

*Canadian Policy on Broadcasting*

This means that the standards to be applied by the commission cannot be measured only by broadcasting time. Both the quality and the nature of Canadian content will have to be taken into account as well so that the best possible use can be made of the abundant resources of Canadian talent which in the present unsatisfactory situation is all too often fleeing to New York, Hollywood or London. There is also no particular reason, so far as I can see, why the provisions with respect to Canadian content should not also be applied to commercial messages. The B.B.G. so far has not exercised its statutory authority under the present act for this purpose, but I would expect that the new commission will give this problem close and careful attention.

With regard to licences issued to the C.B.C., there is one important qualification. A private applicant who comes to the B.B.G. for a licence is perfectly free to consider the conditions which the commission proposes to impose upon him, and if he is not willing to accept these conditions to get his licence then he can withdraw his application. This option, however, is not available to the C.B.C. which is required to broadcast the national service, and a conflict of views on licensing conditions might well lead to an impasse between the two bodies. The legislation therefore provides that the conditions of licences issued to the corporation must conform to the requirements of the national broadcasting service as defined in the statutory declaration of policy.

Even so, it is conceivable that the commission might seek to impose a condition that the corporation finds unacceptable or impractical for financial or other reasons. It is therefore provided that if, after full consultation between the two bodies, there is still disagreement, the matter may be referred to the minister for decision. I should tell the house that no minister takes on lightly that kind of reference to him or her with regard to a disagreement between two senior governmental agencies. The standing committee has said:

We emphasize our conviction that the areas of authority and responsibility of the B.B.G. and the C.B.C., and the nature of the relationship it is intended to establish between them, be fully understood and clearly defined in the legislation.

Unhappily, it is not possible, as we all know, to take care of every possible eventuality in a statute, and it is therefore essential to provide some means to resolve legitimate differences of opinion about licensing conditions in an orderly fashion. I cannot really

conceive that the senior officers of two such responsible bodies will indulge in constant bickering on licensing matters, so I do not think this procedure will ever be used or, if at all, it will be very infrequently.

The standing committee on broadcasting has said that it is essential to avoid monopolization of prime time by foreign programs and that public affairs programs should be included among those shown during prime time. I think this is a feeling that all of us in parliament echo. The commission will accordingly be given a new power to regulate scheduling policy in relation to any category or categories of programs. This, we believe, will permit the implementation of the standing committee's wishes in this regard. The commission will not be able to tell an individual broadcaster to put on a particular program at a particular hour, but will be able to require complementary programming by competing stations and to insist on a reasonable proportion of prime time being given over to public affairs programs and true Canadian content.

I should also mention that the legislation indicates that community antenna television systems will also be subject to licensing by the commission. The conditions of licence, which will also be laid down by the C.R.C., will have to take into account the need for comprehensive and varied service. However, —and I think this should be made very clear—C.A.T.V. systems are quite different in many respects from other broadcasting operations, and thus we expect the regulatory commission's requirements for these systems to be quite different from those applied to what are regularly called broadcasting undertakings. It is appreciated that the C.A.T.V. operators are not normally program producers and therefore their obligations as regards Canadian content cannot be more than to carry all available Canadian channels in a particular area. Provision is made for the exemption of certain classes of community antenna from the licensing requirements, for example, the roof-top antenna on an apartment block, but in general the commission, when considering an application for a licence for one of these systems, will have to take the whole local situation into account, including the interests of the local broadcasters.

The wide powers given the commission to make regulations and determine conditions of licence can be effective only if the regulatory agency also has the power to impose significant penalties on those who fail to meet its requirements. Under the 1958 act a breach of B.B.G. regulations is an offence against the