



## Broadcasting Decision CRTC 2010-9

Route reference: 2009-703

Ottawa, 13 January 2010

**Viva Channel Inc.**  
Across Canada

*Application 2009-1358-4, received 5 October 2009*

### VIVA – Licence amendment

1. The Commission **approves** the application by Corus Entertainment Inc., on behalf of Viva Channel Inc., to amend the broadcasting licence for the national, English-language specialty television programming undertaking VIVA<sup>1</sup> by amending condition of licence 1(b)<sup>2</sup> in order to add program categories 9 Variety, 10 Game shows and 11 General entertainment and human interest to the list of program categories from which the licensee may draw its programming.<sup>3</sup> The Commission did not receive any interventions in connection with this application.
2. The applicant stated that the intent of the present application is to provide VIVA with additional programming flexibility. It submitted that this is consistent with the Commission's policy set out in Broadcasting Public Notice 2008-100, in which the Commission stated that it would authorize Category A services (presently known as Category 1 and analog pay and specialty services) to draw their programming from all program categories. The Commission considers the addition of the above-mentioned program categories to be appropriate because the requested licence amendment complies with the objectives set out in that public notice.
3. The applicant submitted that all programming drawn from the new program categories would be consistent with VIVA's nature of service. It further submitted that, following approval of this application, VIVA would continue to meet its condition of licence requiring that at least 55% of its programming during the broadcast day be drawn from program category 5(a) Formal education and pre-school, and that this programming have clear learning objectives.
4. Accordingly, the Commission replaces the current condition of licence 1(b) with the following **condition of licence**:

The programming shall be drawn exclusively from the following categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

<sup>1</sup> Formerly known as Canadian Learning Television

<sup>2</sup> See Broadcasting Decision 2004-17.

<sup>3</sup> These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

- 2 (a) Analysis and interpretation
- (b) Long-form documentary
- 5 (a) Formal education and pre-school
- (b) Informal education/Recreation and leisure
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos

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
- *Canadian Learning Television – Licence renewal*, Broadcasting Decision CRTC 2004-17, 21 January 2004

*This decision is to be appended to the licence. It is available in alternative format upon request and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>.*