



## Broadcasting Decision CRTC 2021-91

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Reference: Part 1 licence renewal application posted on 30 October 2020

Ottawa, 23 February 2021

**Saugeen Community Radio Inc.**  
Mount Forest, Ontario

*Public record for this application: 2019-0629-9*

### CIWN-FM Mount Forest – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language community radio station CIWN-FM Mount Forest from 1 March 2021 to 31 August 2027.*

#### 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 2019-194, which listed the radio stations for which the broadcasting licences would expire 31 August 2020 and therefore needed to be renewed to continue their operations. In that notice of consultation, the Commission requested that the licensees of those stations submit renewal applications for their broadcasting licences.
3. In response, Saugeen Community Radio Inc. (Saugeen) filed an application to renew the broadcasting licence for the English-language community radio station CIWN-FM Mount Forest, Ontario, which expires 28 February 2021.<sup>1</sup> The Commission did not receive any interventions in regard to this application.

#### Non-compliance

##### Annual returns

4. Section 10(1)(i) of the Act authorizes the Commission, in furtherance of its objects, to make regulations requiring licensees to submit to the Commission such information

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<sup>1</sup> The original licence expiry date for CIWN-FM was 31 August 2020. The licence was administratively renewed from 1 September 2020 until 28 February 2021 as a result of Broadcasting Decision 2020-284.

regarding their programs and financial affairs or otherwise relating to the conduct and management of their affairs as the regulations may specify.

5. Pursuant to this authority, the Commission made section 9(2) of the *Radio Regulations, 1986* (the Regulations), which requires licensees to file an annual return, including financial statements, by no later than 30 November of a given year for the broadcast year ending the previous 31 August. The specific filing requirements, including the requirement to file financial statements, are set out in Broadcasting Information Bulletin 2011-795.
6. According to Commission records, the licensee's annual return for the 2015-2016 broadcast year was filed six months late, specifically on 14 June 2017.
7. The licensee submitted that in October 2016 it tried unsuccessfully to register for the Commission's Data Collection System (DCS) to file its annual return. The licensee added that it was advised by Commission staff that the Commission needed to examine who controlled CIWN-FM before access to DCS could be granted. In November 2016, the licensee followed up with Commission staff, but was told that the matter had not yet been resolved and that the licensee would therefore not be penalized for the late filing of its annual return. The Commission gave the licensee access to DCS in June 2017, after which the licensee quickly filed its annual return.
8. The Commission acknowledges that the late filing of the annual return for the 2015-2016 broadcast year was out of the licensee's control, that the licensee made an effort to get access to DCS to file its documents on time, and that it followed up with the Commission to resolve the issue. Further, the annual returns for the remainder of the licence term were all filed on time. Accordingly the Commission considers that a finding of non-compliance is not justified in regard to CIWN-FM and no measures to address non-compliance are warranted for the station.

## **Conclusion**

9. In light of all of the above, the Commission **renews** the broadcasting licence for the English-language community radio programming undertaking CIWN-FM Mount Forest, Ontario, from 1 March 2021 to 31 August 2027. The **conditions of licence** are set out in the appendix to this decision.

## **Reminder**

### **Force and effect of broadcasting licences**

10. Pursuant to section 22 of the Act, the broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Secretary General

## **Related documents**

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2020-284, 21 August 2020
- *Call for licence renewal applications*, Broadcasting Notice of Consultation CRTC 2019-194, 3 June 2019
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011

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

## **Appendix to Broadcasting Decision CRTC 2021-91**

### **Terms, conditions of licence, expectations and encouragement for the English-language community radio programming undertaking CIWN-FM Mount Forest, Ontario**

#### **Terms**

The licence will expire 31 August 2027.

#### **Conditions of licence**

1. The licensee shall adhere to the conditions of licence set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. As an exception to the percentage of Canadian musical selections set out in section 2.2(8) of the *Radio Regulations, 1986* (the Regulations), the licensee shall devote at least 40% 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, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as those set out in the Regulations.

#### **Expectations**

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

The Commission expects all community and campus licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of submission of annual returns, following annual board of directors’ elections or at any other time. Such information may be submitted through the Commission’s website.

#### **Encouragement**

The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to reflect fully the communities they serve. It encourages the licensee to consider these issues in its hiring practices and in all other aspects of its management of human resources.