



Broadcasting Regulatory Policy CRTC 2011-442

PDF version

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Additional references: 2010-952-2 and 2010-952-3

Ottawa, 27 July 2011

Standard conditions of licence, expectations and encouragements for conventional television stations

In this regulatory policy, the Commission sets out standard conditions of licence, expectations and encouragements for conventional television stations for which the broadcasting licences are being renewed in Broadcasting Decisions 2011-444, 2011-445, 2011-446 and 2011-447, also issued today.

1. In Broadcasting Regulatory Policy 2010-167 (the group-based policy), the Commission established a comprehensive framework for the group-based licensing of private television services affiliated with large English-language Canadian broadcast ownership groups. In Broadcasting Decision 2011-441, also issued today, the Commission has announced that it has renewed the broadcasting licences for various conventional television stations, for various specialty and pay television Category A services, and for various specialty and pay television Category B¹ services. That decision also sets out the various issues that were addressed by the Commission in making its determinations. The renewals of the broadcasting licences for the services of each large English-language private television ownership group are set out in the following decisions, also issued today:
 - Bell Media Inc. (Broadcasting Decision 2011-444)
 - Shaw Media Inc. (Broadcasting Decision 2011-445)
 - Corus Entertainment Inc. (Broadcasting Decision 2011-446)
 - Rogers Media Inc. (Broadcasting Decision 2011-447)
2. In the various decisions issued today, the Commission also sets out its determinations in regard to various requirements imposed on the broadcasting services of each ownership group. Whereas some of those requirements are specific to particular services, some apply to all services of a certain type (for example, all conventional television stations, all specialty and pay television Category A services, or all

¹ As set out in Broadcasting Public Notice 2008-100, effective 31 August 2011, Category 1 digital and analog pay and specialty services will be renamed Category A services, and Category 2 digital services will be renamed Category B services.

specialty and pay television Category B services). For this reason, the Commission considers it appropriate to set out, in stand-alone regulatory policies, standard conditions of licence, expectations and encouragements for conventional television stations and specialty and pay television Category A services.² The standard conditions of licence, expectations and encouragements for all four types of service will be complemented by specific conditions of licence, expectations and encouragements for individual services, set out in the broadcasting decisions noted above.

3. Accordingly, in the appendix to the present regulatory policy, the Commission sets out the standard **conditions of licence**, expectations and encouragements for conventional television stations. These will apply to the conventional television stations for which the broadcasting licences are being renewed in Broadcasting Decisions 2011-444, 2011-445, 2011-446 and 2011-447. The Commission notes that the standard conditions of licence, expectations and encouragements for specialty and pay television Category A services are set out in Broadcasting Regulatory Policy 2011-443, also issued today.

Secretary General

Related documents

- *Rogers Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-447, 27 July 2011
- *Corus Entertainment Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-446, 27 July 2011
- *Shaw Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-445, 27 July 2011
- *Bell Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-444, 27 July 2011
- *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011
- *Group-based licence renewals for English-language television groups – Introductory decision*, Broadcasting Decision CRTC 2011-441, 27 July 2011

² This follows the model established for the standard conditions of licence, expectations and encouragements for specialty and pay television Category B services, which are set out in Broadcasting Regulatory Policy 2010-786-1, as well as those for Category C services, which are set out in Broadcasting Regulatory Policy 2009-562-1.

- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services*, Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008

Appendix to Broadcasting Regulatory Policy CRTC 2011-442

Standard conditions of licence, expectations and encouragements for conventional television stations

General

The following terms, conditions of licence, expectations and encouragements are applicable to all conventional television stations, except where an authorization that represents a change from or addition to these terms and conditions is included in the decision granting a particular licence.

Conventional television stations are also subject to the *Television Broadcasting Regulations, 1987*.

Conditions of licence

1. The licensee shall adhere to the *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 *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
3. The licensee shall adhere to the *Violence 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.
4. The licensee shall adhere to the *Journalistic Independence 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.
5. The licensee shall caption 100% of the English- and French-language programs broadcast over the broadcast day, consistent with the approach set out in *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007.

6. Consistent with *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009, as subsequently amended by the Commission,³ the licensee shall:
- ensure that advertising, sponsorship messages and promos in the English and French languages are closed captioned by no later than the fourth year of the licence term;
 - adhere to the quality standards on closed captioning developed by television industry working groups, as amended from time to time and approved by the Commission; and
 - implement a monitoring system to ensure that, for any signal that is closed captioned, the correct signal is captioned, the captioning is included in its broadcast signal and this captioning reaches the distributor of that signal in its original form. “Original form” means, at a minimum, that the captioning provided by the licensee reaches the distributor unaltered, whether it is passed through in analog or in digital, including in high definition.
7. The licensee shall provide audio description for all the key elements of Canadian information programs, including news programming. For the purposes of this condition of licence, “audio description” refers to announcers reading aloud the key textual and graphic information that is displayed on the screen during information programs.
8. The licensee shall provide described video for a minimum of four hours per broadcast week, of which two hours must be broadcast in described video for the first time on the service. The minimum four hours of described video programming broadcast during each broadcast week may be drawn from the following program categories, set out in item 6 of Schedule I to the *Television Broadcasting Regulations, 1987*: 2(b) Long-form documentary; 7 Drama and comedy; 9 Variety; 11(a) General entertainment and human interest; and 11(b) Reality television, and/or may be programming targeting children.
9. The licensee shall not affiliate with or disaffiliate from any network operator without the prior written approval of the Commission.

³ See *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011, *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010; *Implementation of the Accessibility Policy with respect to new Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010.

10. The undertaking shall be operated on the basis of the contours and particulars approved by the Commission.
11. If the licensee operates in a metropolitan television market, the licensee shall broadcast no less than 14 hours of Canadian local programming in each broadcast week.
12. If the licensee operates in a non-metropolitan television market, the licensee shall broadcast no less than seven hours of Canadian local programming in each broadcast week. The licensee will not be eligible to receive funding from the Local Programming Improvement Fund if it is not in compliance with this condition of licence.
13. Unless otherwise authorized by the Commission, the licensee shall not transmit analog television signals after 31 August 2011 in the mandatory markets designated as such by the Commission in *Over-the-air television service in Whitehorse, Yellowknife and Iqaluit*, Broadcasting Regulatory Policy CRTC 2011-184, 14 March 2011, or transmit television signals on channels 52 to 69.
14. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, the licensee shall file, within 30 days of its execution, for the Commission's review, a copy of the programming supply agreement and/or licence or trademark agreement it has entered into with a non-Canadian party. In addition, the Commission may request any additional document(s) that could affect control of the programming or management of the service.

For the purposes of conditions of licence 11 and 12:

- In accordance with the definition set out in *Policy determinations resulting from the 27 April 2009 public hearing*, Broadcasting Regulatory Policy CRTC 2009-406, 6 July 2009, "local programming" is defined as programming produced by local stations with local personnel or programming produced by locally-based independent producers that reflects the particular needs and interests of the market's residents.
- In accordance with the definition set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008 (Broadcasting Public Notice 2008-100), a "metropolitan television market" is a television market in which the population with a knowledge of the official language of the station (i.e., English or French), as defined by Statistics Canada, is one million or more.
- In accordance with the definition set out in Broadcasting Public Notice 2008-100, a "non-metropolitan television market" is a television market in which the population with a knowledge of the official language of the station (i.e., English or French), as defined by Statistics Canada, is less than one million.

Expectations

Accessibility

When captions are available and where the licensee broadcasts over an 18-hour broadcast day, the Commission expects the licensee to provide viewers with a closed captioned version of all programming aired during the overnight period.

Further, the Commission expects the licensee to:

- display a standard described video logo and air an audio announcement indicating the presence of described video before the broadcast of each described program; and
- make information available regarding the described programs that it will broadcast.

Local presence

The Commission expects the licensee to maintain a local presence, as established in *Policy determinations resulting from the 27 April 2009 public hearing*, Broadcasting Regulatory Policy CRTC 2009-406, 6 July 2009.

On-screen portrayal of ethnocultural minorities, Aboriginal peoples, and persons with disabilities

The Commission expects the licensee to endeavour, through its programming and employment opportunities, to reflect the presence in Canada of ethnocultural minorities, Aboriginal peoples, and persons with disabilities. The Commission further expects the licensee to ensure that the on-screen portrayal of such groups is accurate, fair and non-stereotypical.

Employment equity

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992 (Public Notice 1992-59), licensees with 100 or more employees are subject to the *1996 Employment Equity Act*. If the licensee has between 25 and 99 employees, the Commission expects the licensee to have in place an employment equity plan that addresses the equitable representation of the four designated groups (women, Aboriginal peoples, persons with disabilities and visible minorities), as set out in Public Notice 1992-59 and in *Amendments to the Commission's Employment Equity Policy*, Public Notice CRTC 1997-34, 2 April 1997.

In implementing its employment equity plan, the Commission further expects the licensee to:

- ensure that the details of the licensee's employment equity policies are communicated to managers and staff;

- assign a senior level person to be responsible for tracking progress and monitoring results; and
- dedicate financial resources to the promotion of employment equity in the workplace.

Encouragements

The Commission encourages the licensee to repeat the standard described video logo and audio announcement indicating the presence of described video following each commercial break.

If the licensee has fewer than 25 employees, 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.