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Proactive Disclosure

Arts and Artists Info-Guide

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1. INTRODUCTION

There are over 52,500 artists in Ontario and 44% of these artists are self-employed entrepreneurs. (*"A Statistical Profile of Artists in Ontario: Based on the 2001 Census", Prepared by Hill Strategies Research Inc. for the Ontario Arts Council, March 2005*). The vocation of an artist can be very demanding but also very personally rewarding. Starting up and running an art-based business can pose very unique and sometime complex challenges. This guide aims to give artists and artisans useful information drawn from other government departments, industry associations and art organizations to help start and run an art-based business in Ontario.

For regulatory or legal questions, it may be useful to contact a lawyer that deals with business regulations through the Law Society of Upper Canada's Lawyer Referral Service.

For further information:

call **1-800-268-8326**

visit the website: [Law Society of Upper Canada's Lawyer Referral Service](#)

2. TRAINING AND PROFESSIONAL SKILLS DEVELOPMENT

Training is available from a wide source of educational institutions in more traditional arts fields like drawing and painting, photography, pottery, and costume and clothing design and culinary arts. Many high schools, collegiates and small private organizations offer courses ranging from the general to the very specific.

Ministry of Education and Ministry of Training, Colleges and Universities

The Ministry of Training, Colleges and Universities' web site has information on Ontario's publicly funded universities as well as a list of other educational institutions

that can grant degrees and a list of private career colleges that offer courses in the applied arts.

For further information:

visit the web site : [Employment Ontario - I need education or training](#)

3. PROGRAMS AND SERVICES FOR ARTISTS

Grants, Subsidies and Contributions - Arts and Media

This Info-Guide provides an overview of grant and subsidy programs potentially available for businesses involved in arts and media, including programs offered or supported by the governments of Canada and Ontario.

For further information:

see the document [Grants, Subsidies and Contributions - Arts and Media](#)

Ministry of Culture

The Ministry of Culture implements strategies to promote and market Ontario's cultural and heritage attractions to help realize their full economic potential. The ministry works with local communities and cultural agencies to preserve Ontario's culture and heritage through its various agencies. Some of the Agencies, Boards and Commissions under the ministry include:

- [Ontario Arts Council](#)
- [Ontario Media Development Corporation](#)
- [Ontario Trillium Foundation](#)
- [ONTARIOARTIST.CA](#)

For further information:

please call **1-866-454-0049** or **416-212-0644**

visit the web site: [Ministry of Culture](#)

Ontario Arts Council

Ontario Arts Council is the province of Ontario's primary funding body for professional arts activity. It offers more than fifty funding programs for Ontario-based artists and arts organizations, with funds from the Ontario government. Grants provide assistance for a specific activity, support for a period of time, or for ongoing operations. OAC also offers awards, prizes and scholarships from private funds managed by the Ontario Arts Foundation. Contact OAC directly for more information about funding available through the council, choosing a program and filling out an application form and the application deadlines. Program staff can help you in completing your application.

For further information:

please call **416-961-1660**

visit the web sites:

[Ontario Arts Council](#)

[Ontario Arts Council Granting - programs and awards](#)

Ontario Arts Foundation (OAF)

The Foundation, a non-government organization and a registered charity, holds over 275 endowments established by individuals, foundations, corporations and arts organizations and disburses over \$2.5 million in support of the arts in Ontario each year.

For further information:

visit the web sites:

[Ontario Arts Foundation \(OAF\)](#)

[Ontario Arts Foundation Programs](#)

Ontario Media Development Corporation

The Ontario Media Development Corporation (OMDC) is an agency of the Ontario Ministry of Culture that facilitates economic development opportunities for Ontario's cultural media industries including book publishing, film and television, interactive digital media, magazine publishing, and music industries. To help those active in these areas the OMDC has designed a series of programs.

In partnership with Ontario's Ministry of Finance, OMDC also co-administers six tax Incentives based on eligible Ontario expenditures.

One of the new features of the OMDC web site is its Online Digital Locations Database that allows production companies to find locations for their film shoots.

For further information:

please call **416-314-6858**

visit the web sites:

[Ontario Media Development Corporation](#)

[OMDC's Digital Library And Location Services](#)

[OMDC's series of programs](#)

[Tax Incentives](#)

[Location Services](#)

[Ontario Production Guide](#)

Ontario Trillium Foundation

Each year the Ontario Trillium Foundation (OTF), one of Canada's leading grant-making foundations distributes funding for selected community-based initiatives and selected province-wide initiatives. Funding is allocated in four sectors: Arts and culture, Environment, Sports and Recreation and Human and Social Services.

For further information:

please call **416-963-4927** or **1-800-263-2887**

visit the web sites:

[The Ontario Trillium Foundation \(OTF\)](#)

[The Ontario Trillium Foundation - Frequently Asked Questions](#)

[How the Ontario Trillium Foundation Works](#)

[Program Guidelines and Online Forms](#)

Cultural Human Resources Council (CHRC)

Cultural Human Resources Council (CHRC) focuses on the area of cultural human resources development. CHRC aims at drawing together members of the arts disciplines and cultural industries in the cultural sector with the aim of addressing the training and career development needs of all cultural workers from the artists, technical staff, to everyone involved in the sector in a professional capacity whether as an employee or the self-employed.

Created in 1995 to strengthen the Canadian cultural workforce, CHRC is one of 28 sector councils supported by Human Resources Development Canada (HRDC). With general membership and board members drawn from within the cultural sector, CHRC specifically works in the areas of project development for a wide range of human resource management including competency development and career planning for artists; career development tools; job opportunity and virtual market place; networking resources; sector specific research and information resources; and general advocacy for

the sector. The web site offers a comprehensive selection of assessment tools, guides and links to art organizations across Canada as well as CultureWorks, a virtual career resource centre.

For further information:

please call **613-562-1535**

visit the web sites:

[Cultural Human Resources Council \(CHRC\)](#)

[CHRC - Careers in Culture](#)

[CHRC - HR Tools](#)

[CHRC - Youth Internship Program \(YIP\)](#)

[CultureWorks](#)

Artscape

The Artscape is a not-for-profit enterprise that works around many of the issues of art space. Among the numerous resources the organization offers is " SQUARE FEET The Artist's Guide to Renting and Buying Work Space" that walks you through the difficulties of finding artist's space.

For further information:

call **416-392-1038**

visit the web sites:

[Artscape](#)

[SQUARE FEET The Artist's Guide to Renting and Buying Work Space](#)

The Healthy Artist Guide to a Less Toxic Studio

Artists and craftspeople often use materials that contain harmful chemicals in order to create art and make a living. Daily exposures to many substances in artist materials can lead to health problems in the nervous and respiratory systems, in organs such as the kidney and liver, and even cancer.

For further information:

visit the web site: [The Healthy Artist Guide to a Less Toxic Studio](#)

Artists' Professional Associations and Organizations

Artists' professional associations/organizations often provide business training, information and/or professional development workshops, events and resources for their members. See the list of organizations in Section 7 "Other Resources".

4. BUSINESS START-UP

The choices faced by the artist starting a new business are the same as those faced by any other entrepreneur. CBO has written a number of guides of both a general and a specific nature that may be of some assistance to the artist. The guide for the construction business could be applicable, for example to the artist whose work includes large installations. The guide for starting a consulting business would also be of help to the interior designer. These guides also include information on different types of business structures, basic steps to registering a business and the types of licensing and levels of regulations that might apply. Our documents feature links and contact information to a vast number of organizations useful to anyone starting up or expanding a business.

For further information:

visit the web site: [Canada Business Ontario](#)

see the document: [Business Start-Up Info-Guide](#)

5. FINANCING FOR BUSINESS

Access to capital and space is one of the most challenging aspects of business ownership for any entrepreneur. In addition to the programs specific to the arts named in the Programs and Services for Artists section above, there are a variety of programs and organizations that can help business owners secure start up financing as well as development capital. Below are some of the programs and services available.

For further information:

see the documents:

[Financing for Starting a Business Info-Guide](#)
[Grants, Subsidies and Contributions - Arts and Media](#)
[New Media Info-Guide](#)

Business Support for Young Artists - The Summer Company Program

The Summer Company program provides hands-on business training and mentoring - together with awards of up to \$3,000 - to help enterprising young people (students aged 15-29) start up and run their own summer business. Many participants of the program successfully started and managed an arts-based business (e.g., fashion design, drama programs, music instruction, etc.)

The Summer Company is coordinated and delivered at the community level through a network of [Small Business Enterprise Centres](#) and other program providers supported by the government of Ontario.

For further information:

please call **1-800-387-5656**

visit the web site: [Summer Company](#)

see the document: [Summer Company](#)

6. REGULATIONS

Business Regulations Info-Guide

This document will assist you in navigating federal, provincial and municipal regulations that apply to a number of industries and businesses in Ontario.

For further information:

see the document: [Business Regulations Info-Guide](#)

Status of the Artist Act

The *Status of the Artist Act* regulates the legal status of the artist and professional relations between artists and producers in Canada.

For further information:

visit the web sites:

[Status of the Artist Act](#)
[Canadian Artists and Producers Professional Relations Tribunal](#)

ServiceOntario - The Entertainment & Creative Industry Information Bundle

This Entertainment and Creative Industry Information "Bundle" provides information about the legislation and by-laws that pertain to the entertainment industry, focusing on many provincial and municipal requirements.

For further information:

visit the web sites:

[ServiceOntario - The Entertainment & Creative Industry Information Bundle](#)

[ServiceOntario - Industry Employers](#)

Dealers in Precious Metals and Stones

If you buy and sell precious metals and stones, you may have obligations under the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* depending on the cash value and the type of transaction you carry out.

To find out what requirements may apply to you, contact the Financial Transactions and Reports Analysis Centre of Canada, (FINTRAC).

For further information:

please call **1-866-346-8722**

visit the web site: [Dealers in precious metals and stones](#)

Canadian Heritage Information Network (CHIN)

The Canadian Heritage Information Network (CHIN) is a national centre of excellence that provides a visible face to Canada's heritage through the world of networked information. CHIN 's vision is to connect Canadians and worldwide audiences to Canada's heritage. Its mission is to promote the development, the presentation and preservation of Canada's digital heritage content for current and future generations of Canadians. To this end the agency is developing tools and standards of good practices in the area of intellectual property that may provide a guide to artists in their own businesses.

For further information:

visit the web site: [Canadian Heritage Information Network \(CHIN\) - Intellectual Property](#)

Intellectual Property

Creativity is the bread and butter of all artistic endeavour. An understanding of intellectual property rights is essential for an arts-based business to thrive. Intellectual property rights that directly concern artists and arts-based businesses are trademarks, copyrights (which provide protection for artistic, dramatic, musical or literary works - including computer programs - and performance, sound recording and communication signal) and industrial designs. The Canadian Intellectual Property Office (CIPO), a Special Operating Agency (SOA) associated with Industry Canada, is responsible for the administration and processing of the greater part of intellectual property in Canada.

For further information:

visit the web sites:

[Canadian Intellectual Property Office \(CIPO\)](#)

[Intellectual Property - IP Toolkit](#)

[Intellectual Property Institute of Canada \(IPIC\)](#)

[Industry Canada - Intellectual Property](#)

Artists' Legal Advice Services

The Artists' Legal Advice Services (ALAS) offers a free-of-charge summary legal advice clinic in Toronto to artists of any discipline and who qualify for [Legal Aid](#). The advice is in person, by appointment, in consultations that last up to one-half hour. Appointments with ALAS may be booked by telephone at **416-367-2527**. The office is open on Tuesday and Thursday. Although the service is free-of-charge, clients are encouraged to make a contribution of \$7.00 per appointment to offset the administrative costs of the service.

7. TAXATION

As of July 1st, 2010 the Ontario Retail Sales Tax has been combined with the federal Goods and Services Tax to create the Harmonized Sales Tax (HST).

If you own or operate a business in Ontario, contact the Ontario Ministry of Revenue to learn about the changes in the way you collect and remit your taxes.

Taxation Info-Guide

This guide has been prepared by the Canada Business Ontario (CBO), a single point of access to information on federal and provincial government programs, services and regulations.

For further information:

see the document: [Taxation Info-Guide](#)

The following federal tax information may be specifically applicable to the art-based business owner:

[IT-273R2 Government Assistance -- General Comments](#)

[Employed artists](#)

[T4002 Business and Professional Income 2006](#)

[Topics - Employment expenses](#)

[IT-407R4 \(Consolidated\) Dispositions of Cultural Property to Designated Canadian Institutions](#)

[IT-110R3 Gifts and Official Donation Receipts](#)

[IT-257R Canada Council Grants](#)

[IT-288R2 Gifts of Capital Properties to a Charity and Others](#)

[IT525R-CONSOLID Performing Artists](#)

[IT504R2-CONSOLID Visual Artists and Writers](#)

[IT75R4 Scholarships, Fellowships, Bursaries, Prizes, Research Grants and Financial Assistance](#)

[Line 130 - Scholarships, fellowships, bursaries \(study grants\), and artists' project grants](#)

[IT490 Barter transactions](#)

[Work space in home expenses](#)

[IT-357R2 Expenses of Training](#)

[IT120R6 Principal Residence](#)

[Motor Vehicle Expenses Claimed by Self-Employed Individuals](#)

8. OTHER RESOURCES

[Canadian Conference of the Arts](#)

[Ontario Crafts Council](#)

[Artists' Health Centre Foundation](#)

[Imagine Canada](#)

[Cultural Careers Council Ontario \(CCCO\)](#)

[Nonprofitscan.ca](#)

[Centre Contemporary Canadian Art Database](#)

[OnWIN \(Ontario WorkinfoNet\)](#)

[Canadian Artists' Representation - CARFAC](#)

[Canadian Artists Representation Copyright Collective Inc \(CARCC\)](#)

[art-in-guelph.com](#)

[DANCE ONTARIO](#)

[Ontario Association of Art Galleries](#)

[Federation of Canadian Artists \(FCA\)](#)

[World Intellectual Property Organization](#)

[UpnorthArt.com](#)

[National Arts Centre \(NAC\)](#)

[City of Toronto: Arts Services](#)

RELATED READING

- [New Media Info-Guide](#)
- [How To Start an Artisan and Craft Business in Ontario](#)

NEED MORE INFORMATION?

Click: [Canada Business](#)

Call: The Business Info Line, a collaboration between ServiceOntario and Industry Canada, at **1-888-745-8888**

Visit: [Find a Community Partner Location](#) near you

DISCLAIMERS

Information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Users concerned about the reliability of the information should consult directly with the source, or seek legal counsel.

Some of the organizations listed above are not subject to the federal [Official Languages Act](#) or the [French Language Services Act](#) of Ontario. Their services may not be available in both official languages.