



Broadcasting Decision CRTC 2004-160

Ottawa, 23 April 2004

Vision TV: Canada's Faith Network / Réseau religieux canadien, on behalf of a not-for-profit corporation to be incorporated

Across Canada

Application 2003-1462-5

Public Hearing at Halifax, Nova Scotia

1 March 2004

Transfer of assets

*The Commission **approves** the application by Vision TV: Canada's Faith Network / Réseau religieux canadien (Vision), on behalf of a not-for-profit corporation to be incorporated, for authority to transfer the assets of Vision's specialty undertakings to a new corporation to be incorporated through a corporate reorganization within the Vision group.*

The application

1. The Commission received an application by Vision TV: Canada's Faith Network / Réseau religieux canadien (Vision), on behalf of a not-for-profit corporation to be incorporated (NewCo), for authority to transfer the assets of Vision's specialty undertakings to NewCo through a corporate reorganization within the Vision group.
2. Vision, a not-for-profit corporation, is the licensee of the analog specialty television programming undertaking known as Vision TV, which provides interfaith religious programming. It has also been authorized to operate a Category 2 specialty television service to be known as The Christian Channel,¹ which is not yet in operation.
3. Vision holds 100% of the voting interest of Vision TV Digital Inc. (VDI). VDI controls ONE: The Body, Mind and Spirit Channel Inc., licensee of the Category 1 specialty television service known as ONE: The Body, Mind and Spirit Channel,² by virtue of a voting trust arrangement between itself, Radio Nord Communications inc. and Renewal Partners Company.
4. VDI also holds a 30.1% voting interest in the Category 2 specialty television service to be known as Celebration: Vision Inspired Music,³ which is not yet in operation.

¹ *The Christian Channel*, Decision CRTC 2000-726, 24 November 2000 and 14 December 2000

² *Wisdom: Canada's Body, Mind & Spirit Channel – a new specialty channel*, Decision CRTC 2000-450, 24 November 2000 and 14 December 2000

³ *Celebration: Vision Inspired Music*, Decision CRTC 2000-512, 24 November 2000 and 14 December 2000

5. Vision proposed to transfer the assets of Vision TV to NewCo. The applicant further requested a broadcasting licence to continue the operation of Vision TV.
6. Vision also proposed to transfer the licence authorization of The Christian Channel to NewCo, so that NewCo would become the new licensee of this service under the same terms and conditions specified in the original licensing decision.
7. Vision noted that the proposed corporate reorganization is to ensure that Vision operates in a manner that is most efficient for tax and financial planning purposes and from a charities regulation perspective.
8. The Commission received three interventions that addressed matters not directly relevant to the application.

The Commission's determination

9. The Commission notes that the effective control of the broadcasting undertakings would continue to be exercised by the same individuals that presently comprise the Vision board of directors and management team.
10. The Commission **approves** the application by Vision TV: Canada's Faith Network / Réseau religieux canadien, on behalf of a not-for-profit corporation to be incorporated, to transfer the assets of Vision's specialty undertakings to a not-for-profit corporation to be incorporated, and for a broadcasting licence to operate Vision TV.

Issuance of the licences

11. The Commission will issue a broadcasting licence to continue the operation of Vision TV upon surrender of the current licence issued to Vision and upon receipt of the corporate documents establishing that an eligible Canadian corporation has been incorporated and that this corporation may be issued a licence. The licence will expire 31 August 2004 and will be subject to the same terms and conditions as those in effect under the current licence.⁴
12. Given that The Christian Channel is not yet in operation, the applicant will need to comply with the requirements stipulated in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001, and *Ownership and launch requirements for Category 1 and Category 2 specialty services*, Public Notice CRTC 2001-98, 30 August 2001, before a licence can be issued for this service.

⁴ As set out in Broadcasting Notice of Public Hearing CRTC 2004-3, 7 April 2004, the Commission is presently considering an application for the renewal of Vision and will examine matters pertaining to the renewal of the licence of Vision as part of that process.

Other matters

13. In addition to the corporate documents of the new licensee, the applicant is required to file with the Commission within 90 days of the date of this decision, an executed copy of the by-laws, the Declaration of Trust, the Sale and Purchase Agreement, and the Management Agreement.

Secretary General

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