



Broadcasting Public Notice CRTC 2006-110

Ottawa, 25 August 2006

Amendments to the *Pay Television Regulations, 1990*, the *Specialty Services Regulations, 1990*, the *Broadcasting Distribution Regulations*, and the *Television Broadcasting Regulations, 1987* – Standardization of sections dealing with requests for information and the definition of “common shares”

The Commission has adopted amendments to the Pay Television Regulations, 1990, the Specialty Services Regulations, 1990, the Broadcasting Distribution Regulations, and the Television Broadcasting Regulations, 1987. These amendments were registered and came into effect on 29 May 2006. They were published in Part II of the Canada Gazette on 14 June 2006.

Background

1. In *Call for comments – Proposed amendments to the Pay Television Regulations, 1990, the Specialty Services Regulations, 1990, the Broadcasting Distribution Regulations, and the Television Broadcasting Regulations, 1987*, Broadcasting Public Notice CRTC 2006-20, 20 February 2006 (Public Notice 2006-20), the Commission proposed to amend the four sets of regulations (the Regulations) named in the title of that notice.
2. Specifically, the Commission proposed to amend section 5(2)(a) of the *Pay Television Regulations, 1990*, and section 8(2)(a) of the *Specialty Services Regulations, 1990*, both of which deal with requests for information, to make them consistent with the *Radio Regulations, 1986*, and the *Television Broadcasting Regulations, 1987*. These amendments will allow the Commission to require licensees to respond to the Commission’s enquiries on a greater variety of topics.
3. The Commission also proposed to amend the definition of “common shares” in the Regulations to reflect the definition currently in effect in the *Radio Regulations, 1986*, thereby standardizing the definition across all of these regulations.
4. The Commission received no comments in response to Public Notice 2006-20.

Commission's determination

5. In light of the above, the Commission has amended the Regulations as proposed. The amendments made by the Commission are appended to this notice. These amendments were registered and came into effect on 29 May 2006, and were published in Part II of the *Canada Gazette* on 14 June 2006.

Secretary General

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REGULATIONS AMENDING THE PAY TELEVISION REGULATIONS, 1990

AMENDMENTS

1. Paragraph 5(2)(a) of the *Pay Television Regulations, 1990*¹ is replaced by the following:

(a) any inquiry regarding the licensee's programming or ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking; and

2. The definition "common shares" in subsection 6(1) of the Regulations is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

3. These Regulations come into force on the day on which they are registered.

¹ SOR/90-105

REGULATIONS AMENDING THE SPECIALTY SERVICES REGULATIONS, 1990

AMENDMENTS

1. Paragraph 8(2)(a) of the *Specialty Services Regulations, 1990*¹ is replaced by the following:

(a) any inquiry regarding the licensee's programming or ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking; and

2. The definition "common shares" in subsection 10(1) of the Regulations is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

3. These Regulations come into force on the day on which they are registered.

¹ SOR/90-106

(SOR/DORS)

REGULATIONS AMENDING THE BROADCASTING DISTRIBUTION REGULATIONS

AMENDMENT

1. The definition "common shares" in subsection 4(1) of the *Broadcasting Distribution Regulations*¹ is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

2. These Regulations come into force on the day on which they are registered.

¹ SOR/97-555

REGULATIONS AMENDING THE TELEVISION BROADCASTING
REGULATIONS, 1987

AMENDMENT

1. The definition "common shares" in subsection 14(1) of the *Television Broadcasting Regulations, 1987*¹ is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

2. These Regulations come into force on the day on which they are registered.

¹ SOR/87-49