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• (1305)

[English]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): Welcome, everybody, to meeting number 19 of the House of Common Standing Committee on Canadian Heritage. Pursuant to the order of reference of Tuesday, February 16, 2021, the committee continues its consideration of Bill C-10, an act to amend the Broadcasting Act and to make related and consequential amendments to other acts.

I just want to give a quick reminder to everyone that it is forbidden to take screenshots and then to share them out to the general public or to any of our guests. I will mention that again in the second hour, but seeing our guests are from CRTC, they probably already know that.

We have a slew of hands up, as we say. Let's go to the order I see on the screen.

Ms. Heather McPherson (Edmonton Strathcona, NDP): I have a point of order, Mr. Chair. One of our colleagues has put up his hand before we even adjourned. I wonder if that's in order.

The Chair: Do you mean from the last meeting?

Ms. Heather McPherson: No, I just mean today, before you adjourned, people were already putting their hands up. I'm wondering if that's allowed, or if we can start putting our names on the list only once the meeting has been adjourned.

The Chair: I'm sorry, Ms. McPherson. Do you mean adjourn or do you mean begin?

Ms. Heather McPherson: I mean begin. It's Friday, Mr. Chair, please be understanding of me.

The Chair: Please don't be sorry, because there is a reason I'm glad you brought that up. In the last meeting it was pointed out to me, and I missed it, that Mr. Champoux had his hand up before I put down the gavel. I want to apologize to him for doing that. I shouldn't have done that and I apologize.

That being said, see, don't be sorry, because I'm glad you mentioned it. I didn't see which hands were up beforehand. I just looked up and saw Mr. Dong on the list that I have here, which is, in order in which the hands went up, Mr. Dong, Ms. McPherson, Ms. Dabrusin.

Ms. Heather McPherson: I was just flagging that Mr. Dong had his hand up prior to the meeting being started.

The Chair: I see. Ms. McPherson, I'm going to be quite honest with you that I didn't look at the screen before until I lowered the gavel, as it were. When I looked up I noticed that Mr. Dong's hand

was up. I have to rule on that. It's at the chair's discretion, I realize, so I have to go with that one.

Mr. Dong, you had something to add.

Mr. Han Dong (Don Valley North, Lib.): Yes I do, Chair, and thank you very much. I move that:

In light of recent reports showing that since March 2020 more than 1,100 attacks against Canadians of Asian descent have been reported; that over 500 of those attacks occurred in the first two months of this year alone; that children, youth and seniors are most likely to be affected by incidents of physical assault; and that this coincides with a global rise of anti-Asian racism, including the killing of six Asian-American women in Georgia; that pursuant to Standing Order 108(2) the committee undertake a study of no more than three meetings to review the rise of anti-Asian racism in Canada; that the committee report its findings, and that, pursuant to Standing Order 109, the committee request that the government table a comprehensive response.

In respect of the time of our members and witnesses, I'm happy to defer the debate until after the presentations of the witnesses.

The Chair: I think I can see what's coming. Under normal circumstances, technically, we follow the rule that you would move to adjourn the debate because the debate follows after you move the motion. However, that being said, I would like to go by consensus around this table. If there are no strong objections to leaving this to the end of the meeting, we can leave it until the end of the meeting. I put that out as a question. I'm looking about on the Zoom lens and I don't see any dissension. We'll move that towards the end.

Ms. McPherson.

Ms. Heather McPherson: I was going to table a motion, but I can do mine at the end of the meeting as well.

The Chair: You can table it now if you wish.

Ms. Heather McPherson: I move:

That, pursuant to Standing Order 108(2), the committee undertake a study on the roots of anti-Asian racism and strategies to prevent and deter anti-Asian racism, including support and resources for victims and communities; that the committee hold at least three meetings to hear from witnesses; that the committee present its findings and recommendations to the House no later than 180 calendar days from the adoption of this motion; and that, pursuant to Standing Order 109, the government table a comprehensive response.

The Chair: I asked you to do that, Ms. McPherson, just to give everyone the benefit of hearing your motion.

Ms. Heather McPherson: I believe it has been shared in both official languages.

The Chair: Ms. Dabrusin, please go ahead.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): I am joining the motion train and tabling my motion, also to be discussed at the end of the meeting with the others.

I move:

That the committee extend the hours of its meetings during clause-by-clause consideration of Bill C-10, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, and hold any additional meetings required to make the necessary changes to the outdated Broadcasting Act and move the bill to third reading at the earliest opportunity.

The Chair: Thank you, Ms. Dabrusin.

I'm going to get everyone to hold on for just two seconds. I have to consult.

Do we have agreement on all three toward the end of the meeting? I need to do that to make sure. Technically, we'd have to adjourn the meeting, but I am asking for unanimous consent to leave it as such, so we can get to our witness testimony right away.

Some hon. members: Agreed.

The Chair: Thanks, everybody.

We will now move to our special guests of the day as we consider clause-by-clause consideration of Bill C-10. We're still with witnesses. This will be our last day of meetings with witnesses before we start the actual clause-by-clause.

I would like to welcome very special guests, an entity that is no stranger to this committee or others, the Canadian Radio-television and Telecommunications Commission.

I would like to welcome Ian Scott, chairperson and chief executive officer; Scott Hutton, chief of consumer, research and communications; Scott Shortliffe, executive director of broadcasting. Rachelle Frenette is general counsel and deputy executive director.

Mr. Scott, I believe you requested 10 minutes, so I need to know who is starting.

• (1310)

Mr. Ian Scott (Chairperson and Chief Executive Officer, Canadian Radio-television and Telecommunications Commission): I did make the request, and I very much appreciate the committee's indulgence. I hope the fact we are last does not mean we are least.

The Chair: By no means, sir.

You have up to 10 minutes. The floor is yours.

[*Translation*]

Mr. Ian Scott: Thank you, Mr. Chair, for inviting us to appear before your committee.

We welcome the opportunity to contribute to the committee's study of Bill C-10. We have been following with interest the debates in the House of Commons. I should warn you, however, that there are number of matters before the Commission and we may not be able to provide detailed responses to all of your questions at this time.

The CRTC is an independent regulatory agency. Our role is to implement the legislation that Parliament adopts and to ensure that

the policy objectives set for the Canadian broadcasting system are achieved.

[*English*]

We recognize that some parliamentarians have expressed concerns that Bill C-10 proposes to give the CRTC significant latitude with regard to its implementation; some, indeed, may think it is too much latitude.

While we understand such concerns, I would note that the current Broadcasting Act, which we've been implementing since 1991, provides the CRTC with a great deal of flexibility to determine exactly how to achieve Parliament's policy objective.

That flexibility has empowered us to adapt to change and to apply different requirements to traditional television and radio services, depending on the nature of a broadcaster's service and the linguistic market in which it operates.

Our regulatory frameworks have evolved in light of changing circumstances to ensure the production and promotion of French- and English-language content by and for indigenous peoples, and content that showcases Canada's diversity.

I would like to point out that the Broadcasting Act specifies that the broadcasting system should take into account the needs and interests of Canada's diversity. It was left to the CRTC, however, as an independent regulator, to develop the necessary frameworks to achieve that policy objective, as well as others that Parliament has set out in the act.

In 2019, television broadcasters, as well as cable and satellite TV providers, contributed \$2.9 billion to content creation, which included \$736 million on news programming in both official languages. This was the result of requirements that the CRTC has set.

[*Translation*]

Also as a result of our regulations, the large French-language ownership groups must spend at least 75% of their Canadian programming expenditures on original French-language content. In addition, we have set benchmarks for the number of hours of news and local programming that TV stations must air each week in both official language markets, and we have licensed UNIS, which reflects and serves francophones outside of Quebec.

Radio also plays a key role in reflecting and connecting communities. In 2019, there were over 700 commercial radio stations authorized to broadcast in Canada, offering a vast diversity of content and music. These stations contributed \$46 million to the development and promotion of Canadian artists.

Our regulatory frameworks have led to the licensing of APTN, the first national Indigenous broadcaster in the world, and OMNI Regional, which provides multi-ethnic programming in 20 different languages. In addition to OMNI, Canadians can subscribe to more than 110 speciality and pay channels offering programming in a variety of languages other than English and French. They can also listen to numerous Indigenous and multi-ethnic radio stations. As the definition of diversity changed, we granted a licence to OUTtv, one of the first channels dedicated to airing content for the LGBTQ2+ community.

We made these decisions because we recognized their important contributions to public policy objectives.

The Broadcasting Act is now 30 years old. Although its drafters had the foresight to make it technology neutral, they could not foresee how modern technology would change the delivery of audio and audiovisual content. The CRTC has been monitoring the evolution of the Internet since its earliest days.

We have held comprehensive proceedings under the current Act to consider the regulatory approach that should be taken regarding online audio and audiovisual content. Each time, we concluded that online content, and its distribution, was complementary to the traditional system. We therefore exempted online broadcasters from the requirement to hold a licence.

A lot has changed in recent years. As more Canadians gained access to high-speed Internet services, they also gained access to a growing number of online libraries of domestic and foreign content. That explosion of choice was to the benefit of audiences and creators. It helped bring Canadian productions and artists to national and international audiences.

The Broadcasting Act, and the regulations we have implemented to achieve its policy objectives, have fostered a dynamic and diverse broadcasting system. The time has come, however, to adapt to today's digital environment and to ensure we can continue to adapt in the future.

At the government's request, we studied what effect this environment may have on the production, distribution and promotion of Canadian content in the coming years.

Our 2018 report found that Canadians will rely increasingly on the Internet to discover and consume music, entertainment, news and other information in the coming years.

We therefore recommended in the report that future policy approaches should focus on the production and promotion of high-quality content made by Canadians that can be discovered by audiences in Canada and abroad, ensure that all players benefitting from the Canadian broadcasting system participate in an appropriate and equitable manner, and be sufficiently nimble to enable the regulator to adapt rapidly to changes in technology and consumer demand.

We made similar recommendations to the Broadcasting and Telecommunications Legislative Review Panel.

• (1320)

[*English*]

All of this brings us to Bill C-10. We welcomed the tabling of the bill since, in our view, it does three very important things. One, it builds on the existing Broadcasting Act to clarify the CRTC's jurisdiction regarding online broadcasters. Two, it proposes provisions that specifically address our ability to obtain data from online broadcasters to better monitor their evolution. Three, it proposes to modernize the CRTC's enforcement powers.

Equally important, Bill C-10 proposes to foster a more inclusive broadcasting system and more diversity in content. Once the legislation, with the will of Parliament, has received royal assent and the government has issued its policy direction, we will hold public hearings to develop a new regulatory framework, and there will be an opportunity for Canadians and all interested parties to provide their input and be heard.

Our goal, as always, will be to develop as complete a public record as possible and to make evidence-based decisions in the public interest. We are proud that for over 50 years Parliament has entrusted the CRTC with the task of establishing regulatory frameworks to achieve the policy outcomes it has set out for the broadcasting system. We look forward to continuing to evolve in the 21st century and to ensuring that all players in the system, including online broadcasters, contribute in the most appropriate way.

Thank you. We'll be happy to answer your questions and to offer our expertise.

The Chair: Thank you, Mr. Scott. That was pretty close to 10 minutes exactly.

Let's now go to our rounds of questioning. We're going to start with the Conservative party. Monsieur Rayes, please.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

My thanks to the witnesses for joining us today to answer our questions and thereby to help us in tabling a report that is as complete as possible.

Mr. Scott, in your remarks, you said that the time has come for the CRTC and for Canada to adapt to the future by means of this new bill.

However, according to a number of witnesses who have come to meet with us, our priority should be to lighten the regulatory obligations on Canadian broadcasting companies rather than to extend them to other online undertakings. That suggestion was specifically made by Professor Geist, from the University of Ottawa, and by Stéphane Cardin, from Netflix. They both stated that too rigid a regulatory framework would lead some online services to find a way around Canadian legislation or to reduce their investments in this country.

Then, Pierre Karl Péladeau, the president and chief executive of Québecor—whom I am sure you know well—suggested lightening the administrative and financial burdens of traditional television companies in order to stimulate competition.

Can you tell us why, in your opinion, the government did not take that approach? Why is the government trying to add rules instead of trying to make things simpler in order to stimulate competition and to provide equitable service, whether traditional or digital?

Mr. Ian Scott: There are a number of questions there. Taken together, they make up one very complex question.

[English]

There are many elements to your question.

Let me start by simply indicating that with respect to the right framework, there are many interested parties. They all have a view. They all have both the public interest and their private interest in mind. At the end of the day, the details of the regulatory regime will be set after public proceedings, after we're able to hear all stakeholders and to hear the evidence, but the starting steps are to have data about who is doing what in the sector, their revenues and their subscribers. Then we can move on to developing a regime that fulfills the objectives of the act.

I apologize if I'm not answering all your question. Perhaps you can add to it.

[Translation]

Mr. Alain Rayes: So you believe that adding rules will give us some assurance of a degree of fairness between traditional broadcasters and digital broadcasters, whereas loosening the regulations would not. Is that the gist of your opinion on this issue?

• (1325)

Mr. Ian Scott: Yes, definitely.

[English]

I like to use the words symmetry and equitable.

I don't know if you're familiar with the 2018 report, "Harnessing Change". One of the points we made was that you need to design regulations that recognize different lines of business and the nature of the business. Then you develop something that is equitable for all parties.

[Translation]

My colleagues Mr. Hudson and Mr. Shortliffe could perhaps add some specifics.

Mr. Scott Hutton (Chief of Consumer, Research and Communications, Canadian Radio-television and Telecommunications Commission): Good afternoon, Mr. Rayes.

Yes, we have to consider the different parties and entities that are before you and that will be before us a little later, in terms of the regulatory frameworks. You mentioned Netflix and the current players—

Mr. Alain Rayes: Forgive me for interrupting you.

My question was not about what those people said. I was not asking for an analysis of the current players. I should also point out that one of those to make that suggestion was a professor.

I would rather have your opinion about the approach to be taken. Do we ease the constraints or add more?

In your opinion, what would make for better fairness, adding regulations or loosening those we presently have?

Mr. Scott Hutton: The CRTC's opinion, which we provide in our report and which is the result of the work we have done on the legislative framework, is that we must have an approach that will indeed give us the flexibility to look for the advantages in regulations that may seem different, more appropriate, more flexible, and tailored to all the players.

We fully understand that the existing players have also to face competition in this new digital world. We therefore believe that the regulations under which they operate must also be tailored, in an attempt to find the best possible means for international players to contribute to the objectives of the Broadcasting Act.

It's therefore not a question of choosing one model over another, but of trying to get the best from both.

Mr. Alain Rayes: Some broadcasting experts have told us that they have doubts as to the constitutionality of Bill C-10.

How do you respond to that? Do you think they are right to be concerned?

Mr. Ian Scott: Rachelle Frenette, our legal counsel, is in a better position to answer that question.

Ms. Rachelle Frenette (General Counsel and Deputy Executive Director, Canadian Radio-television and Telecommunications Commission): Good afternoon.

Thank you for the question, Mr. Rayes.

I can just tell you that we are relying on the note from the Department of Justice, which has studied Bill C-10 and concluded that the bill is constitutional.

Mr. Alain Rayes: Has the CRTC asked for a legal opinion?

Ms. Rachelle Frenette: We examine the bill internally and go through all the legal ins and outs and the applicable legislation.

Mr. Alain Rayes: Thank you, Ms. Frenette.

Do I have any more time, Mr. Chair?

[English]

The Chair: You have a few seconds left, if you have any concluding remarks.

[Translation]

Mr. Alain Rayes: Thank you very much.

I am sure that my colleagues will be asking the witnesses questions about the place of French-language and Canadian content. I look forward to hearing their comments on that issue because many who are deeply involved in the area have raised a number of concerns.

[English]

The Chair: Thank you, Mr. Rayes.

You are officially over time. My apologies.

We are now going to go to Mr. Louis.

[Translation]

Welcome, Mr. Louis.

The floor is yours for six minutes.

[English]

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you, Mr. Chair.

Thank you to the witnesses. I appreciate your time and your advocacy.

I will address my question to Mr. Scott, because he can then pass it on to whoever he thinks might be able to answer it. I appreciate it.

We have both sides of the story about regulatory obligations between traditional broadcasters and whether they should be reduced or whether we should enhance the obligations for online broadcasting. Specifically, I appreciate your talking about modernizing the enforcement, allowing more diversity and the timelines for public consultations.

Could you add to what you were saying previously about the timeline? If we can get this legislation passed quickly, what is your timeline for public consultation? When do you see that happening?

Mr. Ian Scott: At the end of the day, the timelines will be set, if I understand correctly, through a policy direction to be issued by government to the CRTC. Based on the public documents and the comments of the ministry, they have asked us to be able to implement a number of major measures in a nine-month period. Then there's a longer, two-year period. Obviously, if we are issued such a policy direction, we'll fulfill it.

I'll be very frank with you. We have been working very hard internally at the CRTC in order to prepare for the day, if it's the will of Parliament to pass this legislation into law. It will be important that we are able to start immediately and issue relevant notices or bulletins. The public proceedings would follow on very quickly after that.

● (1330)

Mr. Tim Louis: I appreciate that because, from the many people we have heard from thus far, I know having public hearings to provide that regulatory framework will be most welcome. As more people understand what we're going through, the more voices we have, which is fantastic and it fits into your diversity.... In the meantime, I know you are also collecting that data.

I'd like to change pace. There's a difference between online streamers investing money for jobs in the cultural sector, which is important and productive for our creative class and our economy, and investing in Canadian stories and Canadian content. I want to make sure we can continue to support and promote those Canadian stories, the creators and the programming.

Do you anticipate reasonably requiring a significant level of Canadian content obligations from those online streamers, and what challenges would we face in those endeavours?

Mr. Ian Scott: The short answer is yes. The essence of CRTC regulation is about the production, the distribution and the discovery or accessibility of Canadian content. In that sense, when I say "Canadian content", I mean content that's reflective of Canada and its values. It is fully our expectation that this will continue.

The online providers are no different in many respects from others. They'll pursue good stories. We have a role to play in defining, or perhaps redefining, for regulatory purposes what constitutes Canadian content.

You noted that there's an increased focus on diversity and on indigenous peoples. Those will form a part of it.

However, the short answer is yes. There is a regulatory regime to be developed that will ensure both that economic activity you mentioned as well as the production of Canadian content in the sense that you described.

Mr. Tim Louis: I appreciate your saying that, because a number of witnesses have come forward....

Something that the Broadcasting Act has been able to preserve is our own voice. Now, with our voices being even more diverse, that's really important.

With my time, I have one more question. One of the issues we're working on is striking that balance between legislation and regulation. We need to make sure that if we make those decisions now, they'll stay relevant. In your opening statement, you mentioned that as technology changes and new formats become viable, we don't want to be updating this legislation every few years—and it's overdue now.

Just as streaming has emerged to compete with traditional broadcasting, what do you see as the challenges of keeping up with whatever technology advances we'll experience as a nation? In your opinion, how can we balance that constant push and pull between legislation and regulation?

Mr. Ian Scott: The key is that you put the important policy principles in legislation—because, as you know, it is difficult to change fundamental structural legislation—and you leave the details, with respect, to the expert regulator, along with policy direction powers.

We've emphasized in our earlier reports—and I'm happy to do so today—that the CRTC needs to be more nimble and flexible. We need to be able to adapt to changing technology, both today's and tomorrow's technology. That is best achieved by letting us hold public proceedings and establishing a framework that can be changed as required, as technology and commercial services evolve.

Mr. Tim Louis: I appreciate your saying that in the rest of my time. Thank you.

As you said, between public consultation and the data we're collecting, I hope to give you the tools you need to carry us forward.

I appreciate your time.

• (1335)

Mr. Ian Scott: Thank you.

The Chair: Thank you, Mr. Louis.

[*Translation*]

Mr. Champoux, the floor is yours for six minutes.

Mr. Martin Champoux (Drummond, BQ): Thank you very much, Mr. Chair.

I feel like I have six minutes in which to run a marathon. We could talk to each other about so many things.

I confess that I am very concerned about the lack of teeth in Bill C-10 in terms of protecting original French-language content and Canadian content. I am concerned to see that it is in the departmental directives rather than in the act.

Mr. Scott, do you prefer to have a legislative framework that is better defined, a little stricter, and that makes the playing field clearer for you, or do you prefer to have more latitude in interpreting the sections and the spirit, the intent, of the act?

In this case, I am thinking particularly about how language content is apportioned.

Mr. Ian Scott: Thank you for the question. It is an important one and I am happy to talk about it.

I prefer the second option. The CRTC has been regulating broadcasting since 1968, and it is responsible for the regulatory framework that exists today. It ensures that original content in French has an important place, both in Quebec and elsewhere in Canada. You can be certain that, as the CRTC develops a new framework, original content in French will remain a priority.

Mr. Hutton, do you have any additional comments?

Mr. Scott Hutton: I would actually like to add one clarification.

Mr. Champoux, I don't feel that asking for our preference as to the legislative framework is the right question. What we want is for parliamentarians to give us major objectives that are clear and to tell us what their intentions are. As for the regulatory measures and the legislative framework, we are asking you to give us the flexibility we need to implement them and to adapt them as the environment evolves.

The environment changes—

Mr. Martin Champoux: Forgive me for interrupting you, Mr. Hutton.

If we leave things relatively vague and we give you only a general idea, I am afraid that you are going to be under pressure from the giants who are getting into the market. That is a probability. My impression is that, if the place we want francophone culture to occupy

in the act is not very precisely defined, we will be left vulnerable and there will be too much room to manoeuvre.

Mr. Scott Hutton: Bill C-10 is intended to improve the existing act on a number of fronts.

As our chairperson mentioned earlier, the task of the CRTC is to implement the measures intended in the major political outlines. Accordingly, we have different approaches for French content and English content and very specific measures as to Canadian content and French-language content. We have even added to them in recent years, because the market was concerned about the matter.

I do not feel the CRTC will retreat or give in to pressure in that regard. The current legislation gives French-language content a pre-dominant place in the country.

Mr. Martin Champoux: I would like to bring up another matter.

At their recent appearance before the committee, the Minister and the officials from the Department of Canadian Heritage stated that, according to Bill C-10, social media will be regulated. However, other players in the field expressed their concern, because they find that social media are actually excluded from Bill C-10. I am thinking specifically about the organization called the Friends of Canadian Broadcasting.

If the bill is passed in its current form, do you feel that the CRTC will be able to regulate social media and impose conditions on them?

Mr. Ian Scott: We have imposed regulations in some cases.

[*English*]

That was while they acted as a broadcaster. If we separate those two concepts.... I will use Facebook as an example. If Facebook is sharing information about your neighbourhood, then it's not broadcasting, but if Facebook is putting on a Montreal Canadiens hockey game or is engaged in other broadcasting aspects, then it would be subject to our regulation.

[*Translation*]

Mr. Martin Champoux: If I understand correctly...

[*English*]

The Chair: Sorry, but we have a problem with the French interpretation.

• (1340)

[*Translation*]

Mr. Martin Champoux: Yes, we have a problem with the interpretation.

[*English*]

The Chair: Wait one second. We're going to have to fix this before we proceed.

[*Translation*]

Mr. Ian Scott: I can repeat my answer in French, if you wish, Mr. Champoux.

Mr. Martin Champoux: Let's wait for the interpretation.

Mr. Ian Scott: Thank you for your patience.

[English]

The Chair: Are we good? Okay. That's great.

You have a minute and 20 seconds, Monsieur Champoux.

[Translation]

Mr. Martin Champoux: I want to go back to a word you used earlier. You talked about symmetry and I have to say that I like that a lot.

Do you feel that you currently have the tools you need to achieve a balance between traditional broadcasters and foreign online undertakings? In my opinion, each one of them has a very different vision of what should be done.

Mr. Ian Scott: At the moment, we do not have the tools we need. However, I feel that Bill C-10 will give them to us.

Mr. Martin Champoux: Let me quickly go back to one part of the question that my colleague Mr. Rayes asked earlier. It was about lightening the burden, as traditional broadcasters are asking. Some things could certainly be lightened for our traditional broadcasters in order to make them a little more nimble in the digital universe of which we are now part.

Do you feel that it is possible to do that while preserving the market and, of course, preserving original Canadian content and French-language content?

Mr. Ian Scott: The short answer is “yes”. I am sure that we have the right tools.

Mr. Martin Champoux: Thank you.

You have met your challenge, Mr. Scott.

[English]

The Chair: Ms. McPherson, you are next, please. You have six minutes.

Ms. Heather McPherson: Thank you, Mr. Chair.

Thank you to our witnesses for joining us today. It has been very interesting to hear your responses. Of course, we all have a great deal of interest in the work you're doing and in the implications of Bill C-10 on your work.

As everyone knows, Bill C-10, if passed, would require online businesses, both foreign and Canadian, to contribute financially to the Canadian broadcasting system to support creators and producers of Canadian content.

What are some of the ways you think companies will try to get around their future spending or royalty obligations, and what do you think you can do to prevent that from happening?

Mr. Ian Scott: We're in the business of regulation, so we're probably used to parties and stakeholders interpreting our rules. I wouldn't ever accuse them of trying to circumvent them, but perhaps they interpret them in a way that they believe is consistent with the rules but to their advantage.

Honestly, our task will be to develop a new framework that is reflective of the various lines of businesses, both traditional and emerging. In a win-win situation, that framework should incentivize behaviour, not just prescribe it. It shouldn't be only “thou

shalt do this or that”; it should also give them reason to follow our rules. I'm confident we can develop such a framework based on the evidence we'll gather from all parties.

I'm not evading the question, but I think we can develop a framework that will be a win-win for Canadian culture in the broadcasting sector and for the participants in the marketplace.

Ms. Heather McPherson: Incentivizing is a great idea and I applaud you for that, but I also recognize that you acknowledge that, for a lot of companies, incentivizing might not be enough to keep them on the right side of the line.

Mr. Ian Scott: That means it will need a “thou shalt do things”, as well. There will need to be prescriptive rules as well as incentives.

Ms. Heather McPherson: Of course, it's the carrot and the stick.

What methodology and criteria will you use to define an online company, and how will you decide which ones will be required to either spend or pay royalties to fund Canadian content?

Mr. Ian Scott: I have to be careful in how I respond to that.

This is looking at a future regulatory environment. It wouldn't be right for me to predict what it will look like. That should come after we hold the public proceeding and we hear the evidence and develop the record.

I need to be careful not to—

● (1345)

Ms. Heather McPherson: Perhaps I'll frame it as what you would like to see.

Mr. Ian Scott: I would like to see one that achieves the objectives I mentioned earlier.

I'm not sure how to answer it beyond saying that we would ensure....

You really have me stumped in terms of what I can say about a prospective regulatory framework without hearing about it nine months from now, when someone says, “You said before a committee that it would include this or that.”

Ms. Heather McPherson: That's fair enough.

Mr. Ian Scott: I'll repeat what I said earlier: It really can be a combination of incentives and prescriptive rules.

Ms. Heather McPherson: As you develop this and go through this policy, will there be models operated by other countries that you either have been looking at or will look at, and could you comment on which countries, which models, and why?

Mr. Ian Scott: We have been studying it. Needless to say, these aren't new issues to us.

We're very pleased that legislation has been proposed. The challenges brought about by new players have been, obviously, going on for some time. We have been studying various approaches taken by regulators around the world.

We truly need a made-in-Canada solution. We are unique. We are unique in that we have a bilingual broadcasting system; we have to reflect indigenous peoples, and we are next-door neighbour to the world's most powerful content creator. The English-language market in Canada is particularly impacted by the proximity of the United States.

The short answer is that it will be made in Canada, but we certainly study quite carefully the various approaches taken to content regulation around the world.

Ms. Heather McPherson: Can you give us an example of one or two of the countries you have been looking at and taking some lessons from?

Mr. Ian Scott: There are a number of leading regulators that we have very regular contact with. We certainly look at what Australia does. We look at what France does in the promotion of culture, in particular. They have a very strong regulatory regime. We look at the U.K., and they have done some interesting work. They have a large, strong public broadcaster as well. Those would be three examples.

Ms. Heather McPherson: Thank you.

I know I am running out of time, but I want to thank you for your time today. I look forward to hearing back about how the consultations go, assuming Bill C-10 goes forward.

Mr. Chair, I will pass it back to you.

The Chair: Thank you, Ms. McPherson. You will get a second chance to ask questions, because we are going to do a second round.

I'm going to be strict on time, folks. We have four questioners, for five, five, two and a half and two and half, which gives us 15 minutes.

Now let's go to Mr. Waugh, for five minutes, please.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): I want to thank all four from the CRTC who are with us here today.

I just want to ask you a question, if you don't mind, Mr. Scott, being the chair.

We've heard some say that actually today you have the power to regulate the streamers like Netflix, Disney+ and Amazon.

Do you have that authority here today, in 2021, to regulate it?

Mr. Ian Scott: It's an interesting question. Thank you.

I'm going to give a heads up to my legal counsel that she may want to add to my answer.

The fact of the matter is that today, as we read the Broadcasting Act, we have regulation over all programming. Programming is very widely defined. The commission has looked, I think three times in total, dating back to 20 years ago, at whether or not it would be desirable or necessary to regulate content delivered over

the Internet. In the past, the commission has concluded that regulating it would not meaningfully contribute to the broadcasting system.

Now the world has changed. As I said in my opening remarks, the extent, the volume and the significance of over-the-top programming makes that not the case today. We have exemption orders in place that require them not to be licensed, but they fall under our jurisdiction.

• (1350)

Mr. Kevin Waugh: That's interesting because I know a lot of former broadcasters who are now on Facebook doing an hour show. They're selling commercials. They're not licensed. Here they are actually competing against traditional broadcasters. It's just a free-for-all on Facebook and other social media. I just wonder why we can't control this in this country.

Do you have the capacity, once this bill passes, to control this and to force these people to have licences? They're taking in much revenue, a lot of them are. It's just a boondoggle right now, to be honest with you. It's a free-for-all out there.

Mr. Ian Scott: As I mentioned in my opening remarks, there are for me three key things about the legislation, and number one in my list of three was that it brings greater clarity or certainty over our regulatory authority over all players involved in broadcasting.

Again, that's the short answer. Yes, with the passage of this legislation, with the addition of the ability to gather data so we know who's doing what, and with the necessary enforcement tools, I believe we will have the tools we require to effectively regulate the broadcasting sector.

Mr. Kevin Waugh: The Department of Canadian Heritage, of course, gave this number of \$830 million that they think they can generate by 2023.

Did they ever sit down with you and ask about that? Where did they get the number, and did they talk about the calculation of that with you? I know you're a regulator, but where did the calculation method come from?

Mr. Ian Scott: I hope I am not misunderstanding. I think that when the department appeared, they provided an explanation of how they developed the number.

No, as you point out, we're an arm's-length regulator. We have an arm's-length relationship with the department. We didn't provide them. They have the same data available to them as we do.

As to what is the number, I don't know. I'm going to revert back to my answer to Ms. McPherson, and I hope it doesn't sound tired for all of you. It is that if I were to predict that today, I would be closing my eyes or closing my mind to whatever we hear based on evidence in the future.

I don't want to predict what it will be. We will gather data. We will develop a regulatory framework. Based on that, we will find equitable contributions from among the various broadcasting players.

Mr. Kevin Waugh: Does the CRTC today have the capacity to do this? There are many on the conventional side who say you're overworked and now this is coming forward. What will it take to get up to speed as a regulator and to tackle the whole bill and move on?

Mr. Ian Scott: Am I going to be able to employ you to assist me when I have to go to Treasury Board?

Voices: Oh, oh!

Mr. Ian Scott: We are busy. My team works incredibly hard in the public interest. We will need some additional resources. The ministry is aware of that and will support a request to Treasury Board for the necessary resources.

The Chair: Thank you, Mr. Scott.

Next is Ms. Ien for five minutes, please.

Ms. Marci Ien (Toronto Centre, Lib.): Thank you so much, Mr. Chair, and thank you to our witnesses who have joined us here today.

Mr. Scott, I'm going to direct this to you, but please feel free to involve others on your team as you see fit.

Thank you to your team for being here as well.

You have talked about the need for equitable solutions. Depending on who you hear from, the CRTC is given too much power or too little power in this bill to regulate the online streamers and to come to some sort of equitable solution. I'm just trying to drill down here. In your opinion, from the commission's perspective, what is your biggest challenge?

Mr. Ian Scott: That's a wonderful question. I don't think I did a very good job of answering Mr. Champoux at the beginning in response to his very first question.

To be honest, I'll say two things. First, we're a regulator, and what we do, by definition, is that we make those difficult decisions. Our job is to balance competing and sometimes conflicting parties and measures to reach an equitable, fair outcome. That's exactly what we will have to do as we balance the various pros and cons of different regulatory approaches.

In a short answer to your question, the hardest thing we will face is defining what is equitable. When you say to a traditional broadcaster—I'm making something up here—that we want in particular a focus on news or we want in particular a focus on original French-language programming, how will that compare to an OTT provider simply giving money—contributing financially, but not in terms of actually developing or distributing Canadian stories?

It will be the different lines of business, the different things they bring to the market, in how one reaches a determination about what is equitable. I'm being very candid, but that, I think, will be the biggest challenge.

• (1355)

Ms. Marci Ien: Thank you so much, Mr. Scott.

I have another question for you. I believe it was in response to my colleague, Monsieur Champoux, that you said French content will remain a priority. Through that lens, with that in mind, how likely is it that there will be no French obligations on, say, Netflix?

Mr. Ian Scott: Let me answer that in two ways.

First, I can assure you that there will be no less focus on the production of original French-language content. It forms a critical and important part of our broadcasting system and will continue to do so in the future.

To go back to my answer—and I apologize if it's tiresome—I'm not going to try to predict what it would be, but there will be a number of approaches one could take. As I just mentioned, in certain instances it might be that if you can't produce a particular kind of content, then we're going to take money and give it to someone who can produce that content.

There are a number of ways to attain the end objective, but I'd like to reiterate that the end objective will not change and will not be undermined in terms of a future CRTC regulatory model. Original French-language production will hold pride of place in the system.

Ms. Marci Ien: Bearing in mind that you are a regulator, you've spoken a lot about diversity and the need for diversity in Canadian content. We have heard from several organizations from the community broadcaster base. They are very concerned that they have been left out of this bill. How important is that in your opinion, that community piece? Also, I should say that the community piece often represents the diverse aspects of this country.

Mr. Ian Scott: It can and does in many cases, and official language minority communities are an important part. We have a good system in terms of the official language minority community. We meet with them regularly, but that's not really the root of your question.

As to the place in the act, again I'll go back to the act needing to set out the policy objective, and with respect, it should be best left to us to deliver the regulatory regime and to act on the policy direction that will ensure that the system reflects Canada's ethnic diversity and other forms of diversity.

The Chair: Thank you, Mr. Scott. I'm sorry; I have to cut it there. We are really short on time.

[Translation]

Mr. Champoux, the floor is yours for two and a half minutes.

Mr. Martin Champoux: Thank you, Mr. Chair. This will be quick.

Mr. Scott, the call for comments that the CRTC issued on the commercial radio policy framework ends on Monday. But this committee is in the process of conducting a review of the Broadcasting Act.

Is it not your impression that the CRTC's study on commercial radio practices is a little premature and, before beginning such a study, you should have waited until after the parliamentary process with Bill C-10?

Mr. Ian Scott: It's really up to you, members of Parliament, to answer this question, not us.

Mr. Martin Champoux: Still, you have your work plan to manage and quite a few files in progress. How is it that this has priority right now? Couldn't you postpone it until later?

• (1400)

Mr. Scott Hutton: If I may, Mr. Scott, I'd like to make a comment.

Mr. Ian Scott: Go ahead.

Mr. Scott Hutton: Mr. Champoux, these are questions we are constantly asking ourselves. I think the message our chair is trying to send you is that we are lagging behind legislative changes that may occur.

The radio and music industry in Canada, be it English or French, is in trouble. We've decided to proceed with our study, as we have with many of our other key issues. The day before yesterday, we published a notice of consultation on indigenous broadcasting. We're also looking at the renewal of CBC/Radio-Canada's licences, but we can't really talk about that. These are all important issues that we need to continue to work on.

We need to make sure that the framework we're working on right now respects the boundaries we have now. It's clear that your decisions related to the legislative changes proposed in Bill C-10 are going to have a great deal of influence on the next steps in our work. However, we owe it to ourselves to move forward and modernize these environments by making structural changes. When we saw the effects of the pandemic, it was impossible to ignore them. Our work plan had to move forward.

The Chair: Thank you.

Mr. Martin Champoux: Thank you.

[English]

The Chair: I have a note, Ms. McPherson, that you are graciously handing your time to Mr. Manly. Is that correct?

Ms. Heather McPherson: Yes, Mr. Chair.

The Chair: Mr. Manly of the Green Party, you have two and a half minutes, sir.

Mr. Paul Manly (Nanaimo—Ladysmith, GP): Thank you very much.

I'd like to thank the honourable member for Edmonton Strathcona as well, for sharing her time with me to ask questions.

My questions are around the "CanCon", or Canadian content, rules. They haven't changed in decades, and we see a different paradigm now, with people producing for these larger platforms.

As we're looking at regulating these platforms, I'm wondering whether the CRTC is examining how we can change CanCon rules and also access to the Canadian media fund and the tangible benefits policy. What are the things the CRTC is examining in terms of these producers, who don't fit the typical broadcast model, working with a traditional broadcast?

Mr. Ian Scott: There are a couple of elements there, but I'll try to answer them in turn quickly.

With the new legislation, if passed by Parliament, we will potentially have to develop or amend the current definitions of Canadian content, and we would look at that. That's separate from, for example, Canadian content for the purposes of CAVCO, like funding issues. Those are different things and not subject to our regulation.

We're responsible for broadcasters, but clearly we need to develop a regulatory definition of Canadian content if we are to require new players and existing licensees to produce something that fits that standard.

Mr. Scott Shortliffe (Executive Director, Broadcasting, Canadian Radio-television and Telecommunications Commission): May I add something?

Mr. Paul Manly: Yes, please, Scott.

Mr. Scott Shortliffe: The CMF is independent. It has its own board of directors. It has a contribution agreement with the Department of Canadian Heritage.

We say money can be directed to the CMF. We could also direct money to other funds that were created. We do not tell the CMF how it should spend its money, though we are, of course, in touch.

Tangible benefits are very much related to acquisitions and mergers, which in the broadcast field is happening less and less because it has become such a vertically integrated field. Both the CMF and tangible benefits, then, would fall under us, looking at a broader content policy and then going back to the question of how we best achieve our objectives and what that means for how we direct money in the system.

Is there a definitive plan to look at those issues at the moment? No. Are they contextual for how we will achieve our broader policy objectives as we move forward? Absolutely.

Mr. Paul Manly: I have another quick question. We've seen a real erosion in the funding and access for community television and community radio, and particularly community television, with the cable companies moving their money into programming. They're vertically integrated, so that is perfect for them. They are padding a fund that works for them.

Is there any plan to solidify this community element to ensure we get community voices and diversity of voices in our communities? That part of the broadcast system is so important for local communities.

Mr. Ian Scott: Understood, and maybe at the root of the question is the decision that was made by the commission some years ago. It allowed cable operators—broadcast distribution undertakings—to divert part of the funding, if they wished, from community programming to local news. It wasn't, as you put it, to their direct benefit. It was to produce local news.

As regulators we have to make difficult choices sometimes, and that was one, between news and community programming.

• (1405)

The Chair: Thank you, Mr. Scott. We have to end it there.

I want to thank our guests from the CRTC for graciously coming: Mr. Scott, Mr. Hutton, Mr. Shortliffe, Madame Frenette, we thank you for your time.

We're going to try to turn this around quickly, folks, for our next guests, because we have business at the end.

We will suspend for a few minutes.

• (1405)

(Pause)

The Chair: Welcome back, everyone, to the second part of our witness testimony today. As someone pointed out in the interregnum, we now are embarking on our final witnesses before we commence clause-by-clause.

I want to welcome, from the Canadian Association of Community Television Users and Stations, someone who is no stranger to this committee, Catherine Edwards, executive director. With her is her special guest, the executive director of the Community Radio Fund of Canada, Alex Freedman.

As our second witness, from the Professional Music Publishers' Associations, we have Jérôme Payette, executive director as well.

Both groups get up to five minutes for introductory remarks.

Ms. Edwards, we are going to start with you, for five minutes, please.

• (1410)

Ms. Catherine Edwards (Executive Director, Canadian Association of Community Television Users and Stations): Thanks so much for inviting us.

As you said, I am Catherine Edwards with CACTUS.

[Translation]

The Canadian Association of Community Television Users and Stations, or CACTUS, advocates for access to digital skills training and support for production and broadcast platforms so that individuals and communities can express themselves in the digital environment.

[English]

Mr. Alex Freedman (Executive Director, Community Radio Fund of Canada, Canadian Association of Community Television Users and Stations): My name is Alex Freedman, and I am the executive director of the Community Radio Fund of Canada. We collaborate with all three community radio associations, and with us in CACTUS there are about 250 member radio and television stations. Together we're speaking with the same voice. We're looking for greater recognition and specificity regarding the role of community broadcasters and the Broadcasting Act.

It is important to recognize that more than 100 indigenous community broadcasters also make up the community aspect of the Broadcasting Act, but we acknowledge that currently most of those broadcasters are not members of our organizations.

Ms. Catherine Edwards: Community-owned and -operated radio and TV stations, many of which are evolving into multimedia innovation hubs, are answerable to community-elected boards. Most have government oversight through CRTC licensing or participation in programs such as the local journalism initiative. They're led by professionals who train and coordinate community members and local organizations, producing content for a fraction of the cost of public and private broadcasters. They arise from local aspirations, passion and effort, and they're there for the long haul. They stand between the fake news of the unregulated Internet on the one hand, and public and private broadcasting on the other, serving communities with populations over 100,000. They serve rural, remote and northern communities, some with as few as 500 households, as well as minorities in urban settings.

Mr. Alex Freedman: We also employ more than 1,000 staff members across the country; we provide media training to 20,000 volunteers; we broadcast in as many as 80 different languages, including 20 different indigenous languages; and we produce more than a million hours of local, Canadian-produced content every year.

The need for a robust community broadcasting system has never been greater. Commercial broadcasters are emptying newsrooms. We've seen this with Bell and HuffPo recently, as their business models struggled to adapt to the digital competition. The result is a lack of local representation, which serves to fundamentally undermine our democracy.

Community broadcasters have an incredibly important role in ensuring diversity and access for indigenous and minority-language communities. We offer them training and infrastructure to tell their stories. In fact, we're the training ground for the large majority of Canada's future broadcasters. Community broadcasters are the creative hubs supporting the creative Canada policy framework, ensuring we can compete internationally by providing low-risk platforms where talent, tests and new ideas get their chance to evolve.

Community radio is also where most emerging Canadian artists get played first. Ms. Ien asked the CRTC an important question about how diversity will be maintained. Unfortunately, once again, we hear the response that we should leave it to them; they're going to get it done. Therein lies the problem. It's been left to the CRTC for generations, and because of a lack of definition of our role, we have been really out of many of these conversations.

Our first ask is that we fulfill our potential by accessing more recognition within the Broadcasting Act for our not-for-profit role.

Ms. Catherine Edwards: While more than 200 community radio stations survived Canada's digital transition, cable community TV has not, as Mr. Manly and Ms. McPherson queried. Cable ownership and technical consolidation have led to the closure of the majority of the 300 former cable studios that launched the careers of a whole generation of Canadian talent—people like Dan Aykroyd, Mike Myers and Guy Maddin.

In 2016, as Mr. Scott acknowledged, the CRTC gave cable companies the green light to redirect most of Canada's \$150-million community TV budget from their few remaining corporately branded stations—Rogers TV, Shaw TV and TV Cogeco—to their failing news properties. CACTUS members are trying to fill this gap, but despite our cost efficiency, it still takes seed funding for infrastructure and leadership to reach news deserts. The communities that need community media the most tend to have the least capacity to fund them.

• (1415)

Mr. Alex Freedman: I'd like to take an opportunity to highlight the local journalism initiative, which is the first federal program to recognize community-owned and -operated media. For an investment of just \$1.6 million, our members have extended high-quality civic news coverage to almost 60 communities this year alone. The CBC stations receive an average of \$16 million per station from federal funding, while community stations have an average budget of about \$150,000.

Our role in Canadian broadcasting is critical, but the support is not there. This can, however, be addressed.

Our first proposal is that there must be a definition in the act of "community media" that recognizes our not-for-profit and community-based structure.

Ms. Catherine Edwards: Second, we request a description of our role, equivalent to that accorded to the CBC. We suggest, as low-hanging fruit, to substitute "community media" for "alternative television programming services" in paragraph 3(1)(r) of the 1991 act. This paragraph was never used, but it almost exactly describes how community media reflect underserved groups.

Third, the creative Canada policy framework, "The Shattered Mirror" and the Yale report barely mention the community element. Policy-makers need guidance in the act regarding how we complement public and private broadcasting in fulfilling its goals. This is the piece the CRTC hasn't gotten. For example, in paragraphs 3(1)(o) and (p), we underscore the role of community media in enabling indigenous and disabled persons to craft their own content. We provide suggested wordings for these amendments in our brief.

Ms. Catherine Edwards: We'll conclude with a quote from the CRTC's 2011 report, "Shaping Regulatory Approaches for the Future". It said, "Long-term approaches to ensuring the prominence and quality of Canadian production may increase the importance of public and community broadcasters as instruments of public policy."

Thank you.

The Chair: Thank you, Ms. Edwards.

[*Translation*]

Mr. Payette, you have five minutes.

Mr. Jérôme Payette (Executive Director, Professional Music Publishers' Association): Good afternoon, Mr. Chair and members of the committee.

I'd like to thank you for the opportunity to appear before you to discuss this bill, which will be crucial to the future of our culture.

The Professional Music Publishers' Association, or PMPA, represents music publishers in Quebec and French-speaking Canada. Our members control 830 publishing houses with approximately 400,000 musical works.

As partners of songwriters and composers, music publishers support the creation of musical works, and promote and administer them. Publishers are involved in everything from paper scores to online music services to concerts, video games and audiovisual products.

I'd like to mention that our association is a member of the Coalition for the Diversity of Cultural Expressions, or CDCE, and supports its proposed amendments to Bill C-10.

I'm testifying at the end of the process, and many of the topics that are important to us have already been discussed with you. So I will keep that in mind as I speak.

The bill needs to be amended to meet cultural objectives, and it must be passed quickly.

Canada's broadcasting legislation has been pursuing much the same objective for nearly 100 years, namely, that citizens have access to our content to preserve our identity and culture.

To avoid global cultural standardization, we must think globally and act locally. Canada must protect the diversity of its cultural expressions, especially francophone diversity. To take our place in the world, we have to have our own identity and a flourishing culture.

In the past, Canada has taken bold steps, such as the introduction of radio quotas, and these measures have been copied around the world. I invite you to continue this tradition, whose objectives are as important as ever. We need you to work together to ensure that a bill that supports our culture is passed quickly.

We must level the playing field and not deregulate.

The current legislative and regulatory system exists because market forces can't guarantee the survival of Canadian culture, particularly francophone culture. This is largely a demographic problem, in addition to the fact that we're just north of the country that exports the most culture. This reality hasn't changed because new technologies have emerged; on the contrary, it's gotten worse.

Our cultural industries are fragile; they have emerged through a series of measures, including the Broadcasting Act. If the legislative environment is no longer favourable to us, our cultural industries could disappear or no longer reach Canadians.

The current situation is unfair to conventional broadcasters, that's true. However, regulatory relief would not allow them to recover the advertising revenues and listeners they have lost to online broadcasters. The level of regulation imposed on conventional broadcasters has nothing to do with the changing habits of Canadians.

Foreign companies must be encouraged to contribute to our culture and identity, as conventional broadcasters do. We have to level up. Not doing so would be tantamount to deregulating, which would be tragic for our culture.

We need to be visionary and not exclude social media from the act.

I listened carefully to the testimony of the Minister and the officials who appeared before you on March 8, and I'm not at all reassured. To avoid becoming obsolete as soon as it is passed, the act must apply to all companies that broadcast professional cultural content, without exception.

YouTube is the most popular online music service in Canada, and I'm talking about YouTube, not YouTube Music, which should be distinguished. Under the current provisions of Bill C-10, Spotify and QUB musique would be regulated for the broadcast of a song, while YouTube would not be regulated for the broadcast of the same song, which would be totally unfair.

The term "user-generated content" is imprecise, and Bill C-10 attempts to define a risky uploading process. The content is important, not the process of putting it online. The act must be neutral with respect to technological processes.

Under the wording of Bill C-10, a song or video that is posted online by industry professionals or self-produced professional artists would be exempt from the act. Contrary to what Mr. Ripley told you, distinguishing professional cultural content from amateur video is not difficult. YouTube already distinguishes professional music content from its entire repertoire using metadata.

I would like to point out that the means of broadcasting will continue to evolve, as will the business models, and that people will continue to listen to music and watch videos. The fundamental question is, will people still take in our culture? You have to make sure the answer is yes.

In conclusion, we need all of you to work together to amend and pass a new Bill C-10 that, by levelling the playing field, will establish fair obligations for all companies operating in Canada. This will allow us to avoid destroying the cultural sector, particularly the music sector. Our culture needs you.

Thank you. I will be happy to answer any questions you may have.

• (1420)

The Chair: Thank you, Mr. Payette.

[*English*]

Now we're going to go to questions.

Mr. Shields, you have six minutes please, to start our questions.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chair. I really appreciate it.

Mr. Payette, in all of the witnesses we had, and you have briefly mentioned it.... My granddaughter told me this morning that she paid \$80 for a video game that she can play with her brothers in other cities.

Tell us a little about the video. We haven't heard that much about it. Tell us about those people in Canada working on the production of video for games.

[*Translation*]

Mr. Jérôme Payette: Our members administer musical works that are used in video games, but they are excluded from Bill C-10, as I understand it. So that's not something we wanted to highlight today.

[*English*]

Mr. Martin Shields: This is a huge, growing part of the industry, in the sense of what I hear from younger people and the sports that we have connected with it. How big a part of the industry has been ignored under this act?

[*Translation*]

Mr. Jérôme Payette: It's true that the video game industry is very important, but I don't think it's part of the traditional broadcasting activities that are usually regulated by the Broadcasting Act. That said, you're right that it's an important issue.

[English]

Mr. Martin Shields: As I see this growing industry and the fact that we have producers who can provide music for it, I think that's a significant piece we've missed. When I listen to youth and what they're doing, this is an extreme part of their life.

[Translation]

Mr. Jérôme Payette: I absolutely agree. Video games are important. Maybe some day we'll want to include them in the Broadcasting Act. I don't know. We don't have a position on it right now.

We think it would be a good idea to broaden the scope of the act to include all online businesses, including social media, because we're already way behind in that regard.

[English]

Mr. Martin Shields: Great. Thank you.

This is for Mr. Freedman. When you and Ms. Edwards talk about the three specific things, what is the most important out of those three, if you were to say how to move this ahead? I understand what local radio and local TV are, because I remember 30 or 40 years ago when it exploded, and then it all disappeared on the TV side—the cable piece.

What's the most important thing out of those three recommendations?

• (1425)

Mr. Alex Freedman: From our perspective, the most important thing is recognition within the act. Right now, when the conversation happens around the Broadcasting Act, there are three pillars: commercial, public and community broadcasting.

Unfortunately, in that conversation, community broadcasting is very frequently left by the wayside. Billions of dollars are spent supporting public broadcasters. There are a number of production firms that support a number of commercial broadcasters, but community media is left off the table. We're looking for recognition within the act. We have a non-profit, community-based structure.

To your previous question, we support the production and growth of new music providers wherever they go on to take their career—be it video games or wherever. We're the place where all of these people get their chance to begin. Unfortunately, we're not recognized in the Broadcasting Act. There isn't a recognition of the role we play. From our perspective, that's really where we need to see a focus.

Mr. Martin Shields: What does recognition in the act mean to you?

Mr. Alex Freedman: It's a definition of what we do. It's a recognition that we play a critical role in terms of promoting multilingualism and a variety of different aspects of the Broadcasting Act. There are a number of important goals set out in C-10 that we support wholeheartedly, such as the inclusion of indigenous broadcasters. Again, we're really one of the only places where indigenous languages are heard in these communities. We're one of the only places where they have a chance to get on the air.

We are not recognized within the Broadcasting Act. We see the Yale report come through with nothing but a scant mention of the role of community broadcasters.

The fact that we're there puts us in a position to have conversations with the CRTC about making sure we get funding for these roles and making sure we have a place at the table. That's what is really critical.

Mr. Martin Shields: As you mentioned and as we know, the model for traditional broadcasting is that it's not the news that makes the money; it's the advertising. Yours is based on sponsorship.

Mr. Alex Freedman: It's sponsorship and some level of advertising. There's no question that we support small and medium enterprise advertising in many ways. We offer to these local businesses the ability to communicate with their constituencies at a fraction of the cost of commercial broadcasters, so we do have some element of advertising revenue that's critical.

Unfortunately, the reality is that this is also the segment of our economy that has been hardest hit by the pandemic. As we've seen commercial broadcasters grow their role and return to increased funding, we're not seeing that in our advertisers, but we do have a certain role for advertising.

I see Ms. Edwards has something to add.

Ms. Catherine Edwards: I just wanted to elaborate. You asked what is the most important thing. There are three things we want, which we spelled out in our brief with some suggested wording.

As Alex said, the first thing is a clear definition that this not-for-profit sector exists. Second, what's the role that we're playing? One flows out of the other. Then, as he said, we're always overlooked in reports. Even with a definition, people don't necessarily know how we function in the real world. There are a lot of other clauses in the act where our role could be mentioned.

If we really want to serve indigenous communities so that they can do programming in their languages—some of them are as small as 400, or under 1000 band members—the only way that's going to happen is through community media. Get it into the community media centre; hire someone to teach the kids; teach the elders how to make a production and boom. They can make whatever they want.

Mr. Martin Shields: What is your relationship with the indigenous broadcasting organizations?

Ms. Catherine Edwards: They don't have a single, national community media association. We discussed this with the Assembly of First Nations before. They told us at one point that they had in the ballpark of 60 indigenous community radio broadcasters, although my board member from Saskatchewan says there are over 50 in Saskatchewan alone.

Some of them are our members. We have one in Manitoulin Island, for example, that is a local journalism initiative. Missinipi Broadcasting in northern Saskatchewan is a member. We're becoming aware of them, and they are becoming aware of us, slowly. They are becoming aware, I think, that by joining together we gain a stronger voice, which Alex and I are using today.

The Chair: Thank you very much.

We'll now move on to Madame Bessette.

[*Translation*]

Mrs. Bessette, you have six minutes.

Mrs. Lyne Bessette (Brome—Missisquoi, Lib.): Thank you very much, Mr. Chair.

I'd like to thank all the witnesses for being with us today.

My questions will be for our guests from CACTUS. The committee has heard from representatives from both the public and private elements, but I think the community element is perhaps less well known.

Can you tell us a bit about the role that community media plays in the lives of Canadians, particularly in rural areas, like the one I represent?

Ms. Catherine Edwards: During our presentation, Mr. Freedman mentioned the three biggest roles that community media play.

First, they represent the communities. The public and private elements are located in areas with a population of over 100,000. Almost all the licensees are in fairly large communities, whereas we can serve communities with as few as 500 homes. So it's about giving a voice to communities in northern, indigenous or rural areas.

Second, they give a voice to minorities. Even in urban areas, there is a need for community television and radio to give a voice to official language minority communities and groups with simply different interests, such as the LGBTQ+ community, for instance.

Third, it's a platform for launching new careers and developing digital skills. Without training, you can't file a tax return online or express yourself in a digital environment as a for-profit or not-for-profit organization.

It's about these three things: they represent communities, they give a voice to minorities, and they give people digital skills.

● (1430)

Mrs. Lyne Bessette: Thank you very much.

You also represent the not-for-profit community element.

Is there a for-profit community element?

Ms. Catherine Edwards: In the past, cable companies handled the budget and administration of the community element, but it was administered differently in Quebec. In Quebec, not-for-profit organizations—there are 40 of them—produce content, but they don't have a licence. They give their content to cable companies for distribution.

Outside of Quebec, it developed differently. It was a service within the cable company that handled it. Gradually, these large

companies became connected by fibre optics and they simply closed these small stations. Of the few remaining stations, such as Rogers TV in Ottawa, most have become community platforms with the same name. In our opinion, if we want to keep the few remaining channels, a special local licence would be preferable to a community platform.

For a community to develop its voice, it must play a greater role in administration and programming. This is really not possible when it's a board of directors that's accountable to shareholders.

Mrs. Lyne Bessette: Thank you very much.

The brief you submitted to the committee indicates that the regulations surrounding the funding of the community element are a failure. In your opinion, too little revenue from broadcasting distribution undertakings goes to the community element.

How much money do you receive from broadcasting distribution undertakings right now?

Ms. Catherine Edwards: That's a question you should ask the representatives of the Fédération des télévisions communautaires autonomes du Québec, or TCA, who appeared before the committee two weeks ago. The CRTC only recommended that Quebec cable companies give them something, and that recommendation was made behind closed doors. So there is no specific recommendation in that regard. The 40 TCAs in Quebec receive 10% of what cable companies spend on their own production. So it's very little.

Outside Quebec, there is no demand for cable companies to contribute to non-profit community television. That's why there are only 25 in the rest of Canada. It's really difficult to reopen these stations once they have been shut down by the cable companies.

Mrs. Lyne Bessette: Thank you very much.

I assume you've read the first version of the order that has been enacted by the CRTC and made public a few weeks ago. What is your reaction to this version of the order? What changes would you like to see?

Ms. Catherine Edwards: What part are you referring to in particular?

Mrs. Lyne Bessette: The part that relates to the community element.

Ms. Catherine Edwards: Honestly, I haven't read the part that deals with the community element. I'll take the time to do so and provide you with my answer response after the meeting, if you wish.

Mrs. Lyne Bessette: That's fine.

Thank you very much.

Mr. Chair, I have no more questions.

The Chair: Thank you very much.

Mr. Champoux, you have the floor for six minutes.

• (1435)

Mr. Martin Champoux: Thank you, Mr. Chair.

I'd like to begin by thanking the witnesses for being with us today. It's always very interesting to hear what they have to say.

Mr. Payette, thank you for your opening remarks. I don't want to make a pun or a lame connection to your organization, but it was music to my ears.

I'd like to ask you a very simple question, one you could probably answer at length. Could you tell us the importance of Bill C-10 for the future of francophone music?

Mr. Jérôme Payette: Thank you for your important question.

The passage of an amended bill for our culture is fundamental to the future of our music. It's important to note that the music business model is somewhat different from the audiovisual sector's business model. Almost all the same songs are found on online music services. We're talking about repertoires of between 60 million and 70 million songs, which is huge. Obviously, the more a song is played, the more it pays. If it isn't played, it doesn't pay. It's a war for the artists. They want their music to be played and they want to attract audiences.

The market share for French-language music dropped drastically during the transition from the traditional sector to the online sector. I had access to unpublished data from the Quebec observatory of culture and communications showing that, in November 2019, of the 740,000 most-played tracks in Canada, 2.8% were from Quebec. Quebec represents 22% of the Canadian population. According to the Quebec association for the recording, concert and video industries, or ADISQ, only 122 tracks from Quebec were on the list of the 10,000 most-played songs on online music services. In fact, 10,000 songs amount to 50% of the total number of tracks played.

We don't have the figures, so I had to make a rough estimate. I agree that the CRTC must give us better figures. I can say that the market share of Quebec music is certainly less than 14%. In comparison, the market share of Quebec music in the physical sector is 50%. We've lost three times our market share, which is huge.

The figures from the Society of Composers, Authors and Music Publishers of Canada, or SOCAN, confirm a three-, four- or five-fold drop in the market share for French-language music during the transition from the physical market to the online music service. This is a major issue.

Mr. Martin Champoux: In your opinion, there's also a major discoverability issue.

How could we address this, in terms of showing that the content is good and worth discovering?

Mr. Jérôme Payette: Our content is certainly good and worth discovering.

There's a common misconception that most people actually select the music that they want to hear. Often, you select a specific track, and then the music continues on its own for hours.

We have figures. I can only provide the data for the United States, because we don't have any other data. According to these figures, 80% of the viewing time on YouTube is related to the recommendation engine. This comes right from the mouths of the YouTube representatives, who have said so publicly. According to the Pew Research Center, 64% of the videos recommended by YouTube's algorithm already have over one million views, and 5% of them have accumulated fewer than 50,000 views.

To be really recommended, you need one million views. Unfortunately, not many tracks by Quebec artists reach this level. It's important to understand that the recommendation tools of these platforms aren't set up for a market like ours. The platforms simply aren't motivated to take a greater interest in our market than necessary, because our market is too small.

Financial interests are also at stake when it comes to playing one type of content more than another. We have a number of reasons to believe that large companies, such as multinationals with larger repertoires and therefore greater bargaining power, negotiate preferential treatment to feature their own repertoires. This applies both to marketing in general and to algorithmic recommendation tools. These companies reportedly even pay advances.

Online music services have an interest in getting their repertoires played before ours.

Mr. Martin Champoux: This supports the argument that we should have access to the algorithms of online broadcasting companies so that we can monitor to some extent the regulations implemented and make sure that they—

Mr. Jérôme Payette: I don't completely agree with the approach. I think that we should have outcome objectives. We don't necessarily need to understand how the algorithms work. It's very complex, it's artificial intelligence and it's changing.

However, we must know whether our content is recommended. If we can find out whether it's recommended, if we can measure that aspect, we'll be able to set a recommendation target. Personally, I support minimum recommendation requirements for Canadian or French-language content on online music services.

We must be able to obtain this. It's important to note that the market interests aren't there to support our music. We're seeing this in the shrinking market share. We're losing access to our audience, even though the objective of the Broadcasting Act is to make our music accessible to Canadians and Quebecers. This is fundamental.

• (1440)

Mr. Martin Champoux: Thank you, Mr. Payette.

I see that Mr. Freedman has raised his hand to respond or speak to this. I'll ask him to do so in the minute that I have left.

The floor is yours, Mr. Freedman.

Mr. Alex Freedman: Thank you, Mr. Champoux.

I'd say that the community stations in Quebec and outside Quebec constitute a major part of the distribution of original French-language music. I just want to add to what Mr. Payette said by pointing out that supporting our stations is a way of introducing new musicians.

Mr. Martin Champoux: Indeed. Thank you, Mr. Freedman.

Since I have some time left, I'll continue with you, Mr. Freedman.

I know that you're seeking recognition in Bill C-10, and in the Broadcasting Act in general. I'd say that, with this recognition, your fight will be much easier.

Why should a community radio commissioner at the CRTC be included in the act?

Mr. Alex Freedman: Again, for the same reason.

We need people at the CRTC who know what's going on with community radio and who have the expertise to speak about our interests. I understand that there isn't any public or private radio commissioner.

It would be wonderful to have a commissioner who represents the rest of Canada.

[*English*]

The Chair: Thank you, Mr. Freedman.

Ms. McPherson, go ahead for six minutes, please.

Ms. Heather McPherson: Thank you, Mr. Chair.

I would like to thank our witnesses today. I had some time to speak with them prior to this meeting, but it's very interesting to hear their perspectives. I'm looking forward to asking some questions.

I'm going to start with the Canadian Association of Community Television Users and Stations. As you know, I am located in Edmonton Strathcona. We are a francophone community. I have a large francophone population here, so of course minority languages and community broadcasting are very important to my constituents and to people in my community.

You talk about recognition within the act and the importance of having that recognition be part of it. Ms. Edwards, you talked a little earlier about how you would like to see community broadcasting be included in other areas of the act, throughout the act.

Can you talk a bit about what those areas are and where you would like to see more inclusion? Could you fill us in a little on that, please?

Ms. Catherine Edwards: Yes, absolutely.

The first recommendation is to have a definition. We assume they're redefining what a BDU is to take in online platforms. We suggest a definition for community broadcasting that defines it as

not for profit and includes participation by community members in administration, day-to-day operations and programming. We've provided the wording for that in the brief.

There is a definitions section at the beginning of the act. That's where we'd like that. The words "community elements" and "community programs" are used twice in the act but never defined. In fact, the private and public sectors aren't defined either, but I leave that to them if they want to ask for it. A clearer definition would help.

Secondly, that doesn't tell everybody what community media does. We've had questions here today about what it does. Our suggestion is that there was a paragraph 3(1)(r) that used to refer to alternative programming services. It has been dropped in the current draft, but it almost exactly described what the community sector actually does. As low-hanging fruit, it could be just slightly adapted to do what we need.

For example, if I look at that, it already had four elements that are needed.

One, paragraph 3(1)(r) said such programming should "be innovative and be complementary to the programming provided for mass audiences". Well, that's what we do. That's what it said before.

Two, the act used to say that alternative programming services should "cater to tastes and interests not adequately provided for by the programming provided for mass audiences, and include programming devoted to culture and the arts". That's what we do.

Three, they should "reflect Canada's regions and multicultural nature". That's what we do.

Four, those services should "be made available throughout Canada" on all platforms. That's what we do.

We suggest adding to these, because "alternative media services" doesn't necessarily embody the idea of community participation. We would add a new subparagraph 3(1)(r)(iv): "be produced by and for local communities through their not-for-profit participative structure".

As "alternative media services" didn't refer to our training role, we would add a new subparagraph 3(1)(r)(v): "support the development of Canadian creative talent".

On the last one, somebody asked why it is not okay for for-profit community media to exist, or where the conflict is. Almost all the 30 to 40 years of audiovisual archives of our small communities that cable companies collected over time—to their credit, back in the day they worked—have all been put in dumpsters now. Many communities have no audiovisual record of their council meetings or their festivals. It's all gone. Therefore, we would add a new subparagraph 3(1)(r)(vii) to that, that the programming should “be made available for archival purposes to Library and Archives Canada”.

The loss of cable community TV archives is one of the single biggest cultural losses in Canadian history that nobody is talking about; therefore, there is a slight modification in terms of that.

• (1445)

Lastly, describing a role doesn't always capture what we do, so we've suggested a few other places where existing wording could be clarified so that our role is clearer.

The strongest ones you can see are in paragraphs 3(1)(o) and 3(1)(p). We've beefed up the language to make sure there's programming within the system for indigenous and disabled persons. The realistic way to make that real is to recognize that in smaller communities and for smaller, niche groups, we actually give them the resources and opportunities to develop their own content. They don't have to wait around for someone else to do it for them, and that's how they develop their voices.

We have other examples, but those are some really strong ones, to give you an idea.

Ms. Heather McPherson: Ms. Edwards, that's excellent. Thank you so much.

Mr. Freedman, you spoke a little about adequate resources and making sure community broadcasters have those adequate resources they need.

Could you talk a bit about what you see as the future for community broadcasting if those adequate resources are not provided and that is not done properly?

Mr. Alex Freedman: I'll just reference what Commissioner Scott mentioned. The reality is that tangible benefits are going down. Canadian content development dollars are really what fund community radio. As there are fewer transactions, there are fewer dollars.

The reality is that if something isn't done soon, the small amount of funding that comes to us from the commercial radio stations is going to disappear. That means community stations are going to be left even further on their own in terms of trying to make sure they have the funding to do what they need to do.

What we're proposing and what we'd like to see is a fund set up that would supply a number of important things. Number one is stable, long-term, predictable operational funding, very similar to what the CBC gets, in order to ensure that we're able to maintain our position and maintain what we're doing. Number one, we'd like to see that.

We'd also like to see funding for research.

The Chair: Thank you. We have to move on.

Folks, as we go to the second round, I really need you to help me out here. Given that we have an extra thing to do, you would really help me out if you could make your questions quite pointed.

Mr. Manly, do you have a point of order?

Mr. Paul Manly: Yes. Thank you, Mr. Chair.

I'm hoping somebody can carve off one minute for me so that I can ask a 10-second question and get a 50-second response.

The Chair: That is duly noted.

Mr. Aitchison, you have five minutes, please.

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): I will give Mr. Manly his one minute, Mr. Chair, because I don't have a headset.

The Chair: Okay.

Go ahead, Mr. Manly.

Mr. Aitchison, just wave your hand when you're ready, please.

Mr. Paul Manly: Thank you very much, Mr. Aitchison.

I would like to ask Mr. Freedman and Ms. Edwards about the role community media play in democracy in this country. In small communities, what is the role for candidate profiles and candidate debates so that members of the community can understand who they might be voting for?

Mr. Alex Freedman: It's a critical role. Without the local voice, we've seen the void filled by Facebook and conspiracy theories. Nobody knows where that information is coming from. We provide on-the-ground journalists and hosts and broadcasters who see their constituents and see the people they speak to in the grocery store at the end of their shift. They know what's going on. They're the ones who can provide an opportunity for that.

We've seen an increasing number of municipal councillors using community radio stations to have their council meetings online. Particularly during the pandemic, this gives access to citizens so they are able to have a conversation and hear what's happening in their local areas. The support for town hall meetings is absolutely critical.

I'll let Ms. Edwards continue.

Ms. Catherine Edwards: I was just going to repeat the same things.

There are two other unique things about community media. We don't have the sound-bite limitations on time that commercial and public media have. We feel we can give our MPs unlimited air time. They don't get their messages filtered. Second, part of participating in a democracy is for ordinary people to learn to develop their voices. Just because you stick up a YouTube video doesn't mean you know how to express yourself properly or that you can express a minority point of view and you're not going to be attacked. Having community media centres that help people develop those voices so they can play a role in public discourse is critical, as is providing airtime for online public discourse so the whole community knows that conversations are going on.

If you look at the work we've done under the local journalism initiative at commediaportal.ca, you'll see a lot of those conversations. During the pandemic, we've had a lot of online Zoom conversations, for example, with people asking doctors questions about the vaccines and debating everything else going on in their communities. We can do long-form debate and support public discourse in a way the other sectors can't.

• (1450)

Mr. Paul Manly: Thank you.

The Chair: I have a few minutes left. I had mistakenly pointed at Mr. Aitchison when I think Mr. Waugh wanted in. You wanted to make a change. Is that correct?

Go ahead, Mr. Waugh. You have two minutes.

Mr. Kevin Waugh: To the Professional Music Publishers' Association, you're right on about YouTube. It is not regulated in Bill C-10, and everybody is using YouTube. We are going to have an issue. As you pointed out, correctly, this should be regulated and it's not.

Is there an amendment or something that you would like to bring forward later? As you know, we all, even as MPs, use YouTube. It not being regulated is an issue with Bill C-10.

[*Translation*]

Mr. Jérôme Payette: Yes, but our proposal is clear: remove subsection 2(2.1) and section 4.1 of Bill C-10 regarding social media.

We feel that there's a desire to protect social media. We feel that we need to protect our culture and Canadians. Bill C-10 really doesn't focus enough on social media. It focuses on the process of putting content online to make that content stand out. The important thing is the content, not how it's put online. For example, music that ends up on Spotify goes through a distributor. Music that goes on YouTube is put online by a record company, by an artist. Since the content is uploaded directly to the platform, the record company isn't accountable and the content isn't regulated.

Spotify carried out a pilot project, but didn't follow up on it, to allow record companies to upload their music directly to the service. If Bill C-10 were passed, the content put online would no longer be regulated. This leaves a gaping hole in the bill that allows companies to swoop in and avoid the enforcement of the legislation altogether.

Social media is fundamental to the future of our music. YouTube is the most prominent platform right now and it isn't subject to the

legislation. TikTok and Triller are great places to discover music. Young people form their musical tastes for decades on these platforms. The comments that I heard in my conversations with officials were really disappointing. The officials made technical arguments, which don't hold water.

The Chair: Thank you, Mr. Payette.

[*English*]

We'll now go to Ms. Ien for five minutes, please.

Ms. Marci Ien: Mr. Chair, thank you so much.

Mr. Payette, I just want to follow up a little more on YouTube. I want to know specifically how, when people listen to YouTube and other platforms, it directly impacts your members.

[*Translation*]

Mr. Jérôme Payette: Our members represent the musical works, meaning the songs that you hear on YouTube. They're directly affected by this. It's a major issue.

We don't understand why the musical works wouldn't be subject to the Broadcasting Act, while Spotify would be, simply because of technological process. In our view, this is completely incomprehensible. That's why subsection 2(2.1) and section 4.1 of Bill C-10 should be removed.

I'd like to address the technical aspect. We were told that it was hard to differentiate between professional and amateur content. This is completely false.

Our industry has been working with metadata, such as the international standard recording code, or ISRC, and international standard musical work code, or ISWC, for decades. YouTube already makes this distinction. It recommends music and makes playlists. This is the most widely used service. For the future of our industry, these works must be subject to the Broadcasting Act, just like other works.

• (1455)

[*English*]

Ms. Marci Ien: Thank you so much, Mr. Payette.

I am going back to Ms. Edwards.

Also, feel absolutely free, Mr. Freedman, to answer this as well.

The bottom line here is, if Bill C-10 moves forward with no changes at all, what will this mean for the future of community broadcasting? What will we be missing in the Canadian broadcasting landscape?

Ms. Catherine Edwards: I'll let Alex answer for radio.

For 10 years we've been underscoring to the CRTC and faithfully participating in CRTC hearings about community television, specifically saying that the digital transition has happened; cable companies are consolidated; they're shutting those studios and they're not covering council meetings. All that programming has gone in dumpsters, and we've been getting nowhere.

As Mr. Scott admitted, in 2016 they decided that local news was more important. We can do local news, too, but we can do it in much smaller communities—all the communities where it's not profitable.

We're afraid that there's no specificity about our role. All these reports keep coming out that don't understand our role, but that will continue. These policies will be made that just leave us out, because nobody gets our role. We think that MPs, more than anyone else, get our role, because if you live in a community where there's no public and private broadcaster, you have no way to contact your constituents. Really, we're in your hands.

Other people, frankly, have told us for 10 years that the CRTC is in a situation of regulatory capture. They've said, "The solution to your problem is political. You need to talk to MPs." We're here begging you, because, as I said, there are 25 struggling little community TV organizations outside Quebec now. Quebec is in a special situation, with 40 in the province, because the province supports them and the CRTC, behind closed doors, has encouraged the Quebec cable companies to support them. There's nothing outside Quebec.

We just think we're going to get more of the same. We've put data that is incontrovertible in front of them, showing that the cable community system does not work.

Also, we're not saying to close the remaining stations. We're just saying recognize that the not-for-profit sector is there. We can go to small communities where cable companies can't and don't want to be anymore.

If we're going to a service contract system with the CRTC anyway, and they want to keep running their stations, recognize them for what they are. They're corporately branded, private, specialty local channels. If they have a value and there's programming, then they'll keep doing them, but we need to have the community empowered to step into the gap in all the places where there isn't cable community TV.

It's over to you, Alex.

Mr. Alex Freedman: The reality is that, if we aren't enshrined in this act, we won't have the protections to keep doing what we're doing. Communities will be deprived of multilingual programming. Immigrant communities will not be able to see themselves reflected in the broadcasts. We're going to have a real lack of community connection, which is critical to our democracy.

Without belabouring the point, the reality is that we play a critical role in the discourse and the promotion of Canadian material in this country: Canadian stories, Canadian music and Canadian information. If we're not protected and we're not enshrined in this, we'll continue to be overlooked as funding is handed out, and Canadians won't get that service.

The Chair: Thank you, Ms. Ien.

Now we go to Monsieur Champoux.

[*Translation*]

Mr. Champoux, you have the floor for two and a half minutes.

Mr. Martin Champoux: Thank you, Mr. Chair.

I'll turn to you, Mr. Payette. You're very busy today.

I want to address a statement that you repeated earlier and that caught my attention. You said that content, not the way in which it's distributed, should be regulated. I find that intriguing, especially with respect to social media.

You also spoke about TikTok, which is an extremely significant way for today's youth to connect with the world of music and to shape their tastes. This influence will last for years to come.

I want to know how we can ensure discoverability on these platforms, knowing that YouTubers can't really be regulated. You can't tell them what to put on their personal channels, even if they seek to obtain hundreds of thousands of subscribers.

How do you view this situation? Do you know of any ways to regulate this so that everyone is happy?

Mr. Jérôme Payette: YouTube is really the most prominent service to review. It's the most popular service and it obviously features professional content, such as professional music videos, which are promoted on the platform. It also has the most viewers and the most appeal.

In terms of the other services, we're really interested in professional cultural content. We need the CRTC to do its job and obtain figures for the situation. This gives me the chance to reiterate that, if there's no clear authority over social media services, the CRTC will be unable to collect data and we'll be completely in the dark. In contrast, if social media services are clearly subject to the act, the CRTC can collect data. If the services don't need to be regulated, it has the power to exempt them. We aren't saying that everything must always be regulated. However, we must at least be able to obtain the figures in order to understand and study the situation.

This is how I would answer your question about TikTok. If TikTok obtains 50% of its revenue from music, we could have it contribute to FACTOR or Musicaction. This type of contribution to the development of Canadian music would be based on the 50% of revenue from music. We need a similar measure. A number of things must be considered. The CRTC is an important step in the process.

• (1500)

Mr. Martin Champoux: The money that can be obtained in the form of compensation or contributions from these media doesn't necessarily increase the visibility of French-language music or Canadian content.

Mr. Jérôme Payette: No.

Obviously, visibility is important. We want people to listen to our music. This also has an impact beyond the Internet. People buy concert tickets and T-shirts, for example. It's fundamental. The music is also used in audiovisual productions. Many things stem from the contact between—

The Chair: Thank you.

[English]

Ms. McPherson, you are next for two and a half minutes, please.

Ms. Heather McPherson: Thank you, Mr. Chair.

I have the privilege of having the last two and a half minutes of the Bill C-10 study, which is exciting. I am going to go to Mr. Payette for the final two and a half minutes.

Mr. Payette, you spoke earlier and it triggered something for me. You talked a lot about user-generated content, of course, and why it's important that it is defined so much more clearly.

You said that you felt the testimony that was brought forward by Mr. Ripley to this committee was misleading. I wonder if you could speak a little more about that. Knowing that this is the last testimony we will hear on Bill C-10, could you make sure we understand clearly about the user-generated content?

[Translation]

Mr. Jérôme Payette: I really wanted to point out that services such as YouTube already identify professional cultural content. It isn't an issue for these services, at least in terms of music. In order to pay the rights holders that I represent, these services must collect metadata. They have a very sophisticated copyright and content management system. It isn't difficult to distinguish between amateur content and professional music, and they know this. That's why I thought that Mr. Ripley's comments weren't accurate. It was perhaps the result of a lack of knowledge regarding the technical operation of platforms.

In any case, an act shouldn't focus only on technical matters. The act will be around for 30 years. You must set objectives and broaden the scope of the act. You must then give the CRTC the tools needed to study the act and to see how technology and situations change so that it can react and make adjustments and so that our culture can continue to reach its audience. This is the key component of the Broadcasting Act.

[English]

Ms. Heather McPherson: If that is not done and we don't see the content regulated adequately, would you be able to support Bill C-10 as it currently stands, in its current iteration?

[Translation]

Mr. Jérôme Payette: The current situation isn't right. Bill C-10, as it stands, isn't right either. The political will to make amend-

ments is timely. We've heard this from the minister and I've spoken with several parties about this. It isn't really an issue.

We really need amendments to the legislation. The Broadcasting Act should be seen as cultural legislation. The distribution methods will change. The business models will change. Canadians will be watching content, but will it be our cultural content? That's the issue.

The Chair: Thank you.

[English]

I'm sorry again, Mr. Payette. Don't take it personally; it's just the clock. You were up against the clock.

Thank you to all of our guests for coming in today. I want to thank Ms. Catherine Edwards from CACTUS, Alex Freedman from the Community Radio Fund and Jérôme Payette from APEM.

[Translation]

Thank you, everyone.

[English]

Ms. McPherson, do you have a point of order?

• (1505)

Ms. Heather McPherson: No. I just want to bring up some committee business once our guests have left. It's regarding the motions.

The Chair: You want to debate your motion; is that correct?

Ms. Heather McPherson: That is correct, Mr. Chair.

The Chair: Here is what I'm going to do. I'm going to jump ahead a bit and perhaps overstep my boundaries a little. The motions are quite substantial, and we have two motions that are very similar, with one modification, one change.

Here's what I propose. The one key difference in these two motions, which I just went through again, is that the end of Ms. McPherson's motion requires—and I'm going to read this directly—“that the committee present its findings and recommendations to the House no later than 180 calendar days from the adoption of this motion”. In the other material, they are quite similar.

Ms. Heather McPherson: I'll just flag the number of meetings, Mr. Chair.

The Chair: The number of meetings is the same. It's three, from what I can glean from this.

Ms. Heather McPherson: Mr. Chair, I'm sorry. One of them says “up to” and one of them says “at least”. I think there is some difference in that.

The Chair: Yes, okay. My apologies. I'm glad you pointed that out. You are correct. I was thinking three but it is "up to three".

Ms. Heather McPherson: I couldn't even remember what "adjournment" meant, so I think we can....

The Chair: Is it possible to collectively come together on this to come up with a motion? In other words, can we find agreement on the two things that are changed here: "up to three" and the 180 days to report back? May I suggest to Mr. Dong that we suspend for a bit?

Would you like to have a discussion about that, Mr. Dong? I'm going to recognize only you on this particular issue.

Mr. Dong.

Mr. Han Dong: Chair, I'm—

[*Translation*]

Mr. Alain Rayes: Mr. Chair—

[*English*]

The Chair: One second, please, Mr. Dong. I have to go to Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

I would like some clarification from you or the clerk, depending on who is best to respond.

I have a point of order as to whether—

[*English*]

The Chair: Okay. Mr. Rayes wants a clarification from the clerk. Let me deal with that first.

Mr. Dong, I'll come back to you.

Go ahead, Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

My point of order concerns our meeting, which was scheduled to end at 3 o'clock.

It appears that we are extending the meeting. I think that to do so, we need the consent of the members of the committee. On the other hand, I don't know whether we need unanimous consent or the consent of a majority of the committee members to proceed with the extension.

At this time, since we are past the hour, I would like you to clarify this situation.

[*English*]

The Chair: I understand, Mr. Rayes. Sorry to cut you off.

Usually, when the times are set, it's taken as consent that we leave at that time, but it's not written in stone, per se, unless you move a motion to adjourn. Otherwise we would just keep going. That's normally what we've done. It's more of a convention than anything else. The meeting isn't done until it is officially adjourned. We use the times as a guideline, a placeholder, more than anything

else. Unless you want to move a motion to adjourn, we're going to keep this going, as we talked about earlier.

Mr. Dong, go ahead.

Mr. Han Dong: Thank you, Chair.

Given the fact that my motion was the first one moved today and I believe the notice was given prior to Ms. McPherson's motion notice, I believe that my motion should receive the first chance for debate and for the members to consider. Having said that, I recognize that there is great similarity in the two motions, and I'd be happy to accept friendly amendments that would satisfy Ms. McPherson's intent in her motion.

I also want to point out that although my motion didn't specifically say a certain number of days before responding, Standing Order 109 requires the government to respond within 120 days, which is shorter.

Thank you.

• (1510)

The Chair: Right. Thanks for pointing that out.

I have to go with the list I have here.

Mr. Rayes, please.

[*Translation*]

Mr. Alain Rayes: Point of order again.

I'd like to have one more clarification, if I may. I may sound insistent today, but these are things that we all learn by sitting in committee.

When we received the motion by email from the clerk, it was in the name of Mr. Housefather. Yet it is not Mr. Housefather who is making this motion today. I wonder if we are following the rules by debating his motion now and if we should not move on to Ms. McPherson's motion right away.

[*English*]

The Chair: Yes, that is fine. Mr. Dong is replacing Mr. Housefather today, and he's able to move and debate the motion.

Okay, let's go to the next person on this list.

Ms. Dabrusin.

Ms. Julie Dabrusin: I just wanted to make sure that my motion is in the queue and just to point out that if we have unanimous consent from everyone to add that extra time, then we don't actually have to debate it; we can just move on.

The Chair: Correct.

Ms. McPherson.

Ms. Heather McPherson: The only thing I would say in terms of Mr. Dong's comments is that he interjected himself in this committee before the committee meeting was started. I know you have already said that you didn't notice that, and I'm sure we could go back and take a look, but I think everybody in this room does know that.

Also, I would just put forward that there do not need to be any friendly amendments in my motion that I put forward, so we could just accept it, and I think we have the support of this committee to do so.

That would be all I would put forward for my intervention at this time.

The Chair: I realize that, Ms. McPherson, but just to put yourself in my position for a moment, let's assume that he did raise his hand before we started. It didn't disqualify him from raising the hand from the beginning of what I saw. Then it becomes the chair's discretion as to who I recognize first. Rather than randomly pick someone, what I've done in the past on another committee is I would go to the speaking order of who's asking questions. If I see all four parties with their hands up, I would most likely pick the Conservatives first, then Liberal, the Bloc, then NDP. We're living in a virtual world where hands go up and down electronically. I'm trying to surf my way through this, so please, I ask for your patience on that.

Mr. Dong, go ahead.

Mr. Han Dong: Thank you, Chair.

I don't mean any disrespect to the permanent members of this committee. This is a very personal issue for me, and I think as parliamentarians we have a rare opportunity to collect into our official record the thoughts and recommendations from the Asian community in Canada.

I want to respectfully ask you, Mr. Chair, if you could consult with the clerk to see if my motion can be debated now. I know the support for the study is there. I don't want there to be a long back and forth.

The Chair: Mr. Dong, I'm not diminishing the gravity of the subject matter; however, I do not want to commence a debate right now, before we decide what we're debating.

Monsieur Rayes, go ahead.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

With regard to this situation, we have two motions that look similar, despite some important differences.

From our side, we would be more inclined to support Ms. McPherson's motion. That being said, given that the two motions are quite similar, Ms. McPherson could have a discussion with the Liberal member who tabled the other motion. I think that on Monday they could come up with another proposal. If they both agree, we will support the motion quickly. If there is no agreement, I will call for a vote, and we will each decide which one to choose.

• (1515)

[*English*]

The Chair: Monsieur Champoux, did I see your hand up?

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I wanted to propose an amendment to Ms. McPherson's motion that would take into account the other motion.

[*English*]

The Chair: Monsieur Champoux, before you go with amendments, we haven't yet decided which motion is on the floor. I'm sorry, but first things have to come first.

I'll go to Ms. McPherson, and then I'll go to Mr. Shields. I'm going to have to ask you to please keep this as brief as you can.

Ms. McPherson.

Ms. Heather McPherson: One thing I didn't hear a comment on from you, Mr. Chair, is my original comment that the motion I have put forward actually has all of the pieces, and that we would not need to amend it to have both of the things that are included in the other motion. I just wanted to flag that.

I'll pass it to Mr. Shields.

The Chair: Mr. Shields.

Mr. Martin Shields: I would move Ms. McPherson's motion.

The Chair: The motion on the floor is that we resume consideration of Ms. McPherson's motion.

Mr. Han Dong: Mr. Chair, on a point of order, I don't know why it has come to this. I don't see a significant difference between the two bills, and so I will not agree with the previous comment that there are important, significant differences in the motion.

The fact that I moved it first, and I think according to precedence, in the committees I've been in, the member who.... In this case, I subbed in for MP Housefather, so I have the right to move a motion. I believe I moved my motion first; therefore, my motion should be debated and considered by the members first.

I feel that, for some reason, I've been swept aside in the order of the motions being considered. I just want an explanation for that, through you to the clerk.

The Chair: Mr. Dong, I can get the clerk to weigh in as well, but essentially it works like this. There is no bearing, as far as the rules state, that you have to do that. The way I see this—and I'll ask the clerk to weigh in as well—is that we've suspended, by way of unanimous consent, the moving of this debate of the motion until the end of the meeting. In terms of the order in which things come in, there is nothing set in stone as to what that should be. I take your point that you could interpret it that way.

Quite frankly, I opened it up so that we could come together on two motions that are extremely similar. I thought maybe we could work something out. It appears we cannot, so what I have right now is a motion by Mr. Shields to deal with Ms. McPherson's motion first, and we'll eventually go to a vote.

Mr. Clerk, would you like to weigh in before I go to Mr. Shields? Go ahead.

The Clerk of the Committee (Mr. Paul Cardegna): Thank you, Mr. Chair.

In the event that it isn't clear which motion the committee is going to retake or resume consideration of, if consensus isn't achieved, then it's incumbent upon a member to use the more formal mechanism of moving to resume consideration of the motion, which is what Mr. Shields has done. It constitutes a dilatory motion, which is non-amendable and non-debatable. Procedurally, the question should be put forthwith.

Thank you.

The Chair: I'm going to go to the electronic list again.

Monsieur Champoux.

• (1520)

[Translation]

Mr. Martin Champoux: Mr. Chair, we seem to have forgotten some parts of the discussion.

With all due respect to the procedures and rules, and particularly to Ms. McPherson, these two motions are similar, except for a few details. In addition, we all see that this motion has a very personal significance for Mr. Dong.

The conclusion to move immediately to a vote on Ms. McPherson's motion may be worth discussing. I do not want to delay the process on this Friday afternoon, but we are currently having a lengthy discussion about two motions that are very similar and for which the outcome will likely be the same.

We should consider the very personal aspect of this for Mr. Dong.

[English]

The Chair: Yes, there's no doubt about that.

Instead of sliding into an actual debate on the motion's content itself, we have to step back to decide which motion comes first. The clerk just pointed out that what is currently on the floor from Mr. Shields is to vote on Ms. McPherson's motion going first. We're going to go to that vote right now.

Again, just as a reminder, we now have a motion to debate Ms. McPherson's motion first.

Monsieur Rayes.

[Translation]

Mr. Alain Rayes: Thank you, Mr. Chair.

That's what I wanted to make sure of.

So, at the request of Mr. Shields, we will vote on whether we will vote on Ms. McPherson's motion before Mr. Dong's. Then we can debate Ms. McPherson's motion. Those who wish to propose amendments will have the opportunity to do so before we formally vote on the motion. Is that correct?

[English]

The Chair: That is correct.

We're going to call the vote....

Mr. Dong.

Mr. Han Dong: I understand which motion is on the floor right now and we can go to the vote. For all the reasons I listed earlier, I won't be able to support it. I know that the motion is non-debatable, so I'm not going to debate. I'm just saying that —

The Chair: I've prolonged it enough already, Mr. Dong. I have to go to this vote right now.

(Motion negated: nays 6; yeas 5)

The Chair: Now we have two motions, notwithstanding Ms. McPherson's motion, that we want to deal with.

Mr. Dong, you have the floor. Go ahead.

Mr. Han Dong: Thank you, Chair.

I don't want to waste too much of the members' time. I canvassed the majority of the members on the committee yesterday after the notice was put forward, and I understand that there is broad support for this motion. The attacks we've witnessed in recent days are, I think, a symptom of a prolonged and profound challenge in our society. There have been a lot of recommendations, round tables and discussions taking place over the years. I have spoken to many advocates.

As parliamentarians in Ottawa, as members of the highest institution in the country, having official—

• (1525)

The Chair: To begin with, my apologies, Mr. Dong. Were you finished? I meant to go to you as I thought you had a point of order, but you did not.

I didn't officially start the debate, but that's okay. It seems like you have started the debate, and that's fine too. I don't think anybody would object to that.

I have Mr. Shields.

Mr. Martin Shields: Initially, Mr. Chair, I appreciated your direction when you asked the two proposers of those motions to get together to see if they could resolve them. There is no motion on the table. I'm close to saying that we need to quit. If those two can't get together.... That's the direction you gave them. We have no motion on the table. We're way over time.

I'm asking you, Mr. Chair, to take some direction, as you initially said, and let's see if we can get this done.

The Chair: Okay.

Go ahead, Ms. McPherson.

Ms. Heather McPherson: I also think it's very important. The NDP has been doing an awful lot of work on this; my colleague Jenny Kwan has done an awful lot of work on this, and it is very important to our party.

It's more important to me to get this motion passed. While I strongly believe my motion is much stronger for a number of reasons, I'm happy to amend the motion we are debating to ensure that it is at least three meetings and that the minimum of 180 calendar days is added.

The Chair: To be clear, you are moving an amendment. Essentially, that takes the sentence in your motion that talks about 180 days, and you want to insert it into the motion we're currently debating, which was moved by Mr. Dong.

Ms. Heather McPherson: Also Mr. Housefather, yes, and that it be at least three meetings, please. It's very important that we have adequate time for this.

Mr. Han Dong: Can I clarify with you?

The Chair: One second, Mr. Dong. I'm going to get this clarification first on this amendment before we go to Ms. Dabrusin and then you. No, it appears Ms. Dabrusin does not want in.

Go ahead, Clerk.

Mr. Paul Cardegna: Thank you very much.

Just for my benefit and Aimée's, to ensure that we understand the amendment being moved, my understanding is that the motion moved by Mr. Dong will be amended by replacing the words "of no more than" with "at least", which is to say rather than "of no more than three meetings", it will now read "at least three meetings", and then to add the following into the motion: "that the committee present its findings and recommendations to the House no later than 180 calendar days from the adoption of this motion".

Do I have that text correct?

Thank you.

The Chair: I'm sorry. Just so we're clear—

Ms. Heather McPherson: I nodded.

The Chair: Okay. I was just referring to the clerk.

Go ahead, Mr. Dong.

Mr. Han Dong: Thank you, Chair.

First of all, I wonder if it would be helpful to committee members if I read out the motion again, as amended.

I'm okay with the amendment. I have just one question for Ms. McPherson.

Standing Order 109 requires the government to respond in 120 days, which is shorter than 180 days. Wouldn't it be better to hear back from the government with a comprehensive response in the shorter time frame? That is just a question for Ms. McPherson.

• (1530)

The Chair: Ms. McPherson, do you want to respond?

Ms. Heather McPherson: I'm sorry, but in the motion I'm looking at it does not say that. The one that was sent to the committee does not say that. I absolutely would be happy with 120 days.

Mr. Han Dong: Yes, because it says that pursuant to Standing Order 109—

The Chair: I don't want a free-for-all conversation, folks. People at Hansard have to record this. It's hard enough to do their jobs. It's Friday afternoon. I need to recognize you first.

Mr. Dong.

Mr. Han Dong: I'm sorry, Mr. Chair. Obviously, I'm too excited about this motion—in a good way.

Standing Order 109, I believe, by definition—and we can double-check with the clerk—requires the government to respond within 120 days. If that's indeed the case and Ms. McPherson is agreeable to 120 days, then perhaps we should just leave the motion as is for that part.

I'm happy with the other—

The Chair: Okay, Mr. Dong. There is a difference. I'm going to allow the clerk to explain it.

Mr. Paul Cardegna: Thank you, Mr. Chair.

Mr. Dong is absolutely right that Standing Order 109 allows 120 calendar days for the government to present a comprehensive response to a committee report. Ms. McPherson, however, has made an amendment to add into the motion that the committee present its findings and recommendations to the House no later than 180 calendar days from the adoption of the motion. That is to say, the committee is imposing upon itself a deadline of 180 calendar days to present its report.

Once the committee's report is presented to the House, then Standing Order 109 will begin and the 120 calendar days will begin to take effect.

The Chair: Just as an update, we're still debating the amendment.

Mr. Dong, do you want to respond?

Mr. Han Dong: Absolutely. Thanks for the clarification. I would support that amendment, then.

The Chair: Okay.

Seeing no more debate, we're going to do a recorded vote on the amendment that was put forward by Ms. McPherson.

(Amendment agreed to: yeas 11; nays 0)

The Chair: We now go to the main motion, as amended.

We have Mr. Rayes first.

[Translation]

Mr. Alain Rayes: Mr. Chair, I call for the vote.

We've talked about this a lot already. There is some consent from the vast majority of us. Both Mr. Dong and Ms. McPherson have explained the situation to us. Everyone is in agreement. We may have had a preference for one motion or the other, but we are in agreement on the substance.

The meeting will be extended. I would like to speak again after the vote is over. I will raise my hand to make another motion.

[*English*]

The Chair: Seeing no more debate, we're going to go to a vote.

(Motion as amended agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: Now we're going to Ms. Dabrusin.

• (1535)

Ms. Julie Dabrusin: In the interest of not taking time away from witnesses, I moved a motion at the beginning that we add time during clause-by-clause so we can get through Bill C-10 expeditiously. I would like us to have the rest of that discussion, which we suspended out of kindness and respect for our witnesses.

The Chair: That is opening the debate on the motion that you mentioned at the beginning of the meeting.

Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

It is 3:36 p.m. I had a meeting scheduled for 3:15 p.m., which I had moved to 3:30 p.m. The meeting has been going on for an additional 36 minutes already.

If members wish to continue, I will ask for a unanimous vote to extend the meeting, unless you tell me that this is not standard procedure.

[*English*]

The Chair: One moment, Mr. Rayes. You are asking for the meeting to be adjourned. We have to put that to a vote.

Ms. Julie Dabrusin: I just want to be clear that my motion could be done by unanimous consent.

The Chair: I'm sorry, Ms. Dabrusin, and I realize that, but Mr. Rayes moved a motion to adjourn.

(Motion negatived: nays 6; yeas 5)

The Chair: Please continue, Ms. Dabrusin.

Ms. Julie Dabrusin: I don't think we need to spend too much time discussing this. It's just a matter of this bill being very important. Witnesses have stated it's urgent that we deal with this.

I am proposing that we add the additional time during clause-by-clause so that we can deal with it expeditiously. I think we can agree that it's in the best interests of our stakeholders that we have the time to talk about the amendments, but move the bill along quickly. I am asking the committee to commit the time necessary to be able to have that discussion and return the bill to the House expeditiously.

The Chair: Ms. McPherson.

Ms. Heather McPherson: I don't want to continue to keep this meeting going. I'm concerned about this. My concern is what I discussed previously with Ms. Dabrusin, which is that the motion is not very clear on what "time" means. We have concerns about whether or not we're able to add to the Monday meetings. If they're

Friday meetings, what does "hours" mean? My understanding was that it was a limited number of hours.

It's very important to all members of this committee that we get this bill passed, but there are also other obligations we have as parliamentarians. It's important that we clarify what that time commitment looks like before we agree or disagree with this motion.

• (1540)

The Chair: We will go back to Ms. Dabrusin.

Ms. Julie Dabrusin: That would be at the discretion of the chair.

I will say that in my past experience at committee, we have extended hours, sometimes many hours into evenings, to be able to deal with legislation expeditiously, so this is not some outlying type of thing. In fact, it usually doesn't require much debate; it is just agreed upon.

I have sought consent from all the parties multiple times to add extra hours to our Friday meetings so that we can get through this more quickly. I've been unable to get that, so now I've put it as a formal motion. The question is this. In a virtual world, I can't pinpoint when those hours are placed, because we have other challenges we must work around, but I would think that as parliamentarians, it's incumbent upon all of us to do the work we need to do to serve our stakeholders and get this done.

As I said, it would be at the discretion of the chair to make sure it's done appropriately, but I do not understand an argument against putting in the time we need to as parliamentarians to get this work done.

The Chair: Go ahead, Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

I have two questions, the first of which is technical in nature.

I would like to know if this motion requires unanimous support to pass, as it changes our meeting times.

That is my only question at this time. I will ask the second one later.

[*English*]

The Chair: No, it does not have to be unanimous.

Go ahead, Mr. Waugh.

Mr. Kevin Waugh: As we all know, when we sit in Ottawa, many of us have five- or six-hour flights on Friday after sitting in the House of Commons. That's an issue that I personally would have. I can see we have MP McPherson from Edmonton, and we have a heavy schedule coming up when we return to the House on the 12th. That would be my issue with extending hours on Friday.

The Chair: Go ahead, Ms. McPherson.

Ms. Heather McPherson: I would just like to check with the clerk as well in terms of... One of the things Ms. Dabrusin brings up is the idea that this is the normal way that this has gone in other committees.

Unfortunately, we're not in a normal world, and we are very dependent on the ability of our House of Commons resources. I worry about the ability to access translation and the ability to access space.

Can the clerk talk about the resources that are available through the House of Commons? I don't want to put any staff in any situation where they're not being cared for because we didn't make enough time for this work.

The Chair: I understand the ramifications, if this motion passed, about the resources. We would get to that. Personally, I would address that if it were passed, but in the meantime, I will ask the clerk to respond briefly over some of your concerns.

Mr. Paul Cardega: Thank you, Mr. Chair.

In the current situation, the schedule of committee meetings is being approved by the whips of all recognized parties. We have been told that if a committee wishes to deviate from that schedule, the request would be put to the whips for approval.

I would assume that the same would apply even if this motion were adopted. That request would have to be made by the chair to the whips of the recognized parties for their consideration, to ensure that sufficient resources exist.

Thank you.

The Chair: Monsieur Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

Ms. Dabrusin did indicate that this is an important bill. I don't think anyone here doubts that, but there are several important bills and we have several tasks to do as part of our duties. I have no problem with our taking the time. However, we have not reached this pass because of the work of the committee, which has been extremely flexible in agreeing to do a preliminary study. Some have said that the bill was delayed in the House of Commons by the Conservatives, but nothing was delayed, as we had already started a preliminary study in committee and agreed to tip everything over here.

It was the Liberals who shut down the House of Commons by proroguing Parliament and took five years to introduce the bill. I don't think a week or two makes any difference at this point in time in dealing with legislation that is going to be around for another 30 years. Frankly, I think it requires a lot of resources and a lot of work for parliamentarians. On our side, we're fine with adding meetings if necessary, but not with extending the length of each meeting.

As soon as the last intervenors have spoken, I would like to call for the vote, Mr. Chair, because it is now 3:45 p.m. I insist on it, because I think we've talked about it a lot already. Ms. Dabrusin has brought this up several times.

• (1545)

[*English*]

The Chair: That's duly noted, but I see hands up.

Monsieur Champoux.

[*Translation*]

Mr. Martin Champoux: I will add my opinion to the debate. I concur.

Indeed, I think we have all been very diligent in dealing with the bill and have been flexible. There were some unnecessary delays. For example, there was a vote on a Friday afternoon that was absolutely not essential and delayed our work in such a way that we had to use another meeting to receive witnesses.

In short, I think we have all put in our share of effort. I've already stated my opposition to adding meeting hours on Fridays, for reasons that are unique to everyone. Many of us have travel commitments and others have constituency obligations. I want to say to Ms. Dabrusin that I also have responsibilities to my constituents who require their MP to be in their riding. For me, Friday afternoons are also for that, when I am not on the Hill.

I think we are capable of being flexible and adding meetings, but, again, I do not agree with extending the hours on Friday afternoons.

[*English*]

The Chair: Ms. Dabrusin.

Ms. Julie Dabrusin: I'm happy for us to go to a vote. My point is, and has been all along, that we are MPs who have committed to do this work.

I hadn't set out a specific time where the extra hours would be put in—that is at the discretion of the chair—or all of the work that has to happen at the back end to make sure it's fair on staff.

Once again, we have a job to do. We've committed to this job, and that's why we're here. I can see no reason why a committee would actually oppose putting in the work it needs to do to get it done, but if that's how people want to vote, that's up to them. They can be put on the record as not wanting to do the extra work to move this along expeditiously.

The Chair: Ms. Bessette.

[*Translation*]

Mrs. Lyne Bessette: Thank you, Mr. Chair.

I would like to make a brief comment. A few of our recent meetings have run over time and ended at almost 4 o'clock. If we were to add an hour to the meeting, then the meeting would run from 12:30 p.m. to 3:30 p.m., which would mean that we would end 30 minutes earlier than today's meeting. So I'm trying to figure out why we couldn't have that extra hour.

[*English*]

The Chair: Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: I want to be very careful about how I interpret Ms. Dabrusin's comments about our views and the fact that they will be recorded in the minutes of our meetings. I hope I misunderstood her intent, and I'll leave it at that.

[English]

The Chair: Mr. Rayes.

[Translation]

Mr. Alain Rayes: Mr. Chair, I would like to echo what Mr. Champoux said.

I am offended by Ms. Dabrusin's comments, which suggest that by voting against her motion, we would filibuster the bill. This is deplorable. The Liberals have adopted a number of tactics in this regard, which I have experienced and which I have shared with the minister. One of the things they are suggesting is that the Conservatives have delayed the bill. On the contrary, we see the flexibility that all members of this committee have shown in adapting procedures and expediting work in the preliminary study of the bill so as not to delay the debate.

Members have the privilege of speaking in the House on this bill. Quite frankly, I find Ms. Dabrusin's comments to be verging on a line that she should not cross. Her implication that our votes will be recorded and that it will be possible to know who wants to work on Bill C-10 borders on a threat.

I am sincerely offended and hope we misinterpreted her comments.

[English]

The Chair: Ms. McPherson.

Ms. Heather McPherson: I want to get some clarification on something that was mentioned by Ms. Bessette.

We still don't have clarity within this motion. This motion does not provide clarity regarding the amount of time we are talking about. I would like some clarification. She said an hour. That is what I've been told before, but that is not within the motion. Are we talking about one hour?

I understand what you said, Mr. Clerk—that this is for you to decide—but what that time constraint looks like is very material to whether or not we can support the motion.

The Chair: Mr. Rayes.

• (1550)

[Translation]

Mr. Alain Rayes: Mr. Chair, I call for the vote.

[English]

The Chair: I don't see any hands up.

Seeing an end to that debate, we're going to go to a vote. Normally I would ask for dissension, but I'm assuming there is some.

(Motion agreed to: yeas 6; nays 5)

The Chair: There is something I would suggest. We've gone way over time, so I won't get into it too much, but suffice it to say

that one of the obvious choices would be to extend the Friday from two hours to three hours, as was pointed out earlier by Madame Bessette. I would agree with her. That's one of the options that I think we can say yes to immediately. For the other options that are before us, whether they are other days or an extension of Monday, which I understand will be difficult, we'll have to report back.

The direction I need from the committee on this issue is this: Do we do this "offline", as the expression goes, or do we want to do this in a subcommittee setting? Do you want to handle this outside of the confines of an actual subcommittee meeting? Am I clear on that?

Okay. I'll pick that up with members and with the clerk, Aimée. We'll discuss what we're looking for, but I will say at the beginning that we can extend Friday from two hours to three hours. I'm pretty sure we can do that, granted the whips are okay with that as well.

That being said, I just have one final item to bring up. As you know, as of Monday, we're looking at the Facebook issue. We're having witnesses in to talk about Facebook. I just wanted to say, first of all, thank you to Mr. Rayes, who will be taking over as chair. I will be in Newfoundland under quarantine rules, where my internet signal is not strong at all. I think it would be best for the running of the committee for Mr. Rayes to take over, and I thank him again.

One thing, however, that they may bring up during that meeting is that Facebook has provided a background document to distribute to members of the committee. However, you will not have it at that meeting because we have to send it to the Translation Bureau to be checked. Just for the record, they did send it in both languages, but, as you know, because of the motion we adopted with Monsieur Champoux, we have to send it to translation to be vetted. That won't be completed until Tuesday, the day after.

I'm looking for Aimée just to nod to make sure I'm correct in that. I am correct. Okay.

I just thought they may reference the background document, but you won't have it on Monday. You will have it on Tuesday. That is the only thing in addition that I had to bring up.

Mr. Dong.

Mr. Han Dong: I was just going to wish everyone a great weekend. I think it was perhaps a little too early, but I want to thank everyone for their support on the motion.

The Chair: That's duly noted, Mr. Dong.

Seeing nothing else, I wish everyone happy holidays over the next two weeks. We'll see you on Monday.

The meeting is adjourned.

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