actor in 2003, and on *The Tournament*, he and the cast received a Gemini nomination for Best Ensemble Cast.

A blockbuster 30 seconds:

Armageddon's John Schwartzman was behind-the-camera on a Budweiser Super Bowl commercial that I worked on a while back. This big-budget spot allowed the cast and crew all the bells and whistles that you'd find on a Hollywood blockbuster movie set. We had a blast finding our marks as we balanced trays of beer in and around the flying cameras. It was shot during that huge Toronto snowstorm when Mel Lastman called in the army, just two weeks before the actual Super Bowl. When it aired, friends and relatives around the world called to congratulate me. Thanks to ACTRA, my residuals were collected. The spot continued to air in the Super Bowl top-10 shows years later. - *Daniel Lévesque*



Daniel Lévesque, Christian Potenza and Louis Di Bianco, in Budweiser "Lobster" commercial.

Teeing up for commercial bargaining:

ACTRA is getting ready for another round of bargaining with Canada's advertising industry as the current National Commercial Agreement (NCA) expires on June 30, 2011. In preparation, this winter and spring consultations will be taking place across the country with performers working under the current terms.

In the last round, ACTRA and the Industry made important progress on key issues such as non-union production and new media, and we secured a healthy rate increase of 7.5% over three years. We agreed to new, experimental rates for made-for-new-media commercials that are "moved over" from broadcast to new media.

In this round we'll be considering how those rates and terms are working for our members and what's the next big thing, as digital media continues to evolve. What's the future of advertising and what does it mean for you? Work under the NCA represents 25-30% of ACTRA member earnings. For many members, it's your bread and butter. So stay tuned! Keep an eye on www.actra.ca for further commercial news and information about how you can share your views on the issues that matter in upcoming negotiations.

Bill C-32

**One million artists say:
"Fix it or ditch it"**

ACTRA is at the front of a national movement of creators determined to fix the Conservative government's flawed copyright legislation, Bill C-32.

By gutting collective licensing and failing to extend the private copying levy to digital devices, the Conservative government would be taking millions out of creators pockets. We all want to be able to access content when and where we want, but it can't be for free. In an ideal world, content would be easy to access and creators would get paid.

ACTRA is standing with other creators' organizations in the Creators Copyright Coalition and our Francophone counterparts, DAMIC, and the large umbrella of the Canadian Conference of the Arts. Together we are more than one million artists – including performers, musicians, writers, dancers, photographers, songwriters, visual artists, composers, directors, literary translators and more – all united to make sure this bill gets fixed.





Ferne Downey kicks off ACTRA's November press conference: "Canadian creators and artists cannot work for free."



ACTRA members paved the way, hitting Parliament Hill in November to tell MPs and the media that artists have a right to compensation for the use of our work.

We'll be taking more action in the coming months to be sure our voices are heard: join us! Go to www.actra.ca and send a letter to your MP telling them that if our work is free today, then we won't be able to make more for tomorrow.

Photos on this page by Carol Taverner and Theresa Tova



On the train to Ottawa ACTRA lobbyists brush up on copyright.

L to r: Director of ACTRA PRS Brad Keenan, Wendy Crewson, Eric Peterson and R.H. Thomson.



Wendy Crewson and Eli Goree.



Director of Public Policy and Communications, Joanne Deer and R. H. Thomson.





“Governments should defend copyright, not dismantle it. By refusing to extend the reproduction levy, the culture minister is promoting a free ride for consumers at the expense of the artists.”

- Former Liberal Heritage Minister, Sheila Copps, *Hill Times*, November 2010

Front row: Austin Schatz, MP Olivia Chow, Leah Pinsent, MP Carol Hughes, Heather Allin, Senator David Smith, Eric Peterson, Wendy Crewson, MP Justin Trudeau.
Back row: David Sparrow, Richard Hardacre, Jayne Eastwood, David Gale, Theresa Tova, Peter Keleghan, Ferne Downey, Eli Gorie, Art Hindle, Christian Potenza.

Photo by Fred Chartrand.



“You would not ask any other group in this country to forego a legitimate source of income.” - Jazz singer Sophie Milman at hearings on Bill C-32, November 6, 2010

“We are pleased that audiences want to see and share our work. And we believe they want to see us paid so we can keep creating.”

- Flashpoint creators Mark Ellis and Stephanie Morgenstern, Creator's Copyright Coalition, joint statement, December 2010

“If you care about Canadian culture, get angry. The government is about to punish a vulnerable cultural sector, by expropriating the rights of authors and publishers in the name of the public good.”

- Author Nino Ricci, *The Globe and Mail*, November 5, 2010

“It is vital to find compromises that balance the interests of Canadians who consume our works with the reality that creators can't work for free.” - Yannick Bisson, *Playback*, November 17, 2010

Unless noted, all photos by Fred Chartrand.



David Sparrow and NDP MP Thomas Mulcair.



Conservative MP Candice Hoepfner and Jayne Eastwood.



Peter Keleghan tells Canadian media that our government must fix the copyright bill.



Senator Wilfred P. Moore (Liberal) and Leah Pinsent.

WHAT CAN YOU DO?

Write your MP.

This Bill is entering the third and final round, and we want EVERY MP to be aware of our issues.

Check out www.actra.ca for the latest updates on the fight to amend Bill C-32.

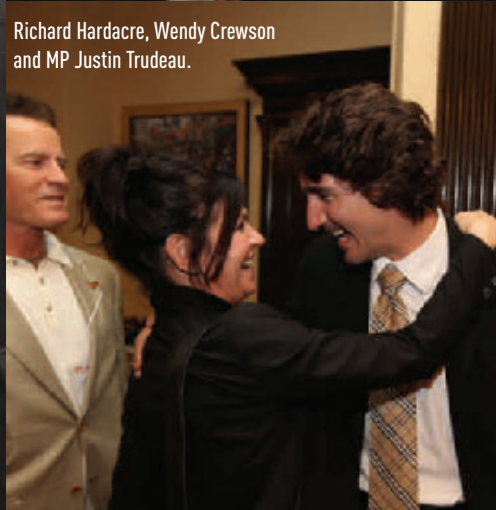
Art Hindle (middle) with NDP MPs Jean Crowder and Jack Harris.



R.H. Thomson, Ferne Downey and Peter Milliken, Speaker of the House of Commons of Canada.



Richard Hardacre, Wendy Crewson and MP Justin Trudeau.



Creator groups **fighting** to amend Bill C-32

Access Copyright, The Canadian Copyright Licensing Agency
Alliance of Canadian Cinema, Television and Radio Artists (ACTRA)
Association of Book Publishers of BC (ABPBC)
Association of Canadian Publishers (ACP)
Association québécoise des auteurs dramatiques (AQAD)
Canadian Actors' Equity Association (CAEA)
Canadian Artists Representation (CARFAC)
Canadian Artists Representation Copyright Collective (CARCC)
Canadian Copyright Institute (CCI)
Canadian Federation of Musicians (CFM)
Canadian Educational Resources Council (CERC)
Canadian Music Centre (CMC)
Canadian Photographers Coalition (CPC)
Canadian Society of Children's Authors, Illustrators and Performers (CANSCAIP)
Conseil des métiers d'art du Québec (CMAQ)

Directors Guild of Canada (DGC)
League of Canadian Poets
Literary Translators Association of Canada (LTAC)
L'Union des écrivaines et des écrivains québécois (UNEO)
Organization of Book Publishers of Ontario (OBPO)
Playwrights Guild of Canada (PGC)
Professional Writers Association of Canada (PWAC)
Regroupement des artistes en arts visuels du Québec (RAAV)
Screen Composers Guild of Canada (SCGC)
Society of Composers, Authors and Music Publishers of Canada (SOCAN)
Société professionnelle des auteurs et des compositeurs du Québec (SPACQ)
Société des Auteurs de Radio, Télévision et Cinéma (SARTEC)
Songwriters Association of Canada (SAC)
Writers Guild of Canada (WGC)
The Writers' Union of Canada (TWUC)

Eric Peterson with media reporters at ACTRA's copyright press conference. Peter Keleghan and Ferne Downey in background.





Stage Parent's Survival Guide



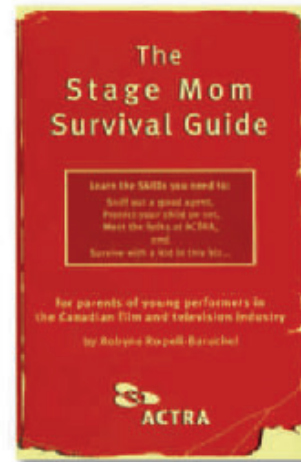
The second edition of **Robyne Ropell-Baruchel's** *The Stage Mom Survival Guide* will be re-launched in 2011 as *The Stage Parent Survival Guide*. You will soon be able to download the book on-line at www.actra.ca.

By Jay Baruchel

When I decided to make a go of acting when I was all of 12 years old, I distinctly remember my Mum hammering one point home in particular, one idea, one principle to be held above all others. Mum looked me in the eyes and said, "Jonathan," (my actual full first name and my mother's go-to for moments of importance), "do this as long as it's fun. If it stops being fun, you quit."

I remember thinking two things when Mum said that to me: 1) fair enough, and 2) no matter what happens I'm safe and sound because this woman will always be watching my back, because she is my mother and she is very, very good at her job.


With her trademark working-class Irish Catholic work ethic and her shrewd antique dealer's intellect my mother very quickly versed herself in every aspect of ACTRA. She committed to memory every scintilla of information she could, knowing from the word 'go' how important the union is, was and would be, for me and whatever would become of my career and eventually my little sister Taylor's. She became the de facto expert on the subject of ACTRA child performers and developed something of a reputation for hawkishly defending their rights on set, earning herself what I think is a hilarious nickname 'Robyne Barracuda.'



My mother took her role so seriously that she penned *The Stage Mom's Survival Guide*, an amazing resource for anyone wishing to introduce parents and guardians of school-aged children to the Canadian film and television industry. *The Guide*, now being updated for re-release in 2011, spells out all of the rules ACTRA has bargained for and enforces to protect child actors.

Just as important, my mother also understood that knowing and defending her children's rights would all be in vain if producers or whoever found her or us too difficult to deal with. The last thing she wanted to do was live up to the stereotype of the crazy stage parent.

This is to say Mum got it. She got that there is a middle ground to be found, that you can, in fact, protect your child and be a pleasure to deal with on set at the same time. As I approach the 17th year of my career, I can say with the utmost confidence that my mother did both those things. Everything I have achieved is because of Mum and her saint-like patience, effort and strength. Because of her, it never stopped being fun.

Under the watchful eyes of responsible and caring parents, child performers can have rewarding experiences in film, television or commercials. Parents, please enjoy this updated version of the *Stage Parent's Survival Guide*; take the time to learn and understand what both you and your kids need in order for everything to be as fun, worthwhile and generally awesome as possible. 

Jay Baruchel's recent credits include *She's Out of My League*, *How to Train Your Dragon*, *The Trotsky*, *Notre Dame de Grace* and *The Sorcerer's Apprentice*. Jay is the recipient of ACTRA Montreal's 2010 Award of Excellence.

The Minor's Trust

Under ACTRA agreements, a portion of the income of performers who have not reached the age of 18 is set aside for their use once they reach legal majority. You can learn more about the amounts and procedures for the **Minor's Trust** through the ACTRA Performers' Rights Society site.



Author Robyne Ropell-Baruchel, daughter Taylor and a young Jay Baruchel on the set of *My Hometown*.

Q AND A



What opportunities are out there for emerging performers in Canada? Do you think it's possible for them to "make it" without going to L.A.?

"Making it." It's such a relative term. When I'm working in something that's exciting creatively I feel as though I'm in the right place. Whether I'm making a decent paycheque or not doesn't seem to matter. So in terms of going to L.A. to 'make it', maybe the question should be more oriented towards asking 'what do I crave creatively?' and let that lead the process.

In the heat of our TV drama campaign you spoke out on Canada AM, on the failure of CTV to adequately promote Canadian projects, such as The Life. It was brave to tell a Canadian broadcaster to its face that it was not doing enough. Do you think they have gotten better?

I don't know if they've gotten better, I was so annoyed by the whole thing I've only done one other project for Canadian TV since then (*The Summit*) and they didn't give that much help either.

What was the best piece of advice or most important training you received?

Dress before breakfast. Read out loud. Study the career paths of people you admire (that last one is something I should have done, could have done, but didn't see the wisdom of till way down the line).

When you're not on a set, what's your favourite place to be?

I love going back to B.C. I spend a lot of time on the water up there and in long days of summer there's no better place; Orcas rolling up the inside of the Gulf Islands and the sun coming through the trees at 10:30 in the evening... It ain't so bad there in the winter either: fewer people and fog leaning on the rocks, it's all home.

You recently got to star in the feature-film adaptation of a beloved Canadian novel, Barney's Version. Had

you read the book before being cast? What was it like to shoot in Montreal?

I've shot in Montreal several times in the last few years and what's not to love about that city? Winter or summer it's so alive. There's a tremendous energy there. I'd say 'positive energy,' because that's what it is, but for some reason that makes it sound as though I've got a spoonful of hemp granola in one hand and a dream catcher in the other...

It's such a wonderful novel and a very quick read; one of those that you just can't put down. Whether you read it before or after seeing the movie I think you'll be satisfied and I'm not sure if there's a better order; novel then film or vice versa. Either way, the movie is worth seeing, there are so many wonderful performances; Paul, Rosamund, Minnie, Dustin, and for my money Saul Rubinek; he hits it so far out of the park it's amazing.

What was your most challenging role?

I manage to get stuck in most roles thinking it's more than I can chew. I work hard on all of them. Some take more practical research, like *13 Days*, for example, but I spend an inordinate amount of time thinking about whatever character I'm trying to play, whether it's purely imagining how and who they might be or whether I'm trying to reflect some aspects of an historical character.

You've had such a varied career, is there one role in particular you still yearn to play?

I've been looking for something musical for a while now. Or funny. Or not.

What's next for Bruce Greenwood?

This next year is a bag of questions, there are a couple of movies that are supposed to happen, a couple more that may happen, and a handful that I'm actively trying to make happen... It's ever the same; wishes, expectations, managing expectations, and leaning into it psychologically so you don't get too hammered by the fickle nature of the biz. □

In Conversation with Bruce Greenwood

Recipient of 2011 ACTRA AWARD OF EXCELLENCE in L.A.

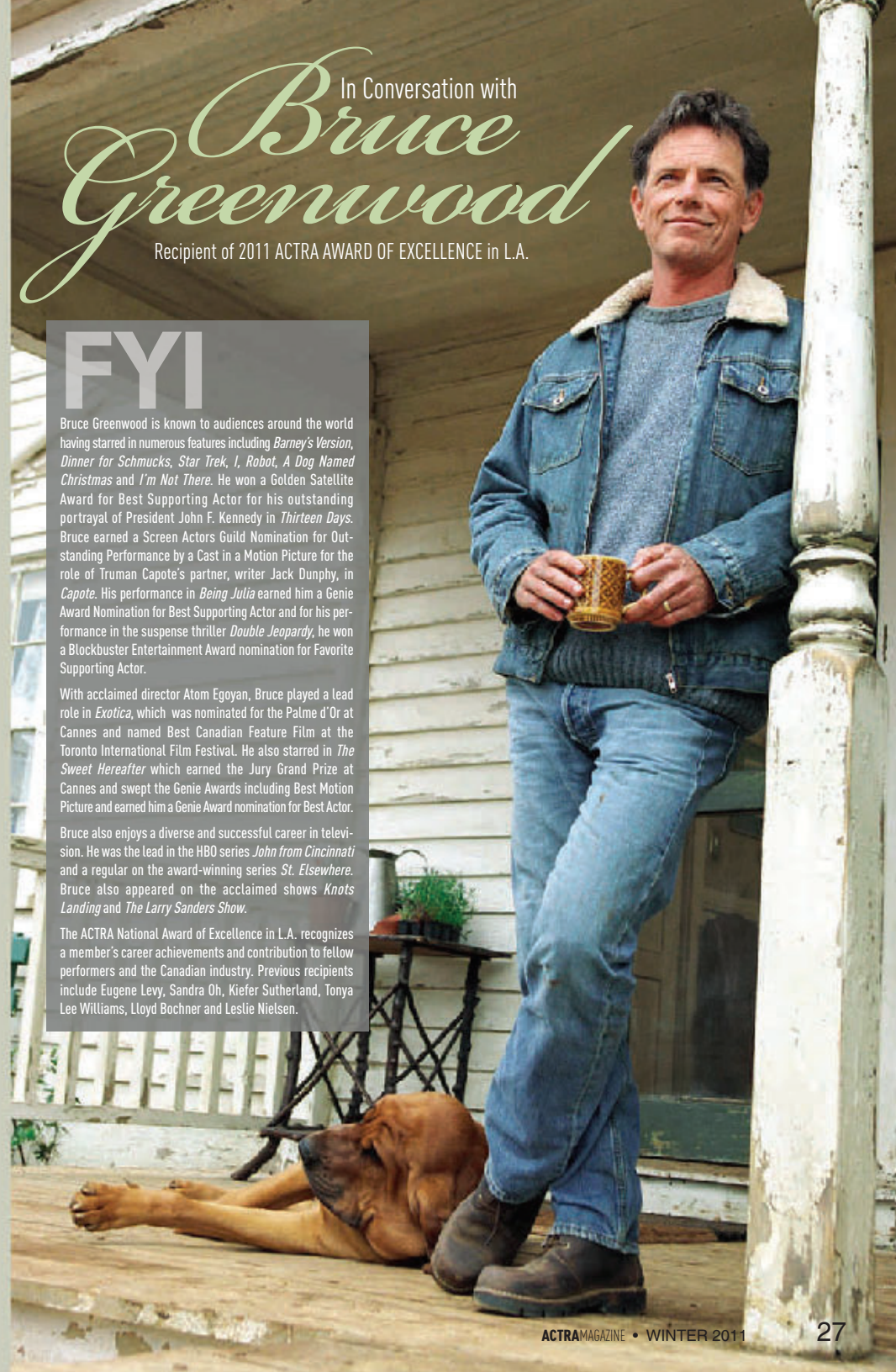
FYI

Bruce Greenwood is known to audiences around the world having starred in numerous features including *Barney's Version*, *Dinner for Schmucks*, *Star Trek, I, Robot*, *A Dog Named Christmas* and *I'm Not There*. He won a Golden Satellite Award for Best Supporting Actor for his outstanding portrayal of President John F. Kennedy in *Thirteen Days*. Bruce earned a Screen Actors Guild Nomination for Outstanding Performance by a Cast in a Motion Picture for the role of Truman Capote's partner, writer Jack Dunphy, in *Capote*. His performance in *Being Julia* earned him a Genie Award Nomination for Best Supporting Actor and for his performance in the suspense thriller *Double Jeopardy*, he won a Blockbuster Entertainment Award nomination for Favorite Supporting Actor.

With acclaimed director Atom Egoyan, Bruce played a lead role in *Exotica*, which was nominated for the Palme d'Or at Cannes and named Best Canadian Feature Film at the Toronto International Film Festival. He also starred in *The Sweet Hereafter* which earned the Jury Grand Prize at Cannes and swept the Genie Awards including Best Motion Picture and earned him a Genie Award nomination for Best Actor.

Bruce also enjoys a diverse and successful career in television. He was the lead in the HBO series *John from Cincinnati* and a regular on the award-winning series *St. Elsewhere*. Bruce also appeared on the acclaimed shows *Knots Landing* and *The Larry Sanders Show*.

The ACTRA National Award of Excellence in L.A. recognizes a member's career achievements and contribution to fellow performers and the Canadian industry. Previous recipients include Eugene Levy, Sandra Oh, Kiefer Sutherland, Tonya Lee Williams, Lloyd Bochner and Leslie Nielsen.



APPLAUSE

We congratulate ACTRA members on recent noteworthy achievements.

ACTRA MONTREAL 2010 AWARDS WINNERS

ACTRA Montreal celebrated some great performances at their gala awards ceremony on September 11. Four juried awards were presented at the event:

Outstanding Male Performance:

Conrad Pla - *Burning Mussolini*

Outstanding Female Performance:

Tiio Horn - *The Trotsky*

Outstanding Stunt Performance:

Jean-Francois Lachapelle - *The Punisher: War Zone*

Outstanding Voice Performance:

Pauline Little - *The True Story of Puss'n Boots*

The 2010 Award of Excellence was presented to Jay Baruchel who enjoyed a banner year with the theatrical release of *She's Out of My League*, *How to Train Your Dragon*, *The Trotsky*, *Notre Dame de Grace* and *The Sorcerer's Apprentice*.

Anik Matern received the Community Builder Award and Susie Algren and Ian Finlay received Life Memberships.



Conrad Pla



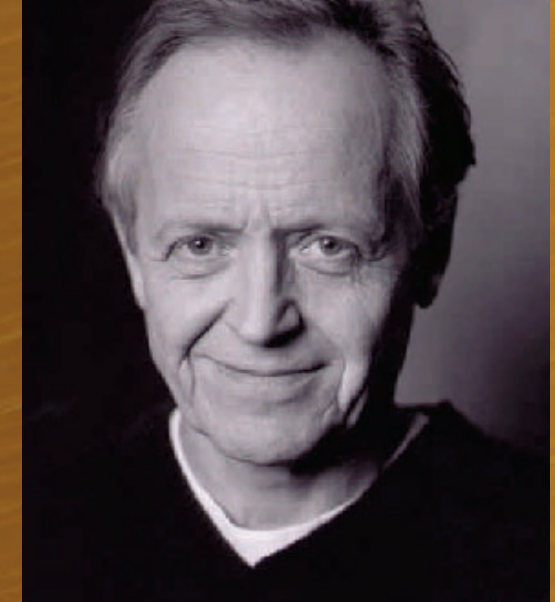
Tiio Horn



Jean-Francois Lachapelle



Pauline Little



Eric Peterson appointed to The Order of Canada

Eric's numerous accolades include the Earle Grey Award, five Gemini Awards and ACTRA Toronto's 2008 Award of Excellence. He serves on ACTRA Toronto's council and is a leading voice in support of Canada's entertainment industry. The Order of Canada is one of the country's highest civilian honours.

FIONA REID TO RECEIVE ACTRA TORONTO'S 2011 AWARD OF EXCELLENCE

An icon of Canadian television history, Fiona Reid will receive the Award of Excellence at the ACTRA Awards in Toronto on February 25. Fiona played Cathy King to Al Waxman's *King of Kensington*. Audiences also recognize her as the mother of the groom in the huge hit *My Big Fat Greek Wedding*.

"Fiona Reid is one of Canada's most beloved stars. We are pleased to honour Fiona in recognition of her outstanding body of work and for her long-time advocacy on behalf of performers," said Heather Allin, President of ACTRA Toronto.

Fiona has received numerous awards including two Dora Mavor Moore Awards for *Fallen Angels* and *Six Degrees of Separation* and a Gemini Award nomination for *This is Wonderland*. In 2006 she was named a Member of the Order of Canada. A fierce campaigner at the CRTC, Fiona says she knows from personal experience with fans of *King of Kensington* that Canadians want to see themselves on screen: "When you provide audiences with Canadian faces and content they enjoy, they revel in them."





Clé Bennett picked up two Gemini Awards for his performances in *The Line* and *Guns*.

AND THE GEMINI GOES TO...

The 25th Annual Gemini Awards marked its silver anniversary celebration of Canadian TV with a black-tie broadcast gala.

Some of the winners in the Best Performance categories include:

Leading Role in a Dramatic Program or Mini-Series:

Jared Keeso - *Keep Your Head Up Kid: The Don Cherry Story* and Sun Li - *Iron Road*

Continuing Leading Dramatic Role:

Caroline Cave - *Cra\$h & Burn* and Robert Carlyle - *Stargate Universe*

Children's or Youth Program or Series:

Charlotte Arnold - *Degrassi: The Next Generation*

Animated Program or Series:

Kim Cattrall - *Producing Parker*

Best Ensemble Performance in a Comedy Program or Series:

Cathy Jones, Gavin Crawford, Mark Critch, Geri Hall, Shaun Majumder - *This Hour Has 22 Minutes*

Best Individual Performance in a Comedy Program or Series:

Benjamin Arthur - *Less Than Kind*

For the complete list of winners go to: www.geminiawards.ca

Kim Cattrall



Joy Coghill awarded the Gemini Humanitarian Award

A performer, director, playwright, and teacher, Joy Coghill is a driving force behind PAL Vancouver. She is the recipient of numerous awards for her contribution to the performing arts, including the Order of Canada, and the 2002 Governor General's Performing Arts Award, the 2005 ACTRA/UBCP John Juliani Award of Excellence, the 2005 Vancouver Performing Arts Award. She holds honorary doctorates from both Simon Fraser University and the University of British Columbia.



Colin Decker sets Guinness World Record! World's Longest Full Body Burn

Vancouver ACTRA/UBCP stuntman Colin Decker blazed his way into the record book on September 11, 2010. Burning from head-to-toe for 3 minutes and 27 seconds, Colin beat the previous world record of a full-body burn for 2 minutes and 57 seconds. He shattered the existing record by half a minute!

Said Colin on his new world record, "My burning desire started six years ago on the film *Final Destination 3*. Fellow ACTRA/UBCP member Dustin Brooks and I created a revolutionary fire barrier gel that we are able to apply directly to skin and set ablaze." The effect was indeed incredible and in 2007, Colin and Dustin were nominated for an Academy Award for Scientific and Technical Achievement. Their company "Fire 4 Hire" (www.fire4hire.com) has provided fire stunt services for the entertainment industry on over 50 film, television and live performances. They are international safety consultants in this very specialized field.

Congratulations to Colin and his 'Fire 4 Hire' team for smashing this record and showing the world what our Canadian stunt community is capable of!

Warning: An untrained individual, under any circumstance, should never attempt a full body burn. Colin Decker is a professional stunt person who thankfully surpassed his target safely and successfully.



©Jennifer Decker 2010





No matter what set I'm on... I always work ACTRA

Do we have your money?

Are you a performer?

If you are a performer who has earned royalties, residuals and/or use fees under an ACTRA production we might have some money waiting for you.

Go to www.actra.ca/prs and look for your name.

Are you a recording artist?

We might have money for you too!

ACTRA RACS is the leading artist collective in Canada. We collect and distribute the money artists are entitled to from the private copying levy and from tariffs when your music is played on the radio, satellite radio and as background music.

Go to www.actra.ca/racs to learn more.

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Farewell



Jackie Burroughs

Jackie Burroughs has passed away in her Toronto home. She was 71. She received multiple Genie and Gemini Awards, including three for her role as the eccentric Aunt Hetty, a role she played during *Road to Avonlea's* six-year run. She won another three Genie awards for her work as Maryse Holder in *A Winter Tan*, which she also co-wrote and co-directed, as well as for her role as Kate Flynn in the 1983 film *The Grey Fox*, a performance that earned her first award. In 2005, she was honoured with the Governor General's Award for Performing Arts. Jackie also won two Canadian Film Awards and the Earle Grey Award for outstanding contribution to Canadian Cinema. She appeared in more than 100 films and television shows and is also remembered as Mrs. Amelia Evans in the 1985 *Anne of Green Gables* television movie. Sarah Polley describes Jackie as "an artist in the most true, pure, brutal sense of the word," and somebody who was "passionate, fierce, uncompromising, honest."



Leslie Nielsen

Leslie Nielsen was a dramatic actor early in his career. After serving in the Royal Canadian Air Force and studying at New York City's famed Actors Studio, the Saskatchewan-born Nielsen popped up on early '50s TV. His first big film break was to play sturdy Commander J.J. Adams in the 1956 sci-fi flick *Forbidden Planet*. The cop-show spoof *Police Squad* lasted only six episodes, but Leslie earned an Emmy Nomination for his work. The rich-voiced actor graced TV dramas *Peyton Place* and *Dr. Kildare* and the movie *The Poseidon Adventure*. Then came *Airplane!*, where he truly showed his comedic chops. The success of *The Naked Gun* paved the way for two sequels in 1991 and 1994. In 2003 ACTRA awarded him with the ACTRA Award of Excellence in L.A. Says Paul Gross, "Leslie's huge heart and fierce intelligence defined goofball comedy and he was its undisputed master. His loss will be felt by all. More personally he was a mentor and a friend. I will miss him terribly." Leslie leaves us with one of the best retorts in comedic cinema history: "Surely you can't be serious!" "I am serious. And don't call me Shirley." He was 84.



Denis Simpson

Denis Simpson has passed away at age 59. He co-hosted kids' show *Polka Dot Door*. Denis' work comprised of various stage and TV roles, including appearances on *Sharon, Lois & Bram's Elephant Show*, *MacGyver* and the game show *Acting Crazy*. He hosted a cooking show on Channel M and appeared as the *Live Eye Guy* for CityTV. Denis received a Jessie Award for his 1996 one-man show *Denis Anyone?* and directed the critically acclaimed 2009 Fringe show *NGGRFG* starring Berend McKenzie. Denis' recent Vancouver performance was this past May to July with the Arts Club Theatre in *Buddy: The Buddy Holly Story*. In addition to acting, Denis served as the original bass vocalist for the a capella group *The Nylons*. Says Tonya Lee Williams, "I met Denis while working on the kids show *Polka Dot Door*. The first thing you'd notice about Denis was that he found joy in all things and he made that joy contagious for others. He was not just a performer, he was a true artist and he lived each day of his life to the fullest. We will really miss him."



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"I work ACTRA because it's nice to know that I'll have some security when I retire. Every time I work, a little something goes into my retirement account."

– Mpho Koaho

No matter what set I'm on... I always work ACTRA.