



## Broadcasting Decision CRTC 2004-338

Ottawa, 13 August 2004

**Riding Mountain Broadcasting Ltd.**  
Brandon, Manitoba

*Application 2003-1749-7*  
*Broadcasting Public Notice CRTC 2004-37*  
*2 June 2004*

### **CKLQ Brandon – Licence renewal**

1. The Commission received an application by Riding Mountain Broadcasting Ltd. to renew the broadcasting licence for the radio programming undertaking CKLQ Brandon.
2. The Commission did not receive any interventions in connection with this application.
3. The Commission analyzed the programming broadcast by CKLQ during the week of 11 August to 17 August 2002. The analysis revealed that only 33.3% of all category 2 selections broadcast over the broadcast week, and only 29.9% of the category 2 musical selections broadcast by the licensee between 6:00 a.m. and 6:00 p.m., Monday to Friday, were Canadian musical selections. These findings constitute infractions of sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Radio Regulations), which stipulate that:

2.2(8) Except as otherwise provided under a licensee's condition of licence that refers expressly to this subsection and subject to subsection (6)<sup>1</sup>, an A.M. or F.M. licensee licensed to operate a commercial station, community station or campus station shall, in a broadcast week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

2.2(9) Except as otherwise provided under a licensee's condition of licence, and subject to subsection (6), an A.M. or F.M. licensee licensed to operate a commercial station shall, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

4. The licensee acknowledged its non-compliance with sections 2.2(8) and 2.2(9) of the Radio Regulations.

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<sup>1</sup> Section 2.2(6) of the *Radio Regulations, 1986* permits a licensee to reduce the percentage of its Canadian musical selections from content category 2 if it devotes specific percentages of its musical selections in a broadcast week to instrumental selections.

5. In *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001, the Commission clarified its approach relating to radio stations operating in non-compliance.
6. Given that these are the first such infractions by the licensee and consistent with Circular No. 444, the Commission **renews** the licence for CKLQ Brandon, from 1 September 2004 to 31 August 2008, instead of the maximum term of seven years. This period will allow the Commission to assess, at an earlier date, the licensee's compliance with the Radio Regulations regarding the distribution of category 2 Canadian popular music.
7. 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.
8. 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.

Secretary General

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