

ROGERS TV COMMUNITY ACCESS GUIDELINES AND TERMS

Guidelines

Thank you for your interest in Rogers tv. Each Rogers tv community television channel is focused on a local region and its people, issues, arts and culture. We are pleased to accept produced videos and new program ideas that reflect the local viewpoints, activities and diverse voices within our community.

PLEASE READ THESE GUIDELINES, AND THE TERMS OF AGREEMENT BELOW, BEFORE SUBMITTING YOUR PROPOSAL. BY SUBMITTING YOUR PROPOSAL, AND ACCEPTING THE TERMS, YOU WILL BE BOUND BY THE TERMS OF THE AGREEMENT BELOW.

Rogers tv is a free service provided by Rogers Communications. Rogers tv does not purchase television programming. There is no charge to you or your group to produce any local television or to televise your event. Sponsorship revenues may be used to offset the cost of producing and televising your proposal or event.

This information is intended to assist you in submitting your program proposal. We encourage you to include any extra material that would help to explain or demonstrate your idea (i.e. resumé, demo video, background information on the topic or those involved and marketing ideas). If you have a demo available, you may also submit it for review.

If you need assistance producing your proposed program, we can provide you with various resources to help with your production.

If you're proposing coverage of an event, we need sufficient notice to evaluate, technically plan for and promote the event coverage.

Copyright and Trademark Clearances

Before developing your program, you should be familiar with what copyright and trademark clearances you will need. You will be responsible for getting written permission from any copyright or trademark holder before incorporating their creative materials into your production.

If your proposal is accepted, we can provide some guidance on clearances, but we cannot help you obtain clearances. Any assistance Rogers tv provides is not legal advice and Rogers tv cannot guarantee that you will be able to obtain all the clearances you require for your production. See below for more information on legal clearances.

Video Submission

Video samples are not required but can be helpful to the review process. If you are able to provide a sample copy of the program, we require a digital file such as H.264, or YouTube and Vimeo links for review.

Please clearly label both the video file and any packaging containing the video with the show or series title and your contact information. Provide one of these two options for our review:

1. Demo Video: a sample program of any kind, of any length that provides a snapshot of what the program looks like.
2. Pilot Program: A program packaged to its finished length, and including the opening, closing credits, sponsorship spots, viewer advisories, etc. This is the completed version of the proposed show, or premiere episode of a series of shows.

The Application Process

All program proposals are reviewed as quickly as possible. Rogers tv's Station Managers consider the following questions while working with you on your program proposal:

1. Is the proposal "Community Programming" as defined by the regulations? For example:
 - Would the program be a true reflection of the people, places and issues that matter most to the community?
 - Are local community members involved and showcased in the programming?
 - Are the issues discussed in the programming relevant to the community?
2. Does the programming highlight both sides of an issue or is it mostly one-sided?
 - Rogers tv is responsible for providing balanced viewpoints on the channel. If required, Station Managers will either ask the Community Access Producer to incorporate alternative viewpoints or seek out other programming that highlights the other side of the story.
3. Has this group or individual provided programming or used Rogers tv's facilities before?
 - Rogers tv is responsible for encouraging a diversity of voices on the channel and therefore will try to give as many people as possible an opportunity to produce programming on Rogers tv.
4. Does the programming comply with CRTC rules and regulations and other Canadian laws including:
 - copyright
 - defamation
 - balance and diversity
 - violence, adult subject matter, inappropriate language, etc.
 - sponsorship guidelines
5. Does Rogers tv have the necessary resources to help fulfill this request?
 - Rogers tv needs to ensure that the proper equipment, facilities, volunteers and staff members are available for any particular project.

The application process is a collaborative discussion between Rogers tv and community members to ensure the production of relevant, entertaining and local stories for the communities we serve.

Access to Rogers tv's Facilities

Safety

Safety is our first concern and everyone's responsibility. It is an attitude of care and attention. It is your responsibility to follow established operating procedures, enforce all safety rules, and recognize and report unsafe acts and conditions.

Security

Every individual accessing Rogers tv's facilities are mandated to adhere to all building security requirements.

Appropriate and Authorized Use of Equipment

The equipment and facilities of Rogers tv may be used to produce programming for Rogers tv. Community Access Producers and associates may only use equipment for which they are trained and authorized to use. Each office has its own procedures; Staff members will give you complete details on the procedure for obtaining local authorization. Use beyond the end date of any agreement would require further permission.

Equipment Failure

Production equipment is subject to failure from time to time. While every effort will be made to secure substitute equipment, such equipment may not be available and in this scenario, the production will have to be cancelled, rescheduled, or production requirements adjusted.

Code of Conduct

It is important that Community Access Producers and Volunteers appropriately represent themselves to the public and viewers by identifying themselves as a Community Access Producer, Community Access Associate, or Rogers tv Volunteer and never as a Rogers tv staff member. Smoking and drinking are not permitted at any time in our production facilities. Eating is not permitted in the control room, edit suites or mobile production vehicles and only permitted in studio on select occasions. Smoking is to occur only in the appropriate areas as outlined by local bylaws. Drinking alcoholic beverages and the use of drugs or any other controlled substances on Rogers' property are not permitted.

General Housekeeping Rules

1. The use of the facilities and equipment of Rogers tv is a privilege not a right. You are responsible for tidying up after yourself and your group or production team. All equipment must be put back in its proper place, furniture and props returned, garbage and recycling put in the appropriate bins.
2. Any violation of the rules concerning smoking, alcohol or drugs is grounds to end your association with Rogers tv.
3. There is zero tolerance for harassment of staff and fellow volunteers, including abusive language, threats, and inappropriate language in person or by any form of communication

including phone, e-mail, or social media.

4. As a Community Access Producer, you take full responsibility for your volunteers and guests and as such will ensure they follow our code of conduct and these general housekeeping rules.
5. Minors must be supervised at all times. Minors may not operate Rogers tv equipment unless otherwise approved by Rogers tv in advance. This includes but is not limited to cameras, computers and audio equipment.
6. All photos/videos of Rogers tv's premises must be approved by an appropriate Rogers staff person.

Violation of any of these terms could result in loss of access privileges.

LEGAL REQUIREMENTS

Rogers Communications operates within the general broadcasting environment and also complies with voluntary guidelines established by Canada's Broadcast Standards Council (CAB Code of Ethics, CAB Violence Code, CAB Sex Role Portrayal Code, and RTNDA Code of Ethics). From a legal perspective, we must ensure Community Programming complies with Canadian laws for issues including but not limited to copyright, trademark, and defamation.

Clearances

Before including any copyrighted materials owned by a third party in your production, you must first get their written permission. The same is true for using any logos, designs or other marks that are protected by trademark. We refer to seeking these permissions as rights clearance.

All copyrighted and trademarked materials need to be cleared for: (i) Canadian TV broadcast and (ii) global online broadcast through rogerstv.com and Rogers tv's YouTube channel.

Creative Materials

You must have clearance for all creative materials incorporated into your program. Creative materials can include:

1. Written materials such as books, poetry, newspapers, magazines, pamphlets, scripts, maps;
2. Artistic works such as paintings, drawings, design trademarks, photographs, logos, sculptures, engravings;
3. Dramatic works, choreography, films, videos, including clips from those works; and
4. Musical works, including lyrics, musical recordings, and musical arrangements.

Creative materials can also be a complex mix of sources where more than one clearance is required. For example, if you record a dance performance, you might need clearance from the composer(s) of the music, the performer(s) of the music, the dancer(s) and the choreographer(s). Further, if the dancers are wearing clothing with logos, you must have clearance for the logos on their outfits.

Documenting Your Clearances

Clearances must be documented in writing that clearly outlines specific approved ways to use material. Verbal agreements are not acceptable. You are welcome to use our sample forms. Please be aware that by providing these forms, Rogers tv is not providing you with legal advice.

You should always have a written clearance on file for anyone you videotape for an interview. The clearance should define whether they are giving rights for the full interview only, whether they are providing permission for the interview to be edited, whether the interview can be used for promotional purposes and when and where the interview can be aired.

Consent for Minors

Consent is required from a parent or legal guardian when videotaping minors. A minor is a person who has not reached the age of majority in that province.

In Alberta, Manitoba, Ontario, Prince Edward Island, Quebec, and Saskatchewan that age is 18. For British Columbia, New Brunswick, Newfoundland/Labrador, Northwest Territories, Nova Scotia, Nunavut, and Yukon Territories it is 19. Only the parent or legal guardian has the authority to provide a clearance for a minor. A teacher or school principal's permission for taping a school event is insufficient.

If your show proposal is approved, and you need some legal clearance forms to help produce your programming, let us know.

Requests for Copies

Community Access Producers have full authority and responsibility for responding to requests for copies of their program.

Defamation Law

In all provinces (except Quebec), a plaintiff can commence a defamation claim by demonstrating that words or visuals in a program tend to lower their reputation in the eyes of a reasonable person. Harm (general damages) would be presumed if they can establish a case for defamation. While we recommend avoiding lowering anyone's reputation on a Rogers tv program, you should be familiar with this area of law, including some potential defences to help you produce programming that is defensible. The main defences are the following:

Fair Comment: This defence may be available if you can prove the expression was a comment (as opposed to a statement of fact) on a matter of public interest, that was premised on provable facts, that any reasonable person could make on the same facts. This defence is not available if it was made with malice.

Truth/Justification: Truth is a complete defence against a defamation action. You must be able to prove that the comment is true.

Absolute Privilege: Examples include quoting statements made in a court proceeding, or parliamentary proceedings.

Canadian defamation laws protect every person from harm to their reputation by false and derogatory remarks. Defamation includes slander and libel, where slander is verbal defamation and libel is printed defamation. Defamation law protects your actual reputation, not your feelings about what your reputation should be. It's important that you familiarize yourself with defamation law and take steps to ensure that everything included in your program, including guest comments, is legally defensible against any defamation claims.

Community Television Broadcast Regulations

Community Programming is an important source of information and provides a reflection of local realities that few other television services currently showcase. All programming on Rogers tv must be "Community Programming", which is defined by Canadian Radio-television and Telecommunications Commission (CRTC) regulations as programming that:

- a) refers directly to the community, which could be defined as the station's contours, BDU service area, municipality, census metropolitan area or census agglomeration; and
- b) is produced by the personnel of the local station, independent local producers or members of the community for the local station.

Rogers Communications operates within the general broadcasting environment and complies with the CRTC's regulations, as well as the voluntary guidelines overseen by Canada's Broadcast Standards Council (CBSC). The following is an overview of some of the codes and rules Rogers tv and its hosts and access producers must abide by:

CRTC Community Television Policy

The CRTC oversees broadcasters and television service providers and has determined that the role of the community channel should be primarily of a public service nature, facilitating self-expression through free and open access by members of the community. Among other policy goals, the Community Television Policy states that the community channel should engender a high level of citizen participation and community involvement in community programming and provide a reasonable, balanced opportunity for the expression of differing views on matters of public concern.

Canada's Broadcasting Codes

The CBSC was created in 1990 by the Canadian Association of Broadcasters (CAB) to oversee the self-regulating system of codes and standards created by Canada's broadcast industry. The voluntary codes administered by the CBSC reflect the industry's commitment to respect community standards for programming. In brief, the codes cover a variety of issues, including:

- a. Violence on television: Television programs broadcast in Canada may not glamorize or show gratuitous violence (violence unnecessary to the development of the plot, characters or theme). Programming containing violence intended for adults may air only after 9:00p.m. The rules on violent content in children's programming are even more strict. See: <https://www.cbsc.ca/codes/cab-violence-code/>
- b. The portrayal of men and women: Programming must respect the intellectual and emotional

equality of men and women and may not demean either sex. Broadcasters must be careful when making use of gender stereotypes in their programming. See: <https://www.cbsc.ca/codes/cab-equitable-portrayal-code>

- c. Fairness and accuracy in the news: News and public affairs issues must be reported fairly and accurately and must not focus on irrelevant factors. Broadcast journalists will respect the dignity, privacy and well-being of everyone with whom they deal. See: <https://www.cbsc.ca/codes/journalistic-independence-code/>
- d. Controversial public discussion: Controversial public issues must be treated fairly. Open-line shows may be provocative but on-air commentary must be full, fair and proper.
- e. Human rights: All programming must respect human rights and must be free of abusive or unduly discriminatory comment.
- f. Mature Subject Matter: The CAB Code of Ethics addresses the handling of programming featuring “mature subject matter”, which may offend some viewers through its content, visual images, language and/or themes. See: <https://www.cbsc.ca/codes/cab-code-of-ethics> and below for more info.

CAB Code of Ethics: Mature Subject Matter

“Mature Subject Matter” relates to programming which may offend some viewers through its content, visual images, language and/or themes.

The Watershed

The Watershed marks the start of the late evening viewing period, defined as running from 9:00p.m. to 6:00a.m. Television content which contains material “intended exclusively for an adult audience” (ie. containing sexually explicit content or coarse or offensive language) must be aired after the Watershed.

Use of Coarse Language

Television programming which contains “coarse or offensive language intended for adult audiences” must not be broadcast prior to the Watershed hour of 9:00p.m. Even when broadcast after 9:00p.m. the programming must be accompanied by viewer advisories.

Materials Susceptible of Offending Viewers

Programming which is not “intended for adult audiences” may be aired prior to the Watershed. It must, however, be accompanied by viewer advisories if it contains “mature subject matter or scenes with [...] coarse or offensive language, or other material susceptible of offending viewers” which is unsuitable for children. Rogers tv reserves the right to schedule content in a manner appropriate for a general audience community channel.

Viewer Advisories

To assist consumers in making their viewing choices, a viewer advisory should be aired when programming includes:

1. mature subject matter or scenes with nudity
2. sexually explicit material
3. coarse or offensive language
4. other material susceptible of offending viewers

Sample Viewer Advisories:

- “The following program contains scenes of coarse language and is not suitable for younger children.”
- “The following program contains sexually explicit material intended for adult audiences. Viewer discretion is advised.”
- “The following program contains sexually explicit material. Viewer discretion is advised.”
- “The following program contains scenes of violence, coarse language and nudity intended for adult audiences. Viewer discretion is advised.”
- “The following program deals with mature subject matter and is intended for adult audiences. Viewer discretion is advised.”
- “The following program deals with mature subject matter and contains scenes of nudity and coarse language. Viewer discretion is advised.”

CRTC Election Guidelines

Rogers tv is not required to broadcast political programming. If such coverage is broadcast, however, there is an obligation to provide equitable treatment of issues, candidates and parties. In other words, public affairs and news programs must provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern.

Furthermore, on-air personalities who decide to run as a candidate in an election will be removed from their on-air duties during the election period or on the date their candidacies are announced, whichever is later. Continuing to perform such duties during an election could be seen as giving them an unfair advantage over their opponents.

Program Proposal and Event Coverage Terms

By submitting your request for event coverage or your show proposal (the “Proposal”), you acknowledge, understand, and agree to the following:

1. Rogers tv is not obligated to use your Proposal in any manner, nor does Rogers tv have an obligation to contact you with regards to the Proposal. Rogers tv may decline the Proposal for any reason.
2. Rogers tv receives numerous submissions of ideas, stories and other materials from other sources and Rogers tv creates and/or commissions others to create such materials on Rogers

tv's behalf (collectively, the "Rogers tv Materials"). The subject matter and substance and/or other elements contained in the Rogers tv Materials may be similar to those contained in the Proposal. You understand, acknowledge and agree that Rogers tv is accepting the Proposal at your request, which request was and is deemed to have been made by you knowing that there are or may be Rogers tv Materials which may be similar in subject matter, substance and/or other elements, to those found in the Proposal. You further understand, acknowledge and agree that Rogers tv may also in the future develop Rogers tv Materials which may be similar in subject matter, substance and/or other elements, to those found in the Proposal. As such, you have no claims or rights, including any moral rights, to any Rogers tv Materials.

3. If Rogers tv accepts your Proposal (i) the program, and all hosts and guests, must comply with Rogers tv's Programming Policy, a copy of which will be provided to you at that time; (ii) the program, and its host and guests, must comply with the Broadcasting Act and its regulations and industry codes, details of which will be provided to you at the time; and (iii) if you are granted access to use Rogers tv's facilities and equipment to produce your program, you must follow all health and safety protocols, as communicated to you.
4. All program hosts are subject to the following additional terms:
 - Hosts must conduct themselves in a neutral and balanced manner when conducting interviews.
 - Hosts must conduct themselves in a professional manner in general, so that their credibility and objectivity as a host of a Rogers tv program is not called into question.
 - Hosts must not act as a spokesperson for Rogers tv or to represent Rogers tv in any way, without Rogers tv's express prior approval.
5. You acknowledge that your involvement in the potential development of a Rogers tv program or an appearance on an existing Rogers tv program is on a volunteer basis with no expectation of compensation.
6. Nothing contained in this agreement grants anyone the right to use Rogers tv branding in any media, including in social accounts. The use of Rogers tv branding in any of your personal or commercial social media accounts, including social media hashtags, such as #RTVHost and #RTVstation is subject to prior approval by Rogers and must be removed once your involvement with Rogers tv ends.
7. You must refer all media inquiries you receive about your program to Rogers tv's station management. All media interviews relating to your program on Rogers tv must be pre-approved by Rogers tv management.
8. You acknowledge that there is no relationship of any type created, including without limitation any agency, or fiduciary relationship, as between you and Rogers tv, by submitting a Proposal.
9. You release and forever discharge Rogers tv, and its respective parent, subsidiary, affiliated and associated companies, and their directors, officers, employees, agents, representatives, independent and dependent contractors, licensees, successors and assigns of and from any and all actions, causes of action, suits, proceedings, liability, debts, judgments, claims and demands which you may have arising out of Rogers tv's use or rejection of the Proposal.

10. You represent and warrant that:

- a) the Proposal, and each and every of its component elements, is your own work and is wholly original with you and not copied in whole or part from any other work;
- b) you have the full right to grant the permissions given hereunder to Rogers tv, and that no further permissions are required from, nor payments required to be made to any third party in connection with the use by Rogers tv of the Proposal; and
- c) the Proposal does not defame any person and does not infringe upon the copyright, moral rights, publicity rights, privacy rights or any other right of any person, or company, or violate any law or judicial or governmental order.

11. You agree to indemnify and hold harmless Rogers tv, its partners, co-producers, financiers and distributors, their parent, affiliated and related companies, and all of their respective individual shareholders, directors, officers, employees, licensees and assigns from and against any claims, actions, losses and expenses (including legal expenses) resulting from any breach of your representations and warranties or any other provision of this agreement.

12. After you submit the Proposal, you will have no right to revoke the permissions granted to Rogers tv, nor to seek, obtain, or enforce any injunctive or other equitable relief against Rogers tv, all of which such rights are expressly and irrevocably waived by you in favour of Rogers tv.

13. You acknowledge having obtained independent legal advice in connection with this agreement, failing which, you will be deemed to have voluntarily waived the right to seek such independent legal advice.

14. Except to the extent that they conflict with these terms, the general terms and conditions for use of the Rogers tv website (the "General Terms") are also applicable to your submission of the Proposal and the General Terms are incorporated into this agreement. If those General Terms conflict with the terms of this agreement, these terms will govern.

15. This agreement will be governed by the laws of the Province of Ontario and the laws of Canada applicable in such Province.

16. By submitting the Proposal and clicking "I Agree", you acknowledge that you have read, understood and agreed to all of its terms.

17. This agreement was drawn up in English at the express request of the Parties. / La présente entente a été préparée en anglais à la demande expresse des parties.

I AGREE

I DO NOT AGREE