



Broadcasting Decision CRTC 2013-361

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Route reference: 2013-220

Ottawa, 2 August 2013

International Harvesters for Christ Evangelistic Association Inc.
Moncton, New Brunswick

Application 2012-1419-7, received 7 November 2012

CITA-FM Moncton and its transmitters – Licence renewal

*The Commission **renews** the broadcasting licence for the specialty (Christian music) radio station CITA-FM Moncton and its transmitters from 1 September 2013 to 31 August 2020.*

Introduction

1. The Commission received an application by International Harvesters for Christ Evangelistic Association Inc. (International Harvesters) to renew the broadcasting licence for the specialty (Christian music) radio station CITA-FM Moncton, New Brunswick, and its transmitters CITA-FM-1 Sussex and CITA-FM-2 Amherst, which expires 31 August 2013.¹ The Commission did not receive any interventions regarding this application.

Non-compliance

2. In Broadcasting Notice of Consultation 2013-220, the Commission noted that the licensee was in apparent non-compliance with the requirement to file an annual return by 30 November for the 2007-2008 broadcast year.
3. Section 9(2) of the *Radio Regulations, 1986* requires licensees to file an annual return by 30 November of each year for the broadcast year ending the previous 31 August. The specific filing requirements, including the requirement to submit financial statements, are set out in Broadcasting Information Bulletin 2011-795.
4. International Harvesters stated that the non-compliance was due to the fact that the staff or bookkeepers did not understand how to fill in the forms. The licensee indicated that it had since obtained help from an accountant to ensure that the forms were filled out correctly and submitted before the deadline.

¹ The original expiry date for CITA-FM's licence was 31 August 2012. The licence was administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2012-447.

5. Based on the preceding, the Commission finds the licensee in non-compliance with the requirement to file an annual return by 30 November for the 2007-2008 broadcast year.

Regulatory measures

6. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensee and the measures taken to rectify the situation.
7. The Commission has reviewed the record for this application and is satisfied with the licensee's explanations and the measures it has put in place to address the non-compliance. Given the circumstances surrounding the non-compliance, the Commission considers it appropriate to grant a full-term renewal to the station.

Conclusion

8. In light of all of the above, the Commission **renews** the broadcasting licence for the specialty (Christian music) radio programming undertaking CITA-FM Moncton, New Brunswick, and its transmitters CITA-FM-1 Sussex and CITA-FM-2 Amherst from 1 September 2013 to 31 August 2020. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

9. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence will cease to have any force or effect if the broadcasting certificate issued by Department of Industry lapses.

Secretary General

Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-220, 7 May 2013
- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2012-447, 17 August 2012
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011

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

Appendix to Broadcasting Decision CRTC 2013-361

Terms, conditions of licence and encouragement for the specialty (Christian music) radio programming undertaking CITA-FM Moncton, New Brunswick, and its transmitters CITA-FM-1 Sussex and CITA-FM-2 Amherst

Terms

The licence will expire 31 August 2020.

Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, as amended from time to time.
2. The licensee shall operate the station within the specialty format as defined in *A review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
3. The licensee shall devote at least 95% of its musical selections in each broadcast week to selections drawn from subcategory 35 (Non-classic religious), as defined in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
4. In each broadcast week, the licensee shall devote to Canadian selections broadcast in their entirety at least 20% of its musical selections from category 3 (Special Interest Music), as defined in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
5. The licensee shall not broadcast commercial messages.
6. The licensee shall broadcast only local programming as defined in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time.
7. The licensee shall adhere to the guidelines on ethics in religious programming set out in section IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, as amended from time to time.

Encouragement

Employment equity

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