



## Broadcasting Notice of Consultation CRTC 2015-412

PDF version

Reference: 2014-554

Ottawa, 1 September 2015

### **Call for comments on proposed amendments to the *Radio Regulations, 1986* to implement determinations relating to logs, records and the Station Self-assessment Report form**

*The Commission calls for comments on proposed amendments to the Radio Regulations, 1986 (the Regulations) regarding logs and records. Once finalized, these amendments will implement determinations set out in the Commission's targeted policy review of the commercial radio sector. Specifically, the Commission stated that it would modernize wording, standardize retention requirements and add the Station Self-assessment Report form as an appendix to the Regulations.*

*The deadline for the submission of comments is **1 October 2015**.*

#### **Introduction**

1. On 30 October 2013, the Commission launched a proceeding to review certain aspects of the commercial radio sector (see Broadcasting Notice of Consultation 2013-572). This review covered, among other things, certain provisions in the *Radio Regulations, 1986* (the Regulations) relating to the maintenance and submission of logs and records.
2. The Commission set out its determinations resulting from the review of those provisions in Broadcasting Regulatory Policy 2014-554. Specifically, it stated that it would amend the Regulations to require the retention of program logs and audio recordings for four weeks following the date of broadcast, and to incorporate other changes relating to logs and records, and reporting requirements, as set out in Broadcasting Notice of Consultation 2013-572.
3. In the present notice, the Commission proposes to amend the Regulations to implement those determinations. The amendments will:
  - replace the expression “machine readable record” with “record,” and the expression “tape recording” with “audio recording,” to modernize and clarify the wording of the Regulations;
  - synchronize the retention requirements for program logs or records, and audio recordings, to four weeks following the date of the broadcast; and

- include the most recent Station Self-assessment Report form as an appendix to the Regulations to provide clarity, certainty, transparency and ease of reference.

### **Call for comments**

4. The proposed amendments to the Regulations are appended to this notice. The Commission invites comments on the wording of the proposed amendments. The Commission will accept interventions that it receives on or before **1 October 2015**.

### **Procedure**

5. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "Statutes and Regulations." Broadcasting and Telecom Information Bulletin 2010-959 provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
6. The proposed amendments are appended to this notice. The Commission invites comments on the wording of the proposed amendments. The Commission will accept interventions that it receives on or before **1 October 2015**.
7. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
8. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line **\*\*\*End of document\*\*\*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
9. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
10. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

**by completing the**  
[[Intervention/comment/answer form](#)]

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

11. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
12. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
13. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

### **Important notice**

14. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.
15. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
16. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information

contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

17. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

### **Availability of documents**

18. Electronic versions of the interventions and of other documents referred to in this notice, are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.
19. Documents are also available from Commission offices, upon request, during normal business hours.

### **Location of Commission offices**

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Secretary General

### **Related documents**

- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Call for comments on a targeted policy review for the commercial radio sector*, Broadcasting Notice of Consultation CRTC 2013-572, 30 October 2013
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010

# Appendix to Broadcasting Notice of Consultation CRTC 2015-412

## REGULATIONS AMENDING THE RADIO REGULATIONS, 1986

### AMENDMENTS

**1. (1) Paragraphs 8(1)(a) and (b) of the *Radio Regulations, 1986*<sup>1</sup> are replaced by the following:**

(a) keep, in a form acceptable to the Commission, a program log or a record of the matter broadcast by the licensee;

(b) retain the log or record for a period of four weeks after the date when the matter was broadcast; and

**(2) Clauses 8(1)(c)(iv)(D) and (E) of the Regulations are replaced by the following:**

(D) the code set out in Schedule 1 indicating the origin of the program and, if applicable, the language type or group, and

(E) if applicable, the code set out in Schedule 1 identifying non-Canadian programming, and

**(3) Subsection 8(2) of the Regulations is replaced by the following:**

(2) When a program falls into more than one content category, a licensee shall cause to be entered in its program log or record the numbers of the two principal content categories in descending order of their relative importance in terms of broadcast time.

**(4) Subsection 8(4) of the Regulations is replaced by the following:**

(4) A licensee shall furnish, to the Commission on request, its program log or record for any day, with a certificate signed by or on behalf of the licensee attesting to the accuracy of its content.

**(5) The portion of subsection 8(5) of the Regulations before paragraph (a) is replaced by the following:**

(5) A licensee shall retain a clear and intelligible audio recording or other exact copy of all matter broadcast

**(6) Subsection 8(6) of the Regulations is replaced by the following:**

(6) When, before the expiry of the applicable period referred to in subsection (5), the Commission requests from the licensee a clear and intelligible audio recording or other

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<sup>1</sup> SOR/86-982

exact copy of matter broadcast, the licensee shall furnish it to the Commission without delay.

**2. Paragraph 9(3)(a) of the Regulations is replaced by the following:**

(a) the information required by the Station Self-assessment Report set out in Schedule 2;  
and

**3. The schedule to the Regulations is numbered as Schedule 1.**

**4. Schedule 1 to the Regulations is amended by replacing the section references after the heading “SCHEDULE 1” with the following:**

*(Clauses 8(1)(c)(iv)(D) and (E))*

**5. The Regulations are amended by adding, after Schedule 1, the Schedule 2 set out in the schedule to these Regulations.**

**COMING INTO FORCE**

**6. These Regulations come into force on the day on which they are registered.**

**SCHEDULE**

*(Section 5)*

**SCHEDULE 2**

*(Paragraph 9(3)(a))*

**STATION SELF-ASSESSMENT REPORT**

STATION IDENTIFICATION:

\_\_\_\_\_

NAME OF THE PERSON COMPLETING THE REPORT FOR THE  
LICENSEE:

\_\_\_\_\_

LOCATION OF THE STATION:

\_\_\_\_\_

TITLE OF THE PERSON:

\_\_\_\_\_

WEEK OF: \_\_\_\_\_

PHONE NO :

\_\_\_\_\_

SIGNATURE:

\_\_\_\_\_

TABLE 1

## CANADIAN CONTENT BROADCAST BETWEEN 06:00 AND 24:00

	Number of selections broadcast		Number of Canadian musical selections		Percentage of Canadian content	
	Category 2	Category 3	Category 2	Category 3	Category 2	Category 3
Sunday	_____	_____	_____	_____	_____	_____
Monday	_____	_____	_____	_____	_____	_____
Tuesday	_____	_____	_____	_____	_____	_____
Wednesday	_____	_____	_____	_____	_____	_____
Thursday	_____	_____	_____	_____	_____	_____
Friday	_____	_____	_____	_____	_____	_____
Saturday	_____	_____	_____	_____	_____	_____
TOTAL	_____	_____	_____	_____	_____	_____

Applies to all licensees

TABLE 2

## CANADIAN CONTENT BROADCAST BETWEEN 06:00 AND 18:00

	Number of selections broadcast Category 2	Number of Canadian musical selections Category 2	Percentage of Canadian content Category 2
Sunday	_____	_____	_____
Monday	_____	_____	_____
Tuesday	_____	_____	_____
Wednesday	_____	_____	_____
Thursday	_____	_____	_____
Friday	_____	_____	_____
Saturday	_____	_____	_____
TOTAL	_____	_____	_____

Applies to licensees other than French-language licensees

TABLE 3

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 FRENCH-LANGUAGE VOCAL MUSICAL SELECTIONS BROADCAST BETWEEN 06:00 AND 24:00
 

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	Number of vocal musical selections	Language of vocal musical selections			Percentage of French-language vocal musical selections
		French	English	Other	
	Category 2	Category 2	Category 2	Category 2	Category 2
Sunday	_____	_____	_____	_____	_____
Monday	_____	_____	_____	_____	_____
Tuesday	_____	_____	_____	_____	_____
Wednesday	_____	_____	_____	_____	_____
Thursday	_____	_____	_____	_____	_____
Friday	_____	_____	_____	_____	_____
Saturday	_____	_____	_____	_____	_____
TOTAL	_____	_____	_____	_____	_____

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 Applies to French-language licensees
 

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TABLE 4

## CANADIAN CONTENT AND FRENCH-LANGUAGE VOCAL MUSICAL SELECTIONS BROADCAST BETWEEN 06:00 AND 18:00

	Total selections broadcast	Number of Canadian musical selections	Number of vocal musical selections	Number of French-language musical selections	Percentage of Canadian content	Percentage of French-language vocal musical selections
	Category 2	Category 2	Category 2	Category 2	Category 2	Category 2
Sunday	_____	_____	_____	_____	_____	_____
Monday	_____	_____	_____	_____	_____	_____
Tuesday	_____	_____	_____	_____	_____	_____
Wednesday	_____	_____	_____	_____	_____	_____
Thursday	_____	_____	_____	_____	_____	_____
Friday	_____	_____	_____	_____	_____	_____
Saturday	_____	_____	_____	_____	_____	_____
TOTAL	_____	_____	_____	_____	_____	_____

Applies to French-language licensees