



## Broadcasting Decision CRTC 2013-56

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Route reference: Part 1 application posted on 22 November 2012

Ottawa, 13 February 2013

**Fairchild Television Ltd.**  
Across Canada

*Application 2012-1462-6*

### **Addition of Now BNC to the *List of non-Canadian programming services authorized for distribution***

*The Commission **approves** an application to add Now BNC to the List of non-Canadian programming services authorized for distribution (the list) and amends the list accordingly. The revised list is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Broadcasting Sector."*

#### **Introduction**

1. The Commission received an application dated 20 November 2012 from Fairchild Television Ltd. (Fairchild) to add Now BNC to the *List of non-Canadian programming services authorized for distribution* (the list). The Commission received an intervention in support of this application.
2. Fairchild described Now BNC as a Cantonese (90%) and Mandarin (and other Chinese dialects – 10%) niche channel that focuses on Asia's business news, stock and trade information, as well as wealth management analyses. Its target audience consists of Cantonese-speaking Chinese Canadians, and its programming would be sourced from Hong Kong.
3. In Broadcasting Public Notice 2004-96, the Commission stated that requests to add non-Canadian general interest third-language services to the list would generally be approved, subject to any requirement it deemed appropriate. In the case of non-Canadian third-language services that provide narrowly targeted or "niche" programming, the Commission stated that it would continue to apply a case-by-case assessment to determine whether such services are partially or totally competitive with Canadian pay or specialty services.
4. In regard to non-Canadian news services, however, the Commission considers a more open-entry approach to be consistent with the importance it places on a diversity of editorial points of view. In this regard, in paragraph 246 of Broadcasting Public Notice 2008-100, the Commission stated that "absent clear evidence, as determined by the Commission, that a non-Canadian news service will violate Canadian

regulations, such as those regarding abusive comment, the Commission will be predisposed to authorize non-Canadian news services for distribution in Canada.”

### **Commission’s analysis and decision**

5. In the absence of opposing interventions and any evidence that the service would violate Canadian regulations, such as those regarding abusive comment, the Commission **approves** the application by Fairchild Television Ltd. to add Now BNC to the *List of non-Canadian programming services authorized for distribution* and amends the list accordingly. The list is available on the Commission’s website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under “Broadcasting Sector” and may be obtained in hard copy on request.

Secretary General

### **Related documents**

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004