



## Broadcasting Decision CRTC 2019-279

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Reference: Part 1 licence renewal application posted on 22 February 2019

Ottawa, 5 August 2019

**Shaw Pay-Per-View Ltd.**  
Edmonton, Alberta

*Public record for this application: 2018-0765-3*

### **Shaw Pay-Per-View (direct-to-home) – Licence renewal**

*The Commission **renews** the broadcasting licence for the English-language direct-to-home on-demand service Shaw Pay-Per-View from 1 September 2019 to 31 August 2024.*

#### **Application**

1. Shaw Pay-Per-View Ltd. (Shaw) filed an application to renew the broadcasting licence for the English-language direct-to-home on-demand service Shaw Pay-Per-View, which expires 31 August 2019. The Commission did not receive any interventions regarding this application.
2. The licensee confirmed that it would adhere to the standard requirements for on-demand services set out in the appendix to *Standard requirements for on-demand services*, Broadcasting Regulatory Policy CRTC 2017-138, 10 May 2017 (Broadcasting Regulatory Policy 2017-138).

#### **Non-compliance**

3. Pursuant to section 8(1) of the *Specialty Services Regulations, 1990*, licensees were required to file, by no later than 30 November of each year, an annual return for the broadcast year ending the previous 31 August.<sup>1</sup>
4. In regard to Shaw Pay-Per-View, the annual return for the 2014-2015 broadcast year was filed on 15 March 2016, more than three months after the 30 November 2015 deadline. Shaw stated that it has since improved its internal workflow and validation processes to ensure that the annual returns for its service are complete and filed on time.

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<sup>1</sup> In 2017, these regulations were replaced by the *Discretionary Services Regulations*, of which section 9(1) sets out this same requirement.

5. Given the above, the Commission finds the licensee in non-compliance with section 8(1) of the *Specialty Services Regulations, 1990* for the 2014-2015 broadcast year.
6. The Commission notes, however, that starting with the 2016-2017 broadcast year, Shaw has filed the annual returns for its direct-to-home on-demand service on time. Further, the Commission has found no evidence of serious, recurring, deliberate or material non-compliance that would require additional corrective actions. Accordingly, the Commission finds that no regulatory action is necessary in the present case.

### **Conclusion**

7. In light of the above, the Commission **renews** the broadcasting licence for the English-language direct-to-home on-demand service Shaw Pay-Per-View from 1 September 2019 to 31 August 2024. The licensee shall adhere to the standard **conditions of licence** set out in the appendix to Broadcasting Regulatory Policy 2017-138, as well as to the **conditions** set out in the broadcasting licence for the service.
8. Further, the standard expectations and encouragements for this service are set out in the appendix to Broadcasting Regulatory Policy 2017-138.

### **Reminder**

9. The filing of complete and timely annual returns, including financial statements, is a basic and fundamental regulatory obligation. Compliance with this requirement not only allows the Commission to effectively monitor licensees' performance and compliance with various regulations and obligations, but also enables it to effectively assess, supervise, and regulate the television broadcasting industry as a whole. Accordingly, the late or incomplete filing of annual returns and financial statements is considered to be a serious matter.

### **Employment equity**

10. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

Secretary General

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