

ACTRA

WINTER 2013

magazine

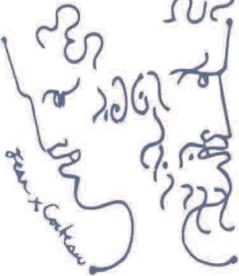


FIA

CANADA HOSTS FIA CONGRESS
ACTORS AROUND THE WORLD UNITE

Inside your union magazine

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ACTRA magazine

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Cover Photo: Jag Gundu

President's Message

Why FIA? Why now? Performers Rights are Global



ACTRA National President
Ferne Downey

**Click here
to go to FIA's website!**



A young friend of mine signed an email to me, "In solidarity, ('cause that's what the cool people say)". And my heart skipped a beat with happiness. She's young, smart, an active ACTRA member and cool as can be.

Lest you think I gush, the reality of solidarity among the performers unions of the world is a big deal to me – so much so that I got myself elected as the president of the International Federation of Actors (FIA) in September. I stepped up – purposefully. Eyes wide open.

There are many good reasons why I think this international work is critical, but there is also the congruence of auspicious timing. Fighting for performers' rights in the digital world is crucial. And my time is now.

On a fundamental level, ACTRA has been a world leader in negotiating some of the toughest collective agreements in the world. We're a fairly mature union nearly 70 years young (the union, not me). Our Director of ACTRA PRS, Brad Keenan, is currently the chair of the international council of collecting societies. Together with senior staff and past presidents of ACTRA, we have stepped up our game internationally. I'm witnessing first-hand how producers are consolidating their power – becoming large, vertically integrated corporations with ever greater international reach. As performers' unions our strength clearly resides in harnessing the collective power of working together – globally. That is the wise and necessary counterbalance to the rise of right-wing governments and the profit-driven corporate forces... and the fight for performers' rights is a powerfully consuming fight. We will earn respect for artists by fighting for it every day.

It was also a great honour for our country that I was elected FIA President, the first from North America. An unintended consequence will be the raising of ACTRA's profile internationally as well. ACTRA enjoys healthy respect from our international brothers and sisters – probably deepened since we co-hosted

the 2012 FIA Congress in Toronto with Canadian Actors' Equity Association and Union des Artistes.

Strong collective agreements are essential in a global context

I will continue my work as ACTRA President concurrent with my new responsibilities with FIA – they go hand in glove. To be clear, I have served as your ACTRA National President since 2009. The work that is the heartbeat of being a union leader like bargaining the new IPA gains importance in this new global context – strong unions and strong collective agreements are essential. And I am proud to report that, on the heels of co-hosting the FIA Congress, ACTRA negotiated a settlement on the **2013-2015 IPA** in a marathon bargaining session ending December 1. It was a tough round but our determined bargaining team kept their focus and courage and achieved many improvements in our biggest contract.

Now, we can move forward to fight for equal opportunities, non-discrimination, freedom of association and collective bargaining, professional training and career transition and many other vital matters of concern to all of us. Through FIA, ACTRA benefits from a formidable network that brings us together and inspires us every time we meet and learn from each other. FIA is the labour voice for performers globally. I urge you to take a moment to check out the website at fia-actors.com.

Global solidarity must be the bedrock upon which FIA and ACTRA will continue to build. We will campaign to secure the right to freedom of expression for all performers in all countries. We will resist any power that conspires to work against our best interests. We will pursue our ideals – and make them real. ★

Ferne Downey
ACTRA National President



L to R: At the opening reception, then FIA President Agnete Haaland introduces the FIA 2012 world congress co-hosts Uda President Raymond Legault, ACTRA National President Ferne Downey and Canadian Actors' Equity President Allan Teichman. Also pictured here are Ruth Ann Onley and the Hon. David C. Onley, Lieutenant Governor of Ontario, who commenced the formal proceedings of FIA Congress. Photo: Jag Gundu



Global Productions, Global Contracts, FIA's Global Action

By Stephen Waddell,
ACTRA's National Executive Director



A set for the series *Vikings* at Ashford Studios in County Wicklow, Ireland. *Vikings* is an international Irish/Canadian co-production by World 2000 and Take 5 Productions. Photo: Jonathan Hession



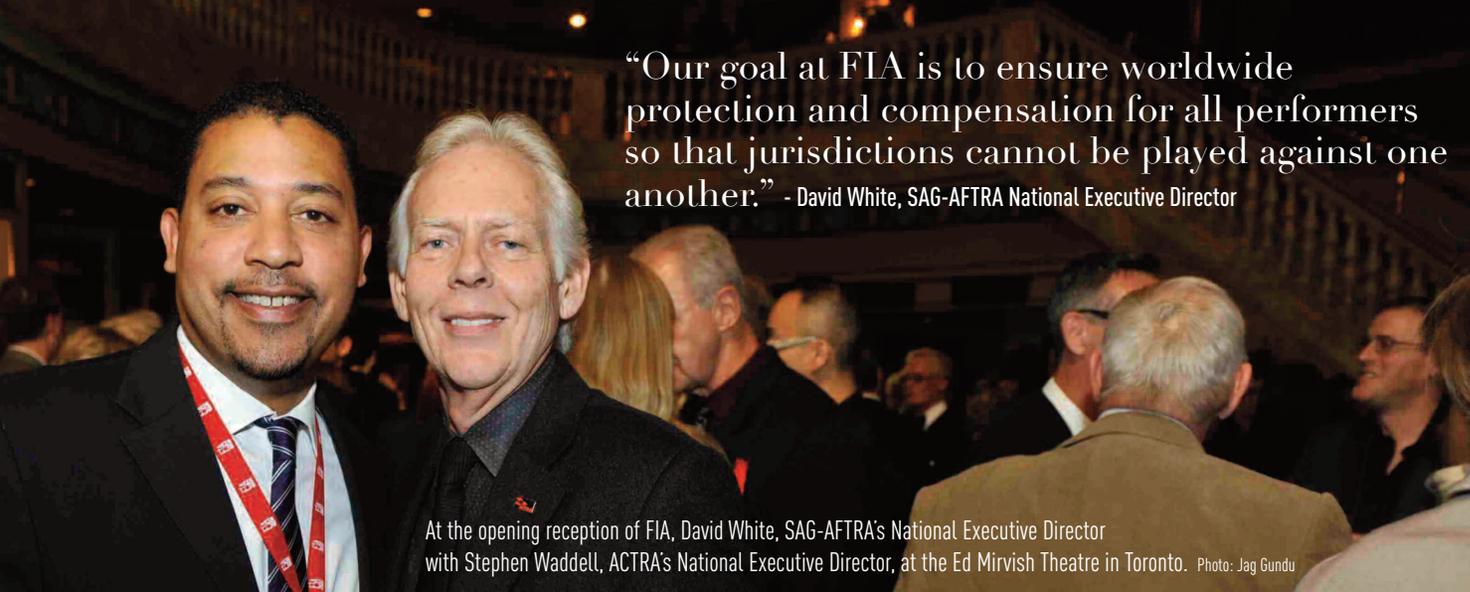
Recorded media is global in reach and global in production. For many years, producers have tried to fly under the radar by engaging our lead performers on off-shore productions or co-productions without the benefit of a union contract. We've worked alongside our sister unions worldwide to address this issue. But in September 2012, we decided to take this fight to another level. ACTRA, together with Equity UK, MEAA in Australia and SAG-AFTRA, jointly put forward a resolution at the International Federation of Actors' (FIA) Congress 2012 in Toronto to stop such producers from exploiting performers. Now, to combat producers who seek to evade our union coverage, members of FIA have committed to watching the backs of performers *world-wide*. Given financing pressure, long-form television series intended for North American and global audiences are increasingly being co-financed and co-produced by Canadian companies with foreign partners in various locations around the world. Examples include series like *The Tudors*, *Camelot*, *Pillars of the Earth*, *The Borgias* and *Vikings* (currently in production in Ireland). These international co-productions engage Canadian performers, as well as performers from the US, UK, and Australia in leading and major roles.

When working outside Canada, these producers sometimes offer performers substantially above-minimum contracts. But without the benefits of union coverage – no insurance or retirement contributions, complete buy-outs in perpetuity for all uses – there's really *no more money*.

The challenge for ACTRA and the other English-speaking unions has been to effectively extend jurisdiction over productions shot outside of their own country. ACTRA has a significant stake in ensuring the success of this initiative as many of these co-productions are produced by Canadian companies partnering with off-shore producers. These series are intended for Canadian, US and global distribution. We have a responsibility to ensure that ACTRA members engaged on these productions receive insurance and retirement contributions and coverage, are treated with dignity and respect, are protected by Canadian safety and health standards while working outside the country, are paid properly and on time and see more money for distribution of the series. Our contract protections extend to wherever our members work.

FIA's challenge is to successfully extend union coverage to performers resident in the production location. Invariably the producers of these shows often locate in countries where the local performer unions do not have industry-wide collective agreements.

Local performers are generally cast in small speaking parts and as background performers. Alarming, they generally work with no contracts, no minimums fees, no safety and health protections, no health and retirement contributions and no use payments.



“Our goal at FIA is to ensure worldwide protection and compensation for all performers so that jurisdictions cannot be played against one another.” - David White, SAG-AFTRA National Executive Director

At the opening reception of FIA, David White, SAG-AFTRA's National Executive Director with Stephen Waddell, ACTRA's National Executive Director, at the Ed Mirvish Theatre in Toronto. Photo: Jag Gundu

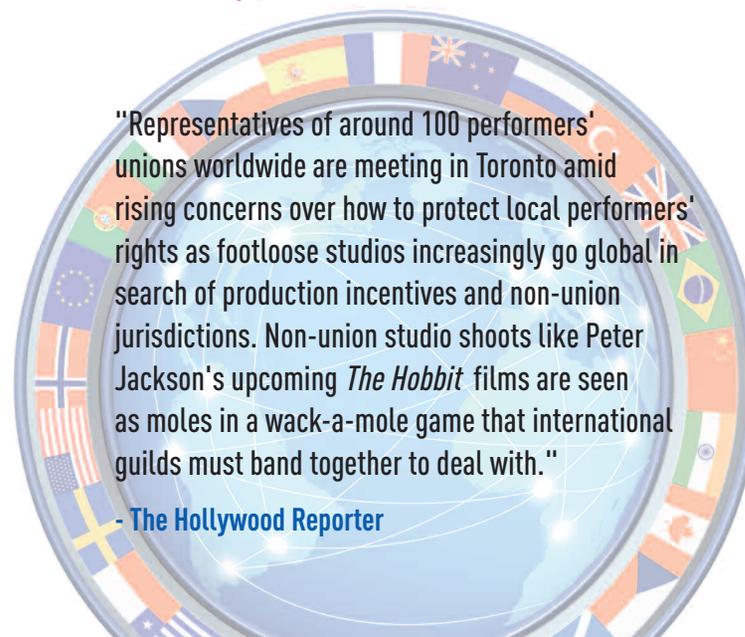
To give real meaning to our commitment, FIA Congress, the FIA Secretariat and the member unions of FIA passed the following resolution:

- To monitor international and multinational production worldwide;
- To establish a protocol for the exchange of information between unions and with the FIA Secretariat on such productions;
- To collaborate on and target specific international and multinational productions that may be real, meaningful, and potentially successful opportunities to extend the “better rates/contracts” collective agreements to performers in FIA-affiliated unions who do not yet enjoy such benefits in countries where such productions are to be produced;
- To assess the feasibility of “global framework agreements” with the most established international and multinational productions, seeking to establish equitable and fair principles for the employment of performers in countries where collective agreements are not in place to secure them minimum benefits;
- To work in coordination with the union or unions of jurisdiction in such countries, other FIA unions, the FIA Secretariat, the performers on such productions (and their agents and managers);
- To successfully extend better rates, terms and conditions to all performers working on such productions; and
- To report to each FIA Executive meeting on implementation issues and challenges.

At congress, the member unions of FIA reaffirmed our commitment to extending better rates, terms and conditions of collective agreements negotiated by unions with strong collective agreements to performers in countries represented by FIA-affiliated unions who do not yet enjoy such benefits. We need to collectively take responsibility for the wellbeing of the local performers on those shows whose unions don't have the strength of ACTRA or

the other major performer unions. Countries that have weak bargaining agreements (or none at all) diminish the rights and respect of all performers.

This is why I volunteered at the congress to be the FIA co-ordinator for international co-productions. Wherever one of these productions lands in the world, the staff in ACTRA's National office will monitor the co-production and communicate with the appropriate FIA-affiliates. We are committed to coordinating our efforts to secure union contracts for all performers on all productions. We will work together to ensure that all performers worldwide enjoy the benefits of good union coverage. It's the right thing to do. ★



“Representatives of around 100 performers' unions worldwide are meeting in Toronto amid rising concerns over how to protect local performers' rights as footloose studios increasingly go global in search of production incentives and non-union jurisdictions. Non-union studio shoots like Peter Jackson's upcoming *The Hobbit* films are seen as moles in a wack-a-mole game that international guilds must band together to deal with.”

- The Hollywood Reporter

ACTRA Policy Statement

Engagement of ACTRA Performers on Off-Shore Productions

ACTRA members may be approached by producers to work on productions shooting in part or entirely outside of Canada. ACTRA members are advised to check with your local ACTRA office before accepting engagements on such productions to ensure that the producers are signatory to the IPA and are offering ACTRA members contracts, terms and conditions in accordance with the ACTRA Independent Production Agreement (IPA). Here's a general rundown of your responsibilities as an ACTRA member in each of four likely scenarios:

1. The producer is signatory to the IPA and the production is mainly shooting in Canada with an off-shore location shoot component.

The ACTRA member must be offered and sign an ACTRA contract covering the entire engagement.

2. The producer is signatory to the IPA, and has a production that is shooting entirely in an off-shore location(s).

As a signatory to the IPA, the producer is obligated to engage ACTRA members under the terms and conditions of the IPA for the entire engagement off-shore.

3. The producer is not signatory to the IPA and has a production shooting in Canada with an offshore location shoot component.

The producer must become signatory to the IPA, and the ACTRA member must be offered and sign an ACTRA contract covering the entire engagement.

4. The producer is not signatory to the IPA and has a production that is shooting entirely in an off-shore location(s).

ACTRA members must be engaged on an ACTRA contract except in cases where there is a sister union affiliated with the International Federation of Actors (FIA). In those cases, ACTRA members must be engaged on an ACTRA contract or a contract of the FIA-affiliated union where the engagement is taking place provided that such contract provides fees, terms and conditions at least equal to, or better than, ACTRA's IPA.

Where there is no union in the location, ACTRA members must work on ACTRA contracts for an ACTRA-signatory producer pursuant to Article 404 of the ACTRA Constitution and By-Law # 9 of the ACTRA By-Laws. ●

What Do Blue Couches, Trade Unions Organizations Have in Common?

by Theresa Tova

An interview with Abel Martin Villarejo and José María Montes from AISGE (Artistas Intérpretes Sociedad de Gestión, Spain), and Brad Keenan, Director of ACTRA Performers' Rights Society (ACTRA PRS) and ACTRA Recording Artists' Collecting Society (ACTRA RACS)

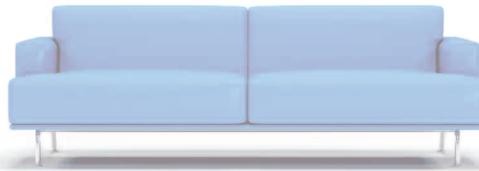
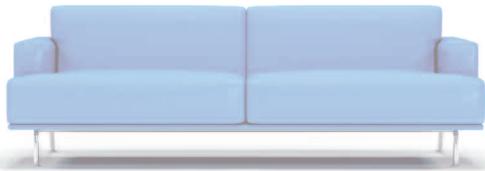


and Collective Management

I am very proud of the international relationships we are forging on a global level. Last year alone we penned a reciprocal agreement with AISGE, the collective management society in Spain, which to date has put \$1.5 million into the pockets of Canadian performers. At the 2012 FIA Congress in Toronto the first-ever working group meeting of collective management organizations and union representatives from around the world took place. They talked about how unions and collectives can work more closely together for the benefit of their performer members globally.

As ACTRA's National Treasurer I'd like our members to understand why we are investing in these relationships. I met with Abel Martin Villarejo, General Director of AISGE, José María Montes, AISGE's Director of International Relations and our own Brad Keenan, Director of ACTRA PRS and ACTRA RACS to better understand how we are beginning to see the fruits of our labour. I was fortunate enough to sit down (on brown couches) to conduct this exclusive interview.

— Theresa Tova



“Trade unions and collecting societies are two sides of the same coin. Our unity matters to our members.”

– José María Montes

Theresa Tova: *Why is it important for collective management organizations and unions to work together?*

Brad Keenan:

If you get down to the strict commonality of unions and collecting societies: unions are looking to establish minimum fees for your work, ensure a safe work environment (i.e., on set) and look after your insurance and retirement coverage and retirement. Collective management organizations (CMOs) protect and provide remuneration for use of your work as a creator during the exploitation of the work. The stronger the trade union, the easier it is for the CMO to collect the money. Working together more closely domestically and around the world can only serve to strengthen unions and CMOs.

José María Montes:

We've seen recent successes of how we, together, have improved the lives of performers around the world. The years of work towards the successful conclusion of the World Intellectual Property Organization (WIPO) audiovisual performances treaty, also known as The Beijing Treaty, has caused us to be a force to be reckoned with. We are now recognized by WIPO as well as by the people that we normally sit across the table from when we negotiate. Trade unions and CMOs are two sides of the same coin. Our unity matters to our members, be it labour conditions from the trade union perspective, or copyright and related rights provided by CMOs.

Theresa Tova: *Where does a union step in collecting residual rights and the collective management organization come in?*

Brad Keenan:

Well, there are different models around the world. In

Canada, our collective bargaining agreements give ACTRA PRS the authority to be the enforcement arm to make sure our members get paid Use Fees. The ACTRA RACS music side is completely different because Canada's copyright legislation has statutory rights built into it.

José María Montes:

In Spain, most performers' rights that are provided under intellectual property legislation are subject to compulsory collective management. It means that the actor, even though he has these rights granted in the law, cannot exercise them on his own. Thus, by virtue of its authorization by the Spanish Government, AISGE is obliged to collect remuneration on behalf of every performer who is covered by our law, regardless of his nationality or whether he is a member of AISGE. This of course includes most Canadian performers, so this is why we make payments to ACTRA.

Abel Martin Villarejo:

In Spain, AISGE is the CMO for intellectual property rights of performers, legally authorized to collect the corresponding exploitation rights of performers. Intellectual property law in Spain requires users of these audiovisual recordings to pay certain amounts to remunerate performers for use of their work.

Brad Keenan:

Unions negotiate collective agreements with producers. CMOs manage rights and collect and distribute remuneration to performers for use of their work.

Theresa Tova: *You give me hope... And yet I know how much trouble we've had in the past enforcing the collection of our own residuals. We credit our recent success to our forensic accounting abilities and our ability to aggressively go after outstanding titles. Is this going to get easier?*

Brad Keenan:

Our strength and resolve at ACTRA PRS is built upon our strong collective agreements. If a bargaining agreement is weak in respect to how performers are to be paid and how producers are required to make those payments, it affects how PRS can go and get the money from producers. ACTRA's top priorities include bargaining strong collective agreements and lobbying the Canadian government for strong copyright legislation favorable to both audio and audiovisual artists. We put a tremendous amount of effort into both initiatives. You have to start domestically. But then, you can't just stay inside your box, your bubble, because other implications have impact from an intellectual property perspective. Countries that have weak bargaining agreements (or none at all) start to diminish those rights. It not only affects the ability of the CMO in their country, it affects us all.

José María Montes:

ACTRA PRS and ACTRA in Canada, and British Equity Collecting Society (BECS) and Equity in the UK are great examples of how a union and a collecting society organization, working together, can achieve the best results.

Theresa Tova: *So what I'm hearing from you is that with everybody starting to work together, we are going to be stronger and collect more than we've ever done.*

Brad Keenan:

It is the journey to the Beijing Treaty that brought us here. It was in Geneva at the WIPO copyright meetings where we started to talk about all the issues. What is going on in the US, in Asia, around the world? How could we improve things and find ways to collaborate more effectively? What about international databases? We realized that everything was very fragmented, even though we had all these positive



organizations around the world. We started to talk about how to bring everything inside the circle.

José Maria Montes:

Geneva 2011 is when we realized that together we could make this happen.

Brad Keenan:

Stephen Waddell will joke about the time we spent on what we call the “blue couches” in the lobby at WIPO in Geneva. On those blue couches you’d get 10 or 12 of us, like José, Xavier Blanc from AEPO-ARTIS (Association of European Performers’ Organisations) in Brussels, Dominick Luquer from FIA, Andy Prodger from BECS in the UK, where it was obvious that we shared the same mutual drive to protect the best interests of performers around the world.

José Maria Montes:

Those blue couches... I remember that we came downstairs from the cafeteria with a proposal in hand that we had just made with one of the most active delegations during the long negotiation process at WIPO – allow me not to say the name of the country. It was on the blue couches in the hall that we realized that we had finally enabled the treaty.

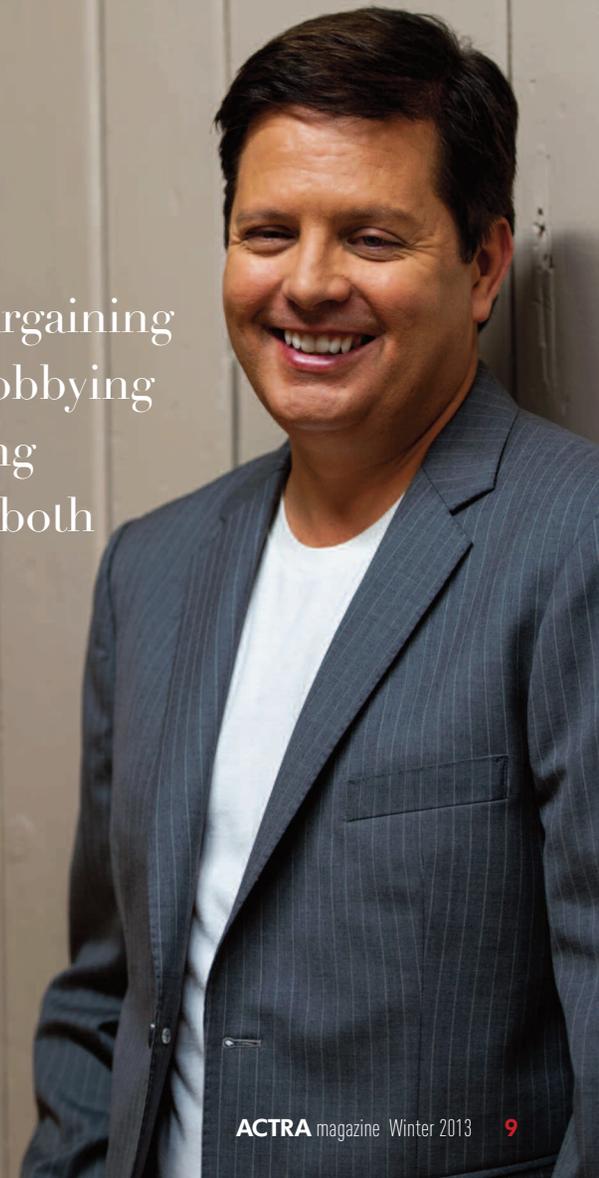
Theresa Tova: *You remind me of how we actors work. One always has what’s written on the page, but then you also have the backstory.*

Abel Martin Villarejo:

AISGE has been working on the treaty for the last 16 years. We have gone to Argentina, to Columbia... we explain to them, what I explained to ACTRA in the beginning. That we have the tools to help you go organize yourself – we will provide you with help. As we say in Spain, we placed the first stone toward what we are finalizing today.

“ACTRA’s top priorities include bargaining strong collective agreements and lobbying the Canadian government for strong copyright legislation favourable to both audio and audiovisual artists.”

– Brad Keenan



Brad Keenan:

But we can only do that because we have the expertise from Europe, the expertise from Latin America – Abel is the General Secretary of Latin Artis, the association of Ibero-American performers' CMOs; and Jose's participating in the cooperation and development of the working group of SCAPR (the Societies' Council for the Collective Management of Performers' Rights) in respect to Asia and Africa, to bring them closer. So between Europe, America, Latin America, Africa and Asia, we've got all the pieces – now we just need to finish the job.

Theresa Tova: *And ultimately, the rights for audiovisual performers that are cemented in the Beijing Treaty leads us to a world where producers and others can't hide from paying performers.*

José Maria Montes:

Yes. We get the money into the hands of our performers.

Theresa Tova: *How does AISGE get that money to Canadian performers from Spain?*

Abel Martin Villarejo:

AISGE keeps track of the Spanish market. We continuously monitor it to detect users who, either through lack of information or intentionally, violate their legal obligations regarding intellectual property rights. The rights that were granted for performers in Spain and in European countries are rights that are subject to compulsory collective management. Their owners cannot exercise those rights by themselves, so it is by law that the collecting society makes these rights effective.

José Maria Montes:

And now you have to distribute this money to the actors in the movie. But if they're not Spanish – they're Canadians – what do we do? We just contact ACTRA PRS and say, "Hello, we have money for your performers." Per our agreement, you tell me which performers you represent and we give you the money to pay to them.

Brad Keenan:

As we evolve further and faster into new technologies with multiple media platforms, in many cases generating micro-payments, the role of collective management organizations is becoming more and more important to performers as well as record companies, publishers, and so on.

José María Montes, AISGE's Director of International Relations, **Abel Martin Villarejo**, General Director of AISGE, interviewer **Theresa Tova** and **Brad Keenan**, Director of ACTRA PRS and ACTRA RACS.

Photo: Jeremy Webb



Theresa Tova: *So what's the future? What's the next step?*

Brad Keenan:

It's tackling one issue after the next. The concept of strengthened intellectual property rights is under attack around the world. We need to stay united and deal with those issues globally. What happens somewhere else, may eventually end up happening in Canada.

Abel Martin Villarejo:

And let's not forget that we also have to work hard in promoting the ratification and implementation of the Beijing Treaty by as many countries as possible. In this field it is also very important for FIA and the CMOs to work together.

Theresa Tova: *So actors will have economic rights. What about moral rights?*

Brad Keenan:

The moral rights outlined in the Beijing Treaty would allow our performers to protect their work from being used in a manner that is harmful to their reputation.

José María Montes:

That's really important, as well as their right to claim to be identified as the performers or their performances, the so-called 'paternity' right.

Theresa Tova: *I travel internationally when singing for a living and this year I was in Holland, Argentina, Poland, Israel and Germany. And everywhere I go I turn on the TV and I see my Canadian friends... everywhere. With these new developments in Beijing and Europe are we going to see important new streams of income coming from further afield?*

Abel Martin Villarejo:

We need to be stronger, we need to be more efficient, we need to be more effective – and that's happening within FIA, SCAPR, AEPO-ARTIS and Latin Artis.

Brad Keenan:

Once the Beijing Treaty is ratified globally, we'll have the tools we need to get all the money owed to all performers. The incredible level of co-operation that we are currently experiencing around the world has already put more money in the pockets of our performers. Ironically, these results have all come from many many long nights of conversations on those blue couches in the lobby of WIPO in Geneva... who knew. ★

SCAPR is the International Council for Collective Management Organizations (CMO) that looks at the issue of collective licensing and management of rights with a view to promote co-operation between countries when exchanging monies across borders. Brad Keenan and José María Montes (pictured at right) sit on the board of SCAPR as Chair and Vice-Chair respectively.

What is a collective management organization?

In the framework of a collective management system, owners of rights authorize collective management organizations to monitor the use of their works, negotiate with prospective users, give them licenses against appropriate remuneration on the basis of a tariff system and under appropriate conditions, collect such remuneration and distribute it among the owners of rights.



Theresa Tova's career spans film, TV, the Broadway musical stage and jazz concerts around the world. She is Treasurer of ACTRA National and ACTRA PRS and ACTRA Toronto Vice-President.



What the Heck
is the Beijing Treaty
and Why are we
Obsessed with it?

By Ferne Downey,
ACTRA National President and FIA President

Once upon a time if I mentioned ‘Intellectual property rights’ at a swell dinner party, the guests would do a face plant into their soup.

No more. Now I bring it up and my friends are soon in the middle of lively conversation. It’s a hot topic. Why? Because not getting paid for your work can drive you crazy. It has become obvious that, in this digital age, creators – including performers and producers – need international protection of their intellectual property (IP). The Beijing Treaty is a huge step towards solving that problem.

In the opening days of IPA bargaining in late October, the lead negotiator for the producers’ associations commented on the importance of the treaty and congratulated ACTRA on our steadfast commitment to seeing it through. Which isn’t a bit strange when you understand that the treaty is a triumph of international consensus-building and an inspiring example of performers and producers working together. After years of diplomatic wrangling, actors have achieved international recognition of intellectual property rights for their performances. Authors, composers and other creators have long enjoyed these protections, but performers were the last to the table and have struggled to achieve recognition long after similar rights were granted to singers, musicians and record producers. It’s a breakthrough. And a long time coming.

Let’s go back to the first scene. It is 1992, a rainy day in London, England. Members of the International Federation of Actors (FIA): union leaders, union staff, the FIA Secretariat and copyright lawyers (there are always copyright lawyers in this 20-year saga) are talking about the aching need for the creation of a shared international understanding of intellectual property rights for all recorded media performances. I was not in that room in 1992. In fact, I was in my first year as a neophyte ACTRA Toronto Councillor – but I am fiercely proud of those smart, focused people who were part of the FIA contingent that championed this cause. They all recognized a way must be found to protect audio and audiovisual performers’ economic and moral rights through an ongoing attachment to their work. But how to get the job done?

They took their case to WIPO (the World Intellectual Property Organization) and began what seemed like an endless process of negotiation. At first there was heady success. In 1996 WIPO passed a treaty creating new rights for performers and producers in audio recordings. Victory in four short years. Four years is a blink of an eye in diplomatic time. Canada ratified the treaty a year later and made the conforming changes in Canadian copyright law. Singers and musicians and recording producers began to experience the benefits of IP protection. Yet, audiovisual performers were still left out in the cold. Amazing.

For actors, this initial triumph marked the beginning of a very long slog to achieve what the singers and musicians had already won. In 2000, the WIPO Diplomatic Conference on the Protection of Audiovisual Performances was convened in Geneva. The conversation was fulsome – IP protection for AV performers was becoming more essential every day; with the opportunities of the digital revolution came accompanying challenges. International content theft was easier and more prevalent than ever.



Ferne Downey, ACTRA National President, **Francis Gurry**, WIPO Director General and **Stephen Waddell**, ACTRA National Executive Director.

Photo: Yuan Wenming



Safeguards against unauthorized use needed to be confirmed globally. It wasn't good enough just to have the safeguards of individual union contracts – we needed international IP protection. Also, respect for the recorded performances needed to be enshrined in what copyright lawyers call moral rights. For an actor that means the right to make sure our image isn't used against our will in a way that destroys our reputation.

At WIPO's 2000 conference, a proposed treaty with 20 articles was slowly hammered out. Broad agreement was reached on 19 articles, but the 20th article set up a road-block to further progress. It concerned 'national treatment,' a complicated issue that involved the potential transfer to the U.S. of monies collected in Europe for the use of U.S. product. European countries were ahead of the rest of the world in that they had already gained AV rights for performers and their relationship with the globally dominant U.S. entertainment industry was complex. They had very good reason to be cautious about the 20th article. Stalemate.

It was 10 years of stalemate until our sister unions SAG and AFTRA reached out to the producers – the MPAA (Motion Picture Association of America) – who had not been seeing things through the same lens that we were. Other FIA affiliates reached out to their domestic AV producers as well – performers' unions acted to deepen the understanding of why this treaty was of critical importance and of mutual benefit to all parties. AV performers and producers shared IP interests. We could not afford discord in this arena.

Tick, tock, time passes. I cannot overemphasize how important it is to have our National Executive Director Stephen Waddell and Director of ACTRA PRS Brad Keenan committed to this

hard work. The numerous trips to the lovely, but soon exhaustively explored city of Geneva, to participate in the glacial progress of negotiations, became a mission beyond the call of duty.

Committees meet, working groups convene, conversations deepen, inch by diplomatic inch we progress, then stall, then progress, then stall – then progress. Some days the adrenaline-inducing drama of falling into a ditch jeopardizes everything; then we're back on the road to success. Thanks to a remarkable effort by performers and producers and many committed governments, the 11-year impasse was resolved by consensus at the June 2011 Standing Committee on Copyright and Related Rights (SCCR) in Geneva. Whew. But that was just at committee. The diplomatic drama played on.

Now the treaty must be approved at an international diplomatic conference and eventually it must be signed and ratified by countries all over the world. There are still so many ways this fragile understanding might plunge off a cliff in the backrooms of Geneva, but remarkably, something happens that assures the whole world will be watching as the drama enters its penultimate movement. The People's Republic of China offers to host the conference at the China World Trade Centre in Beijing!

China is not a country known for its respect for copyright, a problem it is acutely aware of. By putting themselves at the centre of this conference, they are making a significant diplomatic gesture that, for most governments in the world, has political resonance. The location of the conference elevates the importance of the treaty's ratification. If it fails the embarrassment to the Chinese government will undoubtedly be bad for business. Thus what could have been a work-a-day meeting became An Event, complete with TV broadcasts from the conference floor, live web feeds of the speeches and a nationally televised Copyright Celebration hosted by Jackie Chan.

As part of the fabulous FIA delegation, I was deeply honoured to be asked by WIPO to speak on the opening day of the

“The treaty is a triumph of international consensus-building and an inspiring example of performers and producers working together.”

– Ferne Downey

conference on behalf of all the actors of the world. It was as thrilling as it was intimidating, so I did what any actor would do – I thoroughly prepared. And I wore a good suit. Happily, the speech was very well received.

However, the conference was not without its drama. At one point, the whole process nearly capsized over the legal interpretation of a single word, but in the end the treaty was adopted on June 26, 2012. Hallelujah. As my friend and president of Actors Equity of Australia Simon Burke says, the DipCon “finally brought to an end the longest coffee break in WIPO history.”

WIPO Director General Francis Gurry said it succinctly: “International agreement is a rare commodity” these days. I am proud to have been part of the FIA delegation that insisted with patience and verve and unflagging commitment that the IP rights of audiovisual performers must be valued and respected... all over the world. Twenty years of determined, focused advocacy is an extraordinary commitment. As FIA President, I commit my heart and soul to nurturing the critically important relationships necessary to defend IP rights for performers worldwide. ☆

Ferne Downey delivered a stirring speech on behalf of the performers of the world on the opening day of the WIPO DipCon in Beijing, China. WIPO, the United Nations Agency responsible for intellectual property rights, gave her the great honour of speaking to the government delegations about the reality and precariousness of an artist's life. The speech was streamed live on the WIPO website and fed to four giant screens in the main session room at the China World Trade Centre. Later in the Conference, a video message from many of the leading actors of the world - including Meryl Streep, Javier Bardem, Wendy Crewson and Eugene Levy, among many others - added their voices to the call for this important treaty on the Protection of Audiovisual Performances.

Photo: Yuan Wenming

"All performers around the globe deserve to be fairly compensated and protected for the work we do. It's time for an international treaty that recognizes that fact."

-Ferne Downey



Canadian Performers Want A Treaty!

**Working Full
Steam Ahead with
Global Strength**



By Marit Stiles
ACTRA National Director of
Public Policy and Communications

Twenty years, 100 performer unions and a 185-member United Nations' agency: it wasn't a short or direct road to adopting a World Intellectual Property Organization (WIPO) Audiovisual Treaty, but it sure was an interesting one! And let's not forget: successful. The Beijing Treaty was signed by 48 countries at the June 26, 2012 WIPO conference. But hold your applause... As noted by Ferne in her article, we have cleared one important hurdle and now the real work begins.

Since June, three more countries have formally signed the Beijing Treaty. And now Canadian performers need to ensure that our government is on board. That's why ACTRA took this message to Parliament Hill during our October lobby days.

It's a two-step process

ACTRA met with over 40 MPs, senators and cabinet ministers. Many of our government representatives had not even heard of the Beijing Treaty, but were keen to find out more. Their first step is to sign the treaty and the next is to ensure that the new rights for performers are incorporated into existing legislation.

The road ahead does not end at our border. Countries around the world will also have to step up, and ACTRA is supporting them throughout the process. As part of the International Federation of Actors (FIA), we will work closely with our international partners including the International Federation of Musicians, Collective Management Organizations and the International Labour Organization (ILO) to coordinate the work ahead of us. As part of FIA, ACTRA will continue to collaborate with WIPO to get this treaty adopted. Our relationship with WIPO is strong and they are helping Canada facilitate the process.

It's been eight years since I started working at ACTRA, but I never fail to be impressed by the passion and determination of our members. As performers, you can immediately connect issues as complex as an audiovisual intellectual property treaty, to your reality. You articulate why specific issues are meaningful to Canadians and to working people. This is key when connecting with decision-makers.

Let's not forget that our own country has yet to sign on to this treaty that protects our economic and moral rights. Canadian performers need to continue to speak to MPs about what it means when your work is stolen and viewed for free. MPs need to hear your personal and professional perspectives on what it is like for your work to be altered without permission or payment consequences. They are starting to hear what we are saying and we need to ensure that they follow through.

Stay tuned to find out more about what you can do to urge the Canadian government to sign on to this important treaty. Check out actra.ca and watch for the ACTRA email news blasts. Speak to your family, friends and local representatives to help get the word out. Canadian musicians have had an audio treaty in place for years. Canadian performers want this audiovisual treaty now. Together, let's get our new Beijing Treaty signed and ratified. ★

“ACTRA performers met with over 40 MPs, senators and cabinet ministers. Many of them had not even heard of the Beijing Treaty, but were keen to find out more.”

ACTRA's 2012 Ottawa lobby participants.

Front row (L to R): Talia Pura, Heather Allin, MP Tyrone Benskin, Grace Lynn Kung, Tristan D. Lalla, Clara Pasieka (crouching), Theresa Tova and Alvin Sanders. Back row (L to R): Cary Lawrence, Richard Hardacre, Joel Keller, Barry Blake, Ferne Downey, Jackson Davies and Art Hindle.

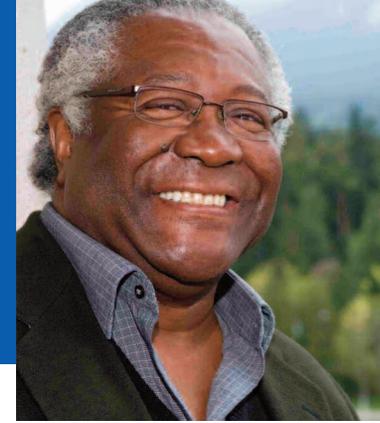


Actors Grace Lynn Kung (left) and Tristan D. Lalla (right) with MP Andrew Cash (centre). Photos: Fred Chartrand

FIA

Alvin Sanders

is ACTRA National's Vice-President and the President of UBCP/ACTRA. He is an award-winning stage performer, voices leading roles on numerous animated series and appears in commercials in Canada and the U.S. Having spent over 38 years as a working actor, Alvin knows the importance of a strong performers' union.



Congress Rising

INVESTING IN OUR FUTURE

By Alvin Sanders

"I'm spending a week with actors from all over the world discussing how we can make the wages and working conditions for all of us better." I sent that as a text message to my younger brother in Seattle a few weeks ago while waiting in line for a coffee outside the hall where the 20th World Congress of the Fédération Internationale des Acteurs (FIA) was taking place.

FIA. The International Federation of Actors. I'm a union officer so of course I had heard of FIA, but until I attended the congress, I hadn't really thought about what it is and how important it is for all working actors in recorded media no matter where we live and work on the face of the earth. And the importance of FIA can only grow. In a digital, web-connected world there are few borders.

The first two days of the week during pre-congress meetings I sat beside a representative from South Africa. She spoke to me of the struggles she was having re-starting a union that had been abandoned by the members because previous leadership had allowed it to become insignificant.

She surprised others at the meeting when she mentioned a project which was shooting in her home town using non-union South Africans. No one else had heard about the shoot, but a quick search on all the laptops and iPads around the room revealed there were unionized members from several countries working on the project.

To others attending the Congress, this situation was all too familiar. On a number of international co-productions, unionized performers from English-speaking countries with strong unions are being treated fairly and with respect because they sign contracts with their home unions; while the non-union local performers are being exploited and used.

“I was reminded that our rights and minimum wages didn’t just appear suddenly, nor were they simply given to us by the producers.”

– Alvin Sanders

Those non-union workers are starting to turn to unionized performers worldwide to support their union drives. The kind of support which will be effective in bringing fair wages and working conditions to those workers can only come from an international organization like FIA.

Speaking to a Brazilian FIA representative about how her union work was putting herself and her family in danger of physical retaliation turned what I think of as history into present-day reality. Far too often I take for granted the rights my union provides for me. Attending the FIA Congress I was reminded that our rights and minimum wages didn’t just appear suddenly, nor were they simply given to us by the producers. These rights were fought for and won for me with sacrifice and sometimes blood.

Sitting at lunch with the FIA representative from Namibia and seeing the broad smile of appreciation cross his face when we said ACTRA should be able to help him acquire a used printer so that he could make union membership cards was also a moment of self-awareness for me. His smile made some of the things I think so important each day seem so very petty.

I’m extremely proud ACTRA is in the forefront as FIA strides into the performance-capture, satellite networks, digital-deliverance recorded-media world of our present and future. Our president, and also FIA President, **Ferne Downey** (with tremendous support from our national staff), has positioned ACTRA to be a leader of FIA as it strives to raise its voice in support of all performers everywhere on the face of the earth. ★



Padraig Murray,
President of Irish Equity.

Photo: Jeremy Webb

Top Left: UNITE HERE! Local 75 hotel workers Daniel Bastien and Kayann Drummond at the Toronto Sheridan join the Congress to welcome FIA delegates. Photo: Jeremy Webb

Top Right (L to R): Ferne Downey, Kirsti Camerer, former General Secretary of the Norwegian Actors' Union Norsk Skuespillerforbund (NSF), Katja Elgaard Holm, President of the Danish Actors' Association Dansk Skuespillerforbund (DSF) and Anders Friis Brorholt, General Secretary of DSF. Photo: Jag Gundu

Developing a Union? Just Add FIA

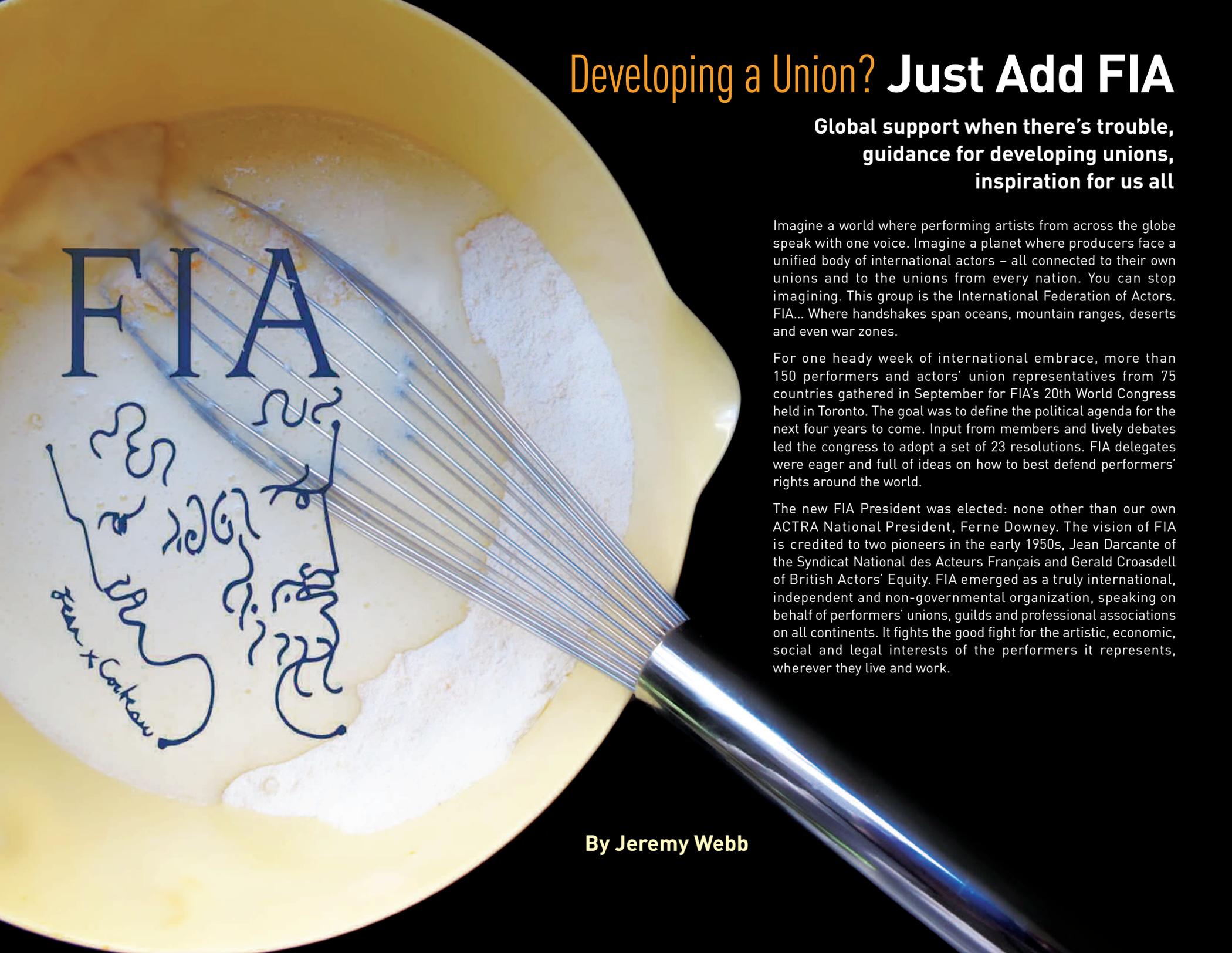
**Global support when there's trouble,
guidance for developing unions,
inspiration for us all**

Imagine a world where performing artists from across the globe speak with one voice. Imagine a planet where producers face a unified body of international actors – all connected to their own unions and to the unions from every nation. You can stop imagining. This group is the International Federation of Actors. FIA... Where handshakes span oceans, mountain ranges, deserts and even war zones.

For one heady week of international embrace, more than 150 performers and actors' union representatives from 75 countries gathered in September for FIA's 20th World Congress held in Toronto. The goal was to define the political agenda for the next four years to come. Input from members and lively debates led the congress to adopt a set of 23 resolutions. FIA delegates were eager and full of ideas on how to best defend performers' rights around the world.

The new FIA President was elected: none other than our own ACTRA National President, Ferne Downey. The vision of FIA is credited to two pioneers in the early 1950s, Jean Darcante of the Syndicat National des Acteurs Français and Gerald Croasdell of British Actors' Equity. FIA emerged as a truly international, independent and non-governmental organization, speaking on behalf of performers' unions, guilds and professional associations on all continents. It fights the good fight for the artistic, economic, social and legal interests of the performers it represents, wherever they live and work.

By Jeremy Webb



While some unions, like co-hosts ACTRA, Canadian Actors' Equity Association and Union des Artistes, sent multiple delegates, there were some representatives traveling solo and for their first time. All performers who enter the FIA arena are welcomed whole-heartedly. Delegates who'd recently battled to make their own countries recognize their very existence were happy to be supported by fellow performers as they were enfolded into the FIA family.

"It's quite a journey that we undergo individually as artists. As performers we share many challenges because the life of an artist is never an easy path. It's a precarious career filled with uncertain work opportunities and fluctuating paycheques; it's built on taking risks, embracing change and reinventing oneself," says the newly elected FIA President Ferne Downey.

Over the week I found time to pull some of the international delegates aside and talk to them about how FIA is supporting, aiding and inspiring their developing unions.

Carlynn de Waal-Smit, Secretary of the South African Guild of Actors (SAGA) smiles as she shares a pun at her own expense, "Well it has been a 'saga' to this point."

She explains how her union came to be, and how as an actor's agent she became secretary of a union. "Because I'm an agent, I have a lot to do with the contracting of actors, knowing their terms and solving the problems they have." After meeting with a producer to discuss repeat fees for artists, de Waal-Smit was challenged from across the table, "If you don't like it, take us to court!" Talk about waving a red flag!" continues de Waal-Smit. "This made me irate to do something about it. The biggest issue facing us was that South African actors were seen as independent contractors, not employees, and therefore cannot unionize. We were in a stalemate for a while. We've only been going at it for two years officially. In August 2010 we formed our first membership in terms of people signing up and paying their dues."

In New Zealand, a long history hasn't necessarily led to stability for the New Zealand Actors' Equity over the past few decades. **Jennifer Ward-Lealand**, President of New Zealand Actors Equity, explains her rocky road, "Equity has actually existed for over 35 years. It was reasonably strong in the '70s and '80s and then it was undone by the employment contracts bill that was passed by the right-wing government

in the early '90s." It was then that New Zealand actors started becoming freelancers. Continues Ward-Lealand, "We lost employee status. Lots of things changed, the union got weaker and weaker. We only had an organizer part time. Eventually we amalgamated into the national distribution union which represents labourers such as shop workers, meat workers, supermarket workers." She raised an eyebrow as she diplomatically commented on that bizarre situation, "With all respect to our brothers and sisters, not a natural fit for us. So in about 2006, the Council of Trade Unions said they would consider taking the actors' equity union under their wing, adding sensibly: 'Only if the actors want it.' The actors voted with an 82% majority and we have since achieved terrific membership gains. We are now at over 500 members."

Vincent Mwemba, Secretary General of the Oruano Namibian Artists Union, also faced challenges from his government. "Being a performer myself, it was not so easy to convince the government to help us," Mwemba tells me over a break at the FIA Congress. "Every time we would go to them for help they would tell us, 'No, you have to go and organize yourself,' and by that time there was no such organization. Every individual artist who had a problem would have to go to a minister. Eventually they said, 'No this cannot be, we cannot help everybody, try to come together and form a body that can speak on behalf of the actors.'" It was while researching the shape of that future union that Mwemba discovered FIA.

Memet Ali Alabora, President of the Actors' Union of Turkey was thrilled to tell me that his union had just become the newest FIA member and was welcomed by the FIA Executive just the day before. In Turkey, the first performers union was founded in the 1950s and made up of actors, opera singers and some theatre workers. Alabora picks up the story, "The film industry saw a union develop in 1963, which included some actors, but it covered all of the workers including directors and everyone. This lasted for two years. Then in 1968 there was the Theatre Workers' Union, which mostly was founded by the actors, but also included other workers, which lasted again for two years. Then came another union for cinema workers again in 1978, which still exists. But the first union solely for actors, for performers, is the Actors' Union of Turkey which was founded in March, 2011."



Jennifer Ward-Lealand,
President of the
New Zealand Actors Equity

*"FIA to us, is like our guardian.
It supports and guides us."*

Ramesh Budhathoki, Chairman of
the Nepal Film Artists' Association



Ramesh Budhathoki and
Memet Ali Alabora, President of
the Actors' Union of Turkey

*(Memet has 400,000 followers
on Twitter!)*

I am surprised by how recent Alabora's union in Turkey has developed. He smiles, sits up tall in his chair and proudly tells me the state of his union: "In just a year we have 1,000 members. We reckon there are 10,000 actors in Turkey, but 7,000 of them actively working. We are working really hard."

It is becoming apparent that these developing unions are facing the same challenges and uphill battles. Their growing memberships are successful because of their representatives' tireless efforts. These delegates have the bit between their teeth and are fueling their fire at this FIA congress.

SAGA's Carlynn de Waal-Smit is attending the Toronto congress to ask for help, "I must tell you that the support for South African performers that we've needed is here. It has been a heartwarming experience." She grins, "I don't know how many people have said 'Thank you so much for coming back to FIA. You've been missed'." I note that de Waal-Smit has a bulldog spirit in her blood, "That's the agent in you?" I venture. She retorts, "I do it in the nicest possible way. I think if I didn't have that attitude SAGA wouldn't exist. We have a huge mountain to climb and I'm up for it. I need a little bit of training and FIA can assist."



FIA Solidarity

The eyes of the world focused on New Zealand recently when Peter Jackson attempted to produce the prequel to *The Lord of The Rings* trilogy, *The Hobbit*, non-union. I point out the irony of the situation with *The Hobbit* (now a trilogy) and its predecessor films, that to the outside world, it seems to indicate the healthiest and most vibrant film industry in the world and yet Ward-Lealand is telling me it's not the case. "It's interesting," she replies. "We keep getting this figure quoted us that the film industry is worth \$3.2 billion to New Zealand and I say then why are we not providing contracts that put us on an equal footing with our overseas counterparts?" She sees her task now, one of many, to continue to lobby for government support and to continue to build a strong performers' community.

While Ward-Lealand doesn't feel the need to rehash the situation, she does speak highly of her brothers and sisters from around the world who spoke out to let it be known that the eyes of the world were on 'Middle Earth.' "The unions from FIA passed a resolution to support us and consequently sent a letter to the producers of that film. There's no doubt that FIA's support achieved gains for us. No doubt," Ward-Lealand says. "Residuals for New Zealand actors on that film weren't even discussed before FIA's letter came. We're incredibly grateful for that. It ultimately got us to the table with the producers for a meaningful negotiation."

Back with Alabora, "The slogan of our union is 'the lead role is the solidarity.'" (I asked the delegate if he would say it in Turkish for me and I have to report that it sounds even better!) "In the end, we are all of the same nation: the arts. We are 'the other' – outcasts of every culture and in every country. We are always 'dangerous'."

For me, Alabora has hit the nail on the head. History has placed the artist as the antagonist, the criminal, and the vagabond. Through our unions and through FIA we gain brotherhood, companionship and strength on a mammoth scale. We become a force for change and good.

Collective Agreements

When I ask Alabora, whether his country has collective agreements in place, his answer is swift, "No. Collective agreement is a very hard case in Turkey, because in Turkey you can only organize a union in sectors. We have 28 sectors and media is not included. The press is a sector but culture is put in with *other* sectors, which includes two-and-a-half million workers. You have to achieve 10% of that two-and-a-half million to have the right to create a collective bargaining agreement." It seems like an impossible task, but again I am inspired by the determination of these representatives of these developing unions. "We are preparing ourselves to achieve collective bargaining not through law, but through our own force." I have no reason to doubt that Alabora will be successful.

Mwemba agrees that FIA is vital, "because it was within FIA where we started discussing the needs of developing unions especially in Africa." He saw the importance of communicating with unions around the world, including Canada, with similar structures. "We looked at how they do their contracts. In our country we did not know how to execute the bargaining

agreements. We looked to Canada and they helped us to come to a point to where we are now stronger when it comes to bargaining."

Our Collective Future

Alabora lays out his plan for the future. "In Turkey the working conditions are incredibly hard. We are working for 16 or 17 hours a day to make a TV series because a weekly TV series is approximately 120 minutes which is shot in five or six days." He sees my jaw drop as I do the math. He continues, "Yes, the working conditions are awful in Turkey and what we are trying to achieve is to make the actor a 'worker' so we can improve working conditions for the actor."

For de Waal-Smit, another mountain to climb is that of collective agreements. "They don't exist. No. What we do have is the body of agents called the PMA, the Personal Managers' Association, they have been very strong since sometime in the 1980s." It means that the PMA are making sure that contracts are adhered to, but these contracts are not union-issued and are over 15 years old. But they are experiencing continual progress. "Two years ago we had an interim board and a year later we held a proper AGM and a board was elected. We're liaising with our membership a lot more and we've divided into work groups where people can talk about our issues." I ask de Waal-Smit what's next on her hit list: "The first thing is a collecting society as we don't have any residuals. Tomorrow I have a meeting with Brad Keenan, Director of ACTRA Performers' Rights Society." I gush, "He's the man. He does so much good work for performers."

One by one, after our conversations, the delegates return to the Congress hall and join their FIA colleagues. They sit shoulder to shoulder, using earphones to listen to the translations while planning their next moves in their own country. They take with them the knowledge that they are not alone and that delegates around the world have their backs. Developing unions face the same challenges and need support.

The members of FIA strive hard to keep alive the spirit of those who have gone before us. Carlynn, Vincent, Jennifer and Memet Ali are watching closely. In a few months' or years' time, they will welcome the next generation of developing unions, explain how they did it and become the 'go-to' team. ★

As newly elected FIA President Ferne Downey says in her introductory address on the FIA website,

"Global solidarity must be the bedrock upon which FIA will continue to build. We will campaign to secure the right to freedom of expression for all performers in all countries. We will resist any power that conspires to work against our best interests. We will pursue our ideals – and make them real."



Jeremy Webb is ACTRA Maritimes' National Councillor and an actor based in Halifax, Nova Scotia. His production company Off The Leash Creative produces touring theatre and film. To find out more go to www.offthelash.ca.



Who's at FIA?

By Jeremy Webb

Your name and country?

Anne Papilloud, Switzerland

Union's name and years in operation:

Syndicat Suisse Romand du Spectacle, 55 years.

What's your favorite memory of FIA 2012 in Canada?

The opening of the Congress with the blessings from Wanda Whitebird and Chief Bryan LaForme. I was moved by their speeches and the blessing. I loved the way Chief Bryan LaForme spoke about their traditions and the need to share, and how they shared the land with the newcomers. A perfect opening for FIA because a lot of our work is about sharing.

What does FIA mean to your union?

FIA means sharing, learning, being able to speak the same language with people from all around the world who all fight for performers' rights. FIA means not being alone fighting in my tiny country. FIA means that "united we are stronger".

Tell us your impression of Toronto and ACTRA

I fell in love with Toronto and it's unique way of being totally "open" and friendly. The Congress was perfectly organized and the people organizing the meetings were all very competent and friendly. I also think that it is very impressive how ACTRA members are proud of their organization. I would love to develop this feeling in my union!

How long have you been involved with your union?

I began working for it 7 years ago.

What does attending the FIA conference do for you personally?

Its "nourishing" to be able to share this time with all the delegates — to learn how they live and work and fight in their countries. It gives me strength and energy. In many countries the situation is tough, yet people are fighting and believing in their struggles and it makes me remember that we are on the lucky side of the world. That's why FIA and its spirit is so important to me.



Anne Papilloud, **Switzerland**

Its "nourishing" to be able to share this time with FIA delegates



Derya Durmaz, **Turkey**

FIA = being connected to the world of actors

Your name and country?

Derya Durmaz, Turkey

Your union's name and years in operation?

Screen Actors Guild of Turkey, founded in 1992.

What's your favorite memory of FIA 2012 in Canada?

The hotel worker union's representatives' participation in our meeting and our decision to support them.

What does FIA mean to your union?

Being connected to the world of actors and feeling their support from all around the world. It is always with you.

Tell us your impression of Toronto and ACTRA.

Toronto is a city that looks American and feels European in terms of the continent and culture. I think ACTRA also has that dual quality which I believe is useful for representing actors from all over the world.

How long have you been involved with your union?

Since 2008.

What does attending the FIA conference do for you personally?

It makes me feel that I'm connected with my fellow actors and trade unionists from all around the world. Having the chance to chair one of the sessions and make a presentation was a privilege. It gave me a chance to present how things are in my country and to make comparisons with the examples presented by colleagues in other countries.



Vladimir Kamen, Russia

We look to FIA as a bulwark of trade union solidarity

Your name and country?

Vladimir Kamen, Russia

I am a Russian national, but, as an official of a regional trade union association I represent my affiliated unions coming from 13 countries of the Caucasus, East Europe and Central Asia (CEECA).

Your union's name and years in operation?

Consultative Council of Cultural Workers' Unions (CCCWU). Set up in January 1992 as a regional trade union association that succeeded the Federation of Cultural Workers' Unions of the (disbanded) USSR. Currently has 13 affiliates in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. Seven of them are also affiliated to FIA.

What's your favorite memory of FIA 2012 in Canada?

There were many memorable points and things. I think what struck a very special note was the greeting from the First Nations. This was, in a way, of double importance to me as a Russian national: first, there is a curious sort of affinity across ages and distances with these people because we know that their ancestors lived in Siberia many ages ago, nations related to them still live there, and their arts and customs are somewhat similar to what we saw in the Congress hall; second, this kind of respect towards the First Nations is an example we in Russia should try to follow in the run-up to the 2014 Winter Olympics which, very much like the 2010 Vancouver Olympics, would be held in places that mean a lot to our local Caucasian First Nations.

What does FIA mean to your union?

FIA affiliates in the part of the world that I come from have looked to FIA as a bulwark of trade union solidarity - a kind of large family that makes sure that "one should never walk alone" - and, at the same time, an important source of expertise and knowledge.

Tell us your impression of Toronto and ACTRA.

I've been in touch with ACTRA close on thirty years by now, and have always been impressed by your Union's efficiency in managing and protecting the rights and interests of its affiliates and of the performers' profession in general. I should add that I was particularly impressed this time by those short promotional ACTRA videos that were shown to the Congress delegates. As to Toronto, as just about every newcomer to this part of Canada, I was greatly impressed by the Nuit Blanche festival and by the Niagara Falls, but, at the same time, I could not help noticing that Toronto and its environs seem to share many of the less pleasant "birthmarks" that large cities in our part of the world - such as Moscow - bear...

How long have you been involved with your union?

Almost thirty years - I started working for the then Cultural Workers' Union of the USSR in 1983.

What does attending the FIA conference do for you personally?

It nurtures a sense of belonging - and facilitates networking and exchange of knowledge and experiences with colleagues from other regions of the world.



Agnete G. Haaland, Norway

We are strong together but weak alone

Your name and country?

Agnete G. Haaland, Norway

Your union's name and years in operation?

Norwegian Actors Equity (NSF) was founded in 1898 and is the second oldest actors equity in Europe.

What's your favorite memory of FIA 2012 in Canada?

The great feeling of solidarity expressed and shared by actors from all over the globe. I loved the people. Everybody was so friendly and open-minded.

What does FIA mean to your union?

It is a vital source of inspiration to us. The solidarity aspect of FIA is important. FIA gives us friends all over the world who help make our work better, easier and more meaningful.

Tell us your impression of Toronto and ACTRA.

I was very impressed by ACTRA's work and the dedication of their members. And I know Ferne will be a fantastic new FIA president. The trip to the Stratford Festival and seeing *Electra* was a memory for life.

How long have you been involved with your union?

I have been a member since I started working as an actress 30 years ago. Everybody must belong to a union. We are strong together but weak alone.

What does attending the FIA conference do for you personally?

It gives me friends for life! And makes my work meaningful. ★

UdA Dreams of a Better World

By Barry Blake

During the FIA Congress, ACTRA National Councillor **Barry Blake** had a chance to sit down with **Raymond Legault**, President of l'Union des Artistes, to discuss some of UdA's work on the Artists' Charter (la Charte de l'artiste).

Here's part of their discussion.

Barry: As a member of UdA, I've followed the development of the Artists' Charter with great interest. I was intrigued to find it presented here at the FIA Congress. Could you give our readers an indication of the process involved in bringing the charter to fruition, and your thoughts on its wider applicability?

Raymond: I'll try to sum it up for you. We've been working on this project for three years now. First and foremost, it's truly the Artists' Charter. It's important to understand that the Artists' Charter is something that is above all other laws.

Barry: Can you elaborate on what you mean by "above other laws"?

Raymond: In Canada, we have the Canadian Charter of Rights and Freedoms, which sometimes conflicts with other laws, and often the courts are called upon to interpret the law, so it's a charter that clarifies other laws. With the Artists' Charter, we are saying that artists have a role and a responsibility, they have duties towards the society in which they live, and society also has duties and responsibilities

towards its artists. Of course, right away we think about funding and things of that nature. But there is also freedom of expression, there is also how artists within a society can contribute to its development. It starts from the assumption that the artist's role in society, while maybe not a primordial role, is an essential one.

Barry: I certainly agree with you there.

Raymond: And another thing I've come to realize is that there are a lot of our members, especially among the younger ones, who are looking to clarify their role, who are asking exactly what their role is. We spoke with them, of course, but we also brought together all kinds of people, not just performers, but artists in the broadest sense: authors, designers, artists in the visual arts. We refer to them as the charter's 'pilgrims.'

Barry: I remember reading your passionate description in the UdA newsletter of the weekend orientation conference, 'The union of ideas!' held in May 2012. It was an impressive feat, bringing some 280 artists together to discuss the role of the artist in society and to draft a document reflecting their deliberations. What was the next step in your process?

Raymond: After we gathered their input, we set up a small committee and proceeded to do some 'pruning,' because everyone wanted to be included in this charter: women wanted to have a presence, as well as children, people with disabilities, but we said no, artists come in a wide variety of forms. They can be female, male, they can be disabled, they can be black, Asian. It doesn't matter, what it boils down to is that they are artists. An artist is someone who devotes, within their own means, the majority of their life to their art. We know that it's not always possible because they can't always make a living at it. But, it's someone who has made a commitment to an art and who is trying to make it the focus of their life. We then asked a lawyer, a constitutional expert, to put all this in more legal terms and the result was the 37 articles contained in the Artists' Charter, and these articles are the starting point for a discussion. Instead of just saying, "It would be good to have a charter," we really laid the groundwork. We said here's a project that we could continue to improve upon. When we gave the congress an idea of what had been created, they said yes, we agree with the principles and keep working on it. At UdA, we decided to present the draft document to our members at a general membership meeting.

We also brought together all kinds of people, not just performers, but artists in the broadest sense: authors, designers, artists in the visual arts. We refer to them as the charter's 'pilgrims.'

— Raymond Legault, President of l'Union des Artistes



Barry Blake (left) with Raymond Legault, President of l'Union des Artistes

Barry: And is this the same document you are proposing to FIA?

Raymond: More or less. It's based on ours and on other drafts as well, on other charters that were written, documents and manifestos of the International Federation of Musicians (FIM) and FIA. There are other documents, too. UNESCO took similar action in 1997; Brazil did some work along these lines in 2008 and Scotland in 2004. So on that basis, what we're suggesting to FIA is that they establish a committee that will review all that and try to amalgamate the interests of all parties and give it the appropriate wording so that it becomes a FIA document that defines

the role, responsibilities and status of the artist in society and vice-versa.

Barry: Bravo, Raymond. Thank you for taking the time to fill us in on this very worthwhile initiative. ★

Barry Blake has acted in film, television and on the stage for almost 35 years. A committed trade unionist and activist, he is Ottawa's representative both on ACTRA's National Council and on the National Executive, and has a particular interest in arts policy, lobbying and political action. As a member of both ACTRA and l'Union des artistes, the bilingual Ottawa native has a personal perspective on and interest in the policy initiatives undertaken by both unions.

Attention ACTRA/UdA dual members:

If you are a full member in good standing of both ACTRA and Union des artistes, you can now select the union of your choice to administer your fringe benefits (I&R). Once your selection has been made, all of your fringe benefit contributions and deductions, regardless of under which union's jurisdiction the work occurs, will be directed to your selected plan. Dual card members can refer to the FAQ section at actra.ca or contact your union of choice with any questions. Dual members have the option of sticking with the status quo by simply not completing the form you received in the mail. ACTRA and UdA have come together to make this offer to dual carded members to help improve your health and welfare as it pertains to insurance coverage and retirement planning.



FIA Latin America delegates raise a glass at the FIA opening reception at the Ed Mirvish Theatre. They have a strong interest in the role, responsibility and status of the artist in society and society's corresponding responsibility to the artist.

L-R Sula Kryriacos Mabrudis (SATED/MG Brazil), Maria Veronica Do Nascimento Gomes (President of Brazil's SATED/ES), Sergio Mautone (President of SUA, Uruguay), Luis "El Turco" Ali (General Secretary of AAA, Argentina), Carlos Enrique Victoria Alvarez (General Secretary, SAIP Peru).

Photo: Jag Gundu

Leading Women



An inspiring "2-in-a-room" interview with Roberta Reardon, Co-president of SAG-AFTRA by Heather Allin

Then-AFTRA National President Roberta Reardon at the podium during the union's last National Convention in July 2011. Photo: Rowland Photography

While U.S. labour unions were under conservative fire, **Roberta Reardon** campaigned hard as the National President of the American Federation of Television and Radio Artists, to create a single performers' union in the United States of America. The merger was approved in March 2012: 86% by AFTRA members and 82% by SAG members. At the 2012 International Federation of Actors (FIA) World Congress in Toronto, I had the opportunity to chat with Roberta, now the Co-President of SAG-AFTRA, representing over 160,000 performers in the U.S.

Heather Allin: Let's talk about the landscape for performers around the world and why FIA is important for all of us.

Roberta Reardon: FIA is an amazing international organization that was established to give us the opportunity to talk openly, as professional performers, about our collective issues. Producers are moving around the world to create art and many of them are big international companies. As part of FIA we work together to flag producers who look to find creative ways to get away from working with unions. We let everyone know that no matter where we work, we go there with the protection of our union.

Heather Allin: ACTRA Toronto holds member conferences twice a year, and at the last one I was approached by a new member who said, "Today I realized that being a member of the union means that I am not alone." Can you share some advice with our members on the importance of our performer unions?

Roberta Reardon: It's critical to connect with our members. We need to empower them to speak up for themselves as artists. Wherever I go, I speak about why a labour union for artists is the only way that we can have some security and be respected as

professional workers. In my country, if we didn't have labour unions for performers, we'd all be hobbyists. Somebody may or may not pay us well, but we would never have any ability to control our image or control our worksite. Companies are getting big and making a lot of money. They have so much control. If we didn't have labour unions to protect us it would be a disaster for everybody.

Heather Allin: How do you handle the anti-union sentiment in the U.S.?

Roberta Reardon: I remind everyone that union rates hold up all of the other rates. The United States is currently experiencing an anti-union period because [union] density has gotten so small that people who don't have protections are looking at what union workers have and saying, "Why should you have a defined benefit pension? Why should you have work rules on set?" and "How come you get to tell employers how much they pay you?" I simply say, "You can have it too." And I remind them that if union rates go down, we all sink together.

Heather Allin: When given the opportunity, how do you suggest that we promote our unions?

Roberta Reardon: Unions are actually community partners, but good news stories rarely make it in the headlines. The U.S. postal workers host a national food bank drive every year, but not everyone knows this. It is a hugely successful program – and given the rising level of poverty in the United States, it's a critical initiative. As union workers we should talk about the good work that we do. We need to help people understand that we're not trying to prevent anyone from working. We want them to join us, raise their standards and help set agendas for everyone to aspire to. A unionized workforce spends money in its

community, raises the tax base and improves the working conditions for other people.

Heather Allin: Many performers of both genders, but in particular a lot of young women, say to me, "It's really fantastic that you are our president." How do you nurture the next generation of women activists?

Roberta Reardon: There's a great quote from former Secretary of State Madeleine Albright, "There is a special place in hell for women who don't help other women." In leadership roles women do face challenges in our society. I know 'we've come a long way baby,' but there's still a lot of impediments to deal with. I think many women are still comfortable taking the secondary role or being the support person. I tell them not to be afraid of their power. We are all attracted to powerful people and women have the ability to enjoy their power. But you have to be thoughtful about it. I encourage women in leadership positions to reach out to other women to mentor them. Talk to them and help them acknowledge that it's something they want to do.

Heather Allin: Let's talk about the SAG-AFTRA merger. Why was it the right thing to do?

Roberta Reardon: A single performers' union can bargain more effectively, adapt quickly to changing landscapes and aggressively organize new areas of work. We can merge our health and pension plans. Much of the need for us to create one union was driven by technology. It used to be that SAG covered film and AFTRA covered video and live performance. In the early part of the 2000s we saw traditional film stock usage declining and original content being made on digital formats for basic cable. Until 1999, there were no original dramatic shows on cable — just re-runs and syndications. But as the cable world expanded we started to work on dramas for



They met for the first time at FIA Congress, but Roberta Reardon and Heather Allin talked as if they had known each other for a long time. They are both leaders who stepped up to serve their respective unions and are both women who have made a difference. Photo: Jeremy Webb

HBO, Showtime, A&E, Bravo, TNT... these screens all needed content.

Heather Allin: How is vertical integration changing the landscape?

Roberta Reardon: In 1989 there were 80-some major producers in film and television, there are now six. They have bought each other up. You have ABC Disney reporting the evening news, airing the morning radio drive show, recording music and audio books, shooting the music videos and the night and daytime dramas, producing interactive games and theatrical films — it's all being produced by the same employer. So why would you want to have two separate unions covering all these areas of jurisdiction? People began to say "Wow, all the things you told us about... It's here, it's all about technology." I have taken part in a lot of negotiations and when I walk in those rooms I literally see all the same faces. It doesn't matter if it's broadcast news for a flagship station in New York or if it's nighttime television — it is the same person. 'Power and leverage' was the driving force of our merger campaign. Now, when we go



L to R: SAG-AFTRA New York Local President Holter Graham, SAG-AFTRA member Marcia Strassman, then-AFTRA National President Roberta Reardon and SAG-AFTRA member Morgan Fairchild rally in support of UNITE HERE workers in July 2011 at the Westin Seattle. AFTRA suspended its National Convention to join the UNITE HERE hotel workers who were in the midst of tough negotiations with their employer. Photo: Rowland Photography

to the table, we will have a unified presence and will tell our employers that our members are with us.

Heather Allin: Do you have any last words of advice for our members?

Roberta Reardon: It's an exciting time to be an activist and I encourage people to take part in your union in a meaningful way. To remember that it's a long term strategy. And it doesn't mean you have to run for president or council, but engage and pay attention. A union is only as strong as its members. We can have wonderful branding and beautiful buttons, but if we don't connect with our union, we're dead. Pay attention, get involved, talk to people even if it is on a set, stay informed and vote with worker awareness in mind. ★



Heather Allin is an ACTRA National Councillor and the Past President of ACTRA Toronto. She is both a board and founding member of the Creative Arts Savings and Credit Union. Heather's screen credits include *Small Town Murder Songs*, *Stone Cold*, *Welcome to Mooseport* and *Flashpoint*.

Roberta Reardon is the Co-President of SAG-AFTRA. From 2003, Roberta was the AFTRA New York Local President and AFTRA National Second Vice President, then served three terms as National President of the American Federation of Television and Radio Artists. Since 2009, Roberta has served as Vice President of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), the largest federation of unions in the United States. The AFL-CIO is made up of more than 55 national and international unions representing more than 12 million workers. SAG-AFTRA signed on to the AFL-CIO national charter in August 2012.



ACTRA Maritimes Awards

ACTRA Maritimes celebrated their annual Outstanding Performance awards event on December 2 in Halifax at their Holiday Party. **Deborah Allen** took home the award for her role as Brenda Meserve in the Stephen King made for TV movie *Bag of Bones* and **Rhys Bevan-John** was awarded for his performance of Will in the feature film *Roaming*. The jury of industry professionals included filmmaker and writer **Chaz Thorne**, actor and 2011 ACTRA Maritimes award winner **Marguerite McNeil**, filmmaker and educator **Sylvia Hamilton** and CBC radio producer **Peggy Hemsworth**. The jury screened a record number of submissions before selecting the four nominees in each category. It was a banner year for Maritime film and television production so the race was a tight one, with many fine performances.



ACTRA Maritimes President Sherry Smith with award winners Rhys Bevan-John, Deborah Allen and ACTRA Maritimes, VP Geneviève Steele.

Photo: Chris Cuthbertson

From Coast to Coast Your Efforts ARE Noticed!

APPLAUSE

ACTRA Awards in Manitoba

Manitoba performers celebrated their own on September 15, 2012, at the first annual ACTRA Manitoba Awards. 200 members, family and friends walked the red carpet to celebrate Manitoba's best and brightest and were entertained by the ACTRA Gala Glitz Dancers and Singers. **Kristen Harris** took home the Outstanding Performance by a Female Artist award for her role in *Passionflower* and the winner of Outstanding Performance by a Male Artist went to **Mike Bell** for his role in *Lucky Christmas*. The Wayne Nicklas Award for Outstanding and Ongoing Contribution to ACTRA Manitoba was presented to **Rick Skene**, Manitoba's preeminent stunt coordinator. This inaugural award recognizes very special contributions to ACTRA Manitoba and it keeps alive the memory of one of ACTRA Manitoba's most beloved members.



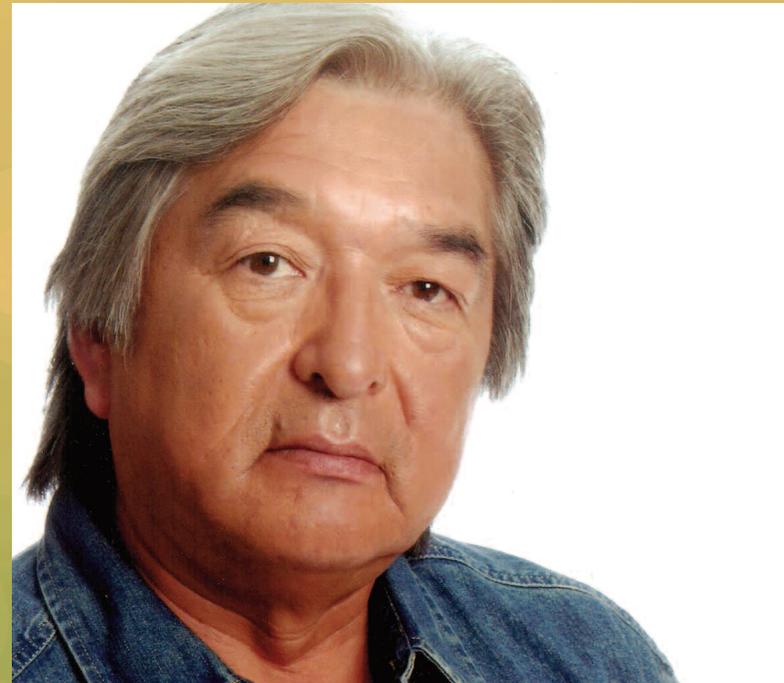
ACTRA Manitoba President Talia Pura (centre) with Outstanding Performance Winners Mike Bell and Kristen Harris. Photo: James Smith

Saluting Playback's

Hall of Fame Inductees

The Playback Hall of Fame red carpet induction ceremony was held on Sept. 21, 2012, at the CBC's Glenn Gould Studio in Toronto. The 2012 inductees are: **Piers Handling, Graham Greene, Colin Low, Rene Malo, Bob Culbert** and **Jackie Burroughs**. **Sarah Polley** received the Deluxe Award for Outstanding Achievement and **Sarah Gadon** received Playback's Breakout Award.

Playback's Canadian Film and Television Hall of Fame launched in 2007 with the goal of celebrating Canada's amazing talent and sharing the stories of our industry's founders. ACTRA has been a founding sponsor.



APPLAUSE

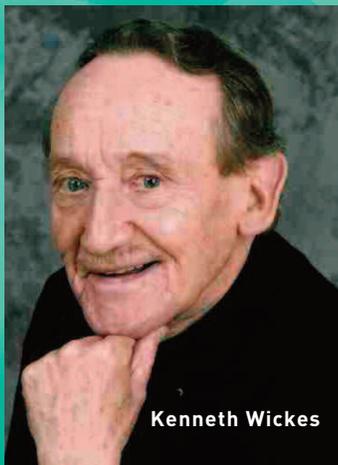
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The UBCP/ACTRA Awards!

UBCP/ACTRA's first annual awards gala was a huge hit among its close to 400 guests. The star-studded, red carpet event honoured performers from across the province. **Camille Sullivan** won the Best Actress Award for her work in *Sisters & Brothers* and the Best Actor Award went to **Stephen Lobo** for his star turn in Mike Clattenburg's *Afghan Luke*. The Best Newcomer Award went to **Kacey Rohl** for *Sisters & Brothers* and the Best Voice Award went to **Andrea Libman** for *My Little Pony: Friendship is Magic*. The Best Stunt Award went to **Phil Mitchell** for *True Justice - Urban Warfare*. The John Juliani Award of Excellence was presented to stunt performer and fight choreographer **Melissa Stubbs**, honouring her 25 years of work in the action genre. The Lorena Gale Woman of Distinction Award was presented to **Carol Whiteman** for her work to promote women's equality in the Canadian film industry.

Kenneth Wickes Receives Queen Elizabeth II Diamond Jubilee Medal

Actor **Kenneth Wickes** has been awarded the Queen Elizabeth II Diamond Jubilee Medal in recognition of his 50-plus years of service to Canadian performers. He has been honoured for his tireless work on behalf of Canadian performers including his contributions to AFBS, CAEA, the Actors' Fund of Canada and the Performing Arts Lodge. The medal was presented to Kenneth at Regent Park Arts and Cultural Centre on October 16, 2012. We also applaud **Justin Bieber, Gregory Charles, Marina Orsini** and **Lenore Zann** who are among our members that received the Medal.



Kenneth Wickes



Andrea Libman



Camille Sullivan



Phil Mitchell



Stephen Lobo

Photos: Ben Nelmes

Sarah Gadon Named WIFT-T's international Crystal Award Winner

Sarah Gadon received the 2012 Crystal Award for International Achievement from Women in Film and Television – Toronto, in recognition of her body of work in Canada and abroad. Also named one of Playback's 10 to Watch in 2011 and winner of Playback's 2012 Breakout Award, Sarah has performed in David Cronenberg's *A Dangerous Method* and *Cosmopolis*, Mary Harron's *The Moth Diaries* and *World Without End*, the miniseries based on Ken Follett's novel, which aired on Showcase and Global.

In her spare (!) time this year, Sarah also sat on ACTRA's Independent Production Agreement Negotiating Committee, working long hours to help secure a strong, new agreement for ACTRA performers. Thanks Sarah!

Sarah Gadon accepting her International Achievement Award.

Photo: Eduardo Pereira



Shirley Douglas to Receive ACTRA Toronto's 2013 Award of Excellence

On February 23, **Shirley Douglas** will be honoured by ACTRA Toronto for her inspiring work as a performer and for her unwavering activism and outstanding service to ACTRA. She is an officer of the Order of Canada, received Women in Film and Television – Toronto's Crystal Award in 2009 and was presented with ACTRA's Bernard Cowan Award in 2011. In 2010 she was honoured by ACTRA's National Women's Committee on the occasion of International Women's Day.

Shirley began her stage and television career in England and has performed in the U.K., Canada and the U.S. She is known to Canadians for playing May Bailey on the long-running television series, *Wind at My Back*, a role for which she received a Gemini nomination. She won a Gemini for *Shadow Lake* and was also nominated for *Passage of the Heart*.

Shirley spearheaded the protection of child performers through ACTRA's agreements and continues to be a leader in ACTRA's fight for Canadian culture.



Shirley Douglas

Celebrating The Beachcombers!

We applaud an industry milestone: 2012 marked the 40th anniversary of *The Beachcombers*. This internationally loved show first aired on the CBC in 1972. Stars included **Bruno Gerussi, Pat John, Robert Clothier, Jackson Davies, Rae Brown** and **Bob Park**.

Jackson Davies, Vice-President of ACTRA/UBCP and beloved as RCMP Constable John Constable has published a book on the anniversary, "*Beachcombers at 40*".



Beachcombers stars Robert Clothier as 'Relic', Jackson Davies as 'Constable Constable' and Bruno Gerussi as 'Nick Adonidas'.

Photo courtesy of CBC Still Photo Collection/David Gray

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We Remember

Winston Rekert

1949-2012

The last time I 'loved' being on stage was in *The Seahorse*, a two-hander with Winston Rekert. At the end of the run we threw our dressing room chairs into the ocean so no one else would ever sit on them again. He was a huge part of my early years in theatre and my entire family loved him... my Mom and Dad, both sisters and my brother. He was in the inaugural season of *Persephone*, a theatre we started over 40 years ago. His empathy was huge. He could peg a person on sight. He was an eternal brat but you never felt like grounding him, and couldn't wait for the next awful thing he was going to do to you, on or off stage. He taught me to love John Prine, Willie Nelson and Joe Cocker. His laugh was unforgettable and damn was he handsome! I am only one of many who adored him and always will.

He will remain in the hearts of those dearest to him: his wife Lidija, her daughter Sara, his son Dylan and fiancé Meryl, his son Carson and their mother Pat.

Janet Wright



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Publishes First Annual Report

Your understanding and awareness of everything that ACTRA PRS does for you is critical. The 2011-2012 annual report provides a complete financial overview as well as our notable achievements.

ACTRA's PRS annual report is available as an easy-to-read flipbook at actra.ca.
Check it out.

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