



Broadcasting Notice of Consultation CRTC 2018-488

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Ottawa, 20 December 2018

Public record: 1011-NOC2018-0488

Call for comments on a Production Report to be completed annually by large English- and French-language ownership groups

*The Commission calls for comments on a Production Report to be completed annually by large English- and French-language ownership groups. The new report would replace the Programs of National Interest Report. It would include information related to programs of national interest but would be expanded to comprise all Canadian programming expenditure categories, except news and sports programming. The deadline for the receipt of comments is **6 February 2019**.*

Background

1. When the Commission implemented its group-based licensing policy for large English-language ownership groups in 2011,¹ it imposed an annual reporting requirement related to programs of national interest (PNI) on all designated groups to allow it to assess the effectiveness of newly established regulatory measures. The Commission has published PNI Reports for each designated group on its [website](#) since 2012.
2. In Broadcasting Decisions 2017-143 and 2017-148, the introductory decisions for the most recent licence renewals for the large French- and English-language ownership groups, the Commission indicated that it would revise the PNI Report and annual returns forms so that licensees could identify their spending on original, first-run programming and other content, including that produced by official language minority communities and Indigenous producers. The Commission also indicated that it would add questions to the report to measure the efforts of broadcasters to commission programming made by women occupying the roles of producer, director, writer, cinematographer and editor.
3. In light of the number of changes to be made to the existing report, as well as the importance of publicly available data on content produced by Canadians, the Commission has decided to replace the PNI report with a more expansive Production Report.

¹ In Broadcasting Decision 2011-441, the group-based licensing policy was first applied to Bell Media Inc., Shaw Media Inc. and Corus Entertainment Inc. It was then applied to Astral Media inc. and Rogers Media Inc. in Broadcasting Decisions 2012-241 and 2014-399, respectively. The policy was applied to large French-language ownership groups in Broadcasting Decision 2017-143.

Call for comments

4. The Commission calls for comments on a Production Report to be completed annually by large English- and French-language ownership groups with their annual returns filings. The new report would replace the existing PNI Report and would include all Canadian programming expenditure categories, except news and sports programming. The Commission notes that the new report would only apply to licensed services.
5. In addition to the key creative roles identified in Broadcasting Decisions 2017-143 and 2017-148, the Commission is considering the appropriateness of including other roles, including, for example, that of “showrunner.” If the Commission were to include the role of showrunner as one of the creative roles tracked in the Production Report, a clear definition would also need to be established. In that regard, the Commission also calls for comments on the appropriateness of the following definition, which is found in the Writers Guild of Canada’s [Showrunner Code](#):

“A showrunner is the chief custodian of the creative vision of a television series whose primary responsibility is to communicate the creative vision of that series—often from the pilot episode through to the finale.”
6. The Commission calls for comments on the draft templates set out in Appendices 1 to 4 to this notice. The Commission expects that the comments received relate to the following issues :
 1. the proposed information to be collected;
 2. the key creative roles that should be identified in the report;
 3. the data that should be collected to best understand issues related to
 - a) the participation of women in production;
 - b) expenditures on programs by indigenous producers; and
 - c) expenditures on programs by and in official language communities;
 4. the level of detail with regards to the data to be collected;
 5. the methods and feasibility of collecting programming-level data; and
 6. the types of information that should be kept confidential.
7. In their interventions, all parties must provide rationale and evidence in support of their positions.
8. Following the filing of comments, the Commission will perform an analysis of the information received as part of this notice of consultation. Subsequently, the

Commission intends to publish an information bulletin containing details regarding the new filing requirements, including the templates in their final form.

Procedure

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, answers, replies 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 related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

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.

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.

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.

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

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service 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 or served. The Commission advises parties who file or 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.

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.

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

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at 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 fax numbers, etc.

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.

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.

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

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 by visiting the "Have your say!" section, 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.

Documents are also available at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782

Secretary General

Related documents

- *Renewal of licences for the television services of large English-language ownership groups – Introductory decision*, Broadcasting Decision CRTC 2017-148, 15 May 2017
- *Renewal of licences for the television services of large French-language ownership groups – Introductory decision*, Broadcasting Decision CRTC 2017-143, 15 May 2017
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Rogers Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2014-399, 31 July 2014
- *Astral Media inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2012-241, 26 April 2012
- *Group-based licence renewals for English-language television groups – Introductory decision*, Broadcasting Decision CRTC 2011-441, 27 July 2011
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010

Appendix 1 to Broadcasting Notice of Consultation CRTC 2018-488

Production Report

Overview

Broadcast Group: _____

Broadcast Year: 20xx-20xx _____

Canadian programming expenditures by region, by language

| Location of Principal Photography | Language | Number of Projects | Total Number of Hours Produced (in broadcast hours) | Total Production Budget (\$) | Total Licence Fees (\$) | Total Eligible Canadian Programming Expenditures |
|-----------------------------------|--|--------------------|---|------------------------------|-------------------------|--|
| British Columbia & Territories | All languages English language French language Other languages | | | | | |
| Prairies | All languages English language French language Other languages | | | | | |
| Ontario | All languages English language French language Other languages | | | | | |
| Quebec | All languages English language French language Other languages | | | | | |
| Atlantic | All languages English language French language Other languages | | | | | |
| All Regions | All languages English language French language Other languages | | | | | |

**All reported Canadian programming expenditure programs in
20XX-20XX BY**

| Broadcast Year | Language | Total Eligible Canadian Programming Expenditures (excludes tangible benefits expenditures) | | Eligible Canadian Programming Expenditures Allocated to Independent Producers | | Eligible Canadian Programming Expenditures Allocated to Affiliated Producers and In-house Productions | |
|----------------|--|--|---|---|---|---|---|
| | | \$ | % | \$ | % | \$ | % |
| XXXX-XXXX | All languages English language French language Other languages | | | | | | |

Budget information for individual projects are granted confidentiality, and confidentiality for aggregate regional data will only be granted where **less than three projects** are involved.

Appendix 2 to Broadcasting Notice of Consultation CRTC 2018-488

Programming produced by OLMC producers

In paragraph 93 of Broadcasting Decision 2017-148, the Commission stated that it will be requiring the groups to provide the following information on a yearly basis: the number of official language minority community (OLMC) producers they meet with each year, a list of projects commissioned from OLMC producers that are in development, in production and completed, their budgets and the total Canadian programming expenditures devoted to such projects. As such, please provide the information requested below.

Overview

| Language | Number of Projects | Total Number of Hours Produced (in broadcast hours) | Total Production Budget (\$) | Total Licence Fees (\$) | Total Eligible Canadian Programming Expenditures (\$) |
|---|--------------------|---|------------------------------|-------------------------|---|
| All languages English language (Quebec) French language (outside Quebec) | | | | | |

Budget information for individual projects are granted confidentiality, and confidentiality for aggregate regional data will only be granted where **less than three projects** are involved.

List of projects

| Project Title or Program Name | Language | Project Status | Total Production Budget (\$) | Total Eligible Canadian Programming Expenditures (\$) |
|-------------------------------|----------|----------------|------------------------------|---|
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| | | | | |
| Total | | | | |

Note: List of projects should only reflect the project status for the reported broadcast year.

Other details

Number of Indigenous producers the group has met during the broadcast year: _____

Appendix 3 to Broadcasting Notice of Consultation CRTC 2018-488

Programming produced by Indigenous producers

In paragraph 87 of Broadcasting Decision 2017-148, the Commission stated that it will be requiring the groups to provide the following information on a yearly basis: the number of Indigenous producers they meet with each year, a list of projects commissioned from Indigenous producers that are in development, in production and completed, their budgets and the total Canadian programming expenditures devoted to such projects. As such, please provide the information requested below.

Overview

| Language | Number of Projects | Total Number of Hours Produced (in broadcast hours) | Total Production Budget (\$) | Total Licence Fees (\$) | Total Eligible Canadian Programming Expenditures (\$) |
|----------------------------------|--------------------|---|------------------------------|-------------------------|---|
| All languages | | | | | |
| English language (Quebec) | | | | | |
| French language (outside Quebec) | | | | | |

Budget information for individual projects are granted confidentiality, and confidentiality for aggregate regional data will only be granted where **less than three projects** are involved.

List of projects

| Project Title or Program Name | Language | Project Status | Total Production Budget (\$) | Total Eligible Canadian Programming Expenditures (\$) |
|-------------------------------|----------|----------------|------------------------------|---|
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| | | | | |
| Total | | | | |

Note: List of projects should only reflect the project status for the reported broadcast year.

Other details

Number of Indigenous producers the group has met during the broadcast year: _____

Appendix 4 to Broadcasting Notice of Consultation CRTC 2018-488

Program information

| Program Title | Year Commissioned / First Year of Broadcast | Original, First-run Program | Certification # (CRTC or CAVCO) | CRTC Program Category | PNI | Hours Produced | Language of Program EN/FR/O |
|---------------|---|-----------------------------|---------------------------------|-----------------------|-----|----------------|-----------------------------|
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| | | | | | | | |
| Total | | | | | | | |

Producer information

| Production Company | Ind., Aff. or In-house | Location of Principal Photography | Region | OLMC Producer | Indigenous Producer |
|--------------------|------------------------|-----------------------------------|--------|---------------|---------------------|
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| | | | | | |
| | | | | | |
| | | | | | |
| Total | | | | | |

Budget information

| Total Production Budget | Licence Fees | Total Eligible Canadian Programming Expenditures |
|-------------------------|--------------|--|
| | | |
| | | |
| | | |
| | | |
| | | |
| Total | | |

Production information

| Producer (#) | Director (#) | Showrunner (#) | Writer (#) | Cinematographer (#) | Editor (#) |
|---------------------|---------------------|-----------------------|-------------------|----------------------------|-------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Total | | | | | |

Women occupying the role of:

| Producer (#) | Director (#) | Showrunner (#) | Writer (#) | Cinematographer (#) | Editor (#) |
|---------------------|---------------------|-----------------------|-------------------|----------------------------|-------------------|
| | | | | | |
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| | | | | | |
| | | | | | |
| | | | | | |
| Total | | | | | |