



Broadcasting Decision CRTC 2011-611

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Route reference: 2011-188

Ottawa, 23 September 2011

Channel 1 Film and TV Production Inc.
Province of Ontario

*Application 2011-0145-1, received 28 January 2011
Public hearing in the National Capital Region
17 May 2011*

MP TV – Specialty Category B service

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

*The Commission also **approves** the applicant's request relating to the broadcast of local advertising.*

The application

1. Channel 1 Film and TV Production Inc. (Channel 1) filed an application for a broadcasting licence to operate MP TV, a regional, general interest, third-language ethnic Category 2¹ specialty programming undertaking that would offer a broad range of programming on Punjabi culture, cultural programs and dance music. It would also include news and analysis, music videos in Hindi, Punjabi and English, concerts, entertainment reports, artist interviews, movies, dramas and documentaries on artists. Some of the programming will also be in the Urdu language. The Commission did not receive any interventions in connection with this application.
2. Channel 1 is owned by Mr. Santokh Gill (50%), Mr. Sundip Brar (25%) and Mr. Harinder Pal Bhambra (25%). Pursuant to the Shareholders' Agreement, effective control is exercised equally by its three shareholders.
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*

¹ As set out in Broadcasting Regulatory Policy 2011-455, as of 1 September 2011, Category 2 services are renamed Category B services.

Regulations, 1990, as amended from time to time: 1, 2(a), 2(b), 3, 4, 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11,² 12, 13 and 14.

4. Channel 1 requested permission to devote up to 6 of the 12 minutes of advertising material during each clock hour to local advertising.³

Commission's decision

5. The Commission is satisfied that the application complies with all applicable policies, terms and conditions, including those set out in Public Notice 2000-6, Broadcasting Public Notice 2008-100, and Broadcasting Regulatory Policies 2010-786 and 2010-786-1. Furthermore, given that the service will offer no less than 90% of its programming during the broadcast week in the Punjabi and Urdu languages, the Commission is satisfied that the application falls under the definition of a third-language ethnic service established in Broadcasting Public Notice 2005-104.
6. Accordingly, the Commission **approves** the application by Channel 1 Film and TV Production Inc. for a broadcasting licence to operate the regional, general interest, third-language ethnic specialty Category B programming undertaking MP TV. The Commission also **approves** the applicant's request for authority to broadcast up to six minutes per hour of local advertising. The terms and **conditions of licence** are set out in the appendix to this decision.
7. The Commission notes that MP TV will devote at least 90% of its program schedule to programming in the Punjabi and Urdu languages. In accordance with Broadcasting Public Notice 2005-104, the remainder of the program schedule, i.e., up to 10%, may be in one or both official languages. The Commission encourages the applicant to ensure that all such programming serves to promote Canada's linguistic duality.

Reminder

8. The Commission reminds the applicant that distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

Related documents

- *Amendments to the Broadcasting Distribution Regulations and other Commission Regulations*, Broadcasting Regulatory Policy CRTC 2011-455, 29 July 2011

² In Broadcasting Regulatory Policy 2011-401, the Commission formally announced that it had amended program category 11 to add a new category 11(b) Reality television. Consistent with this change, the Commission has added an authorization to broadcast programming from both 11(a) General entertainment and human interest and the new 11(b) program category.

³ "Local advertising" is advertising that does not fall within the definition of national or regional advertising, that is, advertising to persons who provide goods or services in more than one market and/or province.

- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011
- *Amendments to certain Regulations made under the Broadcasting Act to add a new program category “Reality television”*, Broadcasting Regulatory Policy CRTC 2011-401, 30 June 2011
- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Revised approach for the consideration of broadcasting licence applications proposing new third-language ethnic Category 2 pay and specialty services*, Broadcasting Public Notice CRTC 2005-104, 23 November 2005
- *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 2011-611

Terms and conditions of licence for the specialty Category B service MP TV

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 and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2018.

Conditions of licence

1. The licence will be subject to the conditions set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011, except for condition 7d), which will not apply, and condition 7a), which is replaced by the following:

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.

For the purposes of this condition of licence, “local advertising” is advertising that does not fall within the definitions of national and regional advertising, that is, advertising to persons who provide goods or services in more than one market and/or province.

2. The licensee shall provide a regional, general interest, third-language, ethnic specialty Category B service that will offer a broad range of programming on Punjabi culture, cultural programs and dance music. It will also include news and analysis, music videos in Hindi, Punjabi and English, concerts, entertainment reports, artist interviews, movies, dramas and documentaries on artists. Some of the programming will also be in the Urdu language.

3. 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:

- 1 News
 - 2 (a) Analysis and interpretation
(b) Long-form documentary
 - 3 Reporting and actualities
 - 4 Religion
 - (a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
 - 6 (a) Professional sports
(b) Amateur sports
 - 7 Drama and comedy
 - (a) Ongoing dramatic 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, improvisation, 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 (a) General entertainment and human interest
(b) Reality television
 - 12 Interstitials
 - 13 Public service announcements
 - 14 Infomercials, promotional and corporate videos
4. The licensee shall devote no less than 90% of its programming broadcast during the broadcast week to programming in the Punjabi and Hindi languages.
5. The broadcasting undertaking licensed hereby is designated as a Category B service.

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 a.m. or any other period approved by the Commission.