

creative SASKATCHEWAN

Investment Fund General Program Guidelines

Growing Saskatchewan's creative industries.

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Investment Fund Objectives and Purpose

Creative Saskatchewan was established in 2013 with a mandate to advance the commercial success of Saskatchewan's creative industries and entrepreneurs. Through focused investments to individuals, businesses, and organizations, Creative Saskatchewan contributes to the Province's Growth Plan working to build a stronger Saskatchewan.

Creative Saskatchewan's Board of Directors have set forth the following Mission for the agency:

Creative Saskatchewan is a leader supporting collaboration, entrepreneurial capacity, innovation and convergence that maximizes leveraged resources, commercial success and market access for Saskatchewan's creative industries and producers.

The Investment Fund is the principal tool the agency uses to fulfill its mandate and deliver its mission.

The Investment Fund has four strategic priorities:

1. Provide incentive-based grant funding that enables the development and production of commercially viable creative product, ensuring market and export-readiness.
2. Invest in market access and export development initiatives such as exhibitions, touring, showcases, market presence, marketing, and promotional activities.
3. Encourage and support growth and innovation in the creative industries through research and development, and market intelligence initiatives.
4. Enhance business capacity for creative industry businesses, individuals and organizations through workforce development, business and export readiness and entrepreneurial skills development.

The intent of Creative Saskatchewan is to empower clients to realize their economic potential, within and outside the province. To that end, the following investment programs have been established.

Overview of Programs

Specific program guidelines, assessment criteria and submission details are available at: www.creativesask.ca.

Book Publishing Production Grant

This grant assists eligible Saskatchewan book publishers in the production and marketing of titles intended for commercial release. There are two streams within the grant: “Author-Funded Stream” and “Book Publisher Stream”.

Business Capacity Grant

This grant supports projects that focus on developing business knowledge and improved efficiencies, as well as expanded workforce capacity and business skills, which result in growth, market expansion and improved profitability.

Craft & Visual Arts Production Grant

This grant supports craft persons and visual artists in the production of creative products intended for the commercial marketplace.

Digital Game Development Grant Program

This investment program provides eligible Saskatchewan applicants with financial investment in support of the production of innovative and original digital games and eLearning properties.

Feature Film Production Grant

This grant provides support to eligible applicants for feature film productions that have secured a relevant and fair-valued market trigger or distribution agreement. There are two streams within the grant: Saskatchewan Stream and Service Production Stream.

Film & Television Development Grant

This grant assists qualified Saskatchewan production companies with undertaking the development of eligible projects and bringing productions to fruition. There are four different streams within the grant: Pre-Development, First Draft, Final Draft and Slate Development.

Live Performing Arts Production Grant

This grant assists eligible Saskatchewan individuals and companies in the production of a series of performances intended for paying audiences.

Market & Export Development Grant

This grant provides support to individuals and businesses for market access and market development opportunities intended to improve visibility and generate sales.

Market Travel Grant

This grant provides support to individuals and businesses to attend markets and events.

Research Grant

This grant provides support to projects that focus on market research and market intelligence activities, identifying commercial opportunities and/or emerging technologies.

Sound Recording Grant

This grant supports the production of commercially viable sound recordings for commercial release. There are three different streams within the grant: Single Sound Recording, Extended Play (EP) Sound Recording, and Full-Length (LP) Sound Recording.

Television Production Grant

This grant provides support to eligible applicants for television productions that have secured a relevant market trigger.

Tour Support Grant

This grant supports commercially viable touring opportunities for eligible Saskatchewan musicians and theatre companies touring in Canada and abroad. There are two different streams within the grant: Music and Live Performing Arts.

Web Series Production Grant

This grant provides support to the production of original content created for the web.

General Eligibility

The terms of eligibility for all grants. These may be superseded by specific statements under each specific grant criteria.

Creative Saskatchewan is mandated through Legislation (“The Creative Saskatchewan Act”) and Regulations (“The Creative Saskatchewan Regulations”). If there is a conflict between these guidelines and the Legislation and/or Regulations, the Legislation and Regulations will prevail.

The Creative Saskatchewan Investment Fund programs are available to commercially viable creative industry projects and endeavors that include music, sound recording, film, television, interactive digital media, craft and visual arts, book publishing, and live performing arts.

The general guidelines apply to all programs, unless otherwise stated under the specific grant.

I. Eligible Applicants

1. The applicant must be an active practitioner in one of the creative industries identified under The Creative Saskatchewan Act (2013). The following industry associations are supported by Creative Saskatchewan. They can also provide assistance with your application.
 - a. Saskatchewan Craft Council
 - b. SaskBooks
 - c. SaskGalleries
 - d. SaskInteractive
 - e. Sask Music
 - f. SATP (Saskatchewan Association of Theatre Professionals)
 - g. SMPPIA (Saskatchewan Media Production Industry Association)
2. The applicant must demonstrate their intention to earn their living within their chosen creative industry, as well as their ambition to grow their business beyond their current status.

3. The applicant must be in good standing¹ with Creative Saskatchewan in all respects.
4. An applicant may be a corporation or an individual.
 - a. Corporations, as defined in The Creative Saskatchewan Regulations:

A Corporation

- that is incorporated or continued pursuant to an Act or is registered pursuant to an Act to carry on business in Saskatchewan;
- the majority of whose outstanding voting shares are owned by Saskatchewan residents;
- that has a permanent establishment in Saskatchewan; and, that filed an income tax return respecting income earned in Saskatchewan for its taxation year preceding the year in which it applies for financial support.

- b. Individuals, as defined in The Creative Saskatchewan Regulations:

An individual

- Who filed an income tax return respecting income earned in Saskatchewan in the year preceding the year in which he or she applies for financial support.

Note: Creative Saskatchewan may require Applicants to provide an annual Notice of Assessment from the Canada Revenue Agency to confirm taxation in the Province of Saskatchewan as an individual or business.

II. Project and Expense Eligibility

1. Projects must be aligned with the Vision and Mission statements of Creative Saskatchewan. Applications must include a description of how the project aligns with Creative Saskatchewan's mandate to realize diverse commercial opportunities in national, international and emerging markets which collectively grow thriving, sustainable creative industries.
2. The primary purpose of the project must be commercial intent and is limited to the following creative industry sectors:

¹ "In good standing" is defined in the Glossary

- Book publishing
 - Interactive Digital Media
 - Live Performing Arts
 - Music and Sound recording
 - Film and Television
 - Visual Arts and Crafts
3. The project must demonstrate market potential, viability and demand, as well as a demonstrable economic benefit to Saskatchewan.
 4. The project must adhere to all relevant federal and provincial laws.
 5. Project expenses must be incurred primarily in Saskatchewan (unless demonstrated as infeasible).
 6. Project expenses must be directly attributable to the project as described in the application.
 7. If ineligible expenses exceed 50% of the project budget, the application will be deemed ineligible.
 8. Project expenses must be incurred during the project timeline, specifically, after the date the application was accepted at Creative Saskatchewan (The Application Receipt Date) and before the declared end of the project as stated in the grant application.
 9. The labour of Saskatchewan residents is an eligible expense but must be in accordance with industry standards. An applicant's or staff labour directly attributed to the project described in the application will be eligible, but only if they do not claim an administration fee.
 10. Administration expenses may be no more than 15% of the proposed budget or \$5,000 (whichever is the lesser) unless the applicant is including their own labour or staff labour, in which case the applicant is not eligible to claim an administration fee.
 11. Cost of contracted services directly attributable to the project described in the application, and in accordance with industry standard rates, is an eligible expense.

12. Travel, per diems and accommodation expenses (if applicable to the activities of the program) are limited to Saskatchewan residents. The Government of Saskatchewan rates in effect at the time the grant application is accepted will be used in the budget.
13. Accommodations are limited to \$400 per night per room (Canadian funds), inclusive of all taxes. If the rate exceeds the amount, only the excessive amount is disallowed.

Note: Creative Saskatchewan encourages applications demonstrating cross-sectorial collaborations between multiple industry sectors.

III. Ineligible Projects and Expenses

1. Activities receiving funding from SK Arts or SaskCulture.
2. Activities prior to the date of receipt of the grant application at Creative Saskatchewan.
3. Applications in support of venues or festivals.
4. Capital Expenditures, in-kind expenses or services, donations, and/or deferrals.
5. Childcare expenses.
6. Dry cleaning, prescriptions, health-related items and toiletries.
7. Expenses related to the purchase, gift or consumption of alcohol.
8. Fees for traffic violations.
9. GST (Goods and Services Tax) or HST (Harmonized Sales Tax).
10. Instructional video projects.
11. Manufacturing of merchandise for sale.
12. Motivational speaking tools and tours.
13. Ongoing core operations beyond the allowable administration fee as described in the Project and Expense Eligibility section above, and only if allowable under the specific grant criteria.
14. Projects that, in the opinion of Creative Saskatchewan, may be contrary to the public interest to approve for financial assistance.

15. Material that is hate propaganda, obscene or child pornography, or any other illegal material, as defined in the Criminal Code.
16. Student projects produced for any educational or training institution.
17. Travel and membership benefits, reward points, or anything without cash value.
18. Travel expenses for non-Saskatchewan residents.
19. Expenses for employees or contractors during non-travel days and non-work days.

IV. Financial Participation

1. Funding is in the form of a grant (unless otherwise described in the specific program guidelines).
2. Funding will always require a matching financial investment. The ratio of matching funds is defined in the specific program documents.
3. There is always a 'hold-back' on the awarded amount. This is disbursed upon acceptance and approval of a Final Report on the project. If an application is approved, the pay schedule and amount of the 'hold-back' will be defined in the Letter of Commitment.
4. Please carefully read the specific program guidelines that specify the terms and conditions for each grant.

V. Assessment

1. An initial review of applications is conducted by Creative Saskatchewan program staff to ensure that the project and applicant meet eligibility requirements of the specific program and that the application is complete. The program staff performing this initial review will determine the Application Receipt Date for purposes of determining the start date for eligible expenses.
2. Funding is limited; therefore, applications will be assessed by a process as defined in the guidelines and processes for the specific program. These could include:
 - a juried process with a specific deadline, as posted on the Creative Saskatchewan website and referencing the specific grants involved;

- a standing jury for rolling intake programs; or,
 - internally assessed against criteria as published.
3. Applications are assessed by process defined on the Creative Saskatchewan website (www.creativesask.ca) under the grant program being applied for.
 4. Using the criteria as well as the specific requirements contained in the specific program guidelines, the reviewers, whether jury members or program staff, will make a recommendation to Creative Saskatchewan. A final review against Creative Saskatchewan's governing legislation is made to reach a final determination respecting each application.

VI. Application Submissions and Deadlines

1. Applications must be submitted using the Creative Saskatchewan online Grant Management System (GMS). Applications must use the templates provided. Failure to do so will result in the application being deemed incomplete.
2. All required documents must be submitted to be considered complete. Only complete applications will be reviewed. Additional material will not be considered.
3. For grants with specific deadlines, applications and revisions to applications. will NOT be accepted after the deadline.
4. The "Application Receipt Date" of an application is only assigned when the Program Officer determines that the application is complete and accepted. This date determines the beginning date for recognizing eligible expenses.
5. In the event that Creative Saskatchewan agrees to fund a project, the applicant will receive written notification in the form of a Letter of Commitment (LOC) that will detail any and all terms and conditions. There is a formal process to complete the awarding of the grant.
 - a. The Letter of Commitment (LOC) may contain pre-conditions that must be met. For example, Creative Saskatchewan may request additional documentation. Additionally, there may be a time limit placed on meeting the pre-conditions.

- b. When all pre-conditions are met within the stated timeframe, Creative Saskatchewan will issue a final offer of support in a final LOC.
 - c. The LOC must be signed by both parties in order to constitute a formal agreement.
 - d. The recipient must issue an invoice for the agreed-upon amount of the first payment as stated in the LOC.
 - e. Creative Saskatchewan cannot fund a project until a formal agreement is executed and all pre-conditions are met to the satisfaction of Creative Saskatchewan within the timeframe specified in the LOC.
6. Creative Saskatchewan reserves the right to request copies of agreements between all parties relating to the project, including financial agreements.
7. In the event that Creative Saskatchewan does not approve an applicant's submission for funding, the applicant will receive written notification of the decision. Proposals and supporting materials received by Creative Saskatchewan will not be returned to the applicant.
8. Except with the approval of the Lieutenant Governor in Council, the maximum amount of financial support that Creative Saskatchewan may provide to any applicant is \$750,000 per fiscal year, or in the case of the Feature Film and Television Production Grant, Creative Saskatchewan may approve that the applicant is granted monies not exceeding \$5,000,000.
9. The acknowledgement by Creative Saskatchewan of the receipt of a complete application is in no way an indication of approval to fund the proposed project.

VII. Required Acknowledgements

1. Recipients of Creative Saskatchewan's Grants must include the agency's logo on all materials related to the marketing and communications collaterals of the supported project.

2. Creative Saskatchewan's acknowledgment and credit shall be commensurate with that received by other financial participants in the project.
3. The Creative Saskatchewan logo with guidelines for acknowledgment are found on the Creative Saskatchewan website (www.creativesask.ca).

VIII. Confidentiality

1. The personal, business and confidential information that the applicant provides in the application is collected, used and disclosed in accordance with the provisions of The Freedom of Information and Protection of Privacy Act, as well as the Personal Information Protection and Electronic Documents Acts. Creative Saskatchewan will respond appropriately to any inquiries regarding the privacy policies and procedures, including requests to access the applicant's personal information.
2. Only information required to process applications will be collected.
3. Only the names of successful applicants, a description of the project along with the amount of funding received is made publicly available.

General Reporting Requirements

Your obligations to report to Creative Saskatchewan during the timeline of the project and as a Final Report.

1. A final report is required at the end of each awarded investment.
2. The due date for the final report is specified in the Letter of Commitment. It is typically the end date of the project as stated in the application plus one to three months for the collection of information and the writing of the report.
3. Approved projects require semi-annual follow-up reporting for a minimum of 2 years following the submission and approval of the Final Report. Follow-up reporting provides grant recipients with the opportunity to communicate additional revenues generated and outcomes achieved by undertaking this project. The final report template is available online using the Creative Saskatchewan online Grant Management System (GMS). All requested documents must be provided.

4. Incomplete Final Reports will not be processed.
5. Applicants must obtain prior approval from Creative Saskatchewan throughout the life of the project regarding any material financial variances in excess of 25% from the original budget submitted and/or any changes in budgeted key personnel. Creative Saskatchewan retains the right to revoke any outstanding funding and require that all funds previously provided be returned should this permission not be obtained.
6. Interim reports are encouraged if the milestones of the project cannot be met.
7. In most instances, a Cost Declaration submitted with the Final Report will suffice. However, Creative Saskatchewan may require invoices, variance reports and/or actual proof of payments (receipts).
8. Expenses without documentation (if requested) will not be accepted for final payment and deducted from the budget.
9. Reporting requirements include a variance report outlining changes in budgeted expenses which exceed 10% of the respective budgeted amount. Creative Saskatchewan will use its discretion when considering whether the increased cost will be accepted.
10. Near term impacts should be detailed. Impacts that are expected in the future should be explained.
11. Once the final spend has been accepted, the remainder of the approved funds will be released (if there is money owing back). Recipients are asked to allow at least sixty (60) days from the date Creative Saskatchewan receives their Final Report for the final disbursement of funds to occur.
12. If the total eligible amount is less than what has already been paid out, the recipient will be invoiced for the difference, which must be paid back to Creative Saskatchewan.
13. Upon meeting all necessary requirements outlined in the Investment Fund Guidelines (including acceptance of the Final Report, budget documentation, supplementary materials related to the initiative, and proof that Creative Saskatchewan has been properly acknowledged), the file will be closed.

14. Recipients will be issued a T4a, which must be reported to Revenue Canada on their income tax, if they received more than \$500 from Creative Saskatchewan in the tax year. Recipients will need to submit their original receipts to offset this income.

Important Notes

General Considerations

1. Each successful applicant is required to enter into a separate funding agreement with Creative Saskatchewan. The respective application will be attached as a schedule to that agreement and becomes part of the obligation of the applicant to deliver.
2. It is the applicant's responsibility to ensure that the application complies with the program guidelines that are current at the time of submission.
3. Creative Saskatchewan reserves the right to cancel or amend any of its programs at any time.
4. Creative Saskatchewan retains the right to assist in any initiatives or investments it supports.
5. Creative Saskatchewan reserves the right to refuse any application for any reason, or to propose modifications to the budgets submitted.
6. The applicant must accurately disclose any financial assistance from any government agency or source, from the SK Arts or SaskCulture that pertain to the activities of the application, from corporate investment and/or revenue that the applicant has or will receive which is related to the project.
7. Successful applicants must acknowledge Creative Saskatchewan for funding received through these programs and this acknowledgement will form part of the agreement with approved applicants.
8. Approved projects must be completed by the project completion date indicated on the application form. Recipients may request a reasonable extension from Creative Saskatchewan prior to the initial completion date.

9. By applying to any program offered by Creative Saskatchewan, the applicant expressly agrees and authorizes that any and all information outlined in its application form and/or subsequent required project documentation, for the purposes of The Freedom of Information and Protection of Privacy Act, may be disclosed by Creative Saskatchewan to the Government of Saskatchewan and/or SK Arts or SaskCulture or other funders in order to ensure an efficient utilization of any funding provided by Creative Saskatchewan. Similarly, every applicant also acknowledges and agrees that Creative Saskatchewan may request and receive similar information from the organizations and institutions listed herein.

Glossary

Specific definitions of words, terms and phrases found in this document and in the grant applications.

Application Receipt Date

The receipt date is determined by the Program Officer after their review to determine that the grant application is both eligible and complete. This date then determines the beginning date for eligible expenses. Below is a description of the application process. The Application Receipt Date is equivalent to the system status of “Under Review”.

An online application can have different statuses:

- Draft – you are still gathering and inputting information in the online forms.
- Submitted – you have determined that all of the information you wish to put into your application is in the system. Once you change the status to “submitted”, no further changes can be made to the application without support of a Program Officer.
- Information Required – you need to provide more information in order for your application to move forward.
- Under Review – The Program Officer is reviewing the application for eligibility and completeness but has not yet made a determination. The officer may contact the applicant for further information or clarification.

- Approved – the jury has made a favorable recommendation or the application meets the program criteria and Creative Saskatchewan has finished its final review against Creative Saskatchewan's governing legislation.
- Conditionally Approved – your application is conditionally approved but applicant must provide additional documents.
- Not Approved – your application was not approved or did not meet the program criteria.
- Withdrawn – you have withdrawn your application.
- Complete – grant activities and final report received and approved.

Chain of Title

A mapping of the intellectual property ownership from the owner of the initial concept and product to the owner at a specific date – in this instance, the date of grant award.

Commercial

To be considered a commercial entity or project, the primary interest of the individual or corporation is financial return rather than artistic.

Corporation

Corporations, as defined in the Creative Saskatchewan Regulations:

- incorporated or continued pursuant to an Act or is registered pursuant to an Act to carry
- on business in Saskatchewan;
- majority of whose outstanding voting shares are owned by Saskatchewan residents;
- has a permanent establishment in Saskatchewan; and,
- filed an income tax return respecting income earned in Saskatchewan for its taxation year proceeding the year in which it applies for financial support.

Default

Applicants/funding recipients – which can include an affiliated or associated legal entity, or the individual who has primary managerial control of the project – that are “IN DEFAULT” regarding contractual obligations to Creative Saskatchewan (the “Agency”) will be deemed as “NOT IN GOOD STANDING” with the Agency and will not be considered for future funding or other programs/services offered by the Agency until the issues which resulted in the “IN DEFAULT” status have been resolved.

Any applicant who is found to be IN DEFAULT will not have access to further funding, and is deemed ineligible to apply for further funding, until Creative Saskatchewan has declared the default remedied. No funds will be advanced to applicants having outstanding reports or repayments, or who have failed to provide such reports, statements or repayments, as specified by Creative Saskatchewan.

An assessment of gravity of default will be undertaken by Creative Saskatchewan. Creative Saskatchewan will take into account the history, frequency and severity of the applicant's events of default at which time sanctions may be made against the applicant by Creative Saskatchewan.

Examples of events of default and sanctions include, but are not limited to, the following:

| Event of Default | Sanction |
|--|--|
| Insolvency or bankruptcy | Ineligible for funding until discharged from bankruptcy. |
| Fraud and/or misrepresentation | Ineligible for future funding in perpetuity. Applicants might be required to repay funds previously advanced by Creative Saskatchewan and forfeit any outstanding payments. Furthermore, legal action may be undertaken by the Government of Saskatchewan through the Ministry of Justice against the applicant. |
| Failure to notify Creative Saskatchewan of | Suspension until resolved. Applicants will be required to provide Creative Saskatchewan with documentation necessary to determine the eligibility of the applicant |

| | |
|--|--|
| material change to project or corporate information | and of the project activities. Applicants might be required to repay funds previously advanced by Creative Saskatchewan and forfeit any outstanding payments. |
| Failure to fulfill a request for information or documentation within 30 days | Suspension until resolved within 90 days of request for information. Applicants with unfulfilled requests for information or documentation past 90 days will be considered to have failed to remit reporting and are subject to the corresponding sanction. |
| Failure to remit reporting | Applicants with reporting overdue past 90 days might receive a five-year suspension. Suspension is only lifted after the duration of the suspension has passed and applicants submit a request to be reinstated as “In Good Standing” to Creative Saskatchewan. Applicants might be required to repay funds previously advanced by Creative Saskatchewan and forfeit any outstanding payments. |
| Failure to remit payments to Creative Saskatchewan | If not paid within 90 days of payment due date, suspension until resolved. |

Deferrals

The postponement of payment or the receipt of payment until a future point in time. Typically, a point in time when the company is in a more financially stable position.

Fast Tracked

An application for specific grants may be “fast tracked”. This process bypasses the jury system in that funding is triggered by either (a) receiving funding from a qualified source, or (b) invitations from identified entities (see the details in specific grants for these organizations). Creative Saskatchewan considers these to have met our standards of due diligence because of the third party’s standard and rigorous methods for vetting qualified clients. However, Creative Saskatchewan will review all “fast tracked” applications to ensure that they meet the criteria for the specific grant program.

Hold-back

Retention of a portion of the total grant award until such time as the Final Report has been submitted and approved by Creative Saskatchewan, and the file considered closed.

In Good Standing

Not in default. Further, Creative Saskatchewan will always extend professional behavior and courtesy to applicants, clients and partners. We expect professionalism in all dealings with Creative Saskatchewan. For example, abusive language will not be tolerated and may cause the applicant, client or partner to be removed from “in good standing”.

Individual

Individuals, are defined as:

- A person who filed an income tax return respecting income earned in Saskatchewan in the year preceding the year in which he or she applies for financial support.

Innovation

Many programs offered by Creative Saskatchewan require or at least benefit from some aspect of innovation. Innovation may be expressed in terms of innovative content or innovative technology. Applicants are encouraged to pursue their own vision of innovation and state how their project is innovative. Innovation may include the following in descending order of significance:

- Revolution: Never been done before, completely new, breakthrough, visionary.
- Differentiation: Brings an existing product or service to another level.
- Improvement: Different features that bring new benefits to an existing product or service.
- Iteration: Refining features, adding content to an existing product or service.

Intellectual Property (IP)

The result of one's intellect and ideation. Can be referred to as:

- Copyright – written property

- Patents – as granted by a federal or national regulatory body
- Trade Secret – property guarded solely by keeping it confidential, typically a manufacturing production process or technique.

Interactive Media

Interactive media is a method of communication in which the digital creation's outputs depend upon the user's inputs, and the user's inputs in turn affect the digital creation's outputs. There must be a meaningful participatory experience for the user.

Related Party Transactions

All applicants who intend to utilize any products or services supplied by a related party must complete a Related Party Transactions form and provide that form to Creative Saskatchewan concurrently with the respective application. Related parties exist when one party has the ability to exercise, directly or indirectly, control, joint control or significant influence over the other. Two or more parties are related when they are subject to common control, joint control or common significant influence.

Expenses incurred pursuant to a related party transaction must be for fair value in accordance with industry standards and evidenced by a proof of payment of each specific transaction.

A **Related Party Transaction** is a transfer of economic resources or obligations between parties that are related prior to the application, or the provision of services by one party to a related party, regardless of whether any consideration is exchanged. When the relationship arises as a result of the application, the transaction is not one between related parties.

A **Related Party** is a person or entity that is related to the applicant as follows:

(a) A person or a close member of that person's family is related to an applicant if that person:

- (i) Has control or joint control of the applicant;
- (ii) Has significant influence over the applicant; or
- (iii) Is a member of the key management personnel of the applicant or of a parent of the applicant.

(b) An entity is related to an applicant if any of the following conditions applies:

- (i) The entity and the applicant are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- (ii) One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member);
- (iii) Both entities are joint ventures of the same third party;
- (iv) One entity is a joint venture of a third entity and the other entity is an associate of the third entity;
- (v) The entity is controlled or jointly controlled by a person identified in (a);
- (vi) A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity)

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the applicant and include:

- (i) That person's parents, children and spouse or domestic partner;
- (ii) Children of that person's spouse or domestic partner; and
- (iii) Dependents of that person or that person's spouse or domestic partner.

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the applicant, directly or indirectly, including any director (whether executive or otherwise) of the applicant.

Control of an enterprise is the continuing power to determine its strategic operating, investing and financing policies without the cooperation of others.

Joint control of an economic activity is the contractually agreed sharing of the continuing power to determine its strategic, operating, investing and financing policies.

Significant influence over an enterprise is the ability to affect the strategic operating, investing and financing policies of the enterprise.

Third-Party Financing

The third party must have a standard and rigorous due diligence process to determine the commercial potential and viability of the project.