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Chair

The Honourable Michael Chong

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• (1530)

[Translation]

The Chair (Hon. Michael Chong (Wellington—Halton Hills, CPC)): Welcome to the 69th meeting of the Standing Committee on Official Languages. Today is Thursday, February 28, 2013. Pursuant to Standing Order 108, we are studying the Official Languages Act.

With us today, we have Mr. Blais and Mr. Hutton from the Canadian Radio-television and Telecommunications Commission. Welcome to you both.

Mr. Blais, you can now begin your presentation.

Mr. Jean-Pierre Blais (Chairperson and Chief Executive Officer, Canadian Radio-television and Telecommunications Commission): Thank you, Mr. Chair.

Ladies and gentlemen, thank you for this invitation to meet with you today.

I would like to begin by introducing my colleague, Scott Hutton, Executive Director of Broadcasting at the Canadian Radio-television and Telecommunications Commission (CRTC). Since March 2012, he has also served as the CRTC's official languages champion.

[English]

Mr. Chairman, I'm fighting a cold, so I apologize in advance if I start coughing. I should be able to make it.

The Chair: That's all right.

[Translation]

Mr. Jean-Pierre Blais: The CRTC is an administrative tribunal that regulates and supervises the Canadian broadcasting and telecommunications systems. The CRTC therefore has obligations under the Broadcasting Act and the Telecommunications Act. In addition, as a federal institution, we have obligations under the Official Languages Act, in particular with respect to communications with the public, the delivery of services, the language of work and the advancement of French and English. I would note that the obligation to promote French and English is also present in the Broadcasting Act.

I will be happy to provide you information on a wide range of issues relating to our operations. There are, however, limits to what I can discuss today, especially with regard to files that are currently under review.

The CRTC employs approximately 450 people, 54% of whom are francophone and 46% of whom are anglophone. It is a balance we are very proud of, and which sets the tone in our workplace. We

actively encourage our employees to use the language of their choice at work, including in meetings. We also provide interpretation services for full commission meetings and other important meetings.

[English]

In 2012, the CRTC won a public service award of excellence for developing and implementing its word of the day initiative. Every morning an e-mail note is sent to all employees on the usage of a word or an expression in both languages. The intention, of course, is to promote and enhance the proper use of both languages in the workplace. In addition, we are always looking to improve our communications with the public in both official languages, at our headquarters in Gatineau, in our regional offices during public hearings, and through our website.

All CRTC communications are issued simultaneously in French and English, from documents on our website to our messages via social media. Everything related to client services, including telephone communications, letters, and e-mail messages, is in the appropriate language. We are also revamping our website to better adhere to the Government of Canada's standard on web accessibility and to make it easier to find information.

[Translation]

Also on the topic of our relationship with the public, the CRTC is in regular communication with official language minority communities, better known as OLMCs. We created a discussion group to facilitate the participation of minority groups in the CRTC's public proceedings. In this forum, OLMCs share their needs and CRTC staff presents relevant information on the proceedings in which OLMCs should participate. It is an ideal tool for staying in touch with the needs of OLMCs in the two sectors that concern us: broadcasting and telecommunications.

In addition to its operations, the CRTC is responsible for issues that are at the heart of Canadian identity and culture, including the means to support the vitality of language minority communities. We see to it that Canadians have access to programs in both official languages.

The CRTC plays a key role in maintaining the availability of programming in both languages across the country. The programming offered to Canadians has grown tremendously, whether on conventional television, specialty channels or radio.

●(1535)

[English]

Over the last decade we have opened the door to a large number of specialty channels to better serve francophones across the country. Since 2001, 14 new French-language specialty channels and two bilingual channels were approved, raising to 33 the total number of French-language specialty channels.

In addition, 24 new French-language broadcast services have been authorized but have yet to be launched. Furthermore, I would like to remind you that the commission has implemented a simplified rule for ensuring the distribution, by cable and satellite distribution companies, of pay and specialty services in the official language of the minority. Television distributors must provide one minority-language service for every 10 official language majority services within a given market.

[Translation]

In 2011, there were a total of 702 television services in Canada, 439 of which were in English and 101 of which were in French. In that same year, there were 1,189 radio services in Canada, 896 of which were in English and 251 of which were in French.

I would like to emphasize the importance of community television and radio stations and campus radio stations. These broadcasters play a distinct role within the broadcasting system by offering local programming produced in part by volunteers.

[English]

In 2010 the CRTC issued a new policy that gives Canadians more opportunities to participate in their community television channels. The policy also makes it possible for community television to more faithfully reflect the interests of members of the local population and the context in which they live.

The CRTC also issued, in 2010, a new policy regarding campus and community radio stations. In particular, funding for the Community Radio Fund of Canada has increased by over \$700,000, which is distributed among the 140 campus and community radio stations.

[Translation]

The fundamental issue to which we must be very attentive is that media remain a reflection of official language communities around the country. This is the principle that drives our action in terms of official languages these days. Allow me to illustrate this concept through concrete examples.

In 2012, the CRTC authorized Rogers to acquire a television station in the Montreal region. Rogers committed to broadcasting 15.5 hours of local programming per week, including a morning program reflecting Montreal's English-speaking community.

In addition, we are currently reviewing CBC/Radio-Canada's application to renew its radio and television licences. The question of reflection is one of the main themes of that review. We are examining specifically the quality of the French- and English-language broadcasting services, the representation of official language minority communities and media presence in the regions.

We will also be holding a public hearing in April to review the applications of 16 television services seeking distribution on the basic digital service, in addition to six services seeking to maintain that privilege.

[English]

You no doubt have many questions regarding the renewal of CBC/Radio-Canada and its licences and the applications for mandatory distribution.

I regret, Mr. Chairman, that I cannot answer those questions today, given that those proceedings are still under way before the commission.

That being said, I have recently stated on a number of occasions that the CRTC's mission is to ensure that we have a world-class communication system for Canadians—Canadians as creators, Canadians as consumers, and Canadians as citizens. For me, Mr. Chairman, the availability of services in both official languages across the country to meet the needs of Canadians is clearly a matter of citizenship and is key to our mandate.

Mr. Chairman, ladies, and gentlemen, rest assured that the issue of official languages will continue to figure prominently at the CRTC not only in our operations but as we carry out our legislative mandate.

I'd be happy to answer some questions now.

[Translation]

The Chair: Thank you, Mr. Blais.

We have one hour and 50 minutes for questions and comments.

We will start with Mr. Benskin.

●(1540)

[English]

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Thank you.

It's a pleasure to meet you finally. In my previous life I had a number of dealings with your predecessor, and I look forward to the work you will be doing with the CRTC.

I want to ask you a bit about the LPIF and the decision by the CRTC to phase it out. As you know, that program was initiated to help local programmers, who were finding that they were hampered in creating programming on a local level, news and so forth, as vertical integration took over the broadcast industry. The decision to phase that out was criticized quite heavily by a number of organizations, including the FCFA. I'd love it if you could elaborate on why that decision was made, and if there is anything in the works to either replace or supplement the local programming initiatives.

Mr. Jean-Pierre Blais: The fund was created in 2008 at a time of some financial crisis and then a much broader economic crisis. Broadcasting was going through a difficult time because of the loss of advertising, and revenues were going down. To reflect the local scene this program was put in place to help in non-metropolitan areas, which were facing a particular economic challenge. In that original decision the commission did say that it would review the effectiveness of the fund, and that review led to the decision in July 2012. To be clear, although I arrived at the commission in July 2012, I didn't participate in the decision-making because the hearing had occurred much earlier.

Mr. Tyrone Benskin: I understand that.

Mr. Jean-Pierre Blais: On reviewing it, the commission decided not to go forward with the fund in large part because one of the reasons that had led to it, the economic situation, was by then largely improving. But because the commission was conscious that a sudden withdrawal of the money would have a negative impact, it decided to ramp the fund down over a three-year period. As a result parties will be able to adjust to that.

We did suggest in that decision that through future licensing applications we would be looking at that very issue. In particular, we noted the upcoming renewal of the CBC. In terms of the minority language communities, I think that is where some of the criticism had occurred. The fund of about \$14 or \$15 million had been going to television services in minority situations, but most of those were related to CBC/Radio-Canada. The commission specifically said that we'd be looking at that issue in the hearing in November, but the decisions have quite been made yet.

Mr. Tyrone Benskin: If I'm understanding you correctly there is some appetite—for a lack of a better way of putting it—to include those initiatives in upcoming licensing applications.

Mr. Jean-Pierre Blais: As I said in my opening remarks, it's really important that the broadcasting system reflect the needs of those communities.

Mr. Tyrone Benskin: Yes.

Mr. Jean-Pierre Blais: One of the ways of doing that is through specific licensing renewals. Without getting too far into the CBC renewal hearings, we heard a lot from the communities in that context. They were vocal. There were counter views obviously, as there always are. But they presented their position, and we're now seized with making decisions with respect to the CBC and its legislative mandate to reflect the needs of the English and francophone communities.

Mr. Tyrone Benskin: Furthermore, I saw and heard in your presentation that some \$700,000 is being earmarked for community radio. Does that include community television as well?

Mr. Jean-Pierre Blais: No, it's specifically for the radio portion of it.

Mr. Tyrone Benskin: In terms of community broadcasting, as you said and as we know, community radio and television outlets are really quite necessary now because of the pullback on official language minority representation in broadcasting. So the community radio and television operations are taking up a lot of that slack without the resources. It's great that you've got money going into the radio sector. As far as the television sector is concerned, is there any

discussion of mandating or encouraging the large broadcasters to supply time or space for community radio stations?

• (1545)

Mr. Jean-Pierre Blais: The way the broadcast distribution rules

Mr. Tyrone Benskin: I'm sorry, that's television stations.

Mr. Jean-Pierre Blais: Yes. The way that broadcast distribution rules apply to cable and satellite companies, they are required to make a contribution to local expression. That takes several forms. There is a varying percentage that they give to the Canada Media Fund. That is a substantial fund for the more high-end dramas. You're probably well-familiar with it.

As well, some money goes to community television, the local community cable stations, and under the new policy, there's a great deal of participation by volunteers in that area. The cable companies, for instance, find it quite beneficial because it is a very local voice and a very local presence in the marketplace, so they contribute through the offering of that community channel.

Mr. Tyrone Benskin: Thank you.

I'm good.

The Chair: Thank you, Mr. Benskin.

[*Translation*]

Thank you, Mr. Blais.

Mr. Gourde, you have the floor.

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Thank you, Mr. Chair.

Mr. Blais, Mr. Hutton, thank you for joining us.

At this committee, we have often spoken about the importance of our two official languages. That is why our committee exists. In your presentation, you mentioned the approval of two bilingual channels, which pleasantly surprised me. More and more Canadians are bilingual, but this is the first time that I have heard of the existence of bilingual channels. Could you tell me a little more about them, please? Does it mean that parts of a program are in English and other parts are in French? Could you explain what these bilingual channels are?

Mr. Jean-Pierre Blais: To my knowledge, there are no bilingual channels.

Mr. Scott Hutton (Executive Director, Broadcasting, Canadian Radio-television and Telecommunications Commission): What we are referring to are services to help communities that need better access to radio services. In that sense, they are considered bilingual because they serve both francophone and anglophone communities. Services like that are not very common. They support access to radio broadcasting.

Mr. Jacques Gourde: So there is no bilingual programming.

Mr. Jean-Pierre Blais: That would be quite unusual. I don't know if you remember this, but right at the very beginning of radio in Canada, there was an attempt by Radio-Canada to establish a bilingual channel, but it did not work. People were unhappy because they did not have access to the programming they wanted.

At the commission, we generally try to offer a lot, but in English and French.

Mr. Jacques Gourde: But our country has evolved. In the years to come, there could be some appetite for what you have just described. It could let Canadians have wider access to both official languages. We could, for example, have the same program for youth that could be broadcast both by English-language and French-language stations. That would allow young anglophones to access a part of the program in French and young francophones to access a part of the program in English. Would it be possible for the CRTC to approve that kind of programming?

Mr. Jean-Pierre Blais: To my knowledge, few people have asked us for that kind of service. If they did, we could consider it. Often youth programs, for example, produced either in French or English, receive support from various other programs so that they can be dubbed or subtitled and made available in the other language. The services can be connected, just like Teletoon French and Teletoon English. There are varieties of programming in both languages.

Mr. Jacques Gourde: I am talking about the type of program in which one person would speak in English and another would reply in French, as we are doing here. We often speak to each other in both French and English. Has there never been a request for that?

Mr. Jean-Pierre Blais: There have been some cases where that has happened. We are not opposed to it. It is just that people have not proposed that model to us.

Mr. Jacques Gourde: Thank you very much.

You said that you have taken steps to support the vitality of official language minority communities. What are those steps?

• (1550)

Mr. Jean-Pierre Blais: There are several. Leaving aside the radio and television programming, the way in which people access those services, especially in the case of television, is often through distribution systems such as cable or satellite. We have done a lot there. In my presentation, I mentioned the one-for-ten rule for services. That ensures that the possibility of access exists in all the systems, even in a minority situation. We also require that the corporation's local and regional services, in both English and French, be part of the basic cable packages.

Additionally, under paragraph 9(1)(h) of the Broadcasting Act, in minority situations, we have allowed services like RDI to be distributed at a reduced cost in anglophone markets to make sure that francophones in those markets have access to them.

So it is a combination of steps. We have to make sure that a lot of services are available and that those services are available to Canadians who want access to them.

Mr. Jacques Gourde: I have one last question for you.

Some TV programs are broadcast on the radio too. *Tout le monde en parle*, for example, is broadcast live on Radio-Canada's radio and

television on Sunday evenings. It is very practical for those who cannot watch the program on television because they are on the road.

Does that require special permission from the CRTC, or is it an internal decision?

Mr. Jean-Pierre Blais: I think it is an internal decision. We have rules for the networks, but they do not apply in that case.

Mr. Jacques Gourde: Thank you.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Gourde.

Over to you, Mr. Dion.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Thank you, Mr. Chair.

Thank you for being here, Mr. Blais and Mr. Hutton. I want to ask my first question as a regular Canadian.

The figures you are giving us are very interesting, but how come they do not reflect the reality?

For example, after a long day, you go back to your hotel, you call your wife and she suggests you watch TV in order to relax. You turn on the TV and you look at the never-ending list of programs available. They are in all kinds of languages, but only Radio-Canada broadcasts in French. You cannot even get RDS to watch a hockey game or RDI to watch the news.

How is that possible? So you complain to the hotel and threaten never to go back there. I did that here in Ottawa, in a hotel that shall remain nameless. I told them that, if they did not get RDS before the playoffs, I would not go back to their hotel. They were scared because it was me, but if I had just been your average Joe, I doubt if they would have budged.

How can we have come to that point? What is going on?

Mr. Jean-Pierre Blais: The first problem is that you were dealing with a hotel. If you were staying, not in a hotel, but in the community, the services available would be a little different. Hotels get an exemption from the CRTC, given that a great majority of Canadians are not in them, just the ones who travel.

In Mississauga, for example, if you subscribe to Rogers—let me do a quick calculation—you can get over 35 channels, depending on what you want to pay. There is a lot available in Canadian homes.

Hon. Stéphane Dion: I suggest that you look into that because I have friends who live on this side of the Ottawa River and they cannot watch hockey in French. They can watch golf in English, but not hockey in French. They are not at a hotel. They are at home.

Mr. Jean-Pierre Blais: I am not sure what services they are subscribed to, but...

Hon. Stéphane Dion: You told me that it was because of the hotel and now you are saying that it is because of the service.

Mr. Jean-Pierre Blais: It depends. People can make choices. You are absolutely right in saying that hockey in French is no longer available the way it used to be, free on Radio-Canada. However, it is available on specialty sports channels to which people can subscribe, be it the Réseau des sports or another network.

Did they choose not to subscribe to it? Possibly, and all sorts of reasons are possible, but the fact remains that the service is available.

Hon. Stéphane Dion: I don't want to dwell on the issue too much, but the exemption for hotels does not seem to make any sense. Canadians travel and they need to be able to feel at home when they travel. When they stay at a hotel, they should not feel like they are in a foreign country. I don't see why hotels would be exempted.

Mr. Jean-Pierre Blais: This policy has been in effect since the 1990s at least.

Hon. Stéphane Dion: This committee is suggesting that it be changed.

My next question has to do with the local programming improvement fund.

I heard your answer to my colleague's question. When a fund is eliminated, we can expect people to express their dissatisfaction. This fund has been rather important and general in scope, going beyond the communities. Mr. Lacroix appeared before this committee and said that Radio-Canada would have a lot more trouble assuming its responsibilities once the fund is scrapped.

You are saying that the fund has achieved its objectives and that you have studies showing that.

Pardon my ignorance. I was not a member of the committee at the time, but I would like to know if those studies were made public and if everyone had access to them.

• (1555)

Mr. Jean-Pierre Blais: All our processes are fully public. We have hearings in which all Canadians have a right to participate and our decisions are published. The decision is in our report and it is significant.

Hon. Stéphane Dion: Mr. Blais, the overwhelming majority of people who came to testify before you asked that the fund be kept. There were no requests that it be scrapped. Your decision to end it was based on studies. Are those studies public?

Mr. Jean-Pierre Blais: The study came from our public hearing. Given the comments of Canadians, our interpretation of the obligations under the act, our knowledge—we are a specialized tribunal after all—and the considerable and ever-increasing costs for cable and satellite services, subscribers were faced with additional costs. In light of the affordability issues and other possible ways to achieve the objectives you are talking about, the commission concluded that it was not beneficial to keep the fund. Not every commissioner was in favour of that decision, but the majority won.

Hon. Stéphane Dion: So it is a question of saving money, not of studies showing that the objectives were achieved and that we no longer need the program. You had to make a choice because of a limited amount of money.

Mr. Jean-Pierre Blais: Mr. Dion, the LPIF decision is 29 pages long, single spaced, in just the one language. That's the study, the

report. It does not even include the days of public hearing and the whole transcript. We are all about making everything public. The decision was not made by cabinet, for instance, and submitted in secret. We are very transparent in our work.

Hon. Stéphane Dion: There are 29 pages on the LPIF.

Mr. Jean-Pierre Blais: The document deals with that decision in particular.

Hon. Stéphane Dion: You came up with 29 pages on the issue.

Mr. Jean-Pierre Blais: The document deals with the July decision.

Hon. Stéphane Dion: So are you able to address the request made by the Fédération des communautés francophones et acadienne du Canada, which recommends that the CRTC replace the LPIF with a local programming fund for official language communities?

Mr. Jean-Pierre Blais: When the decision was made in July, the commission was sensitive to the concerns of the communities. I think they were particularly concerned that money was allocated to Radio-Canada to provide French-language services to francophone minority communities. The commission clearly said that the issue would be discussed. It was discussed when the time came for Radio-Canada's licence renewal in November.

Hon. Stéphane Dion: Have you discussed this proposal? Have you dealt with it in one way or another?

Mr. Jean-Pierre Blais: The deliberations are not over yet. We have not made our decision yet.

Hon. Stéphane Dion: So there is hope.

Mr. Jean-Pierre Blais: A number of francophone groups have expressed their views. I will leave it at that. This is dangerous ground since the commission is an administrative tribunal.

Hon. Stéphane Dion: There is no danger here.

Mr. Jean-Pierre Blais: No one is listening, right?

Hon. Stéphane Dion: We are all listening very carefully. I simply wanted to make you even more aware of the fact that discontinuing the fund has created a real problem.

Mr. Jean-Pierre Blais: We are well aware of the problem and we are listening. Mr. Dion, I worked for the Department of Canadian Heritage and Official Languages for a number of years. I was an official languages champion before and I used to live in a minority setting. I am well aware of the challenges facing communities.

Hon. Stéphane Dion: Thank you.

The Chair: Thank you.

Mr. Trottier, you have the floor.

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Thank you, Mr. Chair.

Mr. Blais and Mr. Hutton, thank you for being here with us today.

Mr. Blais, in your comments, you talked about the importance of community radio. I come from Toronto where public hearings were held in 2012 to make a decision about the new radio frequency 88.1. There was one request to give the frequency to a francophone community radio station in Toronto and you received 17 requests in total.

I know that you did your evaluation and that Toronto is a large radio market. There are a lot of requests and a lot of people. The francophone community radio Choq-FM did not get the frequency. As a member of Parliament, I supported that request.

What were the criteria for making that choice? Why was another community, another format selected instead of an official language community?

• (1600)

Mr. Jean-Pierre Blais: Those files are always very difficult. Although there has been talk about the last frequency in Toronto on a number of occasions, engineers always find a new one, but the quality of each new frequency keeps getting worse. Yes, Choq-FM wanted to get 88.1 in Toronto.

When we do the evaluation, we analyze market needs and people's needs. There is a francophone community, but there are also a lot of multicultural communities. We also take into account young people, seniors, and so on. People submit their business plans. It is very difficult. I think we had almost two weeks of hearings. I was not there at the time, but the commission sat for almost two weeks to go through 22 requests.

For official language minority communities, we have a specific evaluation grid. We have made progress in that respect. In terms of the decision-making process, we ensure before and during a hearing that all our decisions are always made through the lens of official languages. We keep that in mind in our evaluation. Unfortunately, we must consider many other factors. In this case, Choq-FM was not able to change its frequency. By contrast, the community group here in Ottawa got a French-language community station.

We are trying to give consideration to a number of factors and it is not always easy. There are always more people who are disappointed than people who are happy.

Mr. Bernard Trotter: In terms of community radio, what is the CRTC doing in other Canadian markets to support minority language communities? Even if it is not a question of having a channel for francophones only, what can the CRTC do to encourage French-language radio in other regions in Canada?

Mr. Jean-Pierre Blais: Radio is often the most efficient tool because it does not cost as much as television. That is what I have always said. For instance, in New Brunswick, I have recently met with people from Radio Beauséjour. They clearly told me that, without their radio, the use of French would have experienced a drastic decline in their community. So radio has a significant impact.

We are always very open to requests from community radio stations. It is always easier to find frequencies in less popular markets. As I said earlier, there was Ottawa where, unfortunately, the CRTC did not seem to find a frequency in the beginning. The government took action because it is its responsibility, and once the case was studied again, a licence was granted. I was at Canadian Heritage at the time, not the CRTC, but I saw the progress made on the matter. That's our system. At the end of the day, it all worked out.

In terms of support, I talked about being open to granting licences. There is also the financial support. The fund is a good tool. I talked about it in my presentation. In addition, we are demonstrating some

flexibility. For instance, community radio stations want to exchange programming among themselves. We encourage them to do so.

Mr. Bernard Trotter: I remember that, in northern Alberta, a country and western radio station used to broadcast French-language programs on Sunday evenings.

Is that model common in other regions of the country?

Mr. Jean-Pierre Blais: I wouldn't say that it is common, although there is nothing preventing it. It is a bit more difficult to approve the activities of bilingual stations in the Montreal market, since the opposite is often true. However, in francophone minority communities, there is nothing preventing it. We see it with Aboriginal languages, in the north. For part of the day, the programming can be in another language. The commission does not have a policy that is totally opposed to that formula. If people want to use it, they can.

• (1605)

Mr. Bernard Trotter: With the advent of new technologies, is radio becoming less and less popular? I am talking about satellites and so on.

How has CRTC's decision-making process changed in light of those new technologies?

Mr. Jean-Pierre Blais: When radio came about, newspapers were supposed to disappear. When television came about, radio was supposed to disappear, and so on. What we are seeing is that radio operators have improved the place of radio stations as local services. They broadcast the local news, traffic updates, the weather, and so on. Radio is still in demand, especially when people travel by car. We have to understand that most people listen to the radio in their cars. I recently saw that a car manufacturer announced that they would add the G4 network to the OnStar service in some cars, but we are far from switching to Internet radio. It seems that conventional radio is still in a good position for at least a few years.

Mr. Bernard Trotter: Thank you.

The Chair: Thank you.

Mr. Galipeau, you have the floor.

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Thank you very much, Mr. Chair.

Mr. Blais, Mr. Hutton, thank you for joining us.

If I may, I would like to talk about community radio. Naturally, I greatly appreciate CRTC's decision with respect to CJFO. I read the transcript of all the evidence and all the questions that the CRTC had for the CJFO promoter when they made the first request. I felt that the CRTC was particularly hostile toward the promoter. That is why I took the rather unusual step of insisting that the government ask the CRTC to go back to the drawing board.

Actually, the government has set a precedent by asking the CRTC to go back to the drawing board. No other government had done it before. Fortunately, the CRTC did its homework the second time around. However, when francophones in Toronto needed the service, the CRTC had the same attitude it had toward francophones in Ottawa.

There are over 100,000 francophones in Toronto who are living in an even more pronounced minority situation than the francophones in the national capital region. I am wondering how we could make it our national objective to increase our efforts and to help official language minority communities better assert themselves, be it in Chicoutimi, Toronto, Red Deer or Trois-Pistoles. I do not have a lot of evidence showing me that the CRTC is open to that. The only evidence I have is the transcript of the testimony and CRTC's questions to the promoter of the Ottawa francophone community radio, CJFO, which I have carefully read.

Mr. Jean-Pierre Blais: I know that people are disappointed when they don't get the results they want...

Mr. Royal Galipeau: Mr. Chair, I understand this concept very well. I am not talking about an individual promoter. I am talking about the principle of official languages in general. It is not about a western music radio channel, a sports radio channel or an international news radio channel. We are talking about community radio for an official language minority community. This is not rocket science.

Mr. Blais, given your experience at the Department of Canadian Heritage, the department most concerned about this issue, I don't understand why I have to explain this to you.

● (1610)

Mr. Jean-Pierre Blais: I was not with the CRTC at the time.

Mr. Royal Galipeau: I realize that, but you're being hostile now.

Mr. Jean-Pierre Blais: You said there was hostility. I wasn't there, and I don't recall seeing that in the transcripts. I have been on the job since June, and I can tell you that much of the two-week-long CBC/Radio-Canada hearings, for example, was spent listening to the communities carefully and respectfully.

As for community radio around the country, some groups are looking to set up those systems. Our door is open. We have a team dedicated to helping smaller players put together their application properly. It's a competitive process, and sometimes community radio doesn't have the same resources to put it on equal footing. We make an effort because one of the working group's objectives is to provide applicants with the information and guidance they need to put together an effective application. I have no hostility towards the communities.

Mr. Royal Galipeau: Did the French-language radio proponent in Toronto do a poor job on their application?

Mr. Jean-Pierre Blais: I don't know. I know there was an appeal to cabinet.

Mr. Royal Galipeau: Is it possible to—

Mr. Jean-Pierre Blais: And cabinet decided, as you will see from the order, that under Part VII of the Official Languages Act, it was not necessary to grant that frequency to—

Mr. Royal Galipeau: Mr. Chair, may I move on to another question? I'd like to discuss the televising of House of Commons proceedings.

I live in Ottawa's east end. I am a Rogers customer. I can watch the House proceedings on channel 24, but only in English. When an opposition member and a minister are having a debate entirely in French, I get only the interpretation. The basic service is in English. I

would think we could have access to the service in French. Here, in the House of Commons, it's channel 48. Why not provide access to the floor in the basic service? Whether the debates are in English or French, you listen to what is said on the floor, and if someone wants to watch the proceedings in a specific language, it would be an extra service. The floor should be the basic service.

The Chair: Thank you, Mr. Galipeau.

Mr. Blais, could you answer that?

Mr. Jean-Pierre Blais: I know we're short on time.

Actually, there's a good chance that the service is already available. You may need to use a tuner for your cable service or television. We could discuss it later.

Mr. Royal Galipeau: Thank you, Mr. Chair.

The Chair: Mr. Dionne Labelle, the floor is yours.

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Good afternoon, gentlemen.

In your 2011-14 action plan for implementing section 41, we see that the CRTC is going to create lasting changes in its organizational culture. That means training for employees and managers on the Official Languages Act. Does that also apply to the councillors?

Mr. Jean-Pierre Blais: Do you mean the commissioners?

Mr. Pierre Dionne Labelle: Yes, the commissioners.

Mr. Jean-Pierre Blais: I mention it because, in French, it's a council, so they are called councillors.

[English]

In English, we're the commission and we're commissioners.

[Translation]

Mr. Pierre Dionne Labelle: Yes, that's who I'm referring to.

Mr. Jean-Pierre Blais: What matters is what we're doing. A systematic part of all decision making by the commission is what we call the official languages lens. When staff make a recommendation to the commissioners, we always look at it through a Part VII lens, if you will. As you know, we are a group of decision makers. We make virtually all of our decisions as a group. To a large extent, we represent the diversity of Canada. I can tell you without hesitation that the commissioners' cooperative approach to these applications ensures tremendous consideration of the various realities.

● (1615)

Mr. Pierre Dionne Labelle: The fact that organizational change was mentioned means that something wasn't working. What kind of financial resources have you allocated to implementing this official languages action plan?

Mr. Jean-Pierre Blais: Mr. Hutton is the official languages champion, so he may be able to provide some figures. But since we don't divvy things up that way or put a cap on the budget—

Mr. Pierre Dionne Labelle: How many employees are working on it?

Mr. Jean-Pierre Blais: Every employee is working on it. At the end of the day, everyone has an obligation to ensure we are fulfilling the objectives of the act. There is no single person in charge of holding everyone else accountable.

Mr. Pierre Dionne Labelle: But who monitors that? Is it you or an employee?

Mr. Jean-Pierre Blais: It depends on the part of the act. One person is in charge of Parts III, IV and V, and another person handles Part VII. Ultimately, I am responsible.

Mr. Pierre Dionne Labelle: So there's no way to put a figure on it. You're saying that it's organization-wide.

Mr. Jean-Pierre Blais: I think we—

Mr. Pierre Dionne Labelle: Sometimes, when everyone is responsible—

Mr. Jean-Pierre Blais: On the contrary, we have an institution. A little while ago, Mr. Galipeau mentioned that the Department of Canadian Heritage and Official Languages was committed to protecting official languages, and of course, that's true. However, a few other agencies, including ours, are, by virtue of their human makeup, very sensitive to both realities. We have mechanisms in place to help the commissioners take into account the reality and necessary considerations, when they're making decisions further to both pieces of legislation.

Mr. Pierre Dionne Labelle: I'll take you at your word.

Have you measured the impact of eliminating the LPIF on official language minority communities? Is there a report on that? Or was the decision simply made without really knowing what the impact would be?

Mr. Jean-Pierre Blais: People attended the hearings to raise that issue. From what I observed, it was taken into account. But, as I mentioned, I did not take part in all the discussions. What I can say for sure is fairly limited. However, as I told Mr. Dion, the report is the commission's decision.

Mr. Pierre Dionne Labelle: So what you're saying is that the report addresses the impact of eliminating the LPIF on official language minority communities. Is that right?

Mr. Jean-Pierre Blais: Some commissioners wrote dissenting opinions regarding the decision. It was a central issue for the members involved in that decision.

Mr. Pierre Dionne Labelle: Did you measure that impact during the CBC/Radio-Canada hearings?

Mr. Jean-Pierre Blais: In other words, when we started—

Mr. Pierre Dionne Labelle: Why wasn't it done when the decision made?

Mr. Jean-Pierre Blais: You may have misunderstood me, because that's not exactly what I said.

Mr. Pierre Dionne Labelle: Very well.

Mr. Jean-Pierre Blais: I was talking about the phasing out of the LPIF. Bear in mind that the fund was not created for the purposes of official languages, but for financial reasons.

Mr. Pierre Dionne Labelle: Yes, I am fully aware.

Mr. Jean-Pierre Blais: I know it had a positive effect, especially for CBC/Radio-Canada. With respect to that decision, we said that

we would look specifically at that aspect during CBC/Radio-Canada's licence renewal hearings. And we did that, but we have yet to make the decision.

Mr. Pierre Dionne Labelle: So you've postponed it.

With the switch from analog to digital, was a study done to assess the impact on official language minority communities?

Mr. Jean-Pierre Blais: Absolutely. Three authorities worked together on that at the time. There was the CRTC, Heritage Canada, where I was back then, and Industry Canada. We even did surveys. Within the CRTC, there was an impact. It is important to understand that—

Mr. Pierre Dionne Labelle: What did the study show?

Mr. Jean-Pierre Blais: Actually, we were quite surprised. Those living in minority communities were often the most connected, meaning they usually had cable because they received almost no off-air signals. That was equally true on both the anglophone and francophone sides. That is the reason the switch to digital didn't affect very many Canadians in official language minority communities. Most of them were receiving the signals.

Mr. Pierre Dionne Labelle: Is that an established fact?

Mr. Jean-Pierre Blais: Yes. We did a survey on it at the time.

Mr. Pierre Dionne Labelle: Is the study available?

Mr. Jean-Pierre Blais: Yes.

Mr. Pierre Dionne Labelle: Very well.

Mr. Jean-Pierre Blais: Less than 2% of those living in minority language communities were receiving off-air service. Actually, I believe the figure was somewhere around 2% or 3%.

The Chair: Thank you, Mr. Dionne Labelle.

Mr. Chisu, go ahead.

[English]

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Thank you very much, Mr. Chair.

Thank you to the witnesses for appearing in front of the committee.

I have a question from your presentation. You stated:

The CRTC is an administrative tribunal that regulates and supervises the Canadian broadcasting and telecommunications systems. The CRTC therefore has obligations under the Broadcasting Act and the Telecommunications Act.

I'm a professional engineer and know that professional engineers are administering the Professional Engineers Act. When you refer to the CRTC regulating and supervising and having obligations, can you clarify what you are administering? It is a very important distinction. When you state that you have obligations, it doesn't mean that you are administering that act.

•(1620)

Mr. Jean-Pierre Blais: Those words are directly out of the Broadcasting Act. Our mandate given to us by Parliament is specifically to supervise and regulate the broadcasting system. The Broadcasting Act actually has a very long policy objective in section 3 that defines what in the end Parliament has decided the broadcasting system should achieve. When we issue policies, when we issue distribution orders, when we license by condition, and renew licences, and approve transfers of controls, all those activities have the objective of implementing the policy objectives of the Canadian broadcasting system from section 3 of the act and the regulatory policy in section 5.2 of the act. Our obligation is to implement the act.

Mr. Cornéliu Chisu: When you speak about supervising, is that a different issue from regulating?

Mr. Jean-Pierre Blais: In a way it is, but those are exactly the words in the act.

Mr. Cornéliu Chisu: I am not looking at the words, I'm sorry—

Mr. Jean-Pierre Blais: Right.

Mr. Cornéliu Chisu: —but at when you are making decisions. You have an application process in place—

Mr. Jean-Pierre Blais: Yes.

Mr. Cornéliu Chisu: —and you made the decision based on the Broadcasting Act and the Telecommunications Act, and there is also the Official Languages Act, which is important.

Mr. Jean-Pierre Blais: We actually monitor what's happening. We have a research group that tracks how much money is being spent on Canadian.... The supervisory role is broader like that. Moreover, when you issue a licence, you impose a conditional licence, and you have to check whether somebody is meeting that conditional licence. So from time to time, we'll ask for the tapes of a radio station to make sure that they're actually playing the kind of music they are obliged to play.

So that's part of our supervisory role.

Mr. Cornéliu Chisu: So basically, you also have conditions for issuing a licence—

Mr. Jean-Pierre Blais: Yes.

Mr. Cornéliu Chisu: —that are translated in administering some parts of the act. Right?

Mr. Jean-Pierre Blais: That's correct.

Mr. Cornéliu Chisu: So can you tell me how long your process takes from the application to the issuing of a licence? And what are the main issues they are looking for?

Mr. Jean-Pierre Blais: The length of time will depend on whether it's radio or specialty television or conventional television, and also whether it's in a market that others might be interested in entering, because then we would do a competitive call, especially if there's only one frequency available or only enough economic room for one player. So throughout the process, we receive an application, we consider whether or not it should be opened up to others, and then we publish all applications for new licences through a process. Scott will tell you exactly what the timeframes and standards are, but I'll just explain to you in broad strokes how this works. The public will express their views. Competitors in the marketplace will express

their views. Oftentimes we have representatives of official minority communities or the other linguistic third language communities who come to the process, either in writing.... Often but not always we will have an oral hearing, but most of our applications are done on paper now, and then the commissioners deliberate based on the recommendations by staff.

As I mentioned earlier to your colleagues across the way, we put an official language lens on everything we do, so that part of the recommendation that staff bring to the commission's decision meetings includes a review of what it means for official language communities.

•(1625)

The Chair: Thank you very much.

We'll now go to Madame Michaud.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Thank you very much, Mr. Chair.

Thank you to our witnesses for being here.

I want to pick up on the issue that my colleague Mr. Dionne Labelle raised, the study of the impact on official language minority communities of decisions like the elimination of analog transmitters. Under paragraph 41, anytime a decision or a measure to implement something is at issue, the impact on the communities has to be taken into account. As regards the elimination of the LPIF and of analog transmitters, the impact was addressed during the CBC/Radio-Canada hearings.

Can you please explain why it was done that way, and why impact studies specific to those decisions were not done?

Mr. Jean-Pierre Blais: I'm not sure why you think the impact studies were done as part of the CBC/Radio-Canada process. The impact of the elimination of analog services was studied by the CRTC, with significant cooperation from other departments, Heritage Canada and Industry Canada. Hearings were held, and they were very public. It was the same for the LPIF. And people from the communities contributed to our hearings.

If you're looking for an impact study similar to those done by the departments, you're misguided. That is not how we work. We are an administrative tribunal. We do preliminary work, but our public file comes from the public's participation. Those people were at the table. The outcome is ultimately the commission's decision.

Ms. Éline Michaud: If I understand correctly, then, your assessment of the impact is based solely on the input people provide. Do I understand that correctly?

Mr. Jean-Pierre Blais: The public file is made up of evidence and studies. It's pretty sizeable. As I pointed out, people don't have to attend the hearings in person to make a statement.

Ms. Éline Michaud: Was the impact on official language minority communities measured in your preliminary studies further to these decisions?

Mr. Jean-Pierre Blais: Specific studies were done on the switch from analog to digital, because there was a departmental component in the decision making. In the case of the LPIF, the agency itself brought the matter up at the table. We considered those effects.

Ms. Éline Michaud: Very well.

Mr. Jean-Pierre Blais: I can assure you that it factors into everything we do.

Ms. Éline Michaud: I would hope so.

I have another question on francophones in minority language communities.

So there is digital service, among other things. If you consider basic digital plans, you see that the service is pretty limited. The French-language content is at 12% and comes mostly from Quebec. Do you have a strategy to address this problem that francophones in minority language communities have?

Mr. Jean-Pierre Blais: As I said earlier, it may be easier to start up a radio station because the operating costs are much lower. Right now, French-language service comes mostly from Quebec, although TFO, a network funded by the Ontario government, is also available. Currently, as I mentioned, we are about to consider two applications during the hearings in April. They are proposals for stations that would reflect Canada's francophone reality.

Ms. Éline Michaud: If I understand correctly, there is no TV-based strategy to address this problem? What you're telling me is that radio broadcasting is easier. I can see that, but I am wondering about the TV side. Do you have a serious strategy? How do we improve this situation or solve this problem for our communities?

Mr. Jean-Pierre Blais: Operating a television service is extremely expensive. And I am pleasantly surprised that two stakeholders are looking to offer TV service outside Quebec. They want to represent the francophonie. We will be considering that during the upcoming hearings. I can tell you it's been a few years since we've seen anything like that. Offering programming and running television stations is very expensive, even for specialty television stations.

Ms. Éline Michaud: How much time do I have left, Mr. Chair?

The Chair: Fifteen seconds or a minute.

• (1630)

Ms. Éline Michaud: Thank you kindly.

I'll keep it brief. The CRTC-OLMC discussion group was created under the three-year action plan. Did the group meet in 2012? And if so, when? Will the minutes of the other meetings be made public?

Mr. Jean-Pierre Blais: A meeting was scheduled for November 2012. But since we were in the midst of the CBC/Radio-Canada hearings, we decided that it wasn't the best time to meet with the stakeholders.

Ms. Éline Michaud: Was it rescheduled?

Mr. Jean-Pierre Blais: Yes. There was a meeting on January 30, in fact. We met with the communities. I wasn't able to attend but I promised to be at the next meeting. I plan to be an active participant.

Ms. Éline Michaud: Will the minutes be available?

Mr. Jean-Pierre Blais: They will be posted as soon as they are translated.

Ms. Éline Michaud: Wonderful.

Mr. Jean-Pierre Blais: Thank you.

[English]

The Chair: Merci.

Mr. O'Toole.

[Translation]

Mr. Erin O'Toole (Durham, CPC): Thank you, Mr. Chair.

I have a question but, for technical reasons, I am going to ask it in English.

[English]

In response to Mr. Dion, you spoke about the example of Rogers in Mississauga and cable providers providing French broadcasting. I'm wondering how much regulatory communication with the large cable providers the CRTC has when it formulates specialized channel services in bundles. For instance, is there an ability for francophones in minority francophone areas to acquire specialized additional channels through these bundling programs, in this case multicultural bundling?

Mr. Jean-Pierre Blais: Yes, there are rules in place that frame what cable and satellite distributors have to offer. There are some basic services, and one of the most important ones that affects them is this 1-in-10 rule. I think cable and satellite providers, knowing that some people might just want to have some French bundles offered, have figured out that it's just good marketing and business practice to offer those choices. So that's how they do it.

Maybe Scott can add to that.

Mr. Scott Hutton: Yes, it's very much within the interests of satellite companies, because they're national services. They not only have very good French and English services, but in some cases they also actually have very good bilingual services for someone like me who navigates the two languages.

More specifically, in the minority-language communities, we do have a rule that actually requires BDUs to offer a group of all the French services in one package in the digital format, which is much easier for them to do. As we speak, we actually have a requirement in place that facilitates this. All of the BDUs abide by that rule.

Mr. Erin O'Toole: Has there been any thought given to how that could be extended as more Canadians cut the cable to go to Internet-based broadcasting or to bundling their services? I think that will probably continue in the next decade. Some of it is not under the regulatory purview of the CRTC, I guess, but is it being considered?

Mr. Jean-Pierre Blais: A lot of people talk about this cord-cutting or cord-shaving. I'm not sure to what extent it's occurring. It's something that in our supervisory function we look at ongoing.... In fact, some studies indicate that the people who everybody thought were cord-cutting and going to things like Netflix are in fact people who consume even more video content. Not only are they watching the Netflix content, but they're also watching the more traditional platforms of distribution.

But in the late 1990s—I think in 1999—and then again recently, the commission looked at this and decided that we were actually obliged under subsection 9(4) of the act, in that if we thought the objectives of the Broadcasting Act could be achieved without licensing these Internet-based companies, we should and we must in fact exempt them from licensing. That's why there are operations that are Internet-based programming undertakings, but because of the digital media exemption order, they are not required to hold a licence.

Now, that being said, I'm seeing more and more offerings in both languages. Maybe not on Netflix, but even there, if you notice it carefully, they have started offering French language services content. Others have as well. Vidéotron recently launched a service as well, an Internet-based service that is available right now in Ontario and Quebec, as I saw in the press release, which offers over 2,000 titles in French. Sometimes the market meets the need.

As Scott has just mentioned to me, Tou.tv, an initiative of the Société Radio-Canada, is very widely available and provides French language content. There's content there.

•(1635)

Mr. Erin O'Toole: Thank you very much.

The Chair: Thank you.

Monsieur Dubé.

[Translation]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Thank you, Mr. Chair.

Thank you, Mr. Blais, for being here.

We've actually had a chance to speak before, at the Canadian heritage committee, when you had just been appointed.

I have noticed that the words “local” and “community” come up a lot. When you talk about service offerings, you are mostly referring to consultations, reports and so forth. But is there any data available, for our information as well as yours, that would tell us whether the Broadcasting Act was being respected as far as content goes, particularly French content?

Mr. Jean-Pierre Blais: One of the things we have been doing for a few years now is putting together a monitoring report. It is published annually, and the last report came out in September 2012. So we'll be releasing another one next year.

I know that, as members, you are very busy and sometimes overwhelmed by documentation. You were probably sent a copy of the report. Regardless, it is available on the CRTC's website. It details the English-language and French-language services available in Canada's various communities, with an emphasis on official languages.

Mr. Matthew Dubé: Do you have any tools in your arsenal to ensure that broadcasting services respect the act, especially at the community level? A report is important, and it's all well and good, but there are certain requirements. Do you have the necessary tools to address potential deficiencies?

Mr. Jean-Pierre Blais: My answer will speak to the system as a whole, because the report pertains to the entire system. At the same time, when it comes to the licensees specifically, if a radio station is supposed to offer a certain type of content and doesn't, we have tools to require these companies to provide reports and we can grant short-term renewals. We even have the power to be more aggressive.

So we have a range of options at our disposal. We don't yank licences the first time a problem arises.

Mr. Matthew Dubé: There should still be some sort of a process behind that.

Mr. Jean-Pierre Blais: That's right.

Mr. Matthew Dubé: I just wanted to know where things stand in terms of the process.

Mr. Jean-Pierre Blais: Okay.

Mr. Matthew Dubé: I have another question about broadcasting.

Unless I am mistaken, your website says that your latest study on broadcasting in areas where French is in a minority situation was conducted in 2001. Is that correct? Has it been that long?

Mr. Jean-Pierre Blais: No. I actually remember that I was the executive director in 2001 and was in charge of producing that report. The commission has produced another one since. That was in....

Mr. Scott Hutton: In 2009.

Mr. Jean-Pierre Blais: There should have been another report in 2009. We could perhaps help you find it on our website. As I mentioned in the beginning, one of the reasons we are revamping our website is that it's a bit difficult to find information on it.

Mr. Matthew Dubé: Oh, I see. You were talking about all the available applications. For instance, there is an iPad application for tou.tv. Broadcasting must involve some challenges because of technological advances. There are various ways to obtain radio services.

The 2009 report is recent, but is there any interest in redoing the exercise soon, given the rapid technological advances?

•(1640)

Mr. Jean-Pierre Blais: Yes. It is sometimes very difficult to keep up with the rapidly advancing technology. Occasionally, we hold public hearings over three, four or five months, and the reality can change very quickly over the course of the hearing.

As I mentioned, we produce an annual monitoring report that covers the whole industry. You are entirely correct in saying that the 2009 report should perhaps be redone at some point.

Mr. Matthew Dubé: Great, thanks.

If I have some time left and if it's okay with you, I would like to come back to a question on official languages I asked you at the Standing Committee on Canadian Heritage. You may be able to provide me with additional details, now that you have taken some time to learn more about the matter. I am not saying that you didn't know enough about it at the time.

We have seen that the Canadian content requirement percentage has decreased. That can clearly lead to some issues, especially when it comes to French. I remember the answer you gave me. You said that this was not an issue in Quebec, since the consumption legislation effectively leads to consumption in French.

However, what is the situation in areas outside Quebec where francophones are living in a minority situation? I know we discussed that. However, I would like to know whether assessments will be made to ensure that this percentage will not negatively affect the French services provided to other francophones.

Mr. Jean-Pierre Blais: Your question mainly has to do with television, I believe.

Mr. Matthew Dubé: Yes. Sorry, I should have specified that.

Mr. Jean-Pierre Blais: As I said earlier, most television services available in Canada come from Quebec. In a way, listeners outside Quebec are somewhat secondary, from the business plan perspective. We have no difficulty in providing Canadian content to those groups. That's what works when it comes to getting audiences.

That being said, we do have certain standards. In April, we will hold hearings for two applications submitted mostly by communities to demonstrate a willingness to reflect communities. The hearing is ongoing.

I'm having a hard time understanding the issue in terms of Canadian content on francophone stations. On the contrary, that's very powerful.

Mr. Scott Hutton: I would just like to add something. The drop that is a concern for you applied only to Quebec microwave stations.

The Chair: Thank you.

Mr. Galipeau, go ahead.

Mr. Royal Galipeau: Thank you very much.

I just have a quick question. Perhaps Mr. Hutton could answer it.

Mr. Blais' presentation talks about 450 employees. It says that 54% of those employees are francophones, and 46% are anglophones. I assume that 100% of the 54% made up of francophone employees are bilingual.

No?

Mr. Jean-Pierre Blais: No, you should not assume that. I know because we sometimes have to send in request for people whose first language is French to attend training sessions in order to improve their English.

Mr. Royal Galipeau: I would like to know how many of your 450 employees are actually bilingual. What portion of the 54% are bilingual, and what portion of the 46% are bilingual. You don't have to answer that question now, but I am interested in those figures.

For instance, in Ottawa, there are about 120,000 francophones and 180,000 anglophones who can speak French. That gives francophones and francophiles some considerable clout.

Mr. Jean-Pierre Blais: I will try to obtain those figures. I am not sure if we have that kind of a breakdown. I can tell you, since I often have to speak to all employees....

Mr. Royal Galipeau: That question is not urgent.

Mr. Jean-Pierre Blais: I understand.

• (1645)

Mr. Royal Galipeau: It is simply an important question.

Mr. Jean-Pierre Blais: Yes, absolutely.

I often have to speak to all employees at the same time. Obviously, I go back and forth between the two languages. Although people do not necessarily want to speak French, I am always surprised to see how well people can understand the other language—even anglophones whose first language is not French. Our meetings are constantly held in both languages.

Mr. Royal Galipeau: And naturally, the CRTC has already selected the best candidates in its recruitment.

Mr. Jean-Pierre Blais: Yes, of all the federal organizations, we have the best employees.

Voices: Oh, oh!

Mr. Royal Galipeau: I did not doubt for a moment that this would be your answer, and I agree with you.

Mr. Chair, I will yield the floor to my colleague.

[English]

The Chair: Mr. Chisu, go ahead.

[Translation]

Mr. Corneliu Chisu: Thank you, Mr. Chair.

[English]

I would like to ask you, if possible, what kind of licence you are issuing—a provisional licence, a limited licence?

How long is the licence in place? What are the conditions of renewal, and after what time are you requiring someone to renew their licence?

The third question is if somebody from La Francophonie countries would like to have a television station, so a foreign licence in French, what should they apply for, or how do they get a licence, if they get one?

Mr. Jean-Pierre Blais: The act provides that we can grant licences for a maximum term of seven years. That is generally what we've been doing on the radio side, unless there's been some non-compliance issue, at which point we give a shorter licence term. That's the general rule; there will be exceptions to this.

On the television side, the licences have been shorter-term—five years—because of the point somebody mentioned earlier, the fast evolving pace. It really depends on the individual circumstances of each licence.

So it's a maximum of seven. Some of them are shorter than that. If you've been particularly non-compliant, they can be very short.

With respect to foreign services, the act provides that we can only give licences to Canadian-owned and -controlled companies. In the situation you're providing, if a foreign company wanted to be distributed in Canada, they would have to work through a distribution company and be added to what is called the eligible satellite list, which allows that foreign service not to be licensed by us but to be authorized for distribution. For instance, that's how something like CNN gets distributed in Canada. It's a foreign company; it's not licensed by us, but it's authorized on the foreign service list. The same thing could happen for others.

There have been French services. We can figure that out, if you're particularly interested in French services that have been added to the foreign list.

The Chair: Thank you very much.

Mr. Benskin.

[*Translation*]

Mr. Tyrone Benskin: Regarding our obligations under the Official Languages Act, we also have to promote both languages.

[*English*]

I guess this is trailing on a bit from what my colleague was talking about.

For a bit of context, back in 1999 the CRTC opted to lower the obligations of broadcasters in terms of Canadian content for 10 years. That was fought in 2010, and those obligations returned.

Mr. Hutton, you mentioned that the majority, if not all, of the French programming comes out of Quebec. In areas such as Moncton and in Manitoba and so forth, where we've heard there is a desire to have more programming available to them that reflects their culture and who they are as Acadians, is there anything the CRTC can do to help promote that aspect,

[*Translation*]

that aspect of French outside Quebec, as in the case of Canadian content on the anglophone side?

Mr. Scott Hutton: The decrease we were discussing earlier was in television. It applied only to Quebec stations. The decrease over a 10-year period you are talking about was in radio. That was a reduction in francophone songs....

Mr. Tyrone Benskin: No, I was talking about 1999.

•(1650)

[*English*]

That was when broadcasters were given the right to simulcast, and they were heard, or listened to, when they said they would protect Canadian content. Within a 2-year period 22 Canadian shows went down to one. That was the case over the last 10 years up until 2010

when those obligations were put back into place for Canadian content on the English side.

I am wondering what kind of work can be brought through the CRTC to encourage and promote work outside of Quebec in the French language.

Mr. Jean-Pierre Blais: You're referring to the 1999 TV policy, which at one point took a perspective that we would get rid of the spending requirements and go to a number of hours of Canadian content in prime time. Recently, after reviewing all that, the commission went back to a spending requirement.

When I said earlier that most of the services in Canada are Quebec-based, I meant the specialty services, the cable or satellite-type services.

There are over-the-air French-language services available across the country. Many of them are in Quebec, obviously, but there are some elsewhere provided for by Radio-Canada—

Mr. Tyrone Benskin: Are they locally produced or produced in Quebec and then broadcast in those areas?

Mr. Jean-Pierre Blais: It's a mixture. For instance, the CBC station in Moncton, let's say, would take a lot of the network programming, but it would also have some percentage of locally produced shows.

Mr. Tyrone Benskin: Thank you.

Mr. Jean-Pierre Blais: Thank you.

Mr. Tyrone Benskin: How much they would do that is an issue that's before us.

The Chair: Okay, thank you.

[*Translation*]

Mr. Dion, go ahead.

Hon. Stéphane Dion: Mr. Blais, thank you for staying with us longer.

There is a focus group made up of CRTC representatives and representatives of official language minority communities. Would you say that this focus group is active and meets often?

Mr. Jean-Pierre Blais: That group will meet more often. As I was saying earlier, I have been an official languages champion in the past. So that is very important in my mind. The group was supposed to meet in November. It meets every six months on average. The November meeting could not be held because we were in the middle of hearings on CBC licence renewals, and that was the key topic of the meeting.

You will understand that the situation was a bit delicate. So we met on January 30, 2013. We will hold those meetings—for the francophone and anglophone sides—every six months on average.

Hon. Stéphane Dion: Does that focus group have a work plan?

Mr. Jean-Pierre Blais: Yes.

Hon. Stéphane Dion: Is that work plan in effect?

Mr. Jean-Pierre Blais: The original work plan is no longer in effect. We are now drafting a new work plan with the group to reflect the new reality.

Hon. Stéphane Dion: So there is currently no work plan, but you are working....

Mr. Jean-Pierre Blais: ...on putting one in place.

Hon. Stéphane Dion: You just talked about the renewal of CBC/Radio-Canada's licences and the consequences for official language minorities.

Could you tell us a bit about that? What is involved in that issue?

Mr. Jean-Pierre Blais: The issue is a delicate one.

My answer may be related to another question that has been asked already. It is a matter of knowing how to address those matters. Once we launched the process with several notices of public hearings, we highlighted the issue for the French communities and services—all of Radio-Canada's services in French are part of it, as well as services in English—and we invited people to attend the hearings.

Canadians were very well represented. We covered a whole range of issues, including those of a linguistic nature. Some of your colleagues from the House of Commons were there. Senators also came. So we have a very well-rounded case. We hope to be able to make a decision on all those licences in the spring.

Hon. Stéphane Dion: A distinction should be made between licensing conditions and the expectations, should it not?

Mr. Jean-Pierre Blais: Yes.

Hon. Stéphane Dion: Could you explain to us what that distinction may mean for official language communities?

Mr. Jean-Pierre Blais: The conditions are as legally stringent as they can be. At the hearing, the nature of the commitment makes it difficult to characterize it as a licensing condition. In fact, that can sometimes be a bit vague, or the situation may be a bit uncertain owing to its nature. A licence holder applying for renewal makes certain commitments during the hearing. They take on those commitments, but if they do not meet them, we cannot take more direct recourses. If we are talking about a licensing condition, we have a whole set of tools we can use. Failure to meet a licensing condition is a very serious offence. Binding orders can be issued in such situations. There are legal recourses available. As far as commitments go, the enforcement is less direct. We do not have as many legal tools at our disposal.

•(1655)

Hon. Stéphane Dion: But you take that into account during the renewal process.

Mr. Jean-Pierre Blais: Certain things can be done with regard to renewals. In the past, commitments have become conditions for the next renewal.

Hon. Stéphane Dion: Can you tell us a bit about the applications submitted by the Canadian Foundation for Cross-Cultural Dialogue and TV5? What kind of potential could that have for official language minority communities?

Mr. Jean-Pierre Blais: Two applications have been submitted to us: one by TV5 and another one by what people call “Accents”. They will be dealt with at the hearings in April. We published the notice of the proceeding a few weeks ago. I think the deadline for submissions was last night. I don't know how many stakeholders

have submitted requests, but I know that, overall, there are about 17,000 interventions for the April hearing.

Hon. Stéphane Dion: So it will be important to make sure that...

Mr. Jean-Pierre Blais: Everyone will have an opportunity to make their case.

The Chair: Okay, thanks.

Mr. Chisu, you have the floor.

[English]

Mr. Corneliu Chisu: Thank you very much, Mr. President.

You gently said that you are supervising, so in the supervisory function it is an enforcement function. Are you enforcing?

How are you conducting this process of enforcement in the condition of the licence? You have 702 television services in Canada—439 in English, 101 in French—and 1,189 radio services in Canada. All of these are licensed, I understand.

Mr. Jean-Pierre Blais: That's correct.

Mr. Corneliu Chisu: Does the enforcement process start with a warning or a temporary suspension? How does it work for you?

Mr. Jean-Pierre Blais: It's a little bit more complicated than that.

Operators are obliged to provide us with information on a regular basis. For instance, television services give us their TV logs, and we have a system to evaluate whether they are in fact broadcasting the amount of Canadian content they are supposed to, and so forth. It is the same thing with radio. We can get the tapes of a radio station and check.

One of the more effective ways we have to enforce is that there's, of course always a renewal process. If somebody has not met their obligations, it has an impact on the renewal.

In some instances, if somebody's breaching a condition of licence and despite warnings are not correcting the situation, the act provides us with a due process to bring a party to what is called a mandatory order hearing. We say to them, if you don't clean up your act and meet the conditions of the licence, we will issue a mandatory order. Then the mandatory order is registered with the Federal Court. It becomes an order of the Federal Court and, therefore, not complying with it becomes a contempt proceeding. That's another way we enforce it. We rarely use it, but a breach of a condition can also lead to penal sanction, but we find other ways are more effective.

Mr. Corneliu Chisu: Can you tell me how many cases you have?

Mr. Jean-Pierre Blais: The vast majority of broadcasters comply with their conditions of licence. A small number sometimes get into trouble. Unfortunately, they tend to be the smaller players, the less sophisticated players. That's why we have a small broadcaster group that helps them understand their regulatory obligation. We accompany them to get them onside.

Our goal is not to yank a licence, or to fine them, or anything, but to get them into compliance, and so we work with them. There have been cases that have escalated and we have the powers to deal with those.

• (1700)

Mr. Corneliu Chisu: Thank you.

[Translation]

The Chair: Thank you.

Mr. Dionne Labelle, go ahead.

Mr. Pierre Dionne Labelle: Thank you.

I was surprised to hear that a few senators went to Gatineau to attend the hearings. We will check what kind of travel expenses they claimed to make sure that rules were followed. They tend to get a bit carried away.

According to the Treasury Board Secretariat's annual report on official languages, you will apparently no longer have to produce an official languages annual review. You will be able to fill out a multiple choice questionnaire. What does that mean to you? Are you comfortable with that change? Do you think that takes your unique identity into account?

Mr. Jean-Pierre Blais: I was an assistant secretary within the Treasury Board in the past. I know that the people from the Treasury Board Secretariat are aware of the burden they sometimes place on small organizations.

Mr. Pierre Dionne Labelle: Are you really a small organization?

Mr. Jean-Pierre Blais: If you compare us to an organization like the Canada Revenue Agency, we are small.

So they are trying to reduce our workload. That is as far as the Treasury Board Secretariat is concerned. As for us, we do not expect reports every three years. We do it because it is the right thing to do.

Mr. Pierre Dionne Labelle: You should also not make any mistakes when checking tiny boxes. When unemployed people check off the wrong box, a problem arises.

Mr. Jean-Pierre Blais: I understand that it's important for the Treasury Board Secretariat to have general information. We can provide that. However, I can assure you that we meet our obligations under the Official Languages Act on a daily basis.

Mr. Pierre Dionne Labelle: I don't think they send you "Harper macoutes" if you check off the wrong box.

During his appearance in Gatineau, Graham Fraser shared his concerns regarding the renewal of CBC's licences. Among other things, he called on you to impose a regulatory framework that would ensure CBC/Radio-Canada fully carries out its mandate under the Broadcasting Act. He talked to you about some of CBC's decisions that worried him, including the transfer of youth programming onto the Web, the fact that the licence application makes little mention of the role Radio One and Documentary should play to reflect the realities of Quebec's English-speaking communities, the planned cutbacks in cross-cultural programming and the 2009 decision to eliminate virtually all local programming in Windsor.

Do you share the commissioner's concerns? What do you intend to do with regard to that regulatory framework?

Mr. Jean-Pierre Blais: I want to begin by saying that our organization was very happy to have Mr. Fraser at our hearings. That adds something to our public record. All the issues he raised were discussed during the hearing, but I cannot tell you what we will do about them because we are still debating.

Mr. Pierre Dionne Labelle: That's what I thought. That is like the case of the federation that asked you for 15 per cent. You are also thinking about that.

Yvon Godin is not here today. However, when he was in Moncton, people felt that national television was Montreal's television. I remember that you reacted to that.

Mr. Jean-Pierre Blais: During the hearings, our role is to build a public record. We put all that together, we take into consideration all the elements and we try to make a decision that will allow us to best achieve the legislative objectives. However, our debates are ongoing. So I have to be careful.

Mr. Pierre Dionne Labelle: Yes, that's right.

However, when you talk about reflection, do you mean to say that Canadians—and especially minority language communities—need their reality to be reflected on television, or they will stop watching?

Mr. Jean-Pierre Blais: Exactly. We cannot talk about CBC, so let's talk about other stakeholders.

I often speak in terms of reflection, which is divided into two categories. There is what I call mirror reflection, where the community sees itself. There is also window reflection, where the community sees its projection in the rest of Canada. Reflection has those two angles.

Mr. Pierre Dionne Labelle: Thank you.

The Chair: Thank you, Mr. Dionne Labelle.

Are there any other questions or comments? If not, we can conclude the meeting.

Ms. Michaud, do you want to say something?

Ms. Éline Michaud: Very quickly, Mr. Chair.

I would like to come back to the Official Languages and Minority Communities-CRTC Discussion Group. I wanted to check something with you. There was a work plan from 2008 to 2010. Is that work plan still in effect? Is there a new one? If so, could we get a copy of it?

Mr. Jean-Pierre Blais: As I said to Mr. Dion a bit earlier, the plan is no longer in effect, but we are working on a new plan that will be made public once it has been completed.

• (1705)

Ms. Éline Michaud: Do you have any idea when that might be?

Mr. Scott Hutton: A subcommittee derived from the group is involved. In fact, a number of subcommittees are working on that issue. At the latest meeting, the participants were unable to come to a conclusion. The next meeting is scheduled for September.

Mr. Jean-Pierre Blais: Once it's been completed, we will gladly send you the documentation through the clerk.

Ms. Éleine Michaud: Thank you very much.

[*English*]

The Chair: I want to thank all the witnesses for participating in this meeting.

Thank you very much.

Without further ado, this meeting is adjourned.

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