



Broadcasting Decision CRTC 2013-438

PDF version

Route reference: 2013-220

Ottawa, 26 August 2013

101056012 Saskatchewan Ltd.
Yorkton, Saskatchewan

Application 2012-1372-7, received 26 October 2012

CJJC-FM Yorkton – Licence renewal

*The Commission **renews** the broadcasting licence for the specialty (Christian music) radio station CJJC-FM Yorkton, Saskatchewan from 1 September to 31 August 2020.*

Introduction

1. 101056012 Saskatchewan Ltd. filed an application to renew the broadcasting licence for the specialty (Christian music) radio station CJJC-FM Yorkton, Saskatchewan, which expires 31 August 2013.¹ The Commission did not receive any interventions in connection with this application.

Non-compliance

2. In Broadcasting Notice of Consultation 2013-220, the Commission noted that the licensee was in apparent non-compliance with the requirement to file complete annual returns by 30 November for the 2005-2006 broadcast year in that it did not submit financial statements with the return.
3. Section 9(2) of the *Radio Regulations, 1986* (the Regulations) requires licensees to file an annual return by 30 November of each year for the broadcast year ending the previous 31 August. The specific filing requirements, including the requirement to submit financial statements, are set out in Broadcasting Information Bulletin 2011-795.
4. The licensee stated that, through an oversight, it failed to submit the financial statements on time even though they had been completed.

¹ The original expiry date of CJJC-FM's broadcasting licence was 31 August 2012. The licence was administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2012-447.

5. In light of the above, the Commission finds the licensee in non-compliance with section 9(2) of the Regulations related to the filing of annual returns for the 2005-2006 broadcast year.

Regulatory measures

6. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensees and the measures taken to rectify the situation.
7. The Commission notes the licensee's explanation for the late filing of its financial statements. However, it reminds the licensee that, as set out in Broadcasting Information Bulletin 2011-795, it is the licensee's responsibility to ensure that all appropriate forms and documents are included in the submission of its annual return. If further clarification is required, it is the licensee's responsibility to contact the Commission for further direction.
8. The Commission has reviewed the record for this application and is of the view that the failure to provide a complete annual return for the 2005-2006 broadcast year was an isolated incident, given that there were no non-compliance issues in subsequent years.
9. In light of the circumstances surrounding the non-compliance for 101056012 Saskatchewan Ltd., the Commission considers it appropriate to grant a full-term renewal for CJJC-FM.

Conclusion

10. In light of all of the above, the Commission **renews** the broadcasting licence for the specialty (Christian music) radio programming undertaking CJJC-FM Yorkton, Saskatchewan, from 1 September 2013 to 31 August 2020. The terms and **conditions of licence** are set out in the appendix to this decision.
11. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Secretary General

Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-220, 7 May 2013

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2012-447, 17 August 2012, as corrected by Broadcasting Decision CRTC 2012-447-1, 22 August 2012
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011

**This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2013-438

Terms, conditions of licence and encouragement for the specialty (Christian music) radio programming undertaking CJJC-FM Yorkton, Saskatchewan

Terms

The licence will expire 31 August 2020.

Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, as amended from time to time, with the exception of condition of licence 7.
2. The station shall be operated within the Specialty format as defined in *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995 and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
3. During each broadcast week, at least 95% of all musical selections shall be drawn from subcategory 35 - Non-classic religious, as defined in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
4. The licensee shall, as an exception to the percentage of Canadian musical selections set out in section 2.2(3) of the *Radio Regulations, 1986*, in any broadcast week, devote in that broadcast week a minimum of 10% of its musical selections from content category 3 (Special interest music) to Canadian selections.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

5. Where the licensee broadcasts religious programming as defined in the *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV. of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

Encouragement

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.