

*Broadcasting Act*

these people do not have to meet the major requirements, i.e., inclusion of Canadian channels. That is really what we are talking about.

At the present time every distribution undertaking must by regulation meet certain minimum requirements, and those are that there is a certain amount of Canadian content carried on those distribution undertakings. If it is seen by the CRTC that they will indeed meet those requirements, then they can be exempted and they will continue to be exempted in future provided they meet those regulatory requirements. However, under the legislation, if they do not carry that minimum Canadian content, then there are remedies which can be applied against them.

I heard this afternoon the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) present the case that he was arguing, along with Members of the NDP. They have stood in this place day after day and railed against me or whomever about the lack of Canadian content. For them to come here this afternoon and turn the argument completely around is absolutely hypocritical. I want to assure you that the basis of this provision in the Bill is to ensure that, yes, condominium systems, as with any other broadcasting undertaking, are subject to regulation. They will be regulated by the CRTC. The CRTC will have the same power it has had in the past to exempt them, provided they meet certain criteria. Those criteria are the bottom line for us, and those criteria are Canadian content.

**The Acting Speaker (Mr. Paproski):** May I just comment, pursuant to the Speaker's ruling this afternoon, that Motions Nos. 1, 1A, 2, 3, 4, 5, 9, and 12 are acceptable and will be debated together, with a vote on Motion No. 1 being applied to the other motions.

Is the House ready for the question?

**Some Hon. Members:** Question.

**The Acting Speaker (Mr. Paproski):** The question is on Motion No. 1, standing in the name of the Hon. Member for Beaches. Is it the pleasure of the House to adopt the motion?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** No.

**The Acting Speaker (Mr. Paproski):** All those in favour of the motion will please say yea.

**Some Hon. Members:** Yea.

**The Acting Speaker (Mr. Paproski):** All those opposed will please say nay.

**Some Hon. Members:** Nay.

**The Acting Speaker (Mr. Paproski):** In my opinion the nays have it.

*And more than five Members having risen:*

**The Acting Speaker (Mr. Paproski):** Pursuant to Standing Order 114(11), the recorded division on the motion stands deferred.

Motions Nos. 7 and 8 are acceptable and will be debated separately and voted on separately.

**Mrs. Sheila Finestone (Mount Royal)** moved:

Motion No. 7

That Bill C-136 be amended in Clause 2 by striking out lines 35 to 38 at page 2 and substituting the following therefor:

"entertain".

She said: Mr. Speaker, I would like to address the methodology used in writing this clause with respect to programs. I agree that the definition of the word "program" as sounds or visual images or combinations of sounds or visual images intended to inform, enlighten, or entertain is what a program is all about. However, this definition goes on to say that it does not include visual images whether or not combined with sounds that consist predominantly of alphanumeric text.

If you look further on in the Bill you will see that Clause 82, the old Clause 83, is an amendment to the Railway Act requiring telecommunication type regulation of non-programming. It then becomes clear that the intent of this legislation is to split undertakings into both programming and non-programming undertakings. If you follow this logically, you have a serious conundrum, I would suggest.

The CRTC, in its brief to the legislative committee, stated that it had been advised by engineering experts concerning intellectual matter contained in the vertical blanking interval of the television signal. It all sounds very detailed and technical, but it means that a television signal can be considered separate and apart from the main transmission. It is this vertical blanking interval which is used by broadcasters to supply closed captioning. That is, alphanumeric material for use by the hearing impaired. This definition will mean that the commission may lose jurisdiction over this most important aspect of broadcasting. The Minister has put a very specific emphasis on help to the handicapped, and we have serious concerns that closed captioning will be jeopardized given the way this definition is written.

As well, with all due respect, our own Standing Committee on Communications and Culture, in its all-Party sixth report, addressed the term "program" and was quite firm in what it had to say. The report said that in its view his term should be defined broadly in the Act to cover all forms of audio-video content, including entertainment, information, and advertising disseminated to the public over broadcasting undertakings. While the terms "program" and "programming" are not defined in the 1968 Act, the CRTC defined the term "programming" in its 1986 regulations so as to exclude alphanumeric services with music and still images. In the committee's view, the distinction between these kinds of services and full video services has and will become increasingly blurred. It is essential that the Act clearly categorize all such services as