



BULLETIN

Canadian Conference of the Arts ~ Conférence canadienne des arts

CCA JOINS CHALLENGE TO CRTC DECISIONS ON SATELLITE RADIO

Ottawa, August 9, 2005 - On June 16, 2005, the Canadian Radio-television and Telecommunications Commission (CRTC) announced approval for three licenses to operate satellite subscription radio services, along with the establishment of a licensing framework for such services.

In response, on August 2, 2005, a broad coalition of groups, including the CCA, launched a petition to the Governor in Council asking for a reversal of the CRTC decisions on the licenses granted to Canadian Satellite Radio Inc. and SIRIUS Canada Inc. (decision CRTC 2005-246 [<http://www.crtc.gc.ca/archive/ENG/Decisions/2005/db2005-246.htm>] & decision CRTC 2005-247 [<http://www.crtc.gc.ca/archive/ENG/Decisions/2005/db2005-247.htm>]).

The petition's main argument is that the vast majority of the actual content on these new services will be foreign, and that this represents a direct violation of Canada's Broadcasting Act (<http://laws.justice.gc.ca/en/B-9.01/>). The CRTC's deviation from the broad policy objectives of the Act become clear when one reads Section 3(1) of the Act.

Section 3(1) states that our broadcasting system is, "a public service essential to the maintenance and enhancement of national identity and cultural sovereignty", and that it serves to "safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada". More specifically, it is mandated to "encourage the development of Canadian expression", reflect "Canadian attitudes, opinions, ideas, values and artistic creativity", display "Canadian talent in entertainment programming", and offer "information and analysis ... from a Canadian point of view".

The Act goes on to state that "each element of the Canadian broadcasting system shall contribute in an appropriate manner to the creation and presentation of Canadian programming" and that "each broadcasting undertaking shall make maximum use, and in no case less than predominant use, of Canadian creative and other resources in the creation and presentation of programming ...".

The coalition petition also argues that the two licensees have failed to make an adequate commitment to French-language, multicultural, ethnic minority, or Aboriginal programming, as required under the Act. It also notes that the CRTC decisions contradict Canada's commitment to the UNESCO convention on cultural diversity, which the CCA has strongly supported through its work with the International Network for Cultural Diversity (INCD).

The coalition represents a wide range of interests including creators, songwriters, composers, radio dramatists, performing and recording artists, music publishers, and producers of sound recordings.

The signatories to the petition, many of whom are CCA members, are:

- Alliance of Canadian Cinema, Television and Radio Artists (ACTRA)
- American Federation of Musicians (Canada) (AFM)
- Canadian Auto Workers (CAW)
- Canadian Film and Television Production Association (CFTPA)
- Canadian Independent Record Production Association (CIRPA)
- Canadian Labour Congress (CLC)
- Communications, Energy & Paperworkers Union (CEP)
- Directors Guild of Canada (DGC)
- Friends of Canadian Broadcasting (FCB)
- National Campus & Community Radio Association (NCRA/ANREC)
- Society of Composers, Authors and Music Publishers (SOCAN)
- Songwriters Association of Canada (SAC)
- United Steel Workers (USW)
- Writers Guild of Canada (WGC)

The coalition is not alone in its effort to get the two controversial CRTC decisions reversed. A

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CCA Bulletin — continued

coalition of French-language cultural groups, including ADISQ, APEM, APFTQ, ARRQ, GMMQ, SARTEC, SOCAN, SODRAC, SPACQ and Uda (many of who are also member organizations of the CCA), have filed a separate appeal. In part, their appeal is based on objections regarding how the decisions will effect Canadian content and broadcast service for French-speaking citizens.

The full text of the coalition's petition is available online at:
<http://www.friends.ca/files/PDF/Petition-CRTC-2005-246.2005-247.pdf>

Background:

· **The Applicants**

- Sirius Radio Canada, a partnership involving the CBC, Standard Radio Inc. and the U.S. firm Sirius Satellite Radio Inc. (<http://www.sirius.com/servlet/ContentServer?pagename=Sirius/CachedPage&c=PresReleAsset&cid=1070996607487&flash=flash>)
- Canadian Satellite Radio Inc., headed by Toronto businessman John Bitove, in partnership with XM Satellite Radio Holdings Inc. (<http://www.cdnsatrad.com/news06162005.php>)
- CHUM Subscription Radio Canada is proposing 50 channels, all of which would be produced in Canada. (<http://www.chumlimited.com/csrc/index.asp>).

· **The Applications** (<http://www.crtc.gc.ca/eng/NEWS/RELEASES/2005/i050616.htm>):

	Canadian Satellite Radio	Sirius Canada Inc.	CHUM/Astral
Ownership	John Bitove 100%	CBC 40% Standard 40% Sirius USA 20%	CHUM 80.1% Astral 19.9%
US partner	XM Radio	Sirius USA	N/A
Delivery system	Satellite/terrestrial	Satellite/terrestrial	Terrestrial
Spectrum	S – band	S – band	L – band
Service area	National	National	60-75% of population (by end of 1 st term)
Proposed Canadian channels	1 English music 1 French music 1 English comedy 1 French talk 1 Ethnic	Radio 1 (Eng) Prem Chaîne (Fr) Radio 3 (Eng) Bandeapart (Fr) The Wave (Eng)	35 English 10 French 5 Ethnic
Proposed foreign channels	122	120	All Canadian
Proposed monthly fee	\$12.99	\$12.95	\$9.95

· For more detailed information on *Broadcasting Decisions CRTC 2005-246 to 2005-248 CRTC* see Broadcasting Public Notice CRTC 2005-61: Licensing of new satellite and terrestrial subscription radio undertakings (<http://www.crtc.gc.ca/archive/ENG/Notices/2005/pb2005-61.htm>).

Sixty years strong, the Canadian Conference of the Arts is the national forum for the arts and cultural community in Canada. It serves as a leader, authority, and catalyst to ensure that artists can contribute freely and fully to a creative, dynamic, and civil Canadian society.