

FACTOR

THE FOUNDATION ASSISTING CANADIAN TALENT ON RECORDINGS
WITH SUPPORT FROM CANADA'S PRIVATE RADIO BROADCASTERS

Specialized Information for

Hip Hop* Reggae* Dancehall* Drum and Bass* Electronic* Dance* Hot AC*

2016–2017

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Who is the “artist”?

For FACTOR, an “artist” is one or more persons performing as a musical group or band. An artist is engaged in the development of their own music career and has significant control over their creative product and brand identity. The artist is the person or group that is the main focus of the marketing, promotion and career development. In hip hop, the artist is typically the rapper or emcee, or a group of rappers performing as a group.

Can a producer be the artist?

FACTOR will consider a producer to be an artist, if that producer is the main person creating, performing and releasing the music, and is in charge of making the creative decisions about the music, without giving the main or key credit to another performer.

Can a DJ be the artist?

A DJ who primarily spins and mixes other people’s music cannot be the artist in a FACTOR application.

A turntablist can be the artist, as long as the sound recording or performance is marketed as being created and performed by that turntablist, rather than the turntablist being “featured” on the side.

Can the featured vocalist be the artist?

A featured vocalist, including a top line vocalist or guest rapper, who is a guest on another artist’s track is not “the artist” for FACTOR’s purposes. Please note that if your featured artist is not Canadian, you will need to get FACTOR’s approval in advance if you intend to claim the costs to FACTOR.

What kinds of sound recording projects are eligible for FACTOR support?

FACTOR supports different kinds of sound recordings in different programs.

In the Artist Development Program, we will support the production of one or more tracks.

In Injured Sound Recording, Comprehensive Artist, and Comprehensive Music Company, we will support the creation of a full length album. An album means at least six tracks or 20 minutes of music. The album must be by one artist, or it can be a collaboration of two or more artists working as a group, but it can’t be a compilation of different artists. An album can have featured and guest performers along with the artist who is releasing the recording.

The tracks have to be “new releases”; they cannot have been released already. The music and lyrics must be at least 50% composed by Canadians, and if not in English, the lyrics cannot be more than 50% in French (they can be in any language other than French). The album doesn’t have to be one complete album package – it could be a collection of singles or EPs – as long as it equates to at least six tracks or 20 minutes of music that will be released over a one-year period.

“Covers” of classics, or of someone else’s previously released track, might be acceptable, but only in exceptional circumstances. You must contact FACTOR for permission.

Is dub poetry eligible for FACTOR support?

Yes, if it is set to music. In that case the dub poet would be the artist.

Are mixtapes eligible for FACTOR support?

If your mixtape meets the definition of an album set out above, then yes. But if the mixtape is a compilation of artists, or contains previously released tracks, or contains covers of someone else's material, then no.

Are remixes eligible for FACTOR support?

Remixes of the artist's own material could be supported under the Artist Development program, and FACTOR would support the creation of remixes as part of a marketing campaign for an album created under one of the full-length sound recording programs. But FACTOR will not support an album of remixes of the artist's own previously-released material as a new full-length sound recording project, nor will FACTOR support an album of remixes of other people's material.

Will FACTOR fund a sound recording built on a dubplate or on a beat or riddim released by another artist?

Yes, but you must acquire the exclusive rights to the dubplate or the beat, so that it can be released/sold without restrictions.

Are these costs eligible for FACTOR reimbursement?

1. Dubplates, specials – Yes, in a marketing budget, but only if it's exclusive.
2. DJ drops/IDs for DJ servicing – Yes, in a marketing budget
3. Samples and loops – Yes, but only the samples or loops you specifically use in the track, and you must acquire the exclusive rights necessary to commercially release the track. FACTOR will not reimburse the cost of sample or loop libraries.
4. Beats and backing tracks – Yes, but only if you acquire the exclusive rights necessary to commercially release the track without restriction. No leased beats!
5. Buy-on fees – No.
6. Top line writers – No. FACTOR does not reimburse any songwriter fees or advances.
7. Featured vocalists and guest musicians – Yes.
8. DAW software – No. FACTOR doesn't reimburse costs for any equipment that you buy, these are called "capital costs" and are not eligible for FACTOR.
9. Computer hardware - No, FACTOR deems these to be capital costs.

Please note: For FACTOR reimbursement, your funds are expected to be spent on goods and services in Canada/by Canadians. Please ask FACTOR in advance for permission to spend your funding on non-Canadian goods or services.

How do I clear samples?

When you buy samples from a sample library or a sample provider, they should have already administered the clearance process. If you are sampling from a piece of recorded music, you will need to track down (a) who owns or controls the sound recording master, typically a record label – sometimes identified by the (p) notice in the album credit; and (b) who owns or controls the rights in the underlying composition, typically a publisher (the publishing notice is the (c) credit.) You can also try to find the publishing owners through [SOCAN](#) or the [CMRRA](#) database. Then you need to negotiate a sample fee from both parties. It's a complicated process, so you might consider using a lawyer.

How do I prove that I "own or control" 100% of the underlying rights in any loops, beats, samples that I buy?

You should always get it in writing. Anything you buy from a library or service should provide the documentation at the time of purchase. Alternately, having a lawyer prepare the paperwork might be a good idea.