



Broadcasting Decision CRTC 2019-115

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References: 2018-388 and 2018-388-1

Ottawa, 25 April 2019

Paqtnkek Radio Society
Afton Station, Nova Scotia

Public record for this application: 2018-0342-9
Public hearing in the National Capital Region
6 December 2018

Indigenous FM radio station in Afton Station

*The Commission **approves** an application for a broadcasting licence to operate a Type B Native (Indigenous) English- and Indigenous-language FM radio station in Afton Station, Nova Scotia.*

Application

1. Paqtnkek Radio Society (Paqtnkek) filed an application for a broadcasting licence to operate a Type B Native (Indigenous) English- and Indigenous-language FM radio station in Afton Station, Nova Scotia. The Commission received interventions supporting the application.
2. Paqtnkek is a not-for-profit organization controlled by its board of directors, whose objective is to encourage volunteer participation through a radio station that promotes Indigenous culture and the preservation of its language and identity. All six members of the board are Canadian, and five of them are Indigenous.
3. The station would operate at 104.5 MHz (channel 283LP) with an effective radiated power of 50 watts and an effective height of the antenna above average terrain of 8.5 metres.¹
4. The station would broadcast 126 hours of local programming each broadcast week, including at least five hours of programming in the Mi'kmaq language, five hours of news and five hours of spoken word programming. Music performed or composed by Indigenous artists would comprise up to 11% of the music broadcast.
5. Paqtnkek also intends to broadcast community events (such as traditional celebrations and ceremonies), offer airtime to local artists and reach out to the community in order to tailor its programming to their interests.

¹ These technical parameters reflect those conditionally approved by the Department of Industry.

Commission's analysis and decision

6. The Commission expects the programming of Indigenous radio stations to be specifically oriented to the interests and needs of the Indigenous audiences that the stations are licensed to serve. These stations have a distinct role in fostering the development of Indigenous cultures and, where possible, the preservation of ancestral languages.
7. The Commission is satisfied that the present application meets the above objectives and is therefore consistent with the provisions for Type B Native radio stations set out in *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990. Accordingly, the Commission **approves** the application by Paqtnkek Radio Society for a broadcasting licence to operate a Type B Native (Indigenous) English- and Indigenous-language FM radio programming undertaking in Afton Station, Nova Scotia. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2019-115

Terms and conditions of licence for the Type B Native (Indigenous) English- and Indigenous - language FM radio programming undertaking in Afton Station, Nova Scotia

Terms

The licence will expire 31 August 2025.

The station will operate at 104.5 MHz (channel 283LP) with an effective radiated power of 50 watts and an effective height of the antenna above average terrain of 8.5 metres.

The Department of Industry's *BPR-3: Application Procedures and Rules for FM Broadcasting Undertakings* specifies that a low-power FM radio station is considered a secondary assignment operating on an unprotected channel. Should an FM station or transmitter with protected status be granted a frequency incompatible with that used by the low-power station considered in this decision, the applicant may need to cease the operation of that low-power station or file an application to change its frequency and/or technical parameters.

Pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

The licence for this undertaking will be issued only once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before **25 April 2021**. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before this date.

Conditions of licence

1. The licensee shall devote at least 35% of its musical selections from content category 2 (Popular Music) in each broadcast week to Canadian selections broadcast in their entirety.

For the purposes of this condition of licence, the terms "broadcast week," "Canadian selection," "content category" and "musical selection" shall have the meanings set out in the *Radio Regulations, 1986*.

2. The licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
3. The licensee shall adhere to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.