

Government Orders

The former Minister of Communications wrote a letter, as I recall, to respond to a number of groups that appeared before us. One in particular was Mr. Loder, who appeared to talk about exemptions for condominiums. The minister was finally forced under Bill C-136 to clarify the absence of intent within that bill with respect to MATV systems and their regulatory status. We would think that this minister would have learned. I would hope that the parliamentary secretary, who understands the issues very thoroughly and has been extremely co-operative, would see the value of the amendment of my colleague, the member for Beaches—Woodbine.

The minister of the day on Bill C-136 said: "I would like to address an issue raised recently by people living in apartments and condominiums who use satellite dishes to receive broadcasting signals". By the way, satellite dishes in apartment buildings also use a master antennae TV system which is a very similar idea. "There is concern that the broadcasting bill will in some way impose restrictive regulations or limit their viewing choices. This fear is simply unfounded. At present, condominiums which install a roof-top antennae or a satellite dish and distribute the signals they receive throughout the condominium building are covered by the existing Broadcasting Act as broadcasting receiving undertakings".

That means it is just the hardware. "They are subject to CRTC regulations and the possibility of fines for non-compliance. However, the CRTC has chosen to exempt such systems from licensing requirements provided they meet certain criteria, such as carrying local Canadian signals. Nothing in Bill C-136", nor in this Bill C-40, "would change this situation. There are no provisions which would cause the CRTC to make its exemption criteria more rigid. Indeed, the bill expands the commission's ability to use its exemption power. Condominiums", and I presume that that follows for apartments, because that is how the minister read it before, "which are presently exempted from licensing should expect that they will continue to be exempted. I believe the present exemptions have apparently caused some condominium owners to believe that they are not covered by the existing act. They consequently fear", at that time Bill C-136 and I say it for Bill C-40, "it will change their present status. As I have indicated, this is not at all the case".

To make this very clear for lawyers who do not necessarily follow all bills, and for people who like to read bills and have the government will expressed, I would suggest this is an amendment that I think we could support with a great deal of comfort and I hope the government will so see that direction.

Mr. Jim Edwards (Parliamentary Secretary to Minister of Communications): Mr. Speaker, I listened with care to what my colleagues opposite said in connection with the amendment put forward by the member for Beaches—Woodbine, who has been very deeply involved in this issue. Indeed, he did bring Mr. Loder to my office and we had a thorough discussion on the matter.

What I tried to impress upon the hon. member's constituent is that the intention is to have a minimum of regulation and a maximum of exemption provided, that those who are involved accept the basic rules of the system and that is, to guarantee access of Canadian services particularly and not to frustrate the goals of the system by giving access to condominium owners signals which other Canadians are not entitled to have.

This motion attempts to put into law something which is fundamentally a regulatory matter. Bill C-40 leaves unchanged the status of satellite master antennae systems which many condominium corporations operate. Under this bill, as under the current Broadcasting Act, SMATV systems, as they are called are subject to licensing and regulation. However, under the existing act, the CRTC has chosen to exempt them from licensing provided that they meet certain criteria. Nothing in Bill C-40 would alter this approach. To the contrary, the bill encourages the commission to exempt services from licensing wherever it deems this to be appropriate.

• (1200)

In each case, the current act and Bill C-40 ensure that the CRTC is able to regulate such systems and require, regardless of the particular circumstances, that Canadians served by such systems will have access to Canadian programming services. That is the primary reason for regulation of all broadcasting distribution systems. The bottom line here is access to Canadian programming. In our view, the law should apply equally to all systems which serve more than one household and condominium complexes should not be singled out for exemption.