



# Broadcasting Notice of Consultation CRTC 2024-288

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## Notice of hearing

**31 March 2025**

**Gatineau, Quebec**

**The Path Forward – Defining “Canadian program” and supporting the creation and distribution of Canadian programming in the audio-visual sector**

**Deadline for the submission of interventions: 20 January 2025**

[\[Submit an intervention or view related documents\]](#)

The Commission will hold a hearing starting on **31 March 2025 at 9:00 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec.**

[Attend the hearing or listen to it online.](#)

## Summary

The Commission is launching a consultation to modernize its definition of Canadian content as part of its broader regulatory plan to implement the *Online Streaming Act* and ensure the sustainability and growth of Canada’s broadcasting system.

In this notice, the Commission seeks comments on the various elements of the definition of Canadian content (referred to as “Canadian program” in the *Broadcasting Act*) as well as on the types of expenditures that traditional broadcasting undertakings and online undertakings should make towards this content.

The Commission believes that a modernized definition should support and incentivize the creation and distribution of diverse Canadian content, in both official languages, by a diverse range of creators, including those from Indigenous and official language minority communities and creators from equity-deserving groups.<sup>1</sup> To that effect, the Commission recognizes the importance of supporting French-language content and the need to further support its creation and distribution, in addition to news programming.

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<sup>1</sup> Racialized people, people with disabilities, individuals who identify as 2SLGBTQ+ and women.

The Commission also believes that a modernized definition should make room for flexible business models and different types of programming, and facilitate the discoverability and exportability of Canadian content, both within Canada and globally. It should also enable innovation brought about by technological advancements in a manner that supports creativity and employment in the industry.

The Commission will accept comments that it receives on or before **20 January 2025**.

The Commission will also hold a public hearing in Gatineau, Quebec, to begin **31 March 2025**. Following the public hearing, parties will have an opportunity to file brief final submissions, in which they will be able to respond to interventions received or comments raised during the proceeding, and, if applicable, responses to undertakings.

This proceeding will take into consideration information from forthcoming public opinion research and the recently published report entitled [Defining Canadian Content – Workshops with Stakeholders and Industry: What We Heard Report](#).

## Introduction

1. The Canadian broadcasting system is composed of various elements that support the creation and distribution of Canadian programming.
2. Paragraph 10(1)(b) of the *Broadcasting Act* (the Act) states that the Commission may make regulations prescribing what constitutes a Canadian program for the purposes of the Act. In making such regulations, the Act sets out that the Commission must consider the following matters:<sup>2</sup>
  - whether Canadians, including independent producers, have a right or interest in relation to a program, including intellectual property rights, that allows them to control and benefit in a significant and equitable manner from the exploitation of the program;
  - whether key creative positions in the production of a program are primarily held by Canadians;
  - whether a program furthers Canadian artistic and cultural expression; and
  - the extent to which persons carrying on online undertakings or programming undertakings collaborate with independent Canadian producers, with persons carrying on Canadian broadcasting undertakings producing their own programs, with producers associated with Canadian broadcasting undertakings or with any other person involved in the Canadian program production industry, including Canadian owners of intellectual property rights in musical works or in sound recordings.

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<sup>2</sup> Subsection 10(1.1) of the Act.

3. The Commission relies on such regulations to certify audio-visual content created for viewing on traditional audio-visual broadcasting undertakings and online

undertakings as Canadian programming.<sup>3</sup> The Commission also supports the financing and broadcast of Canadian content and the employment of Canadian industry creators. Specifically, the Commission requires broadcasters, through their audio-visual broadcasting undertakings, to contribute to Canadian programming through expenditure requirements (Canadian programming expenditures, or CPE), including programming that is risky to produce and difficult to monetize (known as programs of national interest, or PNI). The Commission also requires certain broadcasters to make expenditures on news and information programming.

4. The definition of “Canadian program” and the expenditure requirements framework used by the Commission have remained unchanged for decades, even though Canada, Canadians and the broadcasting landscape have changed during the same period. The size and diversity of Canada’s population has grown, and the way Canadians consume content has shifted dramatically. With options available online, Canadians now have access to a world of content made available to them by both Canadian traditional broadcasting undertakings and online undertakings. Further, competition for audiences is stronger than ever as traditional and online creators, broadcasters and distributors must identify and develop audiences to ensure their content can be found.

### **Scope of the proceeding**

5. The purpose of this proceeding is to review some of the existing regulatory tools used to help support the creation, funding and distribution of audio-visual Canadian programming,<sup>4</sup> including the definition of “Canadian program” and expenditure requirements.
6. This proceeding is part of a larger suite of proceedings to implement the recent amendments to the Act. The Commission’s overall plan for the implementation of these changes may be found in the [Regulatory plan to modernize Canada’s broadcasting framework](#). The Commission encourages all interested persons to consult this regulatory plan.
7. Through this proceeding, the Commission will determine how to:
  - better support and promote Canadian stories through audio-visual programming that makes use of Canadian creativity and other resources, including French-language, Indigenous and news content;

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<sup>3</sup> Producers can get tax credits provincially or through the Canadian Audio-Visual Certification Office (CAVCO), which also certifies content as Canadian. At the same time, treaty-based co-productions are administered by Telefilm Canada. These co-production agreements facilitate partnerships between Canadian and foreign producers.

<sup>4</sup> The Commission notes that it will address the issue of defining “Indigenous content” as part of the Indigenous Broadcasting Policy proceeding, announced in Broadcasting Notice of Consultation 2024-67.

- facilitate flexible audio-visual Canadian programming and a financial support ecosystem that encourages a variety of productions, and a variety of business, broadcast and distribution models;
  - better recognize the role played by Canadian key creators in the creation, broadcast and distribution of audio-visual Canadian programming;
  - foster a sustainable Canadian broadcasting system where Canadian creators are able to profit from their creations, including through intellectual property rights;
  - further the exportability and discoverability of Canadian programming; and
  - ensure that Canada’s diversity is reflected in the Canadian broadcasting system.
8. To that effect, the Commission is seeking comments on:
- how to modernize the current definition of “Canadian program” in the audio-visual sector;
  - whether and how to adjust CPE and PNI expenditure requirements on audio-visual Canadian programming and the funding of at-risk programming (including news content). The policy framework developed in this proceeding will set the stage for the imposition of regulatory obligations, notably for Canadian and foreign audio-visual undertakings, operating on traditional platforms or online;
  - whether and how to address the use of artificial intelligence (AI) by audio-visual creators and broadcasters, given the impact of its increased use in the audio-visual production industry; and
  - how to ensure that the Commission, the broadcasting industry and Canadians have access to data and information to make informed choices about Canadian programs.
9. This proceeding will build on and take into consideration information from the proceeding initiated by Broadcasting Notice of Consultation 2023-138 (including the resulting Commission decisions set out in Broadcasting Regulatory Policy 2024-121 as finalized by Broadcasting Regulatory Policy 2024-121-1/Broadcasting Order 2024194), along with the proceeding initiated by Broadcasting Notice of Consultation 2023-139, and the resulting Commission decisions set out in Broadcasting Regulatory Policy 2023-329/Broadcasting Order 2023-330. This proceeding will also take into consideration information from forthcoming public opinion research and the recently published report entitled [Defining Canadian Content – Workshops with Stakeholders and Industry: What We Heard Report](#).

10. The Commission notes that decisions flowing from this proceeding could have an impact on official language minority communities (OLMC) and other stakeholders, and that this proceeding provides a means by which interested OLMCs and other stakeholders may provide their input. Decisions flowing from this proceeding could be implemented in related proceedings by way of orders or regulations, as appropriate, made under the Act.<sup>5</sup> This proceeding is to be part of the consultation for such future regulatory measures.<sup>6</sup>

### **Definition of “Canadian program”**

11. Considering the goals and factors identified above, the Commission sets out below its preliminary views on how to amend the current definition of “Canadian program” regarding:

- key creative positions;
- cultural elements;
- the definition of “showrunner”;
- certain mandatory key creative positions; and
- intellectual property rights.

### **Key creative positions**

12. The current definition of a Canadian program is based on specific criteria and a system of points, which focus on the financial and creative control of productions by Canadians.<sup>7</sup> Currently, under the [key creative point system](#), productions must generally earn a minimum of six points out of a possible ten points to be considered Canadian programs.<sup>8</sup>

13. It is the Commission’s preliminary view that adding new key creative positions (with proposed points) would better align the definition of “Canadian program” with evolving industry practices and positions that have emerged over the years. It would also recognize other key creative positions that have control over the production’s look and feel, as well as its narrative direction. The Commission considers that having Canadians responsible for key creative decisions will enhance Canadian stories while introducing additional ways to ensure that a program is Canadian.

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<sup>5</sup> Subsections 9.1(1) or 11.1(2).

<sup>6</sup> That is, orders and/or regulations made under the Act. This includes notice of matters to be addressed in orders as required by subsections 9.1(4) and 11.1(7) of the Act.

<sup>7</sup> Details on the current certification criteria and a detailed list of the key creative positions with associated points for both live action and continuous action animation productions, and animation productions other than continuous action animation, can be found in the [Canadian Program Certification Guide](#).

<sup>8</sup> See also Broadcasting Regulatory Policy 2023-90.

14. The Commission proposes to add new key creative positions, and to amend certain existing key creative positions, as follows (additions and amendments in bold):

**Key creative positions: Live action and continuous action animation productions – Total possible points: 15**

- **Canadian Showrunner (2 points)**
- Director (2 points)
- Screenwriter (2 points)
- First and Second Lead Performers (performer or voice) (1 point each)
- Production Designer or Art Director (1 point)
- Director of Photography or Chief Camera Operator (1 point)
- Picture Editor (1 point)
- **Head of Costume Design (1 point)**
- **Key Make-up/Hair Artist (1 point)**
- Music composer **or the rights holders of the pre-existing or pre-recorded music for which the rights were purchased must be Canadian, rather than requiring an original composed song for the production** (1 point)
- **Visual Effects Director or Special Effects Director (1 point)**

**Key creative positions: Animation productions (other than continuous action animation) – Total possible points: 15**

- **Canadian Showrunner (2 points)**
- Scriptwriter and Storyboard Supervisor (**2 points; previously 1 point allocated**)
- Director (**2 points; previously 1 point allocated**)
- Picture Editor (1 point)
- Design Supervisor (1 point)
- First **and** Second Voice (or First **and** Second Lead Performer) (**1 point each; previously 1 point for one or the other, but not both**)
- Camera Operator and Operation **or Virtual Camera Operator** (1 point)

- Music composer **or the rights holders of the pre-existing or pre-recorded music for which the rights were purchased must be Canadian, rather than requiring an original composed song for the production** (1 point)

In addition, animation productions are also awarded points when key creative functions are performed **by a Canadian**.<sup>9</sup>

- Key Animation (1 point)
- Layout Artist and Background (1 point)
- Assistant Animation/In-betweening (1 point)

15. It is the Commission's preliminary view that, in order to receive Canadian program certification from the Commission, a production should be required to attain at least **9 out of a possible 15 points** for both types of productions detailed above. When productions (such as documentaries) do not use certain key creative positions, the Commission will grant Canadian certification provided that Canadians fill all key creative positions and the production therefore earns a perfect score.

16. As part of that preliminary view, for live action and continuous action animation productions, either the director or the screenwriter must be Canadian. For animation productions, either the scriptwriter and storyboard supervisor or the director must be Canadian, the key animation function must be performed by a Canadian, and the camera operator/virtual camera operator must be Canadian. Where there is a showrunner, that position must be occupied by a Canadian, and the first or second lead performer must be Canadian. Further, in regard to the music composer key creative position, the Commission considers that the point could also be achieved through the purchase or use of pre-existing or pre-recorded music from a Canadian rights holder.

17. Bearing in mind the Commission's public policy objectives, the Commission invites interested persons to respond to the following questions:

Q1. Currently, if a production does not have a sufficient number of key creative positions to attain the minimum 6 points, the Commission's approach has been to require that all key creative positions of a production be filled by Canadians. Should the Commission continue with this approach? If not, under the Commission's preliminary view above, what should be the minimum threshold for a production to be certified Canadian?

Q2. In productions where rights for pre-existing or pre-recorded music were purchased from both Canadian and foreign rights holders, should the Commission still grant a point? If not, please explain.

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<sup>9</sup> Currently, this point refers to key creative functions that are performed **in** Canada.

Q3. Does the Commission’s preliminary view regarding key creative positions help ensure that the creative direction and control of a Canadian program remain Canadian? If not, how should this preliminary view be modified?

**Definition of “showrunner”**

18. Showrunners help to ensure that the creative control of a production remains Canadian. The prominence of this position has grown over time. Given its importance, the Commission is of the preliminary view that this position should be occupied by a Canadian.

19. In light of the above, the Commission invites interested persons to respond to the following questions:

Q4. The Commission currently does not have a definition for the position of a “showrunner.” Please provide details on what such a definition should entail.

Q5. Please comment on the Commission’s preliminary view that if a production includes a showrunner, a Canadian must occupy that position.

**Cultural elements**

20. In early 2024, workshops were carried out with members of the audio-visual production industry.<sup>10</sup> Participants were questioned on whether cultural elements should be added to the factors that should be considered when recognizing a program as Canadian. Cultural elements could include, for example, Canadian stories and history. One key takeaway from these workshops was that “what makes something Canadian” is hard to define and that there are in fact many ways of defining what is Canadian.

21. Although it is the Commission’s preliminary view that cultural elements should not be included within the certification framework, the Commission is open to other views and alternate proposals.

22. In light of the above, the Commission invites interested persons to respond to the following question:

Q6. Should the Commission include cultural elements within the certification framework? If yes, please describe what would constitute a “cultural element.” Further, how should the Commission identify such elements in an objective way and incorporate those elements into the definition?

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<sup>10</sup> See the section below entitled “Reports the Commission will rely on during this proceeding”.

## **Creative control**

23. Currently, where multiple people share duties for a particular position, or multiple people share screen credits for a single position, the production only earns the point if all of the people are Canadian.
24. The Commission recognizes that this approach may disincentivize collaborations between Canadian and foreign production partners and, consequently, limit the ability of productions and artists to access international audiences.
25. As a preliminary view, the Commission proposes a new, flexible approach where the key creative positions of director and screenwriter/scriptwriter/storyboard supervisor could be awarded points when these positions are shared by both Canadians and non-Canadians. The proposed approach would continue to require a high threshold of Canadians in certain key creative functions. However, the Commission also considers that some flexibility could be warranted. Under its proposed approach, the Commission proposes that for positions occupied by more than one person (such as director or screenwriter), points be assigned to these positions if at least 80% of the people occupying a particular position are Canadian.
26. Canadians would still need to be firmly in control of the creative process, but this approach would allow a production to make use of foreign talent, where appropriate, and pursue international partnership opportunities. For example, a production could leverage a minority of foreign resources to help with its discoverability abroad, or enhance its marketability.
27. In light of the above, the Commission invites interested persons to respond to the following questions:

Q7. Would this new flexible approach incentivize more collaboration and partnerships between Canadian and foreign creators?

Q8. Would this new, flexible approach facilitate the exportability and discoverability of Canadian programming domestically and abroad?

Q9. Would this new flexible approach ensure that a production remains culturally relevant and reflective for Canadians, and that Canadians continue to exercise significant creative input and control in a production?

Q3. Currently, the director **or** screenwriter/scriptwriter/storyboard supervisor position must be filled by a Canadian for a production to be eligible for certification. Please comment on whether the Commission should maintain this approach on top of the new flexibility proposed above (i.e., 80% of Canadians). Should other key creative positions be opened to this flexibility?

Q4. Currently, for a production to be certified, the following positions must be filled by a Canadian:

- (a) the first or second lead performer (performer or voice); and
- (b) camera operator (for animation productions other than continuous action animation).

Please comment on whether the Commission should maintain this approach.

Q12. Currently, for an animation production to be certified, the following functions must be performed in Canada:

- (a) Key Animation (1 point)
- (b) Camera Operator (1 point)

Please comment on whether the Key Animation function should now be performed “by Canadians” instead of “in Canada,” and whether this should be mandatory for certification. Also, please comment on whether the Commission should continue to require that the “Camera Operator” function be performed in Canada as a mandatory requirement for certification.

#### **Financial control**

- 28. Control over the creative and financial aspects of a production are important elements of what makes a program Canadian. The Commission currently requires the roles of producer, co-producer, line producer and production manager to be filled by Canadians. It does so to ensure that Canadians are placed in the roles of key decision makers in a production.
- 29. Traditionally, Canadian producers must demonstrate that they retain control of the production through the following indicators for their production to receive certification: development, creative and financial control, financing, and producer remuneration.
- 30. In making regulations defining Canadian programs, paragraph 10(1.1)(a) of the Act requires the Commission to consider whether Canadians, including independent producers, have a right or interest in relation to a program, including intellectual property rights, that allows them to control and benefit in a significant and equitable manner from the exploitation of the program. The Government of Canada’s policy direction<sup>11</sup> directs the Commission to, among other things, support Canadian ownership of intellectual property. However, the current definition of “Canadian program” has no express requirements relating to intellectual property rights.<sup>12 13</sup>

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<sup>11</sup> Section 13 of [Order Issuing Directions to the CRTC \(Sustainable and Equitable Broadcasting Regulatory Framework\)](#).

<sup>12</sup> Except for production packages and twinings, where the intellectual property rights for both productions must be held by Canadians.

<sup>13</sup> The Commission’s approach to intellectual property rights ownership differs from CAVCO’s approach to copyright (a form of intellectual property rights), which must be held by a Canadian for the 25-year period beginning when the production is completed and commercially exploitable. See the CAVCO’s [Canadian Film or Video Production Tax Credit \(CPTC\) – Application Guidelines](#).

31. The Commission recognizes that a share in or the outright ownership of the intellectual property rights for a program would ensure that Canadians have control not only over the creation of the content but also over its monetization, including in the future. Different models could help it achieve that goal:
- models where intellectual property rights in programs are fully Canadian-owned and key creative roles are all held by Canadians;
  - models that demonstrate a natural “give-and-take” symmetry, where the greater the flexibility of ownership of a program, the greater the number of Canadian points and Canadians occupying key creative roles would be required to balance out the elements of Canadian control and overall Canadian creative influence (for example, if all intellectual property rights rest outside of Canada but all creative control is Canadian); and
  - models that support investment and balance the economic benefits of holding/sharing the intellectual property of a production with incentives to collaborate and partner between Canadians, including Canadian undertakings, and foreign online undertakings.
32. There is currently a co-venture model that offers flexibility for Canadian producers who wish to work with foreign producers, by sharing creative and financial decision-making responsibilities.<sup>14</sup> However, there are no intellectual property rights provisions within the current model.
33. The Commission envisions a modernized approach where intellectual property rights retention in the program is applied to maintain, strengthen, expand, and protect Canada’s competitiveness in the audio-visual production industry as well as to ensure continued international investment in the Canadian production system. This approach would be flexible enough to accommodate diverse business models and distribution methods, facilitate the exportability of Canadian programming and formats, and encourage all types of players to make Canadian programming discoverable both domestically and abroad, on traditional and online platforms. It would also facilitate the ownership of content by Canadian entities, including Canadian broadcasters.
34. In light of the above, the Commission invites interested persons to respond to the following requests and questions:

Q13. Please provide an intellectual property rights model (or models) for the Commission to consider based on the different ways that a definition of “Canadian program” would account for intellectual property rights as set out in paragraph 31. Please explain how the proposed model(s) would incentivize

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<sup>14</sup> This model includes ventures with co-producers from a foreign country that does not have a film or television production treaty with Canada and ventures with co-producers of a treaty country that do not otherwise meet Telefilm Canada’s eligibility requirements.

collaborations and foreign equity investments, and ensure that Canadian programming is competitive in the global market.

Q14. In light of an approach based on Canadian intellectual property rights retention, should the Commission maintain the requirement that the key producer roles (producer, co-producer, line producer and production manager) be filled by Canadians to ensure Canadian financial and creative control? If not, please explain why.

Q15. How can the Commission incorporate the use of ownership and financial control of Canadian programs to help ensure the exportability of Canadian programming and formats through its modernized regulatory framework?

Q16. Is the current co-venture model used by the Commission relevant to a modernized definition of “Canadian program” that includes a requirement relating to the retention of intellectual property rights?

Q17. Are there any special considerations that the Commission should give to the ownership of intellectual property rights by public broadcasters?

### **Expenditures on Canadian programming**

35. The Act authorizes the Commission to require persons carrying on broadcasting undertakings to make expenditures on the development, financing, production and promotion of Canadian programs, including independent productions.<sup>15</sup> The regulations can be made applicable to all persons carrying on broadcasting undertakings or to all persons carrying on broadcasting undertakings of any class established by the Commission in the regulation.

36. The Commission may also make orders imposing conditions of service<sup>16</sup> on particular persons carrying on broadcasting undertakings for the same purposes as set out above.

37. Whether making expenditure regulations or orders, the Commission must prescribe the minimum level of expenditures that are to be allocated to Canadian original programs (including French-language programs in the case of broadcasting undertakings that offer programs in both official languages).

38. CPE and PNI expenditure requirements are the current primary regulatory tools for supporting the production of Canadian programming.

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<sup>15</sup> See paragraph 11.1(1)(a) of the Act.

<sup>16</sup> Formerly known as “conditions of licence”. Under subsections 49(1) and 50(2) of the *Online Streaming Act*, the conditions of licence that existed prior to the date of royal assent of that Act are deemed to be conditions imposed under an order made pursuant to subsection 9.1(1) of the new *Broadcasting Act*, or subsection 11.1(2) in the case of expenditures. As such, conditions of licence became conditions of service and continue to apply to licensees of broadcasting services, except to the extent that they have been modified by a Commission decision.

## Canadian programming expenditures (CPE)

39. CPE requirements ensure that traditional broadcasting undertakings invest directly in the production of Canadian programming. Almost all licensed private Canadian television broadcasters must devote a minimum percentage of their gross revenues from the previous broadcast year to Canadian programming. However, the required levels vary depending on the broadcaster and its size and role in the broadcasting system.
40. Current CPE requirements (as a percentage of gross revenues of the previous broadcast year) for large, French-language private television ownership groups range from 26% to 45%. For large English-language private television ownership groups, they are generally set at 30%. Smaller English-language broadcasting ownership groups and smaller undertakings are generally required to contribute less.<sup>17</sup>
41. In Broadcasting Regulatory Policy 2024-121-1,<sup>18</sup> the Commission set out for online undertakings a base contribution requirement to support the creation of Canadian and Indigenous content. Specifically, registered undertakings<sup>19</sup> that, after deducting excluded revenue,<sup>20</sup> have \$25 million or more in annual Canadian gross broadcasting revenues and that are not affiliated with a Canadian broadcaster must contribute 5% of those revenues to certain funds. As part of the amount that must be devoted to the Canada Media Fund (i.e., 2% of annual contributions revenues<sup>21</sup>), online undertakings may deduct up to 75% (i.e., up to 1.5% of their annual contributions revenues) by investing directly in certified Canadian content.
42. In a changing broadcasting environment in which audiences are turning more and more towards online content, and in a broadcasting system that now includes both Canadian and foreign undertakings and traditional and online content, the Commission considers that it must review and modernize the current CPE framework to help determine:
- what the verifiable needs are in the Canadian programming production industry;
  - how these needs should be addressed and how expenditures should be attributed throughout the system to fulfill those needs;

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<sup>17</sup> This policy review is not considering existing or new expenditure requirements for the Canadian Broadcasting Corporation or exempt undertakings.

<sup>18</sup> More specifically, see Broadcasting Order 2024-194, set out in the appendix to Broadcasting Regulatory Policy 2024-121-1. That regulatory policy finalized the orders proposed in Broadcasting Regulatory Policy 2024-121 that establish conditions of service for particular online undertakings.

<sup>19</sup> That is, registered with the Commission pursuant to the *Online Undertakings Registration Regulations*.

<sup>20</sup> As defined in the appendix to Broadcasting Regulatory Policy 2024-121-1.

<sup>21</sup> As defined in the appendix to Broadcasting Regulatory Policy 2024-121-1.

- how to ensure that traditional broadcasting undertakings and online undertakings contribute equitably to the creation and distribution of Canadian programming; and
- how best to incentivize the creation and distribution of various types of Canadian programming, including those that may need more regulatory support given the changed dynamics and financial strains in the Canadian broadcasting system.

43. It is the Commission’s preliminary view that an updated framework for expenditures on Canadian programming should apply a broadcasting ownership group approach, such as that used for base contributions as set out in Broadcasting Regulatory Policy 2024-121. More specifically, the Commission is of the preliminary view that:

- both online and traditional audio-visual undertakings that have \$25 million dollars (or more) in annual Canadian gross broadcasting revenues less excluded revenue, either individually or as part of a broadcasting ownership group,<sup>22</sup> should be required to make expenditures on Canadian programming;
- online audio-visual undertakings affiliated with a traditional Canadian broadcasting ownership group that earn \$25 million (or more) in annual Canadian gross broadcasting revenues less excluded revenue should also be required to make expenditures on Canadian programming;<sup>23</sup> and
- both online and traditional audio-visual undertakings that have less than \$25 million dollars in annual Canadian gross broadcasting revenues less excluded revenue, either individually or as part of a broadcasting ownership group, would not be required to make expenditures (data available to the Commission suggests that this approach would have minimal impact on the overall expenditures for Canadian programming and would lessen the burden for smaller undertakings).

#### **Expenditures on programs of national interest (PNI)**

44. PNI expenditures are a subset of CPE; as such, PNI expenditures count towards CPE requirements. Whereas CPE provide general financial support for the production of Canadian programming, expenditures on PNI support the production of programs that are “central vehicles for communicating Canadian stories and values,”<sup>24</sup> but that are

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<sup>22</sup> The definitions of “annual Canadian gross broadcasting revenues”, “excluded revenue” and “broadcasting ownership group” are set out in the appendix to Broadcasting Regulatory Policy 2024-121-1.

<sup>23</sup> As set out in Broadcasting Order 2024-194, base contributions for online undertakings do not apply to online undertakings whose operator is (i) a licensee; or (ii) affiliated with a licensee; or (iii) a person operating, or affiliated with a person operating an exempt broadcasting undertaking that operates pursuant to an exemption order that requires the undertaking to be licensable.

<sup>24</sup> See Broadcasting Regulatory Policy 2010-167.

also generally expensive to produce and difficult to monetize.<sup>25</sup> PNI expenditure requirements may be imposed if the widespread availability of PNI to Canadians is necessary for the achievement of the objectives of the Act. They may also be imposed where, in the absence of regulatory support, such programming would not otherwise be available to Canadians.

45. Current PNI expenditure requirements (as a percentage of gross revenues of the previous broadcast year) for large, French-language private television ownership groups range from 15% to 18%. For large, English-language private television ownership groups, they range from 5% to 13.5%.
46. While support for risky to produce and difficult to monetize programming is crucial to meeting the objectives of the Act, there have been important changes to the Canadian broadcasting system since PNI expenditure requirements were put into place. In this context, it is the Commission's preliminary view that:
- in an "on-demand" system driven by online undertakings whose business models are based on the programs that underscore the current definition of PNI, such as drama and documentaries, the current approach to PNI is no longer needed;
  - news programming,<sup>26</sup> which is risky to produce and difficult to monetize in the current broadcasting system, is of particular importance and crucial to meeting the objectives of the Act; and
  - although support for news programming should be a priority, it may not be necessary for such support to be provided by all broadcasting undertakings.

#### **Questions relating to expenditures on Canadian programming**

47. In light of the above in regard to the current CPE and PNI expenditure frameworks, the Commission invites interested persons to respond to the following questions:

Q18. How does the Commission's view regarding PNI align (or not align) with business models and the availability of programming in the current broadcasting system?

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<sup>25</sup> In the English-language market, PNI includes long-form documentaries, drama and comedy programs, and award shows. In the French-language market, PNI includes the same program categories as for English-language PNI, but with the addition of music, dance and variety shows. The program categories for television and their definitions are set out in the appendix to Broadcasting Regulatory Policy 2010-808. PNI does not include news and information programming, although large traditional broadcast groups as well as many local private television stations are subject to expenditure requirements on news programming (that is, locally reflective and locally relevant news).

<sup>26</sup> Program category 1 set out in both the *Television Broadcasting Regulations, 1987*, and the *Discretionary Services Regulations*.

Q19. Would the proposed changes to the definition of “Canadian program” ensure continued financial support for Canadian programs previously supported through the Commission’s approach to PNI? Would the proposed changes ensure that those Canadian programs are not only made available to Canadians, but also exported internationally?

Q20. Should the CPE requirements for traditional Canadian broadcasters and foreign online undertakings be similar or different? How can the Commission impose equitable requirements that respect the different business models of the various undertakings and broadcasting groups?

Q21. Please explain how the Commission should determine:

- (a) what types of expenditures would fulfill the needs in the broadcasting system relating to Canadian programming, in particular news programming; and
- (b) how these expenditures should be allocated.

Q22. Should different approaches be undertaken for the English- and French-language markets in a modernized CPE framework? For example, should the Commission impose a minimum expenditure requirement for Canadian original English- and French-language programs? If yes, should the approaches differ in both official language markets?

Q23. How can a modernized expenditure framework support Indigenous content and content created by and for equity-deserving groups,<sup>27</sup> OLMCs and Canadians of diverse backgrounds?

Q24. In the modernized CPE framework, what programming, such as news, should be viewed as risky and expensive to produce and difficult to monetize but exceptionally important to the achievement of the objectives of the Act? How is such programming not already supported by the various business models in operation in the Canadian broadcasting system?

Q25. How should expenditures on news programs be incorporated into a modernized CPE framework?

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<sup>27</sup> Racialized people, people with disabilities, individuals who identify as 2SLGBTQ+ and women.

Q26. What other incentives, such as CPE credits,<sup>28</sup> could be used to support certain types of programming (for example, original first-run programs and/or independent productions<sup>29</sup>)?

#### **Applications from broadcasters seeking relief from expenditure requirements**

48. Over the last two years, the Commission has received several applications from broadcasters operating under the group-based licensing approach seeking relief in regard to their CPE and/or PNI expenditure requirements.<sup>30</sup> The Commission has added these applications, and the interventions received on those applications, to the public record for this proceeding. The issues raised in those applications will be considered by the Commission in the context of this proceeding, and a policy framework will follow. The Commission will then launch further proceedings to implement the policy determinations. At that time, broadcasting undertakings subject to any revised policy will have the opportunity to comment on the proposed requirements, including updating any previously filed requests accordingly, and interested persons will be able to comment on those applications (as modified, if applicable).

#### **Data-related issues, including reporting and performance measurement**

49. Under paragraph 9.1(1)(o) of the Act, the Commission may make orders requiring persons carrying on broadcasting undertakings to provide information to the Commission. Section 25.3 of the Act specifies information filed with the Commission that may be designated as confidential.
50. Any policy establishing CPE requirements must take into consideration data collection and reporting to enable the Commission to monitor compliance and policy effectiveness. Currently, the Commission collects detailed CPE data annually from broadcasters, which include breakdowns of programming expenses, including those for closed captioning, and production by Indigenous or OLMC producers.
51. The Commission publishes an aggregate of the CPE data it collects. The current data collected from broadcasters is sizeable.

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<sup>28</sup> Currently, large English- and French-language private television ownership groups have a CPE credit provision in their conditions of service to incentivize the creation of Canadian programming by Indigenous (50% credit) and OLMC (25% credit) producers. See Broadcasting Decisions 2017-143 (French-language groups) and 2017-148 (English-language groups).

<sup>29</sup> Produced by an independent production company, defined as a Canadian company that is carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is in the production of film, videotape or live programs for distribution, and in which the licensee and any company related to the licensee owns or controls, directly or indirectly in the aggregate, less than 30% of the equity.

<sup>30</sup> Rogers Communications Canada Inc. ([2023-0373-3](#)), Bell Media Inc. ([2023-0379-1](#) and [2023-0380-9](#)), Quebecor Media Inc., on behalf of TVA Group Inc. ([2022-0986-6](#)), Corus Entertainment Inc. ([2022-0946-0](#)) and Blue Ant Media Inc. ([2024-0385-6](#)).

52. With due regard to confidentiality, the Commission publishes verified data on its website, not only to inform, but also to foster accountability and transparency. In doing so, the Commission strives to enable transparency throughout the broadcasting system, which ultimately supports a more informed and engaged public. This also ensures that broadcasting undertakings are able to meet their reporting requirements and the objectives of the Act through the data they provide to the Commission.
53. With this in mind, the Commission is of the preliminary view that the collection of data relating to the revenues and the programming expenditures of broadcasting undertakings should be made public, to provide transparency and ensure the Commission's ability to monitor the broadcasting system. Further, applying this practice for Canadian and foreign broadcasting undertakings that operate on traditional platforms and online would work towards treating all broadcasting undertakings operating in Canada equally.
54. The Commission also considers that the data provided to the Commission by those broadcasting undertakings should be published on the Commission's website, which would be in line with requirements currently in place for large ownership groups regarding the provision of production reports.<sup>31</sup>
55. The Commission also recognizes the importance of streamlining reporting and reducing administrative burdens on broadcasters to file such reports while still providing the industry and the public with comprehensive and easy to read data that ensures accountability throughout the broadcasting system.
56. To streamline the tracking and analysis of content across platforms and to make it easier to access information about a program's origin, funding sources, and community impact (for example, where a production was made and by whom), the Commission wishes to explore creating for each program a unique identifier, which would be similar to a serial number.
57. In light of the above, the Commission invites interested persons to respond to the following questions:
- Q27. Should the Commission set out reporting requirements, as described above (for example, through a requirement to provide production reports), for all broadcasting undertakings operating in Canada, whether they are Canadian or foreign, and whether they operate on traditional platforms or online?
- Q28. Should the Commission require the public disclosure of the revenues and programming expenditures of all broadcasting undertakings subject to CPE requirements? Should the information be collected and published by the Commission or published by the undertakings themselves?

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<sup>31</sup> See Broadcasting Information Bulletin 2019-304.

Q29. Should the published revenue and CPE data be broken down? Should it be published by service, by ownership group, or further, for example, by program category, language, or other elements?

Q30. What type of data should the production report include or not include (for example, language, region, producer information, and Canadian certification number)? Please explain.

Q31. To make it easier to work with industry data and to compare such data, should the production report include an identifier that is unique for each program? If yes, please explain how this identifier should work (for example, a serial number or alphanumeric text). Should the identifier itself carry any metadata (that is, data providing information about one or more aspects of the data)?

Q32. If the Commission decides to use unique identifiers, how could the production report be linked to audience measurement sources, providing information about the viewing patterns and availability of content produced?

Q33. How should the Commission collect data regarding key creative positions, producer positions and intellectual property for Canadian programming owned by people from the following groups:

- Indigenous peoples;
- equity-deserving groups; and
- OLMCs?

Q34. How should the Commission address concerns regarding privacy and self-identification issues? Could the use of a unique identifier help in addressing those concerns?

Q35. Should certain types of data (relating to, for example, programming or the operation of undertakings) provided by broadcasting undertakings be presumed to be confidential when filed? If yes, please explain why.

Q36. What is the best way to measure and evaluate the success of the new framework for expenditures on Canadian programming?

Q37. Given the Commission's preliminary view with respect to PNI, how can future data collection practices help track which types of programming are risky to produce and difficult to monetize, and consequently require regulatory incentives?

Q38. How can the Commission measure whether the future modernized definition of "Canadian program" is meeting the desired goals as specified in paragraph 7 of this notice?

Q39. The *Official Languages Act* requires the Commission to establish evaluation and monitoring mechanisms for any positive measures taken in this regard. How can the Commission measure and evaluate the success of the framework for achieving the objectives relating to promoting and protecting the French-language and supporting the vitality and development of OLMCs?

## **Artificial Intelligence**

58. Recent developments in artificial intelligence (AI) have led to the creation of tools capable of generating audio-visual content from, among other things, text prompts and streamlining processes in post-production. The Commission needs to ensure that Canadian programs continue to support the objectives set out in the Act.

59. It is the Commission's preliminary view that AI should be examined in this proceeding by considering the following issues:

- the impact that AI may have on various elements in the audio-visual production industry (such as dubbing, animation and scriptwriting) as it relates to Canadian programming;
- the ways in which AI can be used to maximize efficiencies and provide cost-cutting effects; and
- transparency surrounding the use of AI within the production industry.

60. The consideration of the impact of AI as it relates to the modernization of the broadcasting system is in the early stages.

61. In light of the above, the Commission invites interested persons to respond to the following exploratory questions:

Q40. Can AI-generated material be considered Canadian content? If yes, on what basis? Please explain.

Q41. What could the potential impact of AI be on pre- and post-production, including but not limited to tasks such as visual effects?

Q42. How could the use of AI impact discoverability of Canadian content?

## **Other criteria and issues relating to certification**

### **Production costs**

62. Under the Commission's current approach regarding [production costs](#), at least 75% of a production's service costs must be paid to Canadians and at least 75% of the production's post-production and laboratory costs must be paid for services provided in Canada by Canadians or Canadian companies. In the Commission's view, this approach should be maintained as it enables flexibility within the system to encompass

both Canadian and foreign costs, while ensuring that the majority of these costs are paid to Canadians.

63. In light of the above, the Commission invites interested persons to respond to the following question:

Q43. If the 75% threshold should not be maintained, please explain why and provide an alternative that would ensure continued and significant investment in Canadian resources.

#### **Time credits**

64. [Time credits](#) have traditionally been used as an incentive to broadcast and distribute Canadian programming under regulatory frameworks that emphasized the regulation of exhibition over the regulation of expenditures. The Commission also grants supplementary time credits for productions [dubbed](#) in Canada using Canadian resources.<sup>32</sup>

65. However, the Commission has moved away from exhibition-based regulation, reflecting the fact that Canadians rely less on the linear system to consume programming. The Commission proposes to discontinue the use of time credits, including for dubbed productions, as an incentive to the broadcast of certain types of content. While the Commission recognizes the value of dubbing in Canada, and in particular in Quebec, it also notes that time credits could be used to meet obligations, reducing investment in original programming. The Commission wishes to explore the impact of eliminating time credits.

66. In light of the above, the Commission invites interested persons to respond to the following questions:

Q44. Should the Commission discontinue the use of time credits as an incentive to make Canadian programming available? If no, please explain why.

Q45. Is there still a need for the Commission to continue incentivizing the dubbing of productions in Canada by Canadians? Please explain.

Q46. If you reply “Yes” to Q45, what types of incentives should be used to ensure that Canada’s dubbing industry continues to thrive? What types of regulatory tools could the Commission use to incentivize the dubbing of productions in Canada by Canadians in a modernized expenditure framework?

#### **Foreign courtesy credits and affidavits**

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<sup>32</sup> A certified Canadian production dubbed in Canada receives a supplementary time credit of 33% for the original production. Any foreign production dubbed from an official language of Canada or an Indigenous language in Canada into the other official language of Canada or an Indigenous language in Canada receives a 33% Canadian time credit. Any foreign production dubbed in Canada from any other language receives a 50% Canadian time credit.

67. [Foreign courtesy credits](#) may be awarded to non-Canadians for non-creative, non-production-related functions that in no way interfere with the financial and creative authority of the Canadian producer.<sup>33</sup> Notarized affidavits are required for all non-Canadians receiving foreign courtesy credits, outlining the duties they performed and declaring that those duties were carried out only under the direction, control, and with the full knowledge of the Canadian producer.
68. The Commission currently separates production-related positions into two distinct groups<sup>34</sup> based on the importance of their creative and financial control on a production, and reviews any courtesy credits given to a non-Canadian to ensure that their duties do not interfere in any way with the administrative, creative or financial decisions of the Canadian producer.
69. To ensure that Canadians are the central decision makers in a production, the Commission applies an equivalency scope when considering foreign courtesy credits. As such, if a non-Canadian obtains a foreign courtesy credit in a production-related position, the Commission requires that a Canadian occupy a similar production-related position.
70. To simplify this criterion, the Commission proposes to consolidate the foreign courtesy credits into a single list, without requiring equivalencies. Further, the Commission proposes to simplify the affidavit requirement with a standardized attestation of duties form. This form would specify that the duties of the non-Canadian do not interfere in any way with the administrative, creative or financial decisions of the Canadian producer. The attestation would clearly state that the Commission has the right to audit and ask for additional documentation in relation to the foreign courtesy credit and has the right to revoke the certification if the requirements are not met.
71. In light of the above, the Commission invites interested persons to respond to the following question:

Q47. Do you agree with the Commission's proposal to consolidate the foreign courtesy credits, remove the equivalency-based approach, and replace the notarized affidavit with an attestation of duties for each person who receives a courtesy credit? If not, please explain.

**Discontinuation of Canadian certification for certain types of productions**  
***Production packages and twinning***

72. [Production packages](#) include two or more co-productions or co-ventures by a Canadian production company with one or more foreign production companies, where a

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<sup>33</sup> Other than the producer, co-producer, line producer and production manager positions, non-Canadians may only receive courtesy credits for producer-related functions under specific conditions.

<sup>34</sup> Group A includes Executive Producer, Senior Executive, Executive in Charge of Production, Supervising Producer and Associate Producer. Group B includes Supervising Executive, Production Supervisor, Production Executive, Production Associate, Executive Consultant, Production Consultant and Creative Consultant.

production with minor foreign involvement that qualifies as a Canadian production is matched with a foreign production with minor Canadian involvement.

73. [Twinning](#) refers to the practice of pairing a fully Canadian production with a foreign production in which any Canadian participation is primarily financial and in which there is little to no Canadian participation in the creative or production aspects. Essentially, Canada contributes financially to the foreign project, but the foreign project remains largely independent of Canadian influence, aside from financial support.
74. The Commission sees little value in continuing to certify production packages and twinings given that it rarely receives any applications relating to their certification as Canadian, resulting in very few Canadian producers and broadcasters benefitting from the flexibilities granted by these two types of certifications.
75. In light of the above, the Commission invites interested persons to respond to the following question:

Q48 Given that the Commission rarely receives applications for Canadian certification of production packages and twinings, should the Commission discontinue certification of these types of productions? Please explain.

#### ***Pilot projects***

76. The Commission currently waives some of the Canadian certification criteria for [pilot projects](#), for live-action drama or comedy productions based on adaptations of best-selling, Canadian authored novels or live-action drama or comedy productions with a budget of at least \$2 million per hour of content created. However, the Commission has never certified a production as Canadian under the pilot project framework.
77. In light of the above, the Commission invites interested persons to respond to the following question:

Q49. Should the Commission eliminate pilot projects from the definition of a Canadian program? Please explain.

#### ***Adult programming***

78. Broadcasting ownership groups that operate in Canada and make over \$25 million in gross revenues generally do not rely on adult programming to generate those revenues. Further, adult programming is an element of the production industry that requires no regulatory support for its overall economic stability. While past business models in the traditional Canadian broadcasting system may have relied on the certification of adult programming, it is the Commission's view that there is no industrial or public policy imperative requiring the continued recognition of this type of programming as a Canadian program or eligible for certification.

79. Further, it is the Commission’s view that no longer recognizing adult programming as Canadian under the certification framework would not materially affect the Commission’s jurisdiction over that type of programming, as adult programs would remain “programs” under the Act.
80. In light of the above, the Commission invites interested persons to respond to the following question:

Q50. By reference to the factors set out in subsection 10(1.1) of the Act or section 13 of the Government of Canada’s policy direction, should adult programming continue to be recognized as Canadian programming?  
Please explain.

### **Reports the Commission will rely on during this proceeding**

81. To have a fulsome public record, the Commission wishes to engage with Canadians within and outside the audio-visual production industry. To do this, the Commission will also take into consideration reports stemming from the above-noted workshops with industry members and public opinion research.

### **Workshops with the industry**

82. In February and March 2024, as part of the first phase of its review of the definition of “Canadian program,” the Commission hired a third party to hold multiple workshops across the country, in-person and virtually, with 382 broadcasting industry members to start discussions on that definition. The Commission decided to hold these workshops to engage with industry members first as they must work with the definition on a regular basis. These industry members have “on the ground” experience and information on the dynamics that the definition is currently creating and on what could be reviewed to the benefit of the Canadian broadcasting system.
83. The Commission used the services of IPSOS, a third party specializing in qualitative research, to facilitate the discussions and write a report summarizing what was said. On 25 September 2024, the Commission published the report entitled [Defining Canadian Content – Workshops with Stakeholders and Industry: What We Heard Report.](#)

### **Public opinion research**

84. Concurrent with the public consultation initiated by this notice, a third party hired by the Commission is conducting public opinion research to ensure that the points of view of Canadians and Indigenous peoples are fully included on the public record. The Commission intends to publish the report on this public opinion research before the public hearing. The Commission will place the report on the public record for this proceeding to allow interveners to comment on it. These comments will form part of the public record.

## Procedure

85. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answers, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations.](#)" The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
86. The Commission will hold a public hearing commencing on **31 March 2025** at Gatineau, Quebec, to address the matters set out in this notice.
87. The Commission invites comments that address the issues and questions set out above. The Commission will accept comments that it receives on or before **20 January 2025**.
88. Interested persons who require assistance submitting comments can contact the Commission's Hearings & Public Proceedings group at [hearing@crtc.gc.ca](mailto:hearing@crtc.gc.ca).
89. The Commission considers that efficiency, balance and fair participation is necessary for this policy making proceeding in order to swiftly facilitate the additional proceedings necessary to implement the policy determinations.
90. To help ensure that interveners send only comments relevant to the questions included in the notice and to help ensure timelines can be met for this process, the Commission limits interventions to **20 pages**. If interveners wish to provide any supplementary documents for their submissions, such as reports or appendices, the number of pages for those documents will not form part of the 20-page limit for interventions. Further, any appendices should each be provided as a separate document accompanying the intervention.
91. Following the public hearing, parties will have an opportunity to file brief final submissions and, if applicable, responses to undertakings. Details regarding the filing of final submissions will be provided at a later date.
92. Further, the Commission does not intend to grant any requests for extensions of time to provide comments except in truly exceptional circumstances where requests are supported by sufficient evidence.
93. The Commission will also indicate before the hearing which of the questions included in this notice will be addressed at the hearing. Some elements may be addressed only through written interventions and final submissions.

94. The Commission requests that, whenever possible, parties provide evidence in support of their comments or proposals. The questions in this notice are numbered, and the Commission asks that parties identify the number for each of the questions to which they are responding. In addition, the Commission may ask parties to respond to additional questions. These questions and the responses will be placed on the public record. Public interest and consumer groups that need help with the cost of participating in this proceeding can apply to the Broadcasting Participation Fund (BPF). Information on this fund can be found on the [BPF website](#).
95. The intervention must include one of the following statements in either the first or the last paragraph:
1. I request to appear at the public hearing.
  2. I do not want to appear at the public hearing.
96. Interested persons who request to appear at the public hearing must indicate whether they prefer to participate
- virtually from their home or office; or
  - at the main location for the public hearing in Gatineau.
97. Parties who wish to appear at the public hearing must provide reasons why their written intervention is not sufficient and why an appearance is necessary. In addition, parties requiring communications support must state their request for such support on the first page of their intervention.
98. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the hearing.
99. Interested persons are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position but do not wish to appear at the hearing. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in Broadcasting Information Bulletin 2010-28-1.
100. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
101. Submissions longer than five pages should include a summary, which will not be counted toward the 20-page limit for interventions. Each paragraph of all submissions should be numbered, and the line \*\*\*End of document\*\*\* should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

102. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

**by completing the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

103. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties who file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
104. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
105. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.
106. Persons requiring communications support such as assistive listening devices and sign language interpretation are requested to inform the Commission at least 45 days before the commencement of the public hearing so that the necessary arrangements can be made.

## **Important notice**

107. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, and telephone and fax numbers.
108. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
109. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
110. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

## **Availability of documents**

111. Links to interventions filed for this proceeding, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.
112. Documents are available upon request during normal business hours by contacting:

Documentation Centre  
[Examinationroom@crtc.gc.ca](mailto:Examinationroom@crtc.gc.ca)  
Tel.: 819-997-4389  
Fax: 819-994-0218

Client Services  
Toll-free telephone: 1-877-249-2782  
Toll-free TTY: 1-877-909-2782

Secretary General

## Related documents

- *The Path Forward – Supporting Canadian and Indigenous content through base contributions*, Broadcasting Regulatory Policy CRTC 2024-121, 4 June 2024, as finalized by *The Path Forward – Supporting Canadian and Indigenous content through base contributions – Finalization of conditions of service*, Broadcasting Regulatory Policy CRTC 2024-121-1 and Broadcasting Order CRTC 2024-194, 29 August 2024
- *Call for comments – Co-development of an Indigenous Broadcasting Policy*, Broadcasting Notice of Consultation CRTC 2024-67, 22 March 2024

- *Online Undertakings Registration Regulations, and exemption order regarding those regulations*, Broadcasting Regulatory Policy CRTC 2023-329 and Broadcasting Order CRTC 2023-330, 29 September 2023
- *Call for comments – Proposed Regulations for the Registration of Online Streaming Services and Proposed Exemption Order regarding those Regulations*, Broadcasting Notice of Consultation CRTC 2023-139, 12 May 2023
- *Notice of hearing – The Path Forward – Working towards a modernized regulatory framework regarding contributions to support Canadian and Indigenous content*, Broadcasting Notice of Consultation CRTC 2023-138, 12 May 2023, as amended by Broadcasting Notice of Consultation CRTC 2023-138-1, 9 June 2023, and Broadcasting Notice of Consultation CRTC 2023-138-2, 1 February 2024
- *Change to the treatment of stock footage costs as part of the evaluation of applications for Canadian program certification*, Broadcasting Regulatory Policy CRTC 2023-90, 23 March 2023
- *Production Report to be completed annually by large English- and French-language ownership groups*, Broadcasting Information Bulletin CRTC 2019-304, 29 August 2019
- *Renewal of licences for the television services of large English-language ownership groups – Introductory decision*, Broadcasting Decision CRTC 2017-148, 15 May 2017
- *Renewal of licences for the television services of large French-language ownership groups – Introductory decision*, Broadcasting Decision CRTC 2017-143, 15 May 2017
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *Definitions for television program categories*, Broadcasting Regulatory Policy CRTC 2010-808, 1 November 2010
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010