



Broadcasting Decision CRTC 2018-295

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References: 2017-365 and 2017-365-1

Ottawa, 21 August 2018

The Legislative Assemblies of Nunavut and the Northwest Territories Nunavut and the Northwest Territories

Application 2017-0577-4, received 5 July 2017
Public hearing in the National Capital Region
30 April 2018

The Legislative Assemblies of Nunavut and the Northwest Territories – Renewal of mandatory distribution order

*The Commission **approves** the application to renew the mandatory distribution order for the services of the Legislative Assemblies of Nunavut and the Northwest Territories without an expiry date.*

Application

1. The Legislative Assemblies of Nunavut and the Northwest Territories applied to renew the mandatory distribution order for its services issued pursuant to section 9 (1)(h) of the *Broadcasting Act* (the Act). The current order expires 31 August 2018 and is set out in Broadcasting Order 2013-381.
2. These services operate under the *Parliamentary and Provincial or Territorial Legislature Proceedings Exemption Order* set out in Broadcasting Order 2012-349.
3. The programming is devoted exclusively to coverage of the proceedings of the Legislative Assemblies of Nunavut and the Northwest Territories in Aboriginal languages, as well as in English and French. The applicant proposed that its services continue to be offered on the digital basic service of direct-to-home satellite broadcasting distribution undertakings (DTH BDUs) serving Nunavut and the Northwest Territories without a per subscriber monthly wholesale rate.
4. The Commission received interventions regarding this application. All were in full support except for one intervener who opposed the concept of mandatory distribution under section 9(1)(h) of the Act.

Commission's analysis and decision

5. The Commission is satisfied that these services continue to meet the criteria for mandatory distribution on the digital basic service set out in paragraph 11 of Broadcasting Regulatory Policy 2010-629. They offer only Canadian programming in

both English and French as well as in nine Aboriginal languages. As such, they promote cultural diversity in Canada and provide programming relevant to the North that is not available from any other source.

6. The Commission notes that in the other mandatory distribution orders issued as part of this proceeding, the terms of these orders coincided with the length of the licence terms granted the underlying programming undertakings. Section 5(2)(g) of the Act requires the Commission to be sensitive to the administrative burden that may be imposed on persons carrying on broadcasting undertakings as a result of its regulations. The Commission considers that establishing a term for the mandatory distribution order applicable to the applicant would impose an unnecessary regulatory and financial burden on the undertaking having regard to scope and nature of the services under consideration and the fact that they are exempt from licensing requirements by virtue of the *Parliamentary and Provincial or Territorial Legislature Proceedings Exemption Order*.
7. Accordingly, the Commission **approves** the applicant's request for continued mandatory distribution pursuant to Broadcasting Order 2018-296 also issued today. The order does not have an expiry date.

Related documents

- *Distribution of the exempt services operated by the Legislative Assemblies of Nunavut and the Northwest Territories*, Broadcasting Order CRTC 2018-296, 21 August 2018
- *Distribution of the exempt services operated by the Legislative Assemblies of Nunavut and the Northwest Territories*, Broadcasting Order CRTC 2013-381, 8 August 2018
- *Amendments to the Parliamentary and Provincial or Territorial Legislature Proceedings Exemption Order – new provision relating to emergencies*, Broadcasting Order CRTC 2012-349, 26 June 2012
- *Criteria for assessing applications for mandatory distribution on the digital basic service*, Broadcasting Regulatory Policy CRTC 2010-629, 27 August 2010