



Broadcasting Decision CRTC 2005-247

Ottawa, 16 June 2005

SIRIUS Canada Inc.
Across Canada

*Application 2003-1885-9
Public Hearing in the National Capital Region
1 November 2004*

Satellite subscription radio undertaking

*The Commission **approves** the application by SIRIUS Canada Inc. (Sirius Canada) for a broadcasting licence to carry on a satellite subscription radio undertaking, subject to the conditions of licence set out in the appendix to this decision.*

Upon licensing, Sirius Canada will be owned by the Canadian Broadcasting Corporation, Standard Radio Inc. and Sirius Satellite Radio Inc., an American corporation.

By condition of licence, the licensee must provide a minimum of eight original Canadian-produced channels at the beginning of operations, and may distribute, to any Canadian subscriber, a maximum of nine non-Canadian-produced channels for each original Canadian-produced channel that it distributes. A minimum of 85% of the musical selections broadcast on all Canadian-produced channels, considered together, must be Canadian selections.

The licensee must also, by condition of licence, distribute a minimum of three French-language original Canadian-produced channels at the beginning of operations and at any time, not less than 25% of the original Canadian-produced channels offered by the undertaking must be French-language channels. A minimum of 65% of all category 2 (popular music) vocal musical selections broadcast on each French-language channel must be French-language selections.

*The Sirius Canada application was one of three applications for subscription radio undertakings considered at the 1 November 2004 public hearing. The Commission's general approach to these applications is set out in Introduction to Broadcasting Decisions CRTC 2005-246 to 2005-248: Licensing of new satellite and terrestrial subscription radio undertakings, *Broadcasting Public Notice CRTC 2005-61*, of today's date (*Public Notice 2005-61*).*

Sirius Canada must provide written confirmation, within 150 days of this decision, that it accepts the terms and conditions set out in this decision and in the licensing framework set out in Public Notice 2005-61, including any necessary revisions to its agreements with its American partner. Failure to provide such confirmation within the required timeframe shall render this decision null and void.

Overview of the application

1. The Commission received an application by SIRIUS Canada Inc. (Sirius Canada) for a broadcasting licence to carry on a satellite subscription radio undertaking.
2. Upon licensing, Sirius Canada would be owned by the Canadian Broadcasting Corporation (CBC), Standard Radio Inc. (Standard) and Sirius Satellite Radio Inc. (Sirius), an American corporation. Pursuant to a Shareholder Agreement dated 6 July 2004, it was agreed that, upon approval of the application, the CBC would become a shareholder with a 40% voting interest. As a result, Standard would also hold a 40% voting interest and the remaining 20% would be held by Sirius.
3. Pursuant to a Licensing and Service Agreement (LSA) between Sirius and Sirius Canada dated 6 July 2004, Sirius has agreed to provide certain elements of operations such as programming and technology as well as a number of services and licences to Sirius Canada in exchange for an increased level of non-voting interest in Sirius Canada. Sirius may also earn additional licence fees if gross revenues reach a certain threshold per month. The Commission is satisfied that the LSA does not provide a level of influence to Sirius that would be sufficient to jeopardize Sirius Canada's ability to hold a licence.
4. The applicant indicated that the undertaking would deliver a package of radio channels to subscribers for a basic monthly fee of \$12.95.
5. Sirius Canada originally proposed to distribute the CBC's existing Radio One and La Première Chaîne radio services, two new channels (one in English and one in French) produced by the CBC, and 74 American channels provided by Sirius, one of two companies that provides satellite radio service in the United States.
6. Subsequent to the submission of its application, Sirius Canada proposed to add a fifth Canadian-produced channel that would be programmed by Standard. At the hearing, Sirius Canada indicated that it would add three more Canadian-produced channels to its service when it has 300,000 subscribers or if additional satellite capacity becomes available from Sirius. It further advised that the number of programming channels originating from its American partner had increased to 120.
7. Sirius Canada committed to contribute 5% of the revenues of its service to Canadian talent development (CTD), submitting that this level of funding was consistent with the general standard adopted for broadcasting distribution undertakings set out in the *Broadcasting Distribution Regulations*. Based on its revenue projections for the first licence term, this percentage commitment would represent \$21.5 million over 7 years in

contributions to CTD initiatives. The applicant also proposed to allocate its CTD contributions equally between initiatives for the development of Canadian English- and French-language talent.

8. The Sirius Canada application was one of three applications for subscription radio undertakings considered at the 1 November 2004 public hearing. The Commission's general approach to these applications, including a licensing framework for satellite subscription radio undertakings, is set out in *Introduction to Broadcasting Decisions CRTC 2005-246 to 2005-248: Licensing of new satellite and terrestrial subscription radio undertakings*, Broadcasting Public Notice CRTC 2005-61, of today's date (Public Notice 2005-61).

Interventions

9. The Commission received more than 300 interventions in support of this application. Interventions raising concerns and addressing policy issues associated with the licensing of satellite subscription radio undertakings are discussed in Public Notice 2005-61.

The Commission's analysis and determinations

Canadian channels

10. Sirius Canada proposed to offer the following five Canadian-produced channels at the beginning of operations.
11. *Radio One*: Sirius Canada would rebroadcast the CBC's existing English-language Radio One service. Approximately 80% of Radio One's service consists of spoken word programming with the remainder made up of music. By condition of licence, the CBC must ensure that at least 50% of all category 2 (popular music) and at least 20% of all category 3 (special interest music) musical selections broadcast on Radio One during each broadcast week are Canadian selections.¹
12. *La Première Chaîne*: Sirius Canada would rebroadcast the CBC's existing French-language La Première Chaîne radio service. Like Radio One, La Première Chaîne is oriented to spoken word programming. With respect to music programming, the CBC must, by condition of licence, ensure that at least 50% of all category 2 (popular music) and at least 20% of all category 3 (special interest music) musical selections broadcast on La Première Chaîne during each broadcast month are Canadian selections.²

¹ See *Licences for CBC English-language television and radio renewed for a seven-year term*, Decision CRTC 2000-1, 6 January 2000.

² See *Licences for CBC French-language television and radio renewed for a seven-year term*, Decision CRTC 2000-2, 6 January 2000.

13. *Radio Three*: Radio Three would be a new English-language music-oriented channel based on an existing Internet service offered by the CBC. Radio Three would be aimed at young adults, and would showcase new and upcoming Canadian musicians, artists, writers and creators. Sirius Canada indicated that a minimum of 75% of the category 2 and at least 50% of the category 3 musical selections broadcast on Radio Three each week would be Canadian selections.
14. *Bandeàpart*: Bandeàpart would be a new French-language music-oriented channel produced by the CBC that would be dedicated to new music, emerging talent and youth-oriented programming. Sirius Canada indicated that a minimum of 65% of the category 2 and at least 50% of category 3 musical selections broadcast each week on Bandeàpart would be Canadian selections.
15. *The Wave*: This new English-language channel would be produced by Standard and would feature only Canadian musical selections. The Wave would focus on emerging and independent Canadian artists, including Aboriginal artists.
16. Sirius Canada further stated that it would add three more Canadian-produced channels to its service when it has 300,000 subscribers, or if additional capacity becomes available, one of which would be a French-language channel.
17. In Public Notice 2005-61, the Commission set out a framework under which it would license satellite subscription radio undertakings. In Public Notice 2005-61, the Commission indicated that it considered that the number of Canadian channels proposed by the applicants for satellite subscription radio undertakings at the 1 November 2004 public hearing was not sufficient, and that it was inappropriate for such undertakings to rebroadcast existing radio services in their entirety. Consequently, the Commission indicated that it would require licensees of such undertakings, including Sirius Canada, to distribute a minimum of eight original Canadian-produced channels from the outset of operations. An “original Canadian-produced channel” is defined as a channel produced in Canada that consists of programming not less than 50% of which is produced for and broadcast for the first time on that channel. Consequently, it will be necessary for Sirius Canada to ensure that at least 50% of the programming on the channels on which it originally proposed to distribute Radio One and La Première Chaîne qualifies as original Canadian programming. The Commission further indicated that a satellite subscription radio undertaking would be permitted to distribute, to any Canadian subscriber, a maximum of nine non-Canadian produced channels for each original Canadian-produced channel that it distributes, and that no subscriber would be permitted to receive a package of channels where original Canadian-produced channels constituted less than 10% of the channels received. **Conditions of licence** to this effect are set out in the appendix to this decision. As well, the Commission indicated that it expects at least 60% of the original Canadian-produced channels distributed by satellite subscription radio undertakings to be music channels.

18. In accordance with the licensing framework set out in Public Notice 2005-61, the Commission is also imposing **conditions of licence** requiring Sirius Canada to devote a minimum of 85% of the total musical selections broadcast on all Canadian-produced channels, considered together, to Canadian selections, and to devote a minimum of 85% of the total spoken word programming broadcast on all Canadian-produced channels, considered together, to Canadian spoken word programming. These conditions are also set out in the appendix to this decision.

French-language channels

19. As indicated above, the applicant originally proposed to offer two French-language channels, both produced by the CBC. In *Licences for CBC French-language television and radio renewed for a seven-year term*, Decision CRTC 2000-2, 6 January 2000, the Commission stated that it expected the CBC to ensure that at least 85% of the vocal musical selections broadcast each month on La Première Chaîne are French-language vocal music selections, and to limit English-language vocal music selections, which must be Canadian, to 5% of all vocal musical selections broadcast. With respect to the other French-language service, Bandeàpart, Sirius Canada proposed that at least 75% of the vocal selections broadcast each week would be devoted to French-language vocal selections. Sirius Canada further indicated that at least 67% of the French-language musical selections broadcast on Bandeàpart would be Canadian selections.
20. As noted above, Sirius Canada indicated that it would also offer a third French-language channel.
21. In Public Notice 2005-61, the Commission determined that it was appropriate to require each satellite subscription radio undertaking to distribute a minimum of three French-language original Canadian-produced channels from the outset of operations, and to require that not less than 25% of the original Canadian-produced channels are French-language original Canadian-produced channels. **Conditions of licence** to this effect are set out in the appendix to this decision.
22. Further, in accordance with the licensing framework set out in Public Notice 2005-61, the Commission is imposing a **condition of licence** requiring the licensee to ensure that at least 65% of the category 2 vocal musical selections broadcast on each Canadian-produced French-language channel during each week are French-language selections. This **condition of licence** is also set out in the appendix to this decision.

New Canadian music and emerging talent

23. Sirius Canada submitted that one of the benefits of approving its application is that its proposed undertaking would provide exposure for new Canadian music that receives little or no airplay on conventional radio stations.

24. In Public Notice 2005-61, the Commission stated that it considered that it was appropriate to require each satellite subscription radio undertaking to ensure that, between 6 a.m. and midnight each week on each Canadian music channel, a minimum of 25% of the musical selections broadcast will be new Canadian musical selections, and a minimum of 25% will be Canadian selections by artists who have not had a musical selection that has reached a position on one or more of the charts identified in the list set out in Circular 445, 14 August 2001, as may be amended from time to time. A **condition of licence** to this effect is set out in the appendix to this decision.
25. For the purposes of this condition, a “new Canadian musical selection” is a Canadian selection that has been released in the 6 months prior to the date that the musical selection is broadcast. The Eastern time zone will be used when determining compliance with this condition of licence. The licensee will also be responsible for specifying on the music lists it provides to the Commission, the release date of all musical selections it broadcasts.

Canadian talent development

26. Sirius Canada proposed to devote 5% of gross annual revenues to CTD. Based on the applicant’s projections, this would amount to approximately \$21.5 million over seven years. Sirius Canada further indicated that it would guarantee that at least \$1.2 million was spent on CTD during the first two years of operations, when revenues would be lower. The applicant indicated that it would split its annual expenditures on CTD equally between initiatives supporting Canadian English-language talent and initiatives supporting Canadian French-language talent as set out below.
27. The applicant proposed to allocate its commitment to devote 5% of gross annual revenues to CTD expenditures as follows:

FACTOR and MusicAction

28. Sirius Canada proposed to allocate 2.5% of gross annual revenues, or half of its proposed CTD contribution, equally between Fund to Assist Canadian Talent on Record (FACTOR) and MusicAction. This contribution would be earmarked to assist Canadian artists in building an international profile through touring and other means. Sirius Canada considered that this emphasis would complement the nature of the Sirius undertaking, which would be receivable across North America and therefore provide exposure of Canadian artists in the United States as well as in Canada.

Artist support fund

29. Sirius Canada proposed to allocate 2.5% of gross annual revenues, or half its proposed CTD contribution, to an “artist support fund.” This fund would support a “CTD coordinator” initiative and a “travel and talent costs for Canadian artists” initiative.

30. It proposed to hire a CTD coordinator who would live in New York City. This coordinator would promote new Canadian artists and their recordings to Sirius staff in the United States, and coordinate appearances by Canadian artists on Sirius channels that originate in the US.
31. Sirius Canada would support travel and talent costs for Canada artists by funding:
- travel and talent costs to send Canadian artists to Sirius studios for performances on Sirius channels;
 - showcases in New York City for Canadian artists with two such showcases in each of the first three years of operation, and four showcases beginning in year 4; and
 - a national talent hunt for Canadian musical talent, with winners receiving a recording contract, and the resulting CD would be played on Sirius channels.
32. At the hearing, Sirius Canada indicated that it would also allocate money to support Canadian campus and community radio.
33. The Commission considers that Sirius Canada has proposed valuable initiatives for CTD. In the licensing framework for satellite subscription radio undertakings set out in Public Notice 2005-61, the Commission stated that it would require such undertakings to contribute 5% of gross annual revenues to CTD, with 50% of the total contribution allocated to the development of Canadian French-language talent and 50% allocated to the development of Canadian English-language talent. **Conditions of licence** to this effect are set out in the appendix to this decision.
34. Further, the Commission is imposing a **condition of licence** that requires Sirius Canada to file a report on the fulfilment of its CTD commitments with each annual return. This condition is set out in the appendix to this decision.

Advertising and local programming

35. Sirius Canada indicated that it would not broadcast original local programming on its Canadian-produced channels, nor did it plan to carry any commercial messages on those channels.
36. In Public Notice 2005-61, the Commission indicated that it considered it appropriate to require satellite subscription radio undertakings not to broadcast any programming that targets a particular geographic community, including local commercial messages. However, the Commission determined that it would allow such undertakings to broadcast up to six minutes of national commercial messages per hour on each channel. **Conditions of licence** to this effect are set out in the appendix to this decision.

Adherence to regulations and industry codes

37. Sirius Canada committed to be accountable for the content of all programming broadcast on all Canadian-produced and non-Canadian-produced channels distributed by the proposed undertaking. It undertook not to broadcast anything in contravention of the law, any abusive comment, or any obscene or profane language. Sirius Canada also committed to adhere to the Canadian Association of Broadcasters' (CAB) *Sex-role Portrayal Code for Television and Radio Programming*.
38. Sirius Canada further indicated that it would consider offering a "Family Plan" package to subscribers, which would exclude programming considered to be adult in nature.
39. In accordance with the licensing framework for satellite subscription radio undertakings set out in Public Notice 2005-61, the Commission will require Sirius Canada, by **condition of licence**, to adhere to relevant provisions of the *Radio Regulations, 1986*, as well as to the CAB *Sex-role Portrayal Code for Television and Radio Programming* and the *Broadcast Code for Advertising to Children*. It will also require Sirius Canada to maintain program logs for all Canadian-produced channels, logger tapes for all Canadian-produced channels and any non-Canadian-produced channels that the Commission may designate from time to time, and music lists for all channels that it distributes.
40. The Commission directs Sirius Canada to file, within 150 days of the release of this decision, internal guidelines for dealing with complaints from listeners for the Commission's approval. Once these guidelines have been approved, the Commission expects the applicant to apply these guidelines to the consideration of any complaints that are received.
41. The Commission also expects Sirius Canada to create a designation that will be used to identify any channels that broadcast potentially offensive content. In the event that Sirius Canada should decide to broadcast open line programming, the Commission expects it to adhere to the Commission's *Policy regarding open-line programming*, Public Notice CRTC 1988-213, 23 December 1988.

Employment equity

42. In accordance with the applicant's commitments, the Commission expects initiatives for Sirius Canada to be included in the employment equity plan in place for the CBC.
43. 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.

Cultural diversity

44. The Commission expects Sirius Canada to reflect the cultural diversity of Canada in all of its programming, and encourages it to promote those channels that are targeted to specific cultural groups.

Conclusion

45. The Commission **approves** the application by SIRIUS Canada Inc. and, consistent with the approach set out in Public Notice 2005-61, will issue a broadcasting licence to carry on a satellite subscription radio undertaking. The licence will expire on 31 August 2011 and will be subject to the **conditions of licence** set out in the appendix to this decision.
46. The Commission notes that, while Sirius Canada will provide national service by satellite, it has also proposed to establish a number of terrestrial transmitters to fill in areas where coverage is deficient. The Commission's approval of the terrestrial transmitters is based on the technical submissions filed with the application. The applicant must also obtain technical certification from the Department of Industry (the Department) on the basis of requirements set out in Annex 1 of the Department's letter to the Commission and copied to the applicant entitled *Issuance of technical broadcasting certificates for applications authorized to provide subscription radio services*, 21 September 2004. Sirius Canada must also provide the Commission with a copy of all technical submissions, including coverage maps, that it sends to the Department.
47. The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
48. The licence for this undertaking will be issued when :
 - a) the applicant has informed the Commission in writing that it is prepared to commence operations; and
 - b) the applicant has filed, to the Commission's satisfaction, an amended Shareholder Agreement with the CBC, Standard and Sirius as registered shareholders of Sirius Canada.
49. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 16 June 2007. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Confirmation required

50. Sirius Canada must provide written confirmation, within 150 days of this decision, that it accepts the terms and conditions set out in this decision and in the licensing framework set out in Public Notice 2005-61, including any necessary revisions to its agreements with its American partner. Failure to provide such confirmation within the required timeframe shall render this decision null and void.

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>

Appendix to Broadcasting Decision CRTC 2005-247

Conditions of licence for the satellite subscription radio undertaking licensed to SIRIUS Canada Inc.

1. (a) The licensee shall provide a national satellite subscription radio undertaking consisting of original Canadian-produced channels and non-Canadian channels. The licensee is authorized to distribute the services of Sirius Satellite Radio Inc. in accordance with the terms of the conditions of licence set out below.
- (b) The licensee shall distribute a minimum of eight original Canadian-produced channels.
- (c) The licensee may distribute, to any Canadian subscriber, a maximum of nine non-Canadian-produced channels for each original Canadian produced channel that it distributes.
- (d) In no case may a subscriber receive a package of channels where original Canadian-produced channels constitute less than 10 percent of total channels received.

For purposes of this condition of licence, an “original Canadian-produced channel” is a channel produced in Canada that consists of programming not less than 50% of which is produced for and broadcast for the first time on that channel.

2. The licensee shall, in a week, devote a minimum of 85% of the total musical selections broadcast on all Canadian-produced channels, considered together, to Canadian selections as defined in section 2.2(2) of the *Radio Regulations, 1986*.
3. The licensee shall, in a week, devote at least 85% of the total spoken word programming broadcast on all Canadian-produced channels, considered together, to Canadian spoken word programming.

For purposes of this condition of licence “Canadian spoken word programming” means programming other than musical selections or commercial messages that is produced in Canada and where a Canadian is the primary performer or speaker.

4. (a) The licensee shall distribute a minimum of three French-language original Canadian-produced channels.
- (b) Not less than 25% of the original Canadian-produced channels distributed by the licensee shall consist of French-language original Canadian-produced channels.

For purposes of this condition of licence, an “original Canadian-produced channel” is a channel produced in Canada that consists of programming not less than 50% of which is produced for and broadcast for the first time on that channel.

5. The licensee shall, during a week, on each French-language channel, devote 65% or more of its vocal musical selections from content category 2 to musical selections in the French language and schedule them in a reasonable manner throughout each day.
6. The licensee shall devote, between 6 a.m. and midnight each week on each Canadian music channel, a minimum of 25% of the musical selections broadcast to new Canadian musical selections, and a minimum of 25% of the musical selections broadcast to Canadian selections by artists who have not had a musical selection that has reached a position on one or more of the charts identified in the list set out in Circular 445, 14 August 2001, as may be amended from time to time.

For the purposes of this condition of licence, a “new Canadian musical selection” is a Canadian selection that has been released in the 6 months prior to the date that the musical selection is broadcast. The Eastern time zone will be used for purposes of determining compliance with this condition of licence. The licensee will also be responsible for specifying on the music lists it provides to the Commission, the release date of all musical selections it broadcasts.

7. (a) During each broadcast year, the licensee shall contribute a minimum of 5% of gross revenues from its satellite subscription radio undertaking to eligible third parties directly connected to the development of Canadian musical and other artistic talent or other initiatives approved by the Commission. For purposes of this condition of licence, “eligible third parties” shall have the definition set out in *Contributions by radio stations to Canadian talent development – A new approach*, Public Notice CRTC 1995-196, 17 November 1995, as amended from time to time by the Commission.
- (b) Fifty per cent of the licensee’s total annual contribution to Canadian talent development shall be allocated to initiatives for the development of Canadian French-language talent, and fifty percent shall be allocated to initiatives for the development of Canadian English-language talent.
- (c) The licensee shall file a report on the fulfilment of its commitments with respect to Canadian talent development with each annual return. The report shall set out the initiatives that the licensee has supported, the amount spent on each initiative, as well as the total amounts devoted to initiatives for the development of French-language and English-language talent.

8. The licensee shall not broadcast any original local programming on a Canadian-produced channel. For the purpose of this condition of licence “original local programming” means programming produced by the licensee for broadcast on the satellite subscription radio undertaking that targets a particular geographic community and includes, but is not limited to, commercial messages, news, weather and traffic information.
9. The licensee shall broadcast no more than six minutes of national commercial messages during any clock hour on any Canadian-produced channel. For purposes of this condition of licence a “national commercial message” is a commercial message that is purchased at a national rate and receives national distribution on the service.
10. The licensee shall adhere to sections 3, 4, 6,10.1 (with respect to its terrestrial transmitters) and 11 of the *Radio Regulations, 1986*.
11. 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 is a member in good standing of the Canadian Broadcast Standards Council.
12. 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.
13. The licensee shall, for each Canadian-produced channel, adhere to the provisions of sections 8(1), (2), (3), (4), (5) and (6) of the *Radio Regulations, 1986*.
14. The licensee shall, for any non-Canadian-produced channel that may be identified by the Commission from time to time, adhere to the provisions of sections 8(5) and (6) of the *Radio Regulations, 1986*.
15. (1) For the purposes of this condition of licence,

“Canadian musical selection” means a musical selection that meets the criteria set out in subsection 2.2(2) of the *Radio Regulations, 1986*.

 - (2) On or before November 30 of each year, the licensee shall submit to the Commission a statement of accounts, on the annual return of broadcasting licensee form, for the year ending on the previous August 31.
 - (3) For any Canadian-produced channel, the licensee shall, at the request of the Commission, submit for any period specified by the Commission in its request

- (a) the information required by the most recent Station Self-assessment Report form issued by the Commission; and
 - (b) a list of the musical selections in the order in which they are broadcast by the licensee during that period that includes the title and performer of each musical selection and a legend that identifies
 - (i) any Canadian musical selection,
 - (ii) any instrumental selection,
 - (iii) any category 3 musical selection within the meaning of Public Notice CRTC 1991-19 of 14 February 1991 entitled *Implementation of the FM Policy* and published in the Canada Gazette Part I on 23 February 1991, and
 - (iv) the language of the musical selection, where the musical selection is not an instrumental selection.
- (4) for any non-Canadian produced channel, the licensee shall, at the request of the Commission, submit for any period specified by the Commission in its request, the following information for each musical selection broadcast:
- (i) the name of the artist;
 - (ii) the name of the album from which the musical selection is taken and the number of the track;
 - (iii) the year that the musical selection was released; and
 - (iv) the version of the track, where multiple versions exist.
- (5) At the request of the Commission, the licensee shall provide the Commission with a response to any inquiry regarding the licensee's programming, ownership or any other matter within the Commission's jurisdiction that relates to the licensee's undertaking.
16. For the purposes of all the conditions of licence set out above, the terms "commercial message," "content category," "content subcategory," "ethnic program," "licensed," and "musical selection," shall have the meaning set out in section 1 of the *Radio Regulations, 1986*. "Day" means the total number of hours devoted to broadcasting for a period beginning at 12:00 in the forenoon and ending at midnight the same day. "Week" means seven consecutive days beginning on Sunday.