



## Broadcasting Order CRTC 2009-182

Ottawa, 7 April 2009

### ***Amendment to Exemption order respecting radio and television temporary network special event type 1 undertakings***

*The Commission amends Exemption order respecting radio and television temporary network special event type 1 undertakings in order to include radio and television temporary networks that distribute programming of recurring annual special events such as awards shows and fund-raising telethons. The amended exemption order appended to this document replaces Exemption order respecting radio and television temporary network special event type 1 undertakings set out in the appendix to Final revisions to certain exemption orders, Public Notice CRTC 2000-10, 24 January 2000.*

#### **Introduction**

1. *Exemption order respecting radio and television temporary network special event type 1 undertakings* (the Exemption Order) exempts certain radio and television special event network undertakings from licensing requirements and associated regulatory requirements. The Exemption Order, which is set out in the Appendix to *Final revisions to certain exemption orders*, Public Notice CRTC 2000-10, 24 January 2000 (Public Notice 2000-10), defines the purpose of these radio and/or television network undertakings as supplying radio and/or television stations licensed or exempted by the Commission with coverage of unexpected, non-recurring events such as special concerts and commemorative programs, or of public emergencies such as natural disasters and major accidents. Criterion 4 of the Exemption Order specifies that the special event undertaking must distribute its programming for a period of less than 24 consecutive hours where the broadcast is of a one-time, non-recurring event, or the special event undertaking distributes its programming over a period of not more than seven consecutive days, where the broadcast is of public emergency.
2. Currently, an applicant that proposes to distribute the programming of a special event that occurs annually, such as an awards show or a telethon, must file an application with the Commission for a broadcasting licence to operate a temporary network. In many cases, an applicant files a virtually identical application year after year for the purpose of broadcasting the programming of an annual special event. Since these applications do not raise any regulatory concerns, the Commission deals with them administratively.

#### **Commission's determination**

3. The Commission finds that amending the Exemption Order to include radio and television temporary networks that distribute programming of recurring annual special events such as awards shows and fund-raising telethons would be consistent with the CRTC's objective of streamlining its procedures to reduce the administrative burden on

broadcasters and on itself. The Commission notes that individual licensed stations forming part of the network would continue to be responsible for meeting the requirements of the *Broadcasting Act*, the relevant regulations and conditions of licence. Since, in most cases, the network licensee is also the licensee of the radio or television station from which the network's programming originates, licensees would continue to be responsible for all the programming that they broadcast. Accordingly, the Commission is satisfied that the integrity of the broadcasting system would not be affected by the proposed amendment.

4. In light of the above, the Commission amends *Exemption order respecting radio and television temporary network special event type 1 undertakings* to include radio and television temporary networks that distribute programming of recurring annual special events such as awards shows and fund-raising telethons. Specifically, the Commission amends (amendment in bold) the section of the Exemption Order entitled Purpose as follows:

The purpose of these radio and/or television network undertakings is to supply radio and/or television stations licensed or exempted by the Commission with coverage of unexpected, non-recurring events, such as special concerts and commemorative programs, **recurring annual special events such as awards shows and fund-raising telethons**, or of public emergencies such as natural disasters and major accidents.

The Commission also amends (amendment in bold) section 4 of the Exemption Order as follows:

4. The undertaking

a) distributes its programming for a period of less than 24 consecutive hours, where the broadcast is **either** a one-time, non-recurring event, **or a recurring annual special event**, or

b) distributes its programming over a period of not more than seven consecutive days, where the broadcast is of a public emergency.

5. The amended Exemption Order appended to this document replaces the *Exemption order respecting radio and television temporary network special event type 1 undertakings* set out in the appendix to Public Notice 2000-10.

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>.*

## Appendix to Broadcasting Order CRTC 2009-182

### Exemption order respecting radio and television temporary network special event type 1 undertakings

The Commission, pursuant to subsection 9(4) of the *Broadcasting Act*, by this order, exempts from the requirements of Part II of the Act and any regulations, those persons carrying on broadcasting undertakings of the class defined by the following criteria.

#### Purpose

The purpose of these radio and/or television network undertakings is to supply radio and/or television stations licensed or exempted by the Commission with coverage of unexpected, non-recurring events, such as special concerts and commemorative programs, recurring annual special events such as awards shows and fund-raising telethons, or of public emergencies such as natural disasters and major accidents.

#### Description

1. The Commission would not be prohibited from licensing the undertaking by virtue of any direction to the Commission by the Governor in Council.
2. The undertaking meets all technical requirements of the Department of Industry and has acquired all authorizations or certificates prescribed by the Department.
3. The undertaking is a network operation and, in Canada, distributes programming to licensed or exempted radio or television undertakings only.
4. The undertaking
  - a) distributes its programming for a period of less than 24 consecutive hours, where the broadcast is either a one-time, non-recurring event, or a recurring annual special event, or
  - b) distributes its programming over a period of not more than seven consecutive days, where the broadcast is of a public emergency.
5. The programming is live or pre-recorded and, if the latter, is broadcast within 24 hours of the original recording.
6. The undertaking does not broadcast programming that is religious or political in nature.
7. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Equitable Portrayal Code* and the provisions of the CAB's *Broadcast Code for Advertising to Children* as may be amended from time to time and approved by the Commission.