



## Broadcasting Decision CRTC 2015-481

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Reference: Part 1 application posted on 24 July 2015

Ottawa, 27 October 2015

**Asian Television Network International Limited**  
Across Canada

*Application 2015-0694-0*

### **Removal of Vijay Channel from the *List of non-Canadian programming services and stations authorized for distribution***

*The Commission **approves** an application by Asian Television Network International Limited to remove Vijay Channel from the List of non-Canadian programming services and stations authorized for distribution (the list) and amends the list accordingly. The revised [list](#) can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by clicking on "TV & Radio," "Programming" and "Access to programs on TV that aren't Canadian."*

#### **Introduction**

1. Asian Television Network International Limited (Asian Television), acting as the Canadian sponsor, filed an application to remove Vijay Channel from the *List of non-Canadian programming services and stations authorized for distribution* (the list).
2. The applicant indicated that it was in the process of registering Vijay Channel as an exempt Category B service pursuant to Broadcasting Order 2012-689.
3. Vijay Television Pvt. Ltd., the operator of Vijay Channel, indicated that it was in agreement with the removal of this service from the list.

#### **Interventions**

4. The Commission received interventions in opposition to the application from an individual and from 8041393 Canada Inc., on behalf of a corporation to be incorporated (CJRK-FM). It also received an intervention commenting on the application from Canadian Multicultural Radio (CMR). Asian Television did not reply to the interventions. The public record for this application can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the application number provided above.
5. In its intervention, the individual submitted that Vijay Channel was already broadcasting Canadian commercials and that this would have an impact on the revenues of local media in Canada.

6. CJRK-FM stated that the Commission approved its application to operate an ethnic FM radio station to serve Scarborough,<sup>1</sup> which it intends to launch in the fall of 2015, and that holding a broadcasting licence comes with responsibilities such as making contributions to Canadian content development and paying royalties. Further, CJRK-FM claimed that Vijay Channel was already broadcasting commercials from India that target a Canadian audience and that these commercials were sold at the same rate as that for radio commercials in the Toronto ethnic market.
7. For its part, CMR indicated its understanding that the removal of Vijay Channel from the list would not automatically result in Vijay Channel being granted a Category B licence, but that a public process would need to be launched. CMR stated that it raised this issue to ensure that it has the opportunity to intervene if Asian Television files an application to operate Vijay Channel as a Category B service.

### **Commission's analysis and decision**

8. When processing the registration of a new undertaking for exemption under Broadcasting Order 2012-689, the Commission does not consider that service's potential impact on the revenues of radio stations, nor does it launch a public process. Rather, any new undertaking that wishes to avail itself of the exemption order must register using the "[My CRTC Account](#)" and Form 305. Once registered, a new undertaking may commence operations immediately without any further process. Consequently, the issues raised by the interveners fall outside the scope of this application.
9. The Commission **approves** the application by Asian Television Network International Limited to remove Vijay Channel from the *List of non-Canadian programming services and stations authorized for distribution* and amends the list accordingly. The revised [list](#) can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by clicking on "TV & Radio," "Programming" and "Access to programs on TV that aren't Canadian," and may be obtained in hard copy on request. Therefore, effective immediately, the non-Canadian service Vijay Channel is no longer authorized for distribution in Canada.

### **Other matters**

10. The Commission has not yet received the necessary information and registration from Asian Television demonstrating that its proposed service qualifies to operate under the exemption order as an exempt specialty Category B service. To be eligible for exemption and to be distributed by broadcasting distribution undertakings, a Category B service must appear on the Commission's list of registered undertakings, which the Commission maintains on its website.

Secretary General

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<sup>1</sup> The Commission approved that application in Broadcasting Decision 2014-574.

## Related documents

- *Licensing of new radio stations to serve Scarborough and technical changes for existing radio stations serving Scarborough, Toronto and Whitchurch-Stouffville*, Broadcasting Decision CRTC 2014-574, 5 November 2014
- *New exemption order respecting certain programming undertakings that would otherwise be eligible to be operated as Category B services, and amendments to the Exemption order respecting certain third-language television undertakings*, Broadcasting Order CRTC 2012-689, 19 December 2012