



## Broadcasting Information Bulletin CRTC 2011-650

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### Procedures for television services in non-compliance with logging requirements

#### Introduction

1. A program log is a record of all the programming aired by a licensee in a given month. It is submitted to the Commission in a specific format and sent to the program logs filing website.
2. Within 30 days after the end of each month, licensees of television programming services must file with the Commission the program log or computer record for that month and a certificate attesting to the accuracy of its contents signed by the licensee or a representative.

#### Current procedures

3. Under the Commission's current procedures, licensees that fail to meet the regulatory requirements for logging receive a letter of non-compliance from Commission staff requesting the submission of the appropriate logs. If the non-compliance continues after the receipt of this letter, licensees receive further letters from Commission staff again requesting the submission of the appropriate logs.

#### New approach

4. Following a review of its procedures, the Commission has decided to modify its approach to non-compliance with logging requirements. Specifically, Commission staff will continue to send a first letter to licensees that do not meet these requirements. However, if a licensee remains in non-compliance, the Commission will send a second letter signed by the Secretary General. This second letter will stipulate that the licensee is in breach of its regulatory requirements and:
  - must submit the required logs within 30 days from the date of the letter and describe the steps taken to ensure future compliance; and
  - may be subject to one or more regulatory sanctions should it fail to submit the required information.
5. The above-noted regulatory sanctions could include:

- returning future applications of any type by the licensee in non-compliance concerning any current or proposed services, including applications for new Category B licences and extensions of deadlines for beginning the operation of new Category B services, as well as Part 1 and licence renewal applications;
  - imposing a condition of licence requiring the licensee to contribute towards a new or existing independent Canadian production fund; and
  - initiating a mandatory order proceeding.
6. In the case of a licensee that is in non-compliance as of the date of this information bulletin and has failed to respond within the allotted time to a non-compliance letter from Commission staff, the Commission will immediately issue a letter from the Secretary General indicating that the licensee has 60 days to submit the appropriate logs. If the licensee fails to do so, it may be subject to one or more of the above-noted sanctions.
7. Licensees are also advised that the Commission will note any non-compliance with regulatory requirements in the next renewal decision for the affected television services. Such non-compliance could result in a short-term renewal.

Secretary General