



Broadcasting Decision CRTC 2009-215

Route reference:

Broadcasting Notice of Public Hearing 2008-14

Ottawa, 24 April 2009

The Family Channel Inc.

Across Canada

Application 2008-1105-1, received 19 August 2008

Public Hearing in Orillia, Ontario

26 January 2009

Family Extreme – Category 2 specialty service

*The Commission **approves** an application for a broadcasting licence to operate a new national Category 2 specialty programming undertaking.*

1. The Family Channel Inc. filed an application for a broadcasting licence to provide Family Extreme, a national, English-language Category 2 specialty service that would offer programming from around the world devoted to entertainment, humour, travel, games, science and technology and targeted toward children aged 6 to 17 years and their families. There were no interventions to this application.
2. The Commission is satisfied that the application is in conformity with the framework set out in Public Notice 2000-6 and with all applicable terms and conditions announced in Public Notice 2000-171-1. Accordingly, the Commission **approves** the application by The Family Channel Inc. for a broadcasting licence to operate the national English-language Category 2 specialty programming undertaking Family Extreme. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

3. The Commission reminds the applicant that distribution of this service is subject to the distribution rules that apply to services distributed by broadcasting distribution undertakings, as set out in Broadcasting Public Notice 2008-100.

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services, Broadcasting Public Notice CRTC 2008-100, 30 October 2008*

- *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2, Public Notice CRTC 2000-171-1, 6 March 2001*
- *Licensing framework policy for new digital pay and specialty services, Public Notice CRTC 2000-6, 13 January 2000*

This decision is to be appended to the licence. It 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>.

Appendix to Broadcasting Decision CRTC 2009-215

Terms and conditions of licence for the Category 2 specialty programming undertaking Family Extreme

Terms

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:

- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 24 April 2012. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

The licence will expire 31 August 2015.

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licensee shall provide a national, English-language Category 2 specialty programming service devoted to entertainment, humour, travel, games, science and technology. Programming will be from around the world and targeted to children aged 6 to 17 years and their families.
3. The programming shall be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 5 (b) Informal education/Recreation and leisure
 - 6 (b) Amateur sports
 - 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy

- (g) Other drama
 - 8 (a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - (c) Music video programs
 - 9 Variety
 - 10 Game shows
 - 11 General entertainment and human interest
 - 12 Interstitials
 - 13 Public service announcements
4. The licensee shall caption 100% of its programs over the broadcast day, consistent with the approach set out in *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007.
 5. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998, the licensee shall file, for the Commission's prior review, a copy of any programming supply agreement and/or licence trademark agreement it intends to enter into with a non-Canadian party.
 6. Not more than 15% of all programming broadcast during the broadcast week shall be drawn from either category 7(d) Theatrical feature films aired on TV.
 7. Not more than 15% of all programming broadcast during the broadcast week shall be drawn from category 8 Music.

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending not later than one o'clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.