



## Broadcasting Decision CRTC 2025-367

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Reference: 2025-153

Gatineau, 19 December 2025

**Galafilm Productions Inc.**  
Across Canada

*Public record: 2025-0007-4*

*Public hearing in the National Capital Region  
11 September 2025*

### **Galafilm Productions Inc. – Change in ownership (corporate reorganization)**

#### **Summary**

The Commission approves an application by Galafilm Productions Inc. (Galafilm), on behalf of The Canadian Documentary Channel Limited Partnership (the Documentary Channel partnership), for authority to effect a change in ownership of the licensee as part of a corporate reorganization. The Documentary Channel partnership carries on business through the following partners: the Canadian Broadcasting Corporation (the general partner), CineNova Productions Inc., Galafilm Inc., the National Film Board of Canada, OmniFilm Entertainment Ltd., and Neil Tabatznik.

The Documentary Channel partnership operates the English-language television service known as the Documentary Channel.

The Commission also approves Galafilm's request for new broadcasting licences to continue the operation of the service.

#### **Application**

1. On 9 January 2025, the Commission received an application from Galafilm Productions Inc. (Galafilm) on behalf of The Canadian Documentary Channel Limited Partnership (the Documentary Channel partnership), for authority to effect a change in ownership of the licensee as part of a corporate reorganization.
2. The Documentary Channel partnership is held by the Canadian Broadcasting Corporation (CBC) (82%) and the National Film Board of Canada (NFB) (14%) with Galafilm Inc., OmniFilm Entertainment Ltd. (OmniFilm), CineNova Productions Inc. (CineNova), and Neil Tabatznik each holding 1% voting interest. The Documentary Channel partnership is controlled by the CBC.

3. The Documentary Channel partnership operates the English-language discretionary television service known as the Documentary Channel.
4. Galafilm Inc., the licensee partner in the Documentary Channel partnership, was a wholly-owned subsidiary of Galafilm, which was the wholly-owned subsidiary of A. Gelbart (Quebec) Inc. The applicant notes that the corporations A. Gelbart Services Inc. and A. Gelbart (Quebec) Inc., each wholly owned by Arnold Gelbart, were merged into a single entity, continuing under the name A. Gelbart Services Inc. As part of this process, Galafilm Inc. was wound up and its assets and liabilities transferred to its parent company, Galafilm.
5. As a result of the corporate reorganization, Galafilm has replaced the licensee Galafilm Inc. as a limited partner in the Documentary Channel partnership, and, therefore, the applicant requires a new broadcasting licence. Due to the nature of a partnership, every other partner in the Documentary Channel partnership also requires a new licence.
6. The Commission did not receive any interventions in regard to this application.

### **Regulatory framework**

7. The review of ownership transactions is an essential element of the Commission's regulatory and supervisory mandate under the *Broadcasting Act* (the Act). Obtaining a licence to operate a broadcasting undertaking (in this case, a television service) is a regulatory privilege granted by the Commission.
8. Pursuant to section 31.1 of the Act, no person may carry on a broadcasting undertaking, except an online undertaking, without either a licence or an exemption from the requirement to hold a licence. As a partnership is not a separate legal entity from the partners who comprise it, the Commission's general practice is to consider each partner as being a licensee.<sup>1</sup>
9. As noted in Broadcasting Information Bulletin 2008-8-2, a transaction resulting in an acquisition of assets requires the issuance of a new broadcasting licence. Under subsection 18(1) of the Act, the Commission must conduct a public hearing for the issuance of a broadcasting licence. These applications are generally treated as non-appearing items at a public hearing where the Commission is satisfied that the applicant and interested parties had an opportunity to present their views and that the written record is sufficient and further discussion is not necessary.

### **Issues**

10. After examining the record for this application in light of applicable regulatory obligations and policies, the Commission considers that it must address the following issues:

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<sup>1</sup> See, for example, Broadcasting Decision 2022-137.

- whether the applicant's ownership structure satisfies the requirements for Canadian ownership and control;
- the programming obligations; and
- the licence term.

### **Canadian ownership and control**

11. Pursuant to paragraph 3(1)(a) of the Act, the Canadian broadcasting system shall be effectively owned and controlled by Canadians. As required by the *Direction to the CRTC (Ineligibility of Non-Canadians)*<sup>2</sup> (the Direction), no broadcasting licence can be issued to a non-Canadian.
12. Galafilm and A. Gelbart Services Inc., are owned and controlled by Mr. Arnold Gelbart, a Canadian. Mr. Gelbart is the sole shareholder, the only member of the board of directors, and the Chief Executive Officer of the licensee and its parent company. As such, the proposed transaction satisfies the eligibility criteria set out in the Direction.

### **Programming obligations**

13. As noted above, because a partnership is not a separate legal entity from its constituent partners, the Commission's general practice is to consider each partner as a licensee. Therefore, each partner is responsible for all the regulatory obligations imposed on a licensee, and any non-compliance that could have arisen prior to the transaction by any of the licensees is transferred to all the licensees following the transaction.
14. The Commission notes that programming and expenditure obligations were not reviewed in this application, as they do not affect this ownership reorganization. In the case of the CBC and the services where it is a licensee, compliance with regulatory obligations is assessed at the time of licence renewal, especially given the interaction between the conditions of service imposed on the various undertakings operated by the CBC.
15. In addition, the Commission is of the view that the following factors weigh in favour of addressing the matter at the CBC's next licence renewal:
  - the transaction is a corporate reorganization where the licence will remain under the same ultimate ownership and control;
  - the new licences will be issued under the same conditions as those under the current licences;

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<sup>2</sup> SOR/97-192, 8 April 1997.

- the expiry date of the licences involved in the transaction remains 31 August 2027,<sup>3</sup> and
- the reissued licences will include all current partners in the undertaking.

16. In light of the above, the Commission concludes that compliance matters of this nature will be addressed as part of the CBC's overall compliance review at the time of its next licence renewal, at which time the Commission can evaluate the compliance of all licensed undertakings. The Commission expects all licensees to assume responsibility for any non-compliance by Galafilm Inc., the former licensee, with its regulatory obligations, if any such non-compliance is identified during the next licence renewal for the service.

### **Licence term**

17. The licences issued to the partners in the Documentary Channel partnership expire on 31 August 2027.

18. Under paragraph 9(1)(b) of the Act, the Commission has the authority to issue a licence and determine its term. The Commission considers that it would be appropriate to issue new broadcasting licences with the same expiry date currently in place for the Documentary Channel partnership.

19. In light of the above, the Commission determines that the licence term for the Documentary Channel partnership licences will expire on 31 August 2027.

### **Conclusion**

20. In light of all of the above, the Commission approves the application by Galafilm, on behalf of The Canadian Documentary Channel Limited Partnership (the Documentary Channel partnership), a limited partnership carrying on business through the following partners: the CBC (the general partner), the NFB, Galafilm Inc., OmniFilm, CineNova, and Neil Tabatznik, for authority to effect a change in ownership of the licensee as part of a corporate reorganization.

21. The Commission notes that there is no change in effective control of Galafilm, which will continue to be exercised by Arnold Gelbart, a Canadian. There is also no change in control of the licensed service, the Documentary Channel.

22. The Commission issues new licences to the CBC, the NFB, Galafilm, OmniFilm, CineNova, and Neil Tabatznik under the same terms and conditions as the current licences with a licence term ending 31 August 2027.

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

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<sup>3</sup> Broadcasting Decision 2022-165.

## Conditions of service

24. Given that the applicant proposed to operate under the same terms and conditions as those in effect under the current licences, the Commission makes the following orders consistent with the existing conditions of service.
25. Further, pursuant to subsection 49(2) of the *Online Streaming Act*, any regulation made under paragraphs 10(1)(a) or 10(1)(i) of the old *Broadcasting Act* is deemed to be an order made under section 9.1 of the new *Broadcasting Act*. As a result, the Commission considers it appropriate to require that the licensees adhere to these requirements as conditions of service.
26. Accordingly, pursuant to subsection 9.1(1) and 11.1(2) of the Act, the Commission **orders** Galafilm Productions Inc. to adhere to the existing conditions of service set out in Appendix 3 to Broadcasting Decision 2022-165 and Broadcasting Orders 2022-166 and 2022-167, as well as to all applicable requirements set out in the *Discretionary Services Regulations* that were made under paragraphs 10(1)(a) or 10(1)(i) of the old Act.
27. The terms as well as the conditions of service specific to this broadcasting undertaking are set out in the appendix to this decision.
28. The Commission notes that the formal broadcasting licence document issued to a licensee may set out additional requirements for the undertaking, relating to, for example, technical parameters or prohibition on transfer. The licensee shall, therefore, also adhere to any such requirements set out in the broadcasting licences for the undertakings.
29. Finally, the Commission notes that this application, including the matters set out in the above orders, was subject to a public proceeding that provided both the applicant and other interested parties notice of and an opportunity to make representations with respect to the proposed orders. The Commission is satisfied that, in this case, the public proceeding was sufficient to achieve the purposes of the publication and consultation requirement set out in subsections 9.1(4) and 11.1(7) of the Act.

Secretary General

## Related documents

- *Canadian Broadcasting Corporation – Various audio and audiovisual services – Licence renewals*, Broadcasting Decision CRTC 2022-165 and Broadcasting Orders CRTC 2022-166 and 2022-167, 22 June 2022
- *Various discretionary services – Acquisition of assets (corporate reorganization)*, Broadcasting Decision CRTC 2022-137, 30 May 2022
- *A guide to the CRTC application process for changes in effective control and certain transfers of shares of broadcasting undertakings as well as for the*

*acquisition of assets of broadcasting undertakings – Change in the manner of issuing related information bulletins*, Broadcasting Information Bulletin CRTC 2008-8-2, 6 December 2013

## **Appendix to Broadcasting Decision CRTC 2025-367**

### **Terms, condition of service, and expectation for the national, English-language discretionary service Documentary Channel**

#### **Terms**

The licence will expire 31 August 2027.

#### **Condition of service for the Canadian Broadcasting Corporation, CineNova Productions Inc., Galafilm Productions Inc., the National Film Board of Canada, OmniFilm Entertainment Ltd., and Neil Tabatznik**

The licensees shall adhere to conditions of service 1 - 47 set out in the appendix 3 to *Canadian Broadcasting Corporation – Various audio and audiovisual services – Licence renewals*, Broadcasting Decision CRTC 2022-165 and Broadcasting Orders CRTC 2022-166 and 2022-167, 22 June 2022.

#### **Expectation**

The Commission expects all licensees to assume responsibility for any non-compliance by Galafilm Inc., the former licensee, with its regulatory obligations, if any such non-compliance is identified during the next licence renewal for the service.