



Broadcasting Regulatory Policy CRTC 2018-137

PDF version

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Amendments to exemption orders for various types of radio programming undertakings

The Commission is responsible for regulating and supervising the Canadian broadcasting system. All broadcasting undertakings must either have a licence or be exempted. Exemptions are used to ease the regulatory burden on broadcasters and use fewer Commission resources for services that will have little impact on licensed broadcasters.

Failing to comply with the terms of an exemption order is a serious issue. To address concerns that some broadcasters may seek to use an exemption order to avoid the licensing process and launch radio services that would normally require a licence, the Commission has amended the exemption orders for various types of radio services.

*Specifically, the exemption order for low-power tourist stations now requires that any person seeking to operate such a station register with the Commission before launching the service. Existing services operating under the order must register by **26 June 2018**, using registration form [151](#) found on the Commission's website.*

Further, all of the exemption orders set out in the appendices to this policy have been amended so that persons found to have been carrying on a broadcasting undertaking in Canada without a licence or authorization pursuant to an exemption will be prohibited from having any involvement with such an undertaking without the Commission's prior written permission.

Introduction

1. The Commission is responsible for regulating and supervising the Canadian broadcasting system. This includes ensuring that radio programming undertakings in Canada broadcast in compliance with the regulations and their licences or with an exemption issued by the Commission.
2. Section 9(4) of the *Broadcasting Act* (the Act) sets out the power of the Commission to exempt any class of undertakings from the requirements of any regulations where it is satisfied that compliance with those requirements will not contribute in a material manner to the implementation of the broadcasting policy for Canada set out in section 3(1) of the Act. Broadcasting exemption orders establish the terms and conditions under which such undertakings must operate in order to be eligible to broadcast without a licence. Their purpose is to alleviate the regulatory burden on broadcasters and use fewer Commission

resources for small, temporary or niche radio services that will have little impact on licensed broadcasters.

3. Exempt broadcasting undertakings must comply at all times with the criteria set out in the applicable exemption order and must meet certain technical requirements of the Department of Industry (the Department) when broadcasting over the air. In the absence of a licence, the failure to comply at all times with an exemption order means that an entity is broadcasting in whole or in part in Canada without a licence, contrary to the Act. This is a serious offence which the Commission does not take lightly.
4. In Broadcasting Decisions 2016-414 and 2016-419, the Commission issued mandatory orders for Surrey Myfm inc., Ravinder Singh Pannu, 89.3 Surrey City FM Ltd. and Gurpal Singh Garcha. The Commission determined that while they were purportedly operating exempt low-power tourist information related radio programming undertakings, they were not operating those undertakings in accordance with the conditions of the exemption order for such undertakings.
5. Further, in Broadcasting Decision 2016-421, the Commission issued mandatory orders for Sur Sagar Radio Inc. and Ravinder Singh Pannu. The Commission determined that while they were purportedly operating an exempt low-power radio programming undertaking providing programming derived solely from houses of worship, they were not operating that undertaking in accordance with the conditions of the exemption order for such undertakings.
6. In Broadcasting Notice of Consultation 2016-427, based on its experiences with the above-noted undertakings, the Commission called for comments on proposed amendments to exemption orders for various types of radio programming undertakings to address concerns that some broadcasters may seek to use an exemption order to circumvent the licensing process and launch radio programming undertakings that would otherwise require a licence, which could have a negative impact on licensed undertakings. Specifically, the Commission proposed to:
 - require that any person seeking to operate an undertaking pursuant to Broadcasting Order 2014-447 (the Tourist Information Exemption Order) register with the Commission prior to starting operations; and
 - amend various exemption orders such that persons having been found to have been carrying on a broadcasting undertaking without a licence or without authorization pursuant to an exemption will be prohibited from having any involvement with the relevant type of undertaking without prior written permission from the Commission.

Interventions

7. The Commission received interventions from the British Columbia Association of Broadcasters, Carlsbad Springs Community Radio (CJRO), Evanov Communications Inc. (Evanov), Kootenay Co-op Radio, the National Campus and Community Radio Association and South Asian Broadcasting Corporation Inc. (SABC), as well as two individuals.

8. All interveners supported the proposed amendments. However, Evanov and SABC submitted that additional measures should be put in place to prevent future abuses of the exemption orders and the Tourist Information Exemption Order in particular.

Commission's analysis and decisions

9. After examining the public record for this proceeding, the Commission considers that it must address the following issues:
 - whether exemption under certain orders should be limited based on language of broadcast;
 - whether operation under the Tourist Information Exemption Order should be subject to additional process;
 - whether exempt tourist services should be required to retain audio recordings; and
 - whether the terms of the Tourist Information Exemption Order should be further clarified.

Language of broadcast

10. Evanov submitted that the various exemption orders for low-power radio programming undertakings, including the Tourist Information Exemption Order, should not apply to ethnic programming or programming in languages other than English or French. Evanov argued that any such service should be subject to an application procedure to preclude the unfair addition of unlicensed competition in the ethnic programming market.
11. Similarly, SABC submitted that the Tourist Information Exemption Order should apply only to services broadcasting in English, French or a language of the Aboriginal peoples of Canada. It argued that determining the regulatory compliance of radio programming undertakings broadcasting third-language programs and purporting to operate pursuant to this order has proven to be very difficult and highly time-consuming for all parties.
12. The Commission considers that there is insufficient evidence at this point to warrant a restriction based on the language of broadcast. Accordingly, the Commission has not adopted this proposal.

Additional process to operate under the Tourist Information Exemption Order

13. Evanov proposed that services wishing to operate under the Tourist Information Exemption Order should be subject to some form of consultation mechanism to provide the public and broadcasters with an opportunity to comment. It argued that in addition to creating a record and fostering accountability, this process would ferret out previous offenders and alert the Commission to issues before they arise.
14. SABC proposed that any files relating to an undertaking purporting to operate pursuant to an exemption order be made available on the Commission's website and at Commission

offices, including the identity of the party who has obtained the broadcasting certificate from the Department and any correspondence between the Commission and the holder of the broadcasting certificate.

15. The Commission considers that adopting a public process to assess the eligibility of a radio undertaking to operate pursuant to an exemption order would impose a regulatory burden on both the service operators of exempt services and the Commission contrary to the intent of the exemption orders. Accordingly, the Commission has not adopted this proposal.
16. However, public access to some information may help other parties verify whether an undertaking is licensed or operating pursuant to an exemption order, as well as whether it is operating in accordance with that exemption order. The Commission considers that providing public access to the information contained in a registration form to operate an exempt tourist information service would be sufficient for the public to identify undertakings and would provide an additional measure to incite broadcasters to comply with the rules. Further, making the registration form available to the public would not increase the regulatory burden for the operator of the exempt service. Accordingly, the information contained in the registration form submitted by any person seeking to operate an undertaking pursuant to the Tourist Information Exemption Order will be made available to the public on the Commission's website. This information will be made available as part of the [list of Radio, TV and Cable Broadcasting Services that do and do not need a licence](#).

Audio recordings

17. Evanov submitted that operators of exempt tourist services should be required to keep an audio log of all broadcasts for a set period. SABC proposed that this be a requirement only in the event that the Commission does not restrict exemption to services broadcasting in English, French and Aboriginal languages.
18. In support of its proposal, Evanov submitted that the task of proving any claims about what is being broadcast falls on the complainant and that without a bona fide source of on-air check, offenders may claim whatever they want. It argued that an audio log could be reviewed in the case of a dispute or complaint.
19. The Commission agrees that having access to audio recordings is helpful in some cases. However, although there is currently no obligation to keep audio recordings, obtaining them from exempt services has not been an issue in the past. Further, the absence of such a requirement in the exemption order does not prevent the Commission from requesting that an exempt service operator retain audio recordings for submission to the Commission. Finally, the Commission considers that a requirement to this effect would impose an unnecessary regulatory burden on exempt service operators.
20. In light of the above, the Commission considers that implementing this proposal is not warranted. However, it encourages the retention of audio recordings for 28 days from the date of broadcast as a best practice for all exempt tourist services.

Clarifications of the terms of the Tourist Information Exemption Order

21. Some interveners commented on past misunderstandings and a lack of clarity with respect to the terms of the Tourist Information Exemption Order. CJRO submitted that the term “locally relevant information” should be clarified, and SABC recommended adding details regarding the types of programming not permitted on these undertakings (e.g. no open-line programming, informal banter or non-interstitial material).
22. By way of clarification, the Commission emphasizes that operators of exempt programming undertakings must comply with the requirements set out in the exemption order pursuant to which they are operating at all times (i.e. for the full 24-hour period). In addition, the purpose of an exempt tourist information station is to provide tourist information for people visiting or living in the community in which the station is located. The term “public” is meant to represent the general public residing within the city encompassed by the authorized service contours and with interest in tourist activities within the city.

Conclusion

Registration process for tourist services

23. In light of all the above and as proposed in Broadcasting Notice of Consultation 2016-427, the Commission amends the Tourist Information Exemption Order to require that:
 - a) any person seeking to operate such an undertaking submit registration form [151](#) to the Commission prior to commencing operations (that is, upon receipt of the broadcasting certificate from the Department);
 - b) any existing services operating under the order register by submitting the above-noted registration form by **26 June 2018**; and
 - c) the undertaking update the registration information within 30 days of any subsequent change by resubmitting registration form [151](#).
24. Completion of the registration form does not constitute a Commission determination that the undertaking in question meets the exemption criteria. However, registration is one of the criteria for the operation of the station pursuant to the Tourist Information Exemption Order.
25. The Commission encourages tourist services to submit the registration form at the same time as they apply to the Department for a broadcasting certificate.

Amendments to various exemption orders

26. As proposed in Broadcasting Notice of Consultation 2016-427, the Commission also considers it appropriate to amend the various exemption orders for radio programming undertakings such that persons found to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the Act, will be prohibited from having any involvement with the

relevant type of undertaking without prior written permission from the Commission. The following amended exemption orders are set out in the various appendices to this policy:

- Exemption order for low-power tourist information related radio programming undertakings (Appendix 1)
- Exemption order for low-power radio stations that provide programming from houses of worship (Appendix 2)
- Exemption order respecting certain Indigenous radio undertakings (Appendix 3)
- Exemption order respecting radio and television temporary network special event type 1 undertakings (Appendix 4)
- Exemption order respecting low-power radio: Limited duration special event facilitating undertakings (Appendix 5)
- Exemption order respecting low-power radio: Ultra low power announcement service (LPAS) undertakings (Appendix 6)
- Exemption order respecting carrier current undertakings whose services are not carried on distribution undertakings (Appendix 7)

Secretary General

Related documents

- *Call for comments on proposed amendments to exemption orders for various types of radio programming undertakings*, Broadcasting Notice of Consultation CRTC 2016-427, 26 October 2016
- *Sur Sagar Radio Inc. and Ravinder Singh Pannu – Issuance of mandatory orders*, Broadcasting Decision CRTC 2016-421 and Broadcasting Orders CRTC 2016-422, 2016-423 and 2016-424, 20 October 2016
- *89.3 Surrey City FM Ltd. and Gurpal Singh Garcha – Issuance of mandatory order*, Broadcasting Decision CRTC 2016-419 and Broadcasting Order CRTC 2016-420, 20 October 2016
- *Surrey Myfm inc. and Ravinder Singh Pannu – Issuance of a mandatory orders*, Broadcasting Decision CRTC 2016-414 and Broadcasting Orders CRTC 2016-415, 2016-416, 2016-417 and 2016-418, 20 October 2016
- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014

Appendix 1 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order for low-power tourist information related radio programming undertakings

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the following criteria:

Purpose

The purpose of these radio programming undertakings is to provide the public with live or pre-recorded messages with tourist related information that may include information about local traffic, weather and marine conditions, road and boating conditions, highway construction and closures, airport arrival and departure information, ferry and train schedules, current border crossing regulations and wait times, marine traffic information, conditions on bridges and in mountain passes, advisories of approaching large vehicles (example: logging trucks and large construction and road maintenance vehicles) and any other locally relevant information relating to attractions and events of interest to tourists or the public.

Description

General

1. The undertaking meets all technical requirements of the Department of Industry (the Department) and has acquired all authorizations or certificates prescribed by that Department.
2. The low-power undertaking operates in the AM frequency band or in the FM frequency band with parameters associated with low-power undertakings as defined by the Department of Industry in Parts II and III of its *Broadcasting Procedures and Rules*.
3. The Commission would not be prohibited from licensing the undertaking by virtue of the *Direction to the CRTC (Ineligibility of Non-Canadians)*.

Programming

4. The programming provided by the undertaking consists of live or pre-recorded messages which provide the public with information about local traffic, weather and marine conditions, road and boating conditions, highway construction and closures, airport arrival and departure information, ferry and train schedules, current border crossing regulations and wait times, conditions on bridges and in mountain passes, advisories of approaching large vehicles (example: logging, construction, road maintenance and other large vehicles) and any other locally relevant information relating to attractions and events of interest to tourists.
5. The undertaking does not rebroadcast the programming service of any licensed or exempted radio or television undertaking.

6. The programming provided by the undertaking contains no musical selections, except as incidental background music.
7. The undertaking does not broadcast programming that is religious or political in nature.
8. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
9. The undertaking adheres to the Canadian Association of Broadcasters' *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

Public Alerting System

10. The undertaking
 - a) has implemented a public alerting system on all its stations that broadcasts without delay, on a given station, any audio alert that it receives from the National Alert Aggregation and Dissemination System, that
 - (i) announces an imminent or unfolding danger to life; and
 - (ii) is designated by the applicable issuing authority for immediate broadcast in the station's AM 5 mV/m contour or FM 0.5 mV/m contour, as the case may be.
 - b) shall implement the public alerting system for each of its transmitters.
 - c) shall broadcast the alert on transmitters that serve the area that is targeted by the alert.
 - d) shall take all reasonable measures to ensure that the alerts that it broadcasts are in conformity with the specifications and recommended practices set out in the document entitled *National Public Alerting System: Common Look and Feel Guidance*, produced at the request of the Federal/Provincial/Territorial Public Alerting Working Group of Senior Officials Responsible for Emergency Management with the support of Defence Research and Development Canada, Centre for Security Science, Canadian Safety and Security Program, and in consultation with the public-private Common Look and Feel Working Group, as that document is amended from time to time.

For the purposes of this provision, the terms "issuing authority" and "National Alert Aggregation and Dissemination System" shall have the same meaning as that set out in the *Radio Regulations, 1986*.

Registration

11. The undertaking registers with the Commission prior to commencement of operations (that is, no later than upon receipt of the broadcasting certificate from the Department of Industry) using the form prescribed by the Commission for registration of low-power tourist information related radio programming undertakings. The undertaking is required to update the registration within 30 days of any subsequent change of information.

Compliance with the *Broadcasting Act*

12. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 2 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order for low-power radio programming undertakings providing programming that is derived solely from houses of worship

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the criteria set out below.

Purpose

The purpose of these radio programming undertakings is to provide live local broadcasts of religious services, weddings, funerals, and other such religious celebrations and ceremonies.

Description

General

1. The undertaking meets all technical requirements of the Department of Industry (the Department) and has acquired all authorizations or certificates prescribed by that Department.
2. The low-power undertaking operates in the AM frequency band or in the FM frequency band with parameters associated with low-power undertakings as defined by the Department in Parts II and III of its *Broadcasting Procedures and Rules*.
3. The Commission would not be prohibited from licensing the undertaking by virtue of any Act of Parliament or any direction to the Commission by the Governor in Council.

Programming

4. The programming provided by the undertaking consists solely of live local broadcasts of religious services, weddings, funerals, and other such religious celebrations and ceremonies.
5. The programming provided by the undertaking contains no advertising material.
6. The undertaking does not broadcast the programming of any other programming undertaking.
7. The undertaking does not broadcast any musical selections unless they form an integral part of the religious ceremony being broadcast.
8. The undertaking's programming complies with the guidelines on ethics for religious programming set out in section IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, regarding tolerance, integrity, social responsibility and the solicitation of funds.

9. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

Compliance with the *Broadcasting Act*

10. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 3 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order respecting certain Indigenous radio undertakings

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts those persons carrying on radio programming undertakings of the class defined below from the requirements of Part II of the Act, with the exception of the requirements set out in sections 32 and 34. Such persons shall also be subject to the requirements of sections 3, 3.1, 4 and 5 (broadcasting content) of the *Radio Regulations, 1986*, with the necessary modifications.

Purpose

The purpose of these radio programming undertakings is to provide radio programming that reflects the interests and needs of and is specifically oriented to the Indigenous communities they serve. These undertakings have a distinct role in fostering the development of aboriginal cultures and, where possible, the preservation of ancestral languages. These undertakings broadcast programming in any Indigenous Canadian language or in either or both of the two official languages, and make the greatest practicable use of Canadian creative and other resources in the creation and presentation of programming.

Description

General

1. The undertaking is owned and controlled by a not-for-profit organization whose structure provides for board membership by the Indigenous population of the region served.
2. The primary purpose of the undertaking is not to provide a religious programming service.
3. No commercial AM, FM or digital radio programming undertaking or terrestrial radiocommunication distribution undertaking that distributes the programming of a commercial radio undertaking is licensed to operate in all or in any part of the undertaking's geographical area enclosed within: (a) in the case of an Indigenous AM station, the 5 millivolt-per-metre daytime contour; or (b) in the case of an Indigenous FM station, the 500 microvolt-per-metre contour. For greater clarity, the contour means a service contour marked for each transmitter on the map that pertains to that station and that is most recently published by the Minister of Industry.
4. The Commission would not be prohibited from licensing the undertaking by virtue of any Act of Parliament, the *Direction to the CRTC (Ineligibility of Non-Canadians)*, the *Direction to the CRTC (Ineligibility to Hold Broadcasting Licences)* or any other direction to the Commission by the Governor in Council.
5. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Equitable Portrayal Code* and the provisions of the CAB's *Broadcast Code for Advertising to Children*, as may be amended from time to time and approved by the Commission.

6. The undertaking meets all technical requirements of the Department of Industry (the Department) and has acquired all authorizations or certificates prescribed by the Department.

Public Alerting System

7. The undertaking
- a) has implemented a public alerting system on all its stations that broadcasts without delay, on a given station, any audio alert that it receives from the National Alert Aggregation and Dissemination System, that
 - (i) announces an imminent or unfolding danger to life; and
 - (ii) is designated by the applicable issuing authority for immediate broadcast in the station's AM 5 mV/m contour or FM 0.5 mV/m contour, as the case may be.
 - b) shall implement the public alerting system for each of its transmitters.
 - c) shall broadcast the alert on transmitters that serve the area that is targeted by the alert.
 - d) shall ensure that the alerts that it broadcasts are in conformity with the specifications and recommended practices set out in the document entitled *National Public Alerting System: Common Look and Feel Guidance*, produced at the request of the Federal/Provincial/Territorial Public Alerting Working Group of Senior Officials Responsible for Emergency Management with the support of Defence Research and Development Canada – Centre for Security Science, Canadian Safety and Security Program, and in consultation with the public-private Common Look and Feel Working Group, as that document is amended from time to time.

For the purposes of this provision, the terms “issuing authority” and “National Alert Aggregation and Dissemination System” shall have the same meanings as those set out in the *Radio Regulations, 1986*.

Compliance with the *Broadcasting Act*

8. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 4 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order respecting radio and television temporary network special event type 1 undertakings

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the following criteria.

Purpose

The purpose of these radio and/or television network undertakings is to supply radio and/or television stations licensed or exempted by the Commission with coverage of unexpected, non-recurring events, such as special concerts and commemorative programs, recurring annual special events such as awards shows and fund-raising telethons, or of public emergencies such as natural disasters and major accidents.

Description

General

1. The Commission would not be prohibited from licensing the undertaking by virtue of any direction to the Commission by the Governor in Council.
2. The undertaking meets all technical requirements of the Department of Industry (the Department) and has acquired all authorizations or certificates prescribed by the Department.

Programming

3. The undertaking is a network operation and, in Canada, distributes programming to licensed or exempted radio or television undertakings only.
4. The undertaking
 - a) distributes its programming for a period of less than 24 consecutive hours, where the broadcast is either a one-time, non-recurring event, or a recurring annual special event, or
 - b) distributes its programming over a period of not more than seven consecutive days, where the broadcast is of a public emergency.
5. The programming is live or pre-recorded and, if the latter, is broadcast within 24 hours of the original recording.
6. The undertaking does not broadcast programming that is religious or political in nature.
7. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Equitable Portrayal Code* and the provisions of the CAB's *Broadcast Code for Advertising to Children*, as may be amended from time to time and approved by the Commission.

Compliance with the *Broadcasting Act*

8. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 5 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order respecting low-power radio: Limited duration special event facilitating undertakings

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the following criteria.

Purpose

The purpose of these radio programming undertakings is to allow those attending special, generally recognized events a fuller appreciation of those events through the provision of locally originated informational programming related directly to these events.

Description

General

1. The low-power undertaking operates in the AM frequency band or in the FM frequency band with parameters associated with low-power undertakings as defined by the Department of Industry (the Department) in Parts II and III of its *Broadcasting Procedures and Rules*.
2. The Commission would not be prohibited from licensing the undertaking by virtue of any direction to the Commission by the Governor in Council.
3. The undertaking meets all technical requirements of the Department and has acquired all authorizations or certificates prescribed by the Department.

Programming

4. The undertaking originates all of its programming from the property upon which the event takes place.
5. The undertaking does not rebroadcast the programming of any other undertaking.
6. The undertaking operates as ancillary to and for the purpose of facilitating a special event.
7. The undertaking restricts its programming to the specific recognized (sports, cultural or touristic) event and does not duplicate the programming service of any licensed or exempted radio undertaking or the audio portion of a licensed or exempted television undertaking.
8. The undertaking does not broadcast programming that is religious or political in nature.
9. The undertaking is operated for a single period, in respect of any special event, consisting of no more than 28 consecutive days in any calendar year.
10. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Equitable Portrayal Code* and the

provisions of the CAB's *Broadcast Code for Advertising to Children* as may be amended from time to time and approved by the Commission.

11. In this section:

“commercial message” means an advertisement intended to sell or promote goods, services, natural resources or activities and includes an advertisement that mentions or displays in a list of prizes the names of the person selling or promoting those goods, services, natural resources or activities;

“sponsor identification” means the identification of a sponsor of a program or program segment other than a commercial message or a promotion with sponsor mention; and

“promotion with sponsor mention” means verbal or musical material promoting increased listening to the station or to specific announcers, programs or programming elements, when accompanied by the identification of a sponsor.

The undertaking limits on-air commercial activity to sponsor identification or promotion with sponsor mention.

Compliance with the *Broadcasting Act*

12. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 6 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order respecting low-power radio: Ultra low power announcement service (LPAS) undertakings

Pursuant to section 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the following criteria.

Purpose

The purpose of these radio programming undertakings is to allow those such as real estate agents, store owners and local authorities to communicate to the public messages of an informative, sometimes commercial nature, regarding their activities by means of ultra low-power transmitters, e.g., “talking signs.”

Description

General

1. The undertaking operates between 525 and 1705 kHz in the AM frequency band or between 88 and 107.5 MHz in the FM frequency band.
2. In the case of an undertaking using the AM broadcasting band, the maximum power output of the transmitter into its antenna, without modulation, does not produce a field strength, as measured at a distance of 30 metres, of more than 0.25 millivolts per metre (mV/m) and, in the case of an undertaking using the FM broadcasting band, the maximum power output of the transmitter into its antenna, without modulation, does not produce a field strength, as measured at a distance of 30 metres, of more than 0.1 mV/m.
3. The Commission would not be prohibited from licensing the undertaking by virtue of any direction to the Commission by the Governor in Council.
4. The undertaking meets all technical requirements of the Department of Industry (the Department) and has acquired all authorizations or certifications prescribed by the Department.

Programming

5. The undertaking originates all of its programming.
6. The undertaking does not rebroadcast the programming of another undertaking.
7. The undertaking does not broadcast programming that is religious or political in nature.
8. The undertaking, if it promotes commercial activity, e.g., “talking signs,” or is commercially oriented, does not broadcast the same message on more than one transmitter.

Compliance with the *Broadcasting Act*

9. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.

Appendix 7 to Broadcasting Regulatory Policy CRTC 2018-137

Exemption order respecting carrier current undertakings whose services are not carried on distribution undertakings

Pursuant to subsection 9(4) of the *Broadcasting Act* (the Act), the Commission exempts from the requirements of Part II of the Act and any regulations those persons carrying on broadcasting undertakings of the class defined by the following criteria.

Purpose

The purpose of these carrier current undertakings is to provide a locally originated programming service for the benefit of residents of such institutions as colleges and universities.

Description

General

1. The undertaking operates in the AM frequency band, using a transmitter that radiates a signal solely through the electrical system of a building or adjacent buildings.
2. The Commission would not be prohibited from licensing the undertaking by virtue of any direction to the Commission by the Governor in Council.
3. The undertaking meets all technical requirements of the Department of Industry (the Department) set out in Part 2 of its *Broadcasting Procedures and Rules* and has acquired all authorizations or certificates prescribed by the Department.

Programming

4. The programming of the undertaking is not distributed by any distribution undertaking.
5. The undertaking's programming complies with the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Equitable Portrayal Code* and the provisions of the CAB's *Broadcast Code for Advertising to Children* as may be amended from time to time and approved by the Commission.

Compliance with the *Broadcasting Act*

6. Neither the undertaking nor any person involved with the undertaking, including but not limited to involvement with the ownership, operation, management and financing of the undertaking, has been found by the Commission to have been carrying on a broadcasting undertaking in whole or in part in Canada without a licence or without authorization pursuant to an exemption, contrary to the *Broadcasting Act*, after **27 April 2018**. Or, if such a finding has been made by the Commission, the undertaking or person involved with the undertaking has obtained prior written permission from the Commission to operate under this exemption order.