

## Key Findings from Community Consultation Process

### Key Findings—Exhibition Fees

The consultation process has indicated that there is a need for additional organizational category divisions in to reflect organizations' varying budget levels and scales. Additional categories were identified as needed beyond both existing categories (< \$500K and > \$500K). Implementing tiered fees based on organizations' budgets should be considered in the case of other fee categories (including screening fees, performance presentation fees, reproduction copyright fees, and artists' professional fees).

Language used in the CARFAC/RAAV schedule section A.1.0 Guiding Principles—Recognizing the size of a museum or gallery has been identified as visual arts-centric and potentially exclusive of media arts organizations/media arts presentation contexts. This is exemplified by the repeated use of the terms museum and gallery in the paragraph following the “Recognizing the size of a museum or gallery” heading and in the use of the term “Standard Galleries” to name organizational budget categories 1 and 2 (Galleries 1 and Galleries 2). The latter issue is not applicable in the French version of the CARFAC/RAAV schedule as the term “*Diffuseur standard*” is used and organizational categories are titled “*Catégorie 1* and *Catégorie 2*.”

A need for further clarification as to which parts of an organization's budget should be accounted for under the term operating budget in the context of media arts organizations (particularly in the case of media arts organizations operating multiple departments) was identified.

The definition of an online exhibition was identified as missing from definitions included under the “Recognizing the scope of an exhibition” heading. Overall clarifications are needed pertaining to online presentation contexts but because exhibition fees are indicated as being applicable to online exhibitions (section A.3.1 “For exhibitions of works of art conceived for the internet, please use Exhibition fee schedules.”), a definition of and/or provision for online exhibitions is lacking in section A.1.0.

#### Recommendations for harmonization:

- 1) Develop new additional organizational categories further breaking down organizational budget tiers. Suggested additional budget categories include: < \$50K, < \$100K, < \$250K, and > \$1M.
- 2) Revise language used in CARFAC/RAAV schedule section A.1.0 Guiding Principles to be more inclusive of media arts organizations/take into account media arts contexts. This includes revising language used to define organizational categories and clarifying what is meant by the term “operating budget” in the case of media arts organizations.
- 3) Include a definition of online exhibitions and/or include online exhibitions and/or exhibitions of works of art conceived for the Internet under one of the existing exhibition categories.

#### Recommendations for further discussions

1) Overall clarifications are needed pertaining to online presentation contexts as well as further discussions to take into account new modes for dissemination of works online including Video On Demand and streaming.

## **Key Findings—Screening Fees**

The consultation process has indicated that there is a need to eliminate current discrepancies between the CARFAC/RAAV and IMAA fee schedules in relation to screening fees. Specific points for consideration include:

- The language used in the IMAA fee schedule makes more sense/is more appropriate from a media arts perspective (e.g. the CARFAC/RAAV schedule's use of the term "reproduction copyright fees" was identified as confusing; CARFAC/RAAV's definition of Projection of Video, Film or Electronic Art should be reworked to correspond to current media arts language/contexts; stipulation as to film festivals' possibility of choosing between payment of exhibition or screening fees was identified as confusing)
- The schedules present different duration categories (IMAA's being more specific and CARFAC\RAAV's being more broad)
- The schedules present different fees, which causes discrepancies as to screening fees being paid to artists as it enables organizations to choose to pay lower fees.

Discrepancies between fees listed in the IMAA and CAFAC/RAAV fee schedules were also listed as problematic.

Size/means of presenting organizations was identified as a very important factor to consider when determining screening public projection fees by survey respondents. Consensus among focus group participants was also that screening fees broken down based on organizational categories would be a good idea (tiered fees based on organizations' budgets).

CARFAC/RAAV schedule provisions for multiple presentations were identified as confusing.

IMAA schedule provisions for package screening fees were identified as problematic and opinions were split among consultation participants as to whether these fees accomplish their mandate of encouraging group screenings. The difference between total costs of presenting a package of shorts and total costs of presenting a feature work was identified as an issue. Overall provisions for group screenings need to be further discussed and language as to the definition of a package of shorts needs to be clarified.

### **Recommendations for harmonization:**

- 1) Adapt language in in the CARFAC/RAAV schedule section A.2.2.2 Projection of Video, Film or Electronic Art to reflect current media arts language and contexts. Integrate/base revisions on the language used in the IMAA fee schedule.
- 2) Consider creating a new section dedicated to screening and public projection fees in the CARFAC/RAAV fee schedule under section A.1 Exhibition Fees. Section A.2.2.2 Projection of Video, Film or Electronic Art could be moved to section A.1 Exhibition Fees, or remain in section A.2 Reproduction Copyright Fees—Audio-Visual Reproduction with a new section created in A.1 Exhibition Fees for screening fees.

- 3) Remove CARFAC/RAAV schedule section A.1.9 Film and Video Festivals.
- 4) Remove following statement from the CARFAC/RAAV schedule section A.2.2.2 Projection of Video, Film or Electronic Art: "Film festivals should develop policies related to payment of these fees. They should decide in the context of their activity to either pay exhibition fees, per Section 1, or the fees recommended for projection given below."
- 5) Harmonize schedules' duration categories by following duration categories established in the IMAA schedule with an added 90 min. + category.
- 6) Harmonize schedules' fees with potential adjustments based on survey respondents' evaluation of the fees.
- 7) Include a breakdown of tiered fees based on organizations' budgets.
- 8) Expand/clarify CARFAC/RAAV's provisions for multiple presentations. Consider establishing fees per additional screening or setting a limit to the number of screenings to which currently listed fees apply.
- 9) Clarify definition of a package of shorts by specifying if it applies to multiple works by one artist or multiple works by different artists.

**Recommendations for further discussions:**

- 1) Overall provisions for group screenings need to be further discussed as part of an assessment of whether these provisions meet the needs of the media arts community.

## **Key Findings—Reproduction Copyright Fees**

A minority (22.6%) of organization survey respondents proceeded to answer questions pertaining to reproduction copyright fees. This presumably indicates that most organization survey respondents either do not engage in activities through which reproduction copyright fees can be paid or negotiated, or do not provide these types of fees.

Overall, the section of focus group discussions focusing on Reproduction Copyright Fees caused a lot of confusion and participants across all focus groups struggled with the interpretation of these fees. It was unclear to participants to which activities these fees apply, and whether or not they were relevant in a media arts context. Participants indicated that the language used to define this category of fees needs to be clarified and that the layout of these fees needs to be made more comprehensive and easy-to-use.

The need to differentiate between the use of moving images on the Internet for promotion (fragment/extract) and the long-term use of a work (in full) for educational purposes was identified. It was suggested that a shift toward license-oriented language would make more sense given the current contexts in which works are made available online. In this regard, participants indicated that separate fees/breakdown logic were needed for streaming and VOD.

**Recommendations for harmonization:**

No recommendations for immediate application in the harmonization process as further discussion is needed.

**Recommendations for further discussions:**

Further discussion regarding Reproduction Copyright fees for fixed and moving images on the Internet is recommended to determine the relevance of these fees in a media arts context and/or how to clarify these fees to increase their readability and usability.

## **Key Findings—Artists’ Professional Fees**

Key issues pertaining to the payment of artists’ professional fees were identified through the consultation process. Notably, the payment of installation and preparation fees was identified as a problematic area given that currently listed rates are too high for organizations to afford paying them and so they are often lumped into exhibition fees.

The need to advocate for the payment of adjunct fees (including travel fees, accommodation fees, and per diems) in addition to (as opposed to included in or in lieu of) exhibition and/or screening fees was identified.

The IMAA Fee schedule’s provisions pertaining to equipment rental are useful and should be retained in the harmonization process.

**Recommendation for harmonization:**

- 1) Include “aspirational” statement regarding the payment of adjunct fees to artists (including travel fees, accommodation fees, and per diems) in addition to (as opposed to included in or in lieu of) exhibition and/or screening fees.
- 2) Include “aspirational” statement regarding the payment of artists’ professional fees in cases in which the presence of the artist is required (e.g. installation fees, screening introduction, Q&A, etc.).
- 3) Integrate IMAA’s statement about remunerating the use of an artist’s own equipment in the CARFAC/RAAV fee schedule (see IMAA fee schedule’s Equipment rental section).
- 4) Consider lowering installation and preparation fees to make them more accessible with the goal of increase the frequency at which these fees are paid.
- 5) Harmonize CARFAC/RAAV’s and IMAA’s half-day installation fees.

**Recommendation for further discussion:**

- 1) Further discussion is needed around the implementation of tiered fees based on different organizational budget categories—there was no consensus as to the need to implement tiered fees in this area.
- 2) Consider making provisions for curating and writing fees.
- 3) Consider making additional provisions for certain types of professional activities currently accounted for under existing categories (e.g. artists’ talks, panel participation, jury fees, and workshop fees).
- 4) Consider making provisions for hourly rates past half-day minimum fee
- 5) Further discussion around installation and preparation fees is needed, particularly in the case of complex media arts installations and projects that require a high level of expertise.