



Broadcasting Decision CRTC 2007-332

Ottawa, 28 August 2007

CKMW Radio Ltd.
Brampton, Ontario

Application 2007-0818-5, received 9 May 2007
Broadcasting Public Notice CRTC 2007-59
5 June 2007

CIAO Brampton – Licence renewal

*The Commission **renews** the broadcasting licence for the ethnic commercial AM radio programming undertaking CIAO Brampton, from 1 September 2007 to 31 August 2014.*

The application

1. The Commission received an application by CKMW Radio Ltd. (CKMW Radio) to renew the broadcasting licence for the ethnic commercial AM radio programming undertaking CIAO Brampton. The current licence expires 31 August 2007.
2. In Broadcasting Public Notice 2007-59, the Commission noted that the licensee may have failed to comply with the requirements regarding the contributions to Canadian talent development (CTD) for 2001.
3. The Commission received one intervention in support of this application.

Non-compliance

4. In a letter dated 17 May 2007, the Commission advised the licensee that CRTC records indicated that a portion of CKMW Radio's CTD expenditures in respect of CIAO, representing a total shortfall of \$3,000 was not spent for the 2001 broadcast year, as required under the licensee's current condition of licence. The shortfall relates to the licensee's contribution towards the establishment of a catalogue of Canadian ethnic recordings on behalf of the Ontario arm of the Canadian Association of Ethnic Broadcasters (CAEB), as set out in Public Notice 1999-117 (*Ethnic broadcasting policy*). The Commission asked CKMW Radio to provide its plans regarding the fulfillment of this shortfall, or evidence that the shortfall had been met.
5. In its reply dated 17 May 2007, the licensee stated that the shortfall in its CTD contribution for 2001 was due to the CAEB catalogue initiative not being ready to receive funding until 2002, at which time the \$3,000 shortfall was paid.

Commission's analysis and determinations

6. The Commission has reviewed the renewal application and the licensee's file. The Commission notes that the licensee has met its funding commitment with respect to CTD over the current licence term. In considering the licensee's apparent non-compliance, the Commission notes that the Canadian ethnic music catalogue initiative was not in place to receive funding until 2002. The Commission recognizes that the initial funding and support for the catalogue was a key element in ensuring the establishment of the initiative. Consequently, the Commission considers CKMW Radio's efforts at fulfilling its \$3,000 shortfall for 2001 to be reasonable, and do not warrant a short-term renewal.
7. Accordingly, the Commission **renews** the broadcasting licence for the ethnic commercial AM radio programming undertaking CIAO Brampton, from 1 September 2007 to 31 August 2014.
8. The licence will be subject to the **conditions** set out in Public Notice 1999-137, as well as to the **conditions** set out in the appendix to this decision.

Canadian content development

9. In *Commercial Radio Policy 2006* announced in Broadcasting Public Notice 2006-158, the Commission set out a new approach to the development and promotion of Canadian artists. In order to reflect a new emphasis on development initiatives that lead to the creation of audio content for broadcasting Canadian resources, the Commission replaced the expression "CTD" with "Canadian content development" (CCD). Under the new policy, each radio station holding a commercial radio licence is required to make a basic annual CCD contribution based on its total broadcast revenues in the previous broadcast year. This requirement will be reflected in the *Radio Regulations, 1986* (the Regulations). Until such time, it will be implemented by a transitional condition of licence, as set out in the appendix to this decision. This condition of licence will expire upon the coming into force of the amendments to the Regulations.
10. In the past, the Commission has approved CTD contributions directed to the Canadian catalogue of ethnic recordings. However, the Commission is of the view that the catalogue, in its present state, does not effectively support or promote Canadian ethnic artists. Accordingly, the catalogue cannot be considered to be an eligible recipient of CCD funding in accordance with *Commercial Radio Policy 2006*, as set out in Broadcasting Public Notice 2006-158.

Employment equity

11. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

Related documents

- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999
- *Ethnic broadcasting policy*, Public Notice CRTC 1999-117, 16 July 1999

This decision is to be appended to the licence. It 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>

Appendix to Broadcasting Decision CRTC 2007-332

Conditions of licence

1. The licence shall be subject to the conditions set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of condition of licence number 5.
2.
 - a) The licensee shall make a basic annual contribution to Canadian content development (CCD). The amount of the contribution shall be determined in accordance with the policy set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (Public Notice 2006-158), as amended from time to time.
 - b) The licensee shall allocate 60% of this basic annual CCD contribution to FACTOR, MUSICACTION or other eligible initiatives that support the creation of ethnic programs.
 - c) The remainder of the annual basic contribution to CCD shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives in Public Notice 2006-158.

This condition of licence shall expire upon the coming into force of the amendments to the *Radio Regulations, 1986* relating to CCD.

3. During each broadcast week, the licensee shall provide programming directed to a minimum of 12 cultural groups in a minimum of 13 different languages.