



## Broadcasting Public Notice CRTC 2006-128

Ottawa, 29 September 2006

### Program log requirements for pay-per-view programming undertakings

*The Commission invites the licensees of pay-per-view programming undertakings to apply for a condition of licence that would exempt them from the requirement to provide program logs for all the material broadcast by their respective undertaking, subject to the requirements set out in this public notice.*

1. Section 5(2)(g) of the *Broadcasting Act* stipulates that “the Canadian broadcasting system should be regulated and supervised in a flexible manner that is sensitive to the administrative burden that, as a consequence of such regulation and supervision, may be imposed on persons carrying on broadcasting undertakings.” The Commission has implemented this objective through various initiatives aimed at streamlining the regulatory process. The Commission continues to streamline its procedures on an on-going basis. In addition to benefiting those persons carrying on broadcasting undertakings, these initiatives allow the Commission to improve its efficiency and effectiveness as a regulatory body, and to direct its limited resources to priority sectors.
2. Recently, in *Amendments to the Television Broadcasting Regulations, 1987, the Pay Television Regulations, 1990 and the Specialty Services Regulations, 1990 – Requirements for the furnishing of program logs and records*, Broadcasting Public Notice CRTC 2006-109, 25 August 2006, the Commission announced that it has amended the three sets of regulations named in the title of that public notice. The amendments enable the Commission to exempt a licensee, by condition of licence, from the requirements related to the furnishing of program logs and records. The purpose of these amendments is to provide greater flexibility in the furnishing of program logs and records and to decrease the administrative burden on the Commission and on licensees in certain circumstances.
3. Pay-per-view (PPV) programming undertakings are subject to the *Pay Television Regulations, 1990*, by condition of licence. Each of the ten PPV licensees operating in Canada offers a number of channels featuring a similar variety of programs, such as films and special events, at different times of the day on separate channels to provide more flexibility for viewers. More than 200 PPV channels are currently offered. Each PPV licensee must file a program log on a monthly basis for each one of these PPV channels. The program logs include information on all the matters broadcast by the undertaking. Each program entry in the log generates a need to verify some 25 different fields.

4. The Commission considers that it is appropriate to reduce the administrative burden on PPV licensees with respect to their logging requirements. Accordingly, the Commission invites PPV licensees to apply for a condition of licence that would exempt them from the requirement to provide program logs for all the material broadcast by their respective undertaking. The exception would be subject to the requirement that the licensee make a commitment to abide by a condition of licence stipulating that it maintain for a period that includes the current broadcast year and the immediately preceding broadcast year ending 31 August, and submit to the Commission, upon request, a detailed list of all programs broadcast on each channel. That list must identify each program broadcast; its key figures; its programming category; if the program is an event; the language of the program; if it is Canadian or non-Canadian; if captioning is available; if it is produced by the licensee; and the times and dates of broadcast.
5. The Commission will continue to require PPV licensees to maintain audio-visual recordings of their programming for a period of four weeks from the period of broadcast, or longer upon notification from the Commission.
6. The licensee of a PPV undertaking may file an application for an exception to its current logging requirements by letter. In that letter, the licensee must indicate:
  - the licensee of the undertaking;
  - that this is an application for an exception to the requirement for filing program logs;
  - the name of the service for which the application is filed; and
  - the licensee's commitment to adhere to a condition of licence requiring that it maintain for a period that includes the current broadcast year and the immediately preceding broadcast year ending 31 August, and to submit to the Commission, upon request, a detailed list of programs broadcast on each channel. The list must identify each program broadcast; its key figures; its programming category; if the program is an event; the language of the program; if it is Canadian or non-Canadian; if captioning is available; if it is produced by the licensee; and the times and dates of broadcast.
7. The Commission will assess the effectiveness of this streamlining measure following completion of the 2010 annual program log review.

8. All licensees wishing to apply to amend their licences to take advantage of the changes are asked to send their applications to the Commission by **31 October 2006**, This will allow the Commission to issue a public notice announcing all completed applications at the same time and, thus, expedite the process for dealing with the licence amendments.

Secretary General

*This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*