

Ontario Music Fund

Live Music Guidelines: 2016-17

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To receive further information on the OMF please contact the Program Coordinator, Ontario Music Office:

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Ontario Music Fund - Live Music

Application Deadline: Tuesday, October 4, 2016 by 5 pm

Webinar Date #1: Wednesday July 20, 2016
Time: 2:30 pm - 4:00 pm

Webinar Date #2: Wednesday August 24, 2016
Time: 2:30 pm - 4:00 pm

Information Session Date: Wednesday September 7, 2016
Time: 2:00 pm - 3:30 pm

Registration is required. [Click here to register for Webinar #1](#), [click here to register for Webinar #2](#) or [click here to register for the Information Session](#).

Eligible Timeline for Activities and Costs: June 1, 2016 - December 31, 2017

Eligible Applicants: Music promoters, music presenters, and booking agents.

IMPORTANT INFORMATION: 2016-17 ONLY

To transition the Live Music deadline from spring to fall, applicants seeking funding for annual music festivals, music series or events that exceed a 12-month window may choose to apply for:

- a) 2016 activities retroactively,
- b) 2017 activities proactively, or
- c) A combination of 2016 & 2017 events, presented as two separate activities (with corresponding budgets).

Note: For 2016-17 program year only, applicants applying for two consecutive years of support (option c) may apply for up to \$500,000 regardless of category provided that the intent to do so is registered with the OMDC at least 2 weeks in advance of the application deadline.

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Please note that all applications must be submitted through OMDC's Online Application Portal (OAP) at <https://apply.omdc.on.ca>. There is flexibility for completing the application form online – you may begin it at any time and can save information as it is entered, and can go back to edit and/or add information up until

the time the application is actually submitted.

Applicants are strongly encouraged to begin the application process early to allow for ample time to complete the necessary information.

All OMF guidelines can be found on the OMDC website at <http://www.omdc.on.ca/music/>.

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Introduction: Ontario Music Fund Overview

*The following general information is applicable to **all** program streams of the OMF. Specific Live Music program stream guidelines and eligibility requirements are detailed later in this document.*

The Ontario Music Fund (OMF), provides \$15M annually to Ontario's music industry. The Ontario Music Office (OMO) is responsible for delivering the OMF. The OMF was made permanent in the 2015 Ontario Budget. The Ontario Music Office (OMO) is located within the Ontario Media Development Corporation (OMDC), an agency of the Government of Ontario.

The OMF is aimed at strengthening and stimulating growth in Ontario's music companies and supporting this key culture industry sector. The Fund is designed to drive activity and investment and to support Ontario's music companies and organizations in expanding their economic and cultural footprints within Canada and around the world.

The OMF is structured to complement other public funding programs and address investment gaps at key phases of company and industry development cycles.

Goals of the Ontario Music Fund

The OMF is based on the following four key goals:

- Increasing music production activity in Ontario and building strong, competitive and sustainable music companies;
- Strengthening Ontario's music industry by supporting institutions, organizations and initiatives that develop artists, drive revenue growth, attract audiences and increase tourism;
- Strategically advancing Ontario's Live Music Strategy and increasing opportunities for new/emerging Canadian artists to perform in Ontario, in Canada and internationally; and
- Creating opportunities for emerging artists and music businesses in francophone, aboriginal and culturally diverse communities and musical genres.

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OMF Program Streams

Four program streams have been developed to support the overall OMF goals:

1. Music Company Development
2. Music Industry Development
3. Live Music
4. Music Futures

Each stream has specific eligibility and application requirements as set out in the guidelines for each stream.

Beyond the above streams, the OMF will consider strategic support for non-conforming projects that are time-limited and have a high impact on the broader Ontario music industry. Interested applicants should contact the OMO to determine if their project is eligible.

OMF General Applicant Eligibility Requirements

The OMF is open to Ontario-based music companies and organizations, including independent domestic record companies and foreign owned record companies (multinationals), music promoters/presenters, music managers, booking agents, festivals/industry conferences, not-for-profit music organizations, industry associations, music industry training organizations, artist entrepreneurs, and other not-for-profit organizations with a planned music-related activity. Eligibility is determined via membership base (in the case of the Music Industry Development stream) and/or primary business activity which must be oriented towards the music industry.

The individual program stream guidelines indicate the specific sub-set of eligible applicants for the stream.

In order to be eligible, applicants must demonstrate the following general criteria:

- Be incorporated in Canada, or in the process of incorporating;
- Have a permanent establishment in Ontario which serves as head office and base of operations (i.e. applicant is eligible to pay corporate income taxes in Ontario; and Ontario address is listed as head office in T2 filing);
- Have key management personnel who are Canadian citizens or permanent residents of Canada living in Ontario;

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- Be financially solvent and an ongoing entity;
- Be in operation for at least two years prior to application*; and
- Be in good standing with OMDC at time of application.

* Companies with less than two years of operation may be considered eligible if they are managed/controlled by individuals with at least three years of experience in a senior role in the music industry. Companies in this situation should contact the OMO at least 3-4 weeks ahead of the application deadline to discuss eligibility.

Exceptions

Exceptions to the eligibility requirements stated above may be considered for applications from culturally diverse, Aboriginal and Franco-Ontarian companies or organizations. If applicable, please contact the Ontario Music Office at least 3-4 weeks prior to the application deadline to discuss.

Other exceptions are noted within the guidelines for each individual stream.

Note: In addition to these general requirements, applicants must also meet specific eligibility criteria per stream, as outlined in the guidelines.

Ineligible Applicants

Applicants who do not meet the criteria outlined above are ineligible. The OMF will also not accept applications from the following:

- Festivals, except where music is the primary activity and the festival presenter meets the requirements outlined in this document
- Federal, provincial, municipal governments and/or their agencies
- Universities or Colleges
- Unincorporated or unregistered artists and organizations
- Venues and Clubs (unless acting in capacity of promoter for more than one venue)

Eligible Costs/Activities

Each of the program stream guidelines includes a section on eligible costs. OMF contributions will be directed towards project plans.

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Associated Corporations

Associated Corporations must apply to the fund under a single application. The annual eligible revenue from each company must be combined to establish an aggregate annual eligible revenue figure for the group of Associated Corporations. Please see glossary in Appendix 2 for the definition of an Associated Corporation.

As demand for funding may be high in this program, Applicants must demonstrate – using metrics and year-over-year comparisons – clear, sustainable project outcomes which align with OMF Goals and the Objectives of the specific stream in which the application is made.

Applicants are required to demonstrate that their primary business is music-related and sources of revenue are derived from music-related activities. The OMO reserves the right to deem ineligible any applicant that does not sufficiently demonstrate this in their application.

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Live Music Stream Guidelines

This section outlines the eligibility requirements and application details for the Live Music stream.

Objectives

The Live Music stream of the Ontario Music Fund is intended to increase the number and quality of live music experiences (i.e., events, festivals and concerts) that feature Canadian artists and can be enjoyed by residents in and visitors to Ontario. By doing this it aims to:

- Increase the number of opportunities for artists in Ontario to develop their careers by reaching new and larger audiences and increase their income through performance-related revenue streams;
- Advance Ontario's Live Music Strategy by increasing the number and calibre of live music experiences in Ontario in communities across the province;
- Expand employment and career opportunities for promoters, presenters, booking agents, live event technical crew and other professionals in the live music sector; and
- Create opportunities to drive revenue growth and economic development in Ontario through live music events.

Funding will be made available in two categories of activity:

Category A: Live Music Performance & Programming

Investments to support the development, marketing and staging of eligible concerts, live music events, music festivals and tours in Ontario based on project proposals centred on specific performance activities.

Category B: Business Development

Funding for Ontario-based companies in the live music business to develop their business capacity and accelerate the growth of live music in the province by obtaining training, consulting and other business services, expanding their staff, and researching/developing new market opportunities.

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Funding Assistance Available

The maximum contribution available through this stream of the OMF is **\$500,000** (maximum of **\$300,000** in Category A / maximum of **\$200,000** in Category B) per funding cycle.

Applicants may apply to one, or both, categories in the same application form. Each category has its own distinct activity budget, activity plan, and set of application questions. Applicants are required to submit the corresponding documentation for all categories in which funding is requested.

If eligible for more than one stream of the OMF, total funding to a single company (including companies associated by ownership or control) may not exceed the value of the stream with highest funding cap.

Funding is provided in the form of direct grants as a share of the eligible costs of eligible activities. Contributions are non-refundable except in the case of recipient default. Funding may not exceed 50% of the total eligible costs of activities.

Applicant Eligibility by Category and Class

Applicants must meet all General Applicant Eligibility criteria as described in the introduction section of this document. In addition, applicants in the Live Music stream must have minimum eligible revenues of \$100,000 from core business activities.

If annual eligible revenues from core business activities are between \$30,000 and \$100,000, companies are encouraged to apply to the Music Futures program of the OMF.

Additional requirements for each applicant class are set out below:

Applicant Class 1: Music Promoters (domestic and foreign-controlled) and Presenters (domestic)

Music Promoters/Presenters are companies primarily engaged in the development, delivery, marketing and staging of live music events, concerts and tours in more than one venue in Ontario for which they have primary responsibility for music programming. These companies take the primary risk of programming, promoting and producing live music performances. They contract with multiple musical artists and/or owners or managers of performance venues, arrange for marketing, promotion and ticketing, and stage the events, either supervising directly or through subcontractors.

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Eligibility Requirements

- Have core business activities that include developing and delivering live music events including concerts and tours; and,
- Program (book) and promote live musical acts and artists at two or more separate performance venues in Ontario.

A music Promoter/Presenter who is currently programming in only one venue may be eligible to apply to the Live Music stream if they intend to program for two or more separate venues (at different physical locations) as part of this application.

Note: Performing entities that self-promote their own events are not considered Promoters/Presenters under the OMF. Such companies may wish to consider the Artist Entrepreneur class in the Music Company Development stream.

Note: Music festivals may also be considered as eligible Applicants in the promoter/presenter applicant class provided they meet the following requirements:

- The music festival Applicant is independently incorporated; or
- The music festival is the primary activity of the Applicant

Eligible Revenue

- Net earned revenues from the staging of live music events (in any location)
- Any other earned revenues from music-related business activities, including sponsorships, commissions and fees (excluding grant revenue)

Applicant Class 2: Booking Agents (domestic and foreign-controlled)

Companies whose primary business activity is representing and promoting musical acts and artists, under a contractual agreement, for the purpose of engaging and negotiating live performance bookings for tours, concerts and festivals.

Eligibility Requirements

- Core business activities include promoting, engaging and negotiating the terms of live music engagements for artists under contract to the agent.

Eligible Revenue

- Revenue from the staging of live music events (in any location)

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- Any other earned revenue from music-related business activities, including sponsorships, commissions and fees (excluding grant revenue)

Applicants must submit proof that all of the above criteria have been met.

Eligible Activities & Costs

To be eligible for Live Music stream funding, activities must fall into one of the following categories:

Category A: Live Music Performance & Programming

This category provides eligible Applicants with funding for the direct costs of developing, programming, rehearsing, promoting (including marketing and public relations activities directly related to the performances) and staging **new or expanded** live music experiences in Ontario by Canadian artists or groups.

Note: A Canadian group is defined as having more than one member, at least half of whom are Canadian citizens or permanent residents.

Events and performances delivered as parts of projects funded in this stream may include performances by non-Canadian artists and groups, provided that Canadian artists form at least 50% of the total performance time of the event or series. Exceptions may be granted by the OMO for a lesser share of total performance time (e.g., when Canadian artists are opening acts for major international artists), provided that a satisfactory business rationale is submitted. Please contact the OMO at 3-4 weeks prior to the application deadline to discuss.

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- c) A combination of 2016 & 2017 events, presented as two separate activities (with corresponding budgets).

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Applicants are required to demonstrate the extent to which activities are new and expanded by providing relevant metrics and year-over-year comparisons.

In addition, Applicants are required to demonstrate that their primary business is music-related and sources of revenue are derived from music-related activities. The OMO reserves the right to deem ineligible Applicants that do not sufficiently articulate this requirement in their application.

Eligible activities/costs in this category include, but are not limited to:

- Artist fees
- Venue or site rental and related event costs
- Negotiating and signing artist and venue agreements
- Designing and producing video and multimedia stage shows, including special effects and onsite signage explicitly created for the performance or tour
- Hiring Ontario-based tech, security and other crew, whether directly employed or contracted by the promoter/tour, for the performances
- Creating and executing advertising, in all media, that is directly related to eligible performances
- Engaging public relations staff or services for activities directly related to the promotion of the performance(s)

For all activities supported by this category of the Live Music stream, artists must be professional musicians and remunerated for their performances.

Administration and Capital Cost Limitations

- Administrative costs are eligible, but must be allocated to each activity as appropriate. Administrative costs are capped at 15% of the total budget for all eligible activities.
- Budget allocations for capital expenditures such as computer and video equipment purchases may be eligible but may not exceed 15% of the total project/activity budget. In such cases:
 - Computer and specialized performance equipment: if purchased, assets must be amortized using the straight-line method over the useful life of the asset. The amortization expense to be included in the budget is for

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the amount of time that the asset will be used in the eligible activities period

- Software: 50% of cost or amortization expense using the straight-line method with a prescribed useful life of 12 months (whichever is less)
- Rental costs are eligible when equipment is rented only for the duration of the live music activities.

Category B: Business Development

Eligible Ontario-based companies whose primary business activity is the development and staging of live music performances (described above) may apply to the Live Music stream of the OMF for business development activities that will:

- expand the capacity of the business through its live music programming;
- increase the number of Canadian artists signed to the organization (where relevant) or appearing in its programming;
- increase attendance and audiences;
- increase marketing/promotional activities;
- provide on-the-job training and development for new staff; and/or
- introduce IT and digital resources to aid in training, the administration of the business and the development of artist relationships and live music programming;
- promote better financial controls, business planning capability, and new revenue streams related to live music;
- provide marketing data, market research, or analysis services;
- attract investment and enable the formation of partnerships with other businesses that lower costs or expand sales;
- allow innovation in digital services or other technology-enabled areas; and
- realize new revenue streams.

Administration and Capital Cost Limitations

- Administrative and Overhead Costs are eligible but are capped at 25% of the total budget for all eligible activities. A business rationale and detailed breakdown showing specific costs and shares of personnel time (staff salaries) must be submitted.

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- The cost of new equipment, materials and software where necessary and appropriate may be included as outlined below:
 - Equipment and Materials: if purchased, amortization expense using the straight-line method with a prescribed useful life of 24 months; if rented, actual rental cost
 - Software: 50% of cost or amortization expense using the straight-line method with a prescribed useful life of 12 months (whichever is less)

Ineligible Expenses

The following expenses are ineligible in both Categories A and B:

- expenses incurred outside of the program funding cycle;
- expenses which are not fixed but are paid as a share or percentage of ticketing or other revenues;
- expenses to be incurred after the completion date as set out in project timeline;
- expenses incurred over the course of the project that were not in the original budget and which did not receive pre-approval by OMO;
- costs related to musical theatre and other theatrical performances;
- salaries and wages of staff not directly related to the project;
- staff benefit costs;
- executive salaries;
- occupancy costs, unless otherwise stated in the guidelines;
- real estate costs and leasehold improvements;
- capital costs related to permanent structures;
- alcoholic beverages;
- touring/performance activities supported through the OMF Music Company Development stream;
- general business liability insurance under the Business Development category (event insurance for specific performances under the Category A: Live Music Performance & Programming category is eligible);

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- fees relating to the compilation (notice-to-reader), review, or audit of applicant financial statements; and
- sales taxes: taxes that are recoverable by the recipient may not be claimed as an eligible cost on the Activity Budget. Examples of taxes that are recoverable include GST/HST, PST, VAT.

Budget and Financing Requirements

Budgets

All Applicants are required to submit a minimum of two distinct budget documents:

- Company Budget - an overall company financial plan outlining all corporate revenue and expenditures for a specified fiscal period. For comparative purposes, the budget must include both actual revenues and expenses for the previous fiscal period as well as a forecast of revenues and expenses that correspond to the activity period; and
- Activity Budget - includes cost breakdowns for each of the new and expanded eligible activities in the request for funding, along with a summary of sources of financing for those activities (“Financing Plan”).

Applicants applying for funding in both Category A: Live Music Performance & Programming, and Category B: Business Development are required to submit separate Activity Budgets for each category.

The Company Budget will allow the OMO to review overall corporate expenditures and revenue, including government funding, within the eligible activity period.

The Activity Budget will allow the evaluation of the funding request in relation to the overall budget of the company. The Activity Budget must be completed using the template provided by the OMO.

All labour and goods must be supplied in Ontario by Ontario-based companies, costs incurred outside Ontario, such as marketing and promotion in national and international markets, may be eligible where a business case exists to show necessity of the costs and the benefits to the applicant company or the live music programming proposed.

For budgeting purposes, please note the following cost guidance for travel and accommodation:

Travel Costs - Air travel should be budgeted at economy rates and should reflect the costs of booking at least 30 days in advance of travel.

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Accommodation Costs - Hotel expenses should be at moderate per night rates and should reflect the average for the travel destination/activity.

Per Diems - Capped at C\$75/day. Including daily meals and incidentals.

OMDC will cover arrival the day prior to and departure the day after an event. Any additional time at an event must be addressed in the application and a rationale provided.

Related Party Transactions

All Related Party Transactions (RPTs) must be declared on the Related Party Transaction template and denoted on the activity budget at the time of application. Any Related Party Costs (cash or in-kind) not approved at the time of application may be deemed ineligible. The OMO reserves the right to request supporting documentation for all RPTs. For Related Party Personnel, the allocation of time devoted to the activity must be reasonable and appropriate and must be supported by documents such as T4s, employment contracts, timesheets, specifying the activity, etc.

Please see Appendix 2 for the definition of a RPT. For accounting and reporting rules on RPTs, please refer to the Final Cost Report Guidelines.

Sources of Financing

The maximum amount of funding available through the Live Music stream of the OMF is \$500,000 per funding cycle, capped at 50% of the total eligible costs of activities. Applicants will be required to fund a minimum 25% of the total activity costs using non-government sources (i.e., applicant and partnership contributions, sponsorships, donations, earned revenue and fees). Up to 25% of the applicant's contribution may be in the form of in-kind contributions, provided these are reasonably valued. Applicants bringing a higher percentage of non-government funding will be considered more favourably.

The Activity Budget must contain complete information as to how the applicant will pay for the activities. The total amount of financing must match the total cost of all eligible activities. Specifically, the financing component of the Activities Budget will indicate all sources and amounts from corporate investment (cash in the bank), financed investment (e.g., line of credit, investors), projected revenue derived from execution of the activity, confirmed funding from government or other private funding bodies, and *anticipated* funding from government or other funding bodies – including the request for OMF funding.

As indicated above, financing from public/private funding agencies bodies does not need to be confirmed at the time of application. However, unconfirmed funding from such sources should be supported with information, timelines and

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documentation to demonstrate the applicant's level of confidence in receiving such funding. For example, a company with a history of receiving Celebrate Ontario funding would include the last approval letter from Celebrate Ontario, along with a projection of how much the company hopes to receive in the next round and an estimated date of notification.

Should confirmation of projected or additional government funding occur after OMO approval, the OMO will reconcile the OMF contribution upon receipt of the final report. However, should the non-government percentage of funding become less than 50% of the total activities budget, the company may be required to return the excess funding to the OMO.

If new employment positions or ongoing company activities are being created which are intended to be permanent, the application should show how they will be sustained after the initial OMF-supported period (e.g. through increased membership dues, sales).

Additional Budget and Financing Requirements, by Category:

Category A: Live Music Performance & Programming

Financing Plan Parameters

- The maximum amount of funding available through this category is \$300,000*, capped at 50% of the total project budget. Total funding from all public (government) sources may not exceed 50%.
- Applicants will be required to contribute a minimum of 50% of the total project budget (i.e., total costs of the proposed activities). The Applicant's contribution may include cash or a combination of cash and in-kind support.
 - A minimum cash contribution of 25% of the total project budget is required from the Applicant.
 - The maximum amount of in-kind (non-cash) contributions permitted is 25% of the total project budget, provided they are reasonably valued.

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Category B: Business Development

Financing Plan Parameters

- The maximum amount of funding available through this category is \$200,000*, capped at 50% of the total project budget. Total funding from all public (government) sources may not exceed 50%.
- Applicants are required to contribute a minimum of 50% of the total project budget (total costs of the proposed activities). The Applicant's contribution of project financing may comprise cash or a combination of cash and in-kind contributions.
 - A minimum cash contribution of 37.5% of the total project budget is required from the Applicant (i.e. 75% of the Applicant's contribution).
 - The maximum amount of in-kind (non-cash) contributions permitted is 12.5% of the total project budget (i.e. maximum of 25% of the Applicant's contribution), provided they are reasonably valued.

*See page 11 for 2016-17 transition options

Other Important Information for Categories A and B

- All budgeted items outside of staff and administration costs must be paid to third parties, unrelated to the applicant.
- The OMF will consider costs for staff time directly related to the project at the current wage rate, provided that there are additional staff costs being paid out.
- Application should include a list of artists to be engaged, accompanied by artist contracts (including payment schedules) or documentation that supports current contractual relationships (if any) should contracts be unavailable
- Confirmed funding from other sources should be supported by appropriate documentation.
- Unconfirmed funding from other sources should be supported by information and documentation to substantiate the likelihood of receiving such funding.

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Application Process

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Business Plans

A company Business Plan is required for all eligible Applicants. Business Plans should include forward-looking information on plans for company growth, supported by a discussion of competitive strengths, artist development strategies (if applicable), human resources, corporate financing and other key details.

Business Plans must provide a case for OMF funding and its contribution to company investment, growth and long-term potential. The OMO recommends a 12-18 month time horizon for Business Plans. A typical business plan runs 15 to 25 pages. If an applicant has submitted a Business Plan to the OMO in a prior year that covers multiple years, applicants need only to re-submit the plan in the case of material updates. If a business plan's timeframe has expired by the time of application, a new plan must be submitted.

While applicants have the flexibility to structure their plans on the basis of their individual business profiles, Business Plans submitted for review must contain, at minimum, the following components:

- Applicant profile including profile of key personnel;
- Company strategy;
- Overview of general business activities and short/long-term goals;
- Company SWOT analysis;
- Budget for the overall business; and
- Revenue, expense and profit projections going forward for the next 12 - 18 months, compared with actual results for the most recently ended fiscal years.

Additional requirements for Category A:

Proposals to the OMF for activities in Category A: Live Music Performance & Programming must be based on a project/tour plan to be detailed in the Application Form and the Activity Plan. The project/tour plan must include:

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- The programming history and production credits of the Applicant company or its principals; and
- The proposed concept, scope and timing of the live music performance activities to be delivered in the project, including:
 - Artists to be engaged (full performance programme, including opening or local acts), including touring and recording credits and history, record label to which they are signed, etc.;
 - Status of contractual relationship with artists; and,
 - Proposed tour or event schedule including venues and dates.

If final details and confirmation of the artists, performances and venues for eligible live music activities are not available at the time of application, the OMO requires evidence that the Applicant expects to conclude and deliver substantially all the activities that are proposed in the application. Such evidence may include letters of interest/intent from artist management or venues.

The following applies to all Applicants in the Live Music stream:

Corporate Financial Statements

The applicant's corporate financial statements must be submitted as part of the application to the Live Music Stream of the OMF. Financial statements for the **two** most recently completed fiscal years are required.

If your fiscal year-end falls between January and March, we require your 2016 and 2015 financial statements. If your fiscal year-end falls between April and December, we require your 2015 and 2014 financial statements.

For OMF requests of \$150,000 or more, review engagement or audited financial statements are required. Reviewed/Audited financial statements must include an income statement, balance sheet, statement of cash flows and retained earnings statement along with the minimum note disclosures required in the CPA Handbook. Review engagement and audited financial statements must be conducted by an independent public accountant.

For OMF funding requests below \$150,000, Notice-to-Reader financial statements are sufficient, if review engagement or audited financial statements are not available. At a minimum, Notice-to-Reader financial statements must include an income statement and a balance sheet. Notice-to-Reader financial statements must be prepared and signed by an accountant who is a member in good standing of a provincial branch of the Chartered Professional Accountants (CPA), Chartered Accountants (CA), Certified General Accountants (CGA) or Certified Management Accountants (CMA).

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Summary of Application Requirements

A complete list of required application materials is outlined in the application form on the Online Application Portal (OAP). For the Live Music stream, the following application components are required:

- Activity Budget Template (sections to be completed for each eligible activity in order of priority);
- Activity Plan (for each eligible activity);
- Company Budget;
- Business Plan;
- Articles of Incorporation;
- Corporate Financial Statements for the two most recent fiscal years (must contain or be accompanied by a breakdown of eligible revenue sources);
- Back up confirmation to support confirmed or pending financing;
- Copy of Insurance listing OMDC as additional insured;
- Documentation indicating that eligibility requirements have been met;
- Signed Related Party Transaction form; and
- Signed Applicant Declaration.

Applicants should refer to the application form in the OMDC Online Application Portal for other required application materials.

Note: Companies applying to the Live Music stream of the OMF must designate a **Key Contact** who is a full-time key decision-maker of the Applicant. This individual will act as the project lead and oversee the applicant company's participation in the program. The Key Contact will be the point of contact for all communications with OMO during application adjudication and, if the application is successful, for the duration of the project activity. OMO will not discuss potential or actual project applications with external grant writers or practitioners.

All applications must be submitted electronically through the OAP at <https://apply.omdc.on.ca>.

Applicants that do not have a user account on OAP should go to <https://apply.omdc.on.ca> and click on "Register". For assistance, please see the OMDC website for the "OAP Quick Start Guide".

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Applicants are encouraged to register on the OAP well in advance of submitting an application.

Applicants that are already registered will see the OMF program stream deadline in their dashboard. To start the application, click on “Start New Application” and follow the directions through the five-step wizard to access the application form. For technical assistance, please contact the OAP Helpdesk at applyhelp@omdc.on.ca.

Application Assessment

Applications will be reviewed and evaluated by the OMO. Some evaluation functions may be outsourced to experts as appropriate.

In some cases, Applicants may be required to provide clarification or to make changes to their activities before a decision is made. However, OMO is not obligated to provide Applicants with the opportunity to include additional information or to adjust their application after it has been submitted.

All funding decisions are final. The OMO reserves the right to alter program guidelines with general public notice to all potential Applicants and to refuse any application for any reason. The OMO is not required to make any minimum number of awards. Subject to the Freedom of Information and Protection of Privacy Act, all information contained in the application will remain strictly confidential. All inquiries pertaining to the Ontario Music Fund are to be directed to OMO staff only.

Decision Criteria

The Live Music stream of the Ontario Music Fund is a competitive program. All Applicants are advised to ensure that they meet all eligibility requirements before submitting an application. Applicants should also ensure that their application material clearly conveys the strengths of their proposal with respect to the program objectives. The number of Applicants who will receive funding and the amount of funding received is dependent on the quantity and quality of the applications selected and the individual needs of each Applicant.

Once Applicant and activity eligibility have been confirmed, applications will be assessed according to the following criteria:

Economic & Cultural Impact: Return on Investment for the province and a demonstration of the net impact of the applicant's activities on Ontario's music industry and economy, as measured by core program objectives (i.e. job creation, critical success and commercial success).

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Activities/Proposal: Applicant's ability to clearly explain and provide adequate documentation to support their proposed activities, including the presentation of feasible budgets, achievable activities and demonstrating innovation and creativity in the business plan and activity plan(s).

Organizational Impact: Return on Investment for the applicant and a demonstration of net benefits to the company as a result of OMF funding.

Sustainability: The ability of the applicant to leverage OMF funding to build on success and strengthen its profile/capital/human resources pool for future investment and growth.

Operational Capacity & Financial Risk: Applicant's demonstrated track record and organizational capacity (financial, human resources) to undertake and execute the activities. Applicant's financial stability and position as demonstrated by financial statements.

Further to the above, applicants are required to provide targets for measurable outcomes (see "Ontario Music Fund Anticipated Outcomes" in Appendix 1).

Note: Approval of an application in one fiscal cycle does not guarantee funding in future years.

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Obligations of Successful Applicants

Successful Applicants will receive a non-refundable contribution to be paid out at intervals during the course of the term of activities, triggered by meeting pre-determined milestones and deliverables. The OMO will determine the deliverables and payment schedule based on the company's business plan activities and timelines. At minimum, the following will trigger payments:

- Execution of the OMDC funding agreement;
- Delivery of interim report(s); and
- Delivery of the completed activities and all deliverables outlined in the funding agreement.

Funding Agreement

On acceptance into the program, the participating company will be required to sign an agreement covering the terms of its participation in the program including authorizing OMDC to publicly release the name of the Applicant and a description of the funded activities and deliverables. The agreement will outline payment dates based upon business/project milestones and deliverables (see "Reporting and Deliverables" below) set out in the application.

Insurance

Participating companies will be required to carry Commercial General Liability Insurance on an occurrence basis for Third Party Bodily Injury, Personal Injury and Property Damage. For applicants awarded \$50,000 or less, the inclusive limit must be not less than \$1,000,000 per occurrence, \$1,000,000 products and completed operations aggregate. For applicants receiving an award of \$50,000 or more, the inclusive limit must be not less than \$2,000,000 per occurrence, \$2,000,000 products and completed operations aggregate. OMDC must be named as an additional insured on all policies.

Weeks of Work

Successful Applicants will be required to provide an estimate of the jobs created or retained for Ontario residents in total paid weeks of work (35-hour week).

Reporting and Deliverables

Successful Applicants will prepare interim written reports on the progress of their activities and a final report upon conclusion of their activities.

Cost Report

A final cost report and financing statement will be required for all activities supported by the Ontario Music Fund. Successful Applicants receiving \$150,000 or more from OMF will be required to have an audit of project expenses conducted by

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an independent public accountant. **Note:** the cost of the audit may be included in the activity budget as an eligible expense.

Corporate Financial Statements

Successful applicants receiving \$150,000 or more from the OMF will be required to have an audit or review engagement conducted on the applicant corporation's next annual financial statements. The audit or review engagement must be performed by an independent public accountant. These financial statements must be submitted on an annual basis within six months of the applicant's fiscal year-end (as part of the interim or final reporting stage). Depending on the applicant corporation's fiscal year, this may be required throughout the term of the funding agreement with the OMDC.

Changes to the Activities

OMO must be notified of any significant changes to the activities as defined in the contract and will require consent of OMO.

Confirmation of Additional Government Funding

Successful Applicants will be required to inform OMO immediately in writing of any government funding decisions made after the OMO funding decision. Notification must be submitted for unconfirmed funding that was included in the original financing plan of the application and any new applications made to funding bodies not included in the financing plan.

Credit

The Ontario Music Fund support is to be acknowledged with an OMDC credit and logo on suitable elements and all related publicity and promotional materials. Other acknowledgement of the support of the Government of Ontario may be required, such as the use of the 'Ontario Live Music' logo and brand.

These guidelines are current for this deadline only. This document is subject to change for future deadlines.

For more information please email: OMF@omdc.on.ca

Applicants are advised to consult the OMDC website for any relevant documents and Ontario Music Fund Bulletins for clarifications and alterations to these guidelines.

Ontario Media Development Corporation

An agency of the Ontario Ministry of Tourism, Culture and Sport, OMDC facilitates economic development opportunities for Ontario's cultural media industries including book and magazine publishing, film and television, music and interactive digital media industries.

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Appendix 1

Ontario Music Fund Anticipated Outcomes

Anticipated outcomes for the four OMF streams may include any of the following, depending on the type of activity/project undertaken. It is not expected that each Applicant will address all the outcomes listed for their program stream. Applicants should, however, provide a list all anticipated outcomes they intend to track and report on in their interim and final reports, should their funding request be successful.

Measurable Outcomes	Music Company Development	Music Industry Development	Live Music	Music Futures
# of jobs created and/or retained	x	x	x	x
Company growth: Increased gross revenue	x	x	x	x
Company growth: Increased net revenue	x	x	x	x
Return on Investment of OMF funding	x	x	x	x
Sustainability of project outcomes	x	x	x	x
Number of artists supported	x	x	x	x
Sales success of supported projects	x	x	x	x
Critical success of supported projects	x	x	x	x
Fees paid to artists	x	x	x	x
Online and social media impact (metrics)	x	x	x	x
Traditional media impact (metrics): radio spins, video plays, interviews, articles, reviews, etc.	x	x	x	x
Number of new artists being represented by professional companies: management, label, booking agent, publisher, promoter	x	x	x	x
Number of new recordings supported - domestic artists	x			x
Number of international artists recording in Ontario	x			
Amount of international investment in Ontario recording studios	x			

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Measurable Outcomes	Music Company Development	Music Industry Development	Live Music	Music Futures
Promote Ontario as a Live Music centre		X	X	
# of international markets targeted	X	X		X
Increased revenue from international sales	X	X		X
Number of new performance opportunities for artists	X	X	X	X
Number of tickets sold for performances	X	X	X	X
Number of shows/tours developed	X	X	X	X
Revenue for companies involved in developing Shows/tours	X	X	X	X
Number of business connections/leads by participants	X	X	X	X
Number of Ontario attendees/participants at events		X	X	
Activities that stimulate knowledge transfer and business opportunities		X		
Professional development opportunities created for Ontario participants		X		

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Appendix 2

Glossary

Activity Budget	The total of Eligible Costs within a Business or Project Plan. The Activity Budget must outline all sources of project financing and expenditures pertaining to the application.
Administrative/Overhead Costs	Currently-incurred, ongoing expenditures that support the corporate and administrative operations of the applicant company and are not directly attributable to specific activities or functions.
Annual Funding Cap	Maximum funding that an applicant can receive per Ontario Government fiscal year – April 1 – March 31. The Annual Funding Cap is based on all OMF funding paid out to an Applicant in the fiscal year. The Annual Funding Cap may also apply to other sources of government funding (see: Total Government Contribution and specific OMF Stream guidelines).
Applicant	The business entity making the application for funding. The Applicant is the entity who will enter into a binding agreement with OMDC and is responsible for fulfilling the obligations and outcomes specified in the Applicant Agreement. Upon approval of funding, the Applicant becomes the Recipient, and is the sole party responsible for fulfilling the funding agreement.
Applicant Agreement	The legal agreement between the OMDC and an Applicant that sets out the terms of the funding, deliverables, milestones and general requirements with respect to administration of funding and results.
Applicant Contribution	A direct financial contribution, investment or payment by an eligible music company towards eligible expenditures in its business plan.
Artist	One or more persons performing as a solo singer/musician, musical group or band.
Associated Corporation	One corporation is associated with another in a taxation year if, at any time in the year: <ul style="list-style-type: none"> One of the corporations controlled, directly or indirectly in any manner whatever, the other; Both of the corporations were controlled, directly or indirectly in any manner whatever, by the same person or group of persons; Each of the corporations was controlled, directly or indirectly

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in any manner whatever, by a person and the person who so controlled one of the corporations was related to the person who so controlled the other, and either of those persons owned, in respect of each corporation, not less than 25% of the issued shares of any class, other than a specified class, of the capital stock thereof;

One of the corporations was controlled, directly or indirectly in any manner whatever, by a person and that person was related to each member of a group of persons that so controlled the other corporation, and that person owned, in respect of the other corporation, not less than 25% of the issued shares of any class, other than a specified class, of the capital stock thereof; or

Each of the corporations was controlled, directly or indirectly in any manner whatever, by a related group and each of the members of one of the related groups was related to all of the members of the other related group, and one or more persons were members of both related groups, either alone or together, owned, in respect of each corporation, not less than 25% of the issued shares of any class, other than a specified class of the capital stock thereof.

[This definition is quoted directly from Subsection 256(1) of the Income Tax Act (Canada)].

Audit Engagement

An audit engagement is the process of engaging an independent public accountant to examine the accounting records and other evidence supporting the financial statements; and to render a professional opinion that the financial statements present a fair picture of the organization's financial position and its activities during the period in which the audit was carried out.

Audited Cost Report

Successful applicants in receipt of \$100,000 or more must provide an audited cost report as part of the final deliverable. The audit is to include revenue and expenses for OMF-funded activities or projects. The audit of the applicant's cost report is to be conducted by an independent public accountant.

Business Plan

A document that outlines the short (12 months) and long-term business goals (variable – subject to Project) and revenue, including strategies for achieving these and an estimate of anticipated costs. The Business Plan must contain a strong quantitative component including financial statements and budgets. The Plan also documents the business entity's strategic priorities and potential outcomes, performance measures and milestones.

Company Budget	<p>An overall company financial plan outlining all corporate revenue and expenditures for a specified fiscal period.</p> <p>As the OMDC would like to provide as much flexibility as possible to companies, we do not have a prescribed template for the company budget and allow companies the opportunity to provide information in their preferred format. These documents, however, should provide a clear basis for the OMDC to assess the eligibility of the company, the feasibility of the activities as they pertain to the goals and objectives of the Ontario Music Fund, and how the activities relate to the company budget and business plan.</p>
Consortium	<p>An association between two or more Eligible Music Companies that join together for the purposes of a project. The consortium must be represented by an Applicant which will take on financial responsibility for the project.</p>
Direct Costs	<p>A direct payment by an eligible music company to a third party towards eligible expenditures in its business or project plan.</p>
Eligible Cost/Expenditure	<p>Each and every cost that is eligible to be supported by the OMF, as determined by the OMF guidelines.</p>
Eligible Music Companies/Organizations	<p>The OMF is accessible to Ontario-based music companies, including independent domestic record companies and foreign-owned labels (majors), music promoters/presenters, music managers, agents, festivals, and not-for-profits, including music education organizations and industry associations.</p>
Financing Template	<p>A section of the Activity Budget outlining all sources of project financing. Financing sources include government and non-government funding.</p>
Ineligible	<p>An activity or entity that the OMF will not approve nor reimburse. See detailed program guidelines for a list of ineligible applicants and activities.</p>
In-House	<p>Goods or services that are provided, or an activity that is undertaken, by the Applicant itself rather than outsourcing to a third party. In-house expenditures must be booked at market rates or lower.</p>
In-Kind	<p>A non-cash item identified in the budget. In kind costs are limited to a maximum percentage of the total Eligible Budget. Please consult the OMF guidelines for details on financing requirements.</p>
Key Contact	<p>The individual at the applicant company responsible for the delivery and day-to-day operations of the project. This person will be the key contact with OMO staff.</p>

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License	An agreement by which a party (the licensor) who controls certain exploitation and other rights in a sound recording and/or its underlying composition, grants limited rights to another party (the licensee) in exchange for a license fee and other consideration.
Master	The primary recording that serves as the basis from which other copies are made. The owner of the Master Recording holds the copyright for that particular recording over its legal life.
Net Revenue	Typically refers to a company's revenue net of discounts and returns. It is advised to consult generally accepted accounting principles (GAAP) and industry standards to determine whether your organization should report revenue at net or gross.
Notice-to-Reader (Compilation) Engagement	The compiling of unaudited financial information into financial statements, based on information provided by the accountant's client. For OMF purposes, Notice-to-Reader financial statements must be prepared and signed by an accountant who is a member in good standing of a provincial branch of the Chartered Professional Accountants (CPA), Chartered Accountants (CA), Certified General Accountants (CGA) or Certified Management Accountants (CMA).
Own or Control	Refers to control of the exclusive exploitation rights flowing from copyright in a sound recording.
Permanent Establishment	Generally refers to a fixed place of business. However, whether a fixed place of business is a "permanent establishment" is a question of fact which must be determined on a case-by-case basis. Further information on what constitutes a permanent establishment can be found at Subsection 400(2) of the Income Tax Act (Canada).
Project Plan	A document that outlines an Applicant's project for a specific initiative or a slate of activities over a given year. Projects include all of the eligible activities intended to be undertaken by the Applicant and that are proposed under the eligible expenditures for a particular OMF stream.
Public Accountant	A person with the following qualifications: <ul style="list-style-type: none"> • is a member in good standing of a provincial branch of the Chartered Professional Accountants (CPA), Chartered Accountants (CA), Certified General Accountants (CGA) or Certified Management Accountants (CMA); • has any provincial licenses required to conduct an audit or review engagement in the province where the engagement will take place; and

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- is independent of the applicant corporation.

Recipient

An applicant receiving OMF funding as the result of an approved Application.

Recoupable

An amount of money, and/or the cost of goods or services that is offered to an artist in a recording, license, publishing, performance or any service agreement; the recoupable amount is then paid back to the record label or publisher, usually at the rate of the artist's share of royalties and/or other form of earnings. Recoupable amounts are generally paid back to the offerer in first position, meaning that the artist receives no royalties until recoupment.

Applicants will be required to clearly state recoupable expenditures where applicable. OMF funding provided to eligible Applicants for artist expenditures and investment may be non-recoupable in certain cases.

Related Party Transaction

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 or common significant influence. Related parties also include management and immediate family members.

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

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.

[This definition is quoted directly from the CICA Standards & Guidance Collection paragraph 3840.03.]

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Review Engagement

A review engagement is the process of engaging an independent public accountant to prepare financial statements on a review basis. The accountant will not express an opinion on the fairness of the financial statements, but will provide a limited assurance that the financial information is plausible and conforms to generally accepted accounting principles.

Showcase

A performance for a target audience of music industry professionals more so than the general public; the goal of a Showcase is to attract interest of potential industry partners and buyers such as booking agents, music managers, record labels, publishers. A showcase can be a component of a tour or event.

Tour

A Tour is a continuous series of public engagements, taking place at different venues, for a contracted performance fee.

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