



## Broadcasting Decision CRTC 2014-263

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Route reference: 2014-128

Ottawa, 22 May 2014

**Radio Basse Ville**  
Québec, Quebec

*Application 2013-1605-0, received 8 November 2013*

### **CKIA-FM Québec – Licence renewal**

*The Commission **renews** the broadcasting licence for the French-language community radio station CKIA-FM Québec from 1 September 2014 to 31 August 2021.*

#### **Application**

1. Radio Basse Ville filed an application to renew the broadcasting licence for the French-language community radio station CKIA-FM Québec, which expires 31 August 2014. The Commission did not receive any interventions regarding this application.

#### **Non-compliance**

2. In Broadcasting Notice of Consultation 2014-128, the Commission noted that the licensee was in apparent non-compliance with section 9(2) of the *Radio Regulations, 1986* (the Regulations), which relates to the filing of annual returns. Specifically, for the 2010-2011 and 2011-2012 broadcast years, the annual returns for CKIA-FM were filed after the deadline set out in section 9(2) of the Regulations, specifically, the 30 November following the end of each of those broadcast years. The filing requirements, including the requirement to submit financial statements with the annual returns, are set out in Broadcasting Information Bulletin 2011-795.
3. The licensee explained that CKIA-FM experienced serious financial difficulties in the last three years. It stated that the board of directors at the time was unable to renew the station's funding sources and had to dismiss all employees. The station had to move to a new location, renegotiate a number of payables and consolidate its debts.
4. Radio Basse Ville explained that its 2010-2011 annual return was completed on a voluntary basis by the secretary-treasurer and that because of the hasty station move, she had to take more time putting together the documents required and reconciling all of the financial statements.

5. With regard to the 2011-2012 annual return, the licensee explained that it had signed a contract with a firm specializing in bookkeeping for non-profit organizations. However, the firm did not keep updated monthly accounting records, and the secretary-treasurer had to file the annual return for that year as well. The licensee stated that it was impossible to file the 2011-2012 annual return on time due to the delay of the previous year.
6. Radio Basse Ville stated that it now has the financial means to hire the necessary resources to better manage the station on a day-to-day basis. It explained that the hiring of a coordinator in the coming months will free the secretary-treasurer from several clerical tasks and allow more time for priority tasks (such as filing annual returns). The licensee also stated that the new board of directors is aware of the importance of meeting the Commission's requirements.
7. In light of the above, the Commission finds the licensee in non-compliance with section 9(2) of the Regulations for CKIA-FM for the 2010-2011 and 2011-2012 broadcast years.

### **Regulatory measures**

8. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensee and the measures taken to rectify the situation.
9. Compliance with the deadlines for the filing of complete annual returns is important because it enables the Commission to monitor a licensee's performance and compliance with the Regulations and its conditions of licence.
10. The Commission notes that the instances of non-compliance appear to be isolated incidents, since they are directly related to the station's financial difficulties. It also notes that the licensee now claims to have the financial means to hire additional staff. Given the above, the Commission finds it appropriate to renew the broadcasting licence of CKIA-FM for a full seven-year term.

### **Conclusion**

11. In light of all of the above, the Commission **renews** the broadcasting licence for the French-language community radio programming undertaking CKIA-FM Québec from 1 September 2014 to 31 August 2021. The licensee shall adhere to the **conditions of licence** set out in Broadcasting Regulatory Policy 2012-304, as amended from time to time.

## Reminder

12. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

## Filing of ownership information

13. As set out in Broadcasting Regulatory Policy 2010-499, as amended from time to time, the Commission expects all community and campus radio licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of submission of annual returns, following annual board of directors' elections, or at any other time. As noted in Appendix 3 to that regulatory policy, licensees may submit such documentation via the Commission's website.

## Employment equity

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

Secretary General

## Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2014-128, 19 March 2014
- *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011
- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010

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