



Broadcasting Decision CRTC 2009-440

Route reference: 2009-68

Ottawa, 24 July 2009

TVA Group Inc.
Across Canada

Application 2008-1698-6, received 17 December 2008

Mystère – Licence amendments

1. The Commission **approves** an application by TVA Group Inc. to amend the broadcasting licence for the national, French-language Category 1 specialty programming undertaking known as *Mystère* (formerly 13^{ième} rue) by adding program categories 1, 4, 5(a), 5(b), 6(a), 6(b), 7(b), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 13, 14 and 15, as set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time, to the list of categories from which it may draw programming. The Commission did not receive any interventions in connection with this application.
2. The licensee stated that it submitted this application pursuant to Broadcasting Public Notice 2008-100, in which the Commission stated that it would permit Category 1 services to draw their programming from all program categories. The Commission considers that the addition of the above-mentioned program categories is appropriate as this amendment is in accordance with the objectives set out in that public notice.
3. The licensee stated that it would be prepared to accept a condition of licence requiring it to limit the broadcast of programming drawn from categories 6(a), 7(b), 7(f) and 7(g), as well as categories 8(b) and 8(c) combined, to 10% of all programming broadcast during the broadcast month.
4. The Commission's policy on the licensing of analog specialty and Category 1 services has always been and will continue to be that these services should not compete directly with other analog specialty or Category 1 services airing programs from the same categories.
5. Accordingly, the Commission replaces condition of licence number 1. (b), set out in Decision 2000-469, with the following **condition of licence**:
 - (b) The programming shall be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

1 News

2 (a) Analysis and interpretation

(b) Long-form documentary

- 3 Reporting and actualities
- 4 Religion
- 5 (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
- 6 (a) Professional sports
 - (b) Amateur sports
- 7 (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
 - (g) Other drama
- 8 (a) Music and dance other than music video programs and clips
 - (b) Music video clips
 - (c) Music video programs
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos
- 15 Filler programming

6. To ensure that this amendment does not allow Mystère to develop into a service that could compete with other Category 1 services, and in accordance with the intent of the policy set out in Broadcasting Public Notice 2008-100, the Commission imposes on the licensee the following **conditions of licence**:

The licensee shall devote not more than 10% of the programming broadcast during the broadcast month to programs drawn from categories 7(b), 7(f) and 7(g) combined.

The licensee shall devote not more than 10% of the programming broadcast during the broadcast month to programs drawn from categories 8(b) and 8(c) combined.

The licensee shall devote not more than 10% of the programming broadcast during the broadcast month to programs drawn from category 6(a).

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008

- *13^{ième} Rue* — a new specialty service, Decision CRTC 2000-469, 14 December 2000

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>.