



Broadcasting Decision CRTC 2020-231

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Reference: Part 1 licence renewal application posted on 31 January 2020

Ottawa, 22 July 2020

Telile: Isle Madame Community Television Association

Isle Madame and other areas of Nova Scotia

Public record for this application: 2019-1014-1

CIMC-TV Isle Madame – Licence renewal

*The Commission **renews** the broadcasting licence for the low-power community-based television station CIMC-TV Isle Madame, Nova Scotia from 1 September 2020 to 31 August 2025.*

The licensee is subject to a condition of licence requiring it to implement the National Public Alerting System by no later than 1 September 2021.

Application

1. The Commission has the authority, pursuant to section 9(1) of the *Broadcasting Act* (the Act), to issue and renew licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in section 3(1) of the Act.
2. On 3 June 2019, the Commission issued Broadcasting Notice of Consultation 2019-192, which listed the television services and stations for which the licences needed to be renewed to continue their operations.
3. In response, Telile: Isle Madame Community Television Association filed an application to renew the broadcasting licence for the low-power community-based television station CIMC-TV Isle Madame, Nova Scotia, which expires on 31 August 2020. The Commission did not receive any interventions in regard to this application.
4. The licensee confirmed that it will adhere to the standard conditions of licence, expectations and encouragements set out in Appendix 2 to Broadcasting Regulatory Policy 2016-224, as well as to the conditions of licence set out in Appendix 17 to Broadcasting Decision 2013-467.
5. The licensee requested to continue to be relieved from the requirements of sections 10(1) to 10(4) of the *Television Broadcasting Regulations, 1987* (the Regulations) with regard to the retention of program logs or records.

Non-compliance

6. Section 10(1) of the Act authorizes the Commission to make regulations furthering its objects regarding the broadcasting of programs. In Broadcasting Regulatory Policy 2014-444, the Commission reiterated that the broadcasting system has a vital role to play in the provision of emergency alert messages to Canadians and that the duty to inform the public of imminent perils is at the core of the public service obligations of all broadcasters. Consistent with this authority, the Commission made section 18 of the Regulations, which required each licensee operating a community station to participate in the National Public Alerting System (NPAS) by no later than 31 March 2016.
7. According to Commission records, the licensee has not implemented the NPAS.
8. The licensee indicated that it has implemented other strategies for delivering alerts to viewers:
 - From 7 a.m. to 7 p.m., the station defers its over-the-air signal to a slide indicating what the emergency is and plays the related radio broadcast.
 - The licensee includes a bulletin board that plays two local radio stations (which would broadcast any alerts) outside of its regular bulletin programming, which is broadcast for 18 hours of the day.
9. The licensee pointed out the cost and technical considerations of finding, purchasing and installing equipment to connect the station's older equipment to any newer public alerting system equipment. The licensee is in the process of finding a technician and determining what equipment is required. The licensee expects to be compliant with the requirement within six months to one year.
10. The Commission acknowledges that the licensee is aware of its non-compliance with the NPAS requirements. The Commission also recognizes the limited financial means of this small community television station and acknowledges that the station redirects local radio over its airwaves when programming is not being broadcast. However, the Commission considers that the licensee's failure to implement the alerting system represents a gap in critical infrastructure to warn Canadians of situations where imminent threat to life exists.
11. In light of the above, the Commission finds the licensee in non-compliance with sections 18 of the Regulations. A **condition of licence** requiring the licensee to implement the NPAS by no later than 1 September 2021 and setting out reporting requirements related to the NPAS implementation is set out in the appendix to this decision. The Commission further notes that the licensee must include the NPAS system implementation date in Form 1411, which is submitted as part of its annual returns.

Program logs

12. Section 10(1)(i) of the Act authorizes the Commission to make regulations in furtherance of its objects requiring licensees to submit to the Commission such information regarding their programs and financial affairs or otherwise relating to the conduct and management of their affairs as the regulations may specify. Consistent with this authority, section 10 of the Regulations requires licensees to maintain and submit logs and records regarding the programming that they broadcast.
13. CIMC-TV is currently exempt from the requirements of sections 10(1) to 10(4) of the Regulations with regard to the retention of certain program logs or records. The licensee requested to maintain this exception.
14. Because of the small size and limited means of the station, the Commission considers it appropriate to maintain the exception from sections 10(1) to 10(4) of the Regulations granted in Appendix 17 to Broadcasting Decision 2013-467. A **condition of licence** to this effect is set out in the appendix to this decision.

Conclusion

15. In light of all the above, the Commission **renews** the broadcasting licence for the low-power community-based television programming undertaking CIMC-TV Isle Madame, Nova Scotia from 1 September 2020 to 31 August 2025. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminders

16. The full participation of the broadcasting industry is important for the NPAS to be effective in safeguarding and warning Canadians. As such, the Commission holds that compliance is mandatory and that timely compliance by stations will be closely monitored. The Commission could, at any time, choose to apply more stringent regulatory measures should the requirements with respect to the NPAS not be fulfilled. If the licensee is not compliant with the NPAS requirements by the prescribed date, it may be called to a hearing to show cause.
17. The licensee must retain a clear and intelligible audio-visual recording of all its programming and provide it, upon request, to the Commission, pursuant to the requirements of sections 10(5) and 10(6) of the Regulations.

Secretary General

Related documents

- *Call for licence renewal applications*, Broadcasting Notice of Consultation CRTC 2019-192, 3 June 2019
- *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016

- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014*
- *Various independent conventional and community-based television programming undertakings – Licence renewals, Broadcasting Decision CRTC 2013-467, 30 August 2013*

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2020-231

Terms, conditions of licence, expectations and encouragements for the low-power community-based television programming undertaking CIMC-TV Isle Madame, Nova Scotia

Terms

The licence will expire 31 August 2025.

Conditions of licence

1. The licensee shall adhere to the standard conditions of licence for community television stations set out in Appendix 2 to *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. As an exception to sections 10(1) to 10(4) of the *Television Broadcasting Regulations, 1987* (the Regulations), the licensee is relieved of the requirements set out therein with regard to the retention of program logs or records. The Commission reminds the licensee that it must retain a clear and intelligible audio-visual recording of all its programming, and provide it, upon request, to the Commission, pursuant to the requirements of sections 10(5) and 10(6) of the Regulations.
3. To comply with the requirements set out in section 18 of the *Television Regulations, 1987* and in *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014, the licensee shall implement the National Public Alerting System (NPAS) by no later than **1 September 2021**. As part of this requirement, the licensee must report on its progress to the Commission every six months, beginning **1 March 2021**.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 2 to *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 2 to *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.