

Copyright Board
Canada



Commission du droit d'auteur
Canada

Date 2003-12-22

Citation File: Retransmission 2004

Regime Retransmission of Distant Radio and Television Signals
Copyright Act, Section 66.51

Members Mr. Justice John H. Gomery
Mr. Stephen J. Callary
Ms. Sylvie Charron

Interim tariffs for the retransmission of distant radio and television signals in 2004

Reasons for decision

At the joint request of all the collective societies for television (CCC, BBC, CBRA, CRC, CRRA, FWS, MLB, SOCAN), and the joint request of the collective societies for radio (CBRA, CRRA, SOCAN), and subject to the changes outlined in the rest of this decision, the Board extends indefinitely, on an interim basis, the application of the *Television Retransmission Tariff, 2001-2003* and of the *Radio Retransmission Tariff, 2001-2003*. These tariffs will remain in force, unless modified, until the final tariffs are certified for the period commencing January 1, 2004.

The wording of the tariffs is amended as follows:

Some changes are made further to amendments to the existing *Local and Distant Signal Regulations* to come into force January 1, 2004. Therefore:

In section 2 of the Television and Radio Tariffs, the definition of “distant signal” should read:

“distant signal” has the meaning attributed to it in subsection 2(2) of the *Definition of Local and Distant Signal Regulations* to come into force January 1, 2004 (*Canada Gazette*, Part I, Vol. 137, No. 46), which reads:

“For the purposes of subsection 31(2) of the *Copyright Act*, ‘distant signal’ means a signal that is not a local signal.”

And the definition of “local signal” should read:

“local signal” has the meaning attributed to it in subsection 2(1) of the *Definition of Local Signal and Distant Signal Regulations*, and means one of the following:

(a) in respect of the entire service area of a retransmitter, the signal of a terrestrial radio or television station the area of transmission of which covers all of that area; and

(b) in respect of a portion of the service area of a retransmitter, the signal of a terrestrial radio or television station the area of transmission of which covers all of that portion.

Furthermore, the following changes are made in Appendix A of the Television Collective Societies:

Border Broadcasters, Inc. (BBC)

(248) 827-9391 (Telephone)

(248) 344-9346 (Facsimile)

Canadian Retransmission Collective (CRC)

74 The Esplanade

Toronto, Ontario M5E 1A9

A handwritten signature in black ink that reads "Claude Majeau". The signature is written in a cursive, flowing style.

Claude Majeau
Secretary General