



Broadcasting Decision CRTC 2016-21

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Reference: Part 1 application posted on 26 June 2015

Ottawa, 20 January 2016

Le Réseau des sports (RDS) inc.
Across Canada

Application 2015-0636-2

RDS Info – Licence amendments

*The Commission **approves** an application to delete certain nature of service conditions of licence for the national, French-language specialty Category A service RDS Info and to change the amount of live professional sports programming that may be broadcast on the service.*

*The Commission **denies** the request to delete the service’s condition of licence relating to the broadcast of programs produced by independent production companies.*

Background

1. In Broadcasting Regulatory Policy 2015-86, the Commission stated that it would eliminate its genre exclusivity policy, which limited programming services to offering certain types of programming (that is, a “nature of service”) and precluded other services from offering that programming. Consequently, the Commission no longer enforces conditions of licence relating to nature of service, with certain exceptions, such as the condition of licence relating to the broadcast of live professional sports programming by services other than mainstream sports services.
2. It further stated that licensees must provide the Commission with a name and a brief description of the service, to be listed on the Commission’s website, and update this information any time it changes. This will allow both Canadians and the Commission to continue having basic information about the discretionary services in operation.

Application

3. Bell Media Inc. (Bell), on behalf of Le Réseau des sports (RDS) inc., filed an application relating to the national, French-language specialty Category A service RDS Info (formerly known as Réseau Info Sports). Bell requested the deletion of the following nature of service conditions of licence:¹

¹ The service’s current conditions of licence are set out in Appendix 14 to Broadcasting Decision 2011-444.

2. (a) The licensee shall provide a national French-language specialty Category A service consisting essentially of professional, amateur, local, regional, national and international sports news, updated every 15 minutes.
 - (c) No more than 10% of all programming broadcast during each broadcast month shall be drawn from category 2(b) Long-form documentary.
 - (d) No more than 15% of all programming broadcast during each broadcast week shall be drawn from category 5(b) Informal education/Recreation and leisure.
 - (e) No more than 10% of all programming broadcast during each broadcast month shall be drawn from category 7 Drama and comedy.
 - (f) No more than 10% of all programming broadcast during each broadcast month shall be drawn from categories 8(b) Music video clips and 8(c) Music video programs combined.
 - (h) The broadcast of live sporting events shall be limited to events that are not covered live by other French-language conventional television stations or specialty services.
 - (i) The licensee shall interrupt its live coverage of sporting events every 15 minutes to present sports highlights and results, as well as sports news, through the insertion of audio and video components.
 - (j) Except when broadcasting live sporting events, the licensee shall at all times display sports results and news on a part of the screen.
4. Condition of licence 2.(b), which reads as follows, would be retained:

The licensee may draw programming from all the categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.
5. In response to a Commission letter, Bell indicated that it was ready to replace condition of licence 2.(g), which limits the amount of live sporting events that can be broadcast on the service to 15% of the programming broadcast each broadcast week, with a condition that would limit the amount of live professional sports programming that can be broadcast on the service to 10% of the programming broadcast each broadcast month.
6. Moreover, it requested the deletion of the following condition of licence:
 12. No less than 25% of all Canadian programs broadcast by the licensee, other than news, sports and current affairs programming (categories 1, 2(a), 6(a) and 6(b)), shall be produced by independent production companies.

7. The applicant stated that the above requests are consistent with the Commission's decisions stemming from its elimination of the genre exclusivity policy.
8. Pursuant to Broadcasting Regulatory Policy 2015-86, Bell provided the following description for RDS Info:

The licensee provides a national French-language discretionary service primarily featuring sports news, updates and other sports-related programming.

9. The Commission did not receive any interventions regarding this application.

Commission's analysis and decisions

10. In regard to RDS Info's nature of service conditions of licence, the Commission finds that the amendments, as proposed by Bell, are consistent with Broadcasting Regulatory Policy 2015-86.
11. With respect to the condition of licence relating to independent production companies (IPCs), section 3(1)(i)(v) of the *Broadcasting Act* (the Act) sets out that "the programming provided by the Canadian broadcasting system should [...] include a significant contribution from the Canadian independent production sector." The IPC condition of licence was introduced in Public Notice 2000-171 as one means of ensuring that the new digital Category 1 services (i.e., Category A services), which benefited from mandatory distribution, would contribute to the above objective of the Act. This condition of licence has never formed part of the nature of service condition of licence of these or any other services, and has never been identified as being related to their natures of service. As such, the Commission considers that the IPC condition of licence is enforceable independently of the revised nature of service description.
12. Although Broadcasting Regulatory Policy 2015-86, through its elimination of genre exclusivity, has introduced some regulatory parity between Category A and Category B services (the latter of which have not had the IPC condition of licence imposed), other key changes stemming from that policy will be considered and implemented at RDS Info's next licence renewal. Category A services such as RDS Info, unlike Category B services, will benefit from mandatory distribution until their next licence renewal. In the Commission's view, it would therefore be more appropriate to examine any other requests relating to conditions of licence that do not pertain to genre exclusivity, including the IPC condition of licence, at that time.
13. In light of the above, the Commission **approves** the request by Bell Media Inc., on behalf of Le Réseau des sports (RDS) inc., to amend the broadcasting licence for RDS Info by deleting conditions of licence 2.(a), and 2.(c) through 2.(j), and by adding the following **condition of licence**:

The licensee shall devote not more than 10% of the programming broadcast during the broadcast month to live professional sports programming, which falls under program category 6(a) Professional sports.

14. The Commission **denies** the request to delete RDS Info's condition of licence relating to the broadcast of programs produced by IPCs.

Secretary General

Related documents

- *Let's Talk TV: The way forward – Creating compelling and diverse Canadian programming*, Broadcasting Regulatory Policy CRTC 2015-86, 12 March 2015
- *Bell Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-444, 27 July 2011
- *Introductory statement – Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000

**This decision is to be appended to the licence.*