That Bill C-40 be amended in Clause 2 by adding immediately after line 6 at page 3 the following:

"(3) For the purposes 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."

He said: Mr. Speaker, the amendment to the act moved by me is exactly the same as the amendment I moved on similar legislation. In fact it was exactly the same legislation, then known as Bill C-136.

The reason for the amendment is that many condominium home owners are very concerned about a proposal in the bill under clause 2(1)(a) which deals with how the bill could be interpreted at some future date.

The concern was initially raised with me by Mr. Ernie Loder on behalf of the TV Communications Committee of York Condominium Corporation No. 76, more commonly known in my constituency as Massey Square. He not only raised it with me but raised it with a number of members of the House. At the outset I thank the Parliamentary Secretary to the Minister of Communications for taking the time, quite a considerable amount of time actually, to sit down with myself and Mr. Loder to listen to the concerns of these condominium owners.

The concerns that condominium owners have is that they are being treated or appear to being treated quite differently from the home owner who may install an antenna or a dish receiver on top of an individual dwelling house to receive a signal. Condominium owners who do exactly the same thing to share the same signal going through all the condominium homes may be treated differently under this act and may be considered a commercial distribution at some point. They feel that this is discrimination.

The minister, as did his predecessor, sent out a letter to a number of people who had raised these concerns with him. I think it may be worth while to read the letter itself into the record. It not only explains the problem; it explains the government's attitude toward the problem. However, it does not deal with a future decision that the CRTC may make under extensive lobbying by the cable industry. I will read the pertinent parts of the letter from the minister to a number of my constituents. It starts by saying:

Firstly, you should know that, at present, condominiums which install a roof-top antenna or satellite dish and distribute the signals they receive throughout the condominium building are covered by the existing Broadcasting Act (1968) as "Broadcasting Receiving Undertakings". These master antenna television (MATV) systems, as they are known, are therefore subject to licensing and regulation by the Canadian Radio-television and Telecommunications Commission (CRTC). However, it is the policy of the government and the CRTC to exempt MATV systems from having to obtain a licence provided that they they meet certain conditions.

These conditions reflect objectives of Canadian broadcasting policy. Firstly, they are intended to ensure that those receiving television services in this manner will be offered a range of Canadian broadcasting services as well as any available foreign services.

Secondly, in light of the CRTC's responsibility to regulate and supervise the broadcasting system as a whole, the conditions for exemption are designed to ensure that fair competition exists between cable operators and MATV operators and that their respective subscribers are fairly treated.

Recent amendments to these conditions for exemption make it clear that condominium owners have several options in obtaining television services. They may run their own MATV system; they may contract an outside MATV operator to run their system for them, at a negotiated rate; or, they may choose to subscribe to the local cable service. If they choose either MATV option, no licence is required as long as they respect the conditions of the exemption.

Nothing in the new broadcasting legislation could change this situation. Let me stress that the Bill contains no provisions which would force condominiums to close down their MATV systems and deal with cable operators, nor are there any provisions which would cause the CRTC to make its exemption criteria for MATV systems more rigid.

On the contrary, by identifying MATV systems as the distribution services which they are, the new legislation would legitimize these systems and clearly recognize them as part of the broadcasting system as a whole. Furthermore, the Bill would expand the CRTC's ability to use its exemption power. Accordingly, under the proposed legislation, condominiums which are currently exempted from licensing should expect that they will continue to be exempted.

Finally, it has been said that the Bill treats condominiums and apartments differently from single-family homes. This, too, is inaccurate. Should a group of home-owners decide to use one antenna or satellite dish to service, for example, all of the homes on one street, that system would be subject to the same CRTC regulations as similar arrangements in condominiums. On the other hand, like owners of detached houses, condominium owners whose circumstances and condominium rules permit, as with some townhouses for example, may install an antenna or satellite dish for personal use only within their own homes without being subject to regulation. Again, the Bill applies fairly to all Canadians.

It would seem that the present exemptions have caused some operators of MATV systems to believe that they are not covered by the existing Act. They consequently fear that new legislation will change their present status and have advised condominium owners accordingly.