



client alert

October 12, 2011

ACTRA - CANADIAN AD INDUSTRY TERMS OF AGREEMENT 2011-2014

ACTRA has reached terms of settlement with the Association of Canadian Advertisers (ACA) and the Institute of Communication Agencies (ICA) to renew the National Commercial Agreement (NCA). The terms of the proposed agreement have been sent to the members of ACTRA and if the tentative settlement is ratified, the new Agreement will go into effect on October 31, 2011.

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Highlights of the agreement:

- Contract Term: October 31, 2011-June 30, 2014
- General 2.5% increase per year for the next three years
- No increase in Insurance & Retirement (I&R)

- Articles 1804 and 1805 (TV Only) Market Units: A 1.5% increase in Market Unit rates for Wild Spot and Network Use (including short life)
 - To be calculated prior to adding in general increase

- Article 1811 Other Languages
 - Session and use fees are now payable as per Category 3 of the Local and Regional addendum
 - This includes two language versions per commercial
 - Permit fees shall cost, per commercial, \$43.75 for Apprentice Members and \$52.50 for non-member

- Article 1818 Television Commercials used in other Media
 - Payable now at 10 market units instead of 1-5

- Article 1819 Specialty and Cable Television Use
 - Use payments are now 10 market units
 - If commercial is running but not in all markets covered by specialty and cable, no additional payment is required provided that at least 24 units are paid for

- Article 1820 New Media
 - Performers are now paid 50% of session fees (subject to general increases). Other language remains the same, including determination of use fees paid if session goes over 4 hours.
 - Still no contract service fees payable



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Changes effective 10/31/11 *(continued)*

- Article 1820 New Media (Move Over)
 - Pre-paid option
 - Engager at time of engagement for TV, can contract performer for New Media
 - 2 session fees payable if pre-paid
 - Payable at same time as session and is subject to 10% service fees
 - Payment is guaranteed
 - Prepayment is not renewable (performer must be re-contracted)

- Article 1907 Payment for Allowable Changes
 - If performer makes more than 25 (previously 20) changes for the same commercial at the same session, additional changes beyond 25 shall not be paid for.
 - Additional work time or overtime shall be paid if session exceeds 4 hours for off camera or 8 hours for on camera performers

- Article 2602 Payment Due Dates
 - Payments due Performers are now due in calendar days (previously working days)
 - Session payments-21 calendar days
 - Edited Commercials-21 calendar days
 - TV Use or Residual Payments-28 calendar days
 - Radio Use- 28 calendar days
 - Late Payment Penalties-42 calendar days

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Talent Partners will continue to keep you informed through future communications. Please contact your Talent Partners representative if you have any questions or concerns regarding the following information.