

ARTICLE 23

Programs Made Primarily for the Basic Cable Market

Section 23-100 TERMS AND CONDITIONS FOR HIGH BUDGET DRAMATIC PROGRAMS ONE-HALF HOUR OR MORE IN LENGTH MADE PRIMARILY FOR THE BASIC CABLE MARKET

The following terms and conditions shall be applicable only to high budget dramatic programs made primarily for the basic cable market which are one-half (½) hour or more in length:¹⁷

23-101 High Budget Figures

The term “high budget” shall mean programs whose budgets equal or exceed the following amount:

	“High Budget” Figures	
Length of Program	Effective 7/1/08	Effective 7/1/11*
30 minutes	\$ 476,749	\$ 550,000
60 minutes (but more than 30)	\$ 893,904	\$1,000,000
61 - 120 minutes	\$2,383,744	\$2,750,000
More than 2 hours	\$2,383,744 for the first 2 hours plus \$1,191,872 for each additional hour or portion thereof	\$2,750,000 for the first 2 hours plus \$1,375,000 for each additional hour or portion thereof

*The “high budget” figures in effect as of July 1, 2008 shall remain in effect for those dramatic programs at or above such budget figures as of June 30, 2011.

¹⁷ See Article 24 for terms and conditions applicable to multi-camera prime time dramatic pilots, presentations and series, which programs are “high budget” programs within the meaning of Paragraph 23-101 and are one-half hour or more in length.

Initial Compensation and Included Days -- Directors

- (a) Effective July 1, 2011, initial compensation for Directors employed on one-half (½) hour dramatic programs made for basic cable with a budget of \$1,425,000 or more but less than \$1,800,000 (\$1,525,000 or more but less than \$2,000,000 for programs the principal photography of which commences on or after July 1, 2013) shall be \$12,850 (\$13,075[†] effective July 1, 2012 and \$13,304^{††} effective July 1, 2013) with a guarantee of three (3) preparation days and four (4) shooting days.¹⁸ The foregoing shall not apply to the first season of one-half (½) hour dramatic programs made for basic cable.

Effective July 1, 2011, initial compensation for Directors employed on one-half (½) hour dramatic programs made for basic cable with a budget of \$1,800,000 or more (\$2,000,000 or more for programs the principal photography of which commences on or after July 1, 2013) shall be \$15,000 (\$15,263[†] effective July 1, 2012 and \$15,530^{††} effective July 1, 2013) with a guarantee of three (3) preparation days and four (4) shooting days. The foregoing shall not apply to the first season of one-half (½) hour dramatic programs made for basic cable.

- (b) Effective July 1, 2011, initial compensation for Directors employed on one (1) hour dramatic programs made for basic cable with a budget of \$2,400,000 or more but less than \$3,400,000 (\$2,500,000 or more but less than \$3,600,000 for programs the principal photography of which commences on or after July 1, 2013) shall be \$25,699 (\$26,149[†] effective July 1, 2012 and \$26,607^{††} effective July 1, 2013) with a guarantee of

[†] See text of footnote 3 on page 38.

^{††} See text of footnote on 4 page 38.

¹⁸ Series in existence as of January 1, 2011 that met the budget test set forth in Paragraph 23-102(a) of the 2008 DGA Basic Agreement shall remain subject to the terms of this Paragraph 23-102(a) for the period July 1, 2011 through June 30, 2012, even if the budget of the series does not meet the new budget test in effect as of July 1, 2011.

seven (7) preparation days and seven (7) shooting days.¹⁹ The foregoing shall not apply to the first season of one (1) hour dramatic programs made for basic cable.

Effective July 1, 2011, initial compensation for Directors employed on one (1) hour dramatic programs made for basic cable with a budget of \$3,400,000 or more (\$3,600,000 or more for programs the principal photography of which commences on or after July 1, 2013) shall be \$30,000 (\$30,525[†] effective July 1, 2012 and \$31,059^{††} effective July 1, 2013) with a guarantee of seven (7) preparation days and seven (7) shooting days. The foregoing shall not apply to the first season of one (1) hour dramatic programs made for basic cable.

- (c) Initial compensation for Directors of two (2) hour high budget dramatic programs shall be \$73,029 (\$74,307[†] effective July 1, 2012 and \$75,607^{††} effective July 1, 2013), for which there will be 42 included days (27 shoot days and 15 prep days, provided the 15 prep days are guaranteed actual prep days).²⁰
- (d) All other minimums, including the base rates for computing residuals, will be as provided in Article 10 of this Agreement for programs produced for syndication.

23-103 Initial Compensation -- Other Employees

On those one-half (½) hour film dramatic programs budgeted at \$775,000 or less, those one (1) hour dramatic programs budgeted at \$1,450,000 or less, those two (2) hour dramatic programs budgeted at \$4,500,000 or less, and those dramatic programs exceeding two (2)

¹⁹ Series in existence as of January 1, 2011 that met the budget test set forth in Paragraph 23-102(b) of the 2008 DGA Basic Agreement shall remain subject to the terms of this Paragraph 23-102(b) for the period July 1, 2011 through June 30, 2012, even if the budget of the series does not meet the new budget test in effect as of July 1, 2011.

[†] See text of footnote 3 on page 38.

^{††} See text of footnote 4 on page 38.

²⁰ The parties recognize that circumstances may not permit the director to actually prep for fifteen (15) days. In that case, the Employer nevertheless would be responsible for paying the Director for all fifteen (15) guaranteed prep days.

hours in length budgeted at a figure which is the sum of \$4,500,000 plus an additional \$1,450,000 for each hour or portion thereof in excess of two (2) hours, all compensation for Employees other than the Director shall be 83.5% of the minimums provided in Article 13 or Article 24 of this Agreement. However, series in existence as of January 1, 2011 that met the budget test set forth in Paragraph 23-103 of the 2008 DGA Basic Agreement shall remain under the terms of this Paragraph 23-103 for the period July 1, 2011 through June 30, 2012, even if the budget of the series does not meet the new budget test in effect as of July 1, 2011.

23-104 Residual Compensation

- (a) Residuals for basic cable re-use in the United States and Canada will be the following percentages of the applicable residual base:

Run	Percentage of Residual Base²¹
2nd	17.0%
3rd	12.0%
4th	11.0%
5th	10.0%
6th	6.0%
7th	4.0%
8th	4.0%
9th	3.5%
10th	3.5%
11th	3.0%
12th	2.5%
Each run thereafter	1.5%

- (b) If the program is run on “domestic” syndicated free television after the ten (10) runs and after one (1) year following its first exhibition on basic cable, then the residuals for such free television runs shall be two percent (2%) of the “Employer’s

²¹ Applicable to television motion pictures, the principal photography of which commences on or after July 1, 2011.

Gross” derived from the distribution of the Program on domestic free television.

- (c) If the program is run on “domestic” syndicated free television (excluding the first sale in Canada) before the program has had ten (10) runs on basic cable or sooner than one (1) year following the program’s initial exhibition on basic cable, then the residuals for such free television runs must be paid according to the percentages contained in Paragraph 11-101(b)(3) of this Agreement. The first run of the program on domestic free television shall be deemed the second run under Article 11 of this Agreement.
- (d) The term “Employer’s gross,” as used herein, is defined in the same manner as that term is used in Article 18 of this Agreement with respect to the pay television exhibition of a free television program, but only to the extent of the “Employer’s gross” derived from the distribution of the program on domestic free television.
- (e) No residuals shall be due for the “first sale” of a program in Canada. The first sale is limited to the first license agreement (which may not exceed five (5) years), except that the DGA shall not unreasonably withhold a waiver of the five (5) year limitation in the event of an outright sale (rather than a license of a program) with a Canadian broadcast service (which may be a free television, pay television or basic cable service).
- (f) All other reuse payments will be in accordance with the provisions of this Agreement. Except as provided herein, these programs will be treated in all respects as programs made for syndication with all terms and conditions as per this Agreement.

**Section 23-200 TERMS AND CONDITIONS FOR LOW BUDGET
DRAMATIC PROGRAMS ONE (1) HOUR OR LONGER
MADE PRIMARILY FOR THE BASIC CABLE MARKET**

The provisions of Paragraph 1-102(b)(1) shall apply to dramatic programs one (1) hour or longer made primarily for the basic cable market produced in the United States under budgets less than the “high budget” figures provided in Paragraph 23-101.

**Section 23-300 TERMS AND CONDITIONS FOR OTHER
ENTERTAINMENT PROGRAMS MADE PRIMARILY
FOR THE BASIC CABLE MARKET**

All other entertainment programs made primarily for the basic cable market (*i.e.*, entertainment programs made primarily for the basic cable market other than those covered by this Article 23) shall be subject to the provisions of Paragraph 1-102(b).