

CANADIAN-OWNED BROADCASTING

Mr. Gérard Pelletier, Secretary of State, recently announced a new directive affecting the ownership of radio and television broadcasting facilities in Canada.

The Minister in making this announcement stated: "This direction (*sic*) is a first step to implement the broadcasting ownership policy set forth in Section 2(b) of the Broadcasting Act, 1968, that the Canadian broadcasting system should be effectively owned and controlled by Canadians so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada."

The new ruling, effective September 20, provides that the directors and chairmen of corporations engaged in broadcasting in Canada must all be Canadians, and that 80 per cent of the voting shares as well as 40 per cent of the investment must be owned by Canadians.

The situation existing before September 20 was a continuation of Section 14 of the 1958 Broadcasting Act, which provided that broadcasting licences could be issued only to Canadian citizens or to corporations incorporated under a federal or provincial statute and in which at least two-thirds of the directors were Canadian citizens and three-quarters of the voting shares were held by Canadian citizens or Canadian corporations.

The directive recognizes that it will take some time for licence-holders to conform to these requirements. It does not apply to those who held CATV licences under the Radio Act at April 1 of this year, as those persons have not as yet been licensed as broadcasters, but it will in future be extended to include this class of broadcasting licence holders. Applicants for new licences will have to comply with the new ruling at once.

In addition, with the approval of the Governor in Council, the Canadian Radio Television Commission may, in exceptional cases, grant a renewal or an amendment of licences to corporations that held valid broadcasting licences before April 1, 1968, where the Commission and the Governor in Council deem it is in the public interest to continue for a further period the services provided by the licencees.

LAKE ONTARIO CLAIMS SETTLED

The Lake Ontario Claims Tribunal, United States and Canada, held its last meeting in Ottawa on September 30.

The three-member board was set up in accordance with the agreement of March 25, 1965, between Canada and the United States concerning the establishment of an international arbitral tribunal to dispose of United States claims relating to a navigational improvement in the international section of the St. Lawrence River known as Gut Dam. The agreement was brought into force through an exchange of instruments of ratification by the two governments on October 11, 1966. The Chairman of the Tribunal, Dr. Lambertus Erades, the first

Vice-President of the Rotterdam District Court of the Netherlands, was appointed jointly by Canada and the United States. The Canadian national member was W.D. Roach, a retired Justice of the Court of Appeal of Ontario. Professor Alwyn V. Freeman of John Hopkins University was the United States national member on the Tribunal.

At the September 30 meeting, representatives of the two governments made a joint communication to the Tribunal regarding a compromise settlement. Under this settlement, Canada is to pay to the United States \$350,000 (U.S.) as a lump sum, without prejudice to the factual or legal positions of either government, and in full and complete satisfaction of all claims of any citizen of the U.S.A. for damage allegedly caused by Gut Dam. The Tribunal recorded this settlement at the meeting and declared itself dissolved.

REASON FOR TRIBUNAL

The claims presented to the Tribunal on behalf of U.S. citizens arose in 1951 and 1952 during unusually high water-levels on Lake Ontario. The claimants complained that their properties on the south shore of Lake Ontario and the St. Lawrence River were damaged by the water-levels and that this damage was attributable in whole or in part to the construction by the Government of Canada of Gut Dam in the early part of this century.

Gut Dam was located about ten miles downriver from Prescott, Ontario, and was constructed early in this century pursuant to arrangements by the Canadian and United States governments of the day. Gut Dam was removed in 1953 as part of the St. Lawrence Seaway construction programme.

The Tribunal held its first meeting in January 1967. The complexity of the case required the filing of lengthy written pleadings spread over a period of many months. Following the completion of the filing of the pleadings, the Tribunal held more meetings at which oral arguments were presented by both governments.

UN DELEGATION

The Canadian delegation to the twenty-third session of the United Nations General Assembly, which opened in New York on September 24, is chaired by the Secretary of State for External Affairs, Mr. Mitchell Sharp, and consists of the following members: Mr. George Ignatieff, Permanent Representative of Canada to the United Nations, Vice-Chairman of the Delegation; Mr. Jean-Pierre Goyer, Parliamentary Secretary to the Secretary of State for External Affairs; Mr. Robert Kaplan, Sister Ghislaine Roquet; Mr. Marvin Gelber; Lieutenant-General E.L.M. Burns, Ambassador and Adviser to the Government on Disarmament; Mr. Paul Beaulieu, Associate Permanent Representative of Canada to the United Nations; Mr. Bruce Rankin, Ambassador of Canada to Venezuela; and Mr. Allan Gotlieb, Legal Adviser to the Department of External Affairs and Assistant Under-Secretary of State for External Affairs.