



Broadcasting Notice of Consultation CRTC 2014-28

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Ottawa, 30 January 2014

Call for comments on a request to delete the conditions of distribution of Al Jazeera Arabic

*The Commission calls for comments on a request to delete the conditions of distribution of the non-Canadian programming service Al Jazeera Arabic set out in Broadcasting Public Notice 2004-51. The deadline for submission of comments is **17 March 2014**.*

Introduction

1. Al Jazeera Network filed a request to delete the conditions established in *Requests to add Al Jazeera to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-51, 15 July 2004 (Broadcasting Public Notice 2004-51), relating to the distribution of Al Jazeera Arabic, a non-Canadian Arabic-language news and public affairs programming service authorized for distribution in Canada.
2. The Commission notes that the conditions of distribution were established in Broadcasting Public Notice 2004-51 in response to concerns raised by more than 500 opposing interveners that Al Jazeera Arabic has a pattern of broadcasting hate propaganda, in contravention of Canadian laws and broadcasting standards.
3. Consequently, the Commission stated that, prior to distributing this service, licensees of broadcasting distribution undertakings (BDUs) are required to submit an application requesting a condition of licence governing the distribution of Al Jazeera Arabic. The Commission noted that such an application would be considered expeditiously.
4. It also indicated that the condition of licence would require a BDU distributing Al Jazeera Arabic:
 - (a) to retain and provide a clear and intelligible audio-visual recording of each Al Jazeera Arabic program distributed on its undertaking for a period of
 - (i) four weeks after the date of distribution of the program; or
 - (ii) eight weeks after the date of distribution of the program, if the Commission receives a complaint about abusive comment from a person regarding the program or for any other reason wishes to investigate abusive programming and so notifies the licensee before the end of the period referred to in paragraph (i); and

- (b) not to distribute, as part of the Al Jazeera Arabic programming service, any abusive comment or abusive pictorial representation that, when taken in context, tends to or is likely to expose an individual or group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability.
5. This condition of licence would also permit a BDU distributing Al Jazeera Arabic to alter or delete the service in the course of its distribution solely for the purpose of complying with requirement 4(b) set out above.
 6. In support of its proposal, Al Jazeera Network noted that no Canadian BDU has agreed to accept the conditions of distribution due to the responsibility and added cost of monitoring Al Jazeera Arabic's programming 24 hours per day, 7 days per week, to ensure that the service does not breach Canadian broadcasting standards. It also stated that Al Jazeera Arabic is available in more than 50 countries, including several western democracies like the United States, the United Kingdom, France, Australia and Israel, with no restrictions on its distribution or credible complaints relating to its journalistic principles or its news and information programming.

Call for comments

7. The Commission calls for comments on the request to delete the conditions of distribution of the non-Canadian programming service Al Jazeera Arabic set out in Broadcasting Public Notice 2004-51 and described above. The Commission will accept comments that it receives on or before **17 March 2014**.

Procedure

8. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."
9. In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.
10. Submissions must be filed by sending them to the Secretary General of the Commission by only one of the following means:

by using the
[Intervention/comment/answer form]

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

11. Submissions longer than five pages should include a summary.
12. Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Important notice

13. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.
14. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
15. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
16. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.
17. The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

18. A list of all interventions will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and clicking on the "Interventions/Answers" link associated with this notice.
19. The public may examine public interventions and related documents at the following Commission offices during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Regional offices

Nova Scotia

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

Quebec

505 de Maisonneuve Boulevard West
Suite 205
Montréal, Quebec
H3A 3C2
Tel.: 514-283-6607

Ontario

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Manitoba

360 Main Street
Suite 970
Winnipeg, Manitoba
R3C 3Z3
Tel.: 204-983-6306
Fax: 204-983-6317

Saskatchewan

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

Alberta

100 – 4th Avenue South-West
Suite 403
Calgary, Alberta
T2P 3N2
Tel.: 403-292-6660
Fax: 403-292-6686

British Columbia

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General