



Broadcasting Decision CRTC 2011-590

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Route reference: 2011-188

Ottawa, 16 September 2011

Bhupinder Bola, on behalf of a corporation to be incorporated Across Canada

Application 2010-1861-4, received 19 December 2010

Public hearing in the National Capital Region

17 May 2011

Chinese English News HDTV – specialty Category B service

*The Commission **approves** an application for a broadcasting licence to operate a new ethnic specialty Category B service.*

The application

1. Bhupinder Bola, on behalf of a corporation to be incorporated (Bhupinder Bola [OBCI]) filed an application for a broadcasting licence to operate Chinese English News HDTV, a national, ethnic Category 2¹ specialty programming undertaking operating in the English language that would be completely devoted to news programming from mainland China to serve the Chinese community in Canada. The Commission did not receive any interventions in connection with this application.
2. Bhupinder Bola (OBCI) will be owned and controlled by its sole shareholder and sole director Mr. Bhupinder Bola.
3. The applicant proposed to draw programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 11,² 13 and 14.
4. The applicant requested that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

¹As set out in Broadcasting Regulatory Policy 2011-455, as of 1 September 2011, Category 2 services are renamed Category B services.

²In Broadcasting Regulatory Policy 2011-401, the Commission formally announced that it had amended program category 11 to add a new category 11(b) Reality television. Consistent with this change, the Commission has added an authorization to broadcast programming from both 11(a) General entertainment and human interest and the new 11(b) program category.

Commission's determinations

5. The Commission is satisfied that the application complies with all applicable policies, terms and conditions, including those set out in Public Notice 2000-6, Broadcasting Public Notice 2008-100 and Broadcasting Regulatory Policy 2010-786-1. Accordingly, the Commission **approves** the application by Bhupinder Bola, on behalf of a corporation to be incorporated for a broadcasting licence to operate the national, ethnic specialty Category B service operating in the English language, Chinese English News HDTV. The Commission also **approves** the applicant's request for authority to broadcast up to six minutes per hour of local advertising. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

6. The Commission reminds the applicant that distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

Related documents

- *Amendments to the Broadcasting Distribution Regulations and other Commission Regulations*, Broadcasting Regulatory Policy CRTC 2011-455, 29 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
- *Amendments to certain Regulations made under the Broadcasting Act to add a new program category "Reality television"*, Broadcasting Regulatory Policy CRTC 2011-401, 30 June 2011
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

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

Appendix to Broadcasting Decision CRTC 2011-590

Terms and conditions of licence for the specialty Category B service Chinese English News HDTV

Terms

A licence will be issued once the applicant has satisfied the Commission with supporting documentation that the following requirements have been met:

- an eligible Canadian corporation has been incorporated in accordance with the application in all material respects;
- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2018.

Conditions of licence

1. The licence will be subject to the conditions 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, except for condition 7d), which will not apply, and condition 7a), which is replaced by the following:

Except as otherwise provided in subparagraphs b) and c), the licensee shall not broadcast more than twelve (12) minutes of advertising material during each clock hour, no more than six (6) minutes of which may consist of local advertising.

For the purposes of this condition of licence, “local advertising” is advertising that does not fall within the definition of national or regional advertising, i.e., advertising to persons who provide goods or services in more than one market and/or province.

2. The licensee shall provide a national, ethnic specialty Category B service operating in the English language completely devoted to news programming from mainland China to serve the Chinese community in Canada.
3. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

- 1 News
 - 2 (a) Analysis and interpretation
(b) Long-form documentary
 - 3 Reporting and actualities
 - 11 (a) General entertainment and human interest
(b) Reality television
 - 13 Public service announcements
 - 14 Infomercials, promotional and corporate videos
4. The broadcasting undertaking licensed hereby is designated as a Category B service.

For the purposes of the conditions of this licence, including condition of licence 1, *broadcast day* refers to the 24-hour period beginning each day at 6 a.m. or any other period approved by the Commission.