



Broadcasting Decision CRTC 2022-296

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Reference: Part 1 application posted on 7 July 2022

Ottawa, 1 November 2022

The News Forum Inc.
Across Canada

Public record: 2022-0359-5

The News Forum – Distribution pursuant to paragraph 9(1)(h) of the *Broadcasting Act*

Summary

The Commission **approves** an application by The News Forum Inc. for distribution of their national news service The News Forum pursuant to paragraph 9(1)(h) of the *Broadcasting Act* and in accordance with the policy framework set out in Broadcasting Order 2013-735 and Broadcasting Regulatory Policy 2015-436.

Accordingly, the Commission will issue an updated broadcasting order regarding the distribution of Canadian national news discretionary services that includes The News Forum.

Application

1. The News Forum Inc. filed an application for distribution pursuant to paragraph 9(1)(h) of the *Broadcasting Act* (the Act) of its national news service The News Forum.
2. As part of its application, the licensee provided an updated programming schedule demonstrating that The News Forum broadcasts updated newscasts every 120 minutes during the broadcast day.
3. The Commission did not receive any interventions in regard to this application.

Background

4. In Broadcasting Decision 2022-130, the Commission approved the licensee's application for a broadcasting licence to operate the previously exempt discretionary service, The News Forum, as a national news discretionary service. As part of that proceeding, the licensee requested distribution of The News Forum pursuant to paragraph 9(1)(h) of the Act.
5. At that time, the Commission found that in general The News Forum met the criteria for mandatory distribution set out in Broadcasting Regulatory Policy 2015-436. However, it was unable to determine whether The News Forum met the requirement to provide updated news reports every 120 minutes during the broadcasting day. Therefore, the Commission denied the licensee's request for distribution pursuant to paragraph 9(1)(h) of the Act.

Regulatory framework

6. In Broadcasting Regulatory Policy 2013-734, the Commission established a framework to govern the distribution of national news discretionary services. The framework includes a number of safeguards to ensure greater and more equitable access by national news services to the Canadian broadcasting system, thereby ensuring that Canadians have access to a healthy and diverse range of Canadian news programming. The framework, which includes provisions for the distribution of national news discretionary services, was implemented in Broadcasting Order 2013-735.
7. That order does not require broadcasting distribution undertakings to distribute national news services as part of the basic service. Rather, Broadcasting Order 2013-735 requires national news services to be offered to subscribers and establishes requirements relating to packaging and the negotiation of affiliation agreements.
8. In Broadcasting Regulatory Policy 2015-436, the Commission updated its criteria for assessing whether a national news discretionary service should benefit from the mandatory distribution established in Broadcasting Order 2013-735. In particular, condition of licence 1(a) requires the licensee to provide updated news reports every 120 minutes.

Commission's analysis

9. The Commission notes that in Broadcasting Decision 2022-130, it found that The News Forum met the requirements set out in Broadcasting Regulatory Policy 2015-436 to be considered a national news discretionary service that may be included in Broadcasting Order 2013-735, with the exception of the requirement to provide updated news reports every 120 minutes. The Commission finds that The News Forum still meets these conditions.
10. The Commission also notes that The News Forum has provided, as part of this application, the necessary information to demonstrate that it meets the requirement to provide the necessary news reports. Accordingly, the Commission considers that The News Forum, as a national news discretionary service, is eligible to be added to Broadcasting Order 2013-735.
11. The Commission also notes that no substantive issues regarding distribution were raised as part of this proceeding.

Conclusion

12. In light of the above, the Commission **approves** the application by The News Forum Inc. for distribution of the national news service The News Forum pursuant to paragraph 9(1)(h) of the Act and in accordance with the policy framework set out in Broadcasting Order 2013-735 and Broadcasting Regulatory Policy 2015-436.
13. Accordingly, the Commission will issue an updated broadcasting order regarding the distribution of Canadian national news discretionary services that includes The News Forum. The Commission will also take this opportunity to address some housekeeping matters and make other minor changes to the order.

Secretary General

Related documents

- *The News Forum – Licensing of a national news discretionary service*, Broadcasting Decision CRTC 2022-130, 17 May 2022
- *Revised standard conditions of licence for Canadian discretionary services operating as national news services*, Broadcasting Regulatory Policy CRTC 2015-436, 23 September 2015
- *Distribution of Canadian Category C national news specialty services*, Broadcasting Order CRTC 2013-735, 19 December 2013
- *Distribution of Canadian Category C national news specialty services*, Broadcasting Regulatory Policy CRTC 2013-734, 19 December 2013

This decision is to be appended to the licence.