



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes



Achievements Report

CRTC
2005-2006

Implementation of
Section 41 of the
Official Languages Act

Canada



Conseil de la radiodiffusion et des
télécommunications canadiennes

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Canadian Radio-television and
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14 June 2006

Judith A. LaRocque
Deputy Minister, Department of Canadian Heritage
25 Eddy Street, 12th floor
Gatineau, QC K1A 0M5

Dear Ms. LaRocque,

I am pleased to send to you the achievements report stemming from the 2005-2006 CRTC action plan pursuant to the implementation of section 41 of the *Official Languages Act* (OLA).

The achievements report reflects the CRTC's willingness to continue, within the limits of its own mandate, to ensure a better balance of Canadian broadcasting services within minority communities. The concrete action taken by the CRTC has contributed to enhance the vitality of English and French linguistic minority communities in Canada and support their development. These actions also promoted the full recognition and use of English and French in Canadian society.

During the year, the CRTC consulted with official language minority communities at various forums to facilitate the exchange of information with them. As an administrative tribunal, the CRTC does not manage programs or services, nor does it fund activities. However, many of its activities, such as the issuance, renewal and amendment of licences, the development of policy guidelines and the regulation and monitoring of all aspects of the Canadian broadcasting system, all of which are pursuant to the *Broadcasting Act* and the *Telecommunications Act*, contribute to attaining the objectives set out in section 41 of the OLA. As you will note, for the year 2005-2006, the Commission's day-to-day operations have resulted in attaining the following objectives: the promotion of access to broadcasting services in minority markets, the encouragement of all efforts of broadcasting licensees to increase production and broadcasting of regionally produced programming and, lastly, the promotion of the full recognition and use of English and French in Canadian society.

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95-95-91

We hope that our achievements will meet your expectations.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Diane Rhéaume". The signature is fluid and cursive, with a prominent initial "D" and a long, sweeping tail.

Diane Rhéaume
Secretary General

Encl.: Results-based Status Report

CRTC

2005-2006 Achievements Report

Implementation of section 41 of the *Official Languages Act*

For additional copies of the report, please contact:

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**Results-based achievements report
Implementation of section 41 of the *Official Languages Act*
2005-2006**

General information

<p>Federal department/agency: Address:</p> <p>Web site:</p>	<p>Canadian Radio-television and Telecommunications Commission (CRTC) Les Terrasses de la Chaudière Central Building 1 Promenade du Portage Gatineau, Quebec J8X 4B1</p> <p>www.crtc.gc.ca</p>
<p>Minister responsible:</p>	<p>The Honourable Beverly Oda</p>
<p>Senior official responsible for implementation of Part VII of the OLA:</p>	<p>Diane Rhéaume, Secretary General of the CRTC</p>
<p>Mandate of federal department/agency:</p>	<p>The Canadian Radio-television and Telecommunications Commission (CRTC) was established by Parliament in 1968. It is an independent public authority constituted under the <i>Canadian Radio-television and Telecommunications Commission Act (R.S.C. 1985, c. C-22, as amended)</i> and reports to Parliament through the Minister of Canadian Heritage.</p> <p>The CRTC is vested with the authority to regulate and supervise all aspects of the Canadian broadcasting system, as well as to regulate telecommunications common carriers and service providers that fall under federal jurisdiction. The CRTC derives its</p>

	regulatory authority over broadcasting from the <i>Broadcasting Act</i> (S.C. 1991, c. 11, as amended). Its telecommunications regulatory powers are derived from the <i>Telecommunications Act</i> (S.C. 1993, c. 38, as amended) and the <i>Bell Canada Act</i> (S.C. 1987, c.19 as amended).
National coordinator responsible for implementation of section 41: Exact title: Mailing address: E-mail address:	Véronique Lehoux Director of Planning and Priorities CRTC Ottawa, Ontario K1A 0N2 veronique.lehoux@crtc.gc.ca
Sectoral coordinators responsible for implementation of section 41:	Robert Ramsay Senior Director, Radio Policy and Analysis CRTC Ottawa, Ontario K1A 0N2 robert.ramsay@crtc.gc.ca Peter Foster Manager, Conventional Television Services for English Markets CRTC Ottawa, Ontario K1A 0N2 peter.foster@crtc.gc.ca Paul Godin Director, Competition Implementation and Technology CRTC Ottawa, Ontario K1A 0N2 paul.godin@crtc.gc.ca

Summary of achievements

For 2005-2006, the CRTC attained, within the limits of its own mandate, several objectives in the following categories, namely: awareness, consultation, communications, coordination and liaison, and accountability. As an administrative tribunal, the CRTC does not manage programs or services, nor does it fund activities, however, several of its activities contribute to the implementation of section 41 of the *Official Languages Act* (OLA).

With respect to awareness, several activities were implemented. For example, employees and senior management attended awareness sessions pertaining to the mandate of the CRTC under section 41 of the OLA and the needs of official language minority communities (OLMCs).

In terms of consultation, the OLMCs had the opportunity to make their needs and priorities known to the CRTC, namely through consultations with the national coordinator at various national forums, such as working groups or meeting with certain representatives of OLMCs.

As for communications, the objective to attain is that OLMCs receive up-to-date information on CRTC activities. In this respect, the CRTC is in the process of developing a web page that will address CRTC activities related to the two objectives set out in section 41 of the OLA, namely to enhance the vitality of English and French linguistic minority communities in Canada and support and assist their development and to promote the full recognition and use of English and French in Canadian society.

The CRTC actively participates and attends meetings of national coordinators responsible for the implementation of section 41 of the OLA, organized by the Department of Canadian Heritage. These activities result in improved internal coordination and exchange of information needed for the implementation of the mandate under section 41 of the OLA with other government authorities.

Several CRTC activities, such as the issuance, renewal and amendment of licences, the development of policy guidelines and the regulation and monitoring of all aspects of the Canadian broadcasting system, all of which are pursuant to the *Broadcasting Act* and the *Telecommunications Act*, contribute to attaining the objectives set out in section 41 of the OLA. As you will note, for the year

2005-2006, the Commission's day-to-day operations have resulted in attaining the following objectives: the promotion of access to broadcasting services in minority markets, the encouragement of the efforts of broadcasting licensees to increase production and broadcasting of regionally produced programming and, lastly, the promotion of the full recognition and use of English and French in Canadian society.

In accordance with the requirements of its designation under section 41 of the OLA, the following is a detailed review of the CRTC's activities in 2005-2006. These activities are presented according to the categories established by the Canadian Heritage Department.

Detailed achievements report

A. Awareness (in-house activities)

Main expected results for the period covered by the action plan (fiscal 2005-2006)	Main activities carried out for the year covered by the status report	Progress (results) achieved for the year covered by the status report
<p>Raise employee and senior management awareness within the CRTC of linguistic duality and of the reality of official language minority communities (OLMCs).</p>	<p>1a) Circulation of the “2005-2006 Action Plan: Implementation of section 41 of the Official Languages Act” to all members of the Commission and all of the branches involved.</p> <p>1b) Collaboration of the managers involved in preparing the 2005-2006 Achievements Report.</p> <p>1c) Publication of the “2005-2006 Action Plan: Implementation of section 41 of the <i>Official Languages Act</i>” on the CRTC’s Web site.</p> <p>1d) Approval by senior management of the 2005-2006 Action Plan and Achievements Report.</p> <p>1e) The national coordinator gave a presentation to CRTC managers in February 2006 on the mandate of the Commission within the context of its designation under section 41 of the OLA and Bill S-3 amending the OLA.</p>	<p>1a)b) Employees and managers are now aware of the needs of OLMCs.</p> <p>1c) OLMCs and industry are aware of the CRTC’s activities and achievements pursuant to section 41 of the OLA; awareness is enhanced by in-house information tools.</p> <p>1d) Senior management is engaged in the mandate pursuant to section 41 of the OLA.</p> <p>1e) Managers are more aware of the CRTC’s mandate pursuant to section 41 of the OLA and Bill S-3.</p> <p>1f) Edmonton regional office employees have been made aware of the needs of OLMCs and the CRTC’s mandate pursuant to section 41 of the OLA.</p> <p>1g) Sectoral coordinators receive up-to-date information.</p>

	<p>1f) As a first step in raising awareness in regional offices, Edmonton regional office employees received information on implementation of section 41 of the OLA within the CRTC and Bill S-3.</p> <p>1g) <i>Bulletin 41-42</i> produced by Canadian Heritage and any other relevant publications are distributed systematically to CRTC coordinators.</p>	
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B. Consultations (sharing of information with OLMCs)

N.B.: Within the context of its activities, particularly in the development of policy guidelines concerning the awarding of new licences, the renewal or amendment of licences, and the amendment of its regulations, the CRTC invites all Canadians to participate in its public proceedings, which may be in the form of public hearings or public notices. The Commission’s proceedings are announced in a number of ways, such as on its Web site, by means of advertisements in major newspapers and in the community newspapers of the regions concerned.

Main expected results for the period covered by the action plan (fiscal 2005-2006)	Main activities carried out for the year covered by the status report	Progress (results) achieved for the year covered by the status report
<p>OLMCs have the opportunity to make their needs and priorities known to the CRTC.</p>	<p>1a) Meeting with the <i>Alliance des producteurs francophones du Canada</i> (APFC), the <i>Alliance nationale de l’industrie musicale</i> (ANIM), the <i>Fédération des communautés francophones et acadienne</i> (FCFA), the <i>Fédération culturelle canadienne française</i> (FCCF), the <i>Association des Radios Communautaires du Canada</i> (ARC), the employees of the Canadian Heritage Department and the CRTC’s national coordinator. This meeting took place during the winter of 2005-2006.</p> <p>1b) Meeting with the Quebec Community Groups Network, Canadian Heritage Department employees and the CRTC national coordinator. This meeting took place during the winter of 2005-2006.</p>	<p>1a)b) OLMCs had the opportunity to express their concerns and the CRTC is in the process of setting up a consultation mechanism to enhance the exchange of information with OLMCs.</p> <p>1c)d) Participation in these meetings enabled OLMCs to share their concerns and make their expectations known, and departments/agencies such as the CRTC took note of the concerns thus raised. The CRTC pointed to a number of its ongoing proceedings within which OLMCs may file their comments and observations.</p>

	<p>1c) Participation by the CRTC national coordinator in the annual meeting of the Working Group on Media Arts led by the Canadian Heritage Department. Participants included representatives of Canadian Heritage, Telefilm Canada, the Canada Council for the Arts, the Canadian Broadcasting Corporation, the Canadian Television Fund, the National Film Board, the <i>Alliance des producteurs francophones du Canada</i>, the <i>Front des réalisateurs indépendants du Canada</i> and the <i>Fédération culturelle canadienne-française</i> (FCCF). The meeting was held at the Château Cartier Hotel in Gatineau, Quebec, on March 30, 2006.</p> <p>1d) Participation by the CRTC national coordinator in the annual meeting of the Working Group on Song and Music led by the Canadian Heritage Department. Participants included representatives of the Canadian Heritage Department, the Human Resources Council, Telefilm Canada, Musicaction, the Canada Council for the Arts, the National Arts Centre of Canada, the Canadian Broadcasting Corporation, Foreign Affairs Canada, the <i>Alliance nationale de l'industrie musicale</i>, the <i>Alliance des radios communautaires du Canada</i>, the <i>Réseau national des Galas de la chanson</i> and a number of observers from the <i>Fédération culturelle canadienne-française</i>. The meeting took place at the Holiday Inn Plaza la Chaudière hotel in Gatineau, Quebec, on 3 February 2006.</p>	
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C. Communications (transmission of information to OLMCs)

Main expected results for the period covered by the action plan (fiscal 2005-2006)	Main activities carried out for the year covered by the status report	Progress (results) achieved for the year covered by the status report
<p>OLMCs receive up-to-date information on CRTC activities.</p>	<p>1a) Distribution of the “2005-2006 Action Plan: Implementation of section 41 of the <i>Official Languages Act</i>” to each of the organizations consulted in the development of the plan, to the Office of the Commissioner of Official Languages, to the House of Commons Standing Committee on Official Languages, and the Senate Standing Committee on Official Languages.</p> <p>1b) Meeting on 20 March 2006 between certain commissioners and representatives of the Quebec Community Groups Network (QCGN).</p> <p>1c) Meeting in February 2006 between certain commissioners and the Camp Jeunesse de Gravelbourg.</p> <p>1d) The CRTC is developing a Web page for the implementation of its mandate pursuant to section 41 of the OLA.</p>	<p>1a)d) OLMCs and interested organizations are aware of the CRTC’s activities in the implementation of section 41 of the OLA.</p> <p>1b)c)These meetings allowed OLMCs and other organizations to share some information and concerns with certain commissioners.</p>

D. Coordination and liaison (internal coordination and liaison with other government institutions)

Main expected results for the period covered by the action plan (fiscal 2005-2006)	Main activities carried out for the year covered by the status report	Progress achieved for the year covered by the status report
<p>The CRTC collaborates with partners to address the priorities of OLMCs.</p>	<p>1a) The CRTC participated in meetings of national coordinators responsible for the implementation of section 41 of the OLA, organized by the Canadian Heritage Department.</p>	<p>1a) These meetings promote the exchange of information on such topics as Bill S-3, best practices, etc., and thus make it possible to meet the needs of OLMCs more adequately.</p>

E. Funding and program delivery (does not apply to the CRTC)

F. CRTC Activities for implementing section 41 of the OLA

N.B.: As administrative tribunal, the CRTC does not manage programs or services, nor does it fund activities. In the execution of its mandate, however, the CRTC issues, renews or amends broadcasting licences, develops policy guidelines and regulates and oversees all aspects of the Canadian broadcasting system. These activities are performed pursuant to the *Broadcasting Act* and the *Telecommunications Act*. Several of these activities contribute to the achievement of the objectives set out in section 41 of the OLA. The following list is not exhaustive.

Main expected results for the period covered by the action plan (fiscal 2005-2006)	Main activities carried out for the year covered by the status report	Progress (results) achieved for the year covered by the status report
Promote access to official-language broadcasting services in minority communities.	<p>1a) The CRTC awarded two licences for French-language community radio stations in minority communities, specifically in Petit-de-Grat, Nova Scotia (Broadcasting Decision CRTC 2006-79, <i>Community radio station in Petit-de-Grat</i>, 15 March 2006) and in Victoria, British Columbia (Broadcasting Decision CRTC 2005-243, <i>Community radio station in Victoria</i>, 14 June 2005).</p> <p>1b) The CRTC approved the application by <i>La Clé d'la Baie en Huronie, Association culturelle francophone</i> to change the authorized contours of its radio station CFRH-FM Penetanguishene in</p>	<p>1a)b) OLMCs have the means to make their voices heard and to assert their presence in the community.</p> <p>1c) Broadcasting services in minority communities have a tool for promotion in minority communities.</p>

	<p>Ontario (Broadcasting Decision CRTC 2005-424, <i>CFRH-FM Penetanguishene – Technical change</i>, 18 August 2005).</p> <p>1c) Among other things, the CRTC expects broadcasting distribution undertaking licensees to use 5% of their local availabilities to promote 9(1)(h) services, which include TVA outside the province of Quebec (Broadcasting Public Notice CRTC 2005-89, <i>Tools to promote and improve the visibility of services whose national distribution is required pursuant to section 9(1)(h) of the Broadcasting Act</i>, 9 September 2005).</p>	
<p>Encourage the efforts of broadcasting licensees to increase the production and broadcasting of regionally produced programs.</p>	<p>1a) The Commission noted the many initiatives taken by licensees to reflect the various regions of Quebec and Canada through their programming. The Commission also indicated that it expected licensees to ensure that the programs they broadcast reflect all the regions of Canada. Furthermore, the Commission expects licensees to give producers working outside of major production centres the opportunity to produce programs for their services (Broadcasting Decision CRTC 2005-441, <i>Canal D – Licence renewal</i>, Broadcasting Decision CRTC 2005-442, <i>Z-Télé – Licence renewal</i>, Broadcasting Decision CRTC 2005-443, <i>Historia – Licence renewal</i> and Broadcasting Decision CRTC 2005-444, <i>Séries + – Licence renewal</i>, 31 August 2005).</p>	<p>1a) Artists in OLMCs have greater employment opportunities. Furthermore, these measures give OLMCs a window of opportunity to be seen on the screen.</p>

<p>Promote full recognition and use of French and English in Canadian society.</p>	<p>1a) The Commission approved a new French-language commercial FM radio station in the national capital region (Public Broadcasting Notice CRTC 2005-64, <i>Introduction to Broadcasting Decisions CRTC 2005-253 to 2005-257 – Licensing of new radio stations to serve Ottawa, Ontario/Gatineau, Quebec</i>, 23 June 2005).</p> <p>1b) The Commission put in place the regulatory measures needed to require all cable broadcasting distribution undertakings that serve more than 2,000 subscribers to distribute both an English-language and a French-language version of the Cable Public Affairs Channel and the parliamentary programming service (Broadcasting Public Notice CRTC 2006-5, <i>Changes to the distribution of the Cable Public Affairs Channel and the parliamentary programming service in response to a Direction from the Governor in Council</i>, 19 January 2006).</p> <p>1c) The Commission approved two broadcasting licence applications to operate a satellite subscription radio undertaking and a broadcasting licence application to operate a terrestrial subscription radio undertaking. Within the context of these decisions, the Commission ruled that section 3(1)(d)(iii) of the Act indicates, among other things, that the Canadian broadcasting system should reflect the linguistic duality of Canada, and the Commission therefore determined it appropriate</p>	<p>1a) to h) These measures help to promote the linguistic duality of Canada and ensure the use of French and English in Canadian society.</p>
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	<p>to require, by condition of licence, that a minimum portion of Canadian-produced channels distributed by these services be in the French language. Furthermore, the Commission ruled that each French-language channel must devote to musical selections in the French language, on a weekly basis, a minimum of 65% of the vocal music selections from category 2, as defined in the <i>Radio Regulations</i> (Broadcasting Public Notice CRTC 2005-61, <i>Introduction to Broadcasting Decisions CRTC 2005-246 to 2005-248: Licensing of new satellite and terrestrial subscription radio undertakings</i>, 16 June 2005; Broadcasting Decisions CRTC 2005-246 and CRTC 2005-247, <i>Satellite subscription radio undertakings</i>, 16 June 2005, some of the conditions of licence of which were amended by Broadcasting Decisions CRTC 2006-37 and 2006-38, <i>Satellite subscription radio undertakings – Licence amendment</i>, 10 February 2006; Broadcasting Decision CRTC 2005-248, <i>Terrestrial subscription radio undertaking</i>, 16 June 2005).</p> <p>1d) The Commission announced incentives for original French-language Canadian television drama (Broadcasting Public Notice CRTC 2005-8, <i>Incentives for original French-language Canadian television drama</i>, 27 January 2005).</p> <p>1e) The Commission approved a dozen new French-language category 2 digital specialty</p>	
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	<p>services, thereby increasing the supply of French-language digital services available to television viewers (Broadcasting Decision CRTC 2005-347, <i>Le Réseau Grand Air – Category 2 specialty service</i>, 25 July 2005; Broadcasting Decision CRTC 2005-502, <i>Télé-Rêve – Category 2 specialty service</i>, 19 October 2005; Broadcasting Decision CRTC 2005-503, <i>Chez-moi – Category 2 specialty service</i>, 19 October 2005; Broadcasting Decision CRTC 2005-504, <i>Canal Justice – Category 2 specialty service</i>, 19 October 2005; Broadcasting Decision CRTC 2005-505, <i>Télé-Vitesse – Category 2 specialty service</i>, 20 October 2005; Broadcasting Decision CRTC 2005-510, <i>TELETOON Rétro – Category 2 specialty service</i>, 21 October 2005; Broadcasting Decision CRTC 2005-520, <i>Humour – Category 2 specialty service</i>, 21 October 2005; Broadcasting Decision CRTC 2005-521, <i>Télé-Services – Category 2 specialty service</i>, 21 October 2005; Broadcasting Decision CRTC 2005-527, <i>Prise 2 (Nostalgie) – Category 2 specialty service</i>, 21 October 2005; Broadcasting Decision CRTC 2005-528, <i>Star Système – Category 2 specialty service</i>, 21 October 2005; Broadcasting Decisions CRTC 2006-98 and 2006-98-1, <i>Vrac Junior – Category 2 specialty service</i>, 27 March 2006 and 7 April 2006; Broadcasting Decision CRTC 2006-116, <i>Équestre Planète – Category 2 specialty service</i>, 4 April 2006; Broadcasting Decision CRTC 2006-118, <i>Télévision éducative Cookie Jar –</i></p>	
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	<p><i>Category 2 specialty service</i>, 4 April 2006; Broadcasting Decision CRTC 2005-249, <i>TeleDance – Category 2 specialty service</i>, 16 June 2005).</p> <p>1f) The Commission ruled that an applicant proposing a new third-language ethnic Category 2 service must commit to devote at least 90% of the program schedule of the service to programming in languages other than English or French. The remainder of the programming schedule, i.e., up to 10% of a proposed third-language ethnic Category 2 service, may be in one or both official languages. The Commission encourages applicants to ensure that all such programming serves to promote Canada’s linguistic duality (Broadcasting Public Notice CRTC 2005-104, <i>Revised approach for the consideration of broadcasting licence applications proposing new third-language ethnic Category 2 pay and specialty services</i>, 23 November 2005).</p> <p>1g) The Commission imposed a number of measures on the <i>Aboriginal Peoples Television Network</i> as conditions of licence, including an increase in the broadcasting of French-language programming. In addition, during the third year and for the remainder of the licence term, the licensee must provide described video programming for all new, first-run English- and French-language drama. Lastly, the licensee must provide closed captions for at least 25% of its new,</p>	
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	<p>original, French-language programming in each broadcast day, beginning in the third year of the licence term (Broadcasting Decision CRTC 2005-445, <i>Aboriginal Peoples Television Network – Licence renewal</i>, 31 August 2005).</p> <p>1h) The Commission adopted several measures to protect French-language analog specialty services during the transition to digital (Broadcasting Public Notice CRTC 2006-23, <i>Digital migration framework</i>, 27 February 2006).</p>	
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G. Accountability

<p>Main expected results for the period covered by the action plan (fiscal 2005-2006)</p>	<p>Main activities carried out for the year covered by the status report</p>	<p>Progress (results) achieved for the year covered by the status report</p>
<p>Integration of the CRTC's work to implement section 41 of the OLA into planning and accountability mechanisms.</p>	<p>1a) <i>Estimates: Performance Reports for the Period Ending March 31, 2006</i>. This report describes the CRTC's achievements with various stakeholders and partners.</p> <p>1b) <i>Official Languages Achievements Report for 2005-2006</i>. This annual status report outlines the CRTC's execution of its mandate pursuant to section 41 of the OLA.</p> <p>1c) <i>2005-2006 Estimates: Part III – Report on Plans and Priorities</i>. This report presents the CRTC's spending plans and priorities for 2006-2007.</p>	<p>1a)b)c) The industry and the general public are aware of the CRTC's designation pursuant to section 41 of the OLA and of its activities relating thereto, and this demonstrates the CRTC's commitment to implementing section 41 of the OLA within the context of its activities.</p>

Communication plan

Distribution list

- members of the Committee of Deputy Ministers on Official Languages
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