



Broadcasting Decision CRTC 2013-52

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Route reference: 2012-475

Ottawa, 11 February 2013

9262-8148 Québec inc.
Across Canada

Application 2012-0777-0, received 22 June 2012
Public hearing in the National Capital Region
7 November 2012

Télé Santé + – Specialty Category B service

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

The application

1. 9262-8148 Québec inc. filed an application for a broadcasting licence to operate Télé Santé +, a national, French-language specialty Category B service devoted to all aspects of health and disease for humans and animals, as well as all associated factors. The Commission did not receive any interventions regarding this application.
2. 9262-8148 Québec inc. is controlled by its shareholders, Alexandre Dumas, Michel Maziade and Jean-Denis Dubois.
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, 5(b), 7(c), 7(e), 7(g), 9, 10, 11(a), 11(b), 12, 13 and 14.
4. To ensure that the proposed service would not be directly competitive with existing Category A services, the applicant indicated that it would accept the following conditions of licence:
 - The licensee shall not devote more than 10% of all programming broadcast each broadcast month to programs drawn from program category 7(e).
 - The licensee shall not devote more than 20% of all programming broadcast each broadcast month to programs drawn from program category 2(b). The programs broadcast shall only relate to health and medical research.

Commission's analysis and decisions

5. The Commission notes that the proposed limit of 10% for program category 7(e) is consistent with the standard limitation set out in Broadcasting Public Notice 2008-100. The Commission also notes that the licensee proposed a limit of 20% for program category 2(b) and specified that the documentaries broadcast would only relate to health and medical research. This limit is not consistent with the standard limit of 10% set out in Broadcasting Public Notice 2008-100. However, the Commission considers that the limited program categories and the extremely focused nature of service of Télé Santé + will ensure that the service will not be directly competitive with existing category A services.
6. 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 Policies 2010-786 and 2010-786-1. Accordingly, the Commission **approves** the application filed by 9262-8148 Québec inc. for a broadcasting licence to operate the national, French-language specialty Category B service Télé Santé +. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

7. 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

- *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
- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *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 2013-52

Terms, conditions of licence, expectations and encouragements for the specialty Category B service Télé Santé +

Terms

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

- 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 2019.

Conditions of licence

1. The licensee shall adhere to the conditions set out in Appendix 1 to *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. In regard to the nature of service:
 - (a) The licensee shall provide a national, French-language specialty Category B service devoted to all aspects of health and disease for humans and animals, as well as all associated factors.
 - (b) 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
 - 5 (b) Informal education/Recreation and leisure
 - 7 (c) Specials, mini-series or made-for-TV feature films
(e) Animated television programs and films
(g) Other drama
 - 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 videos
- (c) The licensee shall not devote more than 10% of the programming broadcast each broadcast month to programs drawn from program category 7(e).
- (d) The licensee shall not devote more than 20% of the programming broadcast each broadcast month to programs drawn from program category 2(b). The programs broadcast will only relate to health and medical research.
3. The service approved hereby is designated as a Category B service.

For the purposes of the conditions of this licence, “broadcast day” refers to the 24-hour period beginning each day at 7 a.m. or any other period approved by the Commission.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *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.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *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.