



Broadcasting Regulatory Policy CRTC 2011-316

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Route reference: 2008-16

Ottawa, 12 May 2011

Definition of emerging Canadian artists on commercial radio

The Commission adopts the definition of an English-language emerging Canadian artist provided by the Canadian Association of Broadcasters (CAB) and the Canadian Independent Music Association found at paragraph 5 of this policy.

The Commission also adopts the definition of a French-language emerging Canadian artist provided by the CAB and the Association québécoise de l'industrie du disque, du spectacle et de la vidéo set out in paragraph 9 of this policy.

The Commission has also posted on its website today a [study of the level of airplay of English-language emerging Canadian artists](#), as well as a corresponding [study for the French-language market](#). Based on its analysis of these studies, the Commission will not undertake a public process to examine if it should require the airplay of a minimum level of music by emerging artists at this time.

Introduction

1. The extent to which commercial radio stations expose the work of emerging Canadian artists has been a topic of discussion for more than a decade, most extensively during the two most recent reviews of the policies for commercial radio.
2. In *Call for comments on the definition of emerging Canadian artists on commercial radio* – Notice of consultation, Broadcasting Public Notice CRTC 2008-16, 27 February 2008, the Commission initiated a process to adopt definitions of emerging artists appropriate for English- and French-language talent. The Commission expressed the view that a common definition of emerging Canadian artists was now required and invited input from industry and other stakeholders. The Commission noted that both the music and commercial broadcast industries had made suggestions in the past and that these parties might wish to file joint submissions.
3. The Commission received a total of 28 comments, mainly from commercial broadcasters and organizations and individuals associated with the music industry. The Commission thanks all parties for their contributions. The comments can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

English-language artists

Submissions

4. After examining all of the definitions suggested by parties, the Commission contracted Nielsen BDS Radio Canada (Nielsen BDS) to conduct research on the implications of adopting two of the proposed definitions of an emerging Canadian artist for the English-language market. Specifically, Rawlco Radio Ltd. (Rawlco) submitted a definition to the following effect, which the Commission altered slightly for the purpose of the research:

An emerging artist is a recording artist who has never had two recordings that have reached either the Top 40 position on the music charts listed in Schedule A¹ or the Top 25 position on the music charts listed in Schedule B.²

Once an artist has had two recordings that have reached either the Top 40 position in the music charts listed in Schedule A or the Top 25 position in the music charts listed in Schedule B, the artist retains emerging status for a period of 12 months following the date on which the second recording reached either of those positions.

5. For their part, the Canadian Association of Broadcasters (CAB) and the Canadian Independent Music Association (CIMA)³ proposed a definition to the following effect, again altered slightly for the purpose of the research:

An artist would be considered an “Emerging Canadian Artist” if he/she is Canadian (that is, meets the “A” criterion of the MAPL system) and has never previously charted or reached the Top 40 position on the music charts listed in Schedule A or the Top 25 position on the music charts listed in Schedule B.

An artist would retain the status of “Emerging Canadian Artist” for a period of 36 months from the date he/she reaches the positions on the music charts mentioned above.

If an artist who is a member of a duo, trio or group with an established identity launches a solo career or creates in company with others a new duo, trio or group with a new identity, this solo artist or new duo, trio, or group will be considered a new artist for 36 months following the date its selection under the new identity reaches the positions on the music charts mentioned above.

¹ RPM 100 Singles until 3 September 1988, RPM Retail Singles from 10 September 1988 to 10 February 1990, Record Retail Singles until 1 April 1996, Canadian Music Network National Airplay, Billboard Hot 100 Singles or the Billboard Canadian Hot 100.

² The Record Country, RPM 100 Country Tracks, Canadian Music Network Country Top 50 Audience, Billboard Hot Country or the Nielsen BDS Country Spins.

³ Formerly the Canadian Independent Record Production Association.

Commission's analysis and determinations

6. The [Nielsen BDS study](#), which the Commission has posted on its website, was also designed to determine the amount of emerging music aired by commercial radio so the Commission could evaluate if a proceeding was necessary to create a regulation requiring a minimum level of such music. The research encompassed the music aired by 23 stations operating in a total of six formats during 2008. Nielsen BDS also tested a third definition that is identical to Rawlco's, except that the emerging status referred to in the second paragraph of its definition lasts for six months instead of one year.
7. The results show that the differences in airplay as measured by the three definitions are not significant. For example, in the Hot Adult Contemporary format, about 38 selections played over a typical week would qualify as emerging artist selections under the CAB/CIMA definition that would not qualify under the third definition (assuming the station plays 1,200 Canadian and foreign selections weekly between 6 a.m. and midnight). The results also show that stations with Alternative Rock and Contemporary Hit Radio formats play the most music by emerging artists, whereas stations that offer Adult Contemporary, Adult-oriented Rock and Country formats play the least.
8. Given that the difference in airplay as measured under the three definitions is not significant and considering that the CAB and CIMA, a key music industry organization, agreed on a definition, the Commission finds that the definition provided by the CAB and CIMA would be the most appropriate. Accordingly, the Commission adopts the definition of an English-language emerging Canadian artist set out in paragraph 5 of this policy.

French-language artists

Submissions

9. The Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ) and the CAB proposed the following definition of an emerging Canadian artist for the French-language market:

A Canadian French-language artist shall be considered an emerging artist until one of the following thresholds has been reached:

- A period of 6 months has elapsed since sales of one of the artist's albums have reached Gold Record status according to SoundScan.⁴
- A period of 48 months has elapsed since the release of the artist's first commercially marketed album.

⁴ CD or digital recordings receive gold certifications with sales of 40,000 units.

For the purposes of this definition, the concept of artist includes duos, trios or groups of artists operating under a defined identity. If a member of a duo, trio or group begins a solo career or creates with other partners a new duo, trio or group with a new defined identity, the solo artist or duo, trio or group shall be considered an “emerging artist” according to the above criteria.

Commission’s analysis and determinations

10. As in the case of the definition of an emerging English-language artist, the Commission conducted research to determine the level of airplay received by emerging French-language Canadian artists as defined above. The [study by Commission staff](#), which can be found on the Commission’s website, also obtained results for the following definition:

An emerging artist is an artist who has never had two recordings that have reached either the Top 30 position on the music charts listed in Schedule C⁵ or the Top 25 position on the music charts listed in Schedule D.⁶

Once an artist has had two recordings that have reached either the Top 30 position on the music charts listed in Schedule C or the Top 25 position on the music charts listed in Schedule D, the artist retains emerging status for 12 months following the date on which the second recording reached either of those positions.

11. The study used the same methodology as that conducted by Nielsen BDS for the English-language market and included the music broadcast in Quebec by 13 stations operating in three musical formats. The findings show that except for the Album Genre Rock format, the difference between airplay as measured by the two definitions is not significant. For example, in the Contemporary Hits format, about 40 selections over the 6 a.m. to midnight broadcast week would qualify as emerging artist selections under the ADISQ/CAB definition that would not qualify under the other definition (assuming the station plays 1,200 Canadian and foreign selections weekly between 6 a.m. and midnight). Of note, only one station operated in the Album Genre Rock format in the French-language market at the time of the study.
12. Given that the difference in airplay as measured under the two definitions is not significant and considering that the CAB and ADISQ, a key music industry organization, agreed on a definition, the Commission finds that the definition provided by the CAB and ADISQ would be the most appropriate. Accordingly, the Commission adopts the definition of a French-language emerging Canadian artist set out in paragraph 9 of this policy.

⁵ Le Palmarès Top 100 Radio BDS Francophone and Top 50 Radio Francophone.

⁶ Le Palmarès Tops 25 Radio BDS Francophone Pop Rock, Tops 25 Radio BDS Francophone Pop Adulte, Tops 25 Radio Francophone Pop Rock or the Tops 25 Radio Francophone Pop Adulte.

Conclusion

13. The objective of a Canadian emerging artist regulation would be to increase the amount of Canadian emerging music aired by the stations operating in the formats which play the least music by such artists. In the English-language market, these are the Adult Contemporary, the Adult-oriented Rock and the Country formats. In the French-language market, this is the Adult Contemporary format. A percentage requirement would be chosen at a point between the level of Canadian emerging artist music played by stations operating in these formats and that of stations operating in formats characterized by the programming of a substantial amount of music by Canadian emerging artists.
14. The research conducted for the English-language market shows that in the format that plays the least music by Canadian emerging artists, Adult Contemporary, about one Canadian selection in six is by such an artist. In the French-language market, the research suggests that about one Canadian selection out of every seven or eight aired by Adult Contemporary stations is by an emerging artist. This figure relates to all Canadian selections broadcast, including English-language music.
15. With one selection in six, seven or eight reflecting the work of a Canadian emerging artist in formats that depend very heavily on the familiarity of music to listeners and that air the least emerging music, the Commission concludes that Canadian radio stations already program a reasonable amount of this music and that a regulated minimum is not as necessary as many had once thought.
16. In light of the above, the Commission will not undertake a public process to examine if it should require the airplay of a minimum level of music by Canadian emerging artists at this time.

Secretary General