

GUIDELINES  
COVID-19 RECOVERY NEWS SUPPORT FUND – CANADIAN ASSOCIATION OF BROADCASTERS (CAB)  
ALLOCATION OF “Canada Media Fund”  
(the “CAB News Support Fund” or “Fund”)

*Please read these Guidelines and the Attestation Form carefully. The CAB expects to be issuing funds to as many as 500 independent broadcasters. Our goal is to issue funds as quickly and efficiently as possible. We are not equipped to handle unnecessary telephone or email inquiries. Such enquires will merely delay our ability to issue funds. Accordingly, please note that we will not respond to enquiries on matters that are clearly addressed in these guidelines. Revised Guidelines may be periodically issued to address new questions that arise in the course of CAB’s administration of the Fund. Please consult the most recent version of the Guidelines before contacting CAB with any questions.*

## **Introduction**

The 2021 News Support Fund (NSF) is part of the additional support measures for arts, culture and sport of the Government of Canada's continued COVID-19 recovery efforts announced in Budget 2021. The Canadian Association of Broadcasters (CAB) will again administer disbursements on behalf of the Department of Canadian Heritage for independent broadcasters, this year in the amount of \$9.4 million (less administrative expenses)<sup>1</sup>. The Fund is exclusively directed at news producing private local radio and television stations and is otherwise similar to the \$22.5 million Emergency Support Fund (ESF), administered by the CAB in the Fall of 2020.<sup>2</sup>

CAB administration of the News Support Fund is conducted in a fair, open and transparent manner pursuant to a contribution agreement concluded with the Government of Canada on September 24, 2021.

## **CAB Process**

Under the Canadian Heritage approved process, independent broadcaster funding under the CAB News Support Fund will be processed on a Corporate Group or licensee basis.

Potential recipients must fully complete, and a responsible officer execute, the Attestation Form (available on the CAB’s website) and submit it online through [covid-19@cab-acr.ca](mailto:covid-19@cab-acr.ca). An automated email acknowledgement will be issued on receipt.

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<sup>1</sup> [Backgrounder - Continued Support for Arts, Culture, Heritage and Sport Sector Organizations – Canada.ca](#)

<sup>2</sup> The earlier ESF was a part of COVID-19 Emergency Support Fund for Cultural, Heritage and Sport Organizations announced by the Prime Minister on April 17, 2020 as an additional temporary relief measure created to help alleviate the financial pressures faced by cultural, heritage and sport organizations due to the COVID-19 pandemic. Like the ESF, the objectives of the News Support Fund are to maintain jobs and support business continuity for organizations that have been negatively impacted by the COVID-19 pandemic. The News Support Fund complements other measures by the Government of Canada, such as the Canadian Emergency Wage Subsidy (CEWS), to help Canadian workers and employers impacted by the COVID-19 pandemic.

## General Information

CAB's role in this process is solely as administrator. While eligibility criteria were developed in cooperation with the Department of Canadian Heritage, based on the CAB's experience with the ESF, CAB has no discretion to alter the criteria for funding without the approval of the Department of Canadian Heritage. The magnitude of funding was established by the Department of Canadian Heritage, on behalf of the Government of Canada.

The CAB encourages eligible independent broadcasters of both official language communities to participate in the CAB News Support Fund and ensure that activities undertaken as a result of funding are done in such a manner that they meet the needs of both communities.

While compliance with the guidelines is a prerequisite to eligibility for funding, compliance does not guarantee entitlement to access the CAB News Support Fund.

The Government of Canada may request changes to the criteria and/or terminate funding not otherwise issued at its sole discretion. Consistent with the terms of its Contribution Agreement, the CAB may be required to exercise limited discretion in the application and interpretation of these funding criteria as set out in guidelines. In all questions of interpretation of either these guidelines, or the spirit and intent of the CAB News Support Fund, CAB's interpretation, on behalf of the Government of Canada, shall prevail.

Any information, in any form, provided, obtained, created, or communicated in connection with an application is subject to audit and the [Access to Information Act](#) and the [Privacy Act](#).

The CAB News Support Fund is entirely thanks to, and subject to the availability of funding from, the Government of Canada.

## Key Questions

1) How do I know whether I am eligible for the CAB News Support Fund?

Pursuant to the criteria established by the Department of Canadian Heritage (Department), eligible broadcaster recipients are independent private television stations and independent private radio stations who produce and broadcast news and information programming.

"Independent" shall have the same meaning as "*independent programming undertaking*", as defined in Section 9(1) of the Broadcasting Distribution Regulations, and described herein:

*A programming undertaking for which no licensee of a distribution undertaking or operator of an exempt distribution undertaking, or an affiliate of the licensee or operator, holds, directly or indirectly, an interest or right in the assets.*

Funding amounts and the allocation formula have been determined as follows:

For eligible **independent television services**:

- a) Total amount shall be \$1.8 million;
- b) Two thirds will be distributed in proportion to each eligible station's share of total expenditures on locally reflective news and information programming over the previous three broadcast years;
- c) One third will be distributed in proportion to the total number of hours of locally reflective news and information programming broadcast by each eligible station over the previous three broadcast years; and
- d) No station or group of stations operated by the same licensee in a given market will receive more than 12% of the funding in any given broadcast year

For eligible **private radio services**:

- a) Total amount shall be \$7.2 million;
- b) Funding will be distributed in proportion to each eligible station's share of total programming and production expenses on news programming over the previous three broadcast years, or such other reasonable proxy as agreed to by the Department; and
- c) No station or group of stations operated by the same licensee in a given market will receive more than 12% of the funding in any given broadcast year.

**If you do not qualify under these terms and conditions, please do not contact us for an exception or waiver. The CAB has no discretion to provide funding to anyone other than those who qualify in precise accordance with these criteria.**

If you wish to raise issues associated the funding criteria or amounts being made available to private broadcasters, please contact Canadian Heritage at [PCH.info-info.PCH@canada.ca](mailto:PCH.info-info.PCH@canada.ca).

2) How much emergency funding will we receive?

The CAB has been asked to disburse \$9,413,035 less CAB administration costs.

Payments will be based on your company's relative proportion of news and information expenditures within each of the two independent broadcaster categories.

The minimum payment for eligible independent broadcaster recipients is \$1,000.

3) Can I apply to more than one federal government institution for News Support funding?

COVID-19 News Support or other funding from other federal government institutions is subject only to the limits discussed at Question 9.

4) What independent broadcasters are eligible for the News Support funding?

Independent broadcasters must meet two core criteria.

- a) You must provide news and/or information programming and have eligible Canadian programming expenditures of at least \$5,000 annually.

- b) You must also attest that your station has been negatively impacted by the COVID-19 pandemic crisis, which has resulted in financial hardship to it and to its operations, and therefore is in need of government funding.

5) I am not a member of CAB. Am I still eligible?

Yes. In disbursing funds CAB is acting solely in a capacity as administrator on behalf of the Government of Canada. In fulfilling this responsibility, the CAB is obliged to treat all eligible independent broadcasters, regardless of membership status, equally.

6) Do I need to fill out an application form?

Yes. Unlike the with the ESF, CAB will not attempt to pre-determine expected subscription to the News Support Fund. This fund will be allocated on the basis of the applications received.

In order to issue funding to eligible independent broadcasters as fast as possible we have set an **Application Deadline of December 3, 2021**. Applications received after this date may receive funding, if any funds remain, but **to be assured of funding Applications must be received by the CAB no later than December 3, 2021**.

7) Will there be multiple disbursements?

No. Unlike the ESF, here will be only one round of disbursement for the News Support Fund.

8) How do I assess the “negative impact”?

You are not required to file any proof with CAB that you meet the “negative impact” requirement. To be eligible to receive funding, however, you must attest to the fact that you meet this requirement.

9) What if I am *wrong* about my meeting the “negative impact” requirement?

The Government of Canada expects potential recipients of News Support funding to act in good faith, and not make fraudulent or knowingly incorrect claims.

The CAB will not advise potential recipients on compliance with the “negative impact” criterion. Any recipient found to be in non-compliance with this condition will be required to return funds. Any recipient found to be in willful non-compliance will be subject to legal sanction.

10) What if I am already receiving support from CEWS or another federal or provincial support program?

You are required to attest that funds received from the CAB News Support Fund will not be used to cover expenses which are already funded under Government of Canada COVID-19 emergency measures, including (to the extent applicable in the 2022 Broadcast Year) but not limited to the Canada Emergency Response Benefit, the Canada Emergency Wage Subsidy, the Canada Emergency Business Account, and the Canada Emergency Commercial Rent Assistance for small businesses, as well as any other federal, provincial or territory and municipal emergency measures.

In meeting this condition, you are required to attest that all funding received from the CAB News Support Fund does not exceed 100% of your yearly average Canadian programming expenditures on news and information programming over the previous three broadcast years and that total government assistance (federal, provincial, territorial and municipal assistance) does not exceed 100% of your yearly average broadcasting expenditures over the previous three broadcast years (stacking limit). You are not required to specifically disaggregate news and information programming expenses as between that funded by CEWS and that funded pursuant to the CAB News Support Fund.

The Department of Canadian Heritage has confirmed that funding from the Independent Local News Fund (ILNF), or any other *non-government* funding source cannot trigger non-compliance pursuant to this requirement.

11) Why am I required to attest that we will meet payment requirements for contractual obligations, including payments to workers and individuals who may not be eligible to the Canada Emergency Wage Subsidy, such as journalists, on air talent and technical staff that support news and information programming

As already noted, the News Support Fund complements other measures by the Government of Canada, as such as the Canadian Emergency Wage Subsidy (CEWS), to help Canadian workers and employers impacted by the COVID-19 pandemic.

The Government of Canada recognizes that some employers will not be in a position to retain all staff, retain staff at the same level of working hours or pay full salaries, for *bone fide* COVID-19 related reasons. The Government of Canada nevertheless expects that recipients of CAB News Support Fund funding will respect employee contractual rights and obligations. The Government of Canada reserves the right to investigate any employee complaints that an CAB News Support Fund recipient has not honoured this requirement, and take appropriate action.

12) What is the fiscal treatment of monies received under the CAB News Support Fund?

Assuming compliance with eligibility requirements, payments under the CAB News Support Fund are non-repayable. The CAB will not advise on the tax treatment of payments. We recommend that you consult your tax advisors to confirm the tax treatment applicable to any amounts you may receive.

13) Will the funds be sent to the applicant by cheque or direct deposit?

The allocations of funds will be dispersed in the form of electronic payments by direct deposit. You will be required to complete and return a direct deposit authorization form with your banking information after your completed attestation is received.

14) How will the CAB ensure that funding is used in accordance with the objectives of the Fund?

All applicant companies are required to complete and sign the Attestation Form under which they attest to being negatively impacted by the COVID-19 pandemic crisis, resulting in financial hardship to it and to its operations, and therefore is in the need for government funding.

CAB is required by Canadian Heritage to conduct random audits after program completion to validate and ensure that these funds were used in accordance with the News Support Fund's

criteria.

15) What if I disagree with the allocation provided me or any other decision made by the CAB in its capacity as administrator of the Fund?

Under the terms of the Contribution Agreement, the CAB was required to establish a dispute resolution process for Final Recipients affected by the decisions of the Association.

If you disagree with a Decision of the CAB made in respect of the Fund that directly affects you, you may trigger the dispute resolution process by contacting either [PCH.info-info.PCH@canada.ca](mailto:PCH.info-info.PCH@canada.ca), or Sylvie Bissonnette, NSF Administrator, at [SBissonnette@cab-acr.ca](mailto:SBissonnette@cab-acr.ca).

16) What are my “official language obligations in respect of any public communications related to the News Support Fund”?

You are not obliged to make any public communications related to the News Support Fund, but if you do so you must comply with the Department of Canadian Heritage’s Guide on the Public Acknowledgment of Financial Support which can be found at the following address:

<https://www.canada.ca/en/canadian-heritage/services/funding/acknowledgement-financial-support.html>.

17) Are all the questions included in the Attestation for eligibility purposes?

No. Some questions are for statistical purposes in order for CAB to report to Canadian Heritage on the success of the News Support Fund.

*For any funding related questions not addressed in these Guidelines or the Attestation Form, you may contact CAB at [covid19@cab-acr.ca](mailto:covid19@cab-acr.ca). Please note that we will not respond to enquiries on matters that are clearly addressed in these guidelines.*