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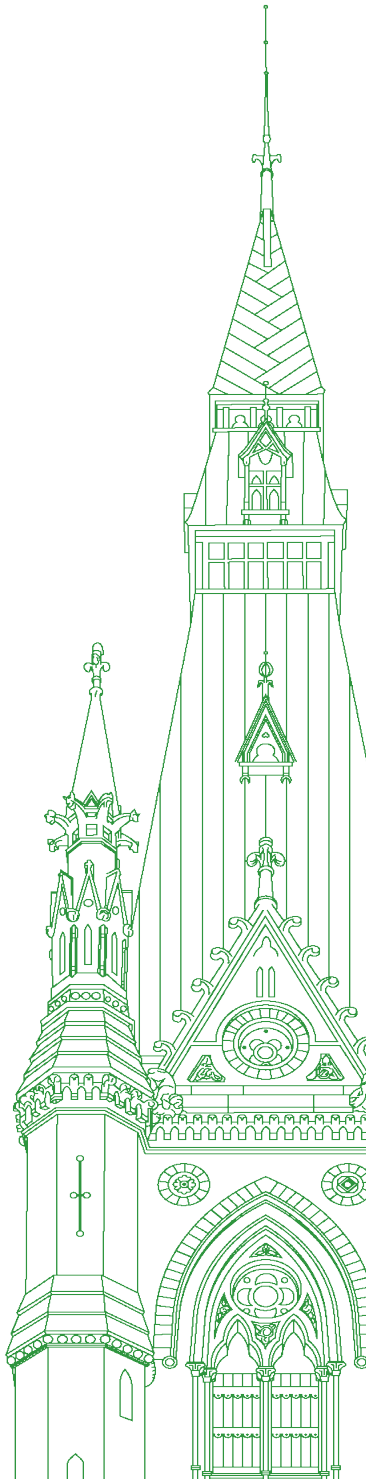
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Standing Committee on Canadian Heritage

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Chair: Lisa Hepfner

Standing Committee on Canadian Heritage

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● (1540)

[*English*]

The Chair (Lisa Hepfner (Hamilton Mountain, Lib.)): Let's call this meeting to order. Welcome to meeting number 51 of the Standing Committee on Canadian Heritage.

Before we begin, I ask all in-person participants to read the guidelines written on the cards on the table in front of you. These are measures in place to help prevent audio feedback incidents and protect the health and safety of all participants, including our interpreters. You'll notice that there's a QR code on the card. It links to a short awareness video.

Please wait until I recognize you by name before you speak, and all comments should be addressed through the chair.

Pursuant to the order of reference of April 22, 2026, the committee is meeting to review Bill S-211, an act respecting a national framework on sports betting.

With us today, from 3:30 p.m. to 4:30 p.m., from the Canadian Radio-television and Telecommunications Commission, we have Scott Hutton, secretary general, and Sheehan Carter, acting vice-president of consumer, analytics and strategy. We also have, from the Department of Health, Krista Apse, director general, tobacco control directorate, and John Clare, director general of cannabis strategic policy directorate.

In our second hour, we'll go through the legislation clause by clause.

Go ahead, Mr. Myles.

David Myles (Fredericton—Oromocto, Lib.): Thank you very much, Madam Chair.

If I could, I would like to seek unanimous consent to introduce a motion with regard to Bill C-34.

The Chair: Do we have consent?

Yes, go ahead.

David Myles: The motion reads:

> That, in relation to its consideration of Bill C-34, An Act to enact the Digital Safety Act and the Digital Safety Commission of Canada Act and to make consequential amendments to other Acts, the committee:
>
> (a) hold no fewer than 16 hours of meetings to hear from witnesses before proceeding to clause-by-clause consideration of the bill;
>
> (b) invite the following to appear, for no less than one hour, accompanied by departmental officials they deem necessary:
>
> i. the Minister of Canadian Identity and Culture and Minister responsible for Official Languages, and
>
> ii. the Minister of Public Safety;
>
> (c) ask members to submit their prioritized witness lists to the clerk within 7 business days of the adoption of this motion, and that witness panels be allocated in proportion to the representation of each recognized party on the committee;
>
> (d) invite individuals and organizations to submit written briefs of no more than 2,000 words, to be received by the clerk no later than the day of the final witness meeting; and
>
> (e) ask members to submit proposed amendments to the clerk no later than 48 hours prior to the start of clause-by-clause consideration of the bill.

The Chair: Go ahead, Monsieur Champoux.

[*Translation*]

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

If I may, I would propose a very simple amendment that could easily be adopted by unanimous consent.

Paragraph (c) refers to submitting witness lists to the clerk. Everything is fine up to the words “of the adoption of this motion”, but I would remove the remainder of the sentence so that it ends there. The reason is simple. If we try to ensure a fair proportion of witnesses based on party representation, it will be an extremely complicated exercise. I don't think it's workable, particularly since, if the Bloc Québécois is entitled to 10% of the witnesses and we have, say, 12 meetings, we would end up having to split witnesses in half. That would likely be unpleasant for them and would not make our work particularly productive. I don't think we need to do that, because things tend to work themselves out naturally.

There's also the question of maintaining consistency among witnesses within a given panel. On one day, it may be appropriate to have a particular witness appear, whereas on another day a different witness may be more relevant. In any event, I think the clerk understands very well the point I'm trying to make.

The Chair: So you are suggesting that we strike the remainder of the sentence and that we—

Martin Champoux: Exactly.

The Chair: —discuss among ourselves the number of witnesses the Bloc Québécois will put forward.

Martin Champoux: No, Madam Chair, that's not what I'm saying. What I'm saying is that each party already has a number of witnesses it may invite based on proportionality. That's the principle under which we operate, but there's no need to add that each witness panel at every meeting must reflect that same proportionality.

The Chair: I understand.

[*English*]

Go ahead, Mr. Myles.

David Myles: It's my understanding that this is common practice in standing operations for the committee, so that's where I'm kind of confused. My understanding was that this is standard procedure for how the committee runs.

● (1545)

The Chair: I missed the end.

David Myles: I was under the impression that this was very much a standard procedure in how committees run and it's a very standard part of any motion with regard to a longer-term study.

The Chair: I think the problem is that the Bloc would be disadvantaged if we went by the 10% rule, but I'll let the clerk explain it to the committee from his perspective.

[*Translation*]

The Clerk of the Committee (Jean-François Pagé): Normally, the calculation is based on the overall number of witnesses. Of the total number of witnesses we hear, we try to respect the proportion represented by each political party. So if we were to hear 100 witnesses, and I'm not suggesting that will be the case, there would be 10 witnesses for the Bloc Québécois, 50 for the Liberal Party and 40 for the Conservative Party. The calculation is based on the grand total, not on each individual witness panel. At times, some flexibility is required because of witness availability and the subject matter under consideration. I keep the chair informed accordingly. In the end, we come to the same result. The proportionality applies to the study as a whole, not to each witness panel.

[*English*]

Andrew Lawton (Elgin—St. Thomas—London South, CPC): I realize we'll have to deal with Mr. Champoux's amendment. If this amendment needs to be dealt with, for the reasons you've been mentioning we could just argue that the witness list be allocated, instead of witness panels. That would satisfy and keep with the convention.

[*Translation*]

The Chair: Mr. Champoux, you have the floor.

Martin Champoux: I don't see why we're persisting with this debate. I would make two points. First, it's not our usual practice to debate a motion tabled in advance of a bill study. Normally, we discuss these matters in committee and arrive at a conclusion regarding the number of meetings and other details. In any event, it's already established practice in the House that witnesses are allocated proportionately among the political parties. It doesn't need to be set out in a motion. There's no need to specify it.

The only concern I had with this motion is that it appeared to require proportional representation of political parties within the witness panels at each meeting during the study of Bill C-34. I think our clerk has just explained the situation very clearly: We must ensure fair representation over the course of the study as a whole. We don't need any further detail than that.

David Myles: We agree.

[*English*]

The Chair: Do I have unanimous consent for Mr. Champoux's amendment to this motion?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Does everyone agree to the motion as amended?

Andrew Lawton: I was going to speak to the motion itself.

I have a very brief point. This could perhaps be dealt with by a clarification from Mr. Myles.

The way the motion is worded in (a) is “16 hours of meetings”.

Would Mr. Myles be amenable to replacing that with “eight meetings”? I want to make sure we're having the individual meetings on this. It's not that I'm anticipating we would schedule a marathon of 16 hours of back-to-back witnesses, but it's so we can plot out the calendar for the study.

David Myles: This was a conversation that was had before we came, and we did agree on 16. It also allows us to add an hour when we need it to another meeting. If we have something else that comes up and it takes an hour, we have another hour and we can adjust the hours accordingly. I think this is what we had agreed on.

Thank you.

The Chair: Are all in favour?

(Motion as amended agreed to)

The Chair: Thank you, witnesses, for your patience. We can get back to our study of Bill S-211.

I will give the CRTC representatives five minutes and also the Department of Health representatives five minutes collectively.

We'll start with the CRTC. You can divide your time as you see fit.

[*Translation*]

Sheehan Carter (Acting Vice-President, Consumer, Analytics and Strategy, Canadian Radio-television and Telecommunications Commission): Good afternoon.

Thank you for inviting us to appear before your committee.

[*English*]

Before I begin, I would like to acknowledge that we are gathered on the traditional unceded territory of the Algonquin Anishinabe people.

I am joined today by my colleague, Scott Hutton, our secretary general.

We're pleased to join you today to assist in your study of Bill S-211, the national framework on sports betting advertising act.

As you know, the bill would require the CRTC to assess the effectiveness of its regulations and policies in reducing harms from sports betting advertising and provide a report within 12 months of the act receiving royal assent.

● (1550)

[*Translation*]

Before we get to your questions, I would like to provide an overview of the Canadian Radio-television and Telecommunications Commission, or CRTC, and our role regarding advertising on radio and television. The CRTC is an independent, quasi-judicial tribunal that regulates the Canadian communications sector in the public interest. The CRTC holds public consultations on telecommunications and broadcasting matters and makes decisions based on the public record.

[*English*]

I know that we're here to talk about Bill S-211, so I will speak briefly about our role when it comes to advertising and broadcasting.

Our role is narrow. We require that broadcasters comply with advertising codes such as those governing alcoholic beverages and advertising directed to children.

[*Translation*]

Those advertising codes are normally developed by Ad Standards, a national not-for-profit organization. They work with broadcasters, industry experts and government partners like Health Canada to ensure that the advertising Canadians see is truthful, fair and accurate.

Ad Standards administers and reviews these codes, measures their effectiveness, consults subject matter experts and works proactively with advertisers as they develop their campaigns.

[*English*]

With regard to the advertising of sports betting and gambling in general, the Canadian Gaming Association, in collaboration with Ad Standards, recently developed a voluntary code for responsible gaming advertising. It took effect in January 2026.

Although the CRTC has not been involved in the development of the code, we understand that it is intended to set out principles to guide advertisers in their promotional efforts and provide a benchmark for acceptable and socially responsible advertising. It also includes guidelines instructing all gambling advertisements to be transparent and clear, for portrayals of gambling to depict and encourage moderate, responsible play and to be directed only to adults.

[*Translation*]

We know this is an important issue to the committee and to Canadians.

The CRTC will continue to work, within its mandate, to ensure that broadcasters continue to comply with the applicable codes.

[*English*]

Thank you again for the opportunity to appear before you today. We look forward to your questions.

The Chair: Thank you. That was nice and tidy. We'll pass it over to the Department of Health.

Go ahead.

Krista Apse (Director General, Tobacco Control Directorate, Department of Health): Thank you.

Chair and committee members, my name is Krista Apse. I am the director general of the tobacco control directorate at Health Canada.

[*Translation*]

I am joined today by my colleague, John Clare, director general of the Cannabis Strategic Policy Directorate.

[*English*]

Tobacco and cannabis promotion and sports betting advertising operate in different contexts. I'll be speaking today to the lessons learned from Health Canada's experience in regulating tobacco and cannabis products. I'm hopeful that an overview of the regulation of tobacco promotion will help to provide the committee with information about how promotion can normalize behaviour and influence uptake, particularly among young people.

[*Translation*]

Indeed, protecting young persons and others from inducements to use harmful substances like tobacco and cannabis is a central objective of both the Tobacco and Vaping Products Act and the Cannabis Act.

[*English*]

Long-standing evidence shows that product promotions from tobacco companies are intended to not only communicate information about the product but also create the perception that tobacco use is desirable, healthy and more common in society than it really is. These effects are particularly concerning for adolescents and young adults for whom promotion influences perceptions of risk and acceptability, increases appeal and may encourage experimentation. In 2022, 71% of people who smoke reported smoking their first cigarette before the age of 18.

As the evidence base regarding the impacts of tobacco promotion came into focus, these concerns helped shape the government's response. Beginning with national restrictions on tobacco advertising in 1989, the federal framework expanded over time. Today, the Tobacco and Vaping Products Act addresses a broad range of promotional practices, including sponsorships, endorsements, advertising, incentives, packaging and product appearance.

Tobacco companies historically sought to associate their brands with entertainment and other activities that conveyed excitement and success, for example, a tobacco advertisement on a race car, in a sports stadium or at a concert. Similarly, testimonials from celebrities promoted tobacco by transferring the appeal of a well-known person to a product. Federal prohibitions were introduced to prevent these associations and their ability to increase the appeal and normalization of tobacco use.

● (1555)

[*Translation*]

Lessons learned from tobacco helped inform the establishment of comparable controls under the Cannabis Act. In line with tobacco, the act places comprehensive prohibitions on cannabis promotion, including prohibiting promotion that appeals to young persons, uses testimonials or endorsements or associates cannabis with a particular lifestyle. These restrictions are intended to protect young persons and others from inducements to use cannabis.

[*English*]

Turning back to tobacco, as conventional forms of tobacco sponsorships and lifestyle promotions were prohibited, the packaging itself became a more important marketing tool for tobacco companies. Colour, imagery, logos, brand descriptions and the appearance of the product itself were used to communicate an identity and create impressions about the product.

The supporting regulations use a combination of health warnings, health information messages and toxicity information to inform users of the health hazards and health effects associated with the use of tobacco. Plain and standardized packaging requirements strip away promotional features and reduce appeal by requiring packages to be of the same drab brown colour, bearing only permitted text displayed in a standard location, font style, colour and size, among other requirements.

Similarly, the Cannabis Act and its regulations impose strict requirements on the packaging and labelling of cannabis products, including plain packaging requirements, a standardized cannabis warning symbol and health warning messages.

While I understand that packaging and labelling may not be directly attributed to the sports betting context, it does illustrate a key take-away from the tobacco file: Success requires vigilance to adapt controls as promotions evolve.

In terms of results, Canada's smoking rates are among the lowest in the world. In 2024, less than 1% of youth smoked daily, which is one of the most significant public health achievements of the past 25 years.

However, no single measure or control accounts for Canada's progress.

[*Translation*]

These measures are complemented by a suite of measures including pan-Canadian public education campaigns. The government is also investing in clinical and community programs.

[*English*]

In closing, I would also like to reinforce that eradicating the harms of tobacco use is very much a partnership and a shared responsibility.

I want to acknowledge provincial, territorial, first nations, Inuit and Métis partners, whose vital work is essential to addressing the harms of tobacco use.

[*Translation*]

Thank you for the opportunity to appear before you today.

The Chair: Thank you very much to you both.

[*English*]

We'll start our questioning with Ned Kuruc for six minutes.

You have the floor.

Ned Kuruc (Hamilton East—Stoney Creek, CPC): Thank you very much.

Thank you to all the witnesses for coming today.

This framework is very important, and I'd first like to thank you to Health Canada for the work you've done on tobacco and cannabis. I'm in the legal cannabis business, but I still adhere to and agree with all the restrictions on advertising, so thank you very much for that.

Gambling is one of those things that has hit my age group in my community pretty hard, especially with sports betting. For someone like me who has seen friends with gambling addictions and so on and so forth since online sports betting became legalized—and we see what it is today—it's been quite concerning.

I am the shadow minister for sport. I was an athlete and this and that. We see now where sports and betting have become one, where people are watching sports and the advertising that goes with it, so it's normalizing gambling through sports. I find this very concerning for our youth.

There are some statistics that I want to share. Online sports betting among Ontario students in grades 7 to 12 has been 10 times more prevalent since 2019. I find that very alarming. People with gambling problems are four times more likely to report moderate to severe anxiety symptoms, as well as four times more likely to report suicidal thoughts. New research finds that 77% of young men are exposed to betting advertisements on a weekly basis, with 60% reporting that these ads influence their betting behaviour. That one is an interesting statistic. It's a statistic that reports on what they're doing while they're betting. That's very alarming to me.

I would like to ask either person from Health Canada this question: Because of your experience restricting advertising for legal products that carry addiction risks, including tobacco and cannabis, as was mentioned, what lessons from those regulations could we consider when amending this bill?

● (1600)

John Clare (Director General, Cannabis Strategic Policy Directorate, Department of Health): I appreciate the question, Madam Chair. I'll do my best to be helpful.

I think that lessons can be applied from the tobacco legislation. The framework to control promotion in cannabis was largely based on the framework that was established to address tobacco. The application of lessons to different harms or whatnot is definitely a smart way of governing.

I think the key things, the key lessons.... You spoke to different statistics. I think the main thing is that you need to establish what is the purpose that your control.... Essentially, when you regulate promotion and advertising, you're engaging freedom of expression.

For whatever control framework you put in place, you need to make sure that you're addressing a pressing and substantial need. What is the issue that you're trying to address? You need to have the evidence to demonstrate that there is a real issue here. In this case, the issue you're exploring is the detrimental impact of sports betting on members of Canadian society.

Ned Kuruc: Yes, specifically youth.

John Clare: Yes.

The second thing you need to do is demonstrate that there's a rational connection between your control and that purpose. You need to have evidence that shows that promotion in particular is connected to rates of gambling, of problematic gambling, among the subpopulation or population you're attempting to address.

Then, you also need to make sure that your control, your limit, is minimally impairing: that your regulatory control is targeted and tailored to the extent necessary to address that harm. You can't have broad things. As officials, when we're thinking about constructing a regulatory control that would limit freedom of expression, that's what you're trying to do. Krista, my colleague, spoke to that: having that evidence to support that.

Ned Kuruc: My main concern is that there are a lot of parents out there who like watching sports with their children or vice versa. It becomes a family event. I think there are a lot of Canadians who don't want sports to be infected with gambling advertising. They don't want to watch Sunday football with their children and have that experience become a gambling experience—or one day become a gambling experience. That's what my concern is.

If your colleague wants to speak to a few things on my concerns there—or anyone else as well—I would love to listen.

Krista Apse: Chair, I'll come at it from a bit of a different perspective as well. I would come at it in terms of the purpose of the Tobacco and Vaping Products Act itself. I have it here in front of me. I'll read a couple of passages that drive home that point:

> to protect young persons and others from inducements to use tobacco products and the consequent dependence on them;
>
> to prevent the public from being deceived or misled with respect to the health hazards of using tobacco products;

I've chosen a couple. I would invite the committee to take a look at the purpose of the act from the tobacco perspective.

Similarly, on vaping, it says:

> to protect young persons and non-users of tobacco products from inducements to use vaping products;

It also says:

> to protect the health of young persons and non-users of tobacco products from exposure to and dependence on nicotine that could result from the use of vaping products;

There are a couple of others there as well.

I think it does go back to the purpose of what you're intending to do and the measures that would need to be put in place to enact that purpose.

The Chair: Thank you.

[*Translation*]

Ms. Auguste, you have the floor for six minutes.

Tatiana Auguste (Terrebonne, Lib.): Thank you very much, Madam Chair.

I'd like to thank the witnesses for appearing today as part of this important study.

I would like to begin with the representatives of the Canadian Radio-television and Telecommunications Commission, or CRTC.

If possible, could you explain to the committee what the CRTC is legally mandated to regulate with respect to advertising under the Broadcasting Act? In particular, what aspects of advertising standards does the CRTC deliberately leave to others to oversee? What are the respective roles, and where is the line drawn between them?

● (1605)

Scott Hutton (Secretary General and Executive Vice-President, Corporate Services and Operations, Canadian Radio-television and Telecommunications Commission): I can start.

The Broadcasting Act only allows us to regulate broadcasters. That's the first key element of the legislation. The act also provides that we may regulate advertising, both with respect to its content or social content, through mechanisms such as the codes we have in place, and with respect to the amount of time devoted to advertising. Broadly speaking, that is the scope of the authority granted to us under the act.

Over the years, we have developed various approaches to achieve those objectives. We are strong proponents of the co-regulatory model. We have been working in that manner successfully for decades. In fact, this model has been adopted in a number of other jurisdictions around the world.

More specifically, we also work with our colleagues at Health Canada, particularly with regard to alcohol and the two products we're discussing here.

In the context of the matter before us, we've also begun working with another branch of Health Canada to better understand the effects of advertising on young people and more broadly on Canadians, and to develop advertising standards that support the objectives of the legislation we're discussing today.

That's essentially how we operate. When there's a prohibition or some other specific consideration, we rely heavily on our colleagues who are experts in the health of Canadians to help us develop codes which, depending on the circumstances, may either be incorporated into broadcasters' conditions of licence or implemented through a more co-regulatory approach.

Tatiana Auguste: Thank you very much.

At present, certain products may not be advertised on television or radio. Could you tell us what legislation or regulations are in place to ensure that such products are in fact prohibited from being advertised? In practical terms, how do you prevent those advertisements from being broadcast?

Scott Hutton: I can begin from the broadcasting perspective, and then I think the question should be directed to our colleagues from Health Canada.

From our standpoint, where there's a complete prohibition, it's usually established through government policy and set out in legislation. In the case of the codes we have implemented, there are often clear objectives and policy signals, as our colleagues mentioned earlier in response to Mr. Kuruc. Objectives are established, research is conducted and frameworks are developed in collaboration with experts. Those codes are then imposed on broadcasters through conditions of licence.

Tatiana Auguste: Thank you very much.

Krista Apse: I'd like to add something.

[*English*]

I'll use vaping products as an example.

The vaping products promotion regulations prohibit the promotion of vaping products and vaping product-related brand elements through advertising that is done in a manner that can “be seen or heard by young persons”, including online. The regulations state that regulated parties “advertising vaping products online must effectively restrict youth access by verifying the age and identity of all visitors to effectively restrict youth access to the advertising.”

Health Canada inspectors monitor the websites and social media accounts of manufacturers and retailers to verify compliance with the legislative and regulatory requirements. While reviewing that publicly available website and domain registration information, inspectors may examine websites, social media accounts or other information linked to the regulatory party for details. In some cases, they may contact domain registrars, web hosting companies and other Internet service providers to request registrant contact information for the purpose of issuing compliance communication to the website owner.

[*Translation*]

Tatiana Auguste: Thank you very much.

I have a question for the CRTC. Bill S-211 requires the CRTC to submit its review report to the minister within one year of royal assent. Given its current capacity and resources, is the CRTC in a position to meet that deadline?

● (1610)

Scott Hutton: I believe the answer is yes.

We've already begun our preparatory work, and we'll be ready when royal assent is granted. With our current resources, and by adjusting our priorities accordingly, we will be in a position to table the required report.

The Chair: Thank you.

Mr. Champoux, you have six minutes.

Martin Champoux: Thank you very much, Madam Chair.

I'd like to thank the witnesses for being here today.

I am going to direct a question to the CRTC. It's a question that I could also put to the witnesses from Health Canada, but I'll begin with you, Mr. Carter and Mr. Hutton.

When it comes to the regulation of sports betting advertising, and indeed the regulation of sports betting itself, the provinces have adopted different models. Quebec has its own model, and Ontario has another, for example.

Are you familiar with the various models that exist across the provinces for the management and regulation of online gambling, as well as for advertising related to online gambling?

I would appreciate a response from either one of you.

Scott Hutton: Yes, we're familiar with them. We've begun reviewing and comparing the various models and taking stock of the current landscape. The province that is furthest along at the moment, particularly with respect to broadcasting and advertising, is Ontario, which has worked closely with the Canadian Code of Advertising Standards.

Martin Champoux: Without getting into evaluations or personal opinions, could you explain the different models to us? What are the differences that lead some to conclude that federal intervention is required in this area?

Scott Hutton: As you mentioned, each province has adopted a different approach. Some are more advanced than others. Some have much more comprehensive frameworks governing sports betting, while others have not yet fully authorized sports betting or established a robust regulatory framework. There is considerable variation across the country.

There are also different regulatory structures. In some cases, there's a separate regulator. In Quebec, for example, the Régie des alcools, des courses et des jeux is responsible for the regulatory framework, while Loto-Québec oversees sports betting. That's one model. Other jurisdictions have similar arrangements, sometimes with combined responsibilities. In some cases, there is an independent regulator; in others, responsibility rests with a government department.

Martin Champoux: Let's take online advertising as an example. I understand that a great deal of the discussion focuses on broadcasters, traditional television and radio, but I think the elephant in the room, the area that's most difficult to control and regulate, is the digital platforms, which seem to do more or less as they please.

I don't want to ask whether the CRTC has regulatory authority in that area, because you have authority over the broadcasting system as a whole. However, does the CRTC not become indispensable in this context, given the need to regulate digital platforms? Is that something that must necessarily be dealt with by the CRTC and the federal government, or is it something the provinces themselves could do independently if they wished to regulate these matters more or less stringently?

Scott Hutton: I'll try to answer the question as clearly as possible.

Under the Constitution, sports betting falls within provincial jurisdiction. Provinces may establish advertising restrictions through regulations, policies or provincial legislation. Some have chosen to do so; others have not. That's one of the key differences, and it varies across the country.

As for the CRTC and digital platforms, amendments resulting from the passage of Bill C-11 have given us the authority, under the Broadcasting Act, to regulate traditional broadcasters as well as online undertakings that carry on broadcasting activities within the meaning of the act, something we've regulated for many years.

However, if we're talking about digital advertisements that appear, for example, in the course of a Google search, that digital platform environment falls outside our mandate. Our jurisdiction is limited to broadcasting.

Martin Champoux: In that case, will adding another layer of regulation through this bill actually make a difference, given that the provinces are already regulating and overseeing these activities, while we remain unable to intervene where the problem is really spreading?

You mentioned digital platforms that are not broadcasting undertakings as defined by the act. Those platforms will remain beyond our reach in any event. How, then, would this bill add any real enforcement power or regulatory teeth?

● (1615)

Scott Hutton: As our colleagues have indicated, the role of the CRTC is to ensure that the act is applied to broadcasters. We have the expertise to do that. It's our role within the system, and it's the contribution we will bring to the issue of sports betting advertising. As we stated at the outset, ours is a limited role, and that's the scope of our involvement at present.

Martin Champoux: Ms. Apse or Mr. Clare, can you tell me, then, how we are going to be able to cover the blind spots that the CRTC, through its power over the broadcasting system, cannot cover? It will inevitably miss them because companies like Google, to name one out of many, are not subject to the Broadcasting Act. How are we going to intervene if we don't have a long enough arm?

[*English*]

John Clare: It depends on the statutory regime you enact.

Both the Cannabis Act and the Tobacco and Vaping Products Act apply broadly, not just to broadcasters. They apply to all forms of promotion, whether they are digital, print or billboards on the side of highways. All those forms of promotion are regulated under those statutes. Health Canada is the regulator in that regard; it's not the CRTC. As my colleague mentioned, it's Health Canada inspectors who go into facilities and take compliance action. In the case of the Cannabis Act, we have administrative monetary penalties that we can use, like applying fines for non-compliance.

It really depends on the nature of your scheme. In our case, when it comes to cannabis, it applies to online platforms like Twitter, Facebook or Google.

Is regulatory enforcement in the online space a challenge? Absolutely.

This speaks to a second part of your question: What can the federal government bring that provinces can't on their own? In the case of cannabis, it is a co-operative approach. The federal Cannabis Act sets a national standard across the country, but provinces acting in their own jurisdictions can set stricter requirements. In many jurisdictions, provinces have done that in the promotion space.

Collectively, you have a whole suite of tools that can be brought to bear when you have problematic promotion appearing on a digital platform that is quite obviously specifically targeting young people and seeking to induce them to engage in harmful behaviour.

[*Translation*]

Martin Champoux: Thank you.

I don't think I have any time left, Madam Chair.

The Chair: No, you don't.

I will now give the floor to Mr. Hardy for five minutes.

Gabriel Hardy (Montmorency—Charlevoix, CPC): Thank you.

I'd like to thank everyone for being with us today.

I'm a kinesiologist by training. I've been here for 18 months, and I seem to appreciate my training more and more every day. It is useful in many areas of expertise, here around the table, even with lawyers.

Sport, at its core, is a community. It's about meeting people. You see your friends, you have coaches, you have opponents, you are in public. It's the opposite of isolation. To draw a parallel, I would say that it's about physical health and mental health, while what we're seeing more and more with online gambling platforms is isolation. This is behaviour that is harmful to mental health. It's 100% the opposite of what sport is supposed to do or its very well-documented benefits.

Isn't it a bit worrisome for Health Canada to see this kind of behaviour occur and intrude into sport when it's supposed to be a healthy environment? Isn't it a bit worrisome to see harmful things for our young people being promoted and pushed when everyone is watching their favourite sports with their families, in prime time, on a weekday evening?

[*English*]

John Clare: The best way I can answer the question, Madam Chair, is to acknowledge that there is a real intersection between a lot of harmful behaviours and some of the issues the member raised, particularly mental health. On the cannabis file exactly, I know there's a real interaction between mental health and cannabis use. It's a real concern that has led the government to enacting the public health framework that it put in place. Part of addressing those harms is using the advertising and promotion restrictions that the Cannabis Act put in place,

As my colleague mentioned, that's just part of a comprehensive strategy to address what you identified: concerns around mental health, particularly among youth. Any restrictions on sports betting and the promotion of sports betting that Parliament sees fit to put in place would need to be part of a comprehensive strategy to address some of the things you mentioned, including mental health.

● (1620)

[*Translation*]

Gabriel Hardy: I think you raise a good point.

Professional athletes, who are idols of our young people, are not allowed to advertise drugs or tobacco. However, they are literally being allowed to advertise something that has been shown to have a negative impact on the health of young people.

On the one hand, Health Canada wanted to limit an approach that will at some point cost the health care system a lot of money. On the other hand, we know that online gambling has been shown to have a very negative impact on mental health, but we're going to let our stars and our young people's idols promote it.

Don't you think there may be a double standard? As you said, you've legislated on tobacco and cannabis.

[*English*]

John Clare: My colleague is an expert in tobacco. I'm an expert in cannabis. Neither of us are experts in sports betting and the impact of sports betting on mental health. However, what we can say is that, without a doubt, both of our frameworks prohibit promotion through endorsements because that has been shown to be a form of promotion that is particularly appealing to young persons. That is why our two frameworks do prohibit specifically that type of promotion.

[*Translation*]

Gabriel Hardy: Here are a few statistics. In 2025, very recently, one in 10 high school students reported having wagered online. In 2019 it was one in a hundred. In six years, there has been a dramatic increase. In addition, one in four students said they see online gambling ads every day. The way online betting is promoted has a huge impact on young people and their lifestyle choices, which will affect their mental health and end up costing the health care system a lot of money.

Do you think we should potentially use an approach that is as restrictive as the one we've adopted for tobacco and cannabis, so that the stars who inspire our young people can't suggest to them, at the end of a hockey game, that they go on their platform to make a small bet?

[*English*]

John Clare: I appreciate the question. I really do.

As an official with Health Canada, my role is to administer and enforce the Cannabis Act and to provide advice to the minister on the administration of the Cannabis Act. It puts me in an awkward position to say whether or not.... As a public servant, it's not my role to provide advice to the committee on whether or not to enact a specific legislative scheme.

[*Translation*]

Gabriel Hardy: You just said that you are a public servant. Do you think it would serve the public to ensure that our young people don't become addicted to online gambling?

[*English*]

John Clare: For sure, I'm a public servant, and I take that very seriously. I also know that my role as a public servant is to provide advice to the government and not to Parliament. However, I can answer questions about the law that we are in charge of administering, for sure.

[*Translation*]

The Chair: Thank you.

Mr. Ntumba, you have the floor for five minutes.

Bienvenu-Olivier Ntumba (Mont-Saint-Bruno—L'Acadie, Lib.): Thank you, Madam Chair.

Good afternoon, everyone.

I think the question that everyone is asking here is fundamental. Why, here and now, does the government or the CRTC not have the power to simply ban advertising for sports betting?

Mr. Hutton, what do you think?

Scott Hutton: Naturally, our role is limited. We cannot prohibit advertising that can be seen on the side of a bus or on the side of a highway. We deal with broadcasters. Therefore, when certain Internet actors broadcast ads, we can set standards for that purpose, often working together with people from Health Canada, perhaps not those here, but those with expertise in sports betting. We have already started to do our homework on the issue.

That is our role. It's to work with experts. If the legislation is enacted, we will prepare a report and review the rules we have now.

Our current regime is one of co-regulation. We work with an agency that works not only on sports betting ads, but also on all forms of advertising, including those regulated by our colleagues here, those directed at children and those concerning alcohol. That entity has established a code with the gaming industry that covers a number of the topics we're discussing here. The code came into force on January 1 of this year.

The members of the agency include not only broadcasters, but also advertisers and other platforms. The mechanism that the agency has put in place essentially ensures that advertising complies with standards before it is even aired. It's called a pre-broadcast check, and it's very effective for all the other codes we've put in place. It's very well adhered to and there are very few complaints.

● (1625)

Bienvenu-Olivier Ntumba: Canadians often believe that because an ad is aired on a CRTC-authorized radio station, the CRTC has personally verified and approved its content.

I would like you to explain that.

Scott Hutton: I'll basically repeat the same thing. We regulate the companies and put in place codes, along with others, that contain standards indicating what should be prohibited in an ad or that address issues such as influence. Influence on children can include standards on the type of individuals, toys or television stars. These are all things that are examined to make sure that ads are up to the standards before they air.

We do this by working with the companies, which also work with broadcasters' associations. We ensure compliance with the standards, when necessary, by including affiliation and compliance with the codes in the licence conditions of the radio stations. We don't do the pre-approval ourselves. We don't approve every ad. The Broadcasting Act says that we can regulate certain things, such as advertising air time. However, we're not in the business of regulating every single ad.

Bienvenu-Olivier Ntumba: For the benefit of this committee and all those following us on social media and online, can you clarify how advertising standards are imposed?

Scott Hutton: We impose standards on broadcasters, when necessary, through licence conditions.

We issue licences to broadcasters and, after a certain number of years, we review the conditions that apply. We make sure they're adhered to. We respond strongly to complaints. For advertising, we use bodies like the one that handles standards, processes complaints and resolves them with broadcasters as part of a co-regulatory system.

The Chair: Thank you.

Mr. Champoux, you now have the floor for two and a half minutes.

Martin Champoux: Thank you, Madam Chair.

I'll go back to Health Canada. I was interested in part of Mr. Clare's answer to me earlier when he said that if the provinces had stricter regulations, those regulations would take precedence.

Did I understand your answer earlier, Mr. Clare?

[*English*]

John Clare: No, Madam Chair. To clarify, the way the Cannabis Act works is that it's a federal law that applies across the country. It sets rules for promotion and advertising based on the federal criminal law power. That's the basis of the Cannabis Act, but the way that works is that it sets a standard and, within that, provinces can set more stringent rules.

The best example in the cannabis space is the minimum age for sale. The federal minimum age is 18, but many provinces, including Quebec, have set a higher minimum age.

It's not a question of precedence. It's about the two frameworks working together and, when the Cannabis Act was designed, it was designed specifically with that in mind.

● (1630)

[*Translation*]

Martin Champoux: I would like to draw a parallel, because you are here to talk about the example of tobacco and cannabis, and the long struggle to regulate the tobacco industry. I had a chance, as perhaps some others here did, to listen to Alain Gravel's Radio-Canada podcast on smoking and the fight to compensate smoking victims.

Do you feel that online gambling has the potential to become as harmful a public health problem as tobacco was if it is allowed to go unregulated?

Simply put, will the tobacco experience serve as a basis and a lesson that we will now apply permanently, because we are in a better position to consider and see the dangers of phenomena such as online gambling? Screen addiction and algorithmic feed addiction on social media platforms are also coming to light.

In short, this may be a somewhat broad topic, but to come back to the tobacco example, do you feel that it was the punch in the face we needed to realize that we need to regulate much more quickly for prevention, despite the lobbies and pressures that may come from industries?

[*English*]

Krista Apse: Do I have some time to answer that?

The Chair: Not really, but go ahead.

Krista Apse: I shouldn't have asked.

Voices: Oh, oh!

Krista Apse: Perhaps I will bookend it where we started, which was the evidence of a problem. In the tobacco space, it was a nationally pressing concern that caused the government at the time to take action against promotion and advertising with respect to tobacco.

The Chair: Thank you.

Mr. Lawton, you have the floor for five minutes.

Andrew Lawton: Thank you very much, Madam Chair.

Thank you, witnesses, for being here.

This is just to understand the context of Health Canada's contributions here. Again, I'm not aware of how you two ended up being able to spend time with us, but do you have someone who is tasked with looking at the effects of gambling through a public health lens? Does that program exist in your department?

Krista Apse: Perhaps I will just say that we're here from a tobacco and cannabis perspective. The Canadian Centre on Substance Use and Addiction takes a look at some of those aspects. Then there's a lot of work being done with respect to men and boys and looking at that issue as well. My colleague, John, talked about the impact of what we call polysubstance use. It's from that perspective that we would consider that.

Andrew Lawton: Would I be correct in reading from what you've said there that sports betting, or gambling in general, is not a public health priority for Health Canada? You don't have a parallel directorate that is dealing with this issue the way you do for tobacco and cannabis.

John Clare: No, I wouldn't draw that conclusion. We're representatives of a specific program, you're right, that looks at the public health harms associated with substance use. Krista looks after tobacco, I look after cannabis and we have a colleague who looks after the other drugs, the other bad drugs. A separate part of Health Canada looks specifically at mental health. There is generally that examination of mental health, and the public health agency as well—

Andrew Lawton: It's under the mental health banner.

John Clare: That's right.

Andrew Lawton: Okay. That's helpful. Thank you very much.

Looking back at the historical development of tobacco particularly, because we have a little bit more of a longitudinal analysis there, when decisions were made to ban celebrity endorsements, for example, did you see compliance with that? The context of my question is that in Ontario, as an example, it is banned, but you still see them all the time. There are still creative ways around it. A sports betting ad will have a pro athlete on there because they've been given some title and they're now actually there as a representative of a company and not as a celebrity.

Did you see that issue in the tobacco world?

Krista Apse: Maybe I'll answer a little bit differently.

There's no question that creativity goes on out there, whether it's the cannabis space, the tobacco space or other spaces like this. Specifically in our tobacco reporting regulations, we do require companies to submit information about marketing and research. We're constantly trying to stay a little bit ahead of what's going on in that space so that we can anticipate the issues, start to understand and look at the evidence, and take action where we need to take action.

● (1635)

Andrew Lawton: The problem I have with Bill S-211, not specific to the bill but with national frameworks in general, is that the best it can do is to get provinces to come to the table and hope that they want to take action on their own, whereas right now we are seeing, even when there are stringent restrictions in place, noncompliance with those.

I'm trying to temper expectations here. Did you have that issue when you look back historically? I know you weren't in that role at the time, but knowing what you know now, did you have that issue with federal control or federal restrictions on tobacco advertising, or did you generally see compliance?

John Clare: It might be instructive for the committee to understand that when the government legalized cannabis for non-medical purposes back in 2017-18, this was a question to the government: Should the bill include strict restrictions on advertising and promotion, or do we leave it to codes of practice the way we do for alcohol? Do you follow an alcohol model or do you follow a tobacco model?

The advice that the government was given by an expert panel, who gave advice on the creation of the framework, was to follow the tobacco model—really, really strict, enforceable and strong penalties. That's what the Cannabis Act enacted. Were there compliance issues with that? Absolutely. Especially in the early days with cannabis, there were a lot of celebrity endorsements at the time. I won't name them, because I don't want to give them their promotional bump, but that was an issue.

Did the government have the tools in the tool box to go after that and enforce compliance and return those companies to compliance? Absolutely they did. Do there continue to be compliance issues today? Absolutely. I have colleagues for whom it's a full-time job. I would say that it's instructive that in the cannabis space, based on the tobacco model, we were successfully able to address that issue of celebrity endorsement.

The Chair: Next I will pass the floor over to Mr. Al Soud for five minutes.

Fares Al Soud (Mississauga Centre, Lib.): Thank you, Madam Chair, and thank you all for taking the time to be with us today. It is truly appreciated.

I find that there is, at times, a bit of a disparity between us as parliamentarians and the realities in digital environments.

Mr. Carter, you co-authored the CRTC's “Harnessing Change” report. In it, you highlight many of the challenges associated with regulating communication services in an increasingly digital and platform-driven environment. Could you speak to some of those challenges, particularly those that might be relevant to today's conversation? How has that growing complexity maybe exposed gaps in the way we as policy-makers, regulators and industry platforms understand and measure Canadians' exposure to advertising?

Sheehan Carter: Wow. That's a tough question.

Yes, absolutely. Our broadcasting environment has changed a great deal just in the last 15 years, I would say. In fact, the changes have been transformative. Our traditional system operates in an environment in which their revenues are declining rapidly. They're looking for alternative means of gaining revenues wherever they can. We have an online environment that is also evolving very rapidly. Despite their increasing revenues overall, they are searching for other opportunities as well. They're delving into the advertising space, which has traditionally been a very important area for traditional broadcasters. Their, perhaps, incursion and their attempts to gain revenue through that space has continued and, I would say, amplified the effect of the presence of digital services within the environment.

As a regulator, we have just relatively recently begun our efforts to move into the digital space, and there are a lot of challenges. The first challenge was data. How do we get some data that we can use to determine what regulatory frameworks are going to be appropriate and how are they going to work moving forward? Even a few years later, we still struggle with data and with making sure we have the data we need.

Beyond that, we've been progressively implementing what was Bill C-11 and moving into various areas of digital regulation. It has been a slow and, at times, very challenging effort on our part. We are now, I would say, a couple of years into our regulatory road map. On our website, you can take a look at what our plans are in detail. It is a staged development and it does take some time.

You can see on our road map that we will be looking at how our codes could apply to online services moving forward, but that's an effort that takes second place to some of our work with respect to contribution and other areas promoting Canadian content.

● (1640)

Fares Al Soud: Fantastic.

We've discussed at length here in committee this notion of doom scrolling. I think we're all prone to doing so every now and then. I spent half an hour on a certain platform the other day, and I think I stumbled onto nine different gambling advertisements. I think that speaks to points my colleagues were making earlier about the proliferation of advertising at large within this space, in that what was once a very wholesome, very good environment—that is, sports—where you could expect that you would engage with that as a subject, period, has now changed significantly.

There's also, I think, an expectation sometimes that the CRTC is ever so involved in absolutely everything.

Could you help the committee understand what the authority of the CRTC is as it pertains to advertising practices? How might that defer to ad standards, for instance?

Sheehan Carter: Our role with respect to content in general is quite limited. Our mandate leans towards the promotion and ensuring the discoverability and availability of Canadian content.

With respect to the content itself, we have a very limited role. That is why we generally operate in an environment of co-regulation, as my colleague Mr. Hutton has explained.

With respect to advertising specifically, the commission is directly involved in only a very small amount of advertising. We were involved in the development of a code with respect to alcohol. We were involved in the development of a code with respect to children's advertising. These were all decades ago, though.

Generally, our formula or our system—and it's been a very successful one, I think, in terms of the co-regulatory model that Mr. Hutton described—is to allow the industry to develop a code, to impose that code on broadcasters through regulation, through our public consultations on which all our decisions are based, and then allow an independent third party to handle complaints with respect to those codes.

The Chair: That concludes our time for this panel.

Thank you to all of you for being here to answer our questions today.

We will suspend for a couple of minutes. We will come back with officials from the Department of Canadian Heritage, and we will commence our clause-by-clause consideration of this bill.

● (1640)

_____(Pause)_____

● (1645)

The Chair: As I mentioned before the break, we are going into clause-by-clause consideration of Bill S-211.

We have with us, from the Department of Canadian Heritage, Charlene Budnisky, senior director, communication, legislative and regulatory policy; and Amy Awad, director general, digital and creative marketplace frameworks.

I understand that you're here to answer questions about the bill, should members have any, while we're going through the bill clause by clause.

I would like to provide members of the committee with a few comments on how committees proceed with clause-by-clause consideration of a bill. As the name indicates, this is an examination of all the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and a vote. If there are amendments to the clause in question, I will recognize the member proposing it, who may explain it. The amendment will then be open for debate. When no further members wish to intervene, the amendment will be voted on.

Amendments will be considered in the order in which they appear in the package each member received from the clerk. During debate on an amendment, members are permitted to move subamendments. Only one subamendment may be considered at a time, and that subamendment cannot be amended.

Once every clause has been voted on, the committee will vote on the title and the bill itself.

I thank members for their attention and wish everyone a productive clause-by-clause consideration of Bill S-211.

Pursuant to Standing Order 75(1), consideration of clause 1—the short title—and the preamble are postponed.

(On clause 2)

The Chair: Since there are amendments to clause 2, the interpretation clause, I suggest that we postpone the study of clause 2 until the end. This will allow us to first consider and then make a decision on amendments that could have an impact on the definitions. In *House of Commons Procedure and Practice*, fourth edition, we can read:

> The interpretation clause of a bill is not the place to propose a substantive amendment to a bill unless other amendments have been adopted that would warrant amendments to the interpretation clause.

May I have consensus from members that we consider clause 2 after clause 6?

Some hon. members: Agreed.

(Clause 2 allowed to stand)

The Chair: We will move on to new clause 2.1 and amendment G-2. Somebody needs to move that.

Go ahead, Mr. Myles.

● (1650)

David Myles: I'd like to move the amendment. Would you like me to read it?

The Chair: Yes.

David Myles: I move that Bill S-211 be amended by adding after line 10 on page 2 the following:

> Designation of minister:
>
> 2.1 the Governor in Council may, by order, designate one or more members of the King's Privy Council for Canada to be the Minister or Ministers for the purposes of this Act.

(Amendment agreed to)

(On clause 3)

The Chair: Go ahead, Mr. Myles.

David Myles: We're making a slight change to the amendment that we had originally proposed, so I just want to take a second to explain it and make sure I say it correctly.

I know members are following along with the paper package, but we're making a change to amendment G-3. We're no longer proposing the change from “the national framework must” to “the national framework may”. You'll see that the paper version of the amendment had four changes. We are now only proposing the second, third and fourth changes in that amendment.

I'll now read it slowly for members and the interpreters to be able to follow.

The amendment is that Bill S-211, in clause 3, be amended by replacing line 26 on page 2 with the following:

> (c) set out clinical practice guidelines for the prevention, and

The amendment also replaces lines 2 to 7 on page 3 with the following:

> work, with the Minister may consult with
>
> (a) any minister who, in the

This amendment makes three changes. One is on line 26 on page 2, changing “national standards” to “clinical practice guidelines”. Two is on line 2 on page 3, changing “must” to “may”. Three, at lines 3 to 7 on page 3, it removes the defined list of specific ministers to leave it more flexible and open-ended to consult with anyone the lead minister wishes.

Andrew Lawton: I'm sorry, but I've not experienced this before in clause-by-clause.

Is that in order to introduce a part of an amendment or is he amending their amendment?

The Chair: Let me confer with the clerk.

The Chair: He's moving a modified version of his amendment, so it's not a new amendment.

Monsieur Champoux, go ahead.

● (1655)

[*Translation*]

Martin Champoux: Madam Chair, when committee members have questions about procedure, I find it worthwhile when the legislative clerks answer everyone.

Obviously, it's up to you, but I would find it worthwhile to hear the legislative clerks' explanations.

The Chair: Ms. Legault, you have the floor.

Michelle Legault (Legislative Clerk): Thank you, Mr. Champoux.

[*English*]

Essentially, to your question, Mr. Lawton, what Mr. Myles is doing is simply moving a modified version of his amendment. Procedurally, nothing prevents members from moving amendments from the floor. It's different than moving an amendment, getting into debate and then, five minutes later or whatever, wanting to change it.

Essentially, Mr. Myles indicated that he's removing paragraph (a). He's simply moving paragraphs (b) and (c), which will be relettered.

[*Translation*]

I hope that clarifies things, Mr. Champoux.

[*English*]

The Chair: We'll have a recorded division on G-3.

(Amendment agreed to: yeas 6; nays 4)

The Chair: Mr. Lawton, are you moving the Conservative amendment?

Andrew Lawton: Yes, if it's permissible, I'd like to move CPC-1 on Mrs. Thomas's behalf.

The Chair: Is everyone okay with that?

Some hon. members: Agreed.

The Chair: Yes, that's not a problem. Go ahead. I think we're at that point.

Andrew Lawton: I think it's self-evident, so I will move it and ask for members to support it.

Would you like me to read it?

The Chair: Yes, please, just so we're all on the same page.

Andrew Lawton: I move that Bill S-211, in clause 3, be amended by replacing line 16 on page 2 with the following:

> such advertising and banning the advertising of in-game bets, limiting the number, scope or loca-

Then it picks up from there.

It's important to acknowledge the significance of in-game betting and the challenges that's posing. This amendment would add that we hope that the framework works toward banning the advertising of such bets and then leaves everything else in the clause.

The Chair: Mr. Al Soud, go ahead.

Fares Al Soud: Madam Chair, as a rule of thumb, I can appreciate that we all come to committee with our own perspectives and our own experiences, and we've had conversations with stakeholders in the past.

That's a very important part of the work that we do, but it's also my understanding that the work we're doing here right now is to have a conversation about the value of establishing a framework by and large, not so much feeding into what the framework is going to look like. We've had these conversations in the past as a committee about the value of coming to these conversations from a policy-neutral perspective as opposed to trying to fixate on how it's going to effectively look as a framework.

I have a question for our friends from the department.

Would the bill as is allow the framework to consider restricting or banning advertising for in-game betting?

Amy Awad (Director General, Digital and Creative Marketplace Frameworks, Department of Canadian Heritage): Yes, it would.

Fares Al Soud: Okay.

Would it be fair to say that adding a specific ban on in-game betting advertising could reduce the flexibility of the framework or the establishment of the framework itself?

Amy Awad: Yes. The language as specified is “with a view”, so it suggests a particular outcome or type of outcome, and if we're very prescriptive in terms of where that outcome is, it may influence the deliberations that would generate the framework.

Fares Al Soud: It's always best that we come into these, again, from a policy-neutral perspective. There's work that needs to be done after this, and I think we should let that work take place in due time.

The Chair: Mr. Lawton, go ahead.

Andrew Lawton: On its own, what Mr. Al Soud said makes a lot of sense, but when you read the entire subclause, that is exactly what this paragraph in the legislation is already doing. Paragraph 3(2)(a) reads as follows:

> (2) The national framework must
>
> (a) identify measures to regulate sports betting advertising in Canada, with a view to restricting the use of such advertising, limiting the number, scope or location — or a combination of these — of the advertisements or to limiting or banning the participation of celebrities and athletes in the promotion of sports betting;

The legislation is already putting forward some very specific issues that we are trying to tackle, such as banning. It literally uses the words “banning the participation of celebrities and athletes in the promotion of sports betting”.

To the officials, if you review the amendment in the context of the entire subclause, this is just adding one more aspect to something that the bill is already prescribing for the framework. Is that correct?

● (1700)

Amy Awad: Yes, that's right. The language there already presents a particular area for the framework, and the more precision and restriction you add, the more directive you are of the outcome.

I will add, in terms of context, that banning the participation of celebrities and athletes in the promotion of sports betting has become a fairly standard practice in the restriction of sports betting advertising. We see it already both within the subnational regimes in Canada and international regimes.

Andrew Lawton: Thank you.

The Chair: Go ahead, Mr. Al Soud.

Fares Al Soud: To my colleague's comments, I think the use of the language “with a view to” provides a broader lens on what could then be specific and specified in the context of the work that needs to be done, following the work that happens here—that is, our agreeing that there is value in a framework, hopefully, and then, subsequently, that work taking place.

I don't disagree that there is a lens being provided. I just think that, to the comment that was made by the official, if we add this specific component, that narrows down the scope a lot more, and I don't think that is our responsibility here in committee. I think our responsibility is tied to agreeing on whether there is value in a framework.

As a separate question, could it perhaps at times be preferable to keep clauses broader rather than making them specific so that the subsequent work can be on its own merit, so to speak?

Amy Awad: When the designated minister works on this, he or she will definitely look towards the language in the legislation to set priorities in terms of what to focus on in the framework. This language is significant and could impact the directionality of the deliberations, so it's a question for you in terms of whether that's what you want to do in this case.

The Chair: Go ahead, Mr. Kuruc.

Ned Kuruc: I want to ask about Ms. Awad's comment that it narrows.... Could you explain that to me? Generally, when you pinpoint.... When you don't get specific, then it's very broad, and the fear is that there are some loopholes or some different things there. Maybe you could explain that leaving it this way.... I'm just confused, I guess.

Amy Awad: Maybe, to be extra clear, there is nothing that you will add to the language, unless you change the entire formulation, that would prevent the minister who is developing these measures from including a particular measure, including a measure to ban advertising for in-game betting.

Whether you include the language or not, it's still possible that this will be in the framework. The more language you include on those particular items, the more the minister will need to look at those specifically, so you may be limiting the discretion or the ability to prioritize what are the most important elements of the potential framework.

Ned Kuruc: Hypothetically, if the minister left that out, would it leave a loophole for in-game betting?

Amy Awad: It would not, because he or she would still need to look at what the most important measures are in order to address the problem that the bill aims to address, and if in-game betting was on that list, then there should be measures in that—

Ned Kuruc: If it wasn't on the list and it got left out, then there could be a loophole for in-game betting.

Amy Awad: Yes, and there could be a loophole for any other area that's not included in the framework.

Ned Kuruc: Okay. Thank you.

The Chair: Seeing no other hands, we'll call a recorded vote.

(Amendment negatived: nays 6; yeas 4)

(Clause 3 as amended agreed to on division)

(On clause 4)

The Chair: Go ahead, Mr. Myles.

● (1705)

David Myles: I was confused by the last thing.

I move that Bill S-211, in clause 4, be amended by (a) replacing line 26 on page 3 with the following:

4 (1) Within two years after the day on which this Act

(b) replacing line 33 on page 3 with the following:

ment on any of the first 30 days on which that House is

(c) replacing lines 35 and 36 on page 3 with the following:

(3) The Minister must make the report available to the public within 15 days.

The Chair: Go ahead, Mr. Lawton.

Andrew Lawton: To the officials, in other national frameworks that you're familiar with, how long does the minister usually have to do this?

Amy Awad: I'm sorry, but I don't have knowledge of other frameworks in the exact amount. I'll look into it.

Andrew Lawton: Do you believe your colleagues would be capable of working with the minister and all the stakeholders to prepare a report like this within one year?

Amy Awad: There are multiple elements to what would need to go into this.

Based on the previous amendment, there would still need to be a designation through an OIC process of a responsible minister or ministers, and that can take a certain amount of time based on the Treasury Board process involved.

After that, the coordination of a framework of this nature, given the provincial interests and those of indigenous communities that run their own gaming systems and so forth, could be fairly complex. I would understand why additional time might be required given the nature and complexity of this particular framework.

Andrew Lawton: When you say “required”, are you stating a government position or a preference? I want to understand the context of that.

Amy Awad: I'm not stating the government position. I'm just trying to give you a little bit of the flavour of what might go into a process of preparing a report on a framework of this nature.

Andrew Lawton: I have a little bit of difficulty with this, because at the end of the day, we have to be very realistic about what this bill is doing.

We heard testimony from witnesses. The sponsor from the Senate has been very eloquent about articulating the harms that sports betting advertising, and sports betting in general, is causing. We've heard this described as a public health crisis. We've heard of this being mission critical for a lot of young people in particular in this country, including young men and boys. I'm mindful of the fact that this week the government put out something on the men and boys' health strategy, which I look forward to reading this weekend.

The problem, though, is that this is a bill that creates a report. The report is the bill. It's not a ban on sports betting advertising. It's not anything that's forcing actual action. It's not a ban on advertising. It is a report that one hopes will guide further action. If we are going to say that the government has two years to do the report and then table it, and from there we hope there is action, then we're not recognizing the seriousness of the issue that spurred this legislation that has been presented to us.

At the end of the day, this is a relatively standard request of government that I feel could be done within a year with all of the stakeholders involved and, again, with an approach that the legislation spells out. I don't think that two years is necessary or reasonable if we're looking at this as a serious health challenge for Canadians.

The Chair: Mr. Myles, go ahead.

David Myles: I appreciate what Mr. Lawton is saying. I just think that in this case, given its importance, in fact, we want to make sure we get it right. We moved through this bill quite quickly without many witness appearances. Obviously, now would be the time to do extensive consultation. It will involve provinces. It will involve indigenous groups. You're talking about a large-scale consultation on a very important issue, which we've all agreed on.

In order to get it right, especially given, again, finding the appropriate place for this to land, this is a reasonable ask.

The Chair: All right. We'll have a recorded vote on this one.

(Amendment agreed to: yeas 6; nays 4)

(Clause 4 as amended agreed to on division)

(On clause 5)

The Chair: Mr. Lawton, I believe you're up first on this one.

● (1710)

Andrew Lawton: It's Mr. Kuruc's amendment, but thank you.

The Chair: Thank you.

Mr. Kuruc, you have to put your hand up and take the floor first. It's procedure.

Go ahead.

Ned Kuruc: Yes, I apologize.

I move that Bill S-211, in clause 5, be amended by replacing line 1 on page 4 with the following:

5 Within three years after the day on which the report

The Chair: Mr. Al Soud.

Fares Al Soud: Madam Chair, my thinking here is a bit of a blend. I can't stress enough that I have a lot of appreciation for the keenness we're seeing across the board to try to do really good work on this as quickly as possible. My challenge, as Mr. Myles said on the previous debate, is this. It is very important that we take the time to do this kind of work right.

More than anything else, I've come to find that, in the course of time, there's a bit of a lag between public policy and direct impact on the ground and our ability to measure that impact. Much of this is about not just coming to terms with the framework and fully implementing that framework but also subsequently gathering meaningful evidence. It's important to bear that in mind.

I don't know whether our friends from the department have any comments on this.

Amy Awad: I will add that there are steps involved, of course.

The way the bill is structured now, within a year of royal assent, we'll see a report on and a revision of the CRTC policies. Those will inform the national framework report at the two-year mark, which will identify measures. Those measures then need to be further elaborated and implemented. A measurement framework needs to be put in place. While this doesn't necessarily require the measurement framework, it will still require that a fair bit of detail be provided to the House in order to ground a meaningful discussion. If the report is provided too early, there may be more that could have been done before that information was provided to Parliament.

Fares Al Soud: Would you agree, then, that there is value in taking the time to do this right? I don't expect you to comment on the appropriate number of years, of course.

Amy Awad: Yes, there's always value in taking time to do things right.

The Chair: Mr. Kuruc.

Ned Kuruc: I feel three years is still allowable, as opposed to five.

I would echo a lot of Mr. Lawton's concerns. When I sat on the public accounts committee, the AG was able to work on reports and table them within 12 to 18 months. These were very complex reports, multiple reports, at certain times. This is the Government of Canada. At the end of the day, these long lead times on what we've emphasized is very sensitive subject matter.... This is dealing with children, gambling and health issues in our society. I would hope to see things go a little more quickly.

Like I said, we can look at the Auditor General. They have a more specific team to tackle stuff. I understand that, but they can get multiple, very complex reports tabled within 12 to 18 months. I'm sure a ministry could do this in a year, or could do this in three years. We just want to see things move a little more quickly so we can get the report sooner so it can have an effect. That's what we're here for. That is the essence of the report.

The Chair: We'll go to Mr. Lawton and then Mr. Hardy.

Andrew Lawton: Mr. Kuruc's amendment proved rather prescient. I think it's even more important now, with the previous amendment, to extend the time the government is able to take to do the framework. What's going to happen is that the minister will now have two years to do the framework and the consultations, and to provide a road map, essentially, that we hope government will follow.

This clause we're dealing with now pertains to measuring what, if anything, comes from that framework. If we're going to take two years to do the framework, it would be great to have the minister come back to Parliament in three years to say, “Here is what the federal and provincial governments have done. Here's what they haven't done. Here's what is in progress.” That report becomes a pretty useful benchmark on whether anything comes of this.

I realize that we're in a climate right now where the Liberal government loves announcements over action and rhetoric over results. I'm trying to make sure we preserve the intention of Senator Deacon and, I would say, Ms. Chagger, the House sponsor of this bill. Let's have something that isn't just a report. Have something that will generate a real response to this issue. Everyone around the table has said that they acknowledge that this is urgent, but no one wants to deal with it with any urgency. It would be great, especially if we're going to have two years, to create the report and fulfill the obligations set out in this legislation.

Parliamentarians deserve to know as soon as possible whether anyone is listening and putting into action what that report calls for. This is very reasonable. This is still going to say that, within five years of the day this legislation passes, we'll have a pretty good barometer of whether any of this was worth anything. I hope it was and I hope it is.

● (1715)

The Chair: Mr. Hardy is next.

[*Translation*]

Gabriel Hardy: Thank you.

I will follow up on what was just said. The government talks about urgency, then says in the text that, basically, there is no real urgency. However, everyone agrees that this is extremely important. We also have some comparisons, because we've already gone through this with tobacco and cannabis.

There is an urgent need to act for the mental health of our young people, but we're causing administrative delays by saying that we need to move forward slowly to make sure we don't make any mistakes. However, we have some comparisons and we know when we're making a mistake. No one is currently saying that it won't be a problem later. However, it is said that the administration is more important than the facts and the reality on the ground. No one in the public is saying that we shouldn't do this. No one around the table here is saying that we shouldn't do this.

We are asking the government to act more quickly to prioritize our young people, but we are told that, although it is urgent, it is not urgent enough to stress the administration. The government keeps hiring more people, and it keeps telling us that there is a shortage of employees and that, ultimately, the deadlines have to be extended again.

At the end of the day, all people want is a government that works for them and works fast, because they pay more taxes every week. Everything costs more, and they see us taking our time for important business. They are forced to suffer the effects of what they see as a problem, while watching the bureaucracy not move forward to address what is recognized as a problem.

I think what we're asking for is pretty clear and pretty obvious. However, we always find reasons to slow down the process. I find that quite unfortunate. I see this kind of thinking in a lot of other areas. I recently experienced it at the Standing Committee on Fisheries and Oceans. There are problems, and our fishers are telling us about them. Everyone sees them, but we're going to publish a report four years late, because there's a staff shortage or because administering takes too long.

Today, the meeting is being filmed, and we like sound bites here. If we want to ensure that this deliberation is done today with what we have before us, I hope that the same deliberation will happen when the time comes to talk about Bill C-34, because it is coming. This is about protecting our young people, and now we're being told that it is an emergency and that it has to move quickly. I hope that the bill will be able to say that it asked for five years and that it slowed down the process. Will we get the same answers as here when we study this bill? We may eventually get an answer in a sound bite.

[*English*]

The Chair: Next is Mr. Al Soud.

Fares Al Soud: Madam Chair, to Mr. Lawton's point on acknowledging and valuing our sponsors in the context of this bill—and again, I can't stress enough the degree of collaboration and how much that is valued here—the bill was drafted as the bill was drafted for a reason: that is, the consultations that need to be undertaken with the provinces, with indigenous communities and with everyone across the board on this are going to be extremely important, and that does take time.

I think the last thing we would want to do is to sidestep away from the intention of the sponsors—who have, again, dedicated countless hours to put this forward in the first place—in moving forward on this, at a pace that we think is reasonable, coming into this from a lens that we do not have but they do. That is just my one consideration on this.

The Chair: Thank you.

Mr. Lawton is next.

Andrew Lawton: I would like to point out that Mr. Al Soud claimed the legislation was drafted as it was for a reason and we should respect that. We are on the fourth Liberal amendment to the legislation right now.

The Liberals previously amended a clause to give more time, and now, when we try to ensure the legislation is actually fulfilled, they're saying the opposite, which is, “Oh no, we don't want to change it.” That's literally what this process is for.

● (1720)

The Chair: I have Mr. Al Soud.

Fares Al Soud: I think Mr. Lawton is a bit confused about what their amendment is proposing. I would invite him to take a look at the text one more time.

The Chair: Seeing no further hands up, I'm going to call the vote on CPC-2.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

(Clause 5 agreed to on division)

(Clause 6 agreed to on division)

(On clause 2)

The Chair: We're back to clause 2 and we're on G-1 now.

I'll go to Mr. Myles.

David Myles: Madam Chair, our amendment reads that Bill S-211, in clause 2, be amended by replacing line 9 on page 2 with the following:

> “Minister” means the member or members of the King's Privy Council for Canada designated under section 2.1.

(Amendment agreed to on division)

The Chair: Go ahead, Mr. Myles.

David Myles: No. I'm ready for the next clause. We have an addition to the same clause.

The Chair: We did that already. We did them all.

David Myles: We did both G-1 and G-2?

The Chair: Yes. You started with that.

David Myles: That's the best news I've heard all day.

The Chair: Shall clause 2 as amended carry?

(Clause 2 as amended agreed to on division)

The Chair: Shall the short title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the preamble carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: I will do that.

Thank you very much, everyone, for a very productive meeting.

Don't forget that you have deadlines now for Bill C-34 witness lists. Make sure you get your witness lists to the clerk. We will start that study after the break next week.

Go ahead, Mr. Myles.

David Myles: Quickly, to clarify, we'll be doing draft reports on Thursday. That is the goal. Maybe, in the case that we finish a little early, we can then go into lock-up for the budget.

The Chair: That sounds good.

If we can get through both reports quickly, but our priority is to be here and get those two reports finished on Thursday.

Is everyone good?

Thank you.

The meeting is adjourned.

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