

HOUSE OF COMMONS

Wednesday, October 24, 1973

The House met at 2 p.m.

[English]

BROADCASTING

TABLING OF SIXTH REPORT OF CLERK OF PETITIONS ON PETITION RESPECTING ADVERTISING ON CHILDREN'S PROGRAMS

Mr. Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the table the sixth report of the Clerk of Petitions.

The report was then read by the Clerk, as follows:

The Clerk of Petitions has the honour to report that he has examined the petition of Mrs. Ann Young, Mrs. Marilyn Lister and Mrs. Natalie MacPhee, all of the city of Ottawa, Ontario, in relation to broadcast advertising directed exclusively to children and advertising directed to children from American programming distributed on the Canadian cable systems, presented by Mr. James A. McGrath, Member of Parliament, on Tuesday, October 23, 1973, and finds that the petition meets the requirements of the Standing Orders as to form.

Mr. Speaker: As hon. members have heard, the Clerk has read the report of the Clerk of Petitions which indicates that the petition in question, presented to the House by Mrs. Marilyn Lister, Mrs. Natalie MacPhee and Mrs. Ann Young, in relation to broadcast advertising meets the requirements of the Standing Orders as to form.

I owe it to the hon. member for St. John's East and to the House to indicate that I have strong reservations as to the acceptability of the petition on substantive grounds. As I am sure the hon. member knows, there are precedents to the effect that the House should not interfere by way of petition in a matter in which jurisdiction has been assigned by parliament to another body. If the hon. member has any comments to make for the guidance of the Chair I would be pleased to hear him.

Mr. James A. McGrath (St. John's East): Mr. Speaker, the subject matter of Bill C-22, an act to amend the Broadcasting Act, was referred to the Standing Committee on Broadcasting, Films and Assistance to the Arts. That committee reported a list of five recommendations to the House on July 16. Two of the recommendations are set out in the body of the petition. These recommendations were that the Canadian Radio-Television Commission should pass certain regulations.

Section 16(1) of the Broadcasting Act states in part:

In furtherance of its objects, the Commission, on the recommendation of the Executive Committee, may . . .

(b) make regulations applicable to all persons holding broadcasting licences . . .

(ii) respecting the character of advertising and the amount of time that may be devoted to advertising—

So, Mr. Speaker, the House by way of legislation has already given this power to the Canadian Radio-Televi-

sion Commission. The chairman of that commission said, when he appeared before the Standing Committee:

If parliament, as a result of the studies of the committee, comes to the conclusion that a fundamental principle is involved and that, no matter what the other circumstances may be, the basic objectives of Canadian broadcasting should preclude children's advertising, the commission will, as it should, implement this objective as it has to implement other fundamental objectives contained in the Broadcasting Act.

The first recommendation of the committee was that the CRTC should pass regulations which would provide that advertising must not be directed exclusively to children.

Furthermore, Mr. Speaker, the committee stated in its report:

However, it is the opinion of your committee that any code, regardless how excellent in itself, would need a much tougher enforcement system . . . your committee feels . . . that a CRTC regulation should be brought into effect in order to enforce a new and more restrictive code.

There is no other recourse but by way of petition to this House to bring to the attention of the House that the CRTC, which draws its authority from parliament, not from the government, and answers to parliament, is ignoring the unanimous recommendations of parliament because, Mr. Speaker, the report of the broadcasting committee, with the five recommendations contained therein, was concurred in by the House on July 24.

On October 16 the commission made a statement in which it said it would not proceed by way of regulations but would rely entirely on the broadcasting code. Furthermore, the commission in its statement of October 16 ignored the second most important recommendation of the committee, that dealing with American television advertising directed at children and coming into Canada under the cable system.

● (1410)

To sum up, Mr. Speaker, the Canadian Radio-Television Commission has the authority given to it by parliament under the Broadcasting Act in section 16, as I have already set out. The House of Commons, by way of concurrence in the committee's report, recommends to the commission that it proceed to implement regulations under the Broadcasting Act. The commission, for reasons unknown, ignores the recommendation of the House.

I am hoping that somehow Your Honour will find this petition in order and that the House will be disposed to consent to have this matter referred to the Standing Committee on Broadcasting, Films and Assistance to the Arts where Mr. Juneau, the chairman of the commission, can appear and explain to the committee why he chose to ignore the unanimous recommendation of parliament.

Some hon. Members: Hear, hear!