

*Canadian Policy on Broadcasting*

In the context of a situation such as that, which is certainly common in twentieth century life, the objective of the national broadcasting service is to obtain that frequency or that channel, and the broad, philosophical, visionary concept that is embodied in this wording that was placed there by the drafters of the legislation, which by itself is intrinsically of great value and merit, would no longer exist.

The litigants in a case like that would not be talking about service to the Canadian nation, the idea of Canadianism, the concept of national unity and all the other philosophical arguments which the drafters of this legislation attempt to anticipate, but would be talking about the facts of life in the marketplace, dollars and cents, the right to operate, the right to serve a certain area, the right to obtain a certain frequency, channel or station where they are denied that right. The objective of the national broadcasting service in that context and that situation would be to obtain that frequency.

On the basis of the wording of this proposed legislation the private broadcaster has no opportunity for his case to be heard, no hope whatever of a fair adjudication and dispensation of the case, and no hope whatever of obtaining that available frequency or channel because it says right here in the codified legislation, among other things, that where any conflict arises, the objectives of the national broadcasting service must prevail.

So the decision is made for all time that you must not come, as a private broadcaster, into an area of competition with the Canadian Broadcasting Corporation for anything that could be interpreted or construed in any way as an objective, whether it be the obtaining of an available channel or frequency or a certain kind of esoteric service to the people of Canada as part of the exercise of nation building. Just don't bother if you are a private broadcaster, because it is stated definitively and conclusively for all time that it is the C.B.C. objective that shall take precedence, and the desire of the C.B.C. for that channel or frequency shall be the one that prevails.

So I am not happy with this clause and, as I suggested a few moments ago, neither is the hon. member for Burin-Burgeo who in my opinion knows more, and has demonstrated that he knows more, about broadcasting than anybody in this chamber at the present time. He raised the issue at the time we were

examining these clauses in the broadcasting committee, and with my support. We got nowhere with our objection at that time; but I can assure the house that one of us will raise it again and he will have my support, and I hope the support of a great many members of this chamber. There is a serious oversight in the wording of this paragraph. The drafters of the legislation have not considered what will happen two years from now when conflict arises in the area of specific market ambitions.

So I intend, and I am joined by my colleagues in this party, to move an amendment to this paragraph when we come to it. The amendment will say, not that when such and such a conflict arises the objectives of the national broadcasting service must prevail, but that when such and such a conflict arises the general good of the viewing and listening public shall take precedence over all other considerations. I see no legitimate grounds on which anybody in this chamber could take exception to that kind of amendment.

I hesitate to anticipate the fate of the proposed amendment—I have been here long enough to know better—but I say at this juncture that if it is defeated it will disappoint me greatly. I think what the drafters were trying to do, the interests they were trying to protect, will be protected by an amendment which provides that the general good of the viewing and listening public shall take precedence. The right of the private entrepreneur will similarly be protected by eliminating the offensive wording in the legislation as it now stands, and to which I have already referred.

In the few minutes remaining to me may I also, since it is the Christmas season and many of us have paused to pay tribute to various members of the house this afternoon regardless of their political persuasion, say that I was distinctly impressed by the remarks of the hon. member for York-Humber who spoke in this debate a short time ago. I think he made a succinct and extremely vital contribution to the debate. I always listen with great interest to the hon. member and at no time was I more interested than during his contribution to this debate, because it is a subject that is close to my heart and close to my background.

• (5:50 p.m.)

I would say at this juncture that I think the position which the hon. member for