



Broadcasting Notice of Consultation CRTC 2009-797-1

Additional reference: 2009-797

Ottawa, 23 December 2009

Call for comments on proposed amendments to the *Broadcasting Licence Fee Regulations, 1997* – Correction

1. The Commission hereby corrects the English version of Broadcasting Notice of Consultation 2009-797 by replacing the appendix to that notice with that set out in the appendix to the present notice.

Secretary General

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Appendix to Broadcasting Notice of Consultation CRTC 2009-797-1

Corrected Appendix to Broadcasting Notice of Consultation 2009-797

REGULATIONS AMENDING THE BROADCASTING LICENCE FEE REGULATIONS, 1997

AMENDMENTS

1. Paragraph 3(b) of the *Broadcasting Licence Fee Regulations, 1997*¹ is replaced by the following:

(b) a Part II licence fee, payable on or before December 1 in each year.

2. Section 11 of the Regulations is replaced by the following:

11. (1) A Part II licence fee is equal to the amount determined by the formula

$$X/Y \times Z$$

Where

X is the licensee's fee revenues for the return year terminating during the previous calendar year, less that licensee's exemption level for that return year;

Y is the aggregate fee revenues for the return year terminating during the previous calendar year of all licensees whose fee revenues exceed the applicable exemption levels, less the aggregate exemption level for all those licensees for that return year; and

Z is the lesser of

(a) \$100,000,000, and

(b) 1.365% multiplied by the amount determined for Y.

(2) Commencing in 2011, the amount set out in paragraph (a) of the description of Z in subsection (1) shall be adjusted annually on a compound basis in accordance with the percentage increase or decrease, as the case may be, to the Consumer Price Index for the calendar year prior to the year of the adjustment. The Consumer Price Index is the annual average all-items Consumer Price Index for Canada (not seasonally adjusted) that is published by Statistics Canada.

(3) The Commission shall publish the amount determined for Z each year in a public notice in the *Canada Gazette*, Part I.

¹ SOR/97-144

- (4) The Commission shall invoice a licensee for the Part II licence fee no later than November 1 of the year in which the fee is due.
- (5) For the purposes of this section, the reference to “most recently completed return year” in paragraph (b) of the definition “fee revenue” in section 1 shall be read as a reference to the “return year terminating during the previous calendar year”.

COMING INTO FORCE

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

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The purpose of the amendments is to limit the Part II broadcasting licence fees to the lesser of the current Part II licence fees, calculated according to section 11 of the *Broadcasting Licence Fee Regulations, 1997* before the amendments, and \$100 million, adjusted in the years after 2010 by the changes to the Consumer Price Index.