



Broadcasting Decision CRTC 2026-74

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Reference: Part 1 application posted on 11 August 2025

Gatineau, 23 April 2026

Shaw Rocket Fund
Across Canada

Public record: 2025-0412-5

Rogers Communications Inc.'s contributions to the Shaw Rocket Fund

Summary

The Commission confirms that its direction requiring Rogers Communications Inc. (Rogers) to allocate half of its allowable Certified Independent Production Fund (CIPF) contributions to the Shaw Rocket Fund ended on 31 August 2025.

However, the Commission notes that Rogers continues to be required to make contributions to CIPFs under the *Broadcasting Distribution Regulations*.

Dissenting opinions from Commissioners Bram Abramson and Ellen C. Desmond, K.C. are attached to this decision.

Background

1. In 2021, Rogers Communications Inc. (Rogers) filed an application with the Commission for approval to acquire effective control of Shaw Communications Inc. (Shaw) and its licensed broadcasting distribution undertakings (BDUs). Following a consultation process and a public hearing, the Commission approved the application in Broadcasting Decision 2022-76 (the Shaw/Rogers decision).
2. In that decision, the Commission directed Rogers to allocate half of its allowable Certified Independent Production Fund (CIPF) contributions to the Shaw Rocket Fund for the remainder of Rogers' licence term, which expired on 31 August 2025 (hereafter referred to as the direction). Rogers' licences were administratively renewed in Broadcasting Decision 2023-245, until 31 August 2026.
3. On 30 August 2024 and 6 September 2024, Rogers provided notice to the Shaw Rocket Fund that its CIPF contributions would end on 31 August 2025.

4. The Shaw Rocket Fund subsequently requested clarification from the Commission regarding the end date of Rogers' CIPF contributions. On 29 May 2025, Commission staff indicated in a letter that the intended end date of Rogers' CIPF contributions was 31 August 2025 and that the administrative renewal did not extend that timeline.

Application

5. On 1 August 2025, the Commission received an application from the Shaw Rocket Fund seeking confirmation that Rogers' CIPF contributions to the Shaw Rocket Fund should continue until the end of Rogers' current administratively renewed licence term (31 August 2026) and through any future administrative renewals.

Interventions

6. The Commission received 60 interventions in regard to this application. Of those interventions, 59 were in support of the application, mostly from production companies, associations, and unions, commenting on the importance of the Shaw Rocket Fund.
7. One intervener, the Rogers Group of Funds (RGF), opposed the application. This intervention is addressed below.

Issues

8. After examining the record for this application and the regulatory framework, the Commission considers that it must address the following issues:
 - the direction in the Shaw/Rogers decision;
 - whether an administrative renewal extends the direction; and
 - whether additional procedure was required in respect of the expiry of the direction.

The direction in the Shaw/Rogers decision

Positions of parties

9. According to the Shaw Rocket Fund, Rogers' interpretation of the Shaw/Rogers decision is incorrect and its obligation to allocate CIPF contributions to the Shaw Rocket Fund did not expire on 31 August 2025. The Shaw Rocket Fund indicated that the direction is an obligation made in the public interest. It added that the direction was not tied to a fixed calendar date and was never intended to allow Rogers to cease respecting a necessary condition of approval for the acquisition of Shaw.

10. Rogers disagreed, indicating that its commitment to allocate half of its allowable CIPF contributions to the Shaw Rocket Fund was temporary from the outset, which was recognized by the Commission in the direction it made in the Shaw/Rogers decision.
11. In its intervention, the RGF submitted that Rogers' CIPF contributions previously allocated to the Shaw Rocket Fund have now been reallocated to the RGF, which has already committed the funds.

Commission's decision

12. The Commission notes that at the public hearing leading to the Shaw/Rogers decision, Rogers was asked if there was a minimum period of time that it would commit to allocating half of its allowable CIPF contributions to the Shaw Rocket Fund.¹ In its 29 November 2021 undertaking, Rogers confirmed that it was prepared to commit "for the balance of Rogers' existing terrestrial BDU licence [term], which [was] set to expire on 31 August 2025." Rogers indicated that it wished to retain the flexibility to review its CIPF funding commitments at that time.
13. In the Shaw/Rogers decision, the Commission adopted Rogers' proposal in its entirety, as reflected in the direction.
14. In light of the above, the Commission confirms that the direction was temporary in nature, ending on 31 August 2025.

Administrative renewal

Positions of parties

15. According to the Shaw Rocket Fund, an administrative renewal extends the existing licence term on identical terms and conditions, unless expressly changed or rescinded by the Commission. Since the Commission anchored the direction to the remainder of Rogers' licence term and not to a calendar date, the Shaw Rocket Fund argued that the direction must be read to include the term of an administratively renewed licence.
16. Rogers argued that the administrative renewal had no impact on the direction because the direction was a temporary measure. Commission staff confirmed this interpretation on 29 May 2025 in a letter stating that Rogers was required to make the CIPF contributions to the Shaw Rocket Fund until 31 August 2025 and that the administrative renewal did not extend this timeline.

¹ Transcript, [volume 1](#), line 901.

Commission's decision

17. Consistent with the Commission's long-standing approach to administrative renewals, the Commission considers that administrative renewals do not extend a licence term but rather constitute a new licence term. This interpretation is supported by previous versions of the *Broadcasting Act* (the Act), which limited the Commission's authority to issue licences for a maximum period of seven years. As such, administrative renewals do not operate to extend an existing licence term since doing so would have, in many cases, extended a licence term beyond what the Commission was legally authorized to grant.
18. Recent amendments to the Act do not alter this principle and the Commission still considers that an administrative renewal constitutes a new licence term. Accordingly, the direction was to continue to the end of the licence term in effect at the time the direction was given. When that term ended on 31 August 2025, so too did the direction to contribute.
19. Even if the administrative renewal did extend the licence term and associated conditions, it could not have extended the direction. Notably, the direction was not a condition or term of the licence under subsection 9(1) of the Act that could be extended. Unlike many of the other determinations in the Shaw/Rogers decision, the Commission did not implement this direction through a condition of service.²
20. Further, given the amendments to the Act, had the Commission intended to require Rogers to continue contributing to the Shaw Rocket Fund, the Commission would have had to propose and then make an order, as required under subsections 11.1(2) and 11.1(7) of the Act. The Commission did not propose or make such an order.
21. In light of the above, and consistent with its long-standing approach, the Commission finds that the administrative renewal did not extend the direction.

Appropriateness of additional procedure

Positions of parties

22. According to the Shaw Rocket Fund, Rogers cannot cease respecting its CIPF contributions through an administrative renewal. It argued that subsection 18(2) of the Act requires that the Commission hold a public hearing in connection with a licence renewal or an amendment unless it is satisfied that such a hearing is not required in the public interest. The Shaw Rocket Fund argued that Rogers' funding obligation is a matter of public interest, and that it therefore had a

² This is in contrast to other obligations set out in the Shaw/Rogers decision. Specifically, Appendix 2 lists conditions of approval imposed throughout the decision, including instances where Rogers was directed to file an application to include an obligation in its conditions of licence (now conditions of service). A requirement to make the contribution to the Shaw Rocket Fund a condition of licence was not included as a condition of approval.

legitimate expectation that the Commission would initiate a public hearing prior to removing that obligation from the licences.

23. According to Rogers, the Shaw Rocket Fund's procedural fairness arguments mischaracterized the nature of the Shaw/Rogers decision and the administrative renewal decision. Rogers submitted that its commitment was always set to expire on 31 August 2025, which it noted was a time frame that was accepted by the Commission. It added that since every decision and order of the Commission is final and conclusive pursuant to subsection 31(1) of the Act, the Commission cannot reconsider its determinations and the direction it issued in the Shaw/Rogers decision and, therefore, cannot extend the direction beyond 31 August 2025.
24. Rogers further argued that BDUs are not required to allocate any of their CIPF contributions to a specific CIPF under the *Broadcasting Distribution Regulations* (the Regulations), and that the Commission would not typically require only one licensee to continue allocating its CIPF contributions to a specific CIPF.

Commission's decision

25. Subsection 18(2) of the Act requires the Commission to hold a public hearing in certain circumstances, including for the renewal or amendment of a licence or the making of an order under subsections 9.1(1) or 11.1(2) of the Act, unless it is satisfied that one is not required in the public interest. As noted above, the direction was not a term or condition of the licence, nor was it proposed as a condition of service for which an order would be required under subsections 9.1(1) or 11.1(2). Accordingly, the Commission considers that subsection 18(2) of the Act was not engaged in this case.
26. In other words, the expiry of the direction did not constitute an amendment to the licences or the making of an order that would require a public hearing under subsection 18(2) of the Act. In these circumstances, the Commission did not need to assess whether a public hearing was in the public interest.
27. To the extent that the Shaw Rocket Fund was entitled to procedural rights, those rights were afforded during the original public process leading to the Shaw/Rogers decision and the resulting direction.

Conclusion

28. In light of all of the above, the Commission confirms, by majority decision, that the direction was not extended by virtue of the administrative renewal. The Commission also finds that no additional procedure was required in respect of the expiry of the direction.
29. The Commission notes that Rogers continues to be required to make CIPF contributions under the Regulations.

Secretary General

Dissenting opinion of Commissioner Bram Abramson

1. Paragraph 18(2)(a) of the *Broadcasting Act* (the Act) requires the Commission to hold a public hearing in connection with a licence renewal unless it is satisfied that such a hearing is not required in the public interest. This requirement disciplines the Commission's otherwise broad control over its own process.
2. Rather than canvass, at the time, what issues of public interest might require a public hearing, Broadcasting Decision 2023-245 (Administrative Renewals Decision) tied licence renewals to a commitment that interested persons would have an opportunity to comment later, at the appropriate time. But what counts as the appropriate time depends in part on the issue.
3. The Shaw Rocket Fund (SRF), taking that commitment at its word, brought forward such an issue. Whether the support obligation should continue, lapse, or be reinstated is secondary to a threshold question. Once the licence renewal carried a foreseeable consequence for a specific public-interest measure brought to the Commission's attention, was the Commission required to address whether a public hearing was necessary in the public interest?
4. On the wording of the Act, it was. Broadcasting Decision 2022-76 (Shaw/Rogers Decision) could not dispose of the SRF's post-renewal fate. The Administrative Renewals Decision deferred whether to do so. The Broadcasting Committee majority¹ now avoids that question, relying on the direction's expiry and on prior decisions. As a result, the SRF support measure lapsed without any focused process to determine whether carrying it forward into the renewal term, or declining to, required a public hearing.
5. That is not consistent with the *Broadcasting Act*, even as amended by the *Online Streaming Act*. The policy environment in which children select and scroll audio-visual content, and the economic models supporting that content, continue to evolve. In this context, the public interest is engaged by whether support for the SRF, a leading private-sector funder of Canadian children's programming, should continue. That is enough to require the procedural discipline that paragraph 18(2)(a) of the Act directs the Commission to exercise. I would have considered that a hearing was required, ensured a record, and decided the substantive issue on that basis.

The initial decision pertained to the then-current licence term

6. Broadcasting distribution undertakings (BDUs) must direct a portion of their five percent contributions from gross Canadian broadcasting revenues to non-news, non-community Canadian

¹ On behalf of the Commission: *Broadcasting Committee*, By-Law No. 26 (CRTC), paragraph (e) ("any act or thing done by the Broadcasting Committee shall be deemed to be an act or thing done by the Commission"), pursuant to paragraph 11(1)(b) and subsection 12(3) of the *Canadian Radio-television and Telecommunications Commission Act* (duties delegated to standing committees by by-law). As distinguished from assigning a particular matter to a panel: *Broadcasting Act*, subsection 20(1).

programming. By default, these contributions flow to the Canada Media Fund, but BDUs may instead direct up to a fifth of them to Certified Independent Production Funds (CIPFs).

7. This option is routinely maximized. At the time Rogers Communications Inc. (Rogers) moved to acquire Shaw Communications Inc. (Shaw), both companies followed this practice. Rogers directed its contributions to its aligned funds. Shaw directed its contributions to the SRF. The Commission accepted Rogers' proposal that for the remainder of its licence term,² Rogers would

continue to allocate its allowable CIPF contributions to both the Rogers funds and the SRF in equal amounts for the remainder of Rogers' licence term, as proposed by Rogers.³
8. As the majority underlines, this arrangement was not a formal condition of service, so no presumption arose that it would continue into a subsequent term. The majority reasoning goes further, and errs in doing so. It treats the voluntary character of the arrangement as disposing of paragraph 18(2)(a) of the Act. That confuses the source of the expiring obligation with the subject matter of the renewal inquiry. The question arises not because the old term imposed a continuing obligation, but because the renewal carries a foreseeable consequence for a public-interest measure brought before the Commission. Paragraph 18(2)(a) required the Commission to assess whether that consequence warranted a hearing.

The renewal decision deferred its approach to the renewal term

9. On 8 August 2023, the Commission administratively renewed hundreds of broadcasting licences, including Rogers'.
10. Administrative renewals are a long-standing case management tool, but carry a procedural cost. Their scale has grown significantly: what began as a targeted instrument for discrete deferrals has expanded to class-,⁴ sector-,⁵ and now industry-wide renewals. Each such renewal proceeds without the hearing process that paragraph 18(2)(a) of the Act would otherwise require. The Administrative Renewals Decision addressed this by stating that substantive issues would be addressed "at a later date," when "interested persons will have an opportunity to comment at the appropriate time."⁶
11. That commitment is the procedural substitute for a decision on whether a hearing is in the public interest. The Act's requirement that the Commission be "satisfied" that a hearing is not required presupposes a discernible exercise of judgment that can be assessed on the record. It does not

² Broadcasting Decision 2022-76, paragraph 123.

³ Broadcasting Decision 2022-76, paragraph 125.

⁴ See, for example, Broadcasting Decision 2018-182, renewing 47 broadcasting applications administratively.

⁵ See, for example, Broadcasting Decisions 2021-297, 2021-298, 2021-299 and 2021-300.

⁶ Broadcasting Decision 2023-245, paragraph 7.

permit the point to simply pass in silence. When an interested party later calls on that commitment, the Commission must confront the question. At minimum, where a deferred issue is inseparable from a renewal-related consequence that has now taken effect, the Commission must ask whether a public hearing is required.

12. The answer will not always be yes. For some public-interest matters, deferral is itself substantive. For others, the issue may be indivisible from a broader process, like modernization of the Commission's regulatory frameworks. Where these collide, they must be weighed against one another. But if an issue is not addressed before a consequence becomes permanent, the opportunity to address it is lost.

The majority decision projects backward what ought to be decided now

13. The SRF asked that Rogers' contributions continue through administrative renewals. The majority concludes that any procedural rights were satisfied in the earlier Rogers/Shaw proceeding and decision. That rests on a category error. The Rogers/Shaw Decision addressed the existing licence term. Matters that lapse at the end of a term are to be considered in relation to the subsequent term, assisted by a hearing if the public interest so requires. That is the basic scheme of the *Broadcasting Act*. The *Online Streaming Act* did not disturb it.
14. That scheme, and procedure, are not ends in themselves. The Act defaults to a public hearing on renewal because broadcasting policy is to be made in public, with public participation, for public ends. The SRF supports children's programming, a genre that at its healthiest does not sustain itself on market logic alone. Whether that support should continue into Rogers' renewal term is the kind of public-interest matter the Act's procedural architecture is designed to surface, examine, and decide. The Commission's failure to ask whether a hearing was required is not a technical lapse. It bypasses the Act's basic mode of self-governance.
15. That failure was not inevitable. The Administrative Renewals Decision reserved substantive issues for later consideration. It promised interested persons an opportunity to comment at the appropriate time. When the SRF did so, the Commission was obliged to satisfy itself whether a public hearing "in connection with" a licence renewal was "required in the public interest":⁷
 - The obligation is triggered by the renewal, not by the formal character of any particular condition attached to the expiring licence. The phrase "in connection with" is expansive.
 - The exception is narrow. It requires an affirmative, reasoned determination that a hearing is not required. Silence or omission do not satisfy.
16. Limiting the inquiry to proposed conditions of service narrows a public-interest safeguard into a housekeeping check. It rewrites "in connection with a licence renewal" as "in connection with a

⁷ The Act, paragraph 18(2)(a).

proposed condition of licence”. The statute does not say that. The Commission is not entitled to read it that way.

17. Applied here: Rogers’ renewal carried a foreseeable consequence for the SRF. The majority’s answer, that the direction simply expired, is descriptive but not analytical. Expiry and renewal are legal events. Whether, and why, they engage the public interest is the question paragraph 18(2)(a) requires the Commission to confront.
18. The majority’s silence, in place of confronting that question, is the error motivating my dissent. I would have treated the SRF’s application as requiring the Commission to address its deferred obligation under paragraph 18(2)(a) of the Act, ensured a written record, and decided on that record whether Rogers’ CIPF contributions to the SRF should be carried forward, restructured, or allowed to lapse. Paragraph 18(2)(a) is a structural safeguard, not some procedural technicality to be sidestepped. The legitimacy of the Commission’s renewal process depends on visible adherence to that safeguard. Where the public interest is engaged, the Act requires the Commission to say so.

Dissenting opinion of Commissioner Ellen C. Desmond, K.C.

Background

1. In April 2021, Rogers Communications Inc. (Rogers) filed an application with the Commission for approval to acquire effective control of Shaw Communications Inc. (Shaw) and its licensed broadcasting distribution undertakings (BDUs). Given the significance of this application and its impact on the industry, the Commission held a public hearing to consider if the transaction should be approved and, if so, on what terms and conditions.
2. When the Commission issued Broadcasting Decision 2022-76 (the Shaw/Rogers decision) on 24 March 2022 and approved the transfer, a number of conditions, directions, expectations, encouragements and reminders were included. Amongst others, Rogers was directed to ensure that both the Rogers Documentary Fund and the Rogers Cable Network Fund, and the Shaw Rocket Fund (Shaw Rocket Fund or SRF), would continue to be supported through its ongoing financial contribution to Certified Independent Production Funds (CIPFs) for the remainder of its licence term (the Direction).
3. At paragraph 123 of the Shaw/Rogers decision, the Commission specifically stated:

At the hearing and in an undertaking, Rogers indicated that, for the remainder of its current licence term, it intends to allocate 50% of its allowable BDU CIPF contributions to the SRF, while the other 50% would go to the Rogers funds. Further, Rogers indicated that it intends to continue working with producers of children's programming to raise equity funding for their projects.
4. At the time of the Shaw/Rogers decision, Rogers' licence term was set to expire on 31 August 2025.

The administrative renewal decision

5. On 8 August 2023, seventeen months after the Shaw/Rogers decision was released, the Commission administratively renewed numerous licences for various audio-visual undertakings, including those of Rogers. A review of Broadcasting Decision 2023-245 (the administrative renewal decision) will indicate the very large numbers of renewals that were ordered at that time.
6. While administrative renewals are a case management tool that has been used by the Commission in the past, this was an extraordinary renewal process, executed in unusual times. The Commission was dealing with a new piece of broadcasting legislation that would have a substantial impact on the industry. This administrative renewal was specifically done to allow the Commission to modernize its regulatory frameworks in response to the new *Broadcasting Act* and to implement the appropriate changes.

7. It is also important to note that, while these renewals were expedient, the Commission did not provide an opportunity for interested parties to comment via a public process on the terms or conditions of licence(s) that had been previously put in place. The renewal process was undertaken without consultation. In recognition of this, the Commission stated at paragraph 7 of the administrative renewal decision:

This decision does not dispose of any issue that may arise with respect to the renewal of these licences, including any non-compliance issues. The Commission will consider the substantive issues related to these licences, the various conditions of service and mandatory orders at a later date, and interested persons will have an opportunity to comment at the appropriate time.

8. As indicated therein, issues arising from these renewals were not immediately disposed of. The Commission specifically provided parties the procedural right to comment on substantive issues related to these licences, at the appropriate time.

Procedural fairness

9. On 1 August 2025, the Shaw Rocket Fund filed an application seeking confirmation that Rogers' CIPF contributions to the SRF should continue until the end of Rogers' current administratively renewed licence term (31 August 2026) and through any future administrative renewals. In its submission, it states that the Direction to support the Shaw Rocket Fund was not tied to a fixed calendar date and that this was a funding obligation made in the public interest. Rogers has taken the opposite view, suggesting its commitment to allocate half of its CIPF contributions was temporary from the outset and ceased at the end of its original licence term.
10. In this instance, the majority have determined that the Direction was not extended by the administrative renewal and expired on 31 August 2025. They have also determined that, to the extent the Shaw Rocket Fund was entitled to procedural rights, those rights were afforded during the original public process leading to the Shaw/Rogers decision, and that no further procedural rights exist.
11. With the greatest respect to my colleagues, I disagree.
12. As pointed out by the majority, a direction does not rise to the same level of commitment as a condition of service or an order, and in the normal course would expire at the end of a licence term. The Shaw Rocket Fund could not have presumed, in the first instance, that this Direction would extend beyond the normal licence period.
13. However, when the administrative renewal decision was issued without any consultation, the Commission specifically stated that issues arising from the renewal **were not disposed of** and that an **opportunity to comment on substantive issues would be provided at a later date**.

14. The Shaw Rocket Fund has submitted that the Direction provided to Rogers is a matter of public interest, particularly in light of the SRF's commitment to children's programming. In its view, the continued existence of the commitment made by Rogers to contribute to the SRF is an issue that requires consideration.
15. The majority have determined that they do not need to turn their mind to this substantive issue, and that the Direction is now expired. With respect to the majority, this conclusion ignores the fact that the Commission specifically carved out the opportunity for parties to comment at a later date on any issue arising from the renewals. To now suggest that the Shaw Rocket Fund should not be afforded any further procedural right is contrary to this determination.
16. Moreover, procedural fairness is a cornerstone of administrative law and of this Commission's mandate. Given that the Commission expressly permitted the right to comment on substantive issues at a later date, the Shaw Rocket Fund should be afforded the opportunity to address the public-interest issue it has raised in its submissions. Doing so respects the procedural rights of the parties and is in keeping with the public interest.

Related documents

- *Various television programming services and networks, and broadcasting distribution undertakings – Administrative renewals*, Broadcasting Decision CRTC 2023-245, 8 August 2023
- *Shaw Communications Inc. – Change of ownership and effective control*, Broadcasting Decision CRTC 2022-76, 24 March 2022
- *Various Indigenous (Type B Native) radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2021-300, 30 August 2021
- *Various campus and community radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2021-299, 30 August 2021
- *Various radio and audio programming undertakings and network – Administrative renewals*, Broadcasting Decision CRTC 2021-298, 30 August 2021
- *Various commercial radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2021-297, 30 August 2021
- *Various terrestrial broadcasting distribution undertakings – Administrative renewals*, Broadcasting Decision CRTC 2018-182, 24 May 2018