



Broadcasting Regulatory Policy CRTC 2018-78

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Amendments to the *Broadcasting Distribution Regulations*

1. The Commission amends the *Broadcasting Distribution Regulations* as proposed in *Call for comments on amendments to the Broadcasting Distribution Regulations*, Broadcasting Notice of Consultation CRTC 2017-404, 10 November 2017 (Broadcasting Notice of Consultation 2017-404). The amendments, which are set out in the appendix to this policy, will be published in the *Canada Gazette*, Part II, and will come into force on the date of their registration.
2. In response to Broadcasting Notice of Consultation 2017-404, the Commission received one comment from an individual. This comment was outside the scope of this proceeding.
3. The amendments address concerns raised by Parliament's Standing Joint Committee for the Scrutiny of Regulations and include the following:
 - the addition of a definition of “religious programming service” and an associated amendment to section 26(1) to ensure consistency with this definition;
 - the addition of a definition of “adult programming service”; and
 - various amendments to the French version of the Regulations in order to provide greater clarity and harmonize it with the English version.

Secretary General

Appendix to Broadcasting Regulatory Policy CRTC 2018-78

Regulations Amending the *Broadcasting Distribution Regulations*

Amendments

- 1 (1) The definition *câblage intérieur* in section 1 of the French version of the *Broadcasting Distribution Regulations*¹ is amended by replacing “immeuble à logements multiples” with “immeuble comportant de multiples unités.”
- (2) The definition *point de démarcation* in section 1 of the French version of the Regulations is replaced by the following:

point de démarcation Relativement au câblage utilisé par une entreprise de distribution pour distribuer des services de programmation à un abonné :

- (a) lorsque la résidence ou les autres locaux de l’abonné sont un immeuble comportant une seule unité :
 - (i) soit un point situé à 30 cm à l’extérieur du mur extérieur des locaux de l’abonné,
 - (ii) soit le point convenu entre le titulaire et le client ou l’abonné;
- (b) lorsque la résidence ou les autres locaux de l’abonné sont situés dans un immeuble comportant de multiples unités :
 - (i) soit le point où le câblage est réacheminé pour l’usage et l’avantage exclusifs de l’abonné,
 - (ii) soit le point convenu entre le titulaire et le client ou l’abonné.
(*demarcation point*)

- (3) Section 1 of the Regulations is amended by adding the following in alphabetical order:

adult programming service means a programming service that provides programming devoted to depicting explicit sexual activity. (*service de programmation pour adultes*)

religious programming service means a programming service that provides programming in which the dominant themes are religion, religious teachings or the human spiritual condition. (*service de programmation à caractère religieux*)

¹ SOR/97-555

2 Subsection 26(1) of the Regulations is replaced by the following:

26 (1) Except as otherwise provided under a condition of its licence, a licensee may only distribute the following religious programming services on a discretionary basis:

- (a) a limited point-of-view discretionary service;
- (b) an exempt discretionary service;
- (c) an authorized non-Canadian programming service.

3 Subsection 49(1) of the French version of the Regulations is replaced by the following:

49 (1) Sous réserve de toute condition de sa licence prenant effet le 1^{er} septembre 2011 ou après cette date, le titulaire est tenu d'obtenir le consentement de l'exploitant d'une station de télévision éloignée pour distribuer son signal avant de le rendre disponible à ses abonnés.

Coming into Force

4 These Regulations come into force on the day on which they are registered.