

Government of Newfoundland and Labrador**All-Spend Film and Video Production Tax Credit (Part II) - Tax Credit Application***For official use only: Date received by Newfoundland and Labrador Film Development Corporation (PictureNL)**For official use only: Date Received by Dept. of Finance***SECTION 1: Applicant Information (Required)**

Applicant Information

Legal Name:

Production Name:

Mailing Address:

Location Address:

Federal Business Number:

Fiscal Year-end:

**Please indicate any changes to the below information since your Part I approval
(If no changes, leave blank)**

Contact Person:

Title of Designated Contact:

Phone Number:

Fax Number:

E-mail Address:

Website:

Federal Business Number:

Incorporation Number
and Jurisdiction:

Fiscal Year End:

Primary Activity of
the Corporation:

Does the Corporation have a Permanent Establishment in the Province?

Yes ☐No ☐Is the Corporation associated with another, per Subsection 256(1) of
the Income Tax Act, Canada?Yes ☐No ☐Is the Corporation's primary business Film, Television, or Video
production?Yes ☐No ☐Does the Corporation hold a CRTC licence or deal at non-arm's length
with a company that holds such a licence?Yes ☐No ☐Is the Corporation eligible for any Income Tax exemptions?
(If Yes, please attach details)Yes ☐No ☐Has the Corporation notified employees that their personal information will
be provided to governing bodies (i.e. PictureNL and the Government of
Newfoundland and Labrador) for the purpose of applying for the All Spend
Film and Video Tax CreditYes ☐No ☐

SECTION 1: Applicant Information (continued)

Has this corporation received any government assistance?

If Yes, please attach details.

Yes ☐No ☐

Will this corporation apply for any other film tax credit program, other than the federal Film or Video Production Tax Credit? If Yes, please attach details.

Yes ☐No ☐

Has this corporation applied for or received any funding from the Newfoundland and Labrador Film and Television Equity Investment Program? If Yes, please attach details.

Yes ☐No ☐

Is this corporation registered for the Health and Post-Secondary Education Tax (HAPSET)?

Yes ☐No ☐

HAPSET Remitter number: _____

Please provide Workplace NL statement showing Annual Payroll reported

Note: HAPSET is payable on NL payroll in excess of \$2 million annually. This exemption threshold must be allocated between any associated entities. For further details please visit the website: www.gov.nl.ca/fin/tax-programs-incentives/business/education/

SECTION 2: Production Information

Required Attachments:

Financial Statements for Application Taxation Year

☐

Financial Statements for Previous Taxation Year

☐

Production's Certified Cost Report

☐

Schedule A: Wages and Salaries - Eligible Employees

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Schedule B: Wages and Salaries - Ineligible Employees

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Schedule C: Eligible Service Contract Expenditures

☐

Schedule D: Parent-Subsidiary Amounts Not Included in Above

☐

Schedule E: Eligible Tangible Property Expenditures

☐

Schedule F: Eligible Accommodation Expenditures

☐

Schedule G: Government Assistance Received / Entitled

☐

Actual Production Timeline

From

To

Development

Pre-Production

Production

Post-Production

SECTION 2: Production Information (Continued)

Title of Production _____

Any previous titles? _____

Tax Credit Calculation

For the production period covering _____

to _____

For Corporate Taxation Year Ending _____**Total Production Costs:****Eligible Salaries:**

In-province production wages to eligible individuals

Sch A

1.

Plus the lesser of a and b:

In-province production wages to non-eligible individuals

Sch B

a.

and

In-province production wages to eligible individuals

Sch A

b.

The lesser of a and b:

2.

Eligible Service Contract Expenditures**Sch C**

3.

Parent-Subsidiary Amounts not included above**Sch D**

4.

Eligible Tangible Property Expenditures**Sch E**

5.

Eligible Accommodation Expenditures**Sch F**

6.

Total Production Costs

Sum of 1 to 6

7.

Less: Government Assistance**Sch G**

8.

Total Eligible Production Costs (TEPC)

Box 7 - 8

9.

40% of TEPC

Box 9 * 40%

10.

Max Credit

11.

\$ 20,000,000.00

Tax Credit: The lesser of 40% x TEPC or \$20 million

Lesser of Box 10 or 11

NOTES: Calculation of the All-Spend Film Tax Credit includes limitations based on the nature of the amounts claimed, so it is important that expenses are appropriately categorized.

Important: It is the responsibility of the Employer to inform employees that their personal information is being collected and used for the purposes of claiming provincial All-Spend Film and Video Production Tax Credits, and that this information will be provided to the Newfoundland and Labrador Department of Finance for the purpose of verifying NL residency to establish eligibility for this tax credit claim. The ACTRA and IATSE unions inform their membership that employers have the right to request supporting information to confirm an employee's province of residence for this purpose. This disclosure is required in order for the Department of Finance to collect the information required to process the tax credit.

1. **Schedule A - Eligible Salaries:** the schedule should include the following:
 - (i) an amount equal to the salary or wages paid to all eligible individuals for work performed in the province in relation to an eligible production

2(i)(i) of the regulations
2. **Schedule B:** the schedule should include the following:
 - (ii) an amount equal to
 - (A) the salary or wages paid to individuals who are not eligible individuals for work performed in the province in relation to the eligible production, or
 - (B) the amount referred to in subparagraph (i), where the amount referred to in clause (A) exceeds the amount referred to in subparagraph (i);

2(i)(ii) of the regulations
3. **Schedule C: Eligible service contract expenditures** includes amounts paid by an eligible corporation as follows:
 - (i) to an eligible individual, other than an employee of the eligible corporation, for services performed in the province in respect of the eligible production, by the eligible individual or an employee of the eligible individual,
 - (ii) to a taxable Canadian corporation with which the eligible corporation deals at arm's length for services performed in the province in respect of an eligible production by employees of the corporation at a time when they were eligible individuals,
 - (iii) to a taxable Canadian corporation for services performed in the province in respect of the eligible production by an eligible individual where
 - (A) all of the issued and outstanding shares of the capital stock of the corporation are owned by the eligible individual, and
 - (B) all of the activities of the corporation consist principally of the provision of services by the eligible individual, or
 - (iv) to a partnership, each member of which is an eligible individual or a taxable Canadian corporation, for services performed in the province in respect of an eligible production by an eligible individual who is a member of the partnership or by employees of the partnership at a time when they were eligible individuals;

Section 2(j) of the regulations

4. **Schedule D: Parent-subsidiary amounts** includes an amount that:
- (i) is paid by a corporation, in a taxation year or 60 days after the end of the taxation year, to its parent corporation, and
 - (ii) is paid as a reimbursement of an expense of the parent corporation that
 - (A) the corporation and the parent corporation have agreed to treat as an expenditure of the corporation, and
 - (B) would be an eligible service contract expenditure of the corporation for the taxation year in which it was incurred by the parent corporation if
 - (I) the corporation's taxation year were the same as the parent corporation's taxation year, and
 - (II) the expenditure were incurred by the corporation for the same purpose as it was incurred by the parent corporation and were paid by the corporation at the same time and to the same person as it was paid by the parent corporation.

Section 2(o) of the regulations

5. **Eligible tangible property expenditures** includes the total of the following amounts:
- (i) the portion of the eligible corporation's cost of acquiring any tangible personal property, other than depreciable property, that can reasonably be attributed to the use in the province of that tangible personal property in the taxation year in the course of producing the eligible production,
 - (ii) the portion of the eligible corporation's lease cost of any tangible property that can reasonably be attributed to the use in the province of that tangible property in the taxation year in the course of producing the eligible production, and
 - (iii) the amounts in respect of depreciable property owned by the eligible corporation determined using the following formula:

$$C \times R \times D/365$$

where

C is the eligible corporation's undepreciated capital cost of the depreciable property at the beginning of the taxation year or, where the depreciable property was acquired by the eligible corporation in the taxation year, the cost of the depreciable property,

R is the capital cost allowance rate for the depreciable property under Schedule II of the federal regulations, and

D is the number of days in the taxation year that the depreciable property was available for immediate use in the province in producing the eligible production.

Section 2(k) of the regulations

6. **Eligible accommodation expenditures:** amounts that are the lesser of
- (i) the amount paid per night for the accommodation unit multiplied by the number of nights the accommodation unit was used, or
 - (ii) \$300 multiplied by the number of nights the accommodation unit was used.

Section 2(d) of the regulations

Change of Circumstances

In accordance with Section 9 of the All-Spend Film and Video Production Tax Credit Regulations, it is the responsibility of the Corporation to immediately notify the minister of any change in circumstances that might affect the continued eligibility of the project or of a change in the Corporation's status that causes it to no longer meet any criteria set out in the Regulations.

Part II Filing Deadline

The project's Part II Application must be filed within **18 months** of the end of the corporation's taxation year.

Declaration

I certify that I am an authorized Signing Officer of the applicant corporation ("the Corporation"), and that the information contained in this application and its inclusions has been examined by me and is true and correct, and that the Corporation is eligible for the tax credit certificate in respect of Newfoundland and Labrador All-Spend Film and Video Production Tax Credit Regulations to the best of my knowledge and belief.

On behalf of the Corporation, I expressly consent to the information in this application being used by the Province of Newfoundland and Labrador to publish in a public document or report, or on a public website, the name of the Corporation and the amount of All-Spend Film and Video Production Tax Credit received by the Corporation. This express consent also extends to the sharing of information collected in this application with officials of the Canada Revenue Agency and Newfoundland and Labrador Film Development Corporation (PictureNL) to determine eligibility, and within departments of the Government of Newfoundland and Labrador for the purposes of analysis, evaluation, statistical reporting, or development of tax policy.

I also hereby acknowledge on behalf of the Corporation that personal information is collected for the administration of this program. This information is kept confidential and handled as required by applicable privacy laws. In connection with this use of employees' personal data, I certify that employees and contractors whose personal information is disclosed to the Department of Finance in relation to this application have been informed of this use of their personal data in connection with the Corporation's claim to NL Film Tax Credits.

I confirm that the Corporation will comply with Section 45 of the Income Tax Act, 2000, as amended, and the All-Spend Newfoundland and Labrador Film and Video Production Tax Credit Regulations pursuant to the Income Tax Act, 2000

I will also furnish or cause the Corporation to furnish, upon request, all additional records and documents deemed necessary by the Minister of Finance to assess eligibility for a tax credit certificate in respect of the Newfoundland and Labrador All-Spend Film and Video Tax Credit, and hereby consent to the conduct of any audit of the Corporation for this purpose.

Signature: _____

Date: _____

Name (Print): _____

Title: _____

SIN: _____

Email: _____

Privacy of Information

The personal information in this form is collected under the authority of sections 4 and 5 of the All-Spend Film and Video Production Tax Credit Regulations and sections 61.(a) and (c) and 62(1)(a) (i) of the Access to Information and Protection of Privacy Act, 2015.

Personal information will be used only for the purpose of assessing eligibility for the All-Spend Film and Video Production Tax Credit.

As part of the assessment process, information in this form may be disclosed to Newfoundland and Labrador Film Development Corporation (PictureNL) to confirm qualifications. If you have any questions, please contact the Tax Administration Division at 709-729-6297 or toll-free at 1-877-729-6376.

In-Province Production Salaries and Wages to Employed Eligible Individuals

Notes: This schedule is for ELIGIBLE EMPLOYEES (i.e., NL-resident) only. Collection and disclosure of personal information.

[illegible]

Schedule B	
In-Province Production Salaries and Wages to Employed Ineligible Individuals	
1	2019
2	2020
3	2021
4	2022
5	2023
6	2024
7	2025
8	2026
9	2027
10	2028
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Important - Collection and Disclosure of Personal Information: it is the responsibility of the Employer to inform employees that their personal information is being collected and used for the purposes of claiming provincial All-Spend Film and Video Production Tax Credits, and that this information will be provided to the Newfoundland and Labrador Department of Finance for the purpose of verifying NL residency to establish eligibility for this tax credit claim. The ACTRA and IATSE unions inform their membership that employers have the right to request supporting information to confirm an employee's province of residence for this purpose. This disclosure is required in order for the Department of Finance to collect the information required to process the tax credit.

[illegible]

Notes: All amounts paid to businesses or non-employed individuals for services carried out in Newfoundland and Labrador by residents of this province should be entered on this schedule. Payments to NL freelancers / self-employed, casual, corporations, or individuals who provide their services via their wholly-owned personal service company (PSC), should be included here, together with services provided to the production in NL by businesses employing NL-residents.

Schedule C

Parent-Subsidiary Amounts Paid (Not Included Elsewhere)

(ii) Amounts must be paid within 60 days of the production company's year end.

[illegible]

Schedule E
Cost of Eligible Tangible Property Expenditures

(ii) For leased property, the Eligible Cost is the leasing cost attributable to use within NL during the taxation year for the eligible production.

(iii) For purchased property that is not depreciable property, the Eligible Cost is the cost attributable to the use of that property within NL during the taxation year for the eligible production.

[illegible]

Class 8	20%	Furniture, Appliances, Tools Costing >\$500, Refrigeration Equipment.
Class 50	55%	General Purpose Computer Hardware, Software, and Ancillary Equipment

Schedule F

Eligible Accommodation Expenditures

Notes: Include NL Accommodation Expenditures only. The maximum that can be claimed for an accommodation unit (whether residence or hotel room) is \$300 per night, regardless of the number of individuals in residence.

[illegible]

[illegible]