



Broadcasting Decision CRTC 2010-752

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Route reference: 2010-295

Ottawa, 13 October 2010

TVA Group Inc.
Across Canada

Application 2010-0288-1, received 15 February 2010
Public Hearing in the National Capital Region
19 July 2010

TVA Mode – Category 2 specialty service

*The Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty service.*

The application

1. TVA Group Inc. (TVA Group) filed an application for a broadcasting licence to provide TVA Mode, a national, French-language general-interest Category 2 specialty programming undertaking that would offer programming intended for men and women and that would be dedicated to fashion, beauty and personal well-being. The programming would include Québécois, Canadian and international fashion shows, various magazines covering the world of fashion and beauty trends in a problem/solution approach, and programs offering vignettes and features dedicated to trends, products and personal well-being. The Commission did not receive any interventions in connection with this application.
2. TVA Group is a corporation controlled by Quebecor Media Inc.
3. The applicant proposed to draw programming for the proposed service from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time: 2(a), 2(b), 3, 5(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.
4. The applicant indicated that it would accept a condition of licence limiting the broadcast of programming from each of program categories 2(b), 7(d), and 7(e), as well as from categories 8(b) and 8(c) combined, to 10% of the broadcast month.

Commission's determination

5. The Commission is satisfied that the application complies with the frameworks set out in Public Notice 2000-6 and Broadcasting Public Notice 2008-100, with the approaches set out in Broadcasting Public Notices 2003-61 and 2006-74, and with all

applicable terms and conditions announced in Public Notice 2000-171-1. Accordingly, the Commission **approves** the application by TVA Group Inc. for a broadcasting licence to operate the national, French-language general-interest Category 2 specialty programming undertaking TVA Mode. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

6. The Commission reminds the applicant that the distribution of this service is subject to the applicable distribution rules set out in Broadcasting Public Notice 2008-100.

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003
- *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

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

Appendix to Broadcasting Decision CRTC 2010-752

Terms and conditions of licence for the Category 2 specialty programming undertaking TVA Mode

Terms

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:

- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 13 October 2013. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

The licence will expire 31 August 2017.

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licence will be subject to the conditions set out in *Implementation of the Accessibility Policy with respect to Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010.
3. The licensee shall provide a national, French-language general-interest Category 2 specialty service that will offer programming intended for men and women and that will be dedicated to fashion, beauty and personal well-being. The programming will include Québécois, Canadian and international fashion shows, various magazines covering the world of fashion and beauty trends in a problem/solution approach, as well as programs offering vignettes and features dedicated to trends, products and personal well-being.
4. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 2 (a) Analysis and interpretation
 - (b) Long-form documentary
 - 3 Reporting and actualities
 - 5 (b) Informal education/Recreation and leisure

- 7 Drama and comedy
 - (a) Ongoing drama series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy
 - (g) Other drama
- 8 (a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - (c) Music video programs
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos

5. The licensee shall devote not more than 10% of the programming broadcast over the broadcast month to programming drawn from each of program categories 2(b), 7(d) and 7(e).
6. The licensee shall devote not more than 10% of the programming broadcast over the broadcast month to programming drawn from program categories 8(b) and 8(c) combined.
7. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998, the licensee shall file, for the Commission's prior review, a copy of any programming supply agreement and/or licence trademark agreement it intends to enter into with a non-Canadian party.
8. The licensee is authorized to make available for distribution a version of its service in high definition (HD) format, provided that not less than 95% of the video and audio components of the upgraded and standard definition versions of the service are the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. Further, all of the programming making up the 5% allowance shall be provided in HD.

For the purposes of the conditions of this licence, including condition of licence 1, *broadcast day* refers to the 24-hour period beginning each day at 6:00 a.m., or any other period approved by the Commission.