



## Broadcasting Decision CRTC 2019-289

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Reference: 2019-127

Ottawa, 15 August 2019

**Fabmar Communications Ltd., on behalf of Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership**

Whitecourt, Alberta, Chilliwack, British Columbia; and Melfort, Dafoe, Wakesiu Lake and Carrot River, Saskatchewan

*Public record for this application: 2019-0213-0*

*Public hearing in the National Capital Region*

*11 July 2019*

**CIXM-FM Whitecourt, CHWK-FM Chilliwack, CJVR-FM Melfort and its transmitters CJVR-FM-1 Dafoe, CJVR-FM-2 Wakesiu Lake and CJVR-FM-3 Carrot River, and CKJH Melfort – Corporate reorganization**

1. The Commission **approves** the application by Fabmar Communications Ltd. (Fabmar) on behalf of Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner) (the partners), carrying on business as Jim Pattison Broadcast Group Limited Partnership, for authority to effect a multi-step corporate reorganization involving the assets of the English-language commercial radio programming undertakings CIXM-FM Whitecourt, CHWK-FM Chilliwack, CJVR-FM Melfort and its transmitters CJVR-FM-1 Dafoe, CJVR-FM-2 Wakesiu Lake and CJVR-FM-3 Carrot River, and CKJH Melfort, as well as for new broadcasting licences to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences. The Commission did not receive any interventions regarding this application.
2. The reorganization will be carried out through a series of transactions. First, Fabmar and Jim Pattison Broadcast Group Ltd. will amalgamate to continue as Jim Pattison Broadcast Group Ltd. Jim Pattison Broadcast Group Limited Partnership will then acquire the assets of the above-mentioned undertakings from Jim Pattison Broadcast Group Ltd. As a result of this acquisition, the partners carrying on business as Jim Pattison Broadcast Group Limited Partnership will become the new licensees.
3. The multi-step corporate reorganization will not change the effective control of the undertakings as Jim Pattison Industries Ltd., Jim Pattison Broadcast Group Ltd., and Jim Pattison Broadcast Group Limited Partnership are all controlled by Mr. James A. Pattison.

4. The partners carrying on business as Jim Pattison Broadcast Group Limited Partnership shall notify the Commission of the close of the transaction, and, upon surrender of the current licences issued to Fabmar, the Commission will issue new broadcasting licences to Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner) carrying on business as Jim Pattison Broadcast Group Limited Partnership. The licences will expire on the same date as the current licences, and will be subject to the terms and **conditions** set out in the appendices to this decision as well as the **conditions** set out in the broadcasting licence for each undertaking.
5. The Commission **directs** the new licensees to file executed copies of all documents in support of this corporate reorganization by no later than **14 September 2019**.

### **Outstanding tangible benefits**

6. In a decision letter dated 9 October 2018, the Commission approved an application for a change in effective control of Fabmar. The Commission required the applicant to pay tangible benefits amounting to \$262,614 to be allocated as follows over a period of seven consecutive broadcast years:
  - 3% (\$131,307) to the Radio Starmaker Fund or Fonds Radiostar;
  - 1.5% (\$65,654) to FACTOR or MUSICACTION;
  - 1% (\$43,769) to any eligible Canadian content development initiative; and
  - 0.5% (\$21,884) to the Community Radio Fund of Canada.
7. The Commission **directs** the new licensees to fulfill all outstanding tangible benefits relating to that transaction.

Secretary General

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

## **Appendix 1 to Broadcasting Decision CRTC 2019-289**

### **Terms, conditions of licence, expectation and encouragement for the English-language commercial radio programming undertaking CIXM-FM Whitecourt, Alberta**

#### **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.

#### **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.

## **Appendix 2 to Broadcasting Decision CRTC 2019-289**

### **Terms, conditions of licence, expectation and encouragement for the English-language commercial radio programming undertaking CHWK-FM Chilliwack, British Columbia**

#### **Terms**

The licence will expire 31 August 2021.

#### **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.
2. As an exception to sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), the licensee shall devote at least 40% of its musical selections from content category 2 (Popular Music) each broadcast week and between 6 a.m. and 6 p.m. from Monday to Friday to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as set out in the Regulations.

#### **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.

## **Appendix 3 to Broadcasting Decision CRTC 2019-289**

### **Terms, conditions of licence, expectation and encouragement for the English-language commercial radio programming undertaking CJVR-FM Melfort, Saskatchewan, and its transmitters CJVR-FM-1 Dafoe, CJVR-FM-2 Wakesiu Lake and CJVR-FM-3 Carrot River**

#### **Terms**

The licence will expire 31 August 2022.

#### **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.

#### **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.

## **Appendix 4 to Broadcasting Decision CRTC 2019-289**

### **Terms, conditions of licence, expectation and encouragement for the English-language commercial radio programming undertaking CKJH Melfort, Saskatchewan**

#### **Terms**

The licence will expire 31 August 2023.

#### **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.
2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), in any broadcast week where at least 90% of musical selections from content category 2 (Popular Music) that it broadcasts are selections released before 1 January 1981;
  - a) devote, in that broadcast week, a minimum of 30% of its musical selections from content category 2 to Canadian selections broadcast in their entirety; and
  - b) devote, between 6 a.m. and 6 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 30% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

The licensee will also be responsible for specifying, on the music lists it provides to the Commission, the year of release for all musical selections it broadcasts.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” and “musical selection” shall have the same meaning as that set out in the Regulations.

#### **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.