



Broadcasting Decision CRTC 2016-23

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Reference: Part 1 application posted on 10 September 2015

Ottawa, 25 January 2016

Showcase Television Inc.
Across Canada

Application 2015-1043-8

The Independent Film Channel Canada – Licence amendments

1. The Commission **approves** an application by Showcase Television Inc. (Showcase TV) to amend the broadcasting licence for the national, English-language specialty Category A service The Independent Film Channel Canada by deleting certain of the service's current nature of service conditions of licence and adding a condition of licence limiting the amount of live professional sports programming that it may broadcast. The Commission did not receive any interventions in regard to this application.
2. In Broadcasting Regulatory Policy 2015-86, the Commission stated that it would eliminate its genre exclusivity policy, which limited programming services to offering certain types of programming (that is, a “nature of service”) and precluded other services from offering that programming. Consequently, it no longer enforces conditions of licence relating to nature of service, with certain exceptions, such as the condition of licence relating to the broadcast of live professional sports programming by services other than mainstream sports services. In regard to the present case, the Commission finds that the amendments to The Independent Film Channel Canada's nature of service conditions of licence, as proposed by the licensee, are consistent with Broadcasting Regulatory Policy 2015-86.
3. Accordingly, the Commission deletes the following conditions of licence for The Independent Film Channel Canada (condition of licence 2.(b), which sets out the program categories from which programming may be drawn, is retained):¹
 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.

¹¹ The Independent Film Channel Canada's current conditions of licence are set out in Appendix 6 to Broadcasting Decision 2011-445.

(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

4. The Commission adds the following **condition of licence**:

The licensee shall devote not more than 10% of the programming broadcast during the broadcast month to live professional sports programming, which falls under program category 6(a) Professional sports.

5. As set out in Broadcasting Regulatory Policy 2015-86, licensees must provide the Commission with a name and a brief description of the service, to be listed on the Commission's website, and update this information any time it changes. This will allow both Canadians and the Commission to continue having basic information about the discretionary services in operation. Pursuant to that requirement, Showcase TV provided the following description for The Independent Film Channel Canada:

The licensee shall provide a national English-language discretionary service consisting primarily of movies.

Secretary General

Related documents

- *Let's Talk TV: The way forward – Creating compelling and diverse Canadian programming*, Broadcasting Regulatory Policy CRTC 2015-86, 12 March 2015

- *Shaw Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-445, 27 July 2011

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