



## Broadcasting Decision CRTC 2019-224

PDF version

References: Part 1 licence renewal application and Part 1 application posted on 28 February 2019

Ottawa, 26 June 2019

**South Asian Broadcasting Corporation Inc.**  
Vancouver and Surrey, British Columbia

*Public record for these applications: 2018-0669-7 and 2018-0677-0*

### **CKYE-FM Vancouver and its transmitter CKYE-FM-1 Surrey – Licence renewal and amendment**

*The Commission **renews** the broadcasting licence for the commercial ethnic specialty radio station CKYE-FM Vancouver and its transmitter CKYE-FM-1 Surrey from 1 September 2019 to 31 August 2026.*

*The Commission also **approves** the application to amend the station's condition of licence relating to the minimum number of cultural groups served and languages broadcast by reducing it from 15 to 12.*

#### **Applications**

1. South Asian Broadcasting Corporation Inc. (SABC) filed an application (2018-0669-7) to renew the broadcasting licence for the commercial ethnic specialty radio station CKYE-FM Vancouver and its transmitter CKYE-FM-1 Surrey, British Columbia, which expires 31 August 2019. The Commission did not receive any interventions regarding this application.
2. SABC also filed a separate application (2018-0677-0) to amend its condition of licence relating to the minimum number of cultural groups served and languages broadcast in order to reduce it from 15 to 12. SABC indicated that although it had no intention of immediately reducing the number of cultural groups served and languages broadcast by the station, it was seeking flexibility to adjust its programming to reflect market competition. In this regard, it noted that the radio landscape in the Vancouver/Surrey area had significantly changed and that the recent approval by the Commission of two new ethnic radio stations would increase the amount of available ethnic and third-language programming each week, given that both stations have targeted ethnic groups currently served by SABC.
3. SABC further indicated that in the last decade there have been significant changes to the population demographics in the region, such as a decrease in mother tongue retention, younger listeners consuming media in other ways and third-language services being available on different platforms. Finally, it stated that retaining producers who wish to provide weekly programs has become a significant challenge.

## **Intervention and reply**

4. The Commission received an intervention opposing the amendment application from Akash Broadcasting Inc. (Akash), which was authorized to operate an as yet unlaunched ethnic commercial specialty FM radio station in Surrey in Broadcasting Decision 2016-464.
5. Akash submitted that SABC's request to discontinue its one hour per broadcast week of Tagalog-language programming was contrary to Public Notice 1999-117 (the Ethnic Policy). It added that Tagalog was Canada's fastest growing language and that approval of the amendment would reduce diversity and leave the community with a narrowed point-of-view. Akash further submitted that the proposal appeared to be based on concerns of diminished revenue opportunities and a dislocation of listeners and advertising and that this was a case of putting the cost of doing business ahead of the mandate of providing access to underserved communities.
6. In reply, SABC noted that its competitor Akash was the only party that filed an intervention and that there were no interventions from the public, members from the Filipino community or other ethnic groups. It stated that it was aware of the capacity of the market to support the programming of various ethnic groups and that it had subsidized the radio programs of a number of groups throughout the history of the station as some communities do not have either language retention or commercial businesses to do so. SABC also stated that its current conditions of licence require it to provide service to ethnic groups on a weekly basis and that it is well aware that some ethnic communities do not have the interest or the capacity to support weekly third-language programs. Finally, SABC submitted that a future readjustment of some third-language programs to a bi-weekly or monthly schedule may better serve communities and ethnic program producers.

## **Commission's analysis and decision**

7. As set out in the Ethnic Policy, the number of ethnic groups and languages in which programming is provided by an ethnic radio station is determined by the demographics of the community, the services already available and the degree of support shown by local community organizations. As such, there is no established minimum number of ethnic groups that must be served and languages broadcast by an ethnic radio station. The Ethnic Policy also states that a balance may be struck between the two priorities of serving as many groups as practical and providing high-quality programming to those groups that are served.
8. SABC's request would represent a slight decrease in the minimum number of groups served and languages broadcast by CKYE-FM each broadcast week. However, the station would maintain a fairly high level of diversity of cultural groups and languages and would continue to meet the broad service requirements of the Ethnic Policy, while CKYE-FM would have the flexibility to adjust its programming to reflect the needs of the market. The station would also continue to be required to meet its 90% ethnic programming and 85% third-language programming levels.

9. In light of all the above, the Commission **approves** SABC's application (2018-0677-0) to amend its condition of licence relating to the minimum number of cultural groups served and languages broadcast in order to reduce it from 15 to 12.
10. Further, the Commission **renews** the broadcasting licence for the commercial ethnic specialty radio programming undertaking CKYE-FM Vancouver and its transmitter CKYE-FM-1 Surrey, British Columbia, from 1 September 2019 to 31 August 2026. 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 broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Secretary General

### **Related documents**

- *Licensing of new radio stations to serve Surrey and Vancouver, and addition of a transmitter in Surrey*, Broadcasting Decision CRTC 2016-464, 28 November 2016
- *Ethnic broadcasting policy*, Public Notice CRTC 1999-117, 16 July 1999

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

## **Appendix to Broadcasting Decision CRTC 2019-224**

### **Terms, conditions of licence, expectation and encouragement for the commercial ethnic specialty radio programming undertaking CKYE-FM Vancouver and its transmitter CKYE-FM-1 Surrey, British Columbia**

#### **Terms**

The licence will expire 31 August 2026.

#### **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, with the exception of condition of licence 7, as well as to the conditions set out in the licence for the undertaking.
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.
3. In each broadcast week, the licensee shall direct programming to at least 12 ethnic groups in at least 12 different languages.
4. In each broadcast week, the licensee shall devote at least 90% of its programming to ethnic programs and at least 85% of its programming to third-language programs, as defined in the *Radio Regulations, 1986*.
5. The licensee shall devote at least 75% of the ethnic programming broadcast in each broadcast week to programs in the Punjabi, Hindi and Urdu languages.
6. The licensee shall not broadcast any programming in a Chinese language.

#### **Expectation**

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

#### **Encouragement**

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.