



Broadcasting Decision CRTC 2005-331

Ottawa, 20 July 2005

Quinte Broadcasting Company Limited
Belleville, Ontario

Application 2005-0085-2
Broadcasting Public Notice CRTC 2005-39
27 April 2005

CJBQ Belleville – Licence renewal

The Commission renews the broadcasting licence for the commercial radio programming undertaking CJBQ Belleville, from 1 September 2005 to 31 August 2009. This short-term licence renewal will enable the Commission to review, at an early date, the licensee's compliance with the Radio Regulations, 1986.

The application

1. The Commission received an application by Quinte Broadcasting Company Limited (Quinte) to renew the broadcasting licence for the commercial radio programming undertaking CJBQ Belleville. The licence expires 31 August 2005.
2. The Commission did not receive any interventions in connection with this application.

Non-compliance

3. On 19 March 2003, the Commission asked the licensee to provide it with logger tapes and other material relating to the programming broadcast by CJBQ Belleville during the week of 9 to 15 March 2003.
4. On 8 April 2003, the licensee provided the Commission with the material requested and noted the apparent failure to comply with the *Radio Regulations, 1986* (the Regulations) with respect to the percentage of Canadian content. The licensee also indicated the measures taken to correct the situation.
5. After checking the logger tapes and playlists provided by the licensee for the week of 9 to 15 March 2003, the Commission determined that the licensee had devoted 33.5% of its programming to Canadian musical selections from content category 2 over the broadcast week. In a letter dated 5 August 2003, the Commission advised the licensee that this constituted an apparent failure to comply with subsection 2.2(8) of the Regulations, which stipulates:

2.2(8) Except as otherwise provided under a licensee's condition of licence that refers expressly to this subsection and subject to subsection (6), an A.M. or F.M. licensee licensed to operate a commercial station, community station or campus station shall, in a broadcast week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

6. In Broadcasting Public Notice CRTC 2005-39, 25 April 2005, the Commission indicated that it would review the licence renewal application for CJBQ Belleville and noted the apparent failure of the licensee to comply with section 2.2(8) of the Regulations.

The Commission's analysis and determination

7. The Commission has noted and is satisfied with the measures taken by the licensee to correct its failure to comply with subsection 2.2(8) of the Regulations. The Commission reminds the licensee that it must comply with the provisions of the Regulations at all times.
8. Based on its review of this licence renewal application and the licensee's past performance, and given that this is the licensee's first infraction with respect to Canadian content and that the Commission is satisfied with the measures taken to comply with regulatory requirements, the Commission **renews** the broadcasting licence for the commercial radio programming undertaking CJBQ Belleville, from 1 September 2005 to 31 August 2009. This short term will enable the Commission to assess at an early date the licensee's compliance with the Regulations.
9. The licence will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999.

Employment equity

10. In accordance with the *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its human resources management.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request and may also be consulted in PDF or HTML format at the following Internet site: <http://www.crtc.gc.ca>