



Broadcasting Decision CRTC 2005-448

Ottawa, 31 August 2005

Corus Radio Company
Vancouver, British Columbia

Application 2005-0211-3
Broadcasting Public Notice CRTC 2005-63
22 June 2005

CHMJ Vancouver – Licence renewal

The Commission renews the broadcasting licence for the commercial radio programming undertaking CHMJ Vancouver, from 1 September 2005 to 31 August 2009. This short-term licence renewal will enable the Commission to ensure, at an early date, that the content of CHMJ's programming does not contravene the Broadcasting Act or the Radio Regulations, 1986.

The application

1. The Commission received an application by Corus Radio Company (Corus) to renew the broadcasting licence for the commercial radio programming undertaking CHMJ Vancouver. The licence expires 31 August 2005.
2. The Commission did not receive any interventions in connection with this application.

Non-compliance

3. During the current licence term, the licensee's programming was the subject of complaints by the public on two occasions. The Commission addressed the first complaint in *Complaint regarding the broadcast of an episode of The Tom Leykis Show on radio station CHMJ Vancouver*, Broadcasting Decision CRTC 2004-196, 4 June 2004 (Decision 2004-196) and the second complaint in *Complaint regarding the broadcast of an episode of Loveline on CHMJ, Vancouver*, Broadcasting Decision CRTC 2005-101, 9 March 2005 (Decision 2005-101).
4. In Decision 2004-196, the Commission addressed the complaint of a radio listener regarding the content of a promotional spot and program identification message that aired on *The Tom Leykis Show*. The Commission concluded that Corus had breached section 3(b) of the *Radio Regulations, 1986* (the Regulations) that prohibits the broadcast of any abusive comment. The Commission also determined that the broadcast in question failed to meet a number of the objectives set out in the *Broadcasting Act* (the Act), including the provision that provides that programming should be of high standard. The Commission required Corus, as part of its licence renewal application, to provide a report

on the measures and mechanisms it had put in place to ensure that the content of the programming broadcast by CHMJ adheres at all times to the Act and the Regulations, as well as on the implementation and effectiveness of these measures and mechanisms.

5. In Decision 2005-101, the Commission addressed a complaint regarding the broadcast of an episode of a U.S. syndicated radio program entitled *Loveline*. Based on its review of the episode in question, the Commission concluded that the broadcast at issue failed to meet a number of Canadian broadcasting policy objectives set out in the Act, including the high standard provision. The Commission determined, however, that the licensee did not breach the provision contained in the Regulations that prohibits the broadcast of any abusive comment.
6. In Broadcasting Public Notice CRTC 2005-63, 22 June 2005, the Commission announced that it would examine CHMJ Vancouver's licence renewal application, and referred to the complaints mentioned above. The Commission also noted that it had received a report on the measures and mechanisms put in place by Corus pursuant to Decision 2004-196. Finally, the Commission noted the licensee's advice that CHMJ now operates as an all sports radio station.

Commission's analysis and determination

7. The Commission has examined the report submitted by the licensee and finds it satisfactory. Nevertheless, given the licensee's non-compliance, the Commission has determined it appropriate to renew the licence for a short term of four years, in accordance with *Practices regarding radio non-compliance*, Circular No. 44, 7 May 2001. This short-term licence renewal will enable the Commission to ensure that the content of the programming broadcast by CHMJ does not contravene the Act or the Regulations.
8. Accordingly, the Commission **renews** the broadcasting licence for the commercial radio programming undertaking CHMJ Vancouver, from 1 September 2005 to 31 August 2009. The licence will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999.

Employment equity

9. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

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