



Broadcasting Decision CRTC 2007-326

Ottawa, 23 August 2007

Radio Charlesbourg/Haute St-Charles Charlesbourg, Quebec

Application 2006-1594-0, received 6 December 2006
Broadcasting Public Notice CRTC 2007-57
29 May 2007

CIMI-FM Charlesbourg – Licence renewal

The Commission renews the broadcasting licence for the French-language Type B community radio programming undertaking CIMI-FM Charlesbourg from 1 September 2007 to 31 August 2011. This short-term licence renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with the provisions of the Radio Regulations, 1986.

Introduction

1. The Commission received an application from Radio Charlesbourg/Haute St-Charles (Radio Charlesbourg) to renew the broadcasting licence for the French-language Type B community radio programming undertaking CIMI-FM Charlesbourg. The current licence expires 31 August 2007.
2. The Commission did not receive any interventions in connection with this application.

Non-compliance

3. On 15 January 2007, the Commission directed the licensee to submit logger tapes and other material relating to the programming broadcast by CIMI-FM Charlesbourg during the week of 7 to 13 January 2007.
4. The Commission's examination of the logger tapes showed that approximately 19 hours were missing from the programming broadcast by the station and that the playlist involved anomalies. In view of these problems with the logger tapes and playlist, the Commission was unable to proceed with its review of the programming broadcast by CIMI-FM Charlesbourg.
5. By letter dated 7 March 2007, the Commission advised the licensee of its apparent non-compliance with sections 8(5), 8(6) and 9(3) of the *Radio Regulations, 1986*, which read as follows:

8(5) A licensee shall retain a clear and intelligible tape recording or other exact copy of all matter broadcast

a) for four weeks from the date of the broadcast; or

b) where the Commission receives a complaint from any person regarding the matter broadcast or for any other reason wishes to investigate it and so notifies the licensee before the expiration of the period referred to in paragraph (a), for eight weeks from the date of the broadcast.

8(6) Where, before the expiry of the applicable period referred to in subsection (5), the Commission requests from the licensee a clear and intelligible tape recording or other exact copy of matter broadcast, the licensee shall furnish it to the Commission forthwith.

9(3) At the request of the Commission, a licensee shall submit for any period specified by the Commission in its request

b) a list of the musical selections in the order in which they are broadcast by the licensee during that period that includes the title and performer of each musical selection and a legend that identifies

(i) any Canadian musical selection,

(ii) any hit,

(iii) any instrumental selection,

(iv) any content category 3 musical selection that is described in the appendix to Public Notice CRTC 2000-14 dated January 28, 2000 and entitled *Revised Content Categories and Subcategories for Radio*, published in the *Canada Gazette* Part I on February 5, 2000,

(v) the language of the musical selection, where the musical selection is not an instrumental selection.

6. By letter dated 28 March 2007, the Commission accepted a request by the licensee to submit a new playlist including the amendments requested in the Commission's letter of 7 March 2007. However, following an audit of the new playlist, it was still not possible to conduct a study of the programming performance of CIMI-FM Charlesbourg.

7. The licensee informed the Commission of the decline in the number of CIMI-FM Charlesbourg volunteers and the difficulties experienced by the board of directors in having volunteers and employees of the station respect its authority in 2006. A new, more experienced board has taken over and is working on restoring order to the organization's management and organizational chart.

Commission's analysis and determinations

8. The Commission has reviewed the renewal application and the licensee's file. Given that this represents Radio Charlesbourg's first instance of non-compliance and that Radio Charlesbourg has indicated that it has put in place measures to solve the problem brought about by its non-compliance, the Commission determines that it is appropriate to renew this licence for a short-term period of four years, in accordance with Circular No. 444. This short-term renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with the *Radio Regulations, 1986*, and the station's conditions of licence.
9. Accordingly, the Commission **renews** the broadcasting licence for the French-language type B community radio programming undertaking CIMI-FM Charlesbourg from 1 September 2007 to 31 August 2011.
10. The licence will be subject to the **conditions** set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000, as well as to the following **condition**:

The licensee shall devote, in each broadcast week, a minimum of 12% of its musical selections from content category 3 (Special Interest Music) to Canadian selections broadcast in their entirety.

11. The Commission also notes that there have been significant changes to CIMI-FM Charlesbourg's board of directors. The Commission therefore directs the licensee to file, no later than 31 December 2007, a report setting out the composition of the station's board of directors as well as the term of each board member.

Employment equity

12. The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to fully reflect the communities they serve. It encourages the licensee to consider these issues in its hiring practices and in all other aspects of its management of human resources.

Secretary General

Related documents

- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001
- *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000
- *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>