



## Broadcasting Decision CRTC 2013-411

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Route reference: 2013-220

Ottawa, 15 August 2013

**United Christian Broadcasters Canada**  
Chatham, Ontario

*Application 2012-1036-9, received 24 August 2012*

### **CKGW-FM Chatham – Licence renewal**

*The Commission **renews** the broadcasting licence for the English-language specialty (Christian music) radio station CKGW-FM Chatham from 1 September 2013 to 31 August 2020.*

#### **Introduction**

1. United Christian Broadcasters Canada filed an application to renew the broadcasting licence for its English-language specialty (Christian music) radio station CKGW-FM Chatham, Ontario, which expires 31 August 2013.<sup>1</sup>
2. The Commission received an intervention from the Ontario Ministry of Community Safety and Correctional Services relating to the participation of the station in the National Public Alerting System (NPAS). The public record for this application can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
3. As specified in its three-year plan, the Commission will be looking at measures to ensure the participation of Canadian broadcasters and telecommunications service providers in the NPAS. Therefore, the Commission will not impose conditions of licence requiring the participation of broadcasters in the NPAS at this time. However, the Commission expects all licensees to voluntarily participate in the NPAS so that Canadians receive timely warnings of imminent perils.

#### **Non-compliance**

4. In Broadcasting Notice of Consultation 2013-220, the Commission noted that the licensee was in apparent non-compliance with its condition of licence relating to Canadian talent development (CTD) contributions for the 2007-2008 to 2010-2011

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<sup>1</sup> The original expiry date of CKGW-FM's broadcasting licence was 31 August 2012. The licence was administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2012-447.

broadcast years. In particular, the licensee did not make the required annual \$400 payment to FACTOR in those years.

5. The licensee acknowledged the shortfalls (totaling \$1,256) and indicated that they resulted from the misinterpretation of one of its conditions of licence.
6. In light of the above, the Commission finds the licensee in non-compliance with its condition of licence relating to CTD for the 2007-2008 to 2010-2011 broadcast years.

### **Regulatory measures**

7. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to dealing with radio stations found in non-compliance. The Commission noted in particular that each instance of non-compliance will be evaluated in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also noted that it will consider the circumstances leading to the non-compliance in question, the licensee's arguments and the measures taken to rectify the situation.
8. The Commission considers that initiatives relating to the development of Canadian content and talent will not only help to develop and advance the careers of emerging Canadian artists but will increase the supply of high-quality Canadian music in a variety of genres and the demand for Canadian music by listeners. Accordingly, it is important that radio licensees make their required contributions to the development of Canadian content and talent.
9. The Commission has reviewed the record for this application and notes the licensee's explanation for the non-compliance and that it accepted full responsibility. The Commission notes that the shortfall has since been paid. Additionally, it notes that the licensee is a non-for-profit organization and as such will no longer be required to adhere to section 15 of the *Radio Regulations, 1986* in the new licence term. Given the circumstances surrounding the licensee's non-compliance for CKGW-FM, the Commission considers it appropriate to grant a full-term renewal to this station.

### **Conclusion**

10. In light of all of the above, the Commission **renews** the broadcasting licence for the English-language specialty (Christian music) radio programming undertaking CKGW-FM Chatham, Ontario, from 1 September 2013 to 31 August 2020. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Reminder**

11. 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 the 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, as amended by Broadcasting Decision CRTC 2012-447-1, 22 August 2012
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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

## **Appendix to Broadcasting Decision CRTC 2013-411**

### **Terms, conditions of licence and encouragement for the English-language specialty (Christian music) radio programming undertaking CKGW-FM Chatham, Ontario**

#### **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, with the exception of condition of licence 7.
2. The station shall be operated 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. During each broadcast week, at least 90% of all musical selections shall be drawn from content 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. The licensee shall, as an exception to the percentage of Canadian musical selections set out in section 2.2(3) of the *Radio Regulations, 1986*, in any broadcast week devote in that week a minimum of 15% of its musical selections from content category 3 (Special interest music) to Canadian selections.
5. Where the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, as amended from time to time, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV. of that public notice with respect to the provision of balance and ethics in religious programming.

#### **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.