



Broadcasting Decision CRTC 2018-27

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Reference: Part 1 application posted on 9 November 2017

Ottawa, 23 January 2018

TVA Group Inc.
Montréal, Quebec

Public record for this application: 2017-1038-5

TVA Sports – Licence amendment

1. The Commission **approves** an application by Quebecor Media Inc. (Quebecor), on behalf of TVA Group Inc., to amend the broadcasting licence for the French-language mainstream sports service TVA Sports. Specifically, Quebecor requested that the requirements relating to the broadcast of advertising material set out in condition of licence 4 of the standard conditions for mainstream sports services (Appendix 1 to Broadcasting Regulatory Policy 2009-562-2), to which the licensee was required to adhere, by condition of licence, in Broadcasting Decision 2017-147, be eased to allow the service to average the maximum amount of 12 minutes of advertising material offered in each clock hour over the broadcast day. The Commission did not receive any interventions regarding this application.
2. Quebecor is requesting the same flexibility as that granted in Broadcasting Decision 2017-144 to the competing French-language mainstream sports service RDS. It argued that such flexibility would, in the context of a mainstream sports service, enhance the viewer experience and not pressure the service to broadcast advertising materials during live sporting events where advertising windows are influenced by the course of the sporting event being broadcast.
3. In the Commission's view, the flexibility to average the 12-minute advertising limit over the broadcast day is appropriate for mainstream sports services such as TVA Sports and benefits consumers by permitting the uninterrupted broadcast of live events where appropriate. Accordingly, the Commission replaces condition of licence 1 set out in Appendix 4 to Broadcasting Decision 2017-147¹ with the following **condition of licence**:

¹ Appendix 4 to Broadcasting Decision 2017-147 sets out the conditions of licence, expectations and encouragements applicable to the mainstream sports service TVA Sports. Condition of licence 1 in the French-language version of that appendix requires the licensee to adhere to the standard conditions of licence set out in Appendix 1 to Broadcasting Regulatory Policy 2009-562-2, but purports to exempt it from the obligation to adhere to one of these conditions of licence relating to closed captioning. There is a manifest error in that French-language condition of licence 1 as it purports to exempt the licensee from a non-existent condition of licence relating to closed captioning. The English-language version of that condition of licence correctly implements the determination relating to closed captioning set out in Broadcasting Decision 2017-147 in that it serves to apply to TVA Sports the standard closed captioning requirements applicable to television stations and discretionary services.

1. The licensee shall adhere to the standard conditions, expectations and encouragement set out in Appendix 1 to *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Definition of “broadcast day” for mainstream sports services*, Broadcasting Regulatory Policy CRTC 2009-562-2, 25 May 2012, with the exception of conditions of licence 4 and 7, which are replaced by the following:

4. The licensee:

- a) subject to paragraph b), shall not distribute an average of more than 12 minutes of advertising material during each clock hour;
- b) may broadcast partisan political advertising during an election period, in addition to the 12 minutes of advertising material referred to in paragraph a); and
- c) shall only distribute national paid advertising.

7. Consistent with *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009, the licensee shall:

- a) ensure that advertising, sponsorship messages and promos in the English and French languages are closed captioned;
- b) in regard to the quality of closed captioning, adhere to the requirements set out in the appendix to *Quality standards for French-language closed captioning – Enforcement, monitoring and the future mandate of the French-language Closed Captioning Working Group*, Broadcasting Regulatory Policy CRTC 2011-741-1, 21 February 2012;² and
- c) implement a monitoring system to ensure that, for any signal that is closed captioned, the correct signal is captioned, the captioning is included in its broadcast signal and this captioning reaches the distributor of that signal in its original form. “Original form” means, at a minimum, that the captioning provided by the licensee reaches the distributor unaltered, whether it is passed through in analog or in digital, including in high definition.

Secretary General

² In Appendix 4 to the English-language version of Broadcasting Decision 2017-147, this document was incorrectly referenced as Broadcasting Regulatory Policy 2011-741.

Related documents

- *Quebecor Media Inc. – Group-based licence renewals for French-language television stations and services*, Broadcasting Decision CRTC 2017-147, 15 May 2017
- *Bell Media Inc. – Licence renewals for French-language television services*, Broadcasting Decision CRTC 2017-144, 15 May 2017
- *Quality standards for French-language closed captioning*, Broadcasting Regulatory Policy CRTC 2011-741, 1 December 2011
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Definition of “broadcast day” for mainstream sports services*, Broadcasting Regulatory Policy CRTC 2009-562-2, 25 May 2012

This decision is to be appended to the licence.