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Standing Committee on Canadian Heritage

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• (1645)

[*Translation*]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 126 of the House of Commons Standing Committee on Canadian Heritage. I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

Pursuant to the order of reference of Wednesday, February 28, 2024, the committee is resuming its consideration of Bill C-354.

[*English*]

We're going to begin, and I'm going to give you the usual house-keeping speech. Please read the little card you have on the table in front of you, witnesses. Because of sound quality, we need to make sure you don't have any devices, such as your hearing devices, close to your microphones. There's a little decal on your table. Can you put it face down on that when you're not using it? Also, you have to use the black earphones and not your own. We're not allowed to take photographs, because this is going to be put on the website anyway, and you'll be able to get what you'd need out of it.

We're in a hybrid form, and for those of you who are virtual—I think Niki Ashton is virtual—when you need to speak, please raise your hand on your website. For those of you who are in the room, please put your hand up, and I'll recognize you based on when you put your hand up, or at least we will try. Please wait until I recognize you by name before speaking.

I now want to welcome our witnesses. I want to thank you for waiting, because normally we were supposed to start at four o'clock. We're half an hour late, but votes occurred, and they tend to push things back a little bit.

From 4:30 to 5:20, we're going to have witnesses from the Canadian Radio-television and Telecommunications Commission, the CRTC. It's represented by Scott Shortliffe, executive director of broadcasting; Scott Hutton, chief of consumer, research and communications; and Rachelle Frenette, legal counsel. Welcome.

You have five minutes to present, not each of you, but one of you, on behalf of CRTC. You probably know who that's going to be, so we shall begin for five minutes, please.

Mr. Shortliffe.

Mr. Scott Shortliffe (Executive Director, Broadcasting, Canadian Radio-television and Telecommunications Commission):

Good afternoon, and thank you for inviting us to appear in front of your committee.

Before we begin our remarks, I would also like to thank the Algonquin Anishinabe people for having us here as a guest on their unceded, unsundered territory. I'd also like to thank them for being stewards of the land and waters in this area since time immemorial.

I'm Scott Shortliffe, executive director of broadcasting. I'm joined by my colleagues Scott Hutton, chief of consumer and research; and Rachelle Frenette, general counsel.

Before we get to your questions, we'll briefly touch on two things. The first is the CRTC's role with respect to official languages and official language minority communities. We have decided to divide our five minutes. My colleague, Scott Hutton, will speak briefly on French culture and how it's been reflected in our decisions and as a result of our recent proceedings.

Starting with our role, as you know, the CRTC is an independent quasi-judicial tribunal that regulates the Canadian communications sector in the public interest. We hold open public hearings on telecommunications and broadcasting matters and make decisions based on that public record. We're responsible for achieving the policy objectives of the Broadcasting Act. The Act recognizes, among other things, that the English- and French-speaking communities have different requirements. We must consider the impact of our decisions with this in mind. In fact, the Online Streaming Act stated specifically that while the two communities share common aspects, it is our duty to consider “the minority context of French in North America”. This is something we strive to do in all of our decisions.

Over the years, the CRTC has established regulatory policies that take into account the different needs of the French-language market. These include, for example, the requirement that French-language commercial radio stations play a certain percentage of French-language music each week. We also require broadcasters in Canada to make certain culturally relevant channels available in markets where there are official language minority communities. These include important French-language channels such as TVA, ICI-RDI and MétéoMédia. These measures are, in part, how we are fulfilling the mandate given to us by the Broadcasting Act to make English- and French-language broadcasting of equivalent access and quality across Canada.

[Translation]

Mr. Scott Hutton (Chief of Consumer, Research and Communications, Canadian Radio-television and Telecommunications Commission): I'll echo the comments made by my colleague, Scott Shortliffe, at the start of our remarks. As an independent and quasi-judicial tribunal, the CRTC makes decisions based on the evidence submitted on the public record of its proceedings. We build that record by seeking input from the public and interested parties. This includes both English-speaking and French-speaking communities across Canada.

Additionally, the views of Quebec are well-represented in our processes through the input that we receive from Quebecers and interested parties. These parties include the Association québécoise de l'industrie du disque, du spectacle et de la vidéo; the Union des artistes; the Alliance des producteurs francophones; and the Quebec government. To give an example, a number of French-speaking groups and communities took part in our recent proceeding to implement the new Broadcasting Act. Organizations such as Audition Québec, community stations such as Télévision communautaire du Témiscamingue and province-wide stations such as Télé-Québec provided input. The Quebec government itself, through input from the culture and communications department, spoke about the importance of Quebec's support for its broadcasting system and argued that Quebec broadcasters shouldn't be penalized for receiving that provincial support.

Based on the public record and all the input provided, we identified French-language content and official language minority communities as two areas that need immediate support. Our decision to impose a base contribution for Canadian content streamed online, published earlier this month, ensures funding in this area.

This is just one example of many. French-speaking communities from across the country provide valuable input in all CRTC proceedings, including on the implementation of the Online News Act, the creation of the Internet Code and the review of the Wireless Code, just to name a few.

• (1650)

[English]

The Chair: You have 35 seconds.

[Translation]

Mr. Scott Hutton: We're required by the Broadcasting Act to ensure that French-language and official language minority communities have access to broadcasting that meets their needs. We do this by basing every decision on the public record that we build through open and transparent consultations.

We're committed to maintaining a constant dialogue with all our partners, so that we can continue our work and build on our track record of success in this area.

Thank you. We look forward to your questions.

[English]

The Chair: Thank you very much.

Now, we're going to go to the question and answer period. The first round is a six-minute round, and the six minutes include the question and the answer.

I'm going to begin with the Conservatives and Mr. Gourde for six minutes, please.

[Translation]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Thank you, Madam Chair.

I want to thank the witnesses for joining us today.

In its current form, does Bill C-354 contain any factors that bind the CRTC in its day-to-day operations?

Mr. Scott Hutton: As we outlined somewhat strategically in our opening remarks, we're consulting all communities in a fairly comprehensive manner. We focus on all aspects of the act—particularly part 3—that address the French fact, Quebec culture and official language minority communities. We pay particular attention to these matters, as we do to various aspects of CBC/Radio-Canada.

We're really looking into these issues. We have a great deal of participation from various companies and public stakeholders in our records. This basically gives the CRTC the full scope of the French fact, francophone culture and Quebec culture.

In the bill before us, we understand that we're being asked to do something more. At this point, with the CRTC's workload, I must respectfully admit that this means asking us to take an extra step when time is running out to implement the new version of the Broadcasting Act.

Mr. Jacques Gourde: Is a brief submitted by the Quebec government as important as a brief submitted by an organization? Do you treat them equally or, since the brief comes straight from the Quebec government, the National Assembly, do you pay close attention to it?

Mr. Scott Hutton: We pay close attention to all input provided, especially input based on fairly comprehensive data, research and viewpoints. Whenever the culture and communications department or any other Quebec government department provides input, we pay close attention.

Mr. Jacques Gourde: Have departments from other provinces or provincial governments themselves ever submitted briefs?

Mr. Scott Hutton: Yes, there are a number of them. Some provinces are more active than others. Of course, right now, the northern part of the country is getting a great deal of attention and the territories are providing input. Provinces where production generates a considerable impact, such as Ontario and British Columbia, are also very active with the CRTC.

Mr. Jacques Gourde: I liked the fact that you spoke about the specific nature of the French language. It's so important to take this into account in order to protect the language in Canada.

You spoke about some concrete measures that you took, but it wasn't clear. Can you elaborate on them or state them again?

Mr. Scott Hutton: I'll let Mr. Shortliffe talk about his recent decision.

Mr. Scott Shortliffe: Thank you.

There are two aspects. First, there are the previous decisions. For example, I spoke about the 65% minimum proportion of French-language content on commercial radio. The goal is to preserve the French language. This percentage is much higher than the minimum proportion of English content.

Second, there are the recent decisions. We allocated a certain amount to production funds, divided between the production of English and French content. However, we required that 40% of the funds be earmarked for the production of French content. Digital companies will have some flexibility. If they don't invest in the production of Canadian content, in English or in French, they must contribute to the Canada Media Fund to ensure the production of French content. This 40% threshold matters. French content in North America is now facing more pressure. The CRTC has decided to allocate more resources to the production of French content.

• (1655)

Mr. Jacques Gourde: Can you reassure us that francophone minority communities outside Quebec are very active in the CRTC consultations? Do you talk to them, or do they very often talk to you on their own initiative?

Mr. Scott Hutton: Our official languages champion, Ms. Frenette, will be able to tell you more about this, but, for many years, at the CRTC, we have had a joint working group that includes representatives of the country's official language minority communities, both anglophone and francophone, and we have been trying to have discussions.

It's not a decision-making forum. Because we are a tribunal, decisions are made elsewhere. However, we obviously try to explain and spread out future decisions and processes over time, so that those communities can prepare to consult us properly in the proceedings. Similarly—

[English]

The Chair: You have 35 seconds.

[Translation]

Mr. Scott Hutton: —when a decision is made, we meet with the representatives of those communities to give them an update, to explain it to them and to get their feedback.

Mr. Jacques Gourde: Has a government ever contradicted a group in its province on an issue where the two positions are diametrically opposed?

Mr. Scott Shortliffe: When we listen to them, there are a number of key things. It is important to have the point of view of governments and the private sector.

Mr. Jacques Gourde: Thank you, Mr. Shortliffe.

Thank you, Madam Chair.

[English]

The Chair: Thank you very much.

I'll go now to the Liberals.

We will go to Taleeb Noormohamed for six minutes, please.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Madam Chair.

Thank you, witnesses, for being here with us today.

Mr. Shortliffe, you spoke a lot about the nature of programming that takes place. Mr. Hutton touched on the consultations that take place. How much is the Government of Quebec consulted, or how much feedback do they give you, on average, during the course of a year?

Mr. Scott Shortliffe: It really depends on what we're consulting on, to be honest. If it affects francophone interests and the interests of the Province of Quebec, we have a long record—I was looking at it before we came—of cases where they've intervened with us. It depends from year to year, and it depends on the subject.

I will say that certainly they've taken a great interest in how Bill C-11 will affect francophones and francophone production, not only in Quebec but across the country. We've seen them be more active, and we welcome that. We want to hear from all aspects of Canada, and we have a special interest in ensuring that French is supported.

Mr. Taleeb Noormohamed: Can you think of any instances in which Quebec or other provinces were not given the opportunity to give feedback when they wanted to give you feedback?

Mr. Scott Shortliffe: There's none that I can think of. Certainly, we exist on the basis of public processes. We try to make them as well known as possible. We are open sometimes to procedural interventions. If someone says they haven't been given a fair chance to speak in front of us, we have a long record of expanding our time. We would welcome interventions from Quebec, and indeed from all provinces.

Mr. Taleeb Noormohamed: Given everything you've just said, I would turn to any of you who might want to respond and ask, what would this bill do, then, in terms of...? It seems to me that what the bill is asking for is already moot, because you already do it. You're already doing extensive consultation. You're already listening. You're already hearing from all the provinces, particularly Quebec, on a very regular basis. I'm just curious, without being disrespectful, as to what the value-add of this would be. Also, frankly, could you tell us what the risks of this might be?

• (1700)

Mr. Scott Shortliffe: I want to be very clear here. Our chair sometimes uses the phrase that “we're takers of legislation”. If in the wisdom of Parliament it passes this bill, of course we will implement it fully and enthusiastically.

I want to be clear that we're not here to testify in any way, shape or form against this legislation.

I will say, as my colleague, Mr. Hutton, outlined, that we do have a concern that if there's a growing tendency to say you must consult with this group, you must consult with that group, and it adds up over time, that can slow us down in a period of time when we're trying to move very fast. That is a concern we have if the Broadcasting Act is continually added to in that way. I also want to make it clear that we're not here to say, therefore, we object to this bill.

We do have a concern about our workload and about the expectations about consultations. Our view is that we consult openly. Anyone can come to us. If there is a bill, it can be read into in different ways. Will people have an expectation of pre-consultations? That is not in the bill, and I want to be clear that the bill was very carefully drafted. We are worried about expanding the scope of who we have to consult with before we make a decision.

Mr. Taleeb Noormohamed: I just want to be very clear that in the context of this, which speaks to the Government of Quebec, the cultural distinctiveness of Quebec and the francophone market, you've said pretty clearly that extensive consultations already occur. There are no instances in which the Province of Quebec or any other province has not had the opportunity to be heard at whatever length they saw fit, and you go to great pains to make sure that those voices are heard and that their opinions are considered.

If I were to put it this way, is there more that you could do, or do you feel that everything is being done that could possibly be done? It seems to me that it is. I don't want to lead you to a certain answer, but it seems to me that if everybody's saying, we have the chance to talk to the CRTC at length, at whatever time and place works for us, on the issues that are of concern, particularly to the francophone community and to Quebec, and nobody's saying, listen, the CRTC is shutting the door on us, I'm just curious if there is even anything more you could possibly do?

Mr. Scott Shortliffe: I'm going to ask my friend, Mr. Hutton, to answer, because in a legal sense, I don't think there's more to do. I think we can always do better in reaching out to people and encouraging participation.

Scott, would you like to address that a bit?

Mr. Scott Hutton: The new evolution of the Broadcasting Act certainly is asking us to do more consultation with everyone to make sure we do reflect the full diversity of Canada and we do reflect the objectives for Canada's broadcasting system that are reflected in there.

Certainly, with the act wisely passed by Parliament, we are stepping up what I would call more our "engagement approaches", which, as I mentioned before, we're doing with the OLMC groups. We're doing more issues that way. We've established a group, an indigenous relations team, which is going out throughout the country and visiting with various indigenous communities to try to get the pulse of those communities and ensure that they actually participate in our proceedings.

There is always more we can do, and we are working on that right now.

The Chair: Thank you very much.

I now go to the Bloc Québécois and Martin Champoux for six minutes, please.

[*Translation*]

Mr. Martin Champoux (Drummond, BQ): Thank you, Madam Chair.

I'll continue in the same vein as my colleague Mr. Noormohamed by talking about the notion of burden.

So far, I have heard all kinds of arguments against Bill C-354. None of them so far have made me blink, and none have led me to believe that, in the end, it may not be a good idea. None have led me to believe that we should discuss any aspect in particular, other than an amendment that may be discussed later on concerning consultations with the governments of the other provinces.

Mr. Shortliffe and Mr. Hutton, you said that passing the bill would add a workload to what you already have. It is a matter of informing the Government of Quebec of a study or a hearing that you are conducting on a particular topic. Explain to me how such a process could be considered an additional burden on an already full schedule, as I would like to know how you view that approach.

● (1705)

Mr. Scott Hutton: Yes, we publish public notices. We are constantly improving our efforts to involve everyone, including interested parties, such as the Government of Quebec or—

Mr. Martin Champoux: I'm going to interrupt you, Mr. Hutton—

Mr. Scott Hutton: We're already doing that.

We don't want to argue against the bill. We'll implement it if we have to. What makes us think, however, is that the consultation proposed here seems to go beyond simply warning interested parties that proceedings are coming and asking them to intervene. It seems to be something more.

As you know, we're already doing all these good things. The bill adds something more, and people will expect something more. However, it is not defined. That's what we're trying to say.

Mr. Martin Champoux: What the bill says is simply to inform, to consult. In my opinion, this is not something that is very restrictive in terms of time.

That was a request from Quebec's minister of culture and communications, at the very end of the process surrounding the study of Bill C-11, which was nearly passed. Obviously, we all agreed that the Government of Quebec's approach came a little late.

In this case, the bill is trying to meet certain demands of the Government of Quebec, including this one, which seems very simple to me. The bill asks that Quebec be systematically informed and consulted when measures are being adopted or hearings are being held on a subject that concerns the province. I will give you two examples to show how the CRTC may sometimes need the Government of Quebec's help.

In 2005, the CKAC radio station closed. The Quebec National Assembly unanimously passed a motion asking the CRTC not to allow the closure of CKAC, which was literally part of Quebec's radio heritage. Despite this, the CRTC decided to stand by its decision and allow the station to close.

There was also the issue of 911. At one point, there were no regulations requiring that 911 services be in French in Quebec. The Government of Quebec asked the CRTC to regulate the matter and to correct the situation, as it made no sense. However, the CRTC has not changed its regulations. It simply informed the telecommunications companies and asked them to adjust.

So there are some elements that justify a somewhat more sensitive consultation. I don't think that's too much to ask. We are not asking for all powers to be transferred to Quebec. We're not saying that the CRTC isn't doing its job properly. That's not the case at all, and I hope that's not the impression you're getting from me.

The purpose of the bill is as follows: When the CRTC is about to do something, we ask it to inform Quebec so that the province can prepare. The CRTC could ask Quebec to comment, to submit questions or to submit a brief so that it can study the issue. That does not mean that the CRTC will apply everything that Quebec has submitted to the commission. It means that the CRTC will inform Quebec of what it is about to do. Since Quebec will certainly have something to say about it, the CRTC will be there to listen. It's not really any more complicated than that.

That is why I am wondering about you saying that it represents an additional workload. As you said, in many cases, Quebec is already speaking out during hearings on issues concerning broadcasting, telecommunications and the CRTC, among others.

Mr. Scott Hutton: Whether we have public proceedings or not, we pay attention to motions passed unanimously by the legislative assemblies of Quebec or any other province, or by the House of Commons. That's what we're doing right now.

You talk about informing Quebec, and we are already doing that. There is no doubt that we can continually improve. That's not the issue. The consultation requirement in the bill is what gives us pause. That word alone makes things less clear for us because elsewhere in our act and our processes, it means something more comprehensive.

[*English*]

The Chair: You have 30 seconds.

[*Translation*]

Mr. Scott Hutton: We are an organization that operates at arm's length from the government. I must confess that there is some discomfort with the idea of being asked to consult governments in another or different way.

Mr. Martin Champoux: I want to ask you something about the specific case of Quebec. In light of the status of French in North America, do you agree that Quebec is justified in feeling that it should be consulted on these issues specifically?

• (1710)

Mr. Scott Hutton: We pay considerable attention to the Quebec government's submissions in relation to our proceedings. The Gov-

ernment of Quebec is a major funding partner for Canadian programming and French-language Quebec programming. For decades, we have played a complementary role in the effort to ensure that Quebec's francophone community and culture thrive.

[*English*]

The Chair: Thank you very much.

Now, for the New Democrats, we have Niki Ashton.

Niki, you have six minutes.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Thank you very much.

[*Translation*]

My first question is for Mr. Hutton.

Mr. Hutton, Statistics Canada released data showing that, for the first time in our history, French is in decline, not just across the country, but also in Quebec. I'd like to know whether, in carrying out its activities, the CRTC took concrete measures in recent years as a result.

When those data came out, they influenced the work of parliamentarians and the government. Did they influence the work you do at the CRTC?

Mr. Scott Hutton: I'll start, but I may ask Ms. Frenette to round out my answer if need be.

Yes, the CRTC is a designated organization under part VII of the Official Languages Act. One of our responsibilities is to implement positive measures that contribute to enhancing the vitality of official language minority communities, OLMCs, across the country. That responsibility is very important to us. We consult with OLMCs, not only to let them know about upcoming proceedings, but also to notify them of decisions we've made. We seek out their comments and feedback, and we do take some of the suggestions we receive from OLMC groups. Our involvement includes submitting reports to the official languages commissioner.

We also work in partnership with the Department of Canadian Heritage. Every year, we report on our progress in providing support to OLMCs. As Mr. Shortliffe mentioned, not even a month ago, we put measures in place to support French-language programming across the country by charging fees to support audio and audiovisual programming. The goal is to support and promote Canada's full diversity, especially OLMCs.

Do you have anything to add, Ms. Frenette, or does that cover it?

Ms. Rachelle Frenette (Legal Counsel, Canadian Radio-television and Telecommunications Commission): I think you pretty well covered it, Mr. Hutton.

The CRTC is indeed subject to the Official Languages Act, and accordingly, we are required to take positive measures to enhance the vitality of OLMCs. We also have enhanced obligations under the Broadcasting Act with respect to the objectives of the broadcasting policy and OLMCs. The CRTC is very aware of the circumstances facing OLMCs, and performs its regulatory duty to ensure their survival.

Ms. Niki Ashton: Very good.

My fellow members have asked about consultation in Quebec, but I'd like to know whether the decline of French is clear enough here, in western Canada. How do you consult francophone communities out west, meaning those outside Quebec and Acadia?

• (1715)

Ms. Rachelle Frenette: We are familiar with the organizations that represent those communities, and we invite them to participate in our public proceedings. We were recently seized with an issue affecting Alberta's francophone community, so we actively sought the community's input to help us make decisions tailored to the local reality. That's one of many examples.

Ms. Niki Ashton: Very good.

[English]

I want to quickly switch to English.

I was interested in hearing a bit more about your consultation with indigenous communities.

Obviously, this connects somehow to official languages. It is, I think, something that all of us, as parliamentarians, would like to hear more about, given Canada's responsibilities around reconciliation.

Could you share some feedback on the kind of work you're doing in terms of consulting with indigenous communities?

Mr. Scott Shortliffe: Absolutely.

We launched a process to co-develop an indigenous broadcasting policy. We did a first stage preCOVID. Then, with COVID, we unfortunately had to stop. Currently, we are soliciting interventions from indigenous people. It's going to be a bit of a long process, because we want to co-develop. We don't want it to be coming just from the CRTC. We want to work with indigenous audiences and creators across Canada and help them define what indigenous content is and what is relevant to their communities.

I'll throw this in, because we're short on time: We also created an indigenous relations unit, which reports to Mr. Hutton. It is actively creating links with indigenous communities on both the broadcasting and telecom fronts. It will serve us well in the years to come.

I'll also just say, in this somewhat public forum, that we are hoping indigenous people will participate more. We know we have to do more outreach. We know it can be difficult to go in front of a quasi-judicial tribunal, as we frequently call ourselves. We need to do more with indigenous people and involve them in creating poli-

cies, because we are reflecting their nations and realities as well as a broader Canadian reality. This is something we are very much committed to as a commission.

The Chair: Okay. Thank you.

Now I'm going to the second round. I'm going to make a truncated round of that. It's going to be 2.5 and 2.5 for a total five minutes. We're not going to the second piece of the second round, because we have to move on.

We'll go to Mrs. Thomas for the Conservatives.

You have five minutes, Rachael.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you very much.

A very quick question I have for you is this: The bill uses the word "consult". If this bill were to go through, how would the CRTC define "consult"? How would you know, in fact, that you have done so?

Mr. Scott Shortliffe: Since the bill hasn't passed, we haven't turned our minds to exactly how we would implement it. We would, of course, need to see the final version of the bill.

What I can say is that we try to interpret bills in the spirit in which Parliament passes them. We would take this as being meaningful consultation. We would need to reach out to the Province of Quebec and make sure they have the opportunity to intervene in our processes.

Mrs. Rachael Thomas: Sure.

One thing that is continually happening at this table is a lot of talk about consulting with Quebec. However, you'll note that Bill C-354 also requires you to consult with the governments of other provinces.

Is that correct?

Mr. Scott Shortliffe: Yes, absolutely. That is an element we have to look into.

We're very aware of the status of official-language minority communities across Canada. We are trying to do more with them—our annual meeting with them has now become a three-times-a-year meeting. We would absolutely respect the bill and reach out to every province to discuss the status of their official-language minority communities.

Mrs. Rachael Thomas: Great.

You are here, of course, as representatives of the CRTC. You're responsible for regulating radio, television and, under Bill C-11, the Internet. You've already stated that's a pretty big job.

There are, of course, many anxious players in the field who are looking for a definition of CanCon. It was defined in the 1970s. It's quite antiquated. It was created for radio and broadcast television. The players who need this definition are making business decisions day in and day out. They've been told to sit tight—that there are other regulatory decisions being made first.

When can they expect an updated definition of CanCon?

• (1720)

Mr. Scott Shortliffe: We're working on several steps. We're looking at a hearing early next year, but so far this year we've done engagement sessions with members of the industry in cities across Canada. We had over 300 participants in that. That gave us a good view of what members of the industry think. That includes, by the way, streamers: It was not just with traditional Canadian broadcasters. We're working now on a report on that. We're also trying to stand up...so public opinion research—

Mrs. Rachael Thomas: I'm sorry. I'll just bring you back to my question here, because you're getting off-topic. I'm just asking, when can stakeholders expect a definition of CanCon?

Mr. Scott Shortliffe: In 2025.

Mrs. Rachael Thomas: At what point in 2025 is that?

Mr. Scott Shortliffe: I'm unable to give you a precise point yet, but we're trying to move it up as fast as possible.

Mrs. Rachael Thomas: Do you think it might be spring 2025?

Mr. Scott Shortliffe: I really can't give you a precise estimate at this time. I'm sorry.

Mrs. Rachael Thomas: Why is the definition of CanCon not given priority? It seems like that should have been the thing to lead with.

Mr. Scott Shortliffe: The commission made a decision to start with contributions to the system. We see CanCon as a priority. I'll say that one element of CanCon we need to do is engage Canadians, not just the industry, on the definition of CanCon, and that does take some time. However, we realize that this is something important that we need to get right, and that will take some time.

Mrs. Rachael Thomas: One thing that streamers are now stuck with, of course, is paying a 5% tax. It's going to go into a fund that is going to pay for CanCon, but they don't actually know what CanCon is. Don't you think that's a little backwards?

Mr. Scott Shortliffe: Well, they're being asked to make a contribution. Obviously, taxes are collected by revenue. We actually gave them the flexibility, saying, “If you spend on the existing definitions of CanCon”—there is an existing definition—“instead of contributing to a fund, you can spend directly.” Our objective here is to create more Canadian content. It's not necessarily to support a fund. We gave them that flexibility.

Mrs. Rachael Thomas: You just used the definition of Canadian content. You actually haven't updated it for them yet, but you told them that's what the money is for.

Mr. Scott Shortliffe: There is an existing definition, which we have said we are in the process of updating. They can use the existing definition for direct spending currently.

Mrs. Rachael Thomas: Just to be really clear here, you just issued some word salad to basically say they can still sit tight, but they'll be forced to pay this 5% tax towards something, and they actually don't even know what it is because it's not yet defined, according to the definition that will be coming in 2025. You're asking them to pay a new tax towards an antiquated definition.

Mr. Scott Shortliffe: I would say that we asked them to contribute to the Canadian broadcasting system, as the bill passed by Parliament requires us to do. They are doing it in many different ways. They have flexibility in how they're doing it. We will continue to update our—

Mrs. Rachael Thomas: Mr. Shortliffe, I'm going to cut you off there, because I do need to move a motion, but thank you very much for giving it your best shot.

The Chair: You have 30 seconds.

Mrs. Rachael Thomas: I just gave notice that I'm moving a motion, which means the clock stops. I am moving a motion. “Given the amount....”

I'm sorry, Chair, but I just said that I'm moving a motion.

The Chair: Go ahead, please, Ms. Thomas.

Mrs. Rachael Thomas: I'm just being interrupted across the table.

The Chair: Move your motion.

Mrs. Rachael Thomas: Thank you.

The motion that I wish to move is as follows:

Given the amount of outstanding work at this committee, the committee instruct the chair to schedule five meetings between July 8 and September 13 to address reports that consumers may face higher prices after streaming giants are told to invest \$200 million in Canadian film, TV and music, and the impact this will have, the minister's outstanding appearance on anti-racism and other matters deemed relevant by the committee.

The reason I'm moving this motion is that this committee certainly has quite a few things on the docket that are outstanding. There's nothing that precludes us as individuals here at this committee from working over the summer. My suggestion is that we would then take on five meetings from July 8 to September 13.

Let me give some examples. Bill C-11, of course, threatens the choice and reasonable prices that Canadians have with regard to access to streaming. The slowness with which regulations are rolling out from the CRTC does need to be looked into. The impact that those regulations are going to have, not only on Canadians as consumers but also on stakeholders, is really important for this committee to better understand.

In addition to that, we have a motion that was brought forward by Ms. Ashton, asking for the minister to come concerning the anti-racism strategy. It was agreed to at this committee that we would try to do that as soon as possible. That is something that could be done over the summer.

Furthermore, the CBC CEO, Ms. Catherine Tait, was here earlier, about six weeks ago. She stated to us that the board for the CBC would be meeting this month, June, in order to determine the bonuses that would be given to executives. Of course, I think this committee has great interest in knowing what the final decision is concerning those bonuses. That decision, of course, will be made in June, and then they're supposed to be dished out in July. We would have the opportunity to bring her forward as the CEO for the CBC and to ask her questions with regard to that decision-making process, therefore allowing for transparency and accountability concerning the 1.4 billion taxpayer dollars that go towards the CBC every year.

These are just a few of the reasons it would be a good idea for us as a committee to meet over the summer. I am therefore moving this motion.

• (1725)

The Chair: Is there any discussion on the motion?

Mr. Coteau.

Mr. Michael Coteau (Don Valley East, Lib.): Yes. I'd like to move to adjourn debate on the motion.

The Chair: Shall we vote by simple majority?

Did you wish to speak, Mr. Champoux? There's a motion on the table.

We will call the vote on the motion.

(Motion agreed to: yeas 7; nays 4)

The Chair: The motion does not carry, so we shall resume.

We have another five and five—10 more minutes to go on this before we leave.

I will go with, for the Liberals, Michael Coteau, for five minutes, please.

Mrs. Rachael Thomas: All right, well, here we go. Thank you, Chair.

Mr. Michael Coteau: I have the floor, don't I? It was—

The Chair: You had the floor when you brought forward your motion to adjourn.

You have five minutes.

Mrs. Rachael Thomas: Chair, on a point of order, I'll just highlight for you that you just ruled that the motion to adjourn “does not carry”—

The Chair: Oh, I'm sorry.

Mrs. Rachael Thomas: —which means that we are continuing to discuss my motion.

The Chair: Ms. Thomas, you know what I meant. You heard the vote.

Mrs. Rachael Thomas: No, I don't, Chair. I'm giving you the opportunity, as a courtesy to you, to clarify—

The Chair: You heard the vote. The motion to adjourn carries. Thank you.

Mrs. Rachael Thomas: Okay.

The Chair: Mr. Coteau.

Mr. Michael Coteau: Thank you so much.

Thank you to the witnesses for being here.

I read the bill, and I read some of the background documents, and it seems pretty simple. It says that we can go out there and consult the Quebec government and other provinces, but you're saying we do that already. Is that correct?

Mr. Scott Shortliffe: What we're saying is that we're open to anyone participating in our proceedings. We frequently have provinces and territories participating in our proceedings. They are open to all, whether it's a province or an individual.

Mr. Michael Coteau: You've read the bill, or least the notes. Is there any difference between what this is asking and what you currently do? Are there any specifics?

Mr. Scott Shortliffe: I think, again...and I have to be very careful about this. We're not here testifying against the bill.

• (1730)

Mr. Michael Coteau: That's not the question, right?

Mr. Scott Shortliffe: No, but what we are saying is that when you say there is a duty to consult, our concern is that if next year, Parliament, in its wisdom, adds a duty to consult with another group and another group, at a certain point do our proceedings become unworkable? It's a future working issue.

Mr. Michael Coteau: I understand the term “duty to consult” from that perspective. I understand that being required is different from consulting.

We know that the French language is probably the fastest-growing language internationally. I think that by 2050 there will be 750 million speakers on the planet. It's growing rapidly. There are 125 million learners around the world as we speak today.

The content is important for Canada, but it also contributes content to the world, so there's an economic piece. Obviously, there's a second-language responsibility as Canadians, as part of who we are as Canadians, but there's an economic piece to it.

All across this country we have pockets outside of Quebec—large pockets, in some cases—of French-speaking Canadians. One of your responsibilities in your mandate is to issue licences to regulate. My question is, over the last five years, how many licences have you issued to French-speaking communities outside of Quebec?

Mr. Scott Shortliffe: I would have to take an undertaking to get back to you on that. I'm afraid I don't have the number with me directly, but we have licensed television services, radio stations and community radio stations. I can get a full breakdown and bring it to you. I would be happy to do so.

I'll also say that we also work with and consult with, for example, French production companies. I mentioned earlier that we travelled across Canada asking about definitions of Canadian content. When we did that, we also met with production companies. I had the opportunity to sit down with a French-language production company—

Mr. Michael Coteau: Can I jump in? I have only a few minutes.

Mr. Scott Shortliffe: I'm sorry. I was enthusiastic.

Mr. Michael Coteau: No, I really appreciate your answer.

Your mandate is to create, connect and protect. A big part of that would be making sure that French-speaking Canadians have the type of content that contributes to keeping people connected and providing the right information. I know that you don't create content, but you create the conditions that allow that to happen.

My question is, in this current environment—and we've seen media shift drastically—do you issue licences where they may potentially not make money but at the same time serve to protect, create and promote?

Mr. Scott Shortliffe: We do, certainly, with community stations. I think, though, that we want to have a virtuous circle where supporting French also makes you money, and we're looking at how to do that.

I think we also see one thing with streaming and other services: that there's also an opportunity to bring French-Canadian content across the world. We think that when we talk about integrating streaming services in, it's not just challenges. It is also opportunities, and it's something we're looking forward to engaging more with them on in the future.

Mr. Michael Coteau: I heard you say at the very beginning that there was a requirement for French-speaking channels to have a certain amount of French content.

If they're French-speaking channels, shouldn't they be entirely French?

Mr. Scott Shortliffe: I'll just say that it's interesting. For example, if you look at French radio stations, they have said to us openly that younger people are listening a lot to English songs because they're popular, and that they go to streaming services and listen to songs, so the radio stations sometimes say, "Can we broadcast less in French?"

We have said that we understand what they're saying to us and the business pressures, but having French available is an absolute necessity. That is the judgment that the commission has made today.

Mr. Michael Coteau: Thank you, Chair. I appreciate it.

The Chair: Thank you very much.

I now go to Martin Champoux for two and a half minutes.

[*Translation*]

Mr. Martin Champoux: Thank you, Madam Chair.

Mr. Hutton, you said that you were in regular contact with OLMCs in relation to any proceedings impacting French. You also said that you were building close ties with indigenous communities,

which is great. Building those ties will ensure systematic engagement.

This isn't a trick question, but I would like to know whether the CRTC, in its work, treats Quebec the same way it treats OLMCs, or whether Quebec is given special consideration.

• (1735)

Mr. Scott Hutton: As an administrative tribunal, we make our decisions in the context of proceedings. All viewpoints matter equally. Of course, some participants' views are very well-thought-out, backed by statistics and such. That is what we want to base our decisions on. We have—

Mr. Martin Champoux: Yes, I appreciate that, but I have just two and a half minutes. Like my fellow member—

Mr. Scott Hutton: —obligations with respect to OLMCs, especially consulting them and taking positive measures under the Official Languages Act. We discharge those obligations in all the activities we carry out.

Mr. Martin Champoux: That means you already have a duty to consult groups like OLMCs and to build ties like the ones you're building with indigenous communities.

Mr. Scott Hutton: That is correct.

Mr. Martin Champoux: It's not an idea that's foreign to you, then. Thank you.

I do want to point something out. From our standpoint, Quebec isn't just another group. It is an essential tool for protecting and promoting French in Quebec, in Canada, in North America and across the francophone world.

Again, thank you very much.

Mr. Scott Hutton: We fully agree, and we give significant consideration to what Quebec has to say during our proceedings.

Mr. Martin Champoux: I know. I do want to say in the few seconds I have left that the CRTC has often stood its ground in the face of radio broadcasters asking for lower French music quotas. In a number of cases, the CRTC has been unwavering, standing firm and taking into account the viewpoint of cultural organizations, which, frankly, regularly have to fight for their interests before your tribunal.

Thank you.

[*English*]

The Chair: Thank you, Mr. Champoux.

Niki Ashton, you have two and a half minutes, please.

[*Translation*]

Ms. Niki Ashton: Thank you.

I think a lot of what's being proposed today has to do with supporting French-language broadcasters right across the country. The fact that they serve minority communities is important, and this bill recognizes that.

[*English*]

I want to shift to that, particularly around the question of challenges that smaller, local broadcasters face, not specific to the francophone context, but more broadly.

CHTM AR radio, here in northern Manitoba, performs an essential service in the radio services they provide. They are community radio in what is largely a media desert. In fact, just recently, when wildfires burned down the fibre optic cables to Flin Flon, which is one of our major centres, everybody was getting their news about fires and possible evacuations, etc., from AR radio, which is part of the CHTM AR network.

They have been clear about some of the challenges they face, particularly around CanCon. They get a lot of their music from services such as DMDs that usually provide MAPL data. It's left to them to decide, based on the three categories, if it fits the list etc. I am sure you can appreciate that for a small radio station that is doing essential work, that can be quite taxing.

One thing that they have raised is challenges with respect to the CRTC data.

I'm just wondering if it wouldn't better for stations across Canada to have access to the exact database that the CRTC works with instead of having small radio stations expend resources that they don't have or capacity they don't have, trying to guess if a song was made by a Canadian artist or was recorded in Canada, etc.

Mr. Scott Shortliffe: Your point is extremely well taken. There are two pieces of work that we're looking at now. The first is how to reduce the administrative burden on radio stations, because we think it has perhaps grown greater than it should have. Secondly, we're looking at possible solutions for a database of Canadian content, so that we can offer a solution.

These aren't done yet, and of course, the government's record of making sure it has databases and technological solutions that roll out seamlessly is not perfect, but it is something we see as a priority. We know radio stations need help, and we see them, as you so eloquently put it, as being absolutely key and core to communities, especially with community newspapers across Canada—

The Chair: Thank you, Mr. Shortliffe.

I want to thank the witnesses for coming in and sharing some of their wisdom with us.

I will now suspend for a few minutes, so that we can go to the second group.

Thank you.

• (1735) _____ (Pause) _____

• (1745)

The Chair: I call the meeting back to order, please.

We are meeting with our second round of witnesses on the bill.

I'm sorry, everyone. I am just a little punchy. I came in on a red-eye, and I don't even know what I'm saying right now.

We're hearing from witnesses on Bill C-354. I will introduce them.

We have, from the Fédération culturelle canadienne-française, Manon Henrie-Cadieux, director of strategy and government relations. From the Fédération des communautés francophones et acadienne du Canada, we have Liane Roy, president, by video conference, and Serge Quinty, director of communications.

Please begin now. You have five minutes to present per group.

I want to thank you for coming.

We'll begin with Manon-Henrie Cadieux for five minutes, please.

[*Translation*]

Mrs. Manon Henrie-Cadieux (Director, Strategy and government relations, Fédération culturelle canadienne-française): Good afternoon, members of the Standing Committee on Canadian Heritage, Madam Chair, and ladies and gentlemen.

I sincerely appreciate the opportunity to appear before you today. My name is Manon Henrie-Cadieux, and I am the director of strategy and government relations at the Fédération culturelle canadienne-française, or FCCF for short.

I should say that the FCCF is the political voice of arts and culture in Canadian and Acadian francophone communities at the national level. The FCCF co-operates closely with, and has the support of, the Fédération des communautés francophones et acadienne du Canada in providing leadership in broadcasting matters.

A clear and active stakeholder in the Yale report and the bills that followed, the FCCF helped to highlight the specific circumstances, concerns and needs of francophone minority communities. We are deeply engaged in sustained advocacy with the CRTC, to ensure that the Online Streaming Act is effectively implemented. Our active involvement in the current public consultations attests to that advocacy, especially regarding the strengthened provisions on the duty to consult communities and the way they are to be consulted. Our impactful contribution to the dedicated forum for communication between the CRTC and OLMCs, the CRTC-OLMC Discussion Group, also attests to the FCCF's advocacy work.

Thank you for the invitation to discuss the opportunities afforded by Bill C-354, which the Bloc Québécois introduced.

• (1750)

Mr. Martin Champoux: Madam Chair, I have a point of order. It's hard to focus with all the chatter around the table while the witness is giving her presentation.

[*English*]

The Chair: Could everyone who is chatting please take it outside? I think we're finding it difficult to focus. Thank you very much.

[*Translation*]

Mrs. Manon Henrie-Cadieux: Thank you for inviting the FCCF to discuss the opportunities afforded by Bill C-354, which the Bloc Québécois introduced. The bill seeks to amend the Canadian Radio-television and Telecommunications Commission Act to make it mandatory for the CRTC to consult with the Government of Quebec on Quebec's cultural distinctiveness, before furthering its objects and exercising its powers in respect of aspects of the Canadian broadcasting system. We very much support that. The fact that Quebec would have an additional say in matters relating to its cultural distinctiveness and the CRTC would increase the importance of protecting and promoting French. That, in turn, would benefit us.

The FCCF is asking the government to ensure that its directions to the CRTC help to broaden the impact of measures to support the French language, ranging from supports for francophone production to the discoverability of francophone cultural content. You, our elected officials, just finished working on a modernized Official Languages Act in order to strengthen the obligations set out in the act. It reaffirms the goal of achieving substantive equality between the official languages, and now is the time for action.

Leading up to October's francophonie summit in Paris, stronger Canadian leadership is needed in order to overcome the barriers that threaten the future of the French language and francophone culture all over the world. This bill would go a long way on that front.

As representatives of the vital cultural sector, we are here today to highlight the importance of removing a reference from Bill C-354. Unlike Quebec, the other provinces should not be called upon to inform the CRTC about matters relating to their French-speaking markets. That is asking them to do the impossible. That misguided notion should be removed from the bill, and groups like ours should instead be designated to represent francophone communities when it comes to these issues. We have legitimate mandates, effective mechanisms for advocacy and the necessary expertise. We have a decades-long track record of helping to shape policies that support the development of francophone communities. We are the only stakeholders with the on-the-ground knowledge to carry out this responsibility.

We would be grateful to you for determining that groups like ours are best equipped to inform the CRTC of what Canada's francophone minority communities need. The choices the country is about to make to support our language and culture are more critical than ever. At stake is the diversity of our cultural expression, its future and influence at home and abroad.

Thank you for this opportunity. I look forward to answering your questions.

[*English*]

The Chair: Thank you very much.

I now go to the Fédération de communautés francophones et acadienne.

Who is going to speak?

[*Translation*]

Mr. Serge Quinty (Director of Communications, Fédération des communautés francophones et acadienne du Canada): Ms. Roy will be giving the presentation.

[*English*]

The Chair: Madame Roy, please begin. You have five minutes.

[*Translation*]

Ms. Liane Roy (President, Fédération des communautés francophones et acadienne du Canada): Good evening, Madam Chair and members of the committee.

Thank you for inviting us and our colleague from the Fédération culturelle canadienne-française, the FCCF, to testify before you today.

My name is Liane Roy, and I'm accompanied by our director of communications, Serge Quinty, who is attending the meeting in person and who will be able to answer your questions.

The Fédération des communautés francophones et acadienne du Canada, or FCFA, is the national voice of 2.8 million French-speaking Canadians living in a minority situation in nine provinces and three territories. The FCFA is the head of a national network of some 900 French-language organizations and institutions across the country. Our communities are determined to live in French, and they work to do so every day.

Over the years, we have invested in a number of spaces and sectors necessary for the vitality of our francophonie, including the media and audiovisual space. We have developed a network of francophone community radio stations. We have an educational television channel, TFO, which is present not only in Ontario, but also in Manitoba and other provinces. We are constantly working with Radio-Canada to ensure that our communities are better represented, not only in the content broadcast by regional stations, but also in national programs and newscasts.

In recent years, two major pieces of legislation in our country have been modernized. The FCFA has taken a leadership role in the modernization of the Official Languages Act. At the same time, we supported the FCCF's work to ensure that the new Online Streaming Act adequately takes into account the realities and needs of our communities. One of the major gains in this regard is the addition of section 5.2 to the Online Streaming Act, which requires the Canadian Radio-television and Telecommunications Commission, or CRTC, to consult official language minority communities when it is preparing to make decisions that have an impact on them. This clause is essential because, I admit, the CRTC's consideration of our realities has been uneven over the years, and even unsatisfactory in a number of cases.

For 18 years now, there has been a discussion group reserved for dialogue between the CRTC and official language minority communities, the CRTC-OLMC discussion group. As its name suggests, it is essentially a forum for discussion and not an advisory body. Since October 2023, our communities have been calling for the group to become a proper advisory committee. This transformation is necessary, given the CRTC's new obligations under the Online Streaming Act.

All that said, we agree on the importance of the CRTC conducting much more systematic consultations on the realities of francophone markets in the country, including the cultural specificity of Quebec.

However, part of Bill C-354 poses a problem, the part dealing with francophone markets outside Quebec. As worded, the bill provides that the CRTC will have to consult the governments of provinces other than Quebec on the realities of the francophone markets there. However, to be perfectly frank with you, the sensitivity of these governments to the francophone varies. Some governments have difficult relations with their francophone communities. The francophone and Acadian communities and the organizations that represent them are in a much better position to describe the realities of the francophone markets at the CRTC, as required by the bill. For example, the FCFA, the FCCF, provincial and territorial francophone organizations, the Alliance nationale de l'industrie musicale and the Alliance des producteurs francophones du Canada have all been part of the CRTC-OLMC discussion group for 18 years now. This shows that the CRTC understands and recognizes their legitimacy in speaking on behalf of francophone and Acadian communities. We therefore respectfully ask you to amend Bill C-354 so that the organizations of the francophone and Acadian communities, and not the provincial governments, are the CRTC's first points of contact for reporting on the realities of francophone markets outside Quebec.

Thank you for your attention. We are ready to answer your questions.

• (1755)

[English]

The Chair: Now we'll go into the question and answer section. I think we're going to have time for only one six-minute round.

We'll begin with the Conservatives and Monsieur Gourde.

Mrs. Rachael Thomas: Chair, I'm sorry. Are we not hearing from the other witness?

The Chair: Oh, I'm sorry. Gosh. This is what happens when you don't get any sleep. I'm sorry.

I think we have only two people who presented, so we're now getting to the questions and answers.

I'll begin with Mr. Gourde from the Conservatives for six minutes.

[Translation]

Mr. Jacques Gourde: Thank you, Madam Chair.

I'd like to thank the witnesses for being here. This is really interesting.

Ms. Roy, you talked about a discussion group that led to an advisory committee. Do you want to expand on that a little bit? I'm interested in that.

Ms. Liane Roy: No, that's what we'd like to see. The discussion group is still a discussion group. Since October 2023, community organizations have very much wanted to see this discussion group become a full-fledged advisory committee.

• (1800)

Mr. Jacques Gourde: Thank you, Ms. Roy.

We talked to representatives from the CRTC earlier. They are relatively lukewarm—pardon the expression—to Bill C-354 because they don't want to give an advantage to the Government of Quebec, or any other provincial government, for that matter. The CRTC prefers to cast a wide net in its consultations and invites everyone who wants to submit briefs to do so, including governments and associations across Canada. It says that it does not necessarily place greater importance on government briefs than on briefs submitted by associations.

Have you noticed the CRTC's way of doing things? Could you comment on that, please?

Ms. Liane Roy: Thank you for the question.

Indeed, as its representatives say, the CRTC really likes to hold major consultations or public hearings. What would be important for us would be to have more individual discussions with the CRTC. I can let my colleague Mr. Quinty, the director of communications for the Fédération des communautés francophones et acadienne, tell you more, because he has had a lot more experience with the CRTC on this issue.

Mr. Serge Quinty: Thank you very much for the question, Mr. Gourde.

Indeed, when the CRTC-OLMC discussion group meets, the message is always that the CRTC's objective is to prepare us for the upcoming public hearings, during which it will hold real consultations, and during which it will prepare a public record on which it will make its decisions.

That said, the CRTC still has obligations under the new Broadcasting Act, in particular to consult communities before making decisions that could have an impact on them. The CRTC is also required to take positive measures under the Official Languages Act.

We think all that justifies that there be a consultation exercise other than public hearings, in advance of the decision-making, and that we be able to work together on that.

Mr. Jacques Gourde: The CRTC seemed to want to maintain its independence and impartiality as much as it could. It didn't like the idea of consulting a government before starting a new process. Do you have any comments on that?

Ms. Liane Roy: I think that the comments in Mr. Quinty's response are quite general, complete and specific on this issue.

Mr. Jacques Gourde: Mr. Quinty, the CRTC seemed uncomfortable receiving a government brief and having to go through the process, given its independence and desire for impartiality in its decisions. Do you feel the same way as the CRTC, or are there things that need to be changed?

Mr. Serge Quinty: The Canadian Radio-television and Telecommunications Commission certainly sees itself as a quasi-administrative tribunal. The way it works, consultations take the form of public hearings. It makes its decisions based on the public record that's put together. That's the process that's been in place for a number of years.

The new Online Streaming Act includes new consultation obligations, which are not limited to official language minority communities. They apply equally to indigenous peoples and diversity groups. It's clear that the CRTC is currently trying to figure out how to deal with this new universe.

We've been very proactive at the Fédération des communautés francophones et acadienne du Canada and the Fédération culturelle canadienne-française. In our view, the new paradigm in which we find ourselves means that we have to make the CRTC-OLMC discussion group, which has been in place for 18 years, something different. We can't continue doing things as they were done under the old Broadcasting Act, since the new version of the act includes new consultation obligations.

That's where we stand, Mr. Gourde.

• (1805)

Mr. Jacques Gourde: All the organizations would like to see the CRTC's way of thinking evolve, as a result. Given that it currently sees itself as a quasi-judicial tribunal, could it be more open-minded about the future?

Mr. Serge Quinty: Yes.

Mr. Jacques Gourde: Thank you.

[English]

The Chair: I now go to the Liberals and Taleeb Noormohamed.

Taleeb, you have six minutes, please.

[Translation]

Mr. Taleeb Noormohamed: Thank you very much, Madam Chair.

Mr. Quinty, thank you for being here.

You're aware of the consultations that the CRTC is conducting with Quebec and francophone communities across Canada. Today, the CRTC said that it had never received any complaints about its level of consultation with francophone communities or the province of Quebec.

Can you give specific examples of cases where the views of Quebec or francophone communities weren't taken into account?

Mr. Serge Quinty: I obviously can't speak for Quebec, since the FCFA's sphere of activity is the francophone minority community. What I can say, with the enormous respect I have for the CRTC, is that we've been telling it for a few years that its CRTC-OLMC discussion group must be reviewed and its mandate narrowed so that

there are more targeted discussions and it is advisory. After all, it brings together a number of groups every year, from each province and territory, that have expertise on the francophonie. They've been the same groups for 18 years, and that fact alone is a testament to the legitimacy that the CRTC recognizes.

We've been saying for a few years now that the way this group's meetings have been conducted isn't satisfactory. We need that discussion group to be more than what it is right now. Considering the consultation obligations that the CRTC now has under the new Online Streaming Act, it's essential that this group evolve in order to better equip the CRTC and enable it to do its work better.

Mr. Taleeb Noormohamed: It's clear that the CRTC will hold consultations under the new act. It said today that it wanted to continue to improve its consultation process. It also said that it had frequent discussions with the Province of Quebec and that it therefore didn't close the door on the point of view of the province or the francophone communities.

As a result, it's difficult for me to see how this bill will improve the process or the way the CRTC discusses matters with Quebec. Today, the CRTC said that it respected the voice of Quebec and that it wanted to continue to meet frequently with that province.

Ms. Henrie-Cadieux, can you help me understand?

Mrs. Manon Henrie-Cadieux: I don't have any information on the CRTC's processes for involving Quebec or hearing its perspective. I can comment only on the rights that francophone minority communities enjoy.

We have full confidence in the legislators, who have ensured that the new Online Streaming Act reinforces the obligation to consult francophone minority communities and provides details on how to go about it. In particular, I would draw your attention to the new section 5.2 of the Broadcasting Act, all of which is worth reading because it is a clear game changer in terms of the quality of the process that must be followed.

Earlier in the discussion, people talked about the opinions that the CRTC hears and expressed concerns about the consideration those opinions are given. Over the past year, the FCCF and the FCFA have raised the issue of low francophone representation in CRTC leadership, linguistically and culturally. It is encouraging to see that there have been significant appointments to address that, but new people cannot comment on processes and decisions from before their time. We would like to know more about the possible repercussions of the decisions already made by the CRTC and the decisions it is about to make on the rights of our communities. We will be following that closely.

I can also attest to something we observed during the public hearings held as part of the ongoing consultation process, which is far from over. There were times when, as legitimate representatives of francophone minority communities, we felt that French did not carry as much weight as it would if Quebec's comments had been fully heard.

• (1810)

[English]

The Chair: You have 32 seconds.

Martin, are you good?

[Translation]

Mr. Martin Champoux: Madam Chair, it is my colleague Mr. Noormohamed's turn, but I can certainly take some of his time.

[English]

The Chair: I know. Are you good for 32 seconds?

[Translation]

Mr. Taleeb Noormohamed: All of that is understood. However, in my opinion, adding something like that would not change the way the CRTC conducts its consultations. That said, I think that the discussions and even the CRTC's mandate, particularly in light of Bill C-11, will help improve the process. I think this is how we will be able to accomplish what you want to do.

[English]

The Chair: Thank you, Mr. Noormohamed.

Martin, you have six minutes, please.

[Translation]

Mr. Martin Champoux: Thank you, Madam Chair.

First of all, I want to say how impressed I am by Mr. Noormohamed's French skills. He spoke only French for his entire six minutes. Given that we are studying a bill that deals with protecting French and francophone culture, I find that admirable. I just wanted to point that out. Hats off to him.

Ladies and gentlemen, I am pleased to see the three of you here. We've met on a number of occasions, in many different situations, and I've had the opportunity to discuss with some of you the concerns around Bill C-354 and the provisions relating to consultation with the provinces.

Ms. Henrie-Cadieux, you said in your remarks that you completely agree with the Quebec consultation mechanism and believe that it is good not only for Quebec, but also for French throughout Canada. Obviously, I find it very rewarding to see that Quebec, which strongly defends French and has powerful tools to defend francophone culture, has an influence outside Quebec. Can you expand on that?

Mrs. Manon Henrie-Cadieux: We are deeply concerned by the complexity of the challenges we face in protecting and promoting French, given the observation of its decline and other indicators of urgency. I'm thinking in particular of the general perception, also expressed by Radio-Canada, that French-language cultural content no longer attracts young people.

I can't sound the alarm loudly enough to wake us up to the importance of these objectives, especially since you have just modernized the Official Languages Act, which has evolved in a different way this time. In fact, you've chosen to raise it to a higher level and you've demanded that positive measures be taken that must produce concrete effects, which we'll be able to measure.

I invite you not to be satisfied with hearing about these positive measures, but to go so far as to verify the proof of their outcomes. As part of the public process we're involved in, which still has several important milestones in store for us, this will certainly be central to what we say.

Mr. Martin Champoux: Thank you, Ms. Henrie-Cadieux.

Ms. Roy, earlier, you talked about the consultation process. You talked about the link that exists between the CRTC and your organization, in particular when there are hearings and consultations, discussions that are held systematically.

How are the CRTC's interlocutors chosen for proceedings or hearings that are to lead to regulation? Is it always the same organizations that participate in hearings? If not, are they designated? How do we know that the organizations who are going to be the CRTC's interlocutors are systematically the right ones?

• (1815)

Ms. Liane Roy: As all three of us mentioned, there is a CRTC-OLMC discussion group, which holds meetings about upcoming public hearings. At these meetings, it is sometimes recommended that such and such an organization be included in the consultation process. However, as I am not the member of this discussion group, I will ask Mr. Quinty to provide you with more details.

Mr. Serge Quinty: Thank you for the question, Mr. Champoux. I would mention two factors.

First, in the case of its public hearings, the CRTC operates by appeal, by notice of consultation. Anyone from civil society, anyone, in fact, can intervene before the CRTC. People who participate are not necessarily invited to appear before the CRTC. You have to have a foot in the door, you have to submit an application to participate by the deadline. If you don't, you simply can't participate in the public hearings.

Secondly, there is indeed this CRTC-OLMC discussion group, which brings together all the French-speaking provincial and territorial organizations, members of the Fédération des communautés francophones et acadienne du Canada, the federation itself, the Fédération culturelle canadienne-française, the Alliance des producteurs francophones du Canada, the Alliance nationale de l'industrie musicale, and representatives of the English-speaking community. At present, however, this CRTC-OLMC discussion group is not a consultative body, and that's what we're trying to change.

Mr. Martin Champoux: Thank you very much, Mr. Quinty.

Madam Chair, there are about 30 seconds left, and I just want to take this opportunity to thank—

[English]

The Chair: You have 36 seconds.

[Translation]

Mr. Martin Champoux: So I have six more seconds to express my thoughts.

I just want to thank Ms. Roy, Ms. Henrie-Cadieux and Mr. Quinty for their open-mindedness. They didn't hesitate to share their concerns about this mention of other provincial governments as part of the consultation process we're requesting for the Quebec government. This has enabled us to have discussions to which we are very open.

In fact, if an amendment were tabled to ensure that francophone groups outside Quebec are reassured about the consultations we're trying to put in place, the Bloc Québécois would be absolutely open to welcoming and supporting it.

[English]

The Chair: I will now go to the NDP and Niki Ashton.

Niki, you have six minutes.

Ms. Niki Ashton: Thank you very much.

[Translation]

I'd like to thank the witnesses very much for joining us today.

Ms. Roy, as president of the FCFA, you clearly explain the situation in which we find ourselves in Canada, that is, the danger posed by the decline of French. Tools have been made available to us through Bill C-13, and I'm very proud to have worked closely with the former minister of official languages to get a better bill passed. However, it doesn't change the need to move things forward in all areas, if there's a political will to stop this decline of French.

Let's go back to Bill C-354, which states, among other things, that the CRTC must consult provincial governments other than the government of Quebec about French-language markets when regulating and monitoring the Canadian broadcasting system.

According to everything we've seen from their governments, do you believe that people like Blaine Higgs in New Brunswick or Danielle Smith in Alberta are acting in the interests of francophone communities and aiming to protect their rights? Do you think it's essential to add measures in this bill to ensure that francophone communities themselves are heard by the CRTC, not only to protect their rights, but also to halt the decline of French in our country?

• (1820)

Ms. Liane Roy: Thank you for the question, Ms. Ashton, and thank you again for all the work you have done on Bill C-13.

From our point of view, it's not so much a question of consulting the provinces as it is of consulting those best placed to talk about the cultural specificity of francophone communities and markets. For us, it's the organizations representing them that would be best placed in the provinces to determine the needs in these areas in relation to what we're discussing today.

Also, when we talk about francophone markets, we need to make sure that we understand the concerns of our communities, as you so

aptly put it. It's very important that we understand and define what a francophone market is.

I'll pass the floor to FCFA communications director Serge Quinty if he would like to add something.

Mr. Serge Quinty: Ms. Ashton, to answer your question, I would say two things.

First of all, it's clear that the relationships that francophone communities in a minority setting have with their government are quite variable. They can vary greatly from province to province and from government to government. Earlier, I mentioned that the same organizations have been sitting on the CRTC-OLMC discussion group for 18 years now. During that time, there has been a succession of governments in the various provinces and territories. Some were more open to the francophonie, others less so. Some had easier relations, others more difficult. Some were well aware of community concerns, others less so. So it's clear to us that it's our organizations that are best placed to speak to these realities.

Next, I would add that our goal here is to avoid a possible conflict of interpretation between the Online Streaming Act and the bill you are currently studying. If the Online Streaming Act says that the CRTC must consult official language minority communities, but this bill says that the CRTC must consult provincial and territorial governments first, there's a potential conflict of interpretation: Which act or group would take precedence over the other? That's what we're trying to avoid at this stage.

Ms. Niki Ashton: All right. Thank you very much for this clear message from the French-speaking communities.

Ms. Henrie-Cadieux, how satisfied are you with the CRTC's consultation process? I know you've talked about it before, but can you tell us where things stand now and why it's so important to improve the situation?

Mrs. Manon Henrie-Cadieux: We benefit from active listening. We have an ongoing consultation process that touches every facet and dimension of the entire Canadian cultural sector. As I've already said, the process is far from over, and a very important step is just around the corner.

As my colleague Mr. Quinty explained earlier, it's the CRTC website that informs us of upcoming consultations. On March 25, we met with the CRTC as part of its focus group. At the time, we were given to understand that we would soon be very happy and privileged, because an important public consultation phase was being prepared that would address our concerns in greater detail. Since then, information has been updated on the site. An entry entitled "Summer 2024" indicates that it refers to an exceptional activity aimed at strengthening the CRTC's commitment to official languages, but it does not mention public consultation per se.

We have recently expressed our concern about this watered-down language, but we have received all the preliminary assurances that the intention is still to consult us regarding the new section 5.2 of the Broadcasting Act, which has strengthened the way in which we are to be consulted, precisely, and has provided details on how to proceed. We're very much looking forward to this stage. We need to know when it's going to happen so we can prepare properly.

• (1825)

[*English*]

The Chair: Thank you, Madame Henri-Cadieux. We must wrap up now. We've gone over time on this.

[*Technical difficulty—Editor*] answering questions and sharing with us their insights and wishes.

I was going to suspend this meeting to go in camera, but I have been informed that many members of this committee feel that we could seek to get the drafting instructions on the study on the media via email, because we do not have a lot of time left to finish the drafting instructions, as we had hoped.

Is everyone in agreement that we do that? If you are, then I will move that this meeting be adjourned.

If everyone's in agreement to send it in by email, we need to set a deadline for that. Does anyone have a deadline in mind?

Michael.

Mr. Michael Coteau: What if there's a dispute in drafting instructions?

If I send one in and, for example, Kevin doesn't agree with that, how do you deal with that? Do you just send a message back?

The Chair: The analysts will look at the drafting instructions. If they are what we heard at committee, then that would obviously be input. Then when we look at the draft, we can say, no, we don't like this or we don't like that.

Mr. Michael Coteau: Perfect.

The Chair: That's one way of doing it, and it would save a lot of time.

What I'm looking for is a deadline for submitting these drafting instructions. I thought you were going to suggest a deadline, Mr. Coteau.

Mr. Michael Coteau: How about Friday?

The Chair: Do you mean this coming Friday? Is that okay with everyone?

Mr. Michael Coteau: I can do two things at the same time.

The Chair: What date is that? My brain is not working very well right now.

Mrs. Rachael Thomas: I'm sorry, Chair. I do have a question of clarification.

My understanding is that the report for safe sport was supposed to be tabled on Monday. I also understand that this did not happen. I'm just wondering if you can update this committee as to what is going on.

The Chair: Sorry, I didn't hear that. I'm really sorry. I'm not functioning at all. What were you saying?

Mrs. Rachael Thomas: I'm curious as to where things are at with tabling the safe sports study.

The Chair: It was to be tabled today. I logged in to table it. You saw that Routine Proceedings were dispensed with, so we had to move to orders of the day. I will have to do it tomorrow.

[*Translation*]

Mr. Martin Champoux: Madam Chair, I would like to speak.

[*English*]

The Chair: Yes, Martin.

[*Translation*]

Mr. Martin Champoux: We have not established what the deadline would be for sending analysts instructions for the report. I feel that Friday this week would be too tight a deadline. I wish we could extend that deadline to Friday of next week. It seems to me that would give us a little more breathing room.

[*English*]

The Chair: It's whatever the committee decides. Will a week from Friday be good?

We have a deadline of June 28 to send in your drafting instructions.

As I explained to Michael, once we get the draft, we can look at it and see what we think. It will at least get that work done.

Is the committee in agreement to adjourn the meeting?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

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