



Broadcasting Decision CRTC 2016-338

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Reference: Part 1 application posted on 16 March 2016

Ottawa, 22 August 2016

Coopérative Radio-Halifax-Métro limitée
Halifax, Nova Scotia

Application 2016-0254-0

CKRH-FM Halifax – Licence amendment

*The Commission **approves** an application by Coopérative Radio-Halifax-Métro limitée to amend the broadcasting licence for the French-language community radio station CKRH-FM Halifax, Nova Scotia, to reduce from 15 to 5% the minimum level of spoken word content that must be broadcast each broadcast week, for a period of two years.*

This amendment will give the licensee time to implement a recovery plan for the station, while providing a minimum amount of spoken word content to the official language minority community in Halifax.

Background

1. In Broadcasting Decision 2006-139, the Commission approved an application by Coopérative Radio-Halifax-Métro limitée (Coopérative Radio) to operate a French-language Type A community FM radio station in Halifax, Nova Scotia. The station CKRH-FM Halifax launched in 2007.
2. In Broadcasting Decision 2013-454, the Commission renewed the broadcasting licence for the station from 1 September 2013 to 31 August 2019.¹ Pursuant to condition of licence 1 set out in Appendix 5 to that decision, the licensee is required to adhere to the conditions set out in Broadcasting Regulatory Policy 2012-304.
3. In that policy, the Commission set out the following standard condition of licence regarding the broadcast of content category 1 (Spoken Word) programming:
 6. In each broadcast week, the licensee shall devote no less than 15% of its programming to programming drawn from content category 1 (Spoken Word), which is comprised of content subcategories 11 (News) and 12 (Spoken word – other), as defined in *Revised content categories and subcategories for radio*,

¹ CKRH-FM's licence was set to expire on 31 August 2012, but was administratively renewed until 31 August 2013 in Broadcasting Decision 2012-434.

Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time. All of this spoken word programming shall be locally produced (that is, produced by or exclusively for the licensee).

Application

4. Coopérative Radio filed an application to amend the broadcasting licence for CKRH-FM to obtain a temporary exception to the standard condition of licence set out above. Specifically, the licensee requested to reduce from 15 to 5% the minimum level of spoken word content that must be broadcast each broadcast week, for a period of two years, the time it would take to implement a recovery plan for the station.
5. The licensee stated that it is currently in a precarious situation, with a total debt of nearly \$100,000. It indicated that since November 2015, the board of directors has been working with a consultant from the Conseil de développement économique de la Nouvelle-Écosse as part of a provincial project to support Francophone media.
6. The Commission did not receive any interventions regarding this application.

Regulatory framework

7. In its *Report to the Governor in Council on English- and French-language broadcasting services in English and French linguistic minority communities in Canada*, published on 30 March 2009, the Commission acknowledged that official language minority communities (OLMCs), in particular, French-language OLMCs, have access to a limited number of radio services. The Commission also stated in that report that community radio stations play one of the most important roles in these communities.
8. The broadcasting policy set out in section 3(1) of the *Broadcasting Act* includes the following objectives:
 - the Canadian broadcasting system, operating primarily in the English and French languages and comprising public, private and community elements, makes use of radio frequencies that are public property and provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty – section 3(1)(b);
 - English and French language broadcasting, while sharing common aspects, operate under different conditions and may have different requirements – section 3(1)(c);
 - a range of broadcasting services in English and in French shall be extended to all Canadians as resources become available – section 3(1)(k).
9. Section 41(1) of the *Official Languages Act* states that the Government of Canada is committed to “enhancing the vitality of the English and French linguistic minority

communities in Canada and supporting and assisting their development, and fostering the full recognition and use of both English and French in Canadian society.” As a federal institution, the Commission must be mindful of the objectives of section 41(1) when examining and applying existing policies.

10. In Broadcasting Regulatory Policy 2010-499 (the Community Radio Policy), the Commission stated that locally relevant spoken word programming produced by campus and community stations is an important way in which these stations can fulfil their mandates and roles in the communities served and in the broadcasting system as a whole. Moreover, the Commission indicated that it would require, by condition of licence, that all campus and community stations broadcast a minimum of 15% spoken word programming each broadcast week and that for the purpose of this requirement, all spoken word programming be locally produced. This standard condition of licence was then set out in Broadcasting Regulatory Policy 2012-304.
11. However, in the Community Radio Policy, the Commission also stated that market size will be more of a factor in determining a station’s ability to attract volunteers and provide diverse programming. Further, it specified that it would be willing to consider requests by stations in smaller markets to obtain greater flexibility with respect to the requirement that all spoken word programming be local.

Commission’s analysis and decision

12. After examining the public record for this application in light of the applicable regulations and policies, the Commission considers that the issue it must address is whether the licensee has demonstrated an economic need justifying the proposed licence amendment.
13. Besides the Canadian Broadcasting Corporation, CKRH-FM is the only station offering French-language programming in the Halifax radio market and thereby serving the Francophone minority in this market. According to the 2011 census, French is the mother tongue of 10,160 people in the Halifax metropolitan area, representing approximately 3% of the population.
14. Coopérative Radio stated that it has accumulated a debt of \$100,000 as a result of fewer donations and low local advertising sales. According to the licensee, CKRH-FM has only one part-time employee who deals with producing advertisements and seven volunteers in charge of producing spoken word content. If the application were approved, Coopérative Radio stated that the seven volunteers could focus on fundraising and recruiting new volunteers. These activities would enable CKRH-FM to pay back its debt and increase the number of hours of spoken word content by hiring a host and additional volunteers.
15. In light of the above and given the station’s financial situation, the Commission finds that Coopérative Radio has demonstrated an economic need justifying the proposed licence amendment.

Conclusion

16. Accordingly, the Commission **approves** the application by Coopérative Radio-Halifax-Métro limitée to amend the broadcasting licence for the French-language community radio programming undertaking CKRH-FM Halifax to reduce from 15 to 5% the minimum level of spoken word content that must be broadcast each broadcast week, for a period of two years.

17. The Commission therefore imposes the following **condition of licence**:

In each broadcast week, the licensee shall devote at least 5% of its programming to programming drawn from content category 1 (Spoken Word), which is comprised of content subcategories 11 (News) and 12 (Spoken word – other), as defined in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010. All of this spoken word programming shall be locally produced (that is, produced by or exclusively for the licensee). This condition of licence will remain in effect until 31 August 2019.

18. In addition, CKRH-FM's condition of licence 1² is replaced by the following **condition**:

1. The licensee shall adhere to the conditions set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012, with the exception of condition of licence 6. The exception will remain in effect until 31 August 2019.

Secretary General

Related documents

- *Campus and community radio programming undertakings – Licence renewals*, Broadcasting Decision CRTC 2013-454, 29 August 2013
- *Administrative renewals*, Broadcasting Decision CRTC 2012-434, 8 August 2012
- *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012
- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010
- *Community radio station in Halifax*, Broadcasting Decision CRTC 2006-139, 12 April 2006

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

² See Appendix 5 to Broadcasting Decision 2013-454.