



## Broadcasting Decision CRTC 2011-368

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Route reference: 2011-188

Ottawa, 9 June 2011

### **Société Radio Taïga**

Yellowknife, Northwest Territories

*Application 2011-0105-5, received 24 January 2011*

### **CIVR-FM Yellowknife – Acquisition of assets**

1. The Commission **approves** the application by Société Radio Taïga for authority to acquire from L'Association Franco-Culturelle de Yellowknife the assets of the French-language Type A community radio programming undertaking CIVR-FM Yellowknife. The applicant also requested a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence. The Commission received an intervention in support of this application.
2. The applicant is a not-for-profit organization controlled by its board of directors.
3. The Commission notes that, as per the Business Transfer Contract, there is no financial value linked to this transaction.
4. The Commission does not normally require tangible benefits in transactions involving community radio stations. Therefore, the payment of tangible benefits is not required in this case.
5. Upon surrender of the current licence issued to L'Association Franco-Culturelle de Yellowknife, the Commission will issue a new broadcasting licence to Société Radio Taïga. The new licence will expire 31 August 2013, the current licence expiry date, and will be subject to the terms and conditions set out in the appendix to this decision.
6. Furthermore, the Commission's analysis reveals that, during the current licence term, CIVR-FM may have contravened section 9(2) of the *Radio Regulations, 1986* regarding the submission of annual returns for the 2005-2006 and 2009-2010 broadcast years. It appears that the annual returns for these two broadcast years have not been submitted to the Commission. In a letter dated 10 February 2011, the applicant indicated that, once the acquisition of assets was complete, it would pursue the matter so that it could submit the missing annual returns to the Commission by the end of March 2012. The Commission will review CIVR-FM's compliance with its regulatory obligations, including any instances of non-compliance, in the context of the station's licence renewal in 2013.

7. On 22 July 2010, the Commission issued *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499. The Commission encourages the licensee to consult this policy. The licensee may then apply to the Commission to amend its conditions of licence to reflect the new policy, if it wishes to do so.

Secretary General

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

# Appendix to Broadcasting Decision CRTC 2011-368

## Terms, conditions of licence and encouragement

### Issuance of the broadcasting licence to operate the French-language Type A community radio programming undertaking CIVR-FM Yellowknife

#### Terms

The licence will expire 31 August 2013.

The Commission requires the licensee to file within 12 months of the date of this decision a copy of its amended and executed by-laws in order to comply at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998.

#### Conditions of licence

1. The licence will be subject to the conditions set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000.
2. The licensee shall devote, in each broadcast week, at least 20% of the musical selections broadcast to musical selections from content subcategories other than subcategory 21 (Pop, rock and dance).
3. The licensee shall devote, in each broadcast week, at least 5% of the musical selections broadcast to musical selections from content category 3 (Special interest music).
4. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
5. The licensee shall adhere to the provisions of the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

#### Encouragement

##### Employment equity

6. The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to reflect fully the communities they serve. It encourages the licensee to consider these issues in its hiring practices and in all other aspects of its management of human resources.