

Alberta Media Fund

SCREEN-BASED PRODUCTION GRANT

PROGRAM GUIDELINES

Application Deadlines:

March 31

July 31

November 30

Alberta  Culture and Tourism

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1. Program Overview

This grant program under the Alberta Media Fund (AMF) supports the growth, sustainability, competitiveness, and business attraction of Alberta's screen-based production industry by providing incentives to eligible production companies that produce films, television series, documentaries, and other eligible screen-based productions in Alberta. The purpose of the grant is to provide economic and industry development benefits to Alberta by supporting and encouraging screen production (and the resulting production expenditures) in Alberta.

1.1 Program Objectives

The objectives of the **Screen-based Production Grant** are to:

In establishing the Screen-based Production Grant, the Government of Alberta recognizes that both small and large budget screen productions and production activity contribute to Alberta's economic development by providing valuable economic, employment and skill development opportunities for the Alberta screen production industry.

2. Grants Available

The Screen-based Production Grant offers a grant of up to 30 per cent of Eligible Alberta Production Expenditures.

The annual program budget will be allocated over three intake periods to two distinct funding envelopes and used to encourage companies to produce film projects in Alberta and help create and maintain film industry jobs in the province.

The Cultural Envelope supports grant requests up to \$3 million and the Commercial Envelope supports grant requests greater than \$3 million, up to \$5 million, with a cap increase of up to \$7.5 million available for a small number of eligible productions.

For each funding envelope, there will be two tiers distinguishing between those that are Albertan (Albertan ownership is 50% or greater) and those that are Non-Albertan (Albertan ownership is less than 50%).

The total annual allocation is broken down as follows:

| Funding Envelope Breakdown | | |
|--|--|--|
| | Tier One: Albertan 50% or Greater Albertan Ownership | Tier Two: Non-Albertan Less than 50% Albertan Ownership |
| Commercial Envelope Grant requests greater than \$3 million | Grant Percentage = 29% or *30% Max grant = \$3 million | Grant Percentage = 25% or *26% Max grant = \$3 million |
| Cultural Envelope Grant requests less than \$3 million | Grant Percentage = 29% or *30% Max grant = \$5 million (cap increase to \$7.5 million available) | Grant Percentage = 25% or *26% Max grant = \$5 million (cap increase to \$7.5 million available) |

**For productions where a minimum of 35 per cent of off-screen crew are made up of individuals that self-identify as females or members of an underrepresented or marginalized group, an additional one per cent additional funding will be granted.*

Note: If funding envelopes are not fully subscribed during their intake period, funds may be re-distributed between envelopes and/or rolled over to the next intake period in the fiscal year.

Note: 50 per cent of the budget in the Cultural Envelope will be reserved for Tier One Projects.

Note: Starting in 2020-21, 50 per cent of the funding allocation under the Commercial Envelope will be reserved for productions with Albertan ownership.

3. General Information

These Guidelines are for the information and convenience of applicants to the Screen-based Production Grant. They provide an overview of the objectives of the Screen-based Production Grant and the manner in which the program is administered. Compliance with these Guidelines is a pre-requisite to eligibility for Screen-based Production Grant funding.

Pursuant to the Community Development Grants Regulation, the Minister is empowered to make grants to a person or organization for purposes related to any program, service or other matter under the administration of the Minister.

The Minister of Culture and Tourism has full discretion in the administration of programs supported through the Alberta Media Fund (AMF) and in the application and interpretation of these Guidelines to ensure funding is provided to those projects that contribute to the fulfillment of program objectives. In all questions of interpretation of these Guidelines, the interpretation of the Minister will prevail.

The Minister may also vary the eligibility requirements for a grant, the purpose of a grant or a condition on which a grant is made.

Projects that are approved for Alberta Screen-based Production Grant funding are subject to the Guidelines in effect at the date of grant approval. To be clear, changes to Guidelines and/or policies will not apply retroactively, unless specifically stated.

These Guidelines may be changed or modified as required, without notice. Please consult the AMF website at: www.albertamediafund.ca for the latest Guidelines and documentation.

It is the responsibility of the applicant to ensure that the AMF receives all relevant documentation, and to update such documentation and information after a material change. The AMF may request other documentation and information to conduct an assessment and evaluation; however, the AMF reserves the right to rely solely on the written and audiovisual materials initially submitted by the applicant.

If, at any time, an applicant provides false information or omits material information in connection with an application, as required by the Guidelines or as requested by the AMF, the Applicant may face consequences, including:

Any applicant receiving approval for funding will be required to sign a legally enforceable grant agreement, which includes further provisions concerning misrepresentations, defaults, and related matters. Grant recipients are advised to review their grant agreement carefully prior to signing.

The Minister reserves the right to not provide a grant to any companies, applicants, related, associated or affiliated companies and individuals who have received funding in the past and have been in breach of the associated funding agreement.

4. General Eligibility Criteria, Conditions and Limitations

Projects that have received funding from the Cultural Industry Organization Project Grant Stream of the Alberta Media Fund (AMF) or from the Alberta Foundation for the Arts are not eligible for Screen-based Production Grant funding.

4.1 Organization Eligibility

Eligible organizations must be engaged primarily in film, television, and digital media production and demonstrate that their main activity is the creation of film or video productions available for public viewing.

All applicants must be incorporated in Alberta under the *Business Corporations Act*, registered as an extra-provincial company in Alberta and/or continued as an Alberta company through a Certificate of Continuance and be in good standing with the Corporate Registry. Good standing refers to an annual return, and any other required documentation, being filed regularly when due. Applicants must remain in good standing for the entire period of the grant agreement.

In order to be eligible, applicants must adequately demonstrate that principal photography on the project has commenced no more than 180 days prior to the submission of the application or will commence no later than 180 days following the application deadline. Failure to confirm principal photography within these parameters could result in rejection of an application.

Recipients must also be in good standing in all respects with the AMF by having no outstanding or overdue reporting documents in relation to any other grants received. Further, should the applicant have any outstanding disputes in any other jurisdiction, the Minister reserves the right to reject their application.

4.2 Project Eligibility

Eligible projects must be new productions, no repackaging of previously completed projects will be considered. A project is defined as a segment of content intended for broadcast or distribution and may include a single production or a series of related productions that are produced or air over a common time period.

Genres of production and platforms NOT eligible for funding are:

The AMF will consult with the Canadian Audio Visual Certification Office (CAVCO) and the Canada Media Fund in interpreting ineligible genres.

The amount spent in Alberta for the project (Eligible Alberta Production Expenditures) must be greater than \$50,000 (before GST).

4.3 Financing and Commercial License Agreement Requirements

At the time of submission, applicants seeking production funding must provide written evidence of a commercial license agreement and evidence of 75 per cent confirmed financing for projects with budgets of \$1 million or greater, and evidence of 50 per cent confirmed financing for projects under \$1 million. Screen-based Production Grant and federal tax credit calculations may be included as part of the confirmed financing. A commercial license agreement is defined as an agreement issued by a third-party entity whose primary business is broadcasting, distributing or disseminating film, television or digital content to the public, and who is able to demonstrate a track record of such enterprise. A commercial license agreement does not require a license fee; however, agreements in which the applicant has purchased airtime will not be eligible.

To meet the confirmed financing requirement, at the time of the application the applicant must present documentation that adequately demonstrates the funds available to the production.

5. Specific Eligibility Requirements and Funding Levels

For the purposes of this grant, eligible applications will be assessed as either a Cultural or a Commercial production, based on their total grant request, and scored against a set of economic and cultural evaluation criteria. Both the funding envelope (cultural vs commercial) and the total score will determine the level of funding that is granted to eligible projects.

5.1 Tier I Eligibility Requirements and Funding Levels

Tier I specifics include:

5.2 Tier II Eligibility Requirements and Funding Levels

Tier II specifics include: **maximum of 26 per cent total funding.**

5.3 Levels of Ownership

****The level of ownership in a production will be determined:**

In cases where a production does not meet the minimum required Albertan Heads of Department for their tier, 0.5 per cent will be deducted from the recommended grant percentage for each Head of Department below the minimum requirement.

In the event there is an issue not covered by the published criteria, the Minister shall ultimately determine whether an applicant has satisfactorily established the degree of "Albertan ownership of production."

"Albertan" means a lawful resident of Canada for the purposes of the *Income Tax Act* (Canada) who:

Applicants may request that individuals be considered Albertan if they have filed an Alberta Tax Return in any of the 4 prior taxation years. Only those individuals approved in an advance ruling will be considered.

Although an application may meet eligibility criteria set out herein, the decision to fund a project will be in the sole discretion of the Minister. Each project will be assessed on its own merits. Funding of a project will not result in a commitment by the Minister to fund future projects of a similar nature.

6. Head of Department Positions

The 19 eligible Head of Department positions recognized by the AMF for the purposes of determining eligibility status are:

6.1 Performers and Trainees

Trainees must:

Except for performers and trainees, to be considered an eligible Head of Department position, the individual must receive the highest onscreen credit awarded to that position for that production.

Performers and trainees must receive an appropriate industry standard onscreen credit. For trainees without an onscreen credit, the AMF must receive a signed copy of a reference letter from the Head of Department responsible for overseeing the training. It is recommended that the Head of Department is advised of this requirement before production.

To be considered an eligible "Albertan performer in a lead or supportive role," the individual must meet the following criteria:

- "Principal Actor" means a performer engaged to speak or mime six or more lines of dialogue, or an actor engaged to perform a major role without dialogue. A line of dialogue means a line of script ten words or less, including directed but unscripted dialogue".
- be in the top seven performer contracts issued for one performer
- be in the top eight performer contracts issued for two performers, or
- be in the top nine performer contracts issued for three performers.

In the case of narration or voice-over performances, the Alberta performer's engagement must be one of the top three performer contracts issued in terms of recording days worked.

In the event that a Head of Department position is shared by more than one individual, provided one of the individuals is Albertan and the onscreen credit is shared equally, the position will still be considered as one Albertan in a Head of Department role.

If one Albertan serves in multiple Head of Department positions, it will be considered as a single Albertan Head of Department, regardless of the number of eligible Head of Department positions they hold.

7. Eligible Alberta Production Expenditures

7.1. Goods and Services

Eligible costs generally include all expenditures where goods or services are purchased and consumed in Alberta. For goods or services to be considered eligible Alberta costs, the items must meet the following criteria:

www.albertamediafund.ca

Note: Goods or services cannot be purchased from an Alberta company who has sub- contracted the procurement of the goods or services to out-of-province individuals or organizations.

7.2 Labour

For labour costs (i.e., wages and benefits) to be considered eligible Alberta costs, the payments must meet the following criteria:

www.albertamediafund.ca

Note: The individual(s) must provide a signed Individual Residency Declaration that can be found at: www.albertamediafund.ca

If the expense is not listed on the Eligible Alberta Costs Worksheet, or was not purchased and consumed in Alberta, the grant recipient must obtain permission to include the expense as an eligible Alberta cost. This includes goods or services that are essential to the production but are not available in Alberta.

7.3 Other Cost Limitations

A number of expenses have further eligibility requirements and limitations as follows:

| Expense Item | Requirement / Limitation |
|---|--|
| Travel | Travel is considered an eligible Alberta cost only if the origin AND destination are within Alberta provincial borders. Air travel to destination outside of Alberta is eligible only if it is for an Alberta crew contracted by the grant recipient to perform a service essential to the production. |
| Insurance | Insurance should be prorated to the number of Alberta production days, alternatively insurance purchased from an Alberta based company will be considered. Insurance costs not pro-rated at the time of submission for out of province shoots may be deducted from the final grant amount. |
| Salaries/Fees to Producers in Head of Department Positions | Reasonable salaries and fees may be claimed for producers who are also engaged in Head of Department positions. The total salaries and fees for Head of Department position services payable to producers engaged in Head of Department positions will be capped at 20 per cent of the budget. |
| In-kind Contributions | Ineligible |
| Deferrals (excluding producer fee) deferrals) | Ineligible |
| Capital Items | Ineligible |
| Expenses directly associated with a live performance, awards show or sporting event | Ineligible |

Producers may claim reasonable fees for a maximum of three Head of Department/performer positions. In these instances, total fees for Head of Department/performer services payable to producers also employed in Head of Department positions will be capped at 20 per cent of the budget. Costs must be consistent and competitive with industry standards.

7.4 Related Party Cost

Related Party Transactions may be included as eligible Alberta expenses at the exchange amount up to a maximum of fair value. However, to be accounted for at exchange value, the expenses must meet the following criteria:

Two categories of Related Party Transactions are recognized for the purpose of the eligible Alberta expenses: www.albertamediafund.ca
The cost of labour (i.e., salaries or fees) for individuals hired by a Related Party and allocated, in whole or in part, to the applicant for the project must correspond to the actual amount paid to the individual and be in accordance with the employment or engagement contract signed with the employer. Related Party Labour costs must correspond to the actual cost for the period of time worked on the project. If personnel worked on more than one project for a Related Party and is paid by the Related Party, there must be appropriate documentation showing the amounts charged to all projects. Goods and services provided to the applicant by a Related Party may be accounted for at the exchange amount up to a maximum of fair value.

The Alberta Media Fund staff reserve the right to revise the calculation and eligibility of these Related Party costs in any cases of abuse of application or if deemed unreasonable.

8. Increase to Per-Project Cap

Some productions may be eligible for an increase to the total maximum per-project grant under the Alberta Screen-based Production Grant from \$5 million to \$7.5 million.

In order to be eligible for the increase to the per-project cap, productions must demonstrate significant economic and promotional benefits to Alberta by scoring a minimum of 10 out of 15 available points in the Cap Increase Evaluation Criteria.

Increases to the cap will be awarded based on total application scores (including Cap Increase Evaluation Criteria scores), which are allotted based on the evaluation process with the highest scoring applications receiving priority.

If eligible cap increase requests exceed available funding in a tier, a reduced grant amount may be recommended, pending budget availability.

9. Assessment and Evaluation

9.1 Intakes and Deadlines

Application deadlines will occur 3 times a year. Applications and support materials must be received by 11:59PM on the deadline via the online application system. If the application deadline falls on a statutory holiday or a weekend, the deadline will be extended to the next working day at 11:59PM. Faxed, emailed, or incomplete applications will not be accepted, unless otherwise stated. The application deadlines are as follows:

Applications will be accepted on the online portal starting 60 days prior to each application deadline.

9.2 Assessment Process

Once the AMF receives an application, it will be reviewed for completeness (as per the checklist at the back of the application form). If the application is incomplete by the application deadline, it will be assessed as ineligible.

All complete applications received by the deadline will be screened for eligibility.

Once the eligibility assessment is complete, the applicant is sent a letter confirming whether they were eligible or ineligible to be considered for funding.

The date of this letter marks the close of all files for ineligible applications and the beginning of the assessment process for eligible applications.

The acknowledgement letter will confirm the envelope and tier under which the application will be evaluated.

If necessary, program staff will contact the applicant to obtain further information about the application, production or applicant. A delay in providing further information on request may impact processing time.

9.3 Evaluation Process

Applications will be evaluated using a set formal scoring process. Each eligible application will be reviewed against economic and cultural benefit criteria.

Applicants requesting an increase to the per-project cap to \$7.5 million will be evaluated and scored on the additional cap increase evaluation criteria.

Cultural, Economic and Cap Increase Evaluation Criteria can be found on the program website at: www.albertamediafund.ca

Funding will be awarded per tier, based on application scores, with highest scoring applications receiving priority.

If grant requests exceed available funding for a funding envelope and there are multiple high scoring applications under consideration, grant requests may be recommended at a reduced amount, depending on available dollars. In the event grant applicants are recommended to receive a reduced grant amount, they will be contacted to confirm whether or not they wish to proceed before a reduced grant recommendation goes forward for approval.

9.4 Notification

The Minister has full discretion in the application and interpretation of these guidelines to ensure that funding is provided to those projects that meet the intent and objectives of the AMF.

Program staff will evaluate applications based on eligibility criteria and prepare recommendations for the Minister and/or authorized representatives based on the evaluation criteria.

All grant recommendations are reviewed and approved by the Minister and/or authorized representative.

Applicants will be notified in writing of the result of their application and/or funding status.

Upon approval of a grant, a letter of intent and grant agreement are issued to selected applicants with eligible projects. The grant agreement includes notification of required project deliverables and reporting requirements.

All funding decisions are final and appeals will not be accepted. However, applicants are able to request their scoring sheet and seek feedback on their proposal and reapply in the next intake.

9.5 Payment of Grants

Grants will be paid in two installments based on the following:

| Payment Schedule - Grants less than or equal to \$3 million | |
|---|---|
| Payment Trigger/Reporting Requirement | Grant Percentage |
| Installment payment 1 will be paid upon confirmation of completion of principle photography and delivery of a report of production costs to-date as well as final call sheets. | 50 per cent of total approved grant. |
| Installment payment 2 will be paid upon project completion and delivery to AMF of Final DVD, Production Cost Report (accompanied by audited production costs statement, review engagement report, or statutory declaration, depending on total project budget) but no sooner than the subsequent fiscal in which instalment payment 1 is scheduled for payment. | Remaining balance of total eligible grant per final Alberta cost calculation. |

| Payment Schedule - Grants greater than \$3 million | |
|---|---|
| Milestone and Reporting Required | Grant Percentage |
| Delivery to AMF of interim cost report and one of either a Rough Cut and Rough Cut of the production or final production call sheets and an interim production cost report, prepared by an independent accountant licensed to practice in Alberta. | 30 per cent of total approved grant. |
| Installment payment 2 will be paid upon project completion and delivery to AMF of Final DVD, Production Cost Report (accompanied by audited production costs statement), but no sooner than the subsequent fiscal in which instalment payment 1 is scheduled for payment. | Remaining balance of total eligible grant per final Alberta cost calculation. |

10. Grant Recipient Obligations

Recipients of funding are required to fulfill the obligations set out below.

Any additional reporting requirements pertaining to specific evaluation criteria, cap increase or bonus grant percentage will be detailed in the grant agreement and shall supersede information provided in these guidelines. Recipients are advised to review their grant agreement carefully prior to signing.

10.1 Reporting

Grant payments will be scheduled pursuant to estimated milestone dates provided by the applicant at the time of application. Required reporting for each milestone, per the schedules above, must be submitted before any portion of the grant is paid. Regardless if reporting is delivered earlier than scheduled, the associated grant payment will not be made earlier than the scheduled instalment payment date.

10.2 Extension Requests

Applicants are responsible for advising the AMF of any material changes to milestone dates. Failure to meet scheduled delivery requirements could result in the applicant being deemed in breach of the terms and conditions of the grant agreement and may impact eligibility to receive further funding or result in a request for repayment of funds already received.

If the applicant is not able to provide the required reporting to trigger payment of a grant payment, they are required to submit a request for an extension. Extension requests must be submitted at least 60 days to the associated milestone date, per the grant agreement.

Extensions will be at the discretion of the program staff and are subject to budget availability in the fiscal year in which the instalment payment would occur. If the Minister determines that budget is not available for the instalment payment in that fiscal year, the extension will be declined and failure to deliver satisfactory reporting requirements may be grounds for termination of the grant agreement.

NOTE: Assignment and direction of grant funds may only be assigned to a recognized financial or lending institution.

10.3 Change of Scope

The applicant must notify program staff of any anticipated fundamental change of scope in the purpose for which the applicant wants to use the grant funds. In cases where a change of scope is requested, applicants may be requested to submit a written request to use the grant funds for the proposed new purpose. Such requests must be submitted no later than 60 days prior to the date of the first milestone and installment payment date.

Decisions on change of scope requests will be communicated in writing to the grant recipient by designated program staff.

10.4 Credits and Promotion

The applicant will acknowledge the AMF grant with the following credits:

10.4.1 Onscreen Credit

"Produced with the assistance of the Government of Alberta, Alberta Media Fund" in a position, size and prominence that is proportionate to the financial contribution to the Production; and

"Shot on location in Alberta, Canada" in the tail credits of the project (where applicable). The Government of Alberta logo must also be included.

10.4.2 Advertising, Publicity and/or Promotional Materials Credit

"Produced with the assistance of the Government of Alberta, Alberta Media Fund" in a position, size and prominence that is proportionate to the financial contribution to the Production. The Government of Alberta logo must also be included.

Where the Production is a series, these credits are required for each episode. If the applicant fails to fulfil their credit/promotional obligation, the Minister reserves the right to request revisions prior to providing any remaining grant payment(s).

Note: Program staff will provide the Government of Alberta logo to grant recipients upon request.

10.5 Insurance

The applicant will provide evidence of a certificate of industry standard insurance prior to the first day of principal photography. Insurance must demonstrate a minimum of \$2 million in general liability coverage.

10.6 Final Deliverables

Upon completion of the Production, the applicant shall provide the following deliverables:

www.albertamediafund.ca

Note: The following must be included as a schedule or note to the Audited Financial Statement or uncertified Final Cost Report:

- An allowance of up to five per cent for unpaid Alberta costs is permitted for reasonable costs that are not able to be paid at the time of delivery.

Alberta expenditures exceeding the five per cent threshold that remain unpaid at the time of reporting will not be included towards the final grant calculation unless approved in an advanced ruling (Producer Fees and Corporate Overhead are excluded from this condition). The Minister has the right to require that an audit be performed or perform the audit himself of the books and records of any company that receives Screen-based Production Grant. These records may include, but are not limited to, the following: invoices, bank statements, cancelled cheques, audited financials, agreements, contracts with individuals and companies, proof of Albertan residency for Head of Department personnel. Enhanced Level projects have the option of reporting against only the Alberta spend portions of the final costs.

10.7 Retention Records

Retention of Records is required for a period of seven years.

Funding for the Alberta Media Fund is provided through the Alberta Lottery Fund. Information regarding successful applicants is posted on the on the Alberta Lotteries Who Benefits website found at www.albertalotteryfund.ca/AlfWhoBenefitsApp

11. Definitions

Albertan means a lawful resident of Canada for the purposes of the *Income Tax Act* (Canada) who:

Applicants may request that individuals be considered Albertan if they have filed an Alberta Tax Return in any of the four prior taxation years. Requests must be submitted at the time of application.

Related Parties exist when one party has the ability to exercise, directly or indirectly, control, joint control or significant influence over the other. Two or more parties are related when they are subject to common control, joint control or common significant influence. **Related Parties also include management and immediate family members.**

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

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

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

For the purposes of the Screen-based Production Grant, **members of an underrepresented or marginalized group** in film and television include individuals that self-identify as female, gender non-conforming, visible minorities, members of Indigenous groups, and/or persons with disabilities.

12. Application Submissions and Questions

12.1 Application Submission

Applications will be accepted in three intake deadlines throughout the year: March 31, July 31 and November 30.

Application forms, templates, and reporting materials are available on the AMF website.

12.2 Freedom of Information and Protection of Privacy

The personal information that is provided on the grant application form will be used for the purpose of administering the AMF and advising the applicant of grant program updates and relevant Ministry initiatives. It is collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act (FOIP Act)* and is protected by the privacy provisions of the FOIP Act.

The FOIP Act applies to any information that is provided to Alberta Culture and Tourism. This information may be disclosed in response to an access request under the FOIP Act, subject to any applicable exceptions to disclosure under the FOIP Act.

Please note, once an application has been approved and funding issued to an organization, the grant recipient, approved expenses, amount funded, community/city, and fiscal year become a matter of public record. Information on grants awarded by Government of Alberta programs is published on the Government of Alberta Grant Payments Disclosure database at the following link:

<http://www.alberta.ca/grant-payment-disclosure.cfm>

Occasionally, Alberta Culture and Tourism may contact applicant organizations to provide information about Ministry initiatives or announcements related to the following topics:

Only authorized contact representatives noted in the grant application may request specific information about grant applicants from the AMF office.

For questions about the collection and use of this information, please contact the program staff.

12.3 Assistance and Contact Information

For assistance with this grant application, please contact:

Alberta Media Fund, Cultural Industries Branch

140, 4211 - 106 Street NW

Edmonton, AB T6J 6L7

Telephone: 1-888-813-1738 (Toll-free calls can be made by first dialing 310-0000)

Email: culturalindustries@gov.ab.ca