



## Broadcasting Decision CRTC 2009-450

Route reference: 2009-196

Ottawa, 24 July 2009

**Canal Savoir**  
Montréal, Quebec

*Application 2009-0385-8, received 19 February 2009*

### **CFTU-TV Montréal – Licence renewal**

*The Commission **renews** the broadcasting licence for the television programming undertaking CFTU-TV Montréal from 1 September 2009 to 31 August 2016.*

#### **The application**

1. The Commission received an application by Canal Savoir to renew the broadcasting licence for the television programming undertaking CFTU-TV Montréal under the same conditions as those in effect under the current licence. The licence expires 31 August 2009.
2. Canal Savoir is a private, not-for-profit consortium that has been working at disseminating knowledge for nearly 25 years. The consortium brings together universities, colleges and partners in the Canadian French-language audiovisual field, including the Société de télédiffusion du Québec (Télé-Québec).
3. The programming activities of Canal Savoir promote the development of Canadian content and are aimed at developing a thirst for knowledge and the acquisition of skills, as well as a broad and scientific culture.
4. Canal Savoir does not broadcast advertising and does not plan to do so during the next licence term. However, the members of its consortium which produce courses to be broadcast by Canal Savoir may accept prestige sponsorships to fund those programs.
5. Considering its annual programming budget of \$300,000, Canal Savoir estimates that it will be able to caption 10% of its programming in the 2009 and 2010 broadcast years and 75% of its programming beginning 1 September 2011.
6. Canal Savoir plans to comply with the Commission's policies and timelines for digital transition, as set out in Broadcasting Public Notice 2007-53.
7. Canal Savoir agrees to comply with the Canadian Association of Broadcasters' *CAB Violence Code* and *Equitable Portrayal Code*.

8. The Commission received interventions in support of the application. These interventions are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

### **Commission's analysis and determinations**

9. On the basis of its review of the renewal application and the interventions received, the Commission **renews** the broadcasting licence for the television programming undertaking CFTU-TV Montréal from 1 September 2009 to 31 August 2016. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Closed captioning**

10. In Broadcasting Public Notice 2007-54, the Commission concluded that all English- and French-language television broadcasters must, upon commencement of operations, caption all programs broadcast over the broadcast day with the exception of advertising and promos. The Commission added that it was prepared to consider requests to tailor the 100% requirement to enable some applicants to reach this objective gradually. Such applications must demonstrate, with specific and detailed supporting evidence such as financial data, that the applicants are not able to meet the 100% closed captioning requirement.
11. The Commission considers that Canal Savoir has adequately demonstrated that it will be unable to meet the 100% closed captioning requirement over the next licence term, owing to its mandate, its non-commercial nature and its budgetary constraints. Consequently, the Commission is of the view that it is appropriate to grant Canal Savoir an exception to the closed captioning policy.
12. The Commission accepts Canal Savoir's proposal to caption at least 10% of its programming during the 2009 and 2010 broadcast years and not less than 75% of its programming beginning in the 2011 broadcast year. The Commission also expects the licensee to caption all (100%) of its programming as soon as its circumstances allow. A **condition of licence** to this effect is set out in the appendix to this decision.
13. In accordance with Broadcasting and Telecom Regulatory Policy 2009-430, the Commission further expects the licensee to take the following measures as soon as possible:
  - ensure that advertising, sponsorship messages and promos are closed captioned by the end of its next licence term;
  - elaborate and submit at its next licence renewal its own measures and procedures to ensure the quality of captioning; and
  - implement a monitoring system to ensure that closed captioning is included in the broadcast signal and that it reaches the viewer in its original form.

### **Transition to digital broadcasting**

14. The Commission notes that over the licence term covered by this renewal, Canal Savoir will have to cease transmission of analog television signals. Specifically, in Broadcasting Public Notice 2007-53, the Commission determined that television licensees will be authorized to broadcast only digital over-the-air signals after 31 August 2011.
15. The conditions of licence imposed in this decision will remain in effect despite the conversion from analog to digital transmission. In the event that the conversion results in amendments to the conditions of licence, these amendments will be carried out accordingly. The Commission reminds Canal Savoir that it must comply with the technical requirements of the Department of Industry throughout its licence term.

Secretary General

### **Related documents**

- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009
- *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007
- *Determinations regarding certain aspects of the regulatory framework for over-the-air television*, Broadcasting Public Notice CRTC 2007-53, 17 May 2007

*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 2009-450

### Terms, conditions of licence, expectations and encouragement for the television programming undertaking CFTU-TV Montréal

#### Terms

The licence will be in effect from 1 September 2009 to 31 August 2016.

#### Conditions of licence

1. The licensee shall, in each broadcast year, devote to the broadcast of Canadian programs:
  - not less than 60% of all its programming during the broadcast day; and
  - not less than 50% of all its programming during the evening broadcast period.
2. The licensee shall caption not less than 10% of its programming during the 2009 and 2010 broadcast years and not less than 75% of its programming beginning in the 2011 broadcast year.
3. The licensee shall comply with the Canadian Association of Broadcasters' *CAB Violence Code*, as amended from time to time and approved by the Commission.
4. The licensee shall comply with the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission. However, the application of the foregoing condition of licence will be suspended if the licensee is a member in good standing of the Canadian Broadcast Standards Council.

#### Expectations

##### Closed-captioning

The Commission also expects the licensee to caption all (100%) of its programming as soon as its circumstances allow.

In accordance with *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy 2009-430, 21 July 2009, the Commission further expects the licensee to take the following measures as soon as possible:

- ensure that advertising, sponsorship messages and promos are closed captioned by the end of its next licence term;
- elaborate and submit at its next licence renewal its own measures and procedures to ensure the quality of captioning; and

- implement a monitoring system to ensure that closed captioning is included in the broadcast signal and that it reaches the viewer in its original form.

### **Encouragement**

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.