



Broadcasting Decision CRTC 2010-434

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Route reference: 2009-786

Ottawa, 30 June 2010

Hope FM Ministries Limited

Truro, Nova Scotia

Application 2009-0340-3, received 11 February 2009

CINU-FM Truro – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language specialty radio station CINU-FM Truro from 1 July 2010 to 31 August 2013. This short-term licence renewal will enable the Commission to review, at an earlier date, the licensee's compliance with the Radio Regulations, 1986 and its conditions of licence.*

Introduction

1. The Commission received an application by Hope FM Ministries Limited (Hope FM) to renew the broadcasting licence for the English-language specialty radio programming undertaking CINU-FM Truro, which expires 30 June 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2009-786, the Commission stated that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations), which relates to the provision of annual returns, for the broadcast years 2004, 2006, 2007 and 2008. The Commission also stated that the licensee may have failed to comply with its condition of licence relating to contributions to Canadian talent development (CTD), for the 2006 broadcast year.

Commission's analysis and determinations

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issues to be addressed in its determinations relate to the following:
 - contributions to CTD, and
 - the provision of annual returns.

¹ The current licence was administratively renewed until 31 December 2009 in Broadcasting Decision 2009-506, until 31 May 2010 in Broadcasting Decision 2009-785, and until 30 June 2010 in Broadcasting Decision 2010-324.

Contributions to Canadian talent development

4. As set out in the Regulations, licensees are required to complete payment of a contribution to the development of Canadian content or Canadian talent for a given broadcast year by the end of that broadcast year (i.e., 31 August). The Commission notes that the licensee's CTD contribution for the 2006 broadcast year was made after the 31 August deadline.
5. The licensee indicated that it submitted its commitment too late in the year for it to be included in the 2006 annual return. The station manager was under the impression that a company could make a double payment the following year if a year was missed, not realizing that the Commission did not allow this practice. The licensee indicated that it will not happen again as it has committed to putting aside its required contribution to CTD at the beginning of the year so as to ensure that the station fulfils its commitment.

Provision of annual returns

6. As set out in section 9(2) of the Regulations, licensees are required to file their annual returns for a specific broadcast year by 30 November of that same broadcast year. The Commission notes that, for the 2004, 2006, 2007 and 2008 broadcast years, the licensee's annual returns were filed after the 30 November deadline.
7. The licensee noted that it relies on volunteers and their expertises to get the job done, and that it will continue to do so. However, it also made it clear that, if it cannot get the annual returns done on time, an accountant will be hired to complete the annual.

Conclusion

8. In light of all of the above, in accordance with its practice regarding radio non-compliance, set out in Circular No. 444, the Commission considers that a short-term renewal period for CINU-FM would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language specialty radio programming undertaking CINU-FM Truro from 1 July 2010 to 31 August 2013, four years from the original expiry date of 31 August 2009. This short-term renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with the Regulations and its conditions of licence. The licence will be subject to the **conditions** set out in the appendix to this decision.

Secretary General

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-324, 28 May 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2009-786, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-785, 17 December 2009

- *Administrative renewals*, Broadcasting Decision CRTC 2009-506, 20 August 2009
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001

**This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2010-434

Conditions of licence and encouragement

Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence number 7.
2. The station shall be operated within the Specialty format as defined in *A review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
3. A minimum of 92% of all musical selections broadcast during each broadcast week shall be devoted to selections drawn from subcategory 35 (Non-classic religious).
4. The licensee shall ensure that a minimum of 20% of musical selections from category 3 (Special interest music) broadcast during each broadcast week are Canadian selections.
5. The licensee shall adhere to the guidelines on ethics for religious programming as set out in section IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, as amended from time to time.

Encouragement

Employment equity

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.