



Broadcasting Decision CRTC 2009-599

Route reference: 2009-268

Ottawa, 29 September 2009

ARTV Inc.
Across Canada

Application 2009-0620-9, received 20 April 2009

ARTV – Licence amendment

*The Commission **approves** an application to amend the broadcasting licence for ARTV, by adding program categories to the list of categories previously authorized.*

Introduction

1. The Commission received an application by the Canadian Broadcasting Corporation, on behalf of ARTV Inc., to amend the broadcasting licence for the national, French-language specialty programming undertaking ARTV.
2. The licensee proposed to amend the condition of licence relating to the program categories from which it is authorized to draw programming, by adding the following categories: 3, 4, 5(a), 6(a), 6(b), 7(b), 8(c), 9, 10, 14 and 15, as set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time. This amendment is further to the Commission's regulatory policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.
3. The licensee stated that it would accept a condition of licence stating that it may not devote more than 10% of the programming broadcast each month to programs drawn from categories 6(a) and 8(c).
4. The Commission received a comment from the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ). This comment can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission analysis and determination

5. After examining the application and the comment from ADISQ, and in the light of findings set out in Broadcasting Public Notice 2008-100, the Commission considers it appropriate to approve the present application.
6. Accordingly, the Commission **approves** the application by the Canadian Broadcasting Corporation, on behalf of ARTV Inc., to amend the broadcasting licence for the national, French-language specialty programming undertaking ARTV by adding the program categories 3, 4, 5(a), 6(a), 6(b), 7(b), 8(c), 9, 10, 14 and 15. Condition of licence 1 is therefore replaced with the following **condition of licence**:

1. (a) The licensee shall provide a national, French-language arts specialty television service that reflects the unique character of Quebec culture and the needs and circumstances of French-language communities in other parts of Canada.

(b) At least 90% of the programming must be drawn exclusively from the following categories, as set out in item 6 of Schedule I of the *Specialty Services Regulations, 1990*:

- 1 News
- 2(a) Analysis and interpretation
 - (b) Long-form documentary
- 3 Reporting and actualities
- 4 Religion
- 5(a) Formal education and pre-school
 - (b) Informal education/Recreation and leisure
- 6(a) Professional sports
 - (b) Amateur sports
- 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series and made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisation, unscripted works and stand-up comedy
 - (g) Other drama
- 8(a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - (c) Music video programs
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos
- 15 Filler programming

(c) The licensee shall not devote more than 10% of all programming broadcast during the broadcast month to programs drawn from categories 6(a) and 8(c).

(d) The licensee shall not devote more than 10% of all programming broadcast during the broadcast month to programs drawn from category 7(b).

7. Further, given that the licensee is now authorized to broadcast programming from category 4 – Religion, the Commission imposes the following **condition of licence**:

Where the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

Secretary General

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