



## Broadcasting Decision CRTC 2004-540

Ottawa, 3 December 2004

### **CHAU-TV Communications ltée**

Carleton, Sainte-Marguerite-Marie, Port-Daniel, Chandler, Percé, Gaspé, Rivière-au-Renard, Cloridorme and L'Anse-à-Valleau, Quebec, and Saint-Quentin, Tracadie and Kedgwick, New Brunswick

*Application 2003-1437-8*

*Public Hearing at Québec, Québec*

*16 February 2004*

### **CHAU-TV and its transmitters - Licence renewal**

*The Commission **renews** the broadcasting licence of CHAU-TV Carleton and its transmitters CHAU-TV-1 Sainte-Marguerite-Marie, CHAU-TV-3 Port-Daniel, CHAU-TV-4 Chandler, CHAU-TV-5 Percé, CHAU-TV-6 Gaspé, CHAU-TV-7 Rivière-au-Renard, CHAU-TV-8 Cloridorme, CHAU-TV-9 L'Anse-à-Valleau, Quebec, and CHAU-TV-2 Saint-Quentin, CHAU-TV-10 Tracadie and CHAU-TV-11 Kedgwick, New Brunswick, from 1 September 2005 to 31 August 2008. This term will enable the Commission to consider the next licence renewal application for this undertaking at the same time as it considers the licence renewal applications for the originating station, CFTM-TV Montréal, and the TVA French-language television network, with which the station is affiliated.*

### **The application**

1. The Commission received an application by CHAU-TV Communications ltée to renew the broadcasting licence for its television programming undertaking CHAU-TV Carleton and its transmitters CHAU-TV-1 Sainte-Marguerite-Marie, CHAU-TV-3 Port-Daniel, CHAU-TV-4 Chandler, CHAU-TV-5 Percé, CHAU-TV-6 Gaspé, CHAU-TV-7 Rivière-au-Renard, CHAU-TV-8 Cloridorme, CHAU-TV-9 L'Anse-à-Valleau, Quebec, and CHAU-TV-2 Saint-Quentin, CHAU-TV-10 Tracadie and CHAU-TV-11 Kedgwick, New Brunswick. The undertaking is affiliated with the TVA French-language television network.
2. The Commission's general approach with respect to its consideration of this and other applications for licence renewals for French-language television stations heard at the 16 February 2004 Public Hearing is set out in *Introduction to Broadcasting Decisions CRTC 2004-530 to 2004-540 renewing the licences of 21 French-language television stations*, Broadcasting Public Notice CRTC 2004-94, 3 December 2004 (Public Notice 2004-94).

3. The Commission received nine interventions in connection with this application, and all have been taken into account in its deliberations. All of these interventions were in support of the licence renewal of CHAU-TV. In some cases, this support was conditional on the licensee accepting the requirements related to various issues, such as local programming and the broadcast of programs produced in the region. Given that these interventions are related to several licence renewal applications heard at the 16 February 2004 Public Hearing, the Commission discusses these interventions in Public Notice 2004-94, which introduces this and other decisions of today's date.
4. In its application, CHAU-TV Communications ltée made a commitment to continue producing a 58-minute-per-day local and regional newscast from Monday to Friday. It also committed to continue producing the 30-minute weekly series *Info services*.
5. The licensee also committed to close caption all of its newscasts and headline news segments and to provide voiceovers for graphics used in the presentation of news, weather, sports results, etc.
6. Furthermore, the licensee committed to meet all of the benefits-related commitments set out in *Transfer of assets – Intracorporate reorganization*, Decision CRTC 2001-479, 10 August 2001 (Decision 2001-479), in which the Commission approved the application by CHAU-TV Communications ltée to acquire the assets of CHAU-TV Carleton and its transmitters, and as amended in *CHAU-TV Carleton – Amendment of commitments relating to tangible benefits*, Broadcasting Decision CRTC 2003-107, 3 April 2003 (Decision 2003-107). These tangible benefits are as follows:
  - the construction of microwave links between Baie-Saint-Paul and Rivière-du-Loup and between Caraquet and Carleton at a cost of \$250,000;
  - the purchase of a mobile unit equipped with transmission equipment at a value of \$45,000; and
  - the investment of the balance, equal to \$297,850, in the production of local programming.

### **Employment equity and on-air presence**

7. In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.
8. With respect to on-air presence, the Commission expects the licensee to ensure that its programming is reflective of Canadian society and that members of the four designated groups (women, Aboriginal persons, persons with disabilities and members of visible minorities) are presented fairly and accurately.

## Conclusion

9. The Commission has carefully reviewed the application, taking into account the comments by the licensee and the interveners. The Commission is generally satisfied that, during the current licence term, the licensee has adhered to the requirements of the *Television Broadcasting Regulations, 1987*, and has complied with its conditions of licence and the Commission's expectations set out in *Licence renewal for CHAU-TV and its transmitters*, Decision CRTC 98-117, 9 April 1998 (Decision 98-117), specifically those regarding local programming.
10. In Decision 98-117, the Commission expected the licensee to broadcast, on an annual basis, a minimum weekly average of 4 hours and 20 minutes of local news programming. The Commission notes that, over the course of the licence term, the licensee broadcast 4 hours and 50 minutes of local and regional news per week as well as its 30-minute weekly series *Info services*. The Commission notes that the licensee has met the Commission's expectations and it expects the licensee to continue its commitment to broadcast, on an annual basis, a minimum weekly average of 4 hours and 20 minutes of local programming, including local news, throughout the new licence term.
11. Accordingly, the Commission **renews** the broadcasting licence of CHAU-TV and its transmitters from 1 September 2005 to 31 August 2008. This term will enable the Commission to consider the next licence renewal application for this programming undertaking at the same time as it considers the licence renewal applications for the originating station, CFTM-TV Montréal,<sup>1</sup> and the TVA network, with which the station is affiliated. The licence will be subject to the conditions specified therein and to the **conditions of licence** set out in the appendix to this decision, as well as to the other applicable terms set out in Public Notice 2004-94.
12. The Commission reminds the licensee that it must meet all commitments regarding benefits set out in Decision 2001-479 and as amended in Decision 2003-107.

Secretary General

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

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<sup>1</sup> See *Licence renewals for the French-language national television network TVA and for the French-language television programming undertaking CFTM-TV Montréal*, Decision CRTC 2001-385, 5 July 2001.

## Appendix to Broadcasting Decision CRTC 2004-540

### Conditions of licence

1. The licensee shall adhere to the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Sex-role portrayal code for television and radio programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the Canadian Broadcast Standards Council (CBSC).
2. The licensee shall adhere to the provisions of the CAB's *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
3. The licensee shall adhere to the guidelines on the depiction of violence in television programming set out in the CAB's *Voluntary code regarding violence in television programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the CBSC.