



Broadcasting Decision CRTC 2003-450

Ottawa, 4 September 2003

Ethnic Channels Group Limited
Across Canada

Application 2002-0802-6
Public Hearing in the National Capital Region
26 May 2003

Vietnamese TV – Category 2 specialty service

*In this decision, the Commission **approves** the operation of a new Category 2 specialty television service.*

1. The Commission received an application by Ethnic Channels Group Limited for a broadcasting licence to operate an ethnic Category 2¹ specialty television service to be known as Vietnamese TV.
2. The applicant proposed to offer a programming service targeting the Vietnamese-speaking community.
3. Eight interventions were received in support of this application. One intervention making comments on the application was submitted by Inner City Films.
4. The Commission notes the comments by Inner City Films, the concerns it raised on the subject of cultural diversity, and its desire to see an “opening up (of) a new dialogue on diversity.”
5. Based on its examination of this application, the Commission is satisfied that it is in conformity with all applicable terms and conditions announced in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by Ethnic Channels Group Limited for a licence to operate the Vietnamese TV programming service.

¹ The Category 2 services are defined in *Introductory statement – Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000.

Conditions of licence

6. The licence will expire 31 August 2010, and will be subject to the conditions set out in Public Notice 2000-171-1 as well as to the following conditions:
 1. The licensee shall provide a national ethnic Category 2 specialty television service providing a programming service primarily in the Vietnamese language. Not less than 90% of all programming broadcast during the broadcast week shall be in the Vietnamese language.
 2. The programming must be drawn exclusively from the following categories, as set out in Schedule I to the *Specialty Services Regulations, 1990*: 1, 2a, 2b, 3, 4, 5b, 6a, 6b, 7a, 7b, 7c, 7d, 7e, 7f, 7g, 8a, 8c, 9, 10, 11, 12, 13 and 14.
 3. With respect to the condition of licence relating to advertising, as set out in Public Notice 2000-171-1, condition of licence 4a) will be replaced by:
 - a) Except as otherwise provided in subparagraphs b) and c), the licensee shall not distribute more than 12 minutes of advertising material during each clock hour, no more than 6 minutes of which may consist of local or regional advertising.

For the purposes of the conditions of this licence, *broadcast day* shall have the same meaning as that set out in section 2 of the *Television Broadcasting Regulations, 1987*.

Issuance of the licence

7. The licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
 - the applicant has entered into a distribution agreement with at least one licensed distributor; and
 - the applicant has informed the Commission in writing that it is prepared to commence operations. 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 4 September 2005. 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.

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>

