



Broadcasting Public Notice CRTC 2008-9

Ottawa, 18 January 2008

Regulatory policy

Amendments to the *Broadcasting Distribution Regulations* – Implementation of the Exemption order respecting certain third-language television undertakings

1. The Commission hereby announces that it has made amendments to the *Broadcasting Distribution Regulations* (the Regulations) in order to implement the policy established in *Exemption order respecting certain third-language television undertakings*, Broadcasting Public Notice CRTC 2007-33, 30 March 2007. The amendments specify that exempt third-language programming undertakings will be counted for the purposes of section 18(14) of the Regulations, which stipulates that broadcasting distribution undertakings must distribute five unrelated Category 2 services for every related Category 2 service they distribute.
2. The Commission issued a call for comments on the proposed amendments in *Call for comments on proposed amendments to the Broadcasting Distribution Regulations – Implementation of the Exemption order respecting certain third-language television undertakings*, Broadcasting Public Notice CRTC 2007-81, 13 July 2007. No comments were received in response to this call. Accordingly, the Commission has adopted the amendments, as originally proposed.
3. These amendments came into force upon their registration with the Clerk of the Privy Council on 18 October 2007 (SOR/2007-222). The amendments were published in the *Canada Gazette, Part II* on 31 October 2007. A copy of the amendments is appended to this notice.

Secretary General

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REGULATIONS AMENDING THE BROADCASTING DISTRIBUTION REGULATIONS

AMENDMENTS

1. (1) The portion of subsection 18(13) of the *Broadcasting Distribution Regulations*¹ before paragraph (a) is replaced by the following:

(13) For the purpose of subsection (14), Category 2 service includes

(2) Subsection 18(14) of the Regulations is replaced by the following:

(13.1) For the purpose of subsection (14), "exempt third-language service" means a programming service offered by a programming undertaking that is an exempt programming undertaking as a result of the Commission's order entitled *Exemption order respecting third-language television programming undertakings*, as set out in the Appendix to Broadcasting Public Notice CRTC 2007-33.

(14) Except as otherwise provided under a condition of its licence, a licensee shall — for each Category 2 service and each exempt third-language service of a related programming undertaking that it distributes in a licensed area — distribute at least five Category 2 services or exempt third-language services, or a combination of at least five of those services, of any unrelated programming undertakings in the licensed area.

COMING INTO FORCE

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

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The amendments provide that an exempt third-language service offered by an exempt programming undertaking may be counted for the purpose of fulfilling a licensee's requirement to distribute at least five services of unrelated programming undertakings for each related service distributed by the licensee.

¹ SOR/97-555