

# Nudity and Simulated Sexual Activity

BRITISH COLUMBIA MASTER PRODUCTION AGREEMENT



## ARTICLE A24 - NUDE SCENES

When the requirements of a Role involve nudity, semi-nudity or simulated sexual activity, the following conditions, which are intended to ensure that Performers have adequate notice of what is expected and an opportunity to provide meaningful consent, and that measures are in place to ensure their safety and protect against abuse, apply:

### A2401 Auditions

- (a) Performers shall be advised in advance of Auditions if nudity or simulated sexual activity is a requirement of the script.
- (b) No Performer shall be required to appear nude or semi-nude until after being auditioned as a Performer (i.e., as an Actor, Singer, Dancer, etc.) and in any case shall not be required to disrobe in whole or in part at the first Audition.
- (c) In the event that nude or semi-nude Auditions are to be held, the Producer must advise the Union in advance.
- (d) When a callback Audition requires nudity or semi-nudity, the Performer shall be notified of this requirement in advance.
- (e) The nude or semi-nude Audition will be for the sole purpose of viewing the body. The Performers shall not be required to perform in the nude or semi-nude at the Audition.
- (f) Such Auditions will be closed and will be limited to a maximum of five (5) persons who, it must be demonstrated, have a direct professional or artistic relationship to the Production and to the particular Audition. No other persons will be permitted to observe the auditions through the use of monitors or any other device that allows observation without being present. A representative of the Union may be present in addition to the five (5) Producer representatives.
- (g) No photos, filming, taping or preservation of the Audition, by any means whatsoever, will be permitted without the prior written consent of the Performer which written consent must be provided on a form approved by the Union. Access to such materials shall only be granted to individuals with an essential business purpose. This material must be destroyed once it has served its purpose.
- (h) No simulated sexual activity shall be required of any Performer at any Audition.
- (i) Performers will be required to Audition nude or semi-nude on one (1) occasion only.

### A2402 Contracts

- (a) The specific requirements, including but not limited to the exact nature of the scenes involving nudity, semi-nudity or simulated sexual activity, the maximum degree of nudity required, the nature of attire (see-through clothes, etc.) and any other relevant information pertaining to the scene which may reasonably be expected to give a full, true and complete

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disclosure of the nature of the nudity, semi-nudity or simulated sexual activity required must form part of the Performer's written contract and must be submitted to the Performer in writing at least forty-eight (48) hours prior to the signing of the Performer's contract. In exceptional circumstances, when a Producer is required to replace a Performer who has been previously contracted for a nude scene on short notice (i.e., within forty-eight (48) hours of said Performer's first contracted day), then the aforementioned forty-eight (48) hour provision may be waived provided that all other conditions of A24 (Nude Scenes) apply. The Producer shall notify post-production supervisors and editors with an essential business purpose of the applicable requirements.

- (b) Performers may refuse to do anything not specified in the Performer's contract without liability or forfeiture of any portion of the Contracted Fee.
- (c) All Performers' contracts must contain as a rider to such contracts all provisions of this Article.
- (d) (i) The minimum fee for a Background Performer appearing nude in a scene shall be not less than that specified herein for an Actor, but such performance shall not attract Use Fees.

(ii) The minimum fee for any other Performer appearing nude in a scene shall not be less than that of a Principal Actor.

## A2403 Rehearsal and Performance

- (a) With the exception of the final Rehearsal for camera and lighting, there will be no rehearsing in the nude or semi-nude.
- (b) During the final Rehearsal for camera and lighting, and during the shooting of scenes involving nudity, semi-nudity or simulated sexual activity, the set will be closed to all persons (and observation by means of a monitor prohibited), except for those having a direct and proven professional need to be present.
- (c) Nude or semi-nude photos will be taken only if the Performer gives prior written consent, said consent to specify the nature of the photo and the planned use of said photo. Access to such materials shall be granted only to individuals with a legitimate business purpose. Unused stills, Polaroids, etc. and negatives of such scenes will either be turned over to the Performer concerned or otherwise accounted for to the Performer's satisfaction.
- (d) Clips or stills of scenes involving nudity, semi-nudity or simulated sexual activity shall not be used in promotion, publicity, trailers or in the case of television in recaps of previous Episodes without the written consent of the Performer.
- (e) Using a body double for a Performer (who did not originally perform in the nude in the Production) to create a scene involving nudity, semi-nudity or simulated sexual activity in a Program shall not be done without the written consent of the Performer originally

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contracted for the Role. A complete description of the scene to be body-doubled will be submitted to the originally contracted Performer at the time consent to the use of a double is sought. Using a body double for a Performer is permitted where a Performer was contracted for and performed in a scene involving nudity, semi-nudity or simulated sexual activity in the Production and has given written consent, provided that the use of such body double is limited to the consent given.

- (f) With the consent of fellow Performers, in the scene, and with the consent of the director, the Performer may have a personal representative on the set.
- (g) Where necessary to verify contractual obligations, Performers may request to view the footage at the "fine-cut" stage of a scene in which they appear nude, semi-nude or in scenes involving simulated sexual activity. Permission to view such footage shall not be unreasonably withheld.

## **A2404**

The Producer will use best efforts to engage an intimacy coordinator for scenes involving nudity or simulated sexual activity. The Producer will also consider in good faith any request by a Performer to engage an intimacy coordinator for other scenes. There shall be no reprisal against a Performer who requests an intimacy coordinator.