



Broadcasting Decision CRTC 2024-32

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Ottawa, 9 February 2024

Corus Television Limited Partnership
Toronto, Ontario

Application 2023-0550-8, received 25 September 2023

BC News 1 – Licence amendment

Summary

The Commission **approves** an application by Corus Television Limited Partnership to amend the broadcasting licence for the discretionary service BC News 1, by amending the condition of service relating to the broadcast of advertising material.

Background

1. In Broadcasting Decision 2017-150, the Commission renewed the broadcasting licences for various licensed television stations and discretionary services that would form part of the English-language Corus Entertainment Inc. (Corus) group. In Appendix 3 to that decision, the Commission imposed the following condition of licence specific to Corus's discretionary service BC News 1:

32. As an exception to condition of licence 1, the licensee shall adhere to the conditions set out in Appendix 2 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 18d), which will not apply, and with the exceptions of conditions 17 and 18a), which are replaced by the following, respectively:

The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).

Except as otherwise provided in subparagraphs b) and c), the licensee shall not broadcast more than twelve (12) minutes of advertising material during each clock hour, no more than six (6) minutes of which may consist of local advertising. Any local advertising shall be solicited or accepted only from the Vancouver Census Metropolitan Area (CMA) and the neighbouring Abbotsford CMA, as defined by Statistics Canada, provided that the licensee

broadcasts local programming specific to these areas. Should the licensee cease to broadcast local programming specific to those CMAs, it shall adhere to condition of licence 18 set out in Appendix 2 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

For the purposes of this condition of licence:

The expression “clock hour” shall have the same meaning as that set out in the *Television Broadcasting Regulations, 1987*.

2. In Broadcasting Regulatory Policy 2023-306, the Commission determined that it was appropriate to amend the advertising time limit requirement that applies to discretionary services by immediately removing the advertising time limit of 12 minutes per clock hour for all discretionary services, but retained the requirement that they must not broadcast any paid advertising material other than paid national advertising, unless otherwise authorized by the Commission. In addition, the Commission determined that it was also appropriate to remove the limit on local advertising of six minutes per clock hour that was imposed on discretionary services that broadcast local programming, as long as they continue to solicit local advertising only in markets where they broadcast local programming. Consistent with this policy determination, in Broadcasting Regulatory Policy 2023-306, the Commission set out conditions of service¹ for licensed discretionary services that replaced those set out in Broadcasting Regulatory Policy 2016-436 and that reflected these changes.
3. In Broadcasting Regulatory Policy 2023-306, the Commission also invited licensees of discretionary services that were not subject to the standard condition of service to file an application to modify their specific condition of service to reflect the Commission’s determinations to remove the 12-minute limit per clock hour and the limit on local advertising of six minutes per clock hour. The Commission noted that this approach would enable it to ensure that, as a condition of service, such licensees must continue to solicit local advertising only in markets where they broadcast local programming.

Application

4. Consistent with the invitation set out in Broadcasting Regulatory Policy 2023-306, Corus Television Limited Partnership (Corus TLP) filed an application to amend the broadcasting licence for the discretionary service BC News 1, by amending the service’s above-noted condition 32. Specifically, it proposed replacing the portion of the above-noted condition relating to the broadcast of advertising with the following:²

Any local advertising shall be solicited or accepted only from the Vancouver Census Metropolitan Area (CMA) and the neighbouring Abbotsford CMA, as

¹ Under the *Online Streaming Act*, which made amendments to the old *Broadcasting Act*, what were formerly known as conditions of licence are now deemed to be conditions of service imposed under the new *Broadcasting Act*.

² In its proposed amendment, Corus TLP also proposed replacing the reference to Broadcasting Regulatory Policy 2016-436 with a reference to Broadcasting Regulatory Policy 2023-306.

defined by Statistics Canada, provided that the licensee broadcasts local programming specific to these areas. Should the licensee cease to broadcast local programming specific to those CMAs, it shall adhere to condition of service 18³ set out in Appendix 1 to *Standard conditions of service for licensed discretionary services, national news discretionary services and mainstream sports discretionary services and exemption order for exempt discretionary services – Modifications to the advertising time limit requirement*, Broadcasting Regulatory Policy CRTC 2023-306 and Broadcasting Order CRTC 2023-307, 5 September 2023.

5. Corus TLP stated that its application falls within the scope of Schedule 1 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules), which relates to broadcasting applications that give rise to a proceeding to which the rules do not apply. Specifically, the licensee referred to item 5 of that schedule, which relates to applications “for amendments to conditions of licence to implement a regulatory policy of the Commission or to incorporate a standard condition.”
6. The Commission notes that, as identified in Section 2 of the Rules and consistent with Broadcasting Information Bulletin 2010-960, applications that fall within the scope of Schedule 1 of the Rules are processed administratively by the Commission and are not subject to the usual Part 1 Process.
7. Given the above, and given its approach set out in Broadcasting Regulatory Policy 2023-306 to invite licensees of discretionary services to file an application to modify their specific condition of service to reflect its determinations to remove the 12-minute limit per clock hour and the limit on local advertising of six minutes per clock hour, the Commission is satisfied that the application is appropriately dealt with administratively under Schedule 1 of the Rules. The Commission is also satisfied that the process leading to the decisions and orders set out in Broadcasting Regulatory Policy 2023-306 is sufficient to meet the obligations set out in subsection 9.1(4) of the *Broadcasting Act*.

Conclusion

8. In light of the above, the Commission **approves** the application by Corus TLP to amend the condition of service for the discretionary service BC News 1 relating to the broadcast of advertising. Accordingly, pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission replaces the above-noted condition of service 32 for BC News 1, and hereby **orders** Corus Television Limited Partnership to adhere to the following by **condition of service**:

As an exception to condition of licence 1 set out in Appendix 3 to *Corus Entertainment Inc. – Licence renewals for English-language television stations and services*, Broadcasting Decision CRTC 2017-150, 15 May 2017, the licensee shall

³ “18. In regard to the broadcast of advertising material, the licensee shall not broadcast any paid advertising material other than paid national advertising, with the exception of licensees of services where at least 90% of the programming in a broadcast week is offered in one or more languages other than English and French (third-language services).”

adhere to the conditions set out in Appendix 1 to *Standard conditions of service for licensed discretionary services, national news discretionary services and mainstream sports discretionary services and exemption order for exempt discretionary services – Modifications to the advertising time limit requirement*, Broadcasting Regulatory Policy CRTC 2023-306 and Broadcasting Order CRTC 2023-307, 5 September 2023, with the exception of conditions 17 and 18, which are replaced by the following, respectively:

The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).

Any local advertising shall be solicited or accepted only from the Vancouver Census Metropolitan Area (CMA) and the neighbouring Abbotsford CMA, as defined by Statistics Canada, provided that the licensee broadcasts local programming specific to these areas. Should the licensee cease to broadcast local programming specific to those CMAs, it shall adhere to condition of service 18 set out in Appendix 1 to *Standard conditions of service for licensed discretionary services, national news discretionary services and mainstream sports discretionary services and exemption order for exempt discretionary services – Modifications to the advertising time limit requirement*, Broadcasting Regulatory Policy CRTC 2023-306 and Broadcasting Order CRTC 2023-307, 5 September 2023.

Secretary General

Related documents

- *Standard conditions of service for licensed discretionary services, national news discretionary services and mainstream sports discretionary services and exemption order for exempt discretionary services – Modifications to the advertising time limit requirement*, Broadcasting Regulatory Policy CRTC 2023-306 and Broadcasting Order CRTC 2023-307, 5 September 2023
- *Corus Entertainment Inc. – Licence renewals for English-language television stations and services*, Broadcasting Decision CRTC 2017-150, 15 May 2017
- *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016
- *Broadcasting applications that do not require a public process*, Broadcasting Information Bulletin CRTC 2010-960, 23 December 2010, as amended by *Broadcasting applications that do not require a public process – Change in the*

manner of issuing related information bulletins, Broadcasting Information Bulletin
CRTC 2010-960-1, 6 December 2013

This decision is to be appended to the licence.