



## Broadcasting Decision CRTC 2011-445

PDF version

Route reference: 2010-952-1

Additional references: 2010-952-2, 2010-952-3, 2010-952-4 and 2010-952-5

Ottawa, 27 July 2011

### **Shaw Media Inc., on behalf of various licensees**

Various locations and across Canada

*The application numbers are set out in the appendices to this decision.*

*Public hearing in the National Capital Region*

*4 April 2011*

### **Shaw Media Inc. – Group-based licence renewals**

*The Commission **renews** the broadcasting licences for the various television services affiliated with the Shaw Media Inc. broadcasting ownership group from 1 September 2011 to 31 August 2016. The Commission also **revokes** the licence and **issues** a new licence for the specialty Category A service Food Network Canada, whose licence is not expiring by 31 August 2011, but which requested to be treated as part of this proceeding.*

#### **Introduction**

1. The Commission received applications by Shaw Media Inc. (Shaw Media), on behalf of the licensees listed in Appendix 1 to this decision, to renew the broadcasting licences for the conventional television stations and the specialty Category A and B services set out in that appendix.<sup>1</sup>
2. 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, including those services affected by this decision. The Commission's determinations relating to the implementation of group-based licensing are set out in Broadcasting Decision 2011-441 (the introductory decision), also issued today, which should be read in conjunction with this decision.
3. The Commission received numerous interventions relating to the above-noted applications. The public record for this proceeding can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

---

<sup>1</sup> The licence for the specialty Category A service Food Network Canada does not expire until 31 August 2013. Shaw Media has requested that the service's licence be revoked and that a new licence be issued as part of this proceeding.

4. Having examined the applications and replies made by the Shaw Media group as well as the various interventions concerning this group of services, the Commission **renews** the broadcasting licences for the various television services affiliated with the Shaw Media Inc. broadcasting ownership group that are listed in Appendix 1 to this decision. The Commission also **revokes** the licence and **issues** a new broadcasting licence for the specialty Category A service Food Network Canada whose licence is not expiring this year but which requested to be treated as part of this proceeding. The new licences will be subject to the **conditions of licence** set out in the relevant appendices below, as well as the applicable standard conditions of licence set out in Broadcasting Regulatory Policies 2011-442, 2011-443 and 2010-786-1. The licences will take effect on 1 September 2011 and expire 31 August 2016.
5. In the introductory decision, the Commission set out its determinations on issues that apply both to the Shaw Media group and the other large English-language ownership groups. These determinations are reflected below and in the conditions of licence of the various services. In addition, the Commission considers that the following issues specific to the Shaw Media group should be examined in greater detail:
  - Canadian programming expenditures (CPE);
  - expenditures on programs of national interest (PNI);
  - certain issues specific to the following stations and services:
    - CITV-TV Edmonton and CHAN-TV Vancouver
    - Twist TV
    - Slice
    - TVtropolis

### **Canadian programming expenditures**

6. Consistent with its determinations in the introductory decision and with the commitments made in this proceeding by the Shaw Media group on behalf of the licensees listed in Appendix 1 to this decision, the Commission has established a minimum group CPE level of 30% for the Shaw Media group. As part of this requirement, the Shaw Media conventional television stations will be required to collectively reach a minimum CPE level of 22%. The group CPE level will be implemented through conditions of licence imposed on the various qualifying conventional television stations and specialty services, as set out in the appendices to this decision.
7. In the first broadcast year of the licence term, the required minimum CPE resulting from the above-noted levels will be calculated using the average of the undertakings' gross revenues in the previous three years. In each subsequent broadcast year of the licence term, the CPE levels will be calculated using the undertakings' gross revenues in the previous year. Consistent with the group-based policy, the Commission has also set out flexibility provisions for CPE requirements. Specifically, specialty

services have the flexibility to attribute 100% of their required CPE to any other eligible specialty or conventional service within the same designated group. Conventional stations have the flexibility to attribute a maximum of 25% of their required CPE to eligible specialty services within the designated group.

### **Expenditures on programs of national interest**

8. Consistent with its determinations in the introductory decision and with the commitments made in this proceeding by the Shaw Media group on behalf of the licensees listed in Appendix 1 to this decision, the Commission has established a minimum group expenditure requirement of 5% for PNI, as defined in the group-based policy. The group PNI expenditure requirement level will be implemented through conditions of licence imposed on the various qualifying television services, as set out in the appendices to this decision.
9. As with CPE, in the first broadcast year of the licence term, the PNI expenditure requirement for each television service will be calculated using the average of the undertakings' gross revenues in the previous three years. In each subsequent broadcast year of the licence term, the PNI expenditure requirement will be calculated using the undertakings' gross revenues in the previous year. Consistent with the group-based policy, the Commission will also grant qualifying television services the flexibility to attribute 100% of their required PNI expenditures to any other qualifying television service within the same designated group.
10. As set out in the group-based policy, no less than 75% of expenditures on PNI must be made to an independent production company.

### **Issues specific to certain stations and services**

#### **CITV-TV Edmonton and CHAN-TV Vancouver**

11. The applicant requested that CITV-TV-1 Red Deer be added as a rebroadcasting transmitter to CITV-TV Edmonton's licence and that the licence for CITV-TV-1 Red Deer be revoked. The applicant also requested that the same be done for CHKM-TV Kamloops, CHKL-TV Kelowna and CIFG-TV Prince George and their associated transmitters in relation to CHAN-TV Vancouver. The Commission notes that these stations do not offer distinct local content from their originating stations and have acted as rebroadcasters of CITV-TV Edmonton and CHAN-TV Vancouver for the past years. Accordingly, the Commission **approves** the applicant's request to amend the broadcasting licence for CITV-TV Edmonton in order to add CITV-TV-1 Red Deer as a transmitter and the broadcasting licence for CHAN-TV Vancouver in order to add CHKM-TV Kamloops, CHKL-TV Kelowna and CIFG-TV Prince George as transmitters. The licences for CITV-TV-1 Red Deer, CHKM-TV Kamloops, CHKL-TV Kelowna and CIFG-TV Prince George will be revoked effective 31 August 2011.

## Twist TV

12. In Broadcasting Decision 2006-384, the Commission approved a reduction to Twist TV's (then Discovery Health) Canadian content requirements. The minimum percentage of the broadcast day and of the evening broadcast period that must be devoted to the exhibition of Canadian programs was reduced from 65% to 35%. In that decision, the Commission also indicated that it would review this condition of licence at the time of licence renewal.
13. The Commission notes that it had granted the above reduction as a result of a lack of availability of Canadian health-related programming and the short shelf life of such programming. Given that Twist TV's program strategy is now more centred on "wellness" programming, for which there is more Canadian programming available than there is for health-related programming, the Commission is of the view that the rationale behind the original reduction in Canadian content is no longer applicable. Further, the Commission is of the view that a higher level of Canadian content exhibition would be more consistent with the obligations of a Category A service.
14. Accordingly, the Commission finds that an increase of Twist TV's Canadian content levels to 50% of the broadcast day and 50% of the evening broadcast period would be appropriate. This condition will begin in year 2 of its licence term, in order to allow the licensee sufficient time to acquire the necessary programming. A **condition of licence** to this effect is set out in Appendix 11 to this decision. Should the licensee find that this level is unattainable for Twist TV, it could consider applying for a licence as a specialty Category B service rather than continuing on as a specialty Category A service.

## Slice

15. The applicant requested a reduction in the level of Canadian content required for the Category A service Slice. It suggested that the level of Canadian content be reduced from 82.5% to 60% of the broadcast day and of the evening broadcast period. It argued that Slice's current obligation is significantly higher than the average exhibition level for Category A services and is the highest of all non-news services.
16. In the introductory decision, the Commission stated that the level of 60% proposed by the applicant is more consistent with the obligations of other Category A services and would still ensure a predominance of Canadian programming on the service. Accordingly, the Commission is amending the **condition of licence** in question to reflect the new 60% level.

## TVtropolis

17. The applicant advised the Commission of a mistake that appeared in Broadcasting Decision 2010-617 with respect to limits on programming broadcast from program category 6(a) Professional sports. Prior to this decision, TVtropolis had been permitted to broadcast programming from this category without any prescribed limit. However, in Broadcasting Decision 2010-617, the Commission inadvertently

imposed a limit of no more than 10% of the broadcast month on programming from category 6(a).

18. The Commission therefore removes the limit on the amount of programming broadcast from category 6(a). The amendment is reflected in Appendix 10 to this decision.

Secretary General

**Related documents**

- *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011
- *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011
- *Group-based licence renewals for English-language television groups – Introductory decision*, Broadcasting Decision CRTC 2011-441, 27 July 2011
- *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
- *Licence amendments*, Broadcasting Decision CRTC 2010-617, 25 August 2010
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *Discovery Health Channel – Licence amendments*, Broadcasting Decision CRTC 2006-384, 21 August 2006

*\*This decision and the appropriate appendix are to be appended to each licence.*

## Appendix 1 to Broadcasting Decision CRTC 2011-445

### Services renewed in this decision

<b>Services that contribute to the group CPE and PNI expenditures</b>	
<b>Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership</b> <i>Application 2010-1307-8</i>	
<b>Conventional television stations</b>	
<b>Province</b>	<b>Call sign / Location</b>
Maritimes	CIHF-DT Halifax and its transmitters  CIHF-TV-4 Truro CIHF-TV-5 Wolfville CIHF-TV-6 Bridgewater CIHF-TV-7 Sydney CIHF-TV-8 New Glasgow CIHF-TV-9 Shelburne CIHF-TV-10 Yarmouth CIHF-TV-15 Antigonish CIHF-TV-16 Mulgrave
	CIHF-DT-2 Saint John and its transmitters  CIHF-DT-1 Fredericton CIHF-DT-3 Moncton CIHF-TV-11 Woodstock CIHF-TV-12 St. Stephen CIHF-TV-13 Miramichi CIHF-DT-14 Charlottetown
Quebec	CKMI-DT-1 Montréal and its transmitters  CKMI-DT Québec CKMI-DT-2 Sherbrooke
Ontario	CIII-DT-41 Toronto and its transmitters  CFGC-TV Sudbury CFGC-TV-2 North Bay CIII-DT Paris CIII-TV-2 Bancroft CIII-TV-4 Owen Sound CIII-DT-6 Ottawa CIII-TV-7 Midland CIII-TV-12 Sault Ste. Marie CIII-TV-13 Timmins

	CIII-DT-22 Stevenson CIII-TV-27 Peterborough CIII-TV-29 Oil Springs CIII-TC-55 Fort Erie
Manitoba	CKND-DT Winnipeg and its transmitter CKND-TV-2 Minnedosa
Saskatchewan	CFRE-DT Regina and its transmitter CFRE-TV-2 Fort Qu'Appelle
	CFSK-DT Saskatoon
Alberta	CISA-DT Lethbridge and its transmitters CISA-TV-1 Burmis CISA-TV-2 Brooks CISA-TV-3 Coleman CISA-TV-4 Waterton Park CISA-TV-5 Pincher Creek
	CICT-DT Calgary and its transmitters CICT-TV-1 Drumheller CICT-TV-2 Banff
	CITV-DT Edmonton and its transmitter CITV-TV-1 Red Deer
British Columbia	CHBC-TV Kelowna and its transmitters CHBC-TV-1 Penticton CHBC-TV-2 Vernon CHBC-TV-3 Oliver CHBC-TV-4 Salmon Arm CHBC-TV-5 Enderby CHBC-TV-7 Skaha Lake CHBC-TV-8 Canoe CHBC-TV-9 Apex Mountain CHRP-TV-2 Revelstoke
	CHAN-DT Vancouver and its transmitters CHAN-TV-1 Chilliwack CHAN-TV-2 Bowen Island CHAN-TV-3 Squamish CHAN-TV-4 Courtenay CHAN-TV-5 Brackendale CHAN-TV-6 Wilson Creek CHAN-TV-7 Whistler CITM-TV 100 Mile House CITM-TV-1 Williams Lake

			CITM-TV-2 Quesnel CIFG-TV Prince George CHKL-TV Kelowna CHKL-TV-1 Penticton CHKL-TV-2 Vernon CHKL-TV-3 Revelstoke CISR-TV Santa Rosa CISR-TV-1 Grand Forks CKKM-TV Oliver CKTN-TV Trail CKTN-TV-1 Castlegar CKTN-TV-2 Taghum CKTN-TV-3 Nelson CKTN-TV-4 Creston CHKM-TV Kamloops CHKM-TV-1 Pritchard
<b>Specialty services</b>			
<b>Type of service</b>	<b>Name of service</b>	<b>Licensee</b>	<b>Application</b>
Category A	Food Network Canada <sup>2</sup>	Food Network Canada Inc.	2010-1332-5
	HGTV Canada – Home and Garden Television Canada	HGTV Canada Inc.	2010-1314-3
	History Television	History Television Inc.	2010-1317-7
	The Independent Film Channel Canada	Showcase Television Inc.	2010-1328-4
	Mystery	Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and TVA Group Inc., partners in a general partnership	2010-1326-8

<sup>2</sup>The licence for this service is not expiring by 31 August 2011. At the request of the licensee, the Commission is revoking the current licence and issuing a new licence, effective 1 September 2011.



		carrying on business as Mystery Partnership <sup>3</sup>	
	Showcase	Showcase Television Inc.	2010-1320-1
	Slice	Life Network Inc.	2010-1318-5
	TVtropolis	Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc.(the limited partner), carrying on business as Shaw Television Limited Partnership, and Rogers Communications Inc., partners in a general partnership carrying on business as TVtropolis General Partnership	2010-1313-5
	Twist TV (formerly Discovery Health Network)	Discovery Health Channel Canada ULC	2010-1323-4
Category B with one million subscribers or more	BBC Canada	Jasper Broadcasting Inc.	2010-1355-7
	DejaView	Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	2010-1362-2
	MovieTime	Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	2010-1352-3

<sup>3</sup> Shaw Media and Quebecor hold equal controlling interests in this partnership. In accordance with paragraph 104 of Broadcasting Regulatory Policy 2010-167, the licensee of the Category A service Mystery has elected to participate in the group-based approach as part of the designated Shaw Media group.

	National Geographic Channel	NGC Channel Inc.	2010-1357-3
	Showcase Action	Showcase Television Inc.	2010-1335-9
	Showcase Diva	Showcase Television Inc.	2010-1334-1

<b>Service that does not contribute to the group CPE and PNI expenditures</b>			
<b>Type of service</b>	<b>Name of service</b>	<b>Licensee</b>	<b>Application</b>
Category B with fewer than one million subscribers	Fox Sports World Canada	Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Fox Sports World Canada Holdco Inc., partners in a general partnership carrying on business as Fox Sports World Canada Partnership	2010-1353-1

## Appendix 2 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership**

*Application 2010-1307-8, received 1 November 2010*

### Conditions of licence applicable to all conventional television stations

1. The licensee shall adhere to the standard conditions of licence for conventional stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy 2011-442, 27 July 2011, as amended from time to time.
2. Except as provided for in conditions 3, 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 22% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all conventional television stations from the "Shaw Media group."
3. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 2.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Shaw Media group" in the same broadcast year towards fulfilling a combined maximum of 25% of the requirement in condition 2 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirement.
5. Except as provided in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";

- (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more conventional television stations or specialty services from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
  7. At least 75% of the expenditures in condition 5 shall be made to an independent production company. For the purposes of this condition, an independent production company is defined as a Canadian company carrying on business in Canada with a Canadian business address, owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.
  8. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 2 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

(b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 2 and 5, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 2 and 5.
  9. "Specialty services" in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
  10. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

**Additional condition of licence for CHAN-DT Vancouver and its transmitters CHAN-TV-1 Chilliwack, CHAN-TV-2 Bowen Island, CHAN-TV-3 Squamish, CHAN-TV-4 Courtenay, CHAN-TV-5 Brackendale, CHAN-TV-6 Wilson Creek, CHAN-TV-7 Whistler, CITM-TV 100 Mile House, CITM-TV-1 Williams Lake, CITM-TV-2 Quesnel, CIFG-TV Prince George, CHKL-TV Kelowna, CHKL-TV-1 Penticton, CHKL-TV-2 Vernon, CHKL-TV-3 Revelstoke, CISR-TV Santa Rosa, CISR-TV-1 Grand Forks, CKKM-TV Oliver, CKTN-TV Trail, CKTN-TV-1 Castlegar, CKTN-TV-2 Taghum, CKTN-TV-3 Nelson, CKTN-TV-4 Creston, CHKM-TV Kamloops and CHKM-TV-1 Pritchard**

1. The licensee shall permit the licensees of television stations CFJC-TV Kamloops, CKPG-TV Prince George, CJDC-TV Dawson Creek, CFTK-TV Terrace, and any other privately owned conventional television station operating in the interior of British Columbia, to cover over those commercials that are not carried on all Global-branded television stations owned or controlled by Shaw Media Inc., with commercials sold by the above-listed broadcasters. Such covering over shall take place at the rebroadcasting stations that distribute the CHAN-TV signal into the above-listed broadcasters' respective markets.

Such covering over shall be at the above-listed broadcasters' expense. The licensee shall consult regularly with the affected stations to help ensure consistent interpretation and application of this condition, and, whenever possible, will make best efforts to resolve any contentious application of this condition prior to broadcast.

**Additional commitment for CIHF-DT Halifax and its transmitters CIHF-TV-4 Truro, CIHF-TV-5 Wolfville, CIHF-TV-6 Bridgewater, CIHF-TV-7 Sydney, CIHF-TV-8 New Glasgow, CIHF-TV-9 Shelburne, CIHF-TV-10 Yarmouth, CIHF-TV-15 Antigonish and CIHF-TV-16 Mulgrave, and CIHF-DT-2 Saint John and its transmitters CIHF-DT-1 Fredericton, CIHF-DT-3 Moncton, CIHF-TV-11 Woodstock, CIHF-TV-12 St. Stephen, CIHF-TV-13 Miramichi and CIHF-DT-14 Charlottetown**

The Commission notes the licensee's commitment to broadcast 2.5 hours a week of distinct local programming for each of the following markets: Halifax and Saint John.

## Appendix 3 to Broadcasting Decision CRTC 2011-445

**Food Network Canada Inc.**

*Application 2010-1332-5, received 1 November 2010*

### **Conditions of licence for the specialty Category A service Food Network Canada**

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service that is dedicated solely to the broadcast of entertaining, informational and instructional programming about food and nutrition, specifically related to: (i) the culture of food; (ii) food selection and preparation and cooking instruction; and (iii) presentation and entertaining.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports
  - 7 Drama and comedy
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 50% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 41% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those

specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.

6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. A minimum of 75% of all Canadian programs broadcast by the licensee shall be produced by independent production companies.
13. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
14. The licensee shall not distribute commercial messages during any program that has as its target audience children up to 5 years of age.
15. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association

#### **Definitions**

For the purposes of these conditions, the terms “broadcast day,” “broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.



## Appendix 4 to Broadcasting Decision CRTC 2011-445

HGTV Canada Inc.

Application 2010-1314-3, received 1 November 2010

### Conditions of licence and expectation for the specialty Category A service HGTV Canada

#### Conditions of licence

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service, providing advice and instruction about homes and gardens. The licensee shall also provide Canadian game shows and Canadian dramas that have been commissioned by the licensee and which have building and remodelling, decorating and interior design, gardening and landscaping or crafts and hobbies as themes.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports
  - 7 Drama and comedy
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 50% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 50% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television

stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.

6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at

a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
13. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

### **Expectation**

The Commission expects the licensee to ensure that a minimum of 50% of all original, first-run Canadian programming broadcast is acquired from an independent production company. The Commission further expects the licensee to ensure that it makes reasonable use of independent production companies for Canadian drama programming.

### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 5 to Broadcasting Decision CRTC 2011-445

**History Television Inc.**

*Application 2010-1317-7, received 1 November 2010*

### **Conditions of licence and expectation for the specialty Category A service History Television**

#### **Conditions of licence**

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service consisting of historical documentaries, movies, mini-series and history programs which embrace both current events and past history, with a special emphasis on documentary and dramatic programs related to Canada's past.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) During each broadcast week, the licensee shall not broadcast more than 56 hours of feature films, all of which are to be based on historical themes.  
  
(d) The licensee shall not broadcast more than one two-hour movie during the evening broadcast period.  
  
(e) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports;
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 50% of the broadcast day and no less than 40% of the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 29% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;

- (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
  6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
    - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
    - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
  7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
  8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
  9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
    - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed

5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
13. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

### **Expectation**

The Commission expects the licensee to ensure that a minimum of 75% of all original, first-run Canadian programming broadcast is acquired from an independent production company.

### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term “broadcast week” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 6 to Broadcasting Decision CRTC 2011-445

Showcase Television Inc.

Application 2010-1328-4, received 1 November 2010

### Conditions of licence for the specialty Category A service The Independent Film Channel Canada

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service consisting of dramatic and non-fiction short and feature-length independent films and programs focusing on the independent film-making process, filmmakers and film festivals.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) No more than 25% of all programming broadcast during each broadcast week shall be drawn from category 2(b) Long-form documentary.  
  
(d) No more than 60% of all programming broadcast during each broadcast week shall be drawn from category 7(d) Theatrical feature films aired on TV.  
  
(e) All material drawn from category 7(d) shall be independent films and shall be broadcast only after their pay television broadcast window has ended.  
  
(f) No more than 5% of all films broadcast shall be produced, financed or distributed from a major Hollywood studio.  
  
(g) No more than 10% of all foreign programming shall be supplied by the U.S.-based Independent Film Channel.  
  
(h) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports
  - 7 (a) Ongoing dramatic series, (b) Ongoing comedy series (sitcoms) and (f) Programs of comedy sketches, improvisations, unscripted works, stand-up, combined
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 60% of the broadcast day and no less than 50% of the evening broadcast period to the exhibition of Canadian programs.

4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 36% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the



minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

(b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. "Specialty services" in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. No less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming [categories 1, 2(a), 6(a), and 6(b)], shall be produced by independent production companies.
13. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
14. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms "broadcast day," "broadcast month," "broadcast year," "clock hour" and "evening broadcast period" shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term "broadcast week" shall have the same meaning as that set out in the *Radio Regulations, 1986*.

The term "major Hollywood studio" shall be described as including Warner Brothers, 20th Century Fox, MGM, Columbia, Tri-Star, Paramount, Disney and Dreamworks.

An "independent production company" is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for

distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 7 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and TVA Group Inc., partners in a general partnership carrying on business as Mystery Partnership**  
*Application 2010-1326-8, received 1 November 2010*

### Conditions of licence for the specialty Category A service Mystery

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service devoted to mystery and suspense programming. The service will nurture and encourage short-form Canadian mysteries. It will provide a wide assortment of genre-specific programs including movies, television series, short films and documentaries that will focus exclusively on the delivery of entertaining programming on suspense, espionage and classic mysteries.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The licensee shall devote no more than 15% of the programming broadcast during each broadcast week to programming drawn from category 7(f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy.  
  
(d) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports;
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 60% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 41% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.

5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. No less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming [categories 1, 2(a), 6(a), and 6(b)], shall be produced by independent production companies.
13. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
14. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term “broadcast week” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 8 to Broadcasting Decision CRTC 2011-445

Showcase Television Inc.

Application 2010-1320-1, received 1 November 2010

### Conditions of licence and expectation for the specialty Category A service Showcase

#### Conditions of licence

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service focused on drama.  
  
(b) A minimum of 95% of all programming broadcast by the licensee shall be drawn from the following categories:
  - 7 Drama and comedy
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos
  - 15 Filler programming  
(c) Over the broadcast year, the licensee shall devote no less than 100% of the broadcast period between 7 p.m. and 10 p.m. to the distribution of Canadian programs.  
  
(d) A minimum of 80% of the programming broadcast by the licensee shall have been produced outside the United States.
3. In each broadcast year, the licensee shall devote no less than 60% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 33% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.

5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. The licensee shall expend, over the licence term, no less than \$12 million on licence fees to independent producers for the production of a minimum of 50 hours of original Canadian drama programs.
13. The licensee shall license from independent producers no less than 75% of its original, first-run Canadian content hours.
14. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
15. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

### **Expectation**

With respect to condition of licence 2(d), the Commission expects the licensee to include non-Canadian drama programming that is not currently available in the Canadian broadcasting system.

### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term “original, first-run” shall mean programming that has not been aired on any other specialty service or conventional television station, regardless of whether the program was commissioned by the licensee.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.



## Appendix 9 to Broadcasting Decision CRTC 2011-445

**Life Network Inc.**

*Application 2010-1318-5, received 1 November 2010*

### Conditions of licence for the specialty Category A service Slice

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall offer a national English-language lifestyle specialty Category A service consisting primarily of useful, reliable and entertaining information and documentary programming.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The licensee shall devote no more than 100 hours in each broadcast year to the broadcast of material drawn from category 9 Variety.  
  
(d) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports
  - 7 Drama and comedy
  - 8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 60% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 69% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those

specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.

6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. A minimum of 75% of all Canadian programs broadcast by the licensee shall be produced by independent production companies.
13. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
14. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day”, “broadcast month”, “broadcast year”, “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 10 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Rogers Communications Inc., partners in a general partnership carrying on business as TVtropolis General Partnership**

*Application 2010-1313-5, received 1 November 2010*

### **Conditions of licence and expectation for the specialty Category A service TVtropolis**

#### **Conditions of licence**

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service consisting of programs of particular interest to adults over 50 years of age.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The television series in categories 7(a) Ongoing dramatic series, 7(b) Ongoing comedy series (sitcoms), 7(c) Specials, mini-series or made-for-TV feature films and 7(f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy broadcast by the licensee shall have been copyrighted at least ten years prior to the broadcast year in which they are aired by the service.  
  
(d) The feature films in category 7(d) Theatrical feature films aired on TV broadcast by the licensee shall have been copyrighted at least 25 years prior to the broadcast year in which they are aired by the service.  
  
(e) The licensee shall devote no more than 15% of the programming broadcast during each broadcast week to programming drawn from category 7(f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy.  
  
(f) The licensee shall not broadcast live coverage of sporting events.  
  
(g) The licensee shall devote no more than 10% to categories  
  
8(b) Music video clips and (c) Music video programs, combined.
3. In each broadcast year, the licensee shall devote no less than 50% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.

4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 43% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the

minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

(b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.

10. "Specialty services" in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
13. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

### **Expectation**

The Commission expects the licensee to direct a minimum of 75% of all expenditures for Canadian programming broadcast on the service, other than news and public affairs, to independent production companies.

### **Definitions**

For the purpose of these conditions, the terms "broadcast day," "broadcast month," "broadcast year," "clock hour" and "evening broadcast period" shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term "broadcast week" shall have the same meaning as that set out in the *Radio Regulations, 1986*.

An "independent production company" is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 11 to Broadcasting Decision CRTC 2011-445

### Discovery Health Channel Canada ULC

Application 2010-1323-4, received 1 November 2010

### Conditions of licence for the specialty Category A service Twist TV

1. The licensee shall adhere to the standard conditions of licence for specialty Category A services set out in *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category A service devoted entirely to useful, practical, reliable and entertaining programming related to health, wellness and medicine.  
  
(b) The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.  
  
(c) The licensee shall devote no more than 10% of the broadcast month to any of the following categories:
  - 6(a) Professional sports
  - 7 Drama and comedy;
  - 8(b) Music video clips and (c) Music video programs, combined.
3. (a) In the broadcast year beginning 1 September 2011, the licensee shall devote no less than 35% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.  
  
(b) In the broadcast year beginning 1 September 2012 and in each subsequent broadcast year, the licensee shall devote no less than 50% of both the broadcast day and the evening broadcast period to the exhibition of Canadian programs.
4. Except as provided for in conditions 5 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 20% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling

the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.

6. Except as provided for in conditions 7, 8 and 9 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group;"
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
8. At least 75% of the expenditures in condition 6 must be made to an independent production company.
9. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 4 and 6, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 4 and 6, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 4 and 6.



10. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
11. The broadcasting undertaking licensed hereby is designated as a Category A service.
12. No less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming [categories 1, 2(a), 6(a), and 6(b)], shall be produced by independent production companies.
13. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
14. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 12 to Broadcasting Decision CRTC 2011-445

Jasper Broadcasting Inc.

Application 2010-1355-7, received 1 November 2010

### Conditions of licence for the specialty Category B service BBC Canada

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service devoted to entertainment, drama and documentary programming exclusively from the library of the British Broadcasting Corporation (BBC) and its affiliates (not outside the United Kingdom), other than programs already licensed by the BBC to other Canadian broadcasting services, and except for complementary Canadian programs that explore or are informed by Canada's relationship to the United Kingdom and the Commonwealth.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*:
  - 2(a) Analysis and interpretation
  - (b) Long-form documentary
  - 3 Reporting and actualities
  - 5 (b) Informal education/Recreation and leisure
  - 7(a) Ongoing drama series
  - (c) Specials, mini-series or made-for-TV feature films
  - (d) Theatrical feature films aired on TV
  - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
  - 8 (a) Music and dance other than music video programs or clips
  - (b) Music video clips
  - (c) Music video programs
  - 9 Variety
  - 10 Game shows
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
3. Except as provided for in conditions 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 10% of

- (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 3 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
  5. Except as provided for in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
    - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group; "
    - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
  6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
  7. At least 75% of the expenditures in condition 5 must be made to an independent production company.
  8. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
    - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of

national interest that is greater than the minimum required expenditure as set out in conditions 3 and 5, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 5.

9. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
10. The broadcasting undertaking licensed hereby is designated as a Category B service.
11. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
12. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, “broadcast day,” “broadcast year” and “clock hour” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 13 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership**

*Application 2010-1362-2, received 1 November 2010*

### Conditions of licence for the specialty Category B service DejaView

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service featuring classic programs from the beginnings of television. The programming will explore vintage television and the cultural impact of television on our society by providing a window on television history.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (b) Long-form documentary
  - 5 (b) Informal education/Recreation and leisure
  - 7 (a) Ongoing drama series
    - (b) Ongoing comedy series (sitcoms)
    - (c) Specials, mini-series or made-for-TV feature films
    - (d) Theatrical feature films aired on TV
    - (e) Animated television programs and films
    - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
    - (g) Other drama
  - 8 (a) Music and dance other than music video programs or clips
    - (b) Music video clips
    - (c) Music video programs
  - 11 (a) General entertainment and human interest
    - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
- (c) Except as provided for in condition 2(d) below, all programming from categories 7 or 8 shall have been copyrighted at least 15 years prior to the broadcast year in which it is aired by the service.
- (d) All programming from category 7(d) shall have been copyrighted at least 25 years prior to the broadcast year in which it is aired by the service.

3. Except as provided for in condition 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall devote to the acquisition of or investment in Canadian programming 0% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
  
4. Except as provided for in conditions 5, 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
  
5. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 4 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
  
6. At least 75% of the expenditures in condition 4 must be made to an independent production company.
  
7. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 4, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 3 and 4, the licensee may deduct that amount as long as it does not exceed

5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 4.

8. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
9. The broadcasting undertaking licensed hereby is designated as a Category B service.
10. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
11. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year” and “clock hour” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 14 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership**

*Application 2010-1352-3, received 1 November 2010*

### Conditions of licence for the specialty Category B service MovieTime

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service devoted to action and adventure programming. Its program schedule will run the gamut from contemporary “popcorn” action and adventure films and series, to classical westerns, rodeo and western horse shows.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 5 (b) Informal education/Recreation and leisure
  - 7 Drama and comedy
    - (a) Ongoing drama series
    - (b) Ongoing comedy series (sitcoms)
    - (c) Specials, mini-series or made-for-TV feature films
    - (d) Theatrical feature films aired on TV
    - (e) Animated television programs and films
    - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
    - (g) Other drama
  - 8 (a) Music and dance other than music video programs or clips
  - 11 (a) General entertainment and human interest
    - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
3. Except as provided for in conditions 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall devote to the acquisition of or investment in Canadian programming 6% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of the undertaking;



- (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 3 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
  5. Except as provided for in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
    - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of all specialty services and conventional television stations from the "Shaw Media group";
    - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of all specialty services and conventional television stations from the "Shaw Media group."
  6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the "Shaw Media group" in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
  7. At least 75% of the expenditures in condition 5 must be made to an independent production company.
  8. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
    - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 3 and 5, the licensee may deduct that amount as long as it does not exceed

5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 5.

9. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
10. The broadcasting undertaking licensed hereby is designated as a Category B service.
11. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
12. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year” and “clock hour” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 15 to Broadcasting Decision CRTC 2011-445

NGC Channel Inc.

Application 2010-1357-3, received 1 November 2010

### Conditions of licence for the specialty Category B service National Geographic Channel

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service that will feature documentary programming in the areas of geography, world cultures, anthropology, remote exploration, natural conservation and geo-politics. Its programs will draw on pre-eminent resources, talent and expertise and use rare and spectacular images, riveting storytelling and innovative technology to bring the pages of the National Geographic Magazine to life.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (a) Analysis and interpretation
  - (b) Long-form documentary
  - 3 Reporting and actualities
  - 5 (b) Informal education/Recreation and leisure
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
3. Except as provided for in conditions 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall devote to the acquisition of or investment in Canadian programming 11% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television

stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 3 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.

5. Except as provided for in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
7. At least 75% of the expenditures in condition 5 must be made to an independent production company.
8. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 3 and 5, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at

a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 5.

9. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
10. The broadcasting undertaking licensed hereby is designated as a Category B service.
11. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

**Definitions**

For the purpose of these conditions, the terms “broadcast day” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 16 to Broadcasting Decision CRTC 2011-445

Showcase Television Inc.

Application 2010-1335-9, received 1 November 2010

### Conditions of licence for the specialty Category B service Showcase Action

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service devoted to action movies and series primarily driven by a fast-paced fictional plot featuring car chases, explosions, special effects or martial arts. It will also feature occasional magazine-style shows focusing on this genre and its stars.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (a) Analysis and interpretation
  - (b) Long-form documentary
  - 3 Reporting and actualities
  - 7 (a) Ongoing drama series
  - (c) Specials, mini-series or made-for-TV feature films
  - (d) Theatrical feature films aired on TV
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
- (c) No more than 25% of all programming broadcast during the broadcast week shall be programs based on science fiction or fantasy themes.
3. Except as provided for in conditions 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall devote to the acquisition of or investment in Canadian programming 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.

4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 3 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
5. Except as provided for in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
7. At least 75% of the expenditures in condition 5 must be made to an independent production company.
8. (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 3 and 5, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

(c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 5.

9. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
10. The broadcasting undertaking licensed hereby is designated as a Category B service.
11. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
12. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year” and “clock hour” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

The term “broadcast week” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.



## Appendix 17 to Broadcasting Decision CRTC 2011-445

Showcase Television Inc.

Application 2010-1334-1, received 1 November 2010

### Conditions of licence for the specialty Category B service Showcase Diva

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service devoted to romance. Programming will include relationship-themed game shows and magazine-style programs featuring romantic vacation resorts. Other programs will explore romantic moments in people's lives, as well as classic romantic feature films, epic mini-series and made-for-television movies.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (a) Analysis and interpretation
  - (b) Long-form documentary
  - 3 Reporting and actualities
  - 5 (b) Informal education/Recreation and leisure
  - 7 (a) Ongoing drama series
  - (b) Ongoing comedy series (sitcoms)
  - (c) Specials, mini-series or made-for-TV feature films
  - (d) Theatrical feature films aired on TV
  - 10 Game shows
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
3. Except as provided for in conditions 4 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall devote to the acquisition of or investment in Canadian programming 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years' gross revenues of the undertaking;
  - (b) in each subsequent broadcast year of the licence term, the previous year's gross revenues of the undertaking.

4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 3 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own Canadian programming expenditure requirement.
5. Except as provided for in conditions 6, 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (Broadcasting Regulatory Policy 2010-167), the licensee shall in each broadcast year devote to the acquisition of or investment in programs of national interest, as defined in paragraphs 71 to 73 of Broadcasting Regulatory Policy 2010-167, 5% of
  - (a) in the first broadcast year of the licence term, the average of the previous three years’ gross revenues of all specialty services and conventional television stations from the “Shaw Media group”;
  - (b) in each subsequent broadcast year of the licence term, the previous year’s gross revenues of all specialty services and conventional television stations from the “Shaw Media group.”
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services or conventional television stations from the “Shaw Media group” in the same broadcast year towards fulfilling the requirement in condition 5 as long as these expenditures are not used by those specialty services or conventional television stations towards fulfilling their own programs of national interest requirements.
7. At least 75% of the expenditures in condition 5 must be made to an independent production company.
8. (a) In each broadcast year of the licence term the licensee may expend an amount on Canadian programming and/or on programs of national interest that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5, respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year’s under-expenditure.
  - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or programs of national interest that is greater than the minimum required expenditure as set out in conditions 3 and 5, the licensee may deduct that amount as long as it does not exceed 5% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
  - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and programs of national interest, at

a minimum, the total of the minimum required expenditures calculated in accordance with conditions 3 and 5.

9. “Specialty services” in conditions 4 to 6 excludes mainstream sports and news services and specialty Category B services with less than 1 million subscribers.
10. The broadcasting undertaking licensed hereby is designated as a Category B service.
11. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
12. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

#### **Definitions**

For the purpose of these conditions, the terms “broadcast day,” “broadcast year” and “clock hour” shall have the same meanings as those set out in of the *Television Broadcasting Regulations, 1987*.

An “independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

## Appendix 18 to Broadcasting Decision CRTC 2011-445

**Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Fox Sports World Canada Holdco Inc., partners in a general partnership carrying on business as Fox Sports World Canada Partnership**

*Application 2010-1353-1, received 1 November 2010*

### **Conditions of licence for the specialty Category B service Fox Sports World Canada**

1. The licensee shall adhere to the standard conditions of licence for specialty Category B services set out in *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, as amended from time to time.
2. (a) The licensee shall provide a national English-language specialty Category B service devoted primarily to the coverage of cricket, rugby and soccer.  
  
(b) The programming must be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (b) Long-form documentary
  - 5 (b) Informal education/Recreation and leisure
  - 6 (a) Professional sports
  - (b) Amateur sports
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate video
- (c) No more than 10% of all programming broadcast during the broadcast year shall be dedicated to sports other than cricket, rugby and soccer.
- (d) With the exception of cricket, rugby and soccer, no more than 5% of the broadcast year shall be dedicated to the live coverage of any one particular sport.
- (e) The licensee shall not dedicate any coverage to the following men's sports: ice hockey, basketball, baseball and North American-style football.
3. The broadcasting undertaking licensed hereby is designated as a Category B service.
4. The licensee shall adhere to a terms of trade agreement with the Canadian Media Production Association.

**Definitions**

For the purpose of these conditions, the terms “broadcast day” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.