

Broadcasting

enterprise. During the last provincial election this newspaper urged the people to support the principle of free enterprise, the spirit of competition, and keep them alive. This is what I am trying to do today, Mr. Speaker. This incident relates to the practice of this principle, and it is the one unfortunate slip in principle they have made to date. I have told them I am very seriously concerned about it as are large numbers of persons in that area.

Another newspaper has started in this area and it publishes bi-weekly. It is taking advertising away from the *Nelson News*. The publisher of the weekly made a contract with CKLN to advertise over the station by means of these flash broadcasts. The day before his newspaper comes out he advertises that it is coming out and mentions the topical issues he will be discussing, as well as the places in which the newspaper can be purchased. This is the letter he received from the manager of this private radio station:

Dear Mr. Carlton:

We seem to be on the horns of a dilemma these days, a dilemma which must be obvious to everyone.

Now that your paper is establishing itself as a regular advertising medium, seeking its business from the same customers as ourselves, it is not reasonable that we should be defeating ourselves by building up in any way the success of a business competitor. We, therefore, are invoking section 7 of our contract. As of today's date we are serving you with 10 days notice of cancellation of your advertising contract No. 726.

I would further bring to your attention items 4 and 6 of the conditions of contract.

Yours sincerely,
A. R. Ramsden,
Manager.

Naturally the owner of this newspaper was indignant, as were a number of the businessmen who advertise in this newspaper. The point is that there is only so much advertising to go round and the *Nelson News* wishes to keep that advertising for itself. This radio station is a public utility operating under a licence given by the people of Canada. I have had a good number of businessmen speak to me about this.

In any event, I brought the matter to the attention of the chairman of the board of broadcast governors, and he had his legal advisers review the situation. In their opinion, there was no provision in the act to deal with the situation. The matter was considered also, under the direction of the Minister of Justice (Mr. Fulton), by the officers of the combines investigation branch, but it was not considered they could take any action. I consider this is a matter which should be discussed by the committee. Here was the only radio station over which this newspaper

could advertise, and the newspaper was denied those facilities by a station which received a licence to operate what is, in effect, a public utility.

I have introduced a private bill dealing with this question after receiving advice on the matter. We approached this question from the point of view of the Canadian bill of rights which was passed by this house last session. I should like to read one paragraph from the explanatory notes contained in the bill.

The Canadian parliament, for public convenience, interest and necessity, has by the Radio Act allowed the crown to grant monopolies by licence to individuals and corporations to operate broadcasting stations for private gain. Under the common law and civil law, therefore, such stations must sell advertising time without discrimination. In 1960, parliament confirmed this law by statute. Section 2 of the Canadian bill of rights applies to provide that the Radio Act and the Broadcasting Act shall not be so used as to violate the rights or freedoms of any citizen: e.g., freedom of speech or freedom of the press. Presumably, the governor in council might make regulations to control such excesses or the minister of transport arbitrarily remedy violations by revocation or suspension of licence.

I do suggest that these are questions which should be considered by a committee. I understand that rarely in Canadian history has it been found that a radio station turned down advertising. I believe there is a principle involved. I am sure the owner does not agree with this action because I know him personally. He served in the same battalion as I did in the war. However, things are a bit tough and there is a struggle for advertising. I think the people involved have forgotten their principle for a moment, and I do suggest this question be given consideration by the committee on broadcasting.

Now Mr. Speaker, that concludes my remarks in general and my remarks in particular as they apply to Kootenay West. I shall now give the floor to one of these gentlemen who appear to have been listening to me with great interest.

(Translation):

Mr. J. J. Martel (Chapleau): Mr. Speaker, I should like to say only a few words on this resolution and start by giving a short historical account of the situation. I have no intention, of course, of stating the same arguments put forward by previous speakers on the matter, but I should like to acquaint the house with some representations that were made to me and which, in my opinion, are of general interest. Those representations should be carefully considered by this proposed committee which will look into matters of broadcasting in our country. Besides, as was stated earlier, a similar committee was