



Broadcasting Decision CRTC 2023-247

PDF version

Reference: Part 1 licence renewal application posted on 22 November 2022

Ottawa, 9 August 2023

Sher-E-Punjab Radio Broadcasting Inc.
Vancouver, British Columbia

Public record: 2022-0478-3

CKSP Vancouver – Licence renewal

1. The Commission has the authority, pursuant to subsections 9(1), 9.1(1) and 11.1(2) of the *Broadcasting Act* to issue and renew licences and to make orders imposing conditions on the carrying on of a broadcasting undertaking that it considers appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the *Broadcasting Act*, and to make orders respecting expenditures.
2. Consistent with that authority, the Commission **renews** the broadcasting licence for the ethnic commercial AM radio programming undertaking CKSP Vancouver, British Columbia, from 1 September 2023 to 31 August 2030. The Commission received interventions in support of this application. It also received an intervention in opposition from an individual, to which the licensee replied.
3. Pursuant to subsections 49(1) and 50(2) of the *Online Streaming Act*, the conditions of licence that existed prior to the date of royal assent of that Act are deemed to be conditions imposed under an order made pursuant to section 9.1 of the new *Broadcasting Act*, or subsection 11.1(2) in the case of expenditure requirements. As such, the conditions of licence for this licensee became conditions of service and continue to apply to the licensee. For ease of reference, the conditions of service for this licensee are set out in the appendix to this decision. Further, the formal broadcasting licence document issued to a licensee may set out additional requirements for the undertaking, relating to, for example, technical parameters or prohibitions on transfer. The licensee shall also adhere to any such requirements set out in the broadcasting licence for the undertaking.

Intervention in opposition

4. In Broadcasting Decision 2016-464, the Commission approved an application by Sher-E-Punjab Radio Broadcasting Inc. (Sher-E-Punjab) for a broadcasting licence to operate a new ethnic commercial AM radio station to serve Vancouver, which would launch as CKSP. In Appendix 1 to that decision, the Commission imposed a condition of licence requiring the licensee to make, upon commencement of operations and in addition to the required basic annual contribution to Canadian content development

(CCD) set out in section 15 of the *Radio Regulations, 1986*, an annual contribution of \$250,000 (\$1,750,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

5. In its opposing intervention, the individual questioned the eligibility of Dishoom Media (Dishoom), which is the CCD initiative to which Sher-E-Punjab paid the entirety of its over-and-above CCD contribution for the 2020-2021 broadcast year. In addition, the intervener questioned why the licensee did not provide an accurate disclosure of its relationship with the owners of Dishoom.
6. In its reply, Sher-E-Punjab stated that until 2017 Dishoom's owner worked for CISF-FM Surrey, a station located in the same building as CKSP, but has never been employed by Sher-E-Punjab. Sher-E-Punjab added that it had provided all relevant information in reply to the Commission's request for information, and that nothing was hidden, either intentionally or unknowingly.
7. On its [Canadian Content Development Contributions and Eligible Initiatives](#) webpage, the Commission states that beneficiaries of CCD contributions should be independent of licensees. It further states that common members on Board of Directors or familial relationships call into question the independence of beneficiaries.
8. After examining the information on the public record for this application, including the intervention and the licensee's reply, the Commission is satisfied with the licensee's explanation and considers that the CCD contributions made by Sher-E-Punjab to Dishoom meet the eligibility criteria for CCD contributions. Accordingly, the Commission finds that the CCD contributions to Dishoom during the 2020-2021 broadcast year fulfill condition of licence 7 set out in Appendix 1 to Broadcasting Decision 2016-464 and count as contributions to an eligible initiative.

Remaining Canadian content development contributions

9. In Broadcasting Decision 2016-464, the Commission approved an application by Sher-E-Punjab for a broadcasting licence to operate an ethnic commercial AM radio station in Vancouver. In that decision the Commission imposed a condition of licence on the licensee requiring it make an annual over-and-above CCD contribution of \$250,000 (\$1,750,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.
10. Based on the payment schedule set out in Broadcasting Decision 2016-464 for the contributions that are over and above the basic CCD contributions, the licensee will have fulfilled this requirement by the end of the 2026-2027 broadcast year, after which it will only be subject to the basic annual CCD contribution requirement set out in the *Radio Regulations, 1986*. Accordingly, the licensee will be subject to the condition that the Commission originally imposed on CKSP in Broadcasting Decision 2016-464, but with modifications that reflect the remaining broadcast years during

which the licensee must make over-and-above CCD contributions. This condition of service is set out in the appendix to this decision.

Reminders

Local news

11. Radio stations are an important daily source of local news and information for communities. Carrying on a broadcasting undertaking comes with conditions, regulatory obligations and responsibilities, which include contributing to the Canadian broadcasting system by ensuring that Canadians have access to local programming that reflects their needs and interests and informs them of important current issues.
12. Although Broadcasting Regulatory Policy 2022-332 does not specify a minimum level of weekly news to be broadcast, it does specify the type of spoken word material that must be included as part of a station's local programming. In accordance with that regulatory policy, the Commission reminds the licensee that its station, in its local programming, must incorporate spoken word material of direct and particular relevance to the communities served, and that this programming must include local news, weather, sports coverage, and the promotion of local events and activities. In addition, the Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to those communities.

Force and effect of broadcasting licences

13. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry (also known as Innovation, Science and Economic Development Canada) lapses.

Practical guide for radio licence renewals

14. To learn more about the Commission's review of compliance with requirements relating to radio licences, and about the radio renewal process, please consult the Commission's [Practical guide to radio licence renewals](#).

Secretary General

Related documents

- *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022
- *Licensing of new radio stations to serve Surrey and Vancouver, and addition of a transmitter in Surrey*, Broadcasting Decision CRTC 2016-464, 28 November 2016 *This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2023-247

Terms, conditions of service, expectations and encouragement for the ethnic commercial AM radio programming undertaking CKSP Vancouver, British Columbia

Terms

The licence will expire 31 August 2030.

Conditions of service

1. The licensee shall adhere to the conditions of service set out in *Revised conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2022-334, 7 December 2022. Further, the licensee shall adhere to the requirements set out in the broadcasting licence for the undertaking.
2. The licensee shall adhere to all applicable requirements set out in the *Radio Regulations, 1986* that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the old *Broadcasting Act*.¹
3. The licensee shall devote 100% of the programming broadcast each broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
4. The licensee shall devote at least 85% of the programming broadcast each broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
5. In each broadcast week, the licensee shall provide programming directed to a minimum of 19 distinct ethnic groups in at least 17 languages.
6. In each broadcast week, at least 67% of the programming shall be broadcast in the Punjabi and Hindi languages.
7. The licensee shall not broadcast Chinese-language programming.
8. To fulfill the requirement set out in condition of licence 7 of *Licensing of new radio stations to serve Surrey and Vancouver, and addition of a transmitter in Surrey*, Broadcasting Decision CRTC 2016-464, 28 November 2016, in addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall make, by no later than **31 August** of each broadcast year,

¹ Pursuant to subsection 49(2) of the *Online Streaming Act*, which made a certain number of amendments to the *Broadcasting Act* when it came into force on 27 April 2023, any regulation made under paragraphs 10(1)(a) or 10(1)(i) of the old *Broadcasting Act* is deemed to be an order made under section 9.1 of the new *Broadcasting Act*.

an annual contribution of \$250,000 (\$1,000,000 over the next four consecutive broadcast years) to the promotion and development of Canadian content.

This additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives as set out in the *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022. Examples of eligible and ineligible initiatives are provided on the Commission’s [Canadian Content Development Contributions and Eligible Initiatives](#) webpage.

The licensee shall file all proof of payment and eligibility regarding these CCD contributions by 30 November of each year and shall do so in a form deemed acceptable by the Commission.

9. The licensee shall comply with Broadcasting Mandatory Order 2014-592, set out in the appendix to *Sher-E-Punjab - Issuance of mandatory order*, Broadcasting Decision CRTC 2014-591 and Broadcasting Order CRTC 2014-592, 13 November 2014, and shall adhere to the terms specified within the Consent Agreement entered into by the licensee with the Commission on 9 October 2014.

For the purposes of these conditions of service, the term “broadcast week” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

Expectations

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

Canadian emerging artists

Consistent with the Commission’s determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to devote, in each broadcast week, at least 5% of the station’s musical selections to selections from Canadian emerging artists broadcast in their entirety. The licensee should report annually on how it has met this expectation, including the percentage of selections from Canadian emerging artists out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the definition of “Canadian emerging artist” is the same as that set out in paragraph 346 of Broadcasting Regulatory Policy 2022-332.

Indigenous musical selections

Consistent with the Commission’s determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to include Indigenous musical selections on the station’s playlist. The licensee should report annually on the amount of Indigenous content aired on the station throughout the broadcast year (i.e., from 1 September to 31 August), including the percentage of Indigenous musical selections out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the licensee may use the provisional definition of “Indigenous-Canadian musical selection” set out in paragraph 441 of Broadcasting Regulatory Policy 2022-332 to determine whether a musical selection can be considered an Indigenous musical selection.

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 in its hiring practices and in all other aspects of its management of human resources.