

Canadian Policy on Broadcasting

approach, appeals from decisions made by this group of officials are very limited. In some cases no appeals at all are permitted. In some cases the legislation provides that hearings do not even have to be in public. This is certainly the easiest way to deal with the problem; but I submit, Mr. Speaker, it is not the best way.

We must have a strong commission, but the commission must be responsible to our courts. The hearings of the commission must be in public in all cases, and there must be a full right of appeal. I also submit that decisions must not be based upon the caprice or the discretion of the members of the commission, but rather on the basis of regulations which are general in their nature, which have been published and which are well known to the public.

I realize that to regulate the broadcasting industry in this way, by means of general regulations which have the effect of law, rather than by just putting the broadcasting industry completely under the control of a commission, is more difficult; but it is the better way and it is the way which I think is more in accord with the sound traditions of this country.

The commission should be instructed by the legislation that their job is not to make decisions on individual cases. Their more important function is to establish general regulations which will set out the type of programming to be provided by all stations in Canada, including requirements for balance as among the various kinds of programs, Canadian content requirements, fairness in reporting, impartiality and high quality.

The commission should also have the important job of reviewing all programming and prosecuting, in our regular courts, any violations of the general regulations. Penalties must be severe, and in serious cases must include the power to order forfeiture of licences. This judicial type of procedure has been adopted in other areas and has worked well. It is the procedure which should be followed in the regulation of an industry as important as the Canadian broadcasting industry.

The introduction of this bill gives us the opportunity to reconsider the basic principles which should govern broadcasting in Canada. The groundwork has been well prepared by the numerous commissions and committees which in the past have investigated and reported on the industry.

[Mr. Wahn.]

Mr. Speaker: Order, please. I regret to interrupt the hon. member, because his time has expired, unless he has agreement from the house to continue.

Mr. W. B. Nesbitt (Oxford): Mr. Speaker, it had been my intention to make some remarks at this stage of the bill, but I think Your Honour will agree that there seems to be a general disposition to get it before a committee one way or the other. So I decline this opportunity and will make my remarks at another stage of the bill.

Mr. Ralph Cowan (York-Humber): Mr. Speaker, before I make some comments with regard to Bill C-163 might I be allowed to remind the house that I am possibly the last surviving member of the groups that met with R. B. Bennett and Sir John Aird back in the early thirties when the first Canadian broadcasting commission was set up. You may wonder how one of my age would be at those meetings, and I would emphasize that at that time the *Toronto Star* operated a radio station of its own, CFCA, and I was sent by Mr. J. E. Atkinson, publisher of the *Star* and owner of CFCA to sit in on the meetings with regard to the formation of regulations for the radio world of Canada in those days.

The death in March of this year of the late Senator Rupert Davies, who was a long time family friend, was a tragic blow to me and to many, many other Canadians. I believe he and I were the last surviving two who sat in on many of those meetings. I can assure you that, as one who sat in on the meetings, took part in the discussions and knew the background for the decisions reached, it is more than amusing in the 1960's to hear speakers get up and tell us what was motivating Sir John Aird and others when they originated the first radio broadcasting commission.

I would like to point out that on October 21 of this year I had a grandson born in Charlottetown, P.E.I. and because of that, being down there with my wife, being the grandparents of the little boy, we are quite well aware of the little nursery rhyme, "Where did you come from, baby dear; Out of the everywhere into here." I want to say to you as a member of parliament that when I look at white papers, particularly the white paper on broadcasting, that was introduced more than a year ago, I have to reflect: "Where did you come from little white paper; I am the result of a cabinet caper." I cannot tell you where white papers come