

and impending requirements for educational television stations and other special needs. For these purposes it will be necessary to make use of the additional channels available in the ultra-high-frequency band (UHF), which requires special transmitting and receiving equipment, and which is not yet in regular use. The Department of Transport was accordingly directed some time ago to study in detail and make recommendations, in collaboration with the Board of Broadcast Governors, on the pattern of assignment of ultra-high-frequency television channels to the public and private sectors, and for educational and other special uses.

The Committee has noted with approval the study now in progress on the pattern of assignment of ultra-high-frequency television channels. We recommend that appropriate steps be taken to ensure that all new television sets sold in Canada be equipped to receive UHF transmission.

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7. Programming

(White Paper)

Clearly there must be regulations, applicable to all broadcasters alike, establishing general standards of public acceptability and governing such matters as the length, frequency and nature of advertising announcements, but this is hardly enough. While the Canadian Broadcasting Corporation has a special place in the field of public-service programming, private broadcasters also have a positive responsibility to contribute to a wide range of audience choice, to meet certain standards of public service, and to achieve the highest quality of programming they can reasonably afford. This the Canadian people are fully entitled to demand in return for the grant of a valuable franchise. But standards of quality and public service should not be formulated on a universally applicable basis. Private broadcasters operating in the larger and more profitable markets can afford to provide a greater variety and higher quality of programming than those in less favoured areas, and it is therefore logical to relate regulatory requirements to the profit-potential of individual licences.

In programming, high quality is more a matter of general excellence than of mere content. So called "high-brow" programs can be artistically or technically poor, while light entertainment can be excellent. High quality does not necessarily flow from high cost, and standards of quality cannot readily be made a condition of a licence. However, judgments about quality can quite legitimately be made in retrospect on the basis of actual observed performance, and should carry a great deal of weight when an application for the renewal of a licence is being considered.

Other important requirements of public policy can be measured in terms of time and money. In particular, the employment of Canadian talent of all kinds is something that public policy should require by demanding that all broadcasters include a substantial Canadian content in their programming, particularly in prime time. Events of national interest which originate abroad are important as public-service programming, but do not contribute to the utilization of Canadian talent and should not qualify as Canadian content.

Accordingly the new legislation will provide that minimum standards of public-service programming and Canadian content shall be determined by the Board of Broadcast Governors on an individual basis, taking account of the circumstances of the licensee or of groups of licensees, including the Canadian Broadcasting Corporation. These minimum standards will be incorporated into the conditions of the licence so as to be legally enforceable.

Thus, in future, a broadcasting licence will be granted after a public hearing and subject to technical certification, to the applicant who undertakes, as a condition of his licence, to comply with generally applicable regulations on program quality and advertising, and to provide the best texture of public-service programming and Canadian content. The renewal of an existing licence will be subject to the same considerations, and the past performance of the licensee will be taken fully into account. The Board will not, however, be empowered to give directions, other than by generally applicable regulations or in the conditions of a licence, to any broadcaster in respect of specific programs.

The Committee agrees with the comments of the White Paper on programming. We approve of a flexible formula of expectations for performance by individual stations or groups of stations but with strict enforcement of standards imposed as a condition of licence. We believe it is essential to avoid monopolization of prime time by foreign programs, and to increase true Cana-