



### COVID-19 News Support Fund

Following the success of the 2020 COVID-19 Emergency Support Fund for Cultural, Heritage and Sport Organizations, including the CAB administered Emergency Support Fund (“ESF”), in Budget 2021, the Government of Canada announced additional support measures for arts, culture and sport. The 2021 News Support Fund (“NSF”) is part of those measures and, as with the former ESF, is designed to complement other economic measures (which may or may not continue), such as the Canada Emergency Response Benefit, the Canada Emergency Wage Subsidy, the Canada Emergency Business Account and the Canada Emergency Commercial Rent Assistance for small businesses.

The Canadian Association of Broadcasters (CAB) has again been asked to administer disbursements for the \$9.4 million (less administrative expenses) News Support Fund, on behalf of the Department of Canadian Heritage (the Department). The News Support Fund is restricted to supporting independent commercial *local* advertising-supported television and radio broadcasters who provide news and information programming. To be eligible to receive your portion of this funding, **you must carefully read, complete, sign and return this attestation form to the CAB and submit it no later than 5 pm pacific time on December 3, 2021.** Attestations received after this date may receive funding, if any funds remain, but to be assured of funding Applications must be *received* by the CAB by then. The CAB will not be held responsible for any failures or delays in electronic transmission, mail or courier delivery. We therefore strongly recommend you submit your Attestation well before the deadline.

Please note that your decision to choose or not choose to access the CAB News Support Fund will have no impact on funding you may have already received from the Department or any other level of government.

#### Funding conditions

Funding is subject to the terms and conditions established pursuant a contribution agreement signed between the Department and the Canadian Association of Broadcasters. These terms and conditions include the need for you to complete and execute the following attestation. **To answer common questions, please review the CAB’s News Support Fund Quick Facts and Guidelines before completing this attestation.**

#### *Attestation (to be completed by the person authorized to sign on behalf of the Licencee/Applicant):*

If funds are approved, as the person authorized to sign on behalf of \_\_\_\_\_ (the “Applicant”), I certify that:

- (i) I am an officer of the Applicant and am duly authorized to declare the following.
- (ii) I confirm that I have performed a complete due diligence of all relevant facts for the execution of this Attestation, including the information provided in the Funding Information Sheet appended at Attachment A, hereto, and that I have personal knowledge of said facts.
- (iii) I acknowledge that the Canadian Association of Broadcasters (“CAB”) is relying on this Attestation to determine whether the Applicant is eligible to access the CAB News Support Fund.
- (iv) The Applicant is an independent broadcaster (*defined as a programming undertaking for which no licensee of a distribution undertaking or operator of an exempt distribution undertaking, or an affiliate of the licensee or operator, holds, directly or indirectly, an interest or right in the assets*) in one or more of the following two categories (please complete Attachment A):
  - a. a private independent television service; and/or
  - b. a private independent radio station;



- (v) The Applicant authorizes the CAB to obtain, and the CRTC to release, such licensee specific data as is necessary and appropriate for, and for the purpose of, confirming eligibility and determining the portion of the News Support Fund the Applicant may receive.
- (vi) Funds received will not be used to cover expenses which are already funded under Government of Canada COVID-19 emergency measures, including but not limited to the Canada Emergency Response Benefit, the Canada Emergency Wage Subsidy, the Canada Emergency Business Account, and the Canada Emergency Commercial Rent Assistance for small businesses, as well as any other federal, provincial or territory and municipal emergency measures.
- (vii) The Applicant can demonstrate that it has been negatively impacted by COVID-19, which has resulted in financial hardship to it and to its operations, and is therefore in need of government funding.
- (viii) The Applicant produced and broadcast news and information programming in the 2021 broadcast year and commits to using all reasonable efforts to continue to produce and broadcast news and information programming, in compliance with its obligations under CRTC regulations, policies and conditions of licence.
- (ix) The Applicant declares that all funding received from the CAB News Support Fund shall not exceed 100% of its yearly average Canadian programming expenditures on news and information programming over the previous three broadcast years. Should an amount of funding received from the CAB News Support Fund cause the Applicant to exceed such threshold, the Applicant shall take the proactive measures necessary to refuse or return said amount.
- (x) The Applicant declares that the total government assistance (federal, provincial, territorial and municipal assistance) to them, including funding from the CAB News Support Fund, shall not exceed 100% of its yearly average broadcasting expenditures over the previous three broadcast years. Should an amount of funding received from the CAB News Support Fund cause the Applicant to exceed such threshold, the Applicant shall take the proactive measures necessary to refuse or return said amount.
- (xi) The Applicant confirms that funds will not be used to support the production of:
  - a. illegal content; or
  - b. content that is demonstrably false or misleading.
- (xii) The Applicant confirms that it expended a minimum average of \$5,000 yearly on eligible Canadian programming over the previous three broadcast years, per its CRTC Annual returns (if applicable).
- (xiii) The Applicant confirms that it will declare all funding received from other Government of Canada emergency measures to address COVID-19, as well as any other federal, provincial, territorial and municipal emergency measures to the Recipient and to the Department, upon request.
- (xiv) The Applicant commits to respect its payment requirements for contractual obligations, including payments to workers and individuals who may not be eligible to the Canada Emergency Wage Subsidy, such as journalists, on air talent and technical staff that support news and information programming.
- (xv) The Applicant consents to the disclosure by Canada Revenue Agency or other government departments, if requested by Canadian Heritage, of taxpayer or other information regarding whether or not funding under other fiscal measures was received to address COVID-19.
- (xvi) The Applicant will comply with all official language obligations in respect of any public communications related to the CAB News Support Fund.
- (xvii) The Applicant will acknowledge contributions received from the CAB News Support Fund in any promotional activity (public announcements, speeches, website, social media, etc.) related to the funding received, consistent with the Department's Guide on the Public Acknowledgment of Financial Support which can be found at the following address: <https://www.canada.ca/en/canadian-heritage/services/funding/acknowledgement-financial-support.html>.
- (xviii) The Applicant shall provide to CAB or Canadian Heritage such other information as may reasonably be requested to confirm eligibility requirements and/or assess the success of the Fund, including:
  - a. For contributions below \$250,000, a final financial report in the format set out in Attachment B-1; or



- b. For contributions of \$250,000 and over, annual Audited Financial Statements with an appropriate supporting schedule as described in Attachment B-II.
- (xix) Should funding be received, the Minister and his authorized representatives shall have access, at reasonable times, to the Applicant’s premises and accounts and records for oversight or review or to assess or audit the funded activities at any time, ending March 31, 2027.
- (xx) Should funding be received, the Applicant shall, upon request of CAB, and without delay, provide any information as the CAB or Canadian Heritage may require concerning the funding.
- (xxi) The Applicant shall repay any excess contribution, or any overpayment, unexpended balances and disallowed costs without delay.
- (xxii) I acknowledge that intentionally making a false declaration would be a breach of my fiduciary obligations and may constitute a criminal offense.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **Attachment A – Funding Information Sheet**

See and accurately complete separate Excel work sheet.

**NB:** *Failure to accurately complete this attachment may result in non-eligibility for funding.*



**Attachment B-1** – Format of final financial report for contributions below \$250,000

Independent broadcaster recipients are permitted to use any reasonable financial report format, provided that it include all funding sources, grouped into reasonable categories such as Federal, Provincial, Municipal etc. as well as all expenses by reasonable categories.

Assuming accrual in the 2021 broadcast year ending August 31<sup>st</sup>, a copy of your CRTC Annual Return for that year, identifying separately, or within the return, the above funding amounts would suffice.



**Attachment B-II** – Format of final financial report for contributions of \$250,000 and above

The Applicant may provide annual Audited Financial Statements with an appropriate supporting schedule as described in 1, below, or, the Applicant may provide an Audited Financial Report as described 2, below:

1. Annual Audited Financial Statements: shall consist of a complete set of the Licencee's audited statements, including the Statement of Financial Position or Balance Sheet, Statement of Operations or Income Statement, Statement of Retained Earnings or Statement of Changes in Net Assets, Statement of Cash Flows (when applicable) as well as the Notes. The Audited Financial Statements must also be supported by a schedule of the revenues realized and expenditures incurred in respect of funding received from the CAB News Support Fund. Accounts shall be audited by professional accountants who are independent of the Licencee and are active members in good standing with the provincial accounting body of the Chartered Professional Accountants of Canada (CPA).
2. Audited Financial Report: shall clearly include all of the revenues realized and expenditures incurred in respect of funding received from the CAB News Support Fund. Any other sources of revenues or expenditures per Attestation clauses (x) and (xi) should be added. Accounts shall be audited by professional accountants who are independent of the Final Recipient and are active members in good standing with the provincial accounting body of the Chartered Professional Accountants of Canada (CPA).