

*Broadcasting Act*

would be legal under this Act. In other words, we could see a situation in which, on a technical level, people would use unusual methods to do that which they feel is their right as homeowners to do. It would be much like some provisions in the Income Tax Act in which the tail ends up wagging the dog and we get anomalous results simply because people are trying to live within the law.

The fact is that the SMATV exemption rules which the CRTC has already promulgated set out quite clearly the circumstances under which exemptions will be permitted for condominium owners. It is a matter of record what those conditions and criteria are. The point that I make, and I join with Members of all other Parties who have spoken in the House on this, is that if it can be done in regulation as it now is, then let us include that in the Bill. That is why any of these eight motions or a blending of them would achieve that purpose.

I sincerely urge the Minister to consider this possibility. I know the amount of effort that she has put into bringing this Bill to its present state. Yet Parliament exists for the purpose not of making laws but of making good laws. If we who represent the people here are to have any role in this process, then it is to come forward with suggestions to improve some detail of a statute.

I earnestly exhort the Minister to consider taking the concerns that she has herself recognized in the letter she sent to condominium owners and the motions suggested by Members of the House in seeing that this one small corner of a very large Bill be improved to that further extent. I think a sense of fairness to all Canadians requires it.

*[Translation]*

**Mr. Jean-Robert Gauthier (Ottawa—Vanier):** Mr. Speaker, I will be very brief. I would like to speak in support of this group of motions, and especially the motion presented by the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), which aims to restore a measure of equity and justice for owners of condominiums.

Mr. Speaker, as you know, appearances are often very important in politics, and how people perceive things is something we politicians have to consider and deal with as well as we can.

However, condominium owners are concerned about Bill C-136. We would like to see the Bill clarified so it does not discriminate against them.

The motion presented by the Hon. Member for Winnipeg—Fort Garry reads as follows:

## Motion No. 9

That Bill C-136 be amended in Clause 2 by adding immediately after line 8 at page 3 the following:

“(3) For the purpose of this Act, a multiple dwelling unit grouped as a condominium complex is deemed to be one permanent residence, on such terms and conditions as the Commission deems appropriate.”

I think that makes eminently good sense. I think it is clear and that it is a step in the right direction. It does not mean that the owners of these buildings or condominium units can get special privileges or purchase illegal instruments or decoders. It simply means that condominiums will be treated no differently than single-family units or other types of property where Canadians have access to a community antenna or to a more advanced system, the so-called dish.

*[English]*

I think the eloquence of the debate this afternoon and the fact that it has been a non-partisan approach to attempting to get this Bill amended to clarify the situation appears to me to suggest that the will of parliamentarians is to make sure that there is fairness toward condominium owners in the Bill. We have argued that they have a right to know where they stand regarding this issue, and we believe that this amendment clearly provides that assurance, while allowing the CRTC to impose terms and conditions to ensure fairness to local licensed cable television systems.

Evidently some people in my riding have said that these cable systems which have a type of monopoly over distribution systems would not like to see any amendment to Bill C-136 which would give condominium owners the right to have satellite dishes on their buildings. I find that a little negative, and I do not think it would be in favour of the cable companies to support that kind of argument.

The modification for which we are asking seems to be quite reasonable. I would certainly want to support that amendment put by my colleague from Winnipeg—Fort Garry. I do not think I can add anything further to what was said this afternoon.

**Hon. Flora MacDonald (Minister of Communications):** Mr. Speaker, I would like to say a few words in response to the comments that have been made this afternoon. Very briefly, all these motions, if adopted, would remove from the purview of the legislation certain kinds of distribution undertakings. That is what has been talked about this afternoon, whether it is condominiums or other suggestions which have been put forward in the various amendments before the House.

● (1700)

I would like to make it very clear that the Broadcasting Act of 1968 provides that condominiums which install a roof-top antenna or satellite dish are regarded as cable systems and as such are subject to CRTC regulation. The CRTC could exempt them under certain conditions. It in fact has exempted them provided they meet certain criteria, and that is what this is all about.

The CRTC was able to do that in 1968 under the legislation the way it was written. It will continue to be able to do exactly the same thing. However, to begin writing into legislation that you accept this kind of distribution undertaking or that kind of distribution undertaking so that it does not have to meet the requirements of the regulations is to begin to say, all right,