

Mr. Jamieson: Yes, except—again throwing out babies with bath water—that it could be too late if, for example, a private application were accepted and proceeded with.

I will not press the point further, Miss LaMarsh. I merely wanted to recommend that this whole question—whether we have a mixed system which will continue in that way or whether we will proceed toward parallel systems or, if you like, parallel services within a single system—should be examined more fully because I think there are a number of problems in this connection.

Miss LaMarsh, you seem to be rather sanguine about the adjudication role that the Minister will play under the new arrangement and you say you do not expect there will be many cases where this is likely to occur. Could you give me, as well as the other members, a little bit more of the rationale behind this view? Why do you think it is going to be better in the future than it has been up to the present?

Miss LaMarsh: Because up to now there has been no place where the conflict could be resolved. The government faces public calumny whether or not it has any responsibility or right to step in between the two agencies, and we all know of at least one much-discussed public instance when there was a disagreement between the regulatory authority and the Corporation. Many people say that under the current law the way that was resolved contained the kernel of the ineffectiveness of the BBG.

I have often heard the opinion expressed that the authority, as set up under the 1958 legislation, was in itself not so bad but it did not work. As both of these agencies must report to the Minister and someone has to be able to go in and talk to Parliament about it, it is hoped that the Minister is the sensible person before whom to have this meeting. However, I do not really think when a couple of reasonable men get together they would want to be on the mat together before the Minister. I think this will create further pressure and they will come to an amicable settlement.

Mr. Jamieson: It is going to be a matter where either party can refer it to the Minister or does it have to come in a certain category or does it have to have a certain seriousness about it before the Minister will agree to act?

Miss LaMarsh: If negotiations break down I think it is on application by one or the other.

Mr. Jamieson: I can think of a hundred cases over the last four or five years involving, for example, specific programs which one authority felt were not acceptable in terms of current regulations and where the CBC felt that they were. On a specific program do you see the Minister moving in on such a field?

Miss LaMarsh: No.

Mr. Jamieson: Would the authority of the CRC then be paramount in such a case? Could it tell the CBC to take such a program off the air?

Miss LaMarsh: This legislation does not provide for directions on specific programs. It provides for scheduling, classes of programs and things of that kind. I cannot presently conceive, Mr. Jamieson, of a situation where the CRC would give instructions on a program.

Mr. Jamieson: But I think the situation may arise and I think we should know exactly what the *modus operandi* is going to be. Let us take as examples one or two recent incidents; the von Thadden matter or the importation of some controversial figure. These things are known in advance and some kind of pressure group may rise up and say, "This program ought not to be shown". Presumably the people who feel that way would make representations to the CRC. Let us suppose the CRC supported that stand and said, "We agree this should not be shown". On the other hand, the CBC says that it ought to be shown. Is this a matter on which the CRC's decision would be final or would it be subject to ministerial and ultimately to parliamentary review?

Miss LaMarsh: No, the CBC Board of Management is responsible for deciding what goes over the air.

Mr. Jamieson: So in that case they could tell the CRC to go fly a kite?

Miss LaMarsh: I do not think the CRC would get itself so involved that it could be told to go fly a kite in this regard. You have referred to a specific instance and perhaps I should tell the Committee about that instance. I think this is the only time I might have been charged with any kind of political