

Regulations Respecting Television Broadcasting (SOR/87-49)

Enabling Statute: Broadcasting Act

Regulation current to February 26th, 2011

Attention: See coming into force provision and notes, where applicable.

Television Broadcasting Regulations, 1987

SOR/87-49

Registration January 9, 1987

BROADCASTING ACT

Television Broadcasting Regulations, 1987

Whereas a copy of proposed *Regulations respecting television broadcasting*, substantially in the form annexed hereto, was published in the *Canada Gazette* Part I on August 9, 1986 and a reasonable opportunity was thereby afforded to licensees and other interested persons to make representations with respect hereto;

Therefore, the Canadian Radio-Television and Telecommunications Commission, on the recommendation of the Executive Committee, pursuant to subsection 16(1) of the *Broadcasting Act*, hereby revokes sections 5 to 7 and 9 to 24 and Schedules I and II of the *Television Broadcasting Regulations*, C.R.C., c. 381, effective January 9, 1987, and sections 1 to 4 and 8 of the said Regulations, effective October 1, 1987, and makes the annexed *Regulations respecting television broadcasting*, effective January 9, 1987.

Hull, Quebec, January 9, 1987

REGULATIONS RESPECTING TELEVISION BROADCASTING

SHORT TITLE

1. These Regulations may be cited as the *Television Broadcasting Regulations, 1987*.

INTERPRETATION

2. In these Regulations,

"Act" means the *Broadcasting Act*; (*Loi*)

"advertising material" means any commercial message and programming that promotes a station, network or program, but does not include

(a) a station or network identification,

(b) the announcement of an upcoming program that is voiced over credits,

(c) a program that consists exclusively of classified announcements, if the program is broadcast not more than once during a broadcast day and has a duration of not more than one hour, or

(d) a promotion for a Canadian program or a Canadian feature film, notwithstanding that a sponsor is identified in the title of the program or the film or is identified as a sponsor of that program or that film, where the identification is limited to the name of the sponsor only and does not include a description, representation or attribute of the sponsor's products or services; (*matériel publicitaire*)

"affiliation agreement" means an agreement between one or more stations and another party according to which programs provided by the other party will be broadcast by the stations at a predetermined time; (*contrat d'affiliation*)

"alcoholic beverage", in respect of a commercial message, means an alcoholic beverage the sale of which is regulated by the law of the province in which the commercial message is broadcast; (*boisson alcoolisée*)

"baseband" means signals in the frequency range 0 to 120 kHz that are used as input to the sound transmitter of a station; (*bande de base*)

"broadcast day", in respect of a licensee, means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending not later than one o'clock in the morning of the following day, as selected by the licensee; (*journée de radiodiffusion*)

"broadcast month", in respect of a licensee, means the total number of hours devoted by the licensee to broadcasting during the aggregate of the broadcast days in a month; (*mois de radiodiffusion*)

"broadcast year", in respect of a licensee, means the total number of hours devoted by the licensee to broadcasting during the aggregate of the broadcast months in a 12 month period, beginning on September 1 in any year; (*année de radiodiffusion*)

"Canadian program" means a program

(a) in respect of which a Canadian film or video production certificate referred to in section 125.4 of the *Income Tax Act* has been issued by the Minister of Canadian Heritage, or

(b) that qualifies as a Canadian program in accordance with the criteria established by the Commission in Appendices I and II to Public Notice CRTC 2000-42 dated March 17, 2000, entitled *Certification for Canadian Programs — A Revised Approach* and published in the *Canada Gazette*, Part I, on May 20, 2000; (*émission canadienne*)

"classified announcement" means an advertisement respecting goods or services offered or sought by a person not engaged in the business of dealing in those goods or services; (*petites annonces*)

"clock hour" means a period of 60 minutes beginning on each hour and ending immediately prior to the next hour; (*heure d'horloge*)

"commercial message" means an advertisement intended to sell or promote goods, services, natural resources or activities, including an advertisement that mentions or displays in a list of prizes the name of the person selling or promoting the goods, services, natural resources or activities, and that is broadcast in a break within a program or between programs; (*message publicitaire*)

"election period" means

(a) in the case of a federal or provincial election or of a federal, provincial or municipal referendum, the period beginning on the date of the announcement of the election or referendum and ending on the date the election or referendum is held, or

(b) in the case of a municipal election, the period beginning two months before the date of the election and ending on the date the election is held; (*période électorale*)

"ethnic program" means a program in any language that is specifically directed toward any culturally or racially distinct group, other than one whose heritage is Aboriginal Canadian, from France, or from the British Isles; (*émission à caractère ethnique*)

"ethnic station" means a station that is licensed as an ethnic station; (*station à caractère ethnique*)

"licensed" means licensed by the Commission pursuant to paragraph 9(1)(b) of the Act; (*autorisé*)

"licensee" means a station operator or a network operator; (*titulaire*)

"multiplex channel" means a frequency band centred at 102.27 kHz in the baseband containing a frequency modulated subcarrier; (*canal multiplexe*)

"network operator" means a person licensed to carry on a television network; (*exploitant de réseau*)

"official contour" means a service contour marked for a licensed television station on the map most recently published pursuant to the *Department of Communications Act* by the Minister of Communications pertaining to that station; (*périmètre de rayonnement officiel*)

"private licence" means a licence issued by the Commission to a person other than the Corporation; (*licence privée*)

"program" means a broadcast presentation of sound and visual matter that is designed to inform or entertain and that is described by a key figure determined under Schedule I, but does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text; (*émission*)

"programming" means anything that is broadcast, but does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text; (*programmation*)

"public licence" means a licence issued by the Commission to the Corporation; (*licence publique*)

"remote station" means a station that is licensed as a remote station; (*station périphérique*)

"reserved time" means the predetermined time during which a station broadcasts programs pursuant to an affiliation agreement; (*temps réservé*)

"second audio program channel" means a frequency band centred at 78.67 kHz in the baseband containing a frequency modulated subcarrier for audio programming; (*second canal d'émissions sonore*)

"station" means a television programming undertaking that transmits sounds and images or a broadcasting transmitting undertaking that transmits sounds and images, but does not include a broadcasting undertaking that only rebroadcasts the radiocommunications of another licensed broadcasting undertaking; (*station*)

"station operator" means a person licensed to carry on a station; (*exploitant de station*)

"third language program" means an ethnic program in a language other than English, French, or a language of the Aboriginal peoples of Canada; (*émission dans une troisième langue*)

"vertical blanking interval" means the brief period of time which recurs approximately 60 times per second between successive scans of television pictures. (*intervalle de suppression de trame*)

SOR/87-425, s. 1; SOR/88-415, s. 1; SOR/89-162, s. 1; SOR/92-429, s. 1; SOR/94-220, s. 1; SOR/2000-237, s. 1; SOR/2000-344, s. 1; SOR/2007-195, s. 1; SOR/2009-294, s. 1.

APPLICATION

3. These Regulations do not apply in respect of programming that is broadcast by a licensee using a signal contained in a second audio program channel or a multiplex channel or during the vertical blanking interval.

SOR/89-162, s. 2.

CANADIAN PROGRAMS

4. (1) [Repealed, SOR/94-220, s. 2]

(2) For the purposes of this section,

"ethnic programming period" means that portion of the broadcast year during which a licensee broadcasts ethnic programs; (*période de programmation à caractère ethnique*)

"evening ethnic programming period" means that portion of the evening broadcast period during which a licensee broadcasts ethnic programs; (*période de programmation à caractère ethnique en soirée*)

"evening broadcast period" means the total time devoted to broadcasting between six o'clock in the afternoon and midnight during each broadcast year. (*période de radiodiffusion en soirée*)

(3) For the purposes of this section, the time devoted to the broadcasting of a program includes any time devoted to advertising material that is inserted

(a) within the program;

(b) in breaks within the program; or

(c) between the end of the program and the beginning of the following program.

(4) Subsections (6), (7), (9) and (10) do not apply to the licensee of an ethnic station.

(5) Subsections (6) and (7) do not apply to the licensee of a remote station.

(6) Subject to subsection (9), a licensee shall devote not less than 60 per cent of the broadcast year and of any six month period specified in a condition of licence to the broadcasting of Canadian programs.

(7) Subject to subsection (10),

(a) a licensee holding a public licence shall devote not less than 60 per cent of the evening broadcast period to the broadcasting of Canadian programs; and

(b) a licensee holding a private licence shall devote not less than 50 per cent of the evening broadcast period to the broadcasting of Canadian programs.

(8) Except where authorized by a condition of licence designed to enhance the quality or diversity of Canadian programs, the licensee of an ethnic station or of a remote station shall devote not less than

(a) 60 per cent of the broadcast year and of any six month period specified in a condition of licence to the broadcasting of Canadian programs; and

(b) 50 per cent of the evening broadcast period to the broadcasting of Canadian programs.

(9) Where a licensee is authorized by a condition of licence to devote less than 60 per cent of the ethnic programming period to the broadcasting of Canadian programs and does so, subsection (6) applies to that part of the broadcast year and of any six month period specified in a condition of licence during which the licensee is not broadcasting ethnic programs.

(10) Where a licensee is authorized by a condition of licence to devote less than the required percentage referred to in subsection (7) to the broadcasting of Canadian programs during the evening ethnic programming period and does so, subsection (7) applies only to that portion of the evening broadcast period during which ethnic programs are not broadcast.

(11) Where, in the calculation of the time devoted by a licensee to Canadian programs that are broadcast during a broadcast day, inequities arise among

licensees because their stations are located in different time zones, the Commission may vary the application of this section in order that licensees receive equitable treatment in the calculation of their Canadian programs.
SOR/94-220, s. 2; SOR/2000-237, s. 2.

PROGRAMMING CONTENT

5. (1) A licensee shall not broadcast

(a) anything in contravention of the law;

(b) any abusive comment or abusive pictorial representation that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability;

(c) any obscene or profane language or pictorial representation; or

(d) any false or misleading news.

(1.1) For the purposes of paragraph (1)(b), sexual orientation does not include the orientation towards any sexual act or activity that would constitute an offence under the *Criminal Code*.

(2) [Repealed, SOR/94-220, s. 3]

SOR/91-587, s. 1; SOR/94-220, s. 3.

6. (1) A licensee may broadcast a commercial message directly or indirectly advertising an alcoholic beverage only if

(a) the sponsor is not prohibited from advertising the alcoholic beverage by the laws of the province in which the commercial message is broadcast;

(b) subject to subsection (2), the commercial message is not designed to promote the general consumption of alcoholic beverages; and

(c) the commercial message complies with the *Code for Broadcast Advertising of Alcoholic Beverages*, published by the Commission on August 1, 1996.

(2) Paragraph (1)(b) does not apply so as to prohibit industry, public service or brand preference advertising.

SOR/93-208, s. 1; SOR/95-452, s. 1; SOR/97-100, s. 2.

7. (1) Before January 1, 1999, a licensee shall not broadcast a commercial message for, or an endorsement of, a device to which the *Food and Drugs Act* applies unless

(a) the script of the commercial message or endorsement has been approved by the Minister of Health to indicate, to the extent that it is possible to do so on the basis of a script, that a commercial message or an endorsement conforming to the approved script would comply with the applicable provisions, administered by that Minister, of the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* and regulations made pursuant to those Acts or to the *Department of Health Act*; and

(b) the script bears the script number assigned to it by that Minister.

(2) Before January 1, 1999, when a licensee broadcasts a commercial message or an endorsement referred to in subsection (1), the licensee shall keep a record of the script for a period of one year after the date of the broadcast, which record shall contain

(a) the name of the device to which the script relates;

(b) the name of the sponsor or advertising agency that submitted the script for approval; and

(c) the script number referred to in paragraph (1)(b).

(3) A licensee shall provide the record required by subsection (2) to the Commission or to an inspector designated pursuant to the *Food and Drugs Act*, acting on behalf of the Commission, where the Commission or the inspector so requests for the purpose of audit or examination.

(4) The approval of the script of a commercial message or an endorsement referred to in subsection (1) does not indicate that the commercial message or endorsement complies with the applicable legislation.

SOR/92-615, s. 1; SOR/93-208, s. 2; SOR/97-290, s. 2.

POLITICAL BROADCASTS

8. During an election period, a licensee shall allocate time for the broadcasting of programs, advertisements or announcements of a partisan political character on an equitable basis to all accredited political parties and rival candidates represented in the election or referendum.

ETHNIC PROGRAMS

9. (1) On or before January 31 of each year, the licensee of an ethnic station shall submit to the Commission, for approval, a calendar that

(a) covers a period of 52 or 53 weeks;

(b) begins on the Monday of the week during which the next broadcast year begins; and

(c) is divided into 12 periods of four or five weeks.

(1.1) The licensee of an ethnic station shall devote to ethnic programs not less than 60 per cent of the total number of hours devoted to broadcasting during the aggregate of the broadcast days in each of the four or five week periods in the calendar approved by the Commission and referred to in subsection (1).

(2) Except as otherwise provided under a licensee's condition of licence, the licensee of an ethnic station shall devote to third language programs at least 50% of the total number of hours devoted to broadcasting during the aggregate of the broadcast days in each of the four or five week periods in the calendar approved by the Commission and referred to in subsection (1).

(3) Except as otherwise provided under a licensee's condition of licence to devote up to 40% of a broadcast month to third language programs, the licensee of a station other than an ethnic station shall devote not more than 15% of its broadcast month to third language programs.

SOR/90-320, s. 1; SOR/2000-237, s. 3.

LOGS AND RECORDS

10. (1) Subject to any condition of licence, a licensee shall

(a) keep, in a form acceptable to the Commission, a program log or a machine readable record of its programming;

(b) retain the log or record for a period of one year after the date when the programming was broadcast; and

(c) cause to be entered in the log or record each day the following information:

(i) the date,

(ii) the call letters, location and channel of the licensee's station,

(iii) the time at which each station identification announcement is made,

(iv) the time of commencement of advertising material, its duration and, in the case of a commercial message, the name of the person selling or promoting goods, services, natural resources or activities, and

(v) in relation to each program broadcast,

(A) its title and any additional information that is to be included by the appropriate subitem of Schedule I,

(B) subject to subsection (4), the key figure set out in Schedule I describing the program,

(C) the time at which the program begins and ends,

(D) the code set out in Schedule II indicating the language, type or group, as applicable, and

(E) where applicable, the code set out in Schedule II indicating a closed captioned program.

(2) The times required to be entered pursuant to subparagraphs (1)(c)(iii) and (iv) and clause (1)(c)(v)(C) are local times.

(3) Except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, the program

log or machine-readable record of the licensee for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

(4) Where more than one subitem of Schedule I applies to a program, a licensee may, in respect of that program, cause to be entered in its program log or machine readable record

(a) the key figures indicating the subitems that apply to each segment of the program, in the order in which the segments are broadcast; and

(b) the start time and duration of each segment of the program.

(5) A licensee shall retain a clear and intelligible audio-visual recording of all of its programming

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

(b) where the Commission receives a complaint from any person regarding programming 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.

(6) Where, before the expiry of the applicable period referred to in subsection (5), the Commission requests from a licensee a clear and intelligible audio or audiovisual recording of its programming, the licensee shall furnish it to the Commission forthwith.

(7) Where a program is broadcast during reserved time by a station operator who operates as part of a television network, subsection (5) applies only to the network operator.

(8) This section does not apply to the licensee of a remote station where logging or record-keeping requirements are set out in a condition of licence.

SOR/87-425, s. 2; SOR/94-220, s. 4; SOR/2000-237, s. 4; SOR/2006-111, s. 1.

ADVERTISING MATERIAL

11. (1) Except as otherwise provided by a condition of its licence and subject to subsections (2) to (4), the maximum number of minutes of advertising material that may be broadcast by a licensee is

(a) 12 minutes in any clock hour in a broadcast day before September 1, 2008; and

(b) 15 minutes in any clock hour in a broadcast day on or after September 1, 2008 and before September 1, 2009.

(2) If a program occupies time in two or more consecutive clock hours, a licensee may broadcast more than the maximum number of minutes of advertising material during any of those clock hours if the average number of minutes of advertising material broadcast during the clock hours occupied by the program does not exceed the maximum.

(3) In addition to the maximum number of minutes of advertising material, a licensee may broadcast

(a) during each clock hour, a maximum of 30 seconds of advertising material that consists of unpaid public service announcements; and

(b) partisan political advertising during an election period.

(4) A licensee may broadcast 14 minutes of advertising material in a clock hour between 7:00 p.m. and 11:00 p.m. in a broadcast day on or after September 1, 2007 and before September 1, 2008.

(5) This section shall cease to have effect on September 1, 2009.

SOR/92-429, s. 2; SOR/94-634, s. 1; SOR/95-442, s. 1; SOR/2007-195, s. 2.

SUBMISSION OF INFORMATION

12. (1) On or before November 30 of each year, a licensee shall submit to the Commission a statement of accounts, on the annual return of broadcasting licensee form, for the 12 month period ending on the previous August 31.

(2) On or before September 1 of each year, a licensee shall submit to the Commission a program schedule for the 12 month period ending on August 31 of the following year.

(3) At the request of the Commission, a licensee shall provide the Commission with a response to any inquiry regarding the licensee's programming, ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking.

SOR/92-611, s. 1.

AFFILIATION

13. A licensee shall not enter into an affiliation agreement with a person falling within a class described in section 3 of the *Direction to the CRTC (Eligible Canadian Corporations)*.

OWNERSHIP OF EQUIPMENT AND FACILITIES

13.1 Except as otherwise provided pursuant to a condition of its licence, a licensee shall own and operate its transmitter.

SOR/93-353, s. 1.

TRANSFER OF OWNERSHIP OR CONTROL

14. (1) For the purposes of this section,

"associate", when used to indicate a relationship with any person, includes

(a) a partner of the person,

(b) a trust or an estate in which the person has a substantial beneficial interest or in respect of which the person serves as a trustee or in a similar capacity,

(c) the spouse or common-law partner of the person,

(c.1) a child of the person or of their spouse or common-law partner, including a child adopted in fact by the person or by the spouse or common-law partner,

(c.2) the spouse or common-law partner of a child referred to in paragraph (c.1),

(d) a relative of the person, or of the spouse or common-law partner referred to in paragraph (c), if that relative has the same residence as the person,

(e) a corporation of which the person alone, or a person together with one or more associates as described in this definition, has, directly or indirectly, control of 50 per cent or more of the voting interests,

(f) a corporation of which an associate, as described in this definition, of the person has, directly or indirectly, control of 50 per cent or more of the voting interests, and

(g) a person, with whom the person has entered into an arrangement, a contract, an understanding or an agreement in respect of the voting of shares of a licensee corporation or of a corporation that has, directly or indirectly, effective control of a licensee corporation, except where that person controls less than one per cent of all issued voting shares of a corporation whose shares are publicly traded on a stock exchange; (*liens*)

"common-law partner", in respect of a person, means an individual who is cohabiting with the person in a conjugal relationship, having so cohabited for a period of at least one year; (*conjoint de fait*)

"common shares" means the shares that represent the residual equity in the earnings of a corporation, and includes securities that are convertible into such shares at all times at the option of the holder and the preferred shares to which are attached rights to participate in the earnings of the corporation with no upper limit; (*actions ordinaires*)

"person" includes an individual, a partnership, a joint venture, an association, a corporation, a trust, an estate, a trustee, an executor and an administrator, or a legal representative of any of them; (*personne*)

"voting interest", in respect of

(a) a corporation with share capital, means the vote attached to a voting share,

(b) a corporation without share capital, means an interest that entitles the owner to voting rights similar to those enjoyed by the owner of a voting share,

(c) a partnership, a trust, an association or a joint venture, means an ownership interest in the assets of it that entitles the owner to receive a share of the profits of it, to receive a share of the assets of it on dissolution and to participate directly in the management of it or to vote on the election of the persons to be entrusted with the power and responsibility to manage it, and

(d) a not-for-profit partnership, trust, association or joint venture, means a right that entitles the owner to participate directly in the management of it or to vote on the election of the persons to be entrusted with the power and responsibility to manage it; (*intérêt avec droit de vote*)

"voting share" means a share in the capital of a corporation, to which is attached one or more votes that are exercisable at meetings of shareholders of the corporation, either under all circumstances or under a circumstance that has occurred and is continuing, and includes any security that is convertible into such a share at all times at the option of the holder. (*action avec droit de vote*)

(2) For the purposes of this section, control of a voting interest by a person includes situations in which

(a) the person is, directly or indirectly, the beneficial owner of the voting interest; or

(b) the person, by means of an arrangement, a contract, an understanding or an agreement, determines the manner in which the interest is voted but the solicitation of proxies or the seeking of instructions with respect to the completion of proxies in respect of the exercise of voting interests is not considered to be such an arrangement, contract, understanding or agreement.

(3) For the purposes of this section, effective control of a licensee or its undertaking includes situations in which

(a) a person controls, directly or indirectly, other than by way of security only, a majority of the voting interests of the licensee;

(b) a person has the ability to cause the licensee or its board of directors to undertake a course of action; or

(c) the Commission, after a public hearing of an application for a licence, or in respect of an existing licence, determines that a person has such effective control and sets out that determination in a decision or public notice.

(4) Except as otherwise provided pursuant to a condition of its licence, a licensee shall obtain the prior approval of the Commission in respect of any act, agreement or transaction that directly or indirectly would result in

(a) a change by whatever means of the effective control of its undertaking;

(b) a person alone

(i) who controls less than 30 per cent of the voting interests of the licensee, having control of 30 per cent or more of those interests,

(ii) who controls less than 30 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 30 per cent or more of those interests,

(iii) who owns less than 50 per cent of the issued common shares of the licensee, owning 50 per cent or more of those shares but not having, directly or indirectly, effective control of the licensee, or

(iv) who owns less than 50 per cent of the issued common shares of a person who has, directly or indirectly, effective control of the licensee, owning 50 per cent or

more of those shares but not having, directly or indirectly, effective control of the licensee; or

(c) a person together with an associate

(i) who control less than 30 per cent of the voting interests of the licensee, having control of 30 per cent or more of those interests,

(ii) who control less than 30 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 30 per cent or more of those interests,

(iii) who own less than 50 per cent of the issued common shares of the licensee, owning 50 per cent or more of those shares but not having, directly or indirectly, effective control of the licensee, or

(iv) who own less than 50 per cent of the issued common shares of a person who has, directly or indirectly, effective control of the licensee, owning 50 per cent or more of those shares but not having, directly or indirectly, effective control of the licensee.

(5) A licensee shall notify the Commission, within 30 days thereafter, of the occurrence of any act, agreement or transaction that, directly or indirectly, resulted in

(a) a person alone

(i) who controls less than 20 per cent of the voting interests of the licensee, having control of 20 per cent or more but less than 30 per cent of those interests,

(ii) who controls less than 20 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 20 per cent or more but less than 30 per cent of those interests,

(iii) who controls less than 40 per cent of the voting interests of the licensee, having control of 40 per cent or more but less than 50 per cent of those interests but not having, directly or indirectly, effective control of the licensee, or

(iv) who controls less than 40 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 40 per cent or more but less than 50 per cent of those interests but not having, directly or indirectly, effective control of the licensee; or

(b) a person together with an associate

(i) who control less than 20 per cent of the voting interests of the licensee, having control of 20 per cent or more but less than 30 per cent of those interests,

(ii) who control less than 20 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 20 per cent or more but less than 30 per cent of those interests,

(iii) who control less than 40 per cent of the voting interests of the licensee, having control of 40 per cent or more but less than 50 per cent of those interests but not having, directly or indirectly, effective control of the licensee, or

(iv) who control less than 40 per cent of the voting interests of a person who has, directly or indirectly, effective control of the licensee, having control of 40 per cent or more but less than 50 per cent of those interests but not having, directly or indirectly, effective control of the licensee.

(6) A notification referred to in subsection (5) shall set out the following information:

(a) the name of the person or the names of the person and the associate;

(b) the percentage of the voting interests controlled by the person or by the person and the associate; and

(c) a copy or a complete description of the act, agreement or transaction.

SOR/93-353, s. 2; SOR/96-325, s. 1(E); SOR/2001-357, s. 2; SOR/2006-110, s. 1.

UNDUE PREFERENCE OR DISADVANTAGE

15. No licensee shall give an undue preference to any person, including itself, or subject any person to an undue disadvantage.

SOR/2009-235, s. 1.

SCHEDULE I
(Sections 2 and 10)

KEY FIGURES

Item	Description	Key Figure					
		1st	2nd	3rd	4th	5th-6th,	7th & 8th
		Alphanumeric Characters					
1.	Country of origin						
	(1) Canada	1					
	(2) United States	2					
	(3) United Kingdom	3					
	(4) France	4					
	(5) Other	5					
2.	Broadcast origination point						
	(1) Local		1				
	(2) Other		2				
	(3) Network		3				
3.	Composition						
	(1) Live Program			1			
	(2) Recording of Live Program (first play)			2			
	(3) Other Recorded Program (first play)			3			
	(4) Repeat Broadcast of a Program referred to in subitem (1), (2) or (3)			4			
4.	Production Source						
	(1) Local Station				1		
	(2) Local Program produced by Affiliated Production Company				2		
	(3) Other Canadian Program produced by Affiliated Production Company				3		
	(4) Other Station (include call sign)				4		
	(5) Network (include identification if different from primary network to which the station is affiliated)				5		
	(6) Canadian Independent Producer (include Commission "C" number or the number assigned by the Department of Canadian Heritage)				6		
	(7) Special Recognition (include Commission "S.R." number)				7		
	(8) Canadian programs from a government and productions of the National Film Board (include the source)				8		
	(9) Programs from any source that are not accredited as Canadian programs (include indication of lip synchronisation credit and Commission "D" number where appropriate)				9		
5.	Audience Target						
	(1) Children (2-11 Years)					1	
	(2) Youth (12-17 Years)					2	
	(3) Other specific identifiable group not referred to in subitem (1) or (2)					3	
	(4) General Audience					4	
6.	Categories						
	Information:						
	(1) News				0	1	0
	(2) (a) Analysis and Interpretation				0	2	A
	(b) Long-form documentary				0	2	B

Item	Description	Key Figure					
		1st	2nd	3rd	4th	5th-6th,	7th & 8th
		Alphanumeric Characters					
(3)	Reporting and Actualities				0	3	0
(4)	Religion				0	4	0
(5)	(a) Formal education and pre-school				0	5	A
	(b) Informal education/Recreation and leisure				0	5	B
Sports:							
(6)	(a) Professional sports				0	6	A
	(b) Amateur sports				0	6	B
Music and Entertainment:							
(7)	Drama and comedy (include the appropriate Commission drama credit where applicable)						
	(a) Ongoing Dramatic Series				0	7	A
	(b) Ongoing comedy series (sitcoms)				0	7	B
	(c) Specials, mini-series or made-for-TV feature films				0	7	C
	(d) Theatrical feature films aired on TV				0	7	D
	(e) Animated television programs and films				0	7	E
	(f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy						
	(g) Other drama				0	7	G
(8)	(a) Music and dance other than music video programs or clips				0	8	A
	(b) Music video clips				0	8	B
	(c) Music video programs				0	8	C
(9)	Variety				0	9	0
(10)	Game shows				1	0	0
(11)	General entertainment and human interest				1	1	0
Other:							
(12)	Interstitials				1	2	0
(13)	Public service announcements				1	3	0
(14)	Infomercials, promotional and corporate videos				1	4	0

SOR/87-425, s. 3; SOR/94-220, s. 5; SOR/2000-237, ss. 5, 6.

SCHEDULE II
(Sections 2 and 10)

**CODE INDICATING LANGUAGE, TYPE AND GROUP OF PROGRAMMING AND
CLOSED CAPTION PROGRAMMING**

A. Code Indicating Language

Column I	Column II
Item Code	Description
1.	[Abbreviated name of language]
	A program in a language other than the official language for which the station was principally licensed or, in the case of an ethnic station, the language of the program

B. Code Indicating Type

Column I	Column II
Item Code	Description
1. Type A	A program in a language other than French, English or a language of the aboriginal peoples of Canada
2. Type B	A program in French or in English that is directed toward a distinct ethnic group the mother tongue or common language of which in its country of origin is French or English
3. Type C	A program in French or in English that is directed toward a distinct ethnic group the mother tongue of which is included in Type A
4. Type D	A bilingual program in French or English as well as a language other than French, English or a language of the aboriginal peoples of Canada that is directed toward a distinct ethnic group
5. Type E	A program in French or English and that is directed toward ethnic groups or toward the general public and that depicts Canada's cultural diversity through services that are multicultural, educational, informational, or inter-cultural.
6. Type X	Where the licensee is not required by a condition of licence to broadcast prescribed levels of Type A, B, C, D or E programming, an ethnic program

C. Code Indicating Group

Column I	Column II
Item Code	Description
1. [Abbreviated name of ethnic group]	The distinct ethnic group toward which an ethnic program is directed

D. Code Indicating a Closed Caption Program

Column I	Column II
Item Code	Description
1. CC [to be inserted following key figure]	Program contains closed captioning for the hearing impaired

SOR/2000-237, ss. 7, 8.

Last updated: 2011-03-17