



Broadcasting Public Notice CRTC 2006-20

Ottawa, 20 February 2006

Call for comments – Proposed amendments to the *Pay Television Regulations, 1990*, the *Specialty Services Regulations, 1990*, the *Broadcasting Distribution Regulations, 1990*, the *Broadcasting Distribution Regulations, 1987* and the *Television Broadcasting Regulations, 1987*

The Commission proposes to standardize sections of the Pay Television Regulations, 1990, the Specialty Services Regulations, 1990, the Broadcasting Distribution Regulations and the Television Broadcasting Regulations, 1987 dealing with requests for information and the definition of “common shares.”

Requests for information

1. To make the *Pay Television Regulations, 1990* and the *Specialty Services Regulations, 1990* consistent with the *Radio Regulations, 1986* and the *Television Regulations, 1987*, the Commission proposes to amend subsection 5(2)(a) of the *Pay Television Regulations, 1990* and subsection 8(2)(a) of the *Specialty Services Regulations, 1990*. These amendments will allow the Commission to require licensees to respond to its enquiries on a greater variety of topics.

Definition of “common shares”

2. The Commission also proposes to amend the definition of “common shares” in the *Broadcasting Distribution Regulations, 1990*, the *Pay Television Regulations, 1990*, the *Specialty Services Regulations, 1990* and the *Television Broadcasting Regulations, 1987*, to reflect the definition currently in effect in the *Radio Regulations, 1986*. This amendment will standardize the definition across all of the regulations.

Call for comments on the proposed amendments

3. The Commission invites interested parties to comment on the proposed amendments attached to this notice no later than **29 March 2006**.
4. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

Procedures for filing comments

5. Interested parties can file their comments to the Secretary General of the Commission:
 - **by using the**
[Broadcasting Intervention/Comments Form](#)
 - OR
 - **by mail to**
CRTC, Ottawa, Ontario K1A 0N2
 - OR
 - **by fax at**
(819) 994-0218
6. Submissions longer than five pages should include a summary.
7. Please number each paragraph of your submission. In addition, please enter the line ***End of document*** following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

Important notice

8. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
9. Documents received electronically or otherwise will be put on the Commission's web site in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
10. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
11. The Commission encourages interested parties to monitor the public examination file and the Commission's web site for additional information that they may find useful when preparing their comments.

**Examination of public comments and related documents at the following
Commission offices during normal business hours**

Central Building

Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel: (819) 997-2429 - TDD: 994-0423
Fax: (819) 994-0218

Metropolitan Place

99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel: (902) 426-7997 - TDD: 426-6997
Fax: (902) 426-2721

205 Viger Avenue West

Suite 504
Montréal, Quebec H2Z 1G2
Tel: (514) 283-6607

55 St. Clair Avenue East

Suite 624
Toronto, Ontario M4T 1M2
Tel: (416) 952-9096

Kensington Building

275 Portage Avenue
Suite 1810
Winnipeg, Manitoba R3B 2B3
Tel: (204) 983-6306 - TDD: 983-8274
Fax: (204) 983-6317

Cornwall Professional Building

2125 - 11th Avenue
Room 103
Regina, Saskatchewan S4P 3X3
Tel: (306) 780-3422

10405 Jasper Avenue

Suite 520
Edmonton, Alberta T5J 3N4
Tel: (780) 495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
Tel: (604) 666-2111 - TDD: 666-0778
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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>

REGULATIONS AMENDING THE PAY TELEVISION REGULATIONS, 1990

AMENDMENTS

1. Paragraph 5(2)(a) of the *Pay Television Regulations, 1990*¹ is replaced by the following:

(a) any inquiry regarding the licensee's programming or ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking; and

2. The definition "common shares" in subsection 6(1) of the Regulations is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

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

¹ SOR/90-105

**REGULATIONS AMENDING THE SPECIALTY SERVICES REGULATIONS,
1990**

AMENDMENTS

1. Paragraph 8(2)(a) of the *Specialty Services Regulations, 1990*¹ is replaced by the following:

(a) any inquiry regarding the licensee's programming or ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking; and

2. The definition "common shares" in subsection 10(1) of the Regulations is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

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

¹ SOR/90-106

REGULATIONS AMENDING THE BROADCASTING DISTRIBUTION REGULATIONS

AMENDMENT

1. The definition "common shares" in subsection 4(1) of the *Broadcasting Distribution Regulations*¹ is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

2. These Regulations come into force on the day on which they are registered.

¹ SOR/97-555

**REGULATIONS AMENDING THE TELEVISION BROADCASTING
REGULATIONS, 1987**

AMENDMENT

1. The definition "common shares" in subsection 14(1) of the *Television Broadcasting Regulations, 1987*¹ is replaced by the following:

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

COMING INTO FORCE

2. These Regulations come into force on the day on which they are registered.

¹ SOR/87-49