

PROGRAM: Indigenous Media Operating Assistance Program

To receive financial assistance, the BENEFICIARY agrees to comply with the following conditions:

<p>1. General conditions</p>	<p>a) The BENEFICIARY must:</p> <ol style="list-style-type: none"> 1) use the granted financial assistance solely for the purposes outlined in the standard appearing in Appendix A; 2) obtain authorization from the MINISTER to make any changes to the interventions specified in the application for financial assistance and inform the MINISTER of any changes to its statuses, regulations or administrative structure ; 3) find alternate direct or indirect sources of funding ; 4) immediately reimburse the MINISTER for any funds not used for the intended purposes; 5) comply with applicable laws and regulations; 6) provide the MINISTER, according to the frequency specified in the program standard, with all required information to ensure accountability regarding the granted financial assistance; 7) provide the MINISTER, upon request, with any document or information related to the granted financial assistance or the evaluation of the program; 8) acknowledge the MINISTER’s contribution in accordance with government visibility rules¹. <p>b) The obligations and rights set forth in this agreement cannot, under penalty of nullity, be assigned, in whole or in part, without the prior written approval of the MINISTER, who may then impose conditions for this purpose.</p> <p>c) This agreement does not in any way constitute a guarantee or commitment that the MINISTER will participate in the funding of the BENEFICIARY’s projects in future years.</p> <p>d) The MINISTER shall not be obligated to contribute to the funding for the completion of the project subject to financial assistance in the event of cost overruns.</p>
<p>2. BENEFICIARY Responsibilities</p>	<p>a) Avoid any situation that may create a conflict between the personal interests of its directors and those of the MINISTER. If such a situation arises, the BENEFICIARY shall inform the MINISTER, who may, at their discretion, issue a directive on how to resolve the conflict of interest or terminate the financial assistance agreement. This clause does not apply to conflicts that may arise regarding the interpretation or application of these terms for granting financial assistance.</p> <p>b) The BENEFICIARY is responsible for any damage caused by itself, its employees, agents, representatives, or subcontractors during the execution of this agreement, including damage resulting from failure to meet any commitment made in connection with the granting of financial assistance.</p> <p>c) Indemnify, protect, and defend the MINISTER against all claims, demands, lawsuits, or other proceedings brought by any person as a result of any damage caused in this manner.</p>
<p>3. Verification</p>	<p>a) Retain all documents related to the granted financial assistance for a period of seven (7) years.</p> <p>b) Allow any representative designated by the MINISTER reasonable access to its premises, books, and other documents for the purpose of verifying the use of the financial assistance, until three (3) years after the completion of the project subject to financial assistance or until the resolution of disputes and claims, if applicable, whichever of the two (2) dates is later. The MINISTER’s representative may make copies or extracts of any document they review during this process.</p>
<p>4. Termination</p>	<p>a) The MINISTER reserves the right to terminate this agreement at any time for any of the following reasons:</p> <ol style="list-style-type: none"> 1) the BENEFICIARY fails to fulfill any of the terms, conditions, or obligations imposed under this agreement; 2) the BENEFICIARY ceases its activities in any manner, including due to bankruptcy, liquidation, or the assignment of its assets; 3) the BENEFICIARY has provided false or misleading information or has made false statements.

¹ Government visibility rules are available at <https://www.quebec.ca/gouvernement/ministere/culture-communications/signatures>.

	<p>b) To do so, the MINISTER shall send a written notice of termination to the BENEFICIARY, stating the reason for the termination. If the reason for termination is as described:</p> <ol style="list-style-type: none"> 1) under paragraph 1) of the previous clause, the BENEFICIARY must remedy the failure indicated within thirty (30) business days from the date of receipt of the notice and inform the MINISTER; otherwise, this agreement shall be automatically terminated, with the termination taking legal effect at the end of this period; 2) under paragraphs 2) and 3) of the previous clause, the termination shall take legal effect from the date the notice is received by the BENEFICIARY. <p>c) The BENEFICIARY is then entitled to reimbursement of expenses, disbursements, and amounts representing the actual value of the actions carried out and covered by this agreement up to the date of its termination, without any further compensation or indemnity whatsoever.</p> <p>d) Furthermore, the BENEFICIARY is responsible for all damages incurred by the MINISTER as a result of the termination of this agreement.</p> <p>e) The MINISTER also reserves the right to terminate this agreement without needing to provide justification for the termination. To do so, the MINISTER must send a written notice of termination to the BENEFICIARY. The termination takes legal effect on the date the BENEFICIARY receives this notice, and clause c) then applies.</p> <p>f) The MINISTER reserves the right to demand total or partial reimbursement of the financial assistance that has been disbursed as of the date of termination.</p> <p>g) Failure by the MINISTER to exercise their right to terminate shall not be interpreted as a waiver of that right.</p>
<p>5. Modification</p>	<p>Any changes to the content of this agreement or the scope of the granted financial assistance must be documented in an amendment signed by the BENEFICIARY and the MINISTER. This amendment shall not alter the nature of this agreement and shall be considered an integral part thereof.</p>
<p>6. Effective date and duration</p>	<p>Notwithstanding the date of signature of this document, the present conditions shall enter into effect on the date of the announcement letter and shall expire six (6) months after the end of the financial assistance period.</p> <p>All clauses that, by their nature, should continue to apply shall remain in effect despite the expiration of these terms and conditions, regardless of the reason, including, in particular, the clause regarding the retention of documents.</p>

By signing, you agree to the terms of the financial assistance granted to the BENEFICIARY.

This document constitutes the financial assistance agreement made between the BENEFICIARY and the ministère de la Culture et des Communications.

Name of the BENEFICIARY:

I am the authorized signatory for the BENEFICIARY, and I certify that the above conditions will be met.

**This is a courtesy translation:
The original French document must be signed**

Date:

By:

First and last name of the authorized signatory

Title

Appendix A

INDIGENOUS MEDIA OPERATING ASSISTANCE PROGRAM

PROGRAM OBJECTIVES

The Indigenous Media Operating Assistance Program is designed to help Indigenous media organizations fulfill their mission and carry out their operations. It aims to help organizations:

- whose activities fall within one of the sectors covered by the ministère de la Culture et des Communications;
- whose mission and action plan make a significant and lasting contribution to achieving the Ministère's objectives for the relevant sector and territory;
- whose sound management and efficiency guarantee the quality of the services they provide to the public or to their peers; and
- who have established partnerships in their sector or territory, and who benefit from the support of the community to which they offer their services.

OBJECTIVES

The goal of the program is to provide operating support to Indigenous media organizations in order to:

- maintain the production and distribution of content dedicated to local and/or cultural information;
- ensure the production and dissemination of content in the relevant Indigenous language or in a language understood by their community and reflecting its needs;
- increase access to and quality of information for Indigenous communities;
- contribute to the financial health of Indigenous media organizations.

APPLICANT ELIGIBILITY

TERMS AND CONDITIONS

This program is open to not-for-profit legal entities (organizations, co-ops or public authorities) as well as for-profit companies legally constituted and registered with the Registraire des entreprises that:

- Have their head office and principal place of business in Québec and carry out the majority of their operations there; and
- Offer the public or their members (as the case may be) access to their operations, goods and services.

SPECIFIC REQUIREMENTS

The assistance is intended for Indigenous media organizations or their authorized agents, i.e., band councils and municipalities that:

- Are actively conducting operations at the time the application is submitted;
- Undertake to:
 - Produce at least 12 hours a week of local and/or cultural information programs for radio and television;
 - Distribute a minimum of two issues per year, for print media;
 - Update their content at least once a month, for online media and communications societies; and
- broadcast their programming primarily in the language(s) of their community, or in a language understood by their community and reflecting its needs.

Indigenous media targeted by this program include:

- Indigenous radio stations;
- Indigenous print media;
- Indigenous online media;
- Regular Indigenous television; and
- Communications societies.

EXCLUSIONS

The following are not eligible for the operating assistance:

- Individuals;
- Non-Indigenous organizations;
- Non-Indigenous governmental organizations;
- Applicants whose operations' are funded by another one of the Ministère's assistance programs;
- Any applicant who:
 - Is registered with the Registre des entreprises non admissibles aux contrats publics (RENA), including any subcontractor registered with the RENA;
 - Has failed to meet its obligations after having been duly served with formal notice in connection with the granting of prior financial assistance by a Government of Québec department or agency.

SUBMITTING AN APPLICATION

Applicants must e-mail the duly completed form (PDF 242 KB) provided by the Ministère to their regional office, or attach documents containing the necessary information to assess their application. Applications for financial assistance (DOTX 0.93 Mb) may also be submitted via a paper form, which must be forwarded to the Ministère's office in the applicant's region.

Applications for financial assistance must be received by the dates determined each year by the Ministère. To learn more about these dates, see the program calendar (french version) (PDF 188 Kb).

Applicants must submit, on the form or in the attachments, all the necessary information on the organization for reviewing their application. This includes:

- A description of its organizational structure, including the names of its employees and their job category (executive, managerial, professional, technical and support staff);
- The number of volunteers contributing to its operations and the number of hours their work represents (if applicable);
- Information on the content broadcast, i.e.:
 - Its programming schedule, for radio and television;
 - The number and frequency of the content published, for print media;
 - The frequency with which content is updated on the Internet, for online media and communications societies;
- Its most recent activity report, if applicable;
- Its most recent financial report;
- Its provisional operating budget;
- Consent from the organization's jurisdiction to submit an application for financial assistance;
- the Terms for granting financial assistance document, duly signed; and
- Any relevant information to support the application.

While the project is being reviewed, the applicant will be required to provide the Ministère with additional information and documentation as requested.

If the applicant has a business relationship with one or more related companies (a company or organization controlled directly or indirectly by the same administration as its own), it must:

- Inform the Ministère, identifying each one by its legal name and Québec business number;
- Demonstrate that it is the sole beneficiary of its surpluses and grants;
- Provide proof that its transactions with related companies:
 - Are formally documented by contract or written agreement;
 - Are disclosed in the financial statements' notes in accordance with generally accepted accounting principles; and
 - Are established under conditions and at costs that are lower than or at least comparable to those that would take place with a third party.
- Make available to the Ministère, on request, the financial statements of each of its related companies.

In order to be submitted for review, applications must be complete, comprehensible and based on accurate data. If not, the applicant will be required to correct the deficiencies within the timeframe granted by the Ministère.

APPLICATION REVIEW PROCESS

The application is evaluated by the Ministère according to eligibility requirements and ministerial guidelines.

GUIDELINES

Depending on the funds available, priority will be given to media organizations that:

- Prioritize Indigenous content production;
- Originate in a local Indigenous community or respond to the local community's needs;
- Promote written or oral expression in an Indigenous language
- Ensure optimal service to the population throughout Québec.

RECEIVING FINANCIAL ASSISTANCE

TERMS AND CONDITIONS

Financial assistance is granted on an annual basis. It may be revised according to the funds the Assemblée nationale allocates to the Ministère.

The financial assistance agreement consists of the financial assistance application, the [Terms for granting financial assistance \(PDF 619 Kb\)](#) document, signed by the applicant, and the announcement letter signed by the minister. The terms for granting assistance come into effect on the date the announcement letter for the financial assistance is signed.

The grant may be awarded to the beneficiary either:

- in two instalments, the first of which, at the beginning of the government fiscal year, represents a maximum of 80% of the grant; or
- in some cases, in a single payment.

SPECIFIC REQUIREMENTS

The grant awarded to eligible applicants under this program may not exceed \$50,000.

The amount of the annual grant awarded to community media organizations is determined by the sum of two parameters:

1. The basic amount:

- Online media organizations: \$10,000
- Print media: \$10,000
- Conventional television: \$20,000

- Radio: \$20,000

2. The amount is based on production volume and the specific characteristics of the distribution means used by the organization.

In all cases, financial assistance may be revised according to the funds the Assemblée nationale allocates to the Ministère.

The total financial assistance granted by the Ministère to an eligible applicant may not exceed 100% of its operating budget for non-profit organizations and public authorities (75% for for-profit companies).

CONTROL MEASURES

Each beneficiary must produce an annual [Accountability Report \(DOTX 0.92 Mb\)](#) which must include:

- An overview of the operations carried out and the amounts allocated to them;
- A description of the results achieved in relation to the objectives;
- Any information or documentation required by the Ministère;
- Any other information or documentation requested by the Ministère.

The Ministère reserves the right to visit the broadcasting and production site and verify use of the grant money at any time.

FOR ASSISTANCE OR INFORMATION, PLEASE CONTACT YOUR REGIONAL OFFICE.

- [Ministère de la Culture et des Communications regional offices](#)