



Broadcasting Regulatory Policy CRTC 2009-547

Ottawa, 31 August 2009

General conditions of licence for terrestrial (cable, digital subscriber line, multipoint distribution system) and direct-to-home (DTH) satellite broadcasting distribution undertakings

1. In the appendices to this document, the Commission sets out the general conditions of licence that apply to all licensees of terrestrial (cable, digital subscriber line, multipoint distribution system) and direct-to-home (DTH) satellite broadcasting distribution undertakings (collectively, BDUs). Included is a new general condition of licence as proposed in Broadcasting Notice of Public Hearing 2007-10 and adopted in the resulting regulatory frameworks for BDUs and discretionary programming services set out in Broadcasting Public Notice 2008-100.
2. Consequently, effective immediately, the following condition of licence applies to all BDUs.

The licensee is authorized to distribute any service or to undertake any activity authorized in the regulatory policy entitled *General authorizations for broadcasting distribution undertakings*, as amended from time to time, under the terms and conditions set out in that regulatory policy.
3. Today, the Commission has also issued Broadcasting Regulatory Policy 2009-546, which sets out the general authorizations for BDUs that the Commission considers are appropriate at this time. By virtue of the general condition of licence set out above, those authorizations are incorporated by reference into the licences of BDUs.
4. Licensees are required to append this document to each of their licences.
5. This general condition of licence responds to a concern set out in Broadcasting Notice of Public Hearing 2007-10. In the notice, the Commission noted that from time to time a BDU will apply for conditions of licence permitting it to provide a service or undertake some activity not authorized or contemplated by the *Broadcasting Distribution Regulations* (the Regulations). Often, in approving such an application, the Commission anticipates that other BDUs will likely request a similar authorization. Despite the existence of a precedent, BDUs wishing to be granted the same authority have been obliged to file individual applications. This has entailed delays for BDUs wishing to offer comparable services, and additional work for both the Commission and licensees.
6. In Broadcasting Notice of Public Hearing 2007-10, the Commission proposed to reduce the necessity for duplicative applications by more than one BDU through the use of “standard authorizations.” The Commission proposed that such authorizations be set out in a public notice that could be updated whenever a precedent authorization is granted. The public notice could then be incorporated by reference into the licences of BDUs by way of a condition of licence granted to all BDUs.

7. The Commission envisaged that, when it received an application for a new authorization that other BDUs would likely seek, rather than requesting comment solely on the particular application, it would seek comment on whether the proposed authorization, if granted, should be included in the “standard authorizations” public notice.
8. The proposal advanced in Broadcasting Notice of Public Hearing 2007-10 received general support from those parties that addressed it in their submissions. Accordingly, in Broadcasting Public Notice 2008-100, the Commission announced that it would proceed with this proposal and would set out specific wording to be incorporated by reference into the licence of BDUs.

Secretary General

Related documents

- *General authorizations for broadcasting distribution undertakings*, Broadcasting Regulatory Policy CRTC 2009-546, 31 August 2009
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory Policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Review of the regulatory frameworks for broadcasting distribution undertakings and discretionary programming services*, Broadcasting Notice of Public Hearing CRTC 2007-10, 5 July 2007

This document is to be appended to each 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 1 to Broadcasting Regulatory Policy CRTC 2009-547

General conditions of licence

Terrestrial (cable, digital subscriber line and multipoint distribution system) broadcasting distribution undertakings

1. Except as authorized by the Commission, this broadcasting undertaking shall be operated in fact by the licensee itself. The licence cannot be transferred or assigned.
2. The written approval of the Commission is required prior to any changes to the authorized licensed area(s).
3. The written approval of the Commission is required prior to the distribution of any service not authorized in
 - a) the *Broadcasting Distribution Regulations*;
 - b) the most recent renewal decision or, if there has been no renewal, the initial licensing decision; or
 - c) any subsequent written approvals granted during the term of this licence.
4. The licensee may receive any authorized signals over the air, or from any licensed or exempted Canadian broadcasting distribution undertaking authorized to provide signals to other broadcasting distribution undertakings.
5. For community programming and any other programming of a service that it originates, the licensee shall adhere to the guidelines on the depiction of violence in television programming set out in the *CAB Violence Code*, as amended from time to time and approved by the Commission.
6. For community programming, the licensee shall adhere to the provisions contained in *Cable television community channel standards*, Public Notice CRTC 1992-39, 1 June 1992, as amended from time to time and approved by the Commission.
7. The licensee is authorized to distribute any service and to undertake any activity authorized in the regulatory policy entitled *General authorizations for broadcasting distribution undertakings*, as amended from time to time, under the terms and conditions set out in that regulatory policy.
8. This licence is also subject to any other conditions of licence which are specified in the most recent renewal decision (other than an administrative renewal) or, if there has been no renewal, in the initial licensing decision, and in any subsequent written authorizations granted during the term of this licence.¹

¹ Formerly, condition of licence 7.

Appendix 2 to Broadcasting Regulatory Policy CRTC 2009-547

General conditions of licence

Direct-to-home (DTH) satellite broadcasting distribution undertakings

1. Except as authorized by the Commission, this broadcasting undertaking shall be operated in fact by the licensee itself. The licence cannot be transferred or assigned.
2. The written approval of the Commission is required prior to the distribution of any service not authorized in
 - a) the *Broadcasting Distribution Regulations*;
 - b) the most recent renewal decision or, if there has been no renewal, the initial licensing decision; or
 - c) any subsequent written approvals granted during the term of this licence.
3. For community programming and any other programming of a service that it originates, the licensee shall adhere to the guidelines on the depiction of violence in television programming set out in the *CAB Violence Code*, as amended from time to time and approved by the Commission.
4. The licensee is authorized to distribute any service and to undertake any activity authorized in the regulatory policy entitled *General authorizations for broadcasting distribution undertakings*, as amended from time to time, under the terms and conditions set out in that regulatory policy.
5. This licence is also subject to any other conditions of licence which are specified in the most recent renewal decision (other than an administrative renewal) or, if there has been no renewal, in the initial licensing decision, and in any subsequent written authorizations granted during the term of this licence.²

² Formerly, condition of licence 4.