



Broadcasting Circular CRTC 2008-9

Ottawa, 17 December 2008

Information Bulletin

Information requirements for sponsors of non-Canadian services for addition to the lists of eligible satellite services for distribution on a digital basis

In this circular, the Commission sets out the information requirements to be met by sponsors requesting the addition of non-Canadian services to the lists of eligible satellite services for distribution on a digital basis. These requirements reflect the determination in Broadcasting Public Notice 2008-100 to harmonize the information requirements for third-language and for French- and English-language non-Canadian services.

1. The Commission currently requires sponsors of requests for the addition of non-Canadian services to the lists of eligible satellite services for distribution on a digital basis (the digital lists) to provide specific information in order for their requests to be considered. In Broadcasting Public Notice 2008-100, the Commission stated that it would harmonize the information requirements that sponsors must satisfy when making requests for the addition of non-Canadian third-language and for French- and English-language services to the digital lists.
2. The information requirements that have applied for the addition of non-Canadian French- and English-language services to the digital lists are set out in Public Notice 2000-173, and the information requirements that have applied for the addition of non-Canadian third-language services to the digital lists are set out in Broadcasting Public Notice 2004-96.
3. Pursuant to the Commission's determination in Public Notice 2008-100, starting immediately, the above-noted information requirements are superseded, and all proposals for the addition of any non-Canadian services to the digital lists must include the following information, in either of Canada's official languages:
 - a description of the service in a form appropriate for gazetting by the Commission, indicating whether it is a general interest or a niche service, and specifying the language or languages in which the service operates and the amount of time devoted to programming in each language (if more than one);
 - evidence that the non-Canadian service has agreed to be sponsored by the Canadian party filing the proposal;
 - a statement from the service provider that it has obtained all necessary rights for

distribution of its programming in Canada;

- an undertaking from the non-Canadian service provider that it does not hold, will not obtain, nor will it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada. For example, the provider of a non-Canadian service would have to satisfy the Commission that it does not currently, nor will it in future, deal in rights to programming in a manner that unduly precludes a Canadian programming undertaking from acquiring that programming;
- evidence of potential demand, as gathered through discussions with distributors;
- a program schedule for a recent week that would be representative of the non-Canadian service over the year, with program descriptions;
- a breakdown of the amount of time during which the service is accompanied by subtitles and/or a secondary audio program (SAP) in a language other than the main language(s) of programming, indicating the language(s) in question and, for each such language, expressed as both the total number of hours per week and as a percentage of the overall weekly programming schedule;
- a breakdown of programming in the following genres (with reference to the Commission's program categories¹), expressed as both the total number of hours per week and as a percentage of the overall weekly programming schedule:

news (categories 1, 2a and 3)

documentaries (category 2b)

lifestyle/human interest/recreation and leisure (categories 5b and 11)

sports (categories 6a and 6b)

drama/fiction/comedy (category 7)

music/variety (categories 8 and 9)

religious (category 4)

other (e.g. categories 5a and 10);

- a statement indicating whether or not the service provider currently has a program supply agreement with any Canadian service and whether or not it has terminated any such agreement(s) within the previous twelve months. If such an agreement exists, the Commission requires a description of the agreement from the service provider, including the period of time covered by the agreement and

¹ The program categories are defined in Public Notice 1999-205.

the number of hours of programming to be supplied under the agreement's term. Where any such agreement has been terminated by the service provider within the preceding twelve months, the Commission requires, as well as a description of the agreement, the rationale for its termination.

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy; Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*; Broadcasting Public Notice CRTC 2004-96, 16 December 2004
- *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*; Public Notice CRTC 2000-173, 14 December 2000
- *Definitions for new types of priority programs; revisions to the definitions of television content categories; definitions of Canadian dramatic programs that will qualify for time credits towards priority programming requirements*, Public Notice CRTC 1999-205, 23 December 1999

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site:

<http://www.crtc.gc.ca>.