



## Broadcasting Regulatory Policy CRTC 2009-62

Route reference:

Broadcasting Public Notice 2008-1

Ottawa, 11 February 2009

### Conditions of licence for commercial AM and FM radio stations

*In the appendix to this document, the Commission sets out conditions of licence that apply to licensees of all commercial AM and FM stations. It updates the list set out in the appendix to Public Notice 1999-137.*

### Introduction

1. In the appendix to Public Notice 1999-137, the Commission set out a list of conditions of licence applicable to licensees of commercial AM and FM radio stations. In the appendix to this document, the Commission updates those conditions of licence to take into account the results of revisions to its policies for radio that have occurred since Public Notice 1999-137 was released.
2. The changes are summarized below.
  - In condition of licence 1, the Commission replaces the reference to the Canadian Association of Broadcasters' (CAB) *Sex-Role Portrayal Code for Television and Radio Programming* with a reference to the CAB's *Equitable Portrayal Code*. This reflects the Commission's determination set out in Broadcasting Public Notice 2008-23.
  - Condition of licence 5 set out in Public Notice 1997-137 has been eliminated. That condition required licensees to make payments to Canadian Talent Development (CTD) according to a plan established by the CAB. In Broadcasting Public Notice 2006-158, the Commission replaced its policies with respect to CTD with a new regime for Canadian Content Development (CCD). Requirements to make payments to support CCD are set out in the *Radio Regulations, 1986*.
  - The final condition of licence, which relates to the broadcast of hits, has been revised to reflect the Commission's determinations set out in Broadcasting Regulatory Policy 2009-61.

Secretary General

**Related documents**

- *Policy regarding the broadcast of hits by English-language FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-61, 11 February 2009
- *Equitable Portrayal Code – Regulatory policy*, Broadcasting Public Notice CRTC 2008-23, 17 March 2008
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999
- *A review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995
- *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993
- *Services using the vertical blanking interval (television) or subsidiary communications multiplex operation (FM)*, Public Notice CRTC 1989-23, 23 March 1989

*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 Regulatory Policy CRTC 2009-62**

### **Conditions of licence for commercial radio stations**

#### **Conditions for AM and FM stations**

1. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to 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.
2. The licensee shall adhere to the Canadian Association of Broadcasters' *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
3. The licensee shall not affiliate with or disaffiliate from the Canadian Broadcasting Corporation without the prior written approval of the Commission.
4. Subject to condition of licence 5, the undertaking shall be operated on the basis of the contours and particulars contained in the approved application.
5. The licence is also subject to any other conditions of licence that 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.

#### **Conditions for FM stations only**

6. As outlined in *Services using the vertical blanking interval (television) or subsidiary communications multiplex operation (FM)*, Public Notice CRTC 1989-23, 23 March 1989, as amended from time to time, the licensee shall not use its subsidiary communications multiplex operation channel without the prior written approval of the Commission in order to distribute ethnic programs, where the time devoted to these programs represents more than 15% of the broadcast week and the service area overlaps an area already served by an ethnic station.
7. Subject to condition of licence 5, this station shall not be operated within the Specialty format as defined in *A review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, as amended from time to time.

8. Subject to condition of licence 5, for commercial FM stations serving markets other than single-station markets (*Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993) the licensee shall refrain from soliciting or accepting local advertising for broadcast during any broadcast week when less than one-third of the programming aired is local. The definition of local programming shall be as set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time.

**Condition for English-language FM stations located in Montréal and Ottawa-Gatineau**

9. Subject to condition of licence 5, the licensee shall broadcast, in any broadcast week, less than 50% hit material as defined in *Policy regarding the broadcast of hits by English-language FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-61, 11 February 2009, as amended from time to time.