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Talent Agencies Consultation
Employment, Labour Policy and Special Projects Branch
Ministry of Labour, Immigration, Training and Skills Development
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ACTRA Toronto's Submission in response to the Consultation Paper - Strengthening Talent Agency Regulation Act, 2026

Introduction

ACTRA Toronto represents over 15,000 professional performers working in film, television, commercials, animation, voice, and digital media. Our members are the face and voice of Ontario's screen-based entertainment industry, which generates billions in economic activity and supports tens of thousands of jobs.

We thank the government for tabling the proposed Strengthening Talent Agency Regulation Act, 2026. ACTRA Toronto commends the government for this initiative. We wholeheartedly agree that no worker in Ontario should be subject to wage theft, and we believe the provisions in the act will go a long way to limiting the precarity that far too often our performers and entertainment workers face. Further, we also acknowledge that additional supports and guardrails are also needed to assist our members in addressing the inherent precarity associated with their work in general, such as protections in the face of pervasiveness of Artificial Intelligence, improvements to Status of the Artist protections, and tax credits in the film and television sectors tied to the use

The following are responses from ACTRA Toronto to the questions posed in the Consultation paper - *Strengthening Talent Agency Regulation Act, 2026*.

Definitions

1. **Do you agree with the proposed definition of a talent agency? What would you change?**
Yes. It captures paid representation of performers seeking work. It should clearly cover individuals who operate as agents.

2. **Does that definition include businesses or activities that should be excluded?**
ACTRA Toronto has not identified a specific exclusion.

3. **Do you agree with the proposed definition of the entertainment industry? What would you change?**
Yes. It covers live and recorded work, including film, television, commercials, animation, voice and digital media.

4. **Does that definition include activities that should be excluded?**
ACTRA Toronto has not identified any.

5. **Do you agree with the proposed definition of entertainment worker? What would you change?**
ACTRA Toronto supports including performers and recommends considering other represented talent, including writers, directors and designers.

6. **Do you agree with the proposed definition of performer? What would you change?**
Yes. It is broad enough to cover different kinds of paid performance work.

> 6a. Should voice actors be expressly included?
> Yes.

7. **Are there performers whose working arrangements mean they should be excluded?**
ACTRA Toronto has not identified a category that should be excluded.

8. **Should any other terms be defined or clarified?**
Define commissionable earnings, work procured by the agent, trust account and when an agency is deemed to have received payment.

Commission limits

9. **What kinds of earnings do entertainment workers receive?**
Performers receive payments for work and may receive residual or use payments.

10. **What maximum commission rate is appropriate, and why?**
15% of gross earnings for work the agent procures. ACTRA Toronto recommended this limit in both earlier submissions.

11. **How should commission limits account for differences between sectors and representation arrangements?**
Apply a clear cap to earnings from work procured by the agent, with rules for multiple representation.

> 11a. Should there be one maximum rate or rates tailored to different practices?
> A single 15% maximum is the clearest starting point.
>
> 11b. If tailored limits are preferred, how should they work?
> N/A.

12. **Is commission sometimes collected at a different time from the performer's payment? How is it recovered?**
ACTRA Toronto has not documented a specific practice. Any later charge should be itemized and remain subject to the cap.

Non-commission fees

13. **Should agencies be allowed to charge any fees beyond commission?**
ACTRA Toronto does not recommend fees for representation, auditions, bookings, category upgrades or markups on third-party services. ACTRA Toronto is aware that some agencies offer services to a Performer for head shots and acting classes, however these should be deemed

optional, and offered as a non-mandatory service to the Performer, not a requirement of the agency.

14. **For fees you believe should be allowed, what are they, when and how often are they charged, why are they charged, and do practices vary by performer?**
While we cannot speak to how often they are charged, ACTRA Toronto has seen head shot services being **required** by an agent in order to be added to their roster. As mentioned previously, these should be **optional** services offered, and at the election of the Performer.

Separate account

15. How are performer funds handled after an agency receives them?
ACTRA Toronto does not have agency-level data. It recommends placing all agency-held performer funds in a separate, interest-bearing trust account.

16. Does your organization maintain an account exclusively for funds owed to entertainment workers?
N/A. ACTRA Toronto is not a talent agency.

16a. **If so, how is that account used?**
N/A.

16b. **If not, how are those funds managed and protected?**
N/A.

17. **Are funds withdrawn from a separate account for purposes other than performer payments or authorized commission?**
N/A. Withdrawals should be limited to those purposes.

18. **What records demonstrate that performer funds are held separately?**
N/A. Agencies should retain auditable records of deposits, balances, commissions and payments.

19. **How quickly are performer funds deposited into the separate account?**
N/A. ACTRA Toronto recommends prompt deposit upon receipt.

Payment timelines

20. **How do agencies pay performers?**
N/A. ACTRA Toronto does not have agency-level payment method data.

20a. **Do those methods affect payment speed?**
N/A.

21. **What factors could prevent an agency from paying within 10 business days?**
ACTRA Toronto has not identified a reason for a general extension. It recommends payment within five business days of the agency receiving funds.

22. **When, if ever, would a longer payment period be appropriate?**
ACTRA Toronto has not identified circumstances warranting a general extension.

23. **On average, how many business days pass between an agency receiving payment and paying the performer?**
N/A. ACTRA Toronto does not have a verified agency-wide average.

> 23a. **What circumstances can make that period longer?**
> ACTRA Toronto has raised concerns about delayed or missing payments but has not provided a measured breakdown of their causes.

24. **If the 10-business-day period changes, what should replace it?**
Five business days after the agent receives payment from the engager.

Written statements

25. **What information should a statement contain?**
The engagement and payer; gross amount received; each deduction and its basis; commission rate and amount; net amount paid; and work dates, receipt and payment dates.

26. **How often should agencies issue statements?**
With each payment or commission charge.

27. **What difficulties might agencies face in issuing statements, and how could they be addressed?**
ACTRA Toronto has not identified a specific barrier. A standard template could support compliance.

Implementation and other comments

28. **How much time should agencies have to comply after Royal Assent, and when should the Act take effect?**
ACTRA Toronto has not proposed a specific date. Agencies should have a defined transition period to establish trust accounts and payment records.

29. **What guidance or supports would help stakeholders comply?**
Plain-language guidance; standard contract and statement templates; and guidance on trust accounts, audits and complaints.

30. **Are there gaps, unintended effects or implementation issues the ministry should address?**
Require regulated trust accounts, independent annual audits and penalties for commingling funds. ACTRA Toronto also recommends licensing, a public agency registry, a performer complaint process and enforceable conduct standards.

31. **Do you have any other comments?**
ACTRA Toronto supports the STAR Act and recommends a 15% commission cap, payment within five business days, and trust accounts to protect performer funds.

Respectfully submitted on behalf of ACTRA Toronto