



## Broadcasting Public Notice CRTC 2007-78

Ottawa, 11 July 2007

### **Call for comments on proposed amendments to the *Television Broadcasting Regulations, 1987* – Implementation of the regulatory framework for over-the-air television**

1. The Commission proposes to amend the *Television Broadcasting Regulations, 1987* (the Regulations) in order to implement the regulatory framework for over-the-air (OTA) television established in *Determination regarding certain aspects of the regulatory framework for over-the-air television*, Broadcasting Public Notice CRTC 2007-53, 17 May 2007 (Broadcasting Public Notice 2007-53).
2. Specifically, the Commission proposes to amend the Regulations in order to remove non-traditional advertising from the calculation of the maximum number of advertising minutes that may be broadcast and to increase the number of minutes per hour of traditional advertising that an OTA television station may broadcast.
3. As stated in Broadcasting Public Notice 2007-53, these changes reflect the need for OTA broadcasters to have the flexibility to maximize advertising revenues in response to the negative impact of audience fragmentation.
4. OTA television stations currently may broadcast twelve (12) minutes of traditional advertising per hour. The proposed amendments would increase that number, as follows:
  - 14 minutes per hour in peak viewing periods (7 p.m. to 11 p.m.) effective 1 September 2007;
  - 15 minutes per hour for all viewing periods effective 1 September 2008; and
  - the elimination of limits altogether as of 1 September 2009.

#### **Call for comments**

5. The proposed *Regulations Amending the Television Broadcasting Regulations, 1987* are appended to this public notice. The Commission invites comments on the wording of the proposed amendments set out in this notice. The Commission will accept comments that it receives on or before **3 August 2007**.
6. 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

7. 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

8. Submissions longer than five pages should include a summary.

9. 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

10. 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](http://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.

11. 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.

12. 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.

13. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our Web site with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.
14. 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**

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec K1A 0N2  
Tel.: 819-997-2429  
Fax: 819-994-0218

Metropolitan Place  
99 Wyse Road  
Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel.: 902-426-7997  
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: 204-983-8274  
Fax: 204-983-6317

Cornwall Professional Building  
2125 - 11<sup>th</sup> 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: 604-666-0778  
Fax: 604-666-8322

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 TELEVISION BROADCASTING  
REGULATIONS, 1987

**AMENDMENTS**

**1. The definition “commercial message” in section 2 of the *Television Broadcasting Regulations, 1987*<sup>1</sup> is replaced by the following:**

“commercial message” means an advertisement intended to sell or promote goods, services, natural resources or activities, including an advertisement that mentions or displays in a list of prizes the name of the person selling or promoting the goods, services, natural resources or activities, and that is broadcast in a break within a program or between programs; (*message publicitaire*)

**2. Section 11 of the Regulations is replaced by the following:**

**11.** (1) Except as otherwise provided by a condition of its licence and subject to subsections (2) to (4), the maximum number of minutes of advertising material that may be broadcast by a licensee is

(a) 12 minutes in any clock hour in a broadcast day before September 1, 2008; and

(b) 15 minutes in any clock hour in a broadcast day on or after September 1, 2008 and before September 1, 2009.

(2) If a program occupies time in two or more consecutive clock hours, a licensee may broadcast more than the maximum number of minutes of advertising material during any of those clock hours if the average number of minutes of advertising material broadcast during the clock hours occupied by the program does not exceed the maximum.

(3) In addition to the maximum number of minutes of advertising material, a licensee may broadcast

(a) during each clock hour, a maximum of 30 seconds of advertising material that consists of unpaid public service announcements; and

(b) partisan political advertising during an election period.

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<sup>1</sup> SOR/87-49

(4) A licensee may broadcast 14 minutes of advertising material in a clock hour between 7:00 p.m. and 11:00 p.m. in a broadcast day on or after September 1, 2007 and before September 1, 2008.

(5) This section shall cease to have effect on September 1, 2009.

### **COMING INTO FORCE**

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