



## Broadcasting Regulatory Policy CRTC 2011-175

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Route reference: 2011-31

Ottawa, 11 March 2011

### **Addition of five non-Canadian Urdu-language services and one non-Canadian English-language service to the lists of eligible satellite services for distribution on a digital basis**

*The Commission **approves** requests to add five non-Canadian Urdu-language services and one non-Canadian English-language service to the lists of eligible satellite services for distribution on a digital basis and amends the lists accordingly. The revised lists are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Broadcasting Sector."*

#### **Introduction**

1. The Commission received requests from Soundview Entertainment Inc. (Soundview) dated 4 February 2010 and 17 September 2010, respectively. The first request sought the addition of one non-Canadian Urdu-language service and one non-Canadian English-language service to the lists of eligible satellite services for distribution on a digital basis (the digital lists), while the second sought the addition of four non-Canadian Urdu-language services to the digital lists. Soundview described these services as follows:

AAJ TV is a 24-hour news-oriented generalist service in the Urdu-language that provides high-quality news, current affairs and entertainment programming.

ARY Musik is a 24-hour Urdu-language music channel that offers programming on the Pakistani music industry and that reflects musical trends and styles that are popular among Urdu-speaking youth.

ARY News is a 24-hour Urdu-language news channel strengthened by its team of 700 male and female correspondents and broadcast journalists originating from various parts of the world.

ARY Qtv is a 24-hour Urdu-language religious channel devoted to mainstream Muslim perspectives, particularly those relating to the Sunni and Sufi approaches to Islam, with a substantial portion of qawwal singing.

ARY Zauq is a 24-hour Urdu-language food channel consisting of a series of programs and vignettes of famous Pakistani chefs.

Dawn News is a 24-hour English-language news channel based in Karachi, Pakistan.

2. The Commission's general approach to the addition of non-Canadian English- and French-language services to the digital lists is set out in Public Notice 2000-173. Under this approach, the Commission assesses such requests in the context of its general policy, which among other things, precludes the addition of a non-Canadian service that can be considered either totally or partially competitive with Canadian specialty or pay television services.
3. The Commission's general approach to the addition of third-language non-Canadian services is set out in Broadcasting Public Notice 2004-96, in which the Commission concluded that requests to add general interest non-Canadian third-language services to the digital lists should generally be approved, subject to any requirement it deemed appropriate. In the case of non-Canadian, third-language services that provide narrowly targeted or "niche" programming, the Commission stated that it would continue to apply a case-by-case assessment to determine whether the service is partially or totally competitive with Canadian pay or specialty services.
4. In regard to non-Canadian news services, however, the Commission considers a more open-entry approach to be consistent with the importance it places on a diversity of editorial points of view. Accordingly, the Commission stated in paragraph 246 of Broadcasting Public Notice 2008-100:

absent clear evidence, as determined by the Commission, that a non-Canadian news service would violate Canadian regulations, such as those regarding abusive comment, the Commission will be predisposed to authorize non-Canadian news services for distribution in Canada.

5. In Broadcasting Notice of Consultation 2011-31, the Commission called for comments on the proposed addition of the six above-noted services to the digital lists pursuant to the approach described above. The Commission stated that it would rely primarily on the comments filed to identify the Canadian pay and specialty services with which the services might be totally or partially competitive and which therefore should be included in the assessment of the competitiveness of the services. The Commission asked that parties wishing to argue that one of these services would be competitive should therefore name the specific Canadian pay or specialty service or services with which they considered the service would compete and provide details to support their views, such as comparisons as to nature and genre of service, programming schedule, programming sources and supply, and target audience.

### **Comments received**

6. The Commission received one comment in response to Broadcasting Notice of Consultation 2011-31 and considers that it falls outside the scope of this proceeding. This comment can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

## Commission's analysis and determinations

7. In the absence of opposing comments, the Commission concludes that there is no Canadian pay or specialty service with which these six services would compete. Accordingly, the Commission **approves** the addition of these services to the digital lists and amends the lists of eligible satellite services accordingly. The lists of eligible satellite services are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Broadcasting Sector" and may be obtained in hard copy on request.

Secretary General

### Related documents

- *Call for comments on the addition of five non-Canadian Urdu-language services and one non-Canadian English-language service to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Notice of Consultation CRTC 2011-31, 18 January 2011
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004
- *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*, Public Notice CRTC 2000-173, 14 December 2000