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# Standing Committee on Canadian Heritage

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Chair: The Honourable Hedy Fry





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Tuesday, June 14, 2022

• (1835)

[*Translation*]

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

Welcome to meeting number 36 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.

[*English*]

I also wanted to say that this meeting is pursuant to the order of reference of Thursday, May 12, 2022, and to government motion 16 adopted by the House of Commons on Monday, June 13, 2022. The committee is resuming clause-by-clause consideration of Bill C-11, an act to amend the Broadcasting Act and to make related and consequential amendments to other acts.

You know everything about how to mute and those on the floor wearing masks, etc., so I will just reiterate that I know you know all of that and you know how to get to interpretation, etc.

(On clause 3)

**The Chair:**

When we left, we had finished CPC-4, and we were going to go to CPC-5.

Mr. Nater.

**Mr. John Nater (Perth—Wellington, CPC):** Thank you, Madam Chair.

I believe the next few clauses are under Mr. Viersen's name, and I believe he's declining to move the next few and will be going straight to CPC-7.

**The Chair:** Do I have unanimous consent from the committee for Mr. Viersen to withdraw those amendments?

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** On a point of order, Madam Chair, I just wanted to specify that I don't believe you require unanimous consent if the mover withdraws the amendment. I think this will be very relevant later on in the evening, which is why I'm raising it now.

**The Chair:** I'll go to the clerk, but I do think that you require unanimous consent if someone wants to withdraw a motion on an amendment.

Mr. Méla.

**Mr. Philippe Méla (Legislative Clerk):** Indeed, you don't need unanimous consent before the amendment is moved. Once the amendment has been moved, then at that point you need unanimous consent to withdraw it. If it's not moved yet, you don't.

**The Chair:** That's right. He's not moving them. Thank you, Mr. Méla, for that clarification.

We will therefore go straight to CPC-7.

Mr. Viersen.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Thank you, Madam Chair.

Once again I just want to reiterate that the main thrust of this is to prevent sexually explicit material from falling into the hands of children. This is something that we already do on the airwaves. The CRTC is already managing this when it comes to television. We should not allow online platforms to have unlimited access to our children when it comes to pornographic material.

We already manage this when it comes to corner stores as well—bricks and mortar stores. It's ensuring that that would take place online as well, given that the intent of the bill is to level the playing field. I'm not necessarily convinced that's what this bill does, but this, I think, would be an improvement to the bill; therefore, I'm moving it. I think that online sexually explicit material should be regulated in the same way that such material is regulated on paper and also on television.

Those are essentially my comments, and I went over it as well.

**The Chair:** Can you please read your amendment, just for the record?

**Mr. Arnold Viersen:** Sure. I move that Bill C-11, in clause 3, be amended by adding after line 15 on page 5 the following:

(3.1) Paragraph 3(1)(d) of the act is amended by adding the following after subparagraph (iv):

(v) seek to protect the health and well-being of children by preventing the broadcasting to children of programs that include sexually explicit content, and

(vi) safeguard the human rights of women and marginalized people by preventing the broadcasting of programs that include pornographic material that is produced through sexual exploitation or coercion;

**The Chair:** Thank you.

We will move to discussion of that amendment.

Mr. Julian.

**Mr. Peter Julian:** Thank you very much, Madam Chair.

I'm going to support CPC-7, but I want to be clear as well.

In Bill C-11, there is no provision for censorship and there's no shutting down of freedom of speech. We all know that. There have been certain Conservative MPs, like Mr. Scheer, who've tried to pretend the contrary, but we all know, and anyone who has read the bill knows, that you cannot refer to censorship when it comes to Bill C-11.

This, however, and it's a little ironic, is a Conservative amendment that does introduce an element of censorship. It prevents the broadcasting to children of programs that include sexually explicit content, and it prevents the broadcasting of programs that include pornographic material that is produced through sexual exploitation or coercion.

I want to be clear to committee members. This is the only element of Bill C-11 that introduces censorship. It is ironic that the Conservatives have proposed this amendment, but I support it because, in this case, the censorship, the preventing of broadcasting, is in the public interest.

I want to say that I'll be voting in favour. I believe that the public interest is upheld through this. Committee members, and anyone who is watching this committee through the House of Commons web broadcast, should know that this introduces an element of censorship for the first time to Bill C-11, and it's Conservatives who have introduced this amendment.

I'm supporting it because it is in the public interest, but those who say that Bill C-11 has some censorship in it will finally be right, because if this amendment passes, it does introduce an element of censorship into the bill.

• (1840)

**The Chair:** Thank you, Mr. Julian.

Mr. Coteau.

**Mr. Michael Coteau (Don Valley East, Lib.):** Thank you so much, Madam Chair. I have a question for Mr. Ripley.

If this passes, would it essentially mean that an online platform like Netflix, for example, which may have a movie that is sexually explicit, would be prevented from providing that type of material if young people have access to Netflix?

**Mr. Thomas Owen Ripley (Associate Assistant Deputy Minister, Department of Canadian Heritage):** Thank you, Madam Chair.

To situate where this amendment is taking place, it would be taking place in the policy objectives of the act, along with other policy objectives that are set out. Then it goes over to the CRTC to operationalize that through various mechanisms.

There is a degree of action already in this space with respect to adult channels that may appear on cable or satellite packages. The CRTC has put in place certain measures with respect to those channels that require certain things of them given the type of explicit content that they are distributing. That is traditionally done in the legacy broadcasting system by working with industry associations to develop broadcast codes and standards.

My expectation in terms of what would happen if these amendments were to pass is that the CRTC would look at them, probably to the extent that those codes already cover these kinds of issues. To the extent that there are gaps, it would probably work through its industry associations to adapt the codes as required. That can include things like user interfaces designed for children, and it includes classification of programming and all those types of measures.

**Mr. Michael Coteau:** It sounds like what would happen would be Netflix, for example, if it has sexual content on its platform, would just look for ways to prevent access by younger people, of course. There are age restrictions on Prime, for example, so you have to put in a code if it's above a certain level.

Is that the type of stuff we're talking about? Could it actually be interpreted in such a way as to remove that content from an online platform, so no one would have access to it?

**Mr. Thomas Owen Ripley:** We're talking about subparagraph (v), which is about protecting the health and well-being of children by preventing the broadcasting to children of certain programs. Again, I would expect the kind of space we would be in with a service like Netflix would be a discussion around the protections they have to make sure that children cannot stumble onto content that would include sexually explicit material, such as the interface whereby you set your kid up and they click through, for example.

My read is that it does not mandate the CRTC to prohibit, for example, Netflix—

• (1845)

**Mr. Michael Coteau:** That's right, so we're not talking about censorship overall, for everyone. We're talking about preventative methods to stop children from accessing material.

**Mr. Thomas Owen Ripley:** Yes.

**Mr. Michael Coteau:** Okay. Thank you.

**The Clerk of the Committee (Ms. Aimée Belmore):** Mr. Housefather has his hand up.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Yes. Thank you very much—

[Translation]

**The Clerk (Ms. Aimée Belmore):** In fact, Mr. Champoux had raised his hand before Mr. Housefather. I'm sorry, I made a mistake.

[English]

**The Chair:** I'm sorry. I was muted.

I think it's Mr. Champoux and then Mr. Housefather.

**The Clerk (Ms. Aimée Belmore):** You're absolutely correct, Dr. Fry.

[Translation]

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

I have the same concern about amendment CPC-7.

I must admit that the proposed subparagraph (vi) suits me. Indeed, one cannot be against this provision, which seeks to prevent pornographic material from being produced under reprehensible conditions.

However, I have a serious problem with the proposed subparagraph (v). Where exactly is this line being drawn? It seeks “to protect the health and well-being of children by preventing the broadcasting to children of programs that include sexually explicit content.” What does that mean? Who determines what constitutes sexually explicit content? Today, around this table, we might determine that this or that content is sexually explicit; another assembly might determine that a mother breastfeeding her child constitutes sexually explicit content. To me, the definition of sexually explicit content is problematic, because that's where opinions are going to differ and it's going to be extremely difficult to draw the line.

In that sense, I would be very much in favour of what CPC-7 suggests if the proposed subparagraph (v) were removed. While I understand that the intent is good, I believe that this provision does not belong in a bill like this one. It is too slippery a slope, closer to censorship, I believe, than to the actual protection of children's health and welfare. I do support proposed subparagraph (vi), however, so I would be quite prepared to support the amendment if, for example, someone would venture to remove proposed subparagraph (v) from the amendment.

[English]

**The Chair:** Go ahead, Mr. Housefather.

[Translation]

**Mr. Anthony Housefather:** Thank you, Madam Chair.

I totally agree with what Mr. Champoux just said.

[English]

Essentially, I read this, “preventing the broadcasting to children of programs that include sexually explicit content”, in a bill in which we have Conservatives reticent to give powers to the CRTC, as giving unlimited powers to the CRTC to determine what is sexually explicit. How do we stop children from seeing this? Does this mean that a 17-year-old, who is not an adult...is a 17-year-old not allowed to watch *Game of Thrones*?

I find this to be absolute censorship. I don't agree with it at all, and I don't agree with giving the CRTC those powers. Much as Mr. Ripley may minimize what the CRTC would do, I don't agree with that. I think we're giving it effectively wide open powers to determine what is sexually explicit, which is not its mandate or its role or its expertise, and then to figure out how to somehow stop children from seeing this. Then we're going to restrict adults from seeing materials that are not illegal but are simply sexually explicit.

I don't agree with how this is worded. I also question whether or not the CRTC is the one, because there are other means to stop pornographic material that is produced through sexual exploitation or coercion, which is illegal in Canada. It is an illegal activity. I don't believe the CRTC has the means to know what material was produced that way.

If anything, in a bill where we've been talking about all of the draconian powers we could be giving to the CRTC, this is the first

amendment that gives real censorship powers to the CRTC, a body that I don't think is equipped to do this. I think there is an online harms bill that is coming. If stuff like this should be anywhere, it should be in an online harms bill, where you create a regulator that has expertise and knows how to do this. I don't think the CRTC is the right body at all.

Thank you, Madam Chair.

**The Chair:** Yes, Mr. Viersen.

**Mr. Arnold Viersen:** Thank you, Madam Chair.

I would just reject the entire premise that this is censorship. Again, we don't consider it censorship when we keep pornographic material out of the hands of children in any other venue, whether that be at the corner store or whether that be on the airwaves when it comes to your television in your home.

That is what this amendment seeks to do. We don't consider it censorship when we don't sell underage children pornographic material at the corner store. We don't consider it censorship when we don't allow certain channels to be broadcast into homes at certain times of the day. That is what this amendment seeks to do. The terms “sexually explicit content” and “pornographic material” are quite interchangeable and are well defined in Canadian law. That's something Parliament has been dealing with going back 60 years, and the courts as well, so that's not something that's a major issue.

I'm looking forward to having my colleagues' support on this amendment.

Thank you.

• (1850)

**The Chair:** Mr. Coteau.

**Mr. Michael Coteau:** What's the definition of a child? Does anyone know that? What age? Are we talking about zero to 12?

To go back to Mr. Housefather's point about whether a 17-year-old should be told, through an amendment like this, not to watch *Game of Thrones*, I think that's a very good one. Does the act define a child? I don't know at this point.

Mr. Ripley.

**Mr. Thomas Owen Ripley:** The bill does not provide for a definition of a child, so I'm not in a position to advise on what age range that would include in this instance. I'd look to Mr. Viersen to clarify what his intention would be in that respect.

**Mr. Michael Coteau:** Madam Chair, I agree with the spirit of the amendment. I honestly do. I agree with pretty much everything you've said. The problem is that if we pass something like this, it will be challenging to define age.

I have a 16-year-old daughter. She watches things that a 16-year-old watches, and I don't know if this would prevent her from watching something that's innocent enough but could be considered sexually explicit. I don't know what the definition of sexually explicit is in this bill, so it's hard for me to support, even though I agree with the spirit of what the member's trying to achieve.

It just opens up too much to interpretation. To go back to the Conservatives' point, we haven't seen regulations that would define some of these pieces, so I'm a bit hesitant to support the proposed amendment, even though I agree with the spirit of what the member's trying to achieve.

Thank you.

**The Chair:** Seeing no further debate on this particular amendment, could we call the question on CPC-7, please?

(Amendment negatived: nays 7; yeas 4)

• (1855)

**The Chair:** CPC-7 does not carry.

We'll now move to NDP-3, and Mr. Julian.

**Mr. Peter Julian:** Thank you very much, Madam Chair. I won't take a lot of time to talk about this.

Many witnesses came before the committee and were concerned about ensuring that we use “Canadian creative and other resources in the creation, production and presentation of Canadian programming” and that broadcasting undertakings “contribute to the creation, production and presentation of Canadian programming to the greatest extent that is appropriate for the nature of the undertaking”.

I propose this amendment in that spirit, which is to maximize Canadian employment.

**The Chair:** Mr. Julian, could you just read it for the record?

**Mr. Michael Coteau:** Madam Chair, I have a point of order. Does it have to go on the record every single time? Can we just let people decide if they want to read it or not, just to save time? Can't they just move—

**The Chair:** I think there is no other way of putting it on the record, unless the mover moves it.

It shouldn't take a lot of time. We're going to take more time debating whether people move it or not, so Mr. Julian, can you please read your motion quickly?

**Mr. Michael Coteau:** Madam Chair, on a point of order, could I ask the legislative clerk if it has to be read, Madam Chair, just for process?

**The Chair:** Well, I can ask the legislative clerk, and I will give you his answer. We will suspend while I ask the legislative clerk.

• (1855)

(Pause)

• (1855)

**The Chair:** Mr. Coteau, Mr. Méla informs me that there is no need to read them every time, so thank you for pointing out that ability for us to be more efficient. I appreciate it.

**Mr. Michael Coteau:** Thank you.

**The Clerk (Ms. Aimée Belmore):** Dr. Fry, just to clarify, the speaking list was Monsieur Champoux and Monsieur Coteau.

**The Chair:** Go ahead, Martin.

[*Translation*]

**Mr. Martin Champoux:** Thank you, Madam Chair.

I understand that, if we adopt the amendment we are discussing now, BQ-5 will automatically be cancelled.

I fully agree with Mr. Julian's amendment. In fact, I think it is an extremely important amendment to ensure that we make maximum use of Canadian resources, whether human, creative or other resources, to produce and create Canadian content.

Thank you.

[*English*]

**The Chair:** Thank you, Mr. Champoux.

I also want to say that, while adoption of NDP-3 makes BQ-5 moot because they're identical, if NDP-3 is defeated, so will be BQ-5 for the same reason. If NDP-3 is adopted, BQ-6 cannot be moved due to a line conflict.

This is so that everybody's clear. I usually tell you this before you vote—

[*Translation*]

**Mr. Martin Champoux:** On a point of order, Madam Chair. I'd like to ask the legislative clerk's opinion on this. BQ-6 deals with proposed paragraph (f.1). The amendments do not affect the same lines at all.

[*English*]

**The Chair:** Go ahead, Mr. Méla.

**Mr. Philippe Méla:** Yes, Madam Chair. I'm sorry. I was reading the amendments to make sure I understand the question.

**The Chair:** I told everyone that, if NDP-3 is adopted, BQ-6 cannot be moved due to a line conflict. Mr. Champoux is asking why.

• (1900)

**Mr. Philippe Méla:** Yes, that is exactly why.

[*Translation*]

NDP-3 changes lines 18 to 34, and BQ-6 changes lines 28 to 34. The amendments therefore affect the same lines.

**Mr. Martin Champoux:** Mr. Méla, BQ-6 consists of deleting from Bill C-11 the lines that in fact correspond to proposed paragraph (f.1). BQ-5 relates to proposed paragraph 3(1)(f), while BQ-6 relates to proposed paragraph 3(1)(f.1).

There may be some confusion in the lines, but in the end we are talking about two separate portions of a proposed amendment.

[*English*]

**The Chair:** Mr. Méla, would you like to respond?

[*Translation*]

**Mr. Philippe Méla:** The fact is that NDP-3 replaces proposed paragraphs (f) and (f.1). It replaces both.

[*English*]

**The Chair:** Thank you.

[*Translation*]

**Mr. Martin Champoux:** So, by adopting NDP-3, we delete proposed paragraph 3(1)(f.1). Is that correct?

**Mr. Philippe Méla:** Yes.

**Mr. Martin Champoux:** Thank you, that answers my question. It is clearer now.

[*English*]

**The Chair:** Thank you very much, Mr. Champoux.

Mr. Coteau.

**Mr. Michael Coteau:** Thank you, Madam Chair.

I have a quick question, through you, for Mr. Ripley.

Would something like this even be possible? Is it feasible?

**Mr. Thomas Owen Ripley:** The government's position on this has been that one reason for Bill C-11 is to bring non-Canadian broadcasting services into the system.

Generally speaking, these broadcasting services have global business models whereby they are making productions for global audiences and not exclusively for the Canadian audience.

The issue that this committee and the committee in the previous Parliament have grappled with is how to square the current standard in the current act, which talks about making maximum use, but only applies to Canadian companies whose operations take place in the Canadian context—it makes sense to ask them to make maximum use, no less case predominant use, because the reference point is exclusively Canadian—with the fact that moving forward we will now have non-Canadian services that are expected to contribute to the policy objectives of the act.

The reference point of maximum use in the context where the operations of those businesses are global, from the government's perspective, has been challenging. The government has heard from those companies that they do not think it is a realistic benchmark.

The language that's currently in Bill C-11 is reflective of the work that the committee did in the previous Parliament to set out a “maximum use” standard with respect to Canadian services. With respect to foreign services, it pushes them to make, as the language in the bill says, “the greatest practicable use of Canadian creative and other human resources”. It also clarifies that they should “contribute in an equitable manner”, i.e., in a fair manner. The CRTC has to look at their contributions compared to the contributions of Canadian broadcasters to make sure that the system is fair and everybody is pulling their weight.

The proposal being put forward would create one standard applicable to all and would be that higher maximum use standard. I would also highlight that the language in the current law, i.e., the current Broadcasting Act, has a bit of flexibility in the current standard. It talks about how, “unless the nature of the service provided by the undertaking, such as specialized content or format or the use of languages other than French and English, renders that use impracticable, in which case the undertaking shall make the greatest practicable use of those resources”.

I would just note that the standard being proposed no longer even has that degree of flexibility incorporated, so it is quite a high standard that the committee would be proposing for all broadcasting services.

• (1905)

**The Chair:** Thank you.

Martin.

[*Translation*]

**Mr. Martin Champoux:** From what I understand from the explanations Mr. Ripley has just given us, we are going to listen to the multinationals' complaints rather than to the Canadian industry and producers.

Here, undertakings are being asked to use “Canadian ... resources ... in the creation, production and presentation of their [Canadian] programming,” and not for all of their programming. I obviously don't expect an undertaking to be required to produce a Swedish miniseries in Canada.

In this case, I understand that we are listening to these undertakings' grievances rather than pursuing the objective of Bill C-11, which is to make the market fair, both for Canadian undertakings and for foreign undertakings that benefit from the Canadian market.

I find it hard to justify bending to the arguments of these multinationals, when we want them to invest in production by calling on Canadian talent and creators, who are as capable as foreign talent, if not more so, of producing Canadian programming that tells our stories.

I don't think that's a good argument. Mr. Julian's proposal, which is similar to the Bloc Québécois' proposal, reflects the expectations of the industry, the market, our producers, our talent and our artisans. I therefore think that this amendment is appropriate.

• (1910)

[*English*]

**The Chair:** Mr. Waugh.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Thank you, Madam Chair.

I have some questions for the officials on the trade agreements. When this was actually signed in the eighties, the deputy minister of Canadian heritage, and I forget the person's name, I apologize.... I've read the book. A big component of the agreement back then was where Hollywood and others did not agree with Canadian laws on Canada-U.S. trade agreements. I'm not sure this wouldn't follow the same trait, that we're not going down the same road. It was the deputy minister of Canadian heritage at the time who actually saved the bill, the broadcasting bill.

It went to the U.S. Congress and they intercepted it, and then we worked our way through it.

Here Mr. Julian has brought an amendment to this, but I am very concerned that we're going back to this with the USMCA some 31 years later. You probably read the book, and I wish I had the name of the book, but it was specifically on this issue of Canada-U.S. trade relations dealing with heritage and broadcasting.

Does it change anything, 31 years later?

**Mr. Thomas Owen Ripley:** I'm not entirely sure on the book. Obviously, I would say our trade obligations were certainly kept in mind, as we have crafted this legislation and made efforts to ensure, actually, that it's crafted in such a way as to be non-discriminatory. For example, Canadian online undertakings like Crave, for example, or Club illico would be expected to contribute, just like non-Canadian undertakings. We have certainly kept those considerations in mind.

In response to the committee's debate, the government is seeking to put in place a bill that has a high degree of ambition with respect to seeking contributions from these streaming services, but at the same time we have been mindful about the need to put in place a bill that, at the end of the day, can be operationalized as well. It has to work in practice. I would come back to the reference point with respect to a Canadian broadcaster that is established in Canada, has operations here, and inherently uses only Canadian resources with respect to its operations. It's a different reference point from a global company.

I certainly hear Mr. Champoux's concerns about making sure that we are being very ambitious with respect to the contributions we're seeing from those companies, but we do need to keep in mind that they are a very diverse group of services, potentially, ranging from Netflix to Disney+ to Amazon. The business models are different.

The goal was to ensure that the CRTC has the clear direction to seek from them, to the greatest extent possible, the kinds of contributions they can make to the system.

**Mr. Kevin Waugh:** That's it, Madam Chair.

**The Chair:** Thank you, Mr. Ripley.

Clerk, if no other hands are up, then perhaps we will call the question.

(Amendment negated: nays 9; yeas 2 [See Minutes of Proceedings])

**The Chair:** NDP-3 is not carried. This means, then, that BQ-3 is also not carried.

[Translation]

**Mr. Martin Champoux:** No, it's BQ-5.

[English]

**The Chair:** Yes, it's BQ-5—*cinq*.

NDP-3 is not adopted, so we can move to BQ-6.

We have Mr. Champoux.

[Translation]

**Mr. Martin Champoux:** I'm glad we can still vote on amendment BQ-6, the purpose of which is to remove paragraph 3(1)(f.1) that Bill C-11 seeks to add to the act. I believe that foreign under-

takings should not be given preferential treatment over Canadian undertakings. However, that is precisely what this paragraph gives them: they are encouraged to use Canadian resources, but they are not required to do so. In my opinion, this is a way of maintaining inequity in a market that needs to be rebalanced.

I therefore ask the committee to accept this amendment, which consists of deleting paragraph 3(1)(f.1) that Bill C-11 seeks to add to the act.

[English]

**The Clerk (Ms. Aimée Belmore):** Dr. Fry, Mr. Housefather has his hand up.

**The Chair:** Go ahead, Mr. Housefather.

[Translation]

**Mr. Anthony Housefather:** Thank you, Madam Chair.

I think my friend Mr. Champoux will see that, unfortunately, this amendment is not really desirable in practice. Indeed, if we keep paragraph 3(1)(f), which says “each Canadian broadcasting undertaking shall”, and remove proposed paragraph 3(1)(f.1), then there would be no obligation for foreign online undertakings. This would therefore not be a fair solution.

At least the proposed paragraph 3(1)(f.1) provides some obligation for foreign online undertakings. I don't think it's my colleague's intention to remove that obligation.

**Mr. Martin Champoux:** Yes, you're quite right.

That reinforces my point about the importance of maintaining paragraph 3(1)(f).

[English]

**The Chair:** Does anyone else wish to speak to this?

Hearing none, I will call the question. Shall BQ-6 carry?

(Amendment negated: nays 11; yeas 0 [See Minutes of Proceedings])

**The Chair:** Thank you, Madam Clerk.

Next on the agenda, we have LIB-4. I want to note that if LIB-4 is adopted, BQ-7 on page 36 cannot be moved due to a line conflict.

Go ahead, Mr. Housefather.

• (1915)

[Translation]

**Mr. Anthony Housefather:** Thank you, Madam Chair.

This amendment reflects the very issue that Mr. Champoux and I raised last time. It's about using the words “original programs in French” to ensure that the programs are actually produced in French.

[English]

**The Chair:** All right. Is there any discussion on Mr. Housefather's amendment, which is Liberal-4?

Shall LIB-4 carry?



**Mr. Anthony Housefather:** Madam Chair, I think you have unanimity in the room saying it passes.

**The Chair:** Thank you, Mr. Housefather. I cannot see the room, so thanks for telling me that.

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

**Mr. Peter Julian:** Madam Chair, on a point of order, I have delightful news to bring to you. I am withdrawing amendments NDP-6, NDP-10, NDP-11 and NDP-14, which will mean a shorter night for all of us.

**The Chair:** Thank you kindly, Mr. Julian.

BQ-7 cannot be adopted because LIB-4 is adopted.

Now we go to amendment PV-1.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Thank you, Madam Chair.

In case folks around the table wonder about PV, back in the day, when I first started presenting amendments, they didn't want to use “G” for Green because it would have been confused with “Government”, which some day will be the case—you'll have a Green government and there won't be any confusion. However, for now, PV is *Parti vert*, and I am presenting very succinctly this amendment, which would create new language on page 6, just after line 22.

It comes from evidence that the committee has heard, largely from the community radio, community broadcasting group. I won't read it all out, but they wanted, and this amendment creates, the opportunity for a divergence of opinion and views to be heard on matters of public concern, and specifically—and this is language that I think is so good—“to directly participate in public dialogue on those matters through the community element; and...”

The amendment would inject the notion that our public broadcasters and our community broadcasters and the whole Broadcasting Act would create opportunities for respectful dialogue and to expose people to different views and also create for them not just an observational experience but a participatory experience, to participate directly in public dialogue.

I think if we had this kind of thing, we wouldn't see such low voter turnout, if people were able to engage.

That's my submission. I hope this amendment will find favour with committee members. Thank you.

• (1920)

**The Chair:** Thank you, Ms. May.

Is there any discussion?

Chris.

**Mr. Chris Bittle (St. Catharines, Lib.):** Thank you so much, Madam Chair.

I don't know why I'm at a loss for words. It's the first time in six years.

We're supportive of the amendment. However, I'm hoping we can make a friendly amendment on the third line, after “matters”, so it

would be “on those matters, including through the community element”, just between lines 3 and 4, including the word “including”.

**The Chair:** Is that an insertion, Mr. Bittle, and are you removing anything at all from the amendment?

**Mr. Chris Bittle:** I'm moving an amendment or a subamendment.

**The Chair:** Yes, but I don't know if you are just moving, after “matters of public concern”, “including through the community element”.

Does that mean the rest of that sentence is gone? I didn't quite understand it.

**Mr. Chris Bittle:** No. It would read, “on those matters, including through the community element; and”.

**The Chair:** All right. Thank you.

Now would we like to discuss Mr. Bittle's subamendment? Is there any discussion?

**Ms. Elizabeth May:** People are looking to me, Madam Chair, but under the terms of the motion passed by this committee, I am not allowed to have an opinion on whether something is friendly or not, because I'm not the mover. It was deemed moved by the apparatus that was created that brings us here today. If it were up to me, I would say that's friendly, and I like it a lot, but I'm not actually permitted to do that under your rules.

**The Chair:** Thank you, Ms. May.

Is there anyone else wishing to speak to this?

Mr. Méla.

**Mr. Philippe Méla:** I have a question regarding Mr. Bittle's amendment. Just to make sure I understand how it reads. Is it “on matters, including through the community element and of public concern”, and then the rest of it?

**Mr. Chris Bittle:** Yes. It would remain the same. I'm just putting in the word “including” between “matters” and “through”.

**Mr. Philippe Méla :** There is no “through the community element” anywhere.

**Mr. Chris Bittle:** It is “in public dialogue on those matters, including through the community element; and”. Everything else would remain the same except the inclusion of the word “including”.

**Ms. Elizabeth May:** Well done.

**Mr. Chris Bittle:** Thank you.

**The Chair:** Are you clear, Mr. Méla?

**Mr. Philippe Méla:** Sorry, I was looking at the first “matters”. There is one on the third line.

**Ms. Elizabeth May:** Yes, that's right.

**The Chair:** I think it is the first “matters”, if I understand correctly, Mr. Bittle.

**Mr. Chris Bittle:** It's the second “matters”. It will be between lines 4 and 5 of this paragraph, “in public dialogue on those matters, including through the community element; and”.

**The Chair:** Thank you for explaining that subamendment.

Is there any discussion?

Seeing none, should the subamendment carry?

**An hon. member:** There is consent, Madam Chair.

(Subamendment agreed to)

**The Chair:** Should PV-1 as amended carry?

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

**The Chair:** The next one is BQ-8.

Mr. Champoux.

• (1925)

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, this amendment suggests that we “include the greatest possible contribution from the Canadian production sector, whether it is independent or affiliated with or owned by a broadcasting undertaking”.

In fact, with this amendment, we want to make a change to the current act. It's not an amendment to what Bill C-11 proposes. We want to add this wording to correct a situation, so to speak.

When the Broadcasting Act was passed in 1991, independent producers were a developing industry. It was not yet a force in the industry, but it was developing. At that time, the intention was to encourage self-employed people in the production industry by means of a provision in the act that encouraged the greatest possible use of their services.

Today, it is somewhat the opposite. Independent producers and self-employed cultural workers, particularly in the production field, are an important part of the industry and are often the reference and the first resource that broadcasting undertakings call upon for production.

In this context, it is entirely appropriate to amend the wording of the Broadcasting Act, 1991, by adding the following after line 22 on page 6 of the bill:

(5.1) Subparagraph 3(1)(i)(v) of the Act is replaced by the following:

(v) include the greatest possible contribution from the Canadian production sector, whether it is independent or affiliated with or owned by a broadcasting undertaking;

[*English*]

**The Chair:** Thank you, Mr. Champoux.

Is there any discussion on this amendment?

Yes, Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much, Madam Chair.

This comes from our earlier arguments with respect to previous amendments brought by the Bloc, and we appreciate where it's coming from. There are foreign players already spending billions in Canada, employing thousands of Canadians across the country, and they are a vital part of our industry. Requiring the greatest possible contribution would challenge the successful business models and could lower activity in Canada. We are committed to ensuring that

foreign players make a significant contribution, the most possible, and to incentivizing them to do more.

Unfortunately, therefore, we have to oppose this amendment.

**The Chair:** Thank you. Is there any further discussion? I see none, so I shall go to the question.

Shall BQ-8 carry?

(Amendment agreed to: yeas 6; nays 5)

**The Chair:** Next is amendment G-3.

That is Tim Louis.

**Mr. Tim Louis (Kitchener—Conestoga, Lib.):** Thank you, Madam Chair.

This is a simple clarifying amendment that harks back to what we said earlier, ensuring that official language minority communities are supported in Bill C-11. It clarifies changing the language from “needs and circumstances” to “needs and interests”.

I believe this is a positive change, not a contentious one, and that it actually will strengthen the agencies of these communities within our broadcasting system.

I hope this one will see support.

Thank you.

**The Chair:** Thank you.

Is there any discussion on this amendment?

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

**The Chair:** Now, on NDP-4, go ahead, Peter.

• (1930)

**Mr. Peter Julian:** Thank you very much, Madam Chair.

I have more delightful news.

Really, NDP-4 and NDP-5 were, I think, earlier versions, because we sent in a revised version more recently, a few days ago. They aren't really touching what the NDP amendment is, so it has been distributed under NDP-4, which I will offer instead.

It is that Bill C-11, in clause 3, be amended by replacing lines 37 and 38 on page 6 with the following:

digenous persons—within community elements which are positioned to serve smaller and remote communities and other elements of the Canadian broadcasting system;

This has already been circulated in English and French, and it replaces NDP-4 and NDP-5.

**The Chair:** Thank you.

I hope that somebody will send that to me, but let us go ahead.

Is there any discussion on this amendment?

**Mr. Philippe Méla:** Madam Chair, I just need clarification from Mr. Julian, if I may.

Mr. Julian, I just want to make sure that the amendment you just moved is the one we sent earlier by email.

**Mr. Peter Julian:** Yes, it has been distributed.

**Mr. Philippe Méla:** Does the one we sent by email replace NDP-4 and NDP-5?

**Mr. Peter Julian:** Yes.

**Mr. Philippe Méla:** Thank you.

**The Chair:** All right, seeing no discussion, shall NDP-4 carry? Is there consensus on the floor?

(Amendment agreed to)

**The Chair:** NDP-5 is no longer on the table. I am now going to move to PV-2.

Ms. May.

**Ms. Elizabeth May:** This amendment comes from testimony the committee heard from various organizations representing people with disabilities, and from the community perspective. Concerns were brought forward that services such as closed captioning and described audio and video make our media more accessible to people with disabilities.

In addition to that, this amendment serves a dual purpose, because it also proposes that people with disabilities have the right to self-expression. There should be opportunities for them to express themselves through the community element and other elements in our Canadian broadcasting system, so it is both to be provided with access and to develop their own content and voices.

**The Chair:** Thank you.

Mr. Julian.

**Mr. Peter Julian:** Thank you very much, Madam Chair.

I certainly agree with the spirit of PV-2, but I would suggest that NDP-7 does a better job of providing the opportunity for people with disabilities to develop their own content and voices, so I will be voting against PV-2, not because I disagree with the spirit of it, but just because NDP-7 is a more effective way of ensuring that people with disabilities, who we know have been profoundly disadvantaged, have the opportunity to develop their own content and their own voices in this country.

● (1935)

**The Chair:** Is there any further discussion?

I would like to tell everyone that if PV-2 is adopted, NDP-6, which is on page 43, and NDP-7 cannot be moved due to a line conflict.

We'll now put the question.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** PV-2 does not carry.

We'll now go to NDP-6.

**Mr. Peter Julian:** On a point of order, Madam Chair. I already withdrew NDP-6.

**The Chair:** I'm sorry. You withdrew NDP-6. Thank you.

Did you withdraw NDP-7?

**Mr. Peter Julian:** I did not withdraw NDP-7. Quite the contrary: I'd like to move it so that we give the opportunity for people with disabilities to develop their own content and voices in this country. I think it's a spirit that we all agree with. The wording now, hopefully, will have a consensus around NDP-7.

**The Chair:** All right. Is there any discussion? Shall NDP-7 carry?

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

**The Chair:** Now we're on CPC-7.1.

**Mr. John Nater:** Thank you, Madam Chair.

This would go immediately after the section we just discussed. It gives some form of specificity, for lack of a better word, to some of the options. It's in two parts. The first part would be adding the following:

(p.1) the Canadian broadcasting system should, whenever possible, make available programming services to assist persons living with a hearing impairment, including closed captioning services;

The second part would be adding the following:

(p.2) the Canadian broadcasting system should, whenever possible, make described video services available to assist persons living with a visual impairment;

I think both of those clauses are fairly self-explanatory, so I don't think I need to explain them any further other than to say that it may be assisting those living with a disability here in Canada.

Thank you, Madam Chair.

**The Chair:** Is there any discussion on CPC-7.1?

Go ahead, Lisa.

**Ms. Lisa Hepfner (Hamilton Mountain, Lib.):** Thank you, Chair.

Maybe I'm confused, but in reading this amendment, it looks like it's actually diminishing the requirements of broadcasters to provide descriptive video and closed captioning services, because right now it's mandatory. This legislation looks like you're making them provide those services whenever possible.

Maybe you can clarify, but to me this looks like it actually takes away from what people with disabilities already enjoy in terms of rights in Canada. I would not support that.

● (1940)

**The Chair:** Mr. Bittle.

**Mr. Chris Bittle:** Through you, Madam Chair, I'd like to ask the officials what the effect of this amendment would be.

**Mr. Thomas Owen Ripley:** Bill C-11 has a policy objective in proposed paragraph 3(1)(p) about providing "programming that is accessible without barriers to persons with disabilities" and that it is to be "provided within the Canadian broadcasting system".

In the current act, there is language there that talks about “as resources become available for the purpose”, which the government is proposing to strike, so there is no longer a resource qualification, but the aspiration is set very high. To that end, the CRTC already engages with broadcasting services about closed captioning, described video and audio description. There are discussions around trial periods for persons with disabilities.

The comment I would make with respect to Mr. Nater's proposal is that these two elements that he has identified are indeed things that the system can do to support persons with disabilities, but there is a broader range of mechanisms, and we expect that there would continue to be a broader range of mechanisms. We had proposed leaving this level of detail up to the CRTC and providing that flexibility for it to work out what makes sense as technology evolves.

**The Chair:** Mr. Bittle, does that clarify the question?

**Mr. Chris Bittle:** Yes. Thank you.

**The Chair:** Mr. Nater.

**Mr. John Nater:** Thank you, Madam Chair.

I'd like to clarify a couple of points.

This suggestion comes from a brief we received from the Alliance for Equality of Blind Canadians. Part of the brief talks about some of the hesitancy of some broadcasters to provide descriptive video, for example. I'll read a very brief part of it:

During a consultation with representatives from Bell Media, Rogers and Corus Entertainment, industry reps indicated that it was not possible to provide DV—

That's descriptive video.

—of game shows as the content would be too difficult to describe. However, recently, we have noticed that the program *Family Feud Canada* is being aired on CBC TV with DV.

Since the CBC has demonstrated that live sports and game shows can be aired successfully with DV, we believe that exemptions to the provision of DV on any type of program are no longer warranted, and that the existing exemptions to the full provision of DV must be removed.

That's just one example of the efforts that I think we all should make, not only from this angle but more generally, to ensure that all persons living with disabilities are able to fully participate in Canadian life.

Thank you, Madam Chair.

**The Chair:** Thank you.

Is there any further discussion on this?

Go ahead, Martin.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, I thought it would be difficult to reject an amendment like this one. Indeed, it is obvious to me that this accessibility should be a given. Considering the progress of technology over the years, no one can say that it is not accessible or that we do not have the means to offer this service to the clients who need it.

In fact, I wonder why it says “whenever possible” in the amendment proposed by our Conservative friends, when it should be an obligation. Offering these services should indeed be mandatory.

No matter how the wording turns out at the end of the discussion, I think we need to make sure that it is mandatory. Any undertaking that claims to be serious enough to be in the broadcasting business in Canada must, at the very least, provide that accessibility to the people who need it.

I personally want to support this amendment, but I do want to make sure that the final wording is as strong as possible.

• (1945)

[*English*]

**The Chair:** Go ahead, Anthony.

**Mr. Anthony Housefather:** Thank you so much, Madam Chair.

I am also very sympathetic to this amendment, but I see the limitations in the way that it's drafted. I was wondering if Mr. Ripley could advise.

As opposed to the way this amendment is drafted, if in paragraph 3(7)(p) on line 40 you left the wording, “programming that is accessible without barriers to persons with disabilities should be provided within the Canadian broadcasting system” and added “including, without limitation, closed caption services and video services available to assist persons living with a visual impairment”, would that fall within the existing framework to a point that the department would believe it was within the intention of the law?

**Mr. Thomas Owen Ripley:** As a point of clarification, the CRTC is currently engaging with Canadian broadcasters about progressively expanding described video across all their programming. Those conversations between the CRTC and Canadian broadcasters are ongoing.

I believe what you have described, Mr. Housefather, would be consistent with the spirit in which I believe Mr. Nater proposes the amendment, although I look to him in pointing out that these are two very important measures that can be taken to make programming more accessible for persons with disabilities. To that extent, they are illustrative of the kinds of things that would be consistent with the spirit of paragraph 3(7)(p), yes.

**Mr. John Nater:** Could you repeat that?

**Mr. Anthony Housefather:** Yes.

**The Chair:** Thank you.

Is Mr. Julian's hand up, after Mr. Housefather's?

**The Clerk (Ms. Aimée Belmore):** Yes, Dr. Fry.

**The Chair:** Thank you.

Go ahead, Peter.

**Mr. Peter Julian:** I don't believe it was, Madam Chair. That being said, I always take the opportunity to speak when you grant it to me.

I'm wondering if Mr. Housefather is contemplating an amendment.

**Mr. Anthony Housefather:** Madam Chair, I think we want to achieve the same thing. The concern is that the way this is drafted may not fall within the framework of something as strong as paragraph 3(7)(p).

If we were to take paragraph 3(7)(p) and add the words to the end of it, “including, without limitation, closed captioning services and video services available to assist persons living with a visual impairment”, I think we’ve left exactly the wording and have the same strength. It’s not limiting it to those two things, but making sure we include those who are concerned that those two things be included.

If Mr. Nater wanted to make the amendment that way, I would certainly support it.

**Mr. John Nater:** I’d be open to that amendment. I’ve already moved this amendment, so I suppose we’d need unanimous consent to withdraw this amendment. I would then be happy to propose the amendment that Mr. Housefather just mentioned.

**Mr. Peter Julian:** Creative procedure. I love that.

**Mr. John Nater:** I will seek unanimous consent to withdraw this amendment, and I will introduce Mr. Housefather’s.

**The Chair:** Is there unanimous consent to withdraw?

**Some hon. members:** Agreed.

(Amendment withdrawn)

**The Chair:** I think, Mr. Nater, that you may go ahead and put in the other amendment that you’re speaking about.

**Mr. John Nater:** Thank you, Madam Chair.

I will move the amendment that Mr. Housefather kindly read into the record just a couple of moments ago, because I don’t have it in front of me.

**The Chair:** I don’t have it in front of me either, so could someone please read it?

Mr. Housefather.

**Mr. Anthony Housefather:** What I had suggested was replacing line 41 with the following. It would leave the words “Canadian broadcasting system, including, without limitation, closed captioning services and video services available to assist persons living with a visual impairment”.

**The Chair:** Is there any discussion of this new amendment that we have on the floor?

Mr. Waugh.

**Mr. Kevin Waugh:** Madam Chair, it’s a good amendment.

I will say small and medium-sized television stations have a dickens of a time with closed captioning, especially during the holiday season. They just don’t have the people available in these markets to provide this service. It’s unfortunate.

That could maybe be a study: Out of the 365 days, how many newscasts are closed-captioned in small or medium...? I’m not talking about Toronto. I’m talking about the small or medium.... There would be very few, I would think, and it’s an area of concern, but well done, Mr. Housefather, on moving this amendment with Mr. Nater.

• (1950)

**The Chair:** Thank you.

Yes, Martin.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, despite the fact that we did not receive an official French version of the amendment, I understood its meaning very well. Obviously, I trust the law clerks to produce a French version in line with the English text.

I simply wanted to say that we will not get bogged down in the details on this point.

Thank you.

[*English*]

**The Chair:** Thank you. That’s very generous of you, Mr. Champoux.

**Mr. Philippe Méla:** Would Mr. Housefather read the amendment again, so we can make sure we have it?

[*Translation*]

**Mr. Martin Champoux:** Would it be possible to read the amendment in French?

**Mr. Anthony Housefather:** I will try to read it in both languages.

[*English*]

In English—just to be sure we get it right—line 41 on page 6 would be replaced by “Canadian broadcasting system, including, without limitation, closed captioning services and video services available to assist persons living with a visual impairment”.

[*Translation*]

In the French version, I imagine that on line 44, immediately after the end of the word “obstacles,” which is split in two by a hyphen, it would add “y inclus des services de sous-titrage codé et des services de vidéodescription afin d’aider les personnes ayant une déficience visuelle.”

[*English*]

John, was that okay with you, since it’s your amendment?

**The Chair:** Thank you.

Is that fine with you, Mr. Méla? Did you get that?

Is there any further discussion?

(Amendment agreed to)

**The Chair:** We’re going to go to amendment CPC-7.11.

Before I ask the mover of that amendment to speak, I would like everyone to note that if CPC-7.11 is adopted, then CPC-7.12, BQ-9, Liberal-5, NDP-7.1 and BQ-10 cannot be moved due to line conflicts. Shall I repeat that, or did everyone get it? Was I slow enough?

I see no hands up, so obviously everyone got it. We will turn to Mr. Nater to move CPC-7.11.

**Mr. John Nater:** Thank you, Madam Chair.

This is a very simple amendment. It simply deletes a few lines. I'm sure we will pass these slowly on division.

This one deletes line 42 on page 6 all the way to line 14 on page 7. The effect of this removes the discoverability aspects of Bill C-11. We're doing this because we still haven't had a policy directive from the minister to the CRTC in terms of how discoverability will be implemented and how this will come into practice.

We've heard speculation all throughout it, and a lot of this could have been remedied with a simple, clear direction from the minister to the CRTC. Barring that and looking to the future, we are proposing that we remove this from the bill.

Obviously, at some point it's going to pass, and the CRTC will be tasked with implementing this. I recognize where our votes are on this committee, but at the same time, this is something we feel strongly about. We want to see Canadian productions and creations excel and thrive here at home and around the world. I think there's a real concern and hesitancy among many domestic creators on how discoverability gets implemented. It may, in fact, harm some Canadian creators.

In not wanting to see Canadian creators be hurt or harmed in their ability to find success globally, we are proposing that these clauses be removed from the bill.

Thank you, Madam Chair.

• (1955)

**The Chair:** Thank you.

Is there any discussion on CPC-7.11?

Go ahead, Tim.

**Mr. Tim Louis:** Thank you, Madam Chair. Maybe through you I could ask Mr. Ripley a question.

To me, it sounds like this would very much weaken the act and affect artists greatly.

Mr. Ripley, can you explain if would this remove requirements for platforms to showcase any kind of Canadian content?

**Mr. Thomas Owen Ripley:** The effect of this amendment would be to remove the policy objectives that speak to the discoverability of Canadian programming services and Canadian programs, including French language programs, as well as to the importance of online undertakings promoting and recommending Canadian programming in both official languages and indigenous languages.

It would remove the policy objectives from the act but does not remove the power of the CRTC to provide obligations with respect to discoverability, because those are provided for later in the bill. The policy objectives essentially function as guidance to the CRTC about the important things Parliament is asking it to implement through the broadcasting system and the decisions it makes.

These are hooks, so to speak, to enable interested parties and stakeholders to go before the CRTC and ask for certain things in CRTC decisions.

**The Chair:** Thank you, Mr. Ripley.

Is there any further discussion? Shall CPC-7.11 carry?

(Amendment negatived: nays 7; yeas 4)

**The Chair:** Now we move to CPC-7.12.

Mr. Nater.

**Mr. John Nater:** Thank you, Madam Chair.

CPC-7.12 is a far narrower attempt to at least provide a bit of clarity on our part. Earlier in the debate this morning—or this afternoon, whenever it was—we tried to introduce a definition of discoverability within the bill. That was defeated, but this is just a small change.

It's changing the top of page 7 by basically changing one word, so it would instead read, “allow for the discoverability of Canadian programming”. That's a relatively a small change, but I think it's significant when we look at how different streamers, domestic and international, operate. I believe the word “allow” rather than “ensure” is more reflective of how these types of systems operate and how Canadian content and others would be treated on these platforms.

Thank you, Madam Chair.

• (2000)

**The Chair:** Thank you, John.

Seeing no discussion, we will call the question on CPC-7.12.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Now we move to BQ-9.

Go ahead, Mr. Champoux.

**Mr. Michael Coteau:** Madam Chair, can I just propose that we take a five-minute break?

**The Chair:** Absolutely. That's wonderful.

Go ahead, Mr. Julian.

**Mr. Peter Julian:** On a point of order, Madam Chair, this isn't relevant to you, but there is a box of Purdys chocolates in the room. People should feel free to have a chocolate during the break.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, I'll take your selection of chocolate.

[*English*]

**Mr. Michael Coteau:** You could have FedExed the chair some, you know.

**The Chair:** You are very welcome. I was hoping that somebody would email it to me.

Thanks, everybody. Go ahead and have a five-minute suspension.

• (2000)

(Pause)

• (2010)

**The Chair:** We will resume.

**Mr. Anthony Housefather:** Madam Chair, on a point of order, I just wanted to also speed things up. If it's okay with you, I'd like to withdraw LIB-11 in favour of NDP-20, which is in the package. We won't have to vote on that one.

Thank you, Madam Chair.

**The Chair:** I have my amendments on a different system, but when I get to LIB-11 I will note that it's withdrawn.

Now we are moving to BQ-9. I just wanted, again, to let everyone know that if BQ-9 is adopted, LIB-5 cannot be moved, due to a line conflict. Thank you.

[Translation]

**Mr. Martin Champoux:** Madam Chair, this is an issue that we have—

• (2015)

[English]

**The Chair:** Yes, Martin. Did you enjoy my selection of chocolate?

[Translation]

**Mr. Martin Champoux:** It was extraordinary. In fact, I didn't take mine, Madam Chair, because it was too much. I just took yours and it was delicious.

[English]

**The Chair:** Thank you, Martin. Go ahead.

[Translation]

**Mr. Martin Champoux:** BQ-9 seeks to change the wording to "French language original programs."

However, there is a small correction to be made to the English version of the amendment, because the words are reversed. I think it should read "including original French language programs."

Otherwise, I think it is in line with what we have already discussed.

[English]

**The Chair:** Thank you, Martin.

Is there any further discussion on this? Shall BQ-9 carry?

(Amendment agreed to [See Minutes of Proceedings])

**The Chair:** Thank you very much.

Now that BQ-9 is carried, LIB-5 cannot be moved, so we shall remove LIB-5.

We will go to NDP-7.1.

Peter.

**Mr. Peter Julian:** I move that Bill C-11, in clause 3, be amended by adding on page 7 after line 9 the following:

(iii) ensure the delivery of programming at affordable rates;

That is as one of the components of online undertakings.

**The Chair:** Thank you, Peter.

Yes, Chris.

**Mr. Chris Bittle:** I was wondering if I could ask officials, through you, Madam Chair, what the consequence of this amendment may be.

**Mr. Thomas Owen Ripley:** In essence, this would add an additional policy objective. If I understood its placement correctly, it would follow on from those that speak to the discoverability of Canadian programming services and whatnot. The only thing I would highlight is that (q), which is the proposed paragraph it falls under, speaks specifically to "online undertakings that provide programming services of other broadcasting undertakings".

Traditionally, what we would call those is virtual broadcasting distribution undertakings, or something of that nature—that would be your Amazon channels, for example. Specifically, this policy objective would speak only to those kinds of broadcasting services. It wouldn't apply to other kinds of programming services. I just highlight that consideration for the committee.

**The Chair:** Thank you, Mr. Ripley.

Is there any further discussion?

(Amendment agreed to: yeas 6; nays 5)

**The Chair:** I go now to BQ-10.

• (2020)

[Translation]

**Mr. Martin Champoux:** Madam Chair, we propose to replace lines 12 to 14 on page 7 with the following:

guages, so as to generate results allowing its discovery; and

Give me a second, Madam Chair, I'm looking for something in my papers.

[English]

**The Chair:** Thank you.

Martin, do you wish to speak further?

[Translation]

**Mr. Martin Champoux:** Yes, but someone else can speak while I look for my document.

[English]

**The Chair:** Thank you.

Go ahead, Mr. Bittle.

**Mr. Chris Bittle:** We have concerns that the amendment would narrow the platforms' abilities to promote and recommend programs, as it would be tied to search results.

We want a more flexible system that gives Canadians more choices with platforms. Although it's well intentioned, unfortunately, we oppose the amendment.

**The Chair:** Thank you.

Go ahead, Peter.

**Mr. Peter Julian:** I was just trying to give Mr. Champoux the chance to find his papers, so I'll withdraw.

**The Chair:** You could speak while he's finding his papers, Mr. Julian. I know you would not turn that opportunity down.

**Mr. Peter Julian:** I'm still trying to find my own papers, Madam Chair.

[*Translation*]

**Mr. Martin Champoux:** That's fine, Madam Chair, I found my papers.

[*English*]

**The Chair:** Okay, Martin, please go ahead.

[*Translation*]

**Mr. Martin Champoux:** I would like to respond to what Mr. Bittle said.

It's precisely in order to establish a less limited way of obtaining results that we're proposing to eliminate the part of the sentence in proposed subparagraph 3(1)(r) that says "and ensure that any means of control of the programming generates results" and to replace the wording so that it says "so as to generate results allowing its discovery".

In fact, since programming control is an issue for online undertakings, we do not want the wording to be used as an argument for them not to achieve the desired results.

[*English*]

**The Chair:** Thank you.

Is there any further discussion on BQ-10?

(Amendment negated: nays 5; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** We're now going to go to NDP-8.

I'm trying to find my piece of paper that says the ones you removed, Peter. I'm not finding it. Was NDP-8 one of them?

**Mr. Peter Julian:** No, it was not, Madam Chair. This is something that has been raised by Cactus, by community radio and by RQ, and that is the issue of community broadcasting. Basically, it would ensure that programming provided by the community element should be innovative and complementary, catering to tastes and interests not adequately provided for by the programming provided for mass audiences; reflect Canada's communities, regions, indigenous and multicultural nature; support new and emerging Canadian creative talent through community participation; strengthen the democratic process and support countering disinformation, and be available throughout Canada so that Canadians can engage in dialogue on matters of public concern.

We heard from a number of witnesses in this regard.

I move that amendment.

• (2025)

**The Chair:** Thank you, Mr. Julian.

**Ms. Elizabeth May:** Madam Chair, I think this would be a good time for me to take the floor, very briefly, just to say that the language of the motion that this committee passed after the last election guarantees a right to speak to each amendment, regardless of whether it has been negated by a previous amendment.

I want to speak to say that my next amendment, PV-3, is identical to the motion that has just been presented by the New Democrats.

Obviously, I completely support that this committee adopt the amendment as a New Democratic Party amendment. It really is important. The current term in the bill, which is "alternative television programming services" is not as clearly defined as the language that Peter Julian has just read out. I don't need to repeat it.

It would add a lot to the legislation to accept this amendment. Having said that, I don't need to take the floor again.

Thank you.

**The Chair:** Thank you, Ms. May.

I want to let everyone know that if NDP-8 is adopted, PV-3, which Ms. May just spoke to, becomes moot since they are identical. If NDP-8 is defeated, so will PV-3 be, for the same reason.

Shall we call the question on NDP-8, unless there is further discussion?

[*Translation*]

**Mr. Martin Champoux:** I'm asking for a clarification, Madam Chair.

[*English*]

**The Chair:** Go ahead.

[*Translation*]

**Mr. Martin Champoux:** I think it's interesting to say that, in my opinion, BQ-11 is also at play if we adopt NDP-8.

[*English*]

**The Chair:** I don't have that note.

Perhaps Mr. Méla might comment on that.

**Mr. Philippe Méla:** Thank you, Madam Chair.

[*Translation*]

Mr. Champoux, you are indeed right. These amendments are related without really being related, in the sense that they are not the same. It is up to the committee to choose the one that suits it best.



**Mr. Martin Champoux:** In fact, what I wanted to say is that, if we adopt NDP-8, we will not be able to vote on BQ-11, if I am not mistaken.

**Mr. Philippe Méla:** The lines of the bill are not in conflict, but you have to make a choice as to the wording that would follow.

[*English*]

**The Chair:** Thank you.

Yes, Lisa.

**Ms. Lisa Hepfner:** Thank you, Chair.

I would like to ask for some clarification from staff as to whether this amendment would have unintended consequences.

As a former community broadcaster, I'm concerned that this is putting a lot of constraints and rules on community broadcasters. We want to support them and we want to make sure that they're doing their job effectively.

Are there any unintended consequences that we should be aware of and concerned about before we look at this amendment?

**The Chair:** Thank you, Lisa.

Mr. Ripley.

**Mr. Thomas Owen Ripley:** Thank you, Chair.

As I understand the objective of the amendment, it is to provide some texture, essentially, to the programming of community media. There are a number of places where the committee has amended the act to make reference to community media and the unique role they play in the system, so this further elaborates on the kind of programming that they would be expected to deliver.

I would note that, indeed, the list as drafted appears to be drafted in a prescriptive way, in the sense that this is saying that these are the kinds of things that community programming should be; therefore, one could expect, as the CRTC moves through its decisions with respect to community media, that it will look at this list, and you could expect it to impose these kinds of obligations on community media, or there would be an expectation that they distribute this kind of programming.

As drafted, this is prescriptive in the sense that it seems to be a fairly exhaustive, prescriptive list. I note that Mr. Julian spoke about this being a request from the community media sector, but it will play out through those decisions of the CRTC.

• (2030)

**The Chair:** Are there any further questions? No.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

**The Chair:** Because PV-3 is identical, we will move to BQ-11.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, I think the amendment I wanted to propose is along exactly the same lines as the one Mr. Julian has just tabled. The two amendments are very similar, apart from a few turns of phrase. So I will not table this amendment.

[*English*]

**The Chair:** You're withdrawing this amendment. Thank you, Martin.

Now we go to PV-4.

Ms. May, you have the floor.

**Ms. Elizabeth May:** Thank you, Madam Chair.

This is pretty self-explanatory. It's to add a new subsection to ensure that resources that would be required under subsection 3 are made available to people who require them. That would certainly be consistent with the intent of the act, but the amendment asks the CRTC to ensure fairness and equity in the system and to ensure, particularly for people with disabilities or indigenous people, that there are resources to be able to live up to the opportunities that are going to be created under this act.

Thank you.

**The Chair:** Thank you.

Go ahead, Chris.

**Mr. Chris Bittle:** Thank you so much, Madam Chair.

While there's noble intention here, the amendment could effectively require an undefined amount of public funding, an expenditure of public funding. With respect, it's an insufficient proposal that would not further the goals it seeks to achieve, so, unfortunately, we have to oppose.

**The Chair:** Thank you, Mr. Bittle.

Is there anyone else, Clerk?

**Ms. Elizabeth May:** I would like to respond briefly to Mr. Bittle.

The CRTC itself, which has created these conditions, has in the past used cable service user fees or licensing requirements in order to fund contributions to community channels. That's what we were hoping for, and that's why we have community television and programming as much as we do. The CRTC has this capacity; it has these powers, and we're asking the CRTC to make sure that, where there are opportunities.... It's a trite statement from old common law, but an opportunity that cannot be used is not an opportunity.

Thank you.

**The Chair:** Thank you, Ms. May.

If there's no further discussion.... I don't see anyone with their hand up.

(Amendment negated: nays 10; yeas 1 [*See Minutes of Proceedings*])

• (2035)

**The Chair:** Shall clause 3 as amended carry?

**An hon. member:** On division.

(Clause 3 as amended agreed to on division)

(On clause 4)

**The Chair:** We're going to go to PV-4.1.

**Mr. Mike Morrice (Kitchener Centre, GP):** Thank you, Madam Chair.

This amendment proposes to follow through on what we've heard from many parliamentarians, including the minister and many content creators, which is that platforms are in and users are out. This would seek to remove exemptions from proposed section 4.1 and 4.2 to ensure that this act does not apply with respect to users.

While I have the floor, in the event that I don't get a chance to share, should this not have the support of the committee, a later amendment—I believe it's PV-4.2—seeks to say, “Okay, maybe just those that are indirectly generating revenue...at least those users would not be covered by the act”. I believe that is identical to, perhaps, CPC-9.

I won't get a chance to speak to it, but that's another offering, in the event that this initial proposal doesn't have the support. The interest here is that platforms are in and users are out.

**The Chair:** Thank you.

Go ahead, Ms. Thomas.

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

It's been rather interesting, because around this table, we have some members who would say that user-generated content is not captured by this bill and there's no chance of that ever being the case.

We have the minister touting that same line, but then we have Mr. Ian Scott, the chair of the CRTC, which is responsible for enacting this piece of legislation. He has said that, indeed, user-generated content actually can be captured by this bill, should the CRTC wish to do so.

It leaves a lot of discretion with the CRTC, so I can appreciate my colleague Mr. Morrice's desire to clarify that and to ensure that user-generated content is excluded from this bill. This is something we heard from witnesses over and over again during our time here.

I will take this opportunity to remind the committee of an exchange I had with Mr. Ian Scott. I asked him about the regulation of user content and whether or not it was captured in the bill. I'll quote myself. I said:

Bill C-11 does, in fact, leave user-generated content open to being regulated by the CRTC. I recognize that there have been arguments against this. However, Dr. Michael Geist has said, “The indisputable reality is that the net result of those provisions—

This is mainly the clause that we are discussing now. It's clause 4.

—is that user generated content is covered by the bill.”

Jeanette Patell from YouTube Canada has said...“the draft law's wording gives the broadcast regulator”—in other words, you—“scope to oversee everyday videos posted for other users to watch.”

Scott Benzie from Digital First Canada has said...“while the government says the legislation will not cover digital first creators, ‘the bill clearly captures them.’”

That was my exchange. I went on to say:

All these individuals are individual users generating content. It would appear that the bill does or could, in fact, capture them. Is that correct?

That was my question to Mr. Ian Scott, the CRTC chair. His response was:

As constructed, there is a provision that would allow us to do it as required...

Let me read that into the record again. Mr. Ian Scott, to my question as to whether or not user-generated content is captured, said, “As constructed, there is a provision that would allow us to do it as required”. In other words, he will make the decision whether or not he wishes to capture user-generated content and to what extent.

The looks of obstinance.

It is incumbent upon us, then, if the minister truly does not wish to capture any user-generated content within this legislation and if he truly wishes only to go after large streaming platforms or companies, to make sure that is cleaned up. Let's make sure that this bill, in fact, excludes all possible user-generated content. Let's make sure that Ian Scott is mistaken.

However, as of right now, as the chair of the CRTC, I take him at his word. He is, after all, the individual who is responsible for making sure this legislation comes into force, that it is applied across the board and that there are repercussions for not following this piece of legislation. If he is saying that user-generated content is in, that is cause for concern for all of us.

Further to that, I could draw your attention to Spotify. I could draw your attention to YouTube. I could draw your attention to Scott Benzie. I could draw your attention to Mr. Peter Menzies, who is a former CRTC commissioner. I could draw your attention to TikTok Canada. I could draw your attention to Matthew Hatfield from Open Media and Morghan Fortier from Skyship Entertainment. I could draw your attention to J.J. McCullough and Dr. Michael Geist, who has been mentioned. I could draw your attention to Ms. Roy, who is *Aunty Skates*. The list goes on and on.

All of these individuals or organizations have made comments at this committee with regard to user-generated content, and they have confirmed that it is, in fact, captured by this bill.

● (2040)

The Internet Society, interestingly enough, is composed of a group of four main individuals, two of whom are former CRTC commissioners. I would say they have a fairly authoritative voice on the topic.

I know that the Liberal members across from me think they're the authority, but personally, I and, I believe, many other Canadians would rather give that authority to individuals who have actually sat in a position where they've had to implement legislation through the CRTC because of their positions.

Those individuals said that under this bill, “Parliament could declare email to be broadcasting” and subject to regulation. They wrote, “When all you have is a hammer, everything looks like a nail.”

In the brief they sent to the committee, they went on to say the following:

C-11 is based on the tragic illusion that all [radio] and audio-visual content on the Internet is a program, and that any person who transmits a program on the Internet is a broadcaster rather than a communicator.

They go on in their brief to say that it “fails to differentiate between a podcast produced in a residential basement and a major release motion picture...on Netflix”. They then go on in their brief to say that “it is neither possible nor beneficial” to use the Broadcasting Act to regulate the Internet: “Internet streaming services are simply not broadcasting.”

As mentioned, two of the four board members on the Internet Society are former CRTC commissioners. They go on to say that, “The tiny Canadian broadcasting system—tiny [i]n the scheme of things— [takes] on the world of the Internet by the mere trick of redefining 'broadcasting'”.

In other words, what they are saying is that under this piece of legislation, an antiquated piece, an antiquated document, the Broadcasting Act, is being used to regulate something new, and within that parameter...

I'm sorry, Chair. The members across the way are having a conversation. It's rather loud and rather distracting. Could you just bring that under control?

• (2045)

**The Chair:** Yes. Could I ask those persons who are disturbing Ms. Thomas in her thinking and speaking to please lower their voices?

**Mr. Chris Bittle:** On a point of order, Madam Chair, it's getting a little tiring, the act that Ms. Thomas—

**Mrs. Rachael Thomas:** This is debate, Madam Chair.

**Mr. Chris Bittle:** No, no, no, this is to the point of order that you demand absolute silence at all times, yet will carry on. With individuals in the back we're having a quiet conversation about strategy.

**Mrs. Rachael Thomas:** This is not a point of order. This is debate.

**Mr. Chris Bittle:** It is within our rights as members to have quiet conversations. We weren't speaking. We were whispering. That's within our right as members. I know that members of the opposition frequently speak to their assistants, who are behind them. That's why our assistants are behind us. It wasn't a loud conversation. We weren't talking. Nothing could be heard.

I don't think it's reasonable, and I know this has happened on a few occasions with Ms. Thomas, that she has demanded absolute silence in this committee, which is not something that she has ever granted the rest of us.

I'm respectful of what Ms. Thomas has to say, and respectful of her time, but I also have to be respectful of the fact that we all are members of Parliament. We are all planning what happens next. We all have the opportunity to have quiet conversations on the side, whispering, as I was, with our staff.

That's something I've experienced. It's something that we've done over the past six years. To demand whisper-quiet and silence to hear a pin drop is not something that anyone would expect—

**A voice:** [*Inaudible—Editor*]

**Mr. Chris Bittle:** —and not something that Ms. Thomas grants. Ironically enough, she's talking while I'm speaking right now. It's a little rich, Madam Chair.

**The Chair:** Thank you, Mr. Bittle. I think that's well taken. It's traditional for people to speak with their staff quietly. Could we just move on?

Ms. Thomas, I gather that you are not finished. Please continue.

**Mrs. Rachael Thomas:** Thank you.

That was quite the gaslighting. I was being very respectful in making my point, and my colleague decided to use that point of order to attack me personally.

Chair, that was inappropriate. Shame on you for accepting that.

**Mr. Chris Bittle:** I have a point of order, Madam Chair.

**Mrs. Rachael Thomas:** I'm done [*Inaudible—Editor*]

**The Chair:** Ms. Thomas, are you actually trying to challenge the chair on what I said? It was basically that it's traditional for people to speak to each other quietly and for people to speak to their staff in the room during committee meetings when other people are speaking. It's just that it should be quiet and not disturb anyone, and that's all I said.

Ms. Thomas, you either challenge the chair or you carry on speaking.

**Mr. Chris Bittle:** I have a point of order, Madam Chair. “Gaslighting” is just a fancy way of saying “lying”, Madam Chair, and that's unparliamentary language. I don't think we engage—

**Mrs. Rachael Thomas:** No, it's not.

**Mr. Chris Bittle:** —in that type of behaviour and I hope the honourable member retracts that comment.

It's been fairly amicable up until very recently and we've had a very productive discussion. I know this is a very controversial amendment, but I haven't done anything except point out what's going on in this room, Madam Chair, and I don't think that my reputation should be impugned. I didn't attack Ms. Thomas' reputation or credibility or anything along those lines. I hope she will withdraw her comments.

• (2050)

**The Chair:** Given the terminology “gaslighting”, which is a new term, and not necessarily one we are used to, I will ask Ms. Thomas to withdraw the term “gaslighting”.

**Mrs. Rachael Thomas:** I don't.

**The Chair:** You don't. So then, Ms. Thomas, can I ask you, then, to cede your place on the floor, if you're not going to want to listen to the chair's ruling?

**Mrs. Rachael Thomas:** Chair, this is—

**The Chair:** Or challenge it. Challenge it, Ms. Thomas, if you wish.

**Mrs. Rachael Thomas:** I would be more than happy to let my colleagues continue the conversation.

Thank you, Chair.

**The Chair:** Right.

Mr. Bittle, are you satisfied with that, or do you still want a withdrawal from Ms. Thomas?

**Mr. Chris Bittle:** I don't want to prolong it too long, Madam Chair, but it's just a continued disrespect that we've seen throughout this process. We could move on for the purpose of this committee, but what has happened is truly uncalled for. It's not appropriate. As parliamentarians, sometimes we go too far.

I've done it before. We apologize. We move on. In the heat of something that's very controversial, that's something we do. It's something I've done. I know members at this table—

**Mrs. Rachael Thomas:** Wow.

**Mr. Chris Bittle:** —have done.

**An hon. member:** She's speaking.

**Mr. Chris Bittle:** I'm speaking, and I'm being—

**Mrs. Rachael Thomas:** Me, too. I'm having a quiet conversation with my colleague over here. That's totally allowable.

**Mr. Chris Bittle:** Madam Chair, I'm sure you heard—

**The Chair:** May I call for some order here, please? I think we have been carrying on this committee with a great deal of respect, and, in fact, collegiality and some jocularity. I would like to have the committee continue that way and not be having to yell at each other as if we're in high school.

Ms. Thomas, please don't yell at your colleague. Let's be respectful.

I'm going to ask you to cede the floor to Mr. Nater. I think Mr. Bittle is suggesting he'd like to move on as well. The points were made very clearly.

**Mr. John Nater:** Thank you, Madam Chair. I think this is a very passionate topic. I think that's what we're seeing right now.

This is a very passionate topic and a very important topic because it affects so many Canadians, so many digital-first creators and so many people who are out there making a go of it through new technologies, new means and user-generated content.

I want to be very clear. The one aspect of this bill that I have received the most correspondence on has been this aspect: proposed section 4.2. I will be supporting the amendment brought forward by Mr. Morrice of the Green Party. It's similar to the amendment that will come after it and is sponsored by the Conservative Party.

Unfortunately, given the time, we likely won't get to debate that one, so I'm using this opportunity—and I appreciate Mr. Morrice's bringing this forward and allowing me to speak to it—because this is it. This is, in my view, one of the most important aspects of this bill.

We've heard from people like Oorbee Roy and those who have been able to find success, such as, for example, J.J. McCullough, who my colleague just mentioned, with his exceptional and frankly enjoyable testimony. His video, which was posted afterwards, was a great effort at explaining much of this to us.

When it comes to this aspect, if the minister can be taken at his word—and I want to take the minister at his word—removing proposed section 4.2, removing this aspect of the piece of legislation, will very clearly show to Canadians that users are out and that user-generated content will not be captured by this bill.

Because I'm not going to be able to debate or explain future amendments for Canadians watching at home, and I know that there are tens of people tuning in to ParlVU as we speak and paying attention to clause-by-clause, you'll notice as we go on that we'll be voting on a number of amendments without debate. Some of them will be labelled “CPC”, some “LIB” and some “NDP”, accounting for the different parties.

The Conservative Party was putting forward, I think, meaningful and constructive amendments that would allow this piece of legislation to be approved and would clarify once and for all to Canadians that users are in fact out. That's what the minister committed to, and that's what this amendment and the next Conservative amendment would achieve, a hundred per cent. I know there's controversy around this. I know there are people who will disagree with that aspect, but if we take the minister at his word and if we take the government at its word, this achieves what they've been saying from day one. This achieves what we've set out to achieve.

I don't want to take up too much time, other than putting on the record that we will be making more amendments that would protect users and the content that Canadians post online. It's just unfortunate that in a few minutes we turn into pumpkins and can no longer debate this piece of legislation in the way I think Canadians expect us to.

I've put my comments on the floor. I've put my comments on the record. I just wish I could say more as we go through the amendments.

I will yield my time, Madam Chair.

• (2055)

**The Chair:** Thank you, Mr. Nater.

Is there anyone else, Clerk, on the floor who wishes to speak?

**The Clerk (Ms. Aimée Belmore):** Mr. Bittle and Mr. Julian.

**Mr. Chris Bittle:** Thank you, Madam Chair.

Speaking to this amendment—and I'll leave some time so Mr. Julian can have a say—specifically, it would exclude social media platforms like YouTube, which is what more than two-thirds of Canadians use to stream music. It would perpetuate an unfair playing field, and ultimately that's what this bill is about. It's about making these platforms pay.

From the beginning, it's almost seemed like we were looking at the International Olympic Committee, and I'm sure many of us in the room would say, "That's not a great organization. Look at the athletes. The athletes are great. They're doing great things. They're doing wonderful things, but don't look at the IOC. Let's not discuss that as an important part of sport and the actions they take." The Conservatives are discussing and bringing forth these amendments for the benefit of some of the largest companies in the world, Google and TikTok, and we're here to ensure that individual platforms will have obligations under this bill, not users.

We need to ensure that there is a level playing field, and we need to ensure that platforms contribute to Canadian culture. It's been the Canadian model, something we've been doing for decades successfully—having that discussion, having that talk. We all pick our favourite stories that we've heard from Canadians and favourite artists.

We had Gord Sinclair from the Tragically Hip here to talk about how the system benefited him and how it benefited a band from a small town in eastern Ontario to make it big on the scene. I know that Mr. Gerretsen will probably be upset that I called it a small town in eastern Ontario, but that's what Mr. Sinclair said. He talked about needing to have this legislation to ensure that we have the next Tragically Hip, so we can continue to tell those Canadian stories and have those benefits.

I'd like to ensure that Mr. Julian has a chance to speak, because I see we're getting close to nine o'clock, but those are the government's objectives.

**The Chair:** Thank you very much.

Go ahead, Peter.

**Mr. Peter Julian:** Thank you very much, Madam Chair.

I really am disappointed with yet another Conservative filibuster. We've had, over the last few weeks, so many delays. Conservatives are blocking witnesses who should have come forward. We all recall, Madam Chair, when the CRTC chair was being blocked by Ms. Thomas's filibuster and was unable to testify and answer questions for an hour, an hour and a half or two hours. I don't recall the length of time, but it just seemed so inappropriate when these questions needed to be asked that there was that inability—

**Mrs. Laila Goodridge (Fort McMurray—Cold Lake, CPC):** I have a point of order, Madam Chair.

I think that getting into the realm of personal attacks is not appropriate. Mr. Julian very clearly said that it was a filibuster from a particular member, and I think that was absolutely inappropriate.

The committee was discussing very important matters. I believe it was in relation to the alleged sexual assault at Hockey Canada, and it is absolutely inappropriate to characterize—

**The Chair:** Mrs. Goodridge—

**Mrs. Laila Goodridge:** —it as a filibuster of one particular member. It was appropriate committee business.

Thank you.

• (2100)

**The Chair:** That was not really a point of order to this meeting, Mrs. Goodridge.

Continue, Mr. Julian, please.

**Mr. Peter Julian:** Thank you very much.

To the Conservatives, that is a very valid point. The Conservatives filibustered even the Hockey Canada motion that I brought forward last Wednesday, so we weren't able to vote on that. We were only able to vote yesterday to finally have Hockey Canada come forward, so this has been ongoing over weeks and weeks.

I'm glad, though, because the overwhelming number of witnesses who came forward supported improvements to the bill, and—

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** I have a point of order.

There is no relevance to the amendment that is before us when he is talking about the history of the committee and the fact that they voted against allowing the minister to appear and adjourned the discussion of the day when that play was on. He seems to be debating other things unrelated to the amendment before us.

**The Chair:** Mr. Julian, could you wrap up? We are one minute before 9 p.m., when all debate ceases.

**Mr. Peter Julian:** I'd be delighted, Madam Chair.

We now actually get to the point where we can push aside the Conservative filibuster and actually start voting to improve the bill. I look forward to the opportunity tonight to do that.

**Mrs. Rachael Thomas:** I have a point of order—

**Mr. Peter Julian:** That's what we're paid for, and that's why we are here.

**The Chair:** We are going to stop debate at 9 p.m. on the dot, so regardless of points of order.

Now, what were you trying to say, Ms. Thomas?

**Mrs. Rachael Thomas:** Right now, Mr. Julian is being given the floor and an opportunity to attack members of this committee for what he is calling filibustering. To speak to the amendments and to bring forward witness testimony is being referred to as filibustering. That is incredibly inappropriate. It's actually derogatory.

**The Chair:** Thank you, Ms. Thomas, but it is now one minute after 9 p.m., and we will move to—

**Mr. John Nater:** I have a point of order, Madam Chair. It's on this matter.

**The Chair:** No, it's not.

We are now moving from debate. We have orders from the House at a particular time.

We are following the orders from the House.

**Mr. John Nater:** Madam Chair, I'm raising the point of order on the orders of the House.

**The Chair:** Go ahead, Mr. Nater.

**Mr. John Nater:** Thank you, Madam Chair.

This is actually positive news, and I think you will agree. If we read the terms of motion 16, it says, “if the committee has not completed its clause-by-clause consideration of the bill by 9:00 p.m. on June 14, 2022, all remaining amendments”, etc., etc.

The good news, Madam Chair, is that it doesn't specify Eastern Daylight Time, so since you, as our chair, are in Pacific Daylight Time, it means that we still have three hours in which we can debate until we hit 9 p.m. in your time. As the chair of our committee, you still have three hours to debate amendments, so I look forward to that matter.

**The Chair:** Thank you very much, Mr. Nater, but I cannot agree with you because for all the times at which the committee is meeting and when there's a committee break and when it adjourns and when it meets again, that has all been done in eastern time, so I would suggest to you that this ruling is eastern time.

Now I shall move to cease debate and we will just move to clause-by-clause.

I shall begin.

Shall PV-4.1 carry?

**The Clerk (Ms. Aimée Belmore):** Should it be a recorded division, Dr. Fry?

**The Chair:** Yes, please, unless somebody says otherwise.

**Mr. Michael Coteau:** I'm sorry, Chair, which one are we on? That happened really quickly.

**The Chair:** We are on PV-4.1.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Now I remind everyone that CPC-8 was removed, so we go to CPC-9.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We move to CPC-10.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

• (2105)

**The Chair:** We move to NDP-9.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

**The Chair:** CPC-11 was removed, so we move to CPC-12.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall PV-4.2. carry?

**Mr. Anthony Housefather:** I have a point of order, Madam Chair.

The amendment PV-4.2 is identical to the one that was just defeated.

**The Chair:** Is that true, Mr. Méla?

**Mr. Philippe Méla:** It is, Madam Chair.

• (2110)

**The Chair:** All right. We shall not vote on it then.

The NDP withdrew NDP-10.

Shall CPC-13 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** NDP-11 was withdrawn.

Shall CPC-14 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** I have a note from the legislative clerk that if it is adopted, CPC-14.1 to CPC-14.7 inclusive become moot, as the question has already been decided. We shall not vote on CPC-14.1.

**Mr. John Nater:** I have a point of order, Madam Chair.

I think that was in reverse. I think we shall move to 14.1, since 14 wasn't adopted.

**The Chair:** We shall go to CPC-14.1 then.

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.2 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.3 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.4 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.5 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

• (2115)

Shall CPC-14.6 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** On amendment CPC-14.7—

**Mr. John Nater:** I have a point of order, Madam Chair.

Pursuant to the order adopted by the House of Commons after the election implementing a hybrid Parliament, one of the requirements was that all committees would be broadcast on ParlVu. Unfortunately, as we speak, we're not being broadcast on ParlVu. There is no video available, so until the video is resumed for ParlVu we will be in violation of the order adopted by the House of Commons.

**The Chair:** Clerk, can you find out why? Mr. Nater is right. I see no signal.

● (2120)

**The Clerk (Ms. Aimée Belmore):** Dr. Fry, we're looking into the situation currently. The video is not working. We're checking to see if the audio is still working. If the audio is still working, it would still be considered a public meeting.

**The Chair:** Thank you. Shall we suspend while you look into this?

All right. I suspend until the clerk tells us she is ready to discuss this.

Thank you.

● (2120)

(Pause)

● (2124)

**The Chair:** We are now ready to resume. I think everything's working, as far as I get from the clerk.

Shall amendment CPC-14.7 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.8 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.9 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.10 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.11 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Thank you.

As chair, I would like to make a quick comment. If I smile sometimes, it's because I think Mr. Champoux and Mr. Julian are the Laurel and Hardy of this committee. They just make me laugh.

● (2125)

**Mr. Peter Julian:** On a point of order, Madam Chair, who's Laurel and who's Hardy?

**Some hon. members:** Oh, oh!

**The Chair:** Shall CPC-14.12 carry?

**The Clerk (Ms. Aimée Belmore):** There's a point of order on the floor, Madam Chair, from Mrs. Goodridge.

**The Chair:** Go ahead, Mrs. Goodridge.

**Mrs. Laila Goodridge:** Thank you.

We are moving through these amendments quite quickly. It is being broadcast online, but there is no writing going up, as we're talking about the amendments. I think for anyone who is following at home, this might get rather confusing because we're not really even stating what the amendment is at this point.

I was just wondering, for clarification, if perhaps we could read into the record the amendment before voting on it. Just for the gathering of data, I think it's important.

● (2130)

**The Chair:** Thank you.

All of this will be reported when the bill is reported back to the House.

I would like to get it very clear from the clerk that there is no mandate for us to place the votes and the amendments on the screen at any time. Is there? I didn't think there was.

**The Clerk (Ms. Aimée Belmore):** You are correct, Madam Chair.

**The Chair:** Thank you very much, Clerk.

Does CPC-14.12 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.13 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.14 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.15 carry?

**Mr. Peter Julian:** I have a point of order, Madam Chair.

I think we're on CPC-14.14. We just finished CPC-14.13.

**The Chair:** I think we just finished CPC-14.14.

I'm circulating them as I go, but I'm open to someone telling me if I'm one step ahead of everybody else.

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair.

I think this speaks to the point of order that I was making earlier of how things are moving very quickly and there is a space for confusion because we are not reading which particular amendment is being moved. We're just going off of a number rather than reading the content of the amendment, which could lead to problems.

I will once again suggest that perhaps we consider reading the content of the amendment prior to voting on the amendment to prevent any people getting confused in this large package of amendments.

The fact that we are not debating any of these amendments is already an affront to democracy. I believe, at the very minimum, we should be clarifying exactly which vote is happening before making those votes.

Thank you, Madam Chair.

• (2135)

**The Chair:** Thank you.

Can the clerk tell me whether it is CPC-14.14 that we are actually voting on?

**Mr. Philippe Méla:** Yes, Madam Chair. We are on CPC-14.15.

**The Chair:** We are going to CPC-14.15, yes, but we were on CPC-14.14.

Shall CPC-14.15 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We're on to CPC-14.16. Shall CPC-14.16—

**Mr. Rick Perkins:** I have a point of order, Madam Chair.

I don't believe you ruled on Mrs. Goodridge's point of order, which dealt with the issue of whether or not people at home on ParlVu could follow along what we're doing. We're going through amendments to make the first changes to the Broadcasting Act in 31 years, and we're rushing through these proposed amendments to try to improve the bill without the benefit of being able to ask officials about them.

I think it's incumbent upon you to rule on the point of order, which was that we should have some sort of summary or statement or reading of the motion to help those who are following at home.

Thank you, Madam Chair.

**The Chair:** Thank you, Mr. Perkins.

When the point of order was first brought up, I asked the clerk, who said it was not required. We shall move on.

Shall CPC-14.16 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-14.17 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

Shall clause 4 carry? There are no amendments to clause 4, by the way.

• (2140)

**Mr. Anthony Housefather:** I have a point of order, Madam Chair. I'm sorry.

**The Chair:** Yes, Anthony.

**Mr. Anthony Housefather:** Madam Chair, I was following your instructions and wearing the mask and it's hard to hear me.

I just wanted to clarify this. I believe, Madam Chair, that NDP-9 had carried in clause 4, so I think it is clause 4 as amended. I think one amendment did pass.

**The Chair:** I am checking. I did not think so. I think clause 4 started with PV-4.1 from the Green member.

You may be right. I shall go back.

There were quite a few withdrawn by the NDP.

No, I don't see any amendments at all in clause 4.

**Mr. Peter Julian:** I'm sorry, Madam Chair—

**The Chair:** I will stand corrected by Mr. Méla.

Mr. Méla, can you please tell us if there was an amendment?

**Mr. Peter Julian:** It was page 66, Madam Chair, and the NDP amendment “in respect of which this Act applies, in a manner that is consistent with freedom of expression.” It passed unanimously.

[*Translation*]

**Mr. Martin Champoux:** Are you talking about the old version of the document?

**Mr. Peter Julian:** Yes, in the old version, it was on page 66. In the new version, it is on page 63.

[*English*]

**The Chair:** Thank you.

Mr. Méla, is that so?

**Mr. Philippe Méla:** Yes, it was amended.

**The Chair:** Thank you very much.

I shall repeat the question. Shall clause 4 carry as amended?

(Clause 4 as amended agreed to: yeas 7; nays 4)

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair.

My apologies for calling yet another point of order, but I think it goes to the fact that this is like rapid fire.

We are moving faster than we even have the ability to have corrections at this point. I just want to really ensure we are taking our time. This is serious legislation. It has been 31 years since this legislation was updated. We are moving through these amendments at the speed of light. I think it is absolutely incumbent upon us to be doing what we can to ensure things are accurate. If we aren't even sure what we're voting on is accurate, this raises some serious questions.

I just want to ensure we're making sure that everything is done. I'm a little bit nervous at this point.

Thank you, Madam Chair.

**The Chair:** The minutes of whatever we are doing will be published, so everyone can be clear on what we did here.

Now I shall move to—

**Mr. Rick Perkins:** I have a point of order, Madam Chair.

The people who are watching on ParlVu may not have been watching earlier when the ruling was made by the chair, with the advice of the legislative clerk, on the reading of the amendments by the mover.

I wonder if you could repeat that ruling for the people who are watching.

**The Chair:** Thank you.



**Mr. Chris Bittle:** On that point of order, Madam Chair, it's not a point of order.

The ruling has been made. There have been a lot of rulings over the last day. We don't need to repeat them all just because someone may be tuning in at the moment.

**The Chair:** I would like to read to you what the orders from the House are:

...if the committee has not completed its clause-by-clause consideration of the bill by 9:00 p.m. on June 14, 2022, all remaining amendments submitted to the committee shall be deemed moved, and the Chair shall put the question, forthwith and successively without further debate, on all remaining clauses and amendments submitted to the committee, as well as each and every question necessary to dispose of the clause-by-clause consideration of the bill....

These are orders from the House. We are following them.

I'm going to ask a question because I note that in Mr. Méla's notes to the chair, underneath "Shall clause 4 carry?", there is a note that says "New Clause 4.1".

Mr. Méla, could you please explain what that means?

● (2145)

**Mr. Philippe Méla:** Thank you, Madam Chair.

Indeed, if amendment NDP-12 is adopted, it would create in itself the new clause 4.1.

**The Chair:** Thanks for explaining that, Mr. Méla.

I shall then move to NDP-12.

It's written here, but I don't see what exactly NDP-12 is.

I shall have to check NDP-12 and make sure that I'm on the right page as well.

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair.

I believe that there is a little bit of confusion as we speak on this, perhaps. It does sound like there are some changes based on an earlier vote this morning to this particular thing that we are voting on. It is not part of the initial package that was sent to us. Perhaps the clerk can send us the updated pieces so that we can ensure that, as we're voting, we're voting on the appropriate amendments.

**The Chair:** Thank you.

I'll ask Mr. Méla if he has sent all of the updated information to the full committee.

**Mr. Philippe Méla:** Thank you, Madam Chair.

Yes, I think so. There were just—

[*Translation*]

**Mr. Martin Champoux:** It's on page 88.

[*English*]

**The Chair:** What we are speaking about is on page 88, for everyone's information, if they choose to find it in their package. It was in the most recent package sent by the clerk.

Now I shall go back—we shall not have a debate on this—to NDP-12.

Shall NDP-12 carry?

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

(On clause 5)

**The Chair:** Now we're going to move to CPC-16 next. That was dealt with when LIB-1 was adopted.

We're going to NDP-15.1.

Shall NDP-15.1 carry?

**Mr. Philippe Méla:** Excuse me, Madam Chair.

**The Chair:** Yes, Mr. Méla.

**Mr. Philippe Méla:** Can I just check where we are? I think you jumped ahead.

**The Chair:** The last thing we did was to vote on NDP-12. I am following your clause-by-clause notes, and the next thing here is CPC-16, but it was already dealt with when LIB-1 was adopted, so the next I have is NDP-15.1.

Please correct me if I have the wrong information.

● (2150)

**Mr. Philippe Méla:** Let me just clarify something.

LIB-6 was adopted as a consequence to the adoption of LIB-1.

**The Chair:** Yes.

**Mr. Philippe Méla:** This one has been dealt with already.

We should be at NDP-13.

**The Chair:** I do not have an NDP-13, Mr. Méla.

My next NDP is NDP-15.1, but I shall search for NDP-13.

**Mr. Chris Bittle:** On a point of order, Madam Chair, maybe this is a good time for a health break for five minutes.

**The Chair:** I was just about to suggest that. Thank you very much.

Shall we suspend while we have a health break, please?

● (2150)

(Pause)

● (2200)

**The Chair:** Thank you very much. We're resuming.

I would like to apologize to everyone. It's one of the things about virtual. A lot of my stuff is coming through on a printer and two pages were stuck together and the page that continued from where we were with NDP-11 and NDP-12 got stuck to another page and I moved on to the next page, which missed a whole page. Thank you. My apologies to everyone. It becomes quite difficult when you're sitting in one spot trying to do this. I know that you will all bear with me on it.

Shall NDP-12 carry?

Have we done that already, Clerk?

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair. I don't believe we're at the right spot from where we left off, but perhaps we could have the clerks confirm?

**The Chair:** That's what I asked the clerks. I don't know who spoke up but I asked a clerk just before you spoke up. We're waiting for the clerk to tell me.

**Mr. Philippe Méla:** Madam Chair, we are on NDP-13.

**The Chair:** We're on NDP-13. NDP-12 was voted on. Thank you very much.

We're on NDP-13. Before we get to NDP-13, I wanted to let everyone know that the LIB-6 is no longer being considered because it was already voted on and adopted with the LIB-1 motion.

We now go to NDP-13. Shall NDP-13 carry?

• (2205)

**The Clerk of the Committee (Ms. Nancy Vohl):** It looks like consensus in the room, Madam Chair.

**Mr. John Nater:** On division.

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

**The Chair:** Shall NDP-14 carry?

**Mr. Peter Julian:** I withdrew it earlier, Madam Chair. NDP-14 was withdrawn.

**The Chair:** That's right. NDP-14 was withdrawn earlier. Thank you. Now we've finished with all the withdrawn NDP amendments.

The next one, therefore, would be Liberal-7, which was adopted with Liberal-1, so we won't be voting on that.

The next one is CPC-15. Shall CPC-15 carry?

**Mr. Anthony Housefather:** Madam Chair, I think you have unanimity in the room to support CPC-15.

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

**The Chair:** We're on NDP-14.1.

Was that withdrawn with NDP-14, Peter?

**Mr. Peter Julian:** No, but it's negated, Madam Chair, with the passage of the CPC amendment. Mr. Nater wrote a better amendment.

**The Chair:** Thank you. My goodness, we're getting places.

The NDP amendment has been removed, so shall CPC-15.1 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We're on NDP-15.

NDP-12 was not adopted, was it?

**Mr. Philippe Méla:** No, it wasn't.

**The Chair:** Shall NDP-15 carry?

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair.

This is pursuant to Standing Order 65:

Motions to be in writing and seconded. Read in both languages.

All motions shall be in writing, and seconded, before being debated or put from the chair. When a motion is seconded, it shall be read in English and in French by the Speaker, if he or she be familiar with both languages; if not, the Speaker

shall read the motion in one language and direct the clerk of the table to read it in the other, before debate.

While I'm aware that this is a standing order of the House and not that of committee, it is a general understanding that the House rules supersede those of committee. I believe there would be space for clarification to have these amendments read prior to voting on them, as Standing Order 65 states in the House, very clearly.

**The Chair:** Thank you very much.

I just want to say that I have already read from the orders of the House, under motion 16 in the House, which states:

(v) if the committee has not completed its clause-by-clause consideration of the bill by 9:00 p.m. on June 14, 2022, all remaining amendments submitted to the committee shall be deemed moved, and the Chair shall put the question, forthwith and successively without further debate, on all remaining clauses and amendments submitted to the committee, as well as each and every question necessary to dispose of the clause-by-clause consideration of the bill...

The House orders under motion 16 have decided what we will do, and we're following those House orders.

Thank you very much.

• (2210)

**Mr. Rick Perkins:** I have a point of order, Madam Chair.

I appreciate your reading out motion 16. Motion 16 doesn't say that the mover cannot explain what the purpose of the motion is. I think we're missing that, in terms of this. It only prohibits debate.

I would ask the committee to have the mover explain their amendment.

**The Chair:** I will ask Mr. Méla to please interpret.

I think what I read was pretty clear that we just go successively with no intervention at all, deem that all of those have been moved, and ask the question.

**Mr. John Nater:** I have a point of order, Madam Chair.

**The Chair:** Yes, Mr. Nater.

**Mr. John Nater:** It's on the same subject. I would just point out that, in the House of Commons, which is where our procedure comes from, when a time allocation order is applied in the House, and the Speaker must put forth all the questions necessary to dispose of that set stage, and often there are multiple amendments at that point, the Speaker of the House still reads out each amendment for each motion.

There's the option to dispense, but it's a similar terminology, without "debate or amendment". It's the same thing in these orders, that it's without "debate or amendment". The interpretation that's been followed in the House of Commons on a time allocation motion, for example, or closure, is that the Speaker still puts the question. The Speaker still puts the wording of the motion.

I would offer that in assistance to you in interpreting this motion before us.

**Mr. Chris Bittle:** I have a point of order.

**The Chair:** Go ahead, Chris.

**Mr. Chris Bittle:** Following on from Mr. Nater, committees are masters of their own destiny. Even at the start of the motion, it says “notwithstanding any standing order, special order or usual practice of the House”. Further to that, you’ve already ruled on this.

Madam Chair, I appreciate the attempt to slow this down, but you’ve already ruled on this. Nothing has changed. We should just proceed.

**The Chair:** It is also my understanding that when debate is not allowed, there is therefore no point of order. It is deemed to be debate.

These are all deemed to be moved. That is key to this. All of these motions are, after 9 p.m., deemed to be moved. Nobody’s moving motions so they don’t need to speak to them.

Thank you very much.

**Mr. Rick Perkins:** I have a point of order, Madam Chair.

**The Chair:** Yes, Mr. Perkins.

I’m beginning to recognize your voice.

**Some hon. members:** Oh, oh!

**Mr. Rick Perkins:** Thank you. I feel flattered.

**The Chair:** Yes, indeed.

**Mr. Rick Perkins:** Thank you, Madam Chair.

Before there was another point of order given, I think you were going to ask the clerk about my question on a point of order that Motion 16 doesn’t disallow a mover from explaining their motion without debate. It only talks about prohibiting debate. I believe in order to allow for those here to be able to understand these motions, some of which are very complex, it would be helpful for the mover to make that explanation.

Thank you.

**The Chair:** Thank you very much, Mr. Perkins, but I have ruled, based on advice from the clerk, that, in fact, because.... I think this is a key point. As of 9 p.m., every single one of these amendments was deemed to have been moved. If they are moved, there is no need to speak to them. They are deemed to be moved. There is no further debate. We just have to go “successively”, being the terminology used in motion 16. I’ve ruled on this. I think, in fact, there should really be no points of order as we’re moving through this right now. I am allowing people to have a say, if they wish to, just so nobody feels that they have been walked over.

I got those rulings from the clerk with regard to motion 16, to answer your question.

Shall clause 5 carry?

• (2215)

**Mr. Anthony Housefather:** We’re on NDP-15, Madam Chair. We haven’t voted on that one yet.

**The Chair:** NDP-15 was already dealt with when NDP-12 was adopted.

**Mr. Kevin Waugh:** Madam Chair, no, we’re at NDP-15; believe me. After that, we’ll go to clause 5.

**The Chair:** I shall read to you the legislative clerk’s notes. They say that NDP-15 is already dealt with if NDP-12 was adopted.

Mr. Méla.

**Mr. Philippe Méla:** Madam Chair, NDP-12 was not adopted; therefore, NDP-15 was not dealt with yet. We are on NDP-15 right now.

**The Chair:** Thank you.

**Mr. Philippe Méla:** You’re welcome.

**The Chair:** Shall NDP-15 carry?

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** Shall clause 5 carry as amended?

**Mr. Peter Julian:** On division.

**The Chair:** All right, so clause 5 shall carry on division?

**Mr. John Nater:** No, Madam Chair. There wasn’t consent for division.

**The Clerk (Ms. Nancy Vohl):** There was no consent for division, so we’ll go to a recorded division.

**The Chair:** Thank you for telling me what’s happening on the floor, because I cannot see. I’m hoping that someone will tell me what’s going on so that I am aware. Thank you. Thank you for telling me this, whoever told me that it was not agreed to on division.

Again, shall clause 5 carry?

(Clause 5 as amended agreed to: yeas 7; nays 4)

(On clause 6)

**The Chair:** We’re going to clause 6. I just want to say that LIB-8, which is the first one in that clause, has already been adopted. It was when LIB-1 was adopted.

Actually, just for the sake of everyone knowing, CPC-16 has already been dealt with. With a vote on LIB-1, it was removed. CPC-16 was already dealt with, with LIB-1, when it was adopted.

The next on our agenda is NDP-15—

• (2220)

**Mr. John Nater:** I have a point of order.

**The Chair:** Yes.

**Mr. John Nater:** For clarity’s sake, CPC-16 was not dealt with on LIB-1. It was withdrawn. I don’t want anyone thinking that it was dealt with on LIB-1. It has nothing to do with that. It was withdrawn by the Conservative Party.

**The Chair:** Thank you.

CPC-16 was already dealt with—I’m told from the Chair’s notes—by LIB-1, which was adopted. Therefore—

**Mr. John Nater:** No, Madam Chair. I have a point of order again. I’m sorry.

LIB-1 has nothing to do with CPC-16. CPC-16 was withdrawn by the Conservative Party members. It was not related to LIB-1.

**The Chair:** Thank you. I do not have a note on that withdrawal. What I have is if LIB-1 was adopted.

Now I shall move on to NDP-15.1 Shall it carry?

(Amendment negatived: nays 6; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** I'm sorry. Was that six nays and one yea?

**The Clerk (Ms. Aimée Belmore):** Yes. It was six nays and one yea.

**The Chair:** Thank you. There was abstinence. I couldn't quite hear from the floor what people were saying.

We're on to G-4. Again, I am told here with the clerk's notes that it was already dealt with when LIB-1 was adopted. Is somebody challenging that?

All right. We shall move on.

Shall clause 6 carry as amended?

**Mr. Chris Bittle:** On division.

**An hon. member:** Is this G-4?

**The Chair:** On clause 6, is everyone in agreement with "on division"?

**Mr. Kevin Waugh:** No, we have G-4 yet, Madam Chair. There's amendment G-4.

**The Chair:** I just said that G-4—which I have in the clerk's notes—was already dealt with if LIB-1 was adopted. LIB-1 was adopted.

**Mr. Philippe Méla:** Madam Chair, can I check my notes again?

**The Chair:** Yes, please.

**Mr. Philippe Méla:** It appears that there may be a mistake there.

**The Chair:** Those are the notes I'm reading.

**Mr. Anthony Housefather:** I have a point of order, Madam Chair.

To speed things up, if you don't mind.... Mr. Méla, this is correct, because we're using "official language" minorities—the same as we did in LIB-1—and substituting it for "English" and "French" minority communities. It's the same essence. It's the same reason you ruled the others were consequential. This would also be consequential, because all it's doing is changing the term.

**The Chair:** Thank you, Mr. Housefather, for that clarification.

Mr. Méla will give me his ruling.

**Mr. Philippe Méla:** Yes, Madam Chair.

That's right, Mr. Housefather. However, I don't think we decided at the time that it would be directly consequential, so we would be better off to vote on it now to make sure.

**The Chair:** All right, thank you.

I shall be pleased—

**Mrs. Laila Goodridge:** I have a point of order, Madam Chair.

G-4 has the second part of the amendment in French in both the English and the French versions, so I believe that this is not accurate. I would ask that we have this translated.

I apologize for not catching this earlier. We have a very large number of amendments that we're going through and we're going through them so quickly. I can understand where some errors can be made, but I think that it's important to make sure that we have this in both official languages before we vote on it.

**Mr. Chris Bittle:** I have a point of order. It's not an error. It's only amending the French.

• (2225)

**Mrs. Laila Goodridge:** It is an error.

**Mr. Chris Bittle:** It isn't an error.

**An hon. member:** It's only in the French.

**The Chair:** If no one has an English version to this, shall we suspend while they get it?

**An hon. member:** No.

**Mr. Chris Bittle:** I have a point of order, Madam Chair.

**The Chair:** Although we're not debating anything, we're just moving through—

Yes. I don't know who is raising the point of order.

**Mr. Chris Bittle:** It's Chris again. It's only amending the French version. There is no English version. This is correct as in English it is saying it's amending, "the French version, lines 1 and 2...with the following". It has nothing to do with the English. This is correct. It's proper. It's been drafted properly.

**Mrs. Laila Goodridge:** This is Ms. Goodridge. On a point of order, Madam Chair, on the same—

**The Chair:** Yes, Ms. Goodridge.

**Mrs. Laila Goodridge:** Thank you.

Perhaps we can just have clarification from the clerk just to reassure us. As we are moving through a lot of these amendments very quickly, it is absolutely incumbent upon us that we endeavour to have the best possible legislation for Canadians, and that means no possible errors, especially a potential error in translation.

**The Chair:** Thank you, Ms. Goodridge.

I was just about to ask the clerk to explain this and to speak to it.

**Mrs. Laila Goodridge:** Wonderful, thank you so much.

**The Chair:** Go ahead, Mr. Méla.

**Mr. Philippe Méla:** Thank you, Madam Chair.

Yes, indeed, the amendment is properly drafted. It amends only the French version, so if you look at the English version of the amendment on the left side of the page, the lead-in would be in English, but it would refer to the French text because only the French text is amended.

The lead-in, “That Bill C-11, in Clause 6, be amended by replacing, in the French version, lines 1 and 2 on page 10 with the following”, would be for the English-speaking person reading the amendment to say this is where you have to look, but you have to look in the French version because only the French version has been amended.

It is properly drafted because of that.

**The Chair:** Thank you.

Ms. Goodridge, is that clarified for you?

**Mrs. Laila Goodridge:** Yes, Madam Chair, I still believe that there might be some error and some confusion in this. However, it is in fact clarified.

This just speaks, at a larger point, to some of these challenges we have.

**The Chair:** This is debate. We've already ruled on this, Ms. Goodridge.

Now I shall call the question. Shall amendment G-4 carry?

(Amendment agreed to: yeas 9; nays 0 [*See Minutes of Proceedings*])

(Clause 6 as amended agreed to: yeas 7; nays 4)

(Clause 7 agreed to on division)

(On clause 8)

**The Chair:** We'll now move to clause 8, which is BQ-12.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

(Clause 8 as amended agreed to on division)

(Clause 9 agreed to on division)

(On clause 10)

• (2230)

**The Chair:** We begin with LIB-9.

Clerk, please go ahead with the vote.

**Mrs. Laila Goodridge:** I have a similar question to the last time.

I would like clarification around the translation. Perhaps the clerk could clarify. Was the original legislation not accurate in the French version but the English was?

**Mr. Anthony Housefather:** That's correct. In two cases it wasn't, and in one case both of them were wrong.

**Mrs. Laila Goodridge:** I understand, and I don't want to get into a space of debate. I think this is why it would be very useful if the mover of the motion could give a very quick—

**Mr. Chris Bittle:** On a point of order, Madam Chair—

**The Chair:** Thank you. We already ruled on that, Ms. Goodridge.

[*Translation*]

**Mr. Martin Champoux:** I have a point of order, Madam Chair. I don't think anyone can raise a point of order or ask for clarification

in the middle of a recorded vote when it's their turn to speak. Correct me if I'm wrong, but I think it's time to vote now.

[*English*]

**The Chair:** All right. I am allowing a fair amount of leeway because I do not want people to say they were not heard.

We are on LIB-9. Shall LIB-9 carry?

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, the question has already been put and it was Ms. Goodridge's turn to speak.

(Amendment agreed to: yeas 10; nays 0 [*See Minutes of Proceedings*])

[*English*]

**The Chair:** I am told by the clerk that there is a hard stop for the interpreters to have a break.

• (2235)

**The Clerk (Ms. Aimée Belmore):** Madam Chair, just to be precise, that's a minimum of 15 minutes.

**The Chair:** Shall we suspend for 15 minutes, then?

Thank you. We are suspended.

• (2235)

(Pause)

• (2250)

**The Chair:** Colleagues, we will be resuming clause-by-clause.

Here in my notes from the clerk with regard to conflicts, it says that if LIB-9 is adopted, then BQ-13 and CPC-18 cannot be moved due a line conflict.

Given that next up would have been BQ-13 and it cannot be moved, I shall move on to CPC-17.

Shall CPC-17 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall NDP-15.2 carry?

(Amendment negatived: nays 6; yeas 1 [*See Minutes of Proceedings*])

• (2255)

**The Chair:** CPC-18 cannot be moved because we passed LIB-9. I shall go past CPC-18 and move on to NDP-15.3.

Shall NDP-15.3 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Shall BQ-14 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Shall LIB-9.1 carry?

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

**The Chair:** Shall NDP-16 carry?

(Amendment negatived: nays 6; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** We are now on NDP-17.

I've decided to flag to everyone that if NDP-17 is adopted, BQ-15 on page 113 and NDP-17.1 cannot be moved due to a line conflict.

Shall NDP-17 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** We can now move to BQ-15.

If BQ-15 is adopted, NDP-17.1 and NDP-18, which is on page 115, cannot be moved due to a line conflict.

I would also like to inform everyone that if BQ-15 is adopted, NDP-17.1 becomes moot, as they are identical. If BQ-15 is defeated, so is NDP-17.1, for the same reason.

Shall BQ-15 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

• (2300)

**The Chair:** Shall NDP-17.1 carry?

**Mr. Philippe Méla:** Madam Chair, BQ-15 and NDP-17.1 are identical, so NDP-17.1 would be defeated as well.

**The Chair:** All right. We will not go to NDP-17.1.

What about NDP-18?

**Mr. Philippe Méla:** NDP-18 is good to go.

**The Chair:** Thank you.

We will not be voting on NDP-17.1. We'll be voting on NDP-18.

Does NDP-18 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** I shall go to NDP-19.

Again, I'd like to warn everybody that if NDP-19 is adopted then NDP-19.1 cannot be moved due to a line conflict.

Shall NDP-19 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** NDP-19 does not carry; therefore, NDP-19.1 can be moved.

Does NDP-19.1 carry?

• (2305)

**Mr. Peter Julian:** It's defeated on division.

**The Chair:** Does anyone oppose that?

**Mr. Chris Bittle:** There seems to be consensus in the room.

(Amendment negatived on division [*See Minutes of Proceedings*])

**The Chair:** Thank you.

On CPC-18.1—

**Mr. John Nater:** It's carried on division.

**Some hon. members:** Oh, oh!

**The Chair:** Is it carried on division? Is everyone in agreement with that, Mr. Nater? Are we sure about that?

**The Clerk (Ms. Aimée Belmore):** Madam Chair, I think you might want a recorded division.

**The Chair:** We'll have a recorded division on CPC-18.1.

(Amendment negatived: nays 7, yeas 4 [*See Minutes of Proceedings*])

**The Chair:** CPC-18.2 and CPC-18.3 were removed.

We are on CPC-18.4.

(Amendment negatived: nays 7, yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We are on CPC-18.5.

(Amendment negatived: nays 7, yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We are on CPC-19.

(Amendment negatived: nays 7, yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We are on CPC-19.1.

(Amendment negatived: nays 7, yeas 4 [*See Minutes of Proceedings*])

**The Chair:** We'll now move to BQ-16, but before I call the vote, I would like to note that, if BQ-16 is adopted, LIB-10 on page 126 cannot be moved due to a line conflict.

• (2310)

Shall BQ-16 carry?

**Mrs. Laila Goodridge:** I will abstain. I believe there is something not quite right in the translation of this particular amendment. Perhaps we could get clarification.

**The Chair:** If you're asking for a point of clarification, please ask it.

**Mrs. Laila Goodridge:** Thank you.

It's a point of clarification. I do not believe that the translation quite matches.

**Mr. Philippe Méla:** Thank you for the question.

It would be hard for me to determine if the translators have done a proper translation. I can have a look, but—

**Mr. Anthony Housefather:** We've been using "original French language program" throughout the act. Because of the way the English is worded, this changes the term we've been using to fix the English version throughout the act.

The clause was actually correct in this case on the English side, but not on the French side. My amendment only deals with the French side. Martin's does the English side, too, but it amends it wrongly.

**The Chair:** Is that Mr. Housefather speaking?

**Mr. Anthony Housefather:** I'm so sorry, Madam Chair. I was disrupting.

**Mrs. Laila Goodridge:** No. That makes more sense now.

**The Chair:** Mr. Méla was asked a question for point of clarification. Mr. Méla—

**Mrs. Laila Goodridge:** Madam Chair, I understand now. Mr. Housefather gave an interesting explanation that clarified it.

Thank you.

**The Chair:** Thank you, Ms. Goodridge.

**Mrs. Laila Goodridge:** I wasn't trying to be an obstructionist.

**The Chair:** Shall BQ-16 carry?

(Amendment negated: nays 5; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** BQ-16 does not carry, so we can go to Liberal-10.

Shall Liberal-10 carry?

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

**The Chair:** Shall amendment CPC-20 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-20.1 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

• (2315)

**The Chair:** We will now move to BQ-17.

Please be aware that if BQ-17 is adopted, NDP-19.2 cannot be moved due to a line conflict. If BQ-17 is adopted, NDP-19.2 be-

comes moot, as they are identical. If BQ-17 is defeated, so is NDP-19.2, for the same reason.

Shall BQ-17 carry?

(Amendment negated: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** BQ-17 does not carry, so we shall go to NDP-19.2.

**Mr. Philippe Méla:** Madam Chair, NDP-19.2 is identical to BQ-17, so it's also defeated.

**The Chair:** Thank you.

We shall move on to CPC-20.2.

Shall CPC-20.2 carry?

**Mr. Peter Julian:** On a point of order, I think we would move on to NDP-19.3

**The Chair:** I do not have NDP-19.3 yet because that would be going into clause 11, Mr. Julian. We're finishing up this clause.

Shall CPC-20.2 carry?

(Amendment negated: nays 7; yeas 4 [*See Minutes of Proceedings*])

(Clause 10 as amended agreed to: yeas 7; nays 4)

(On clause 11)

**The Chair:** Please note that if NDP-19.3 is adopted, BQ-19 cannot be moved due to a line conflict.

Shall NDP-19.3 carry?

(Amendment negated: nays 10; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** Shall BQ-18 carry?

• (2320)

**Mr. John Nater:** I have a point of order, Madam Chair.

I know we're not supposed to debate, but could I get clarification on this one as well?

It says "radiodiffusion" for both English and French. This is a translation correction in the French version. I just seek clarity on that one.

**The Chair:** Can we get some clarity from Mr. Méla?

**Mr. Philippe Méla:** I'm looking into it, Madam Chair.

**The Chair:** Shall we suspend for a few minutes?

**Mr. Philippe Méla:** No, that's fine.

Mr. Nater, the bill amends paragraphs 10(1)(f) to 10(1)(h) in the French version only. The bill is in effect on both sides of the column in French because it amends only three verbs in the French version.

**The Chair:** Thank you, Mr. Méla.

Mr. Nater, I think your question has been answered.

**Mr. John Nater:** Yes, Madam Chair. Thank you.

**The Chair:** Shall we now vote on BQ-18?

(Amendment negatived: nays 7; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Shall BQ-19 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-21 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Shall CPC-22 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

• (2325)

**The Chair:** Shall CPC-22.1 carry?

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** I'm going to move to LIB-11, with a little note to the committee.

**Mr. Philippe Méla:** Madam Chair, I believe LIB-11 was withdrawn.

**The Chair:** I still have it here. I'm sorry.

Thank you, Mr. Méla.

Shall BQ-20 carry?

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** Now we'll go to PV-5.

• (2330)

**Mr. Anthony Housefather:** I have a point of order, Madam Chair. It's Anthony.

That one is identical to the previous one, so it was defeated with the defeat of the Bloc amendment.

**The Chair:** Is that so, Mr. Méla?

**Mr. Philippe Méla:** It is so, Madam Chair.

**The Chair:** Thank you very much. PV-5 becomes moot.

Now we'll go to NDP-20. If NDP-20 is adopted, BQ-21 on page 142 and PV-6 on page 143 cannot be moved due to line conflicts.

Shall NDP-20 carry?

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

**The Chair:** We'll go to BQ-21. If BQ-21 is adopted, PV-6 becomes moot, since they are identical.

**Mr. Philippe Méla:** Madam Chair, it appears you jumped a bit.

Since NDP-20 was adopted, BQ-21 and PV-6 cannot be moved, due to a line conflict.

**The Chair:** Thank you.

We will remove BQ-21 and PV-6. Now I will move to CPC-22.2.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

(Clause 11 as amended agreed to: yeas 7; nays 4)

(Clause 12 agreed to on division)

(On clause 13)

**The Chair:** I will note that if CPC-23 is adopted, BQ-22 becomes moot since they are identical. If CPC-23 is defeated, so is BQ-22.

Shall CPC-23 carry?

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

(Clause 13 as amended agreed to on division)

(On clause 14)

**The Chair:** Shall NDP-21 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

• (2335)

**The Chair:** Shall BQ-23 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

**The Chair:** Shall BQ-24 carry?

• (2340)

**The Clerk (Ms. Aimée Belmore):** Madam Chair, you have the casting vote.

**The Chair:** Is it a tie?

**The Clerk (Ms. Aimée Belmore):** It's 4 yeas and 4 nays.

**The Chair:** I will go with "yes".

[*Translation*]

**Mr. Martin Champoux:** It's an excellent choice, Madam Chair.

(Amendment agreed to: yeas 5; nays 4 [*See Minutes of Proceedings*])

(Clause 14 as amended agreed to on division)

(Clause 15 agreed to on division)

(On clause 16)



[English]

**The Chair:** We are on BQ-25. If BQ-25 is adopted, then PV-7 and NDP-21.1 become moot since they are identical. If BQ-25 is defeated so are PV-7 and NDP-21.1 for the same reasons.

Shall BQ-25 carry?

(Amendment negated: nays 9; yeas 2 [See Minutes of Proceedings])

**The Chair:** BQ-25 does not carry, and neither do PV-7 or NDP-21.1.

(Clause 16 agreed to on division)

(On clause 17)

**The Chair:** Shall CPC-24 carry?

(Amendment agreed to [See Minutes of Proceedings])

**The Chair:** Shall CPC-25 carry?

(Amendment negated: nays 7; yeas 4 [See Minutes of Proceedings])

(Clause 17 as amended agreed to on division)

**The Chair:** I know we're getting close to the end, but do people want to stretch and have a health break, for want of a better term?

Can I get some kind of feedback?

• (2345)

**The Clerk (Ms. Aimée Belmore):** Madam Chair, people are shaking their heads no.

**The Chair:** All right. Then we can keep moving.

Shall clause 19 carry?

**Mr. Philippe Méla:** Madam Chair, you may have skipped clause 18.

**The Chair:** I'm sorry. I did skip clause 18. My eyes are going screwy on me.

(Clauses 18 to 21 inclusive agreed to on division)

(On clause 22)

**The Chair:** Shall NDP-22 carry?

(Amendment negated: nays 9; yeas 2 [See Minutes of Proceedings])

**The Chair:** Shall NDP-22.1 carry?

(Amendment agreed to: yeas 9; nays 1 [See Minutes of Proceedings])

**The Chair:** Shall CPC-26 carry?

(Amendment agreed to [See Minutes of proceedings])

• (2350)

**The Chair:** Shall CPC-27 carry?

(Amendment agreed to [See Minutes of Proceedings])

**Mr. Peter Julian:** Madam Chair, the CPC amendments have been getting better as the night wears on.

**Some hon. members:** Oh, oh!

**The Chair:** Shall clause 22 as amended carry?

(Clause 22 as amended agreed to on division)

(On clause 23)

**The Chair:** If BQ-26 is adopted, NDP-23 becomes moot since they are identical, and PV-8 cannot be moved due to line conflict. If BQ-26 is defeated, so is NDP-23, as they are identical.

Shall BQ-26 carry?

(Amendment negated: nays 5; yeas 2 [See Minutes of Proceedings])

**The Chair:** That means that NDP-23 similarly does not carry.

Shall PV-8 carry?

(Amendment negated: nays 6; yeas 1 [See Minutes of Proceedings])

(Clause 23 agreed to on division)

(Clauses 24 to 27 inclusive agreed to on division)

(On clause 28)

• (2355)

**The Chair:** CPC-27.1 has been removed, so we will not be dealing with it.

Shall CPC-28 carry?

(Amendment agreed to [See Minutes of Proceedings])

(Clause 28 as amended agreed to on division)

(Clause 29 agreed to on division)

(On clause 30)

**The Chair:** If CPC-29 is adopted, NDP-24 becomes moot since they are identical. If CPC-29 is defeated, so is NDP-24.

Shall CPC-29 carry?

(Amendment agreed to: yeas 6; nays 5 [See Minutes of Proceedings])

(Clause 30 as amended agreed to on division)

(Clause 31 agreed to on division)

**The Chair:** Now, we have a new clause, 31.1, with G-5.

Shall G-5 carry?

(Amendment agreed to on division [See Minutes of Proceedings])

• (2400)

**The Chair:** Therefore, shall clause 32 carry as amended? I don't have clause 31.1 being carried.

**Mr. Philippe Méla:** Madam Chair, when amendment G-5 was adopted, it created by itself the new clause 31.1.

**The Chair:** Then shall clause 31.1 as amended carry?

**An hon. member:** On division.

**The Chair:** It is carried on division unless there is anyone contesting it.

I will move on.

(Clauses 32 to 36 inclusive agreed to on division)

(On clause 37)

**The Chair:** On clause 37, we have NDP-24.1.

I shall read you the legislative clerk's note on this. It says that Bill C-11 amends mainly the Broadcasting Act in various ways. This amendment seeks to amend the Canadian Radio-television and Telecommunications Commission Act by requiring the commission to collect statistical data to be included in the report on its activities in accordance with subsection 13(2) of the act, based on the implementation of section 3 of the Broadcasting Act.

As *House of Commons Procedure and Practice*, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In our opinion, the amendment, by requiring the collection of statistical data not envisioned in the bill, goes beyond the scope of the bill. Therefore, I rule the amendment inadmissible. This ruling applies also to CPC-29.1, because it is identical to NDP-24.1.

Shall I move on further now?

Shall NDP-24.1 carry?

**Mr. Philippe Méla:** Madam Chair, you just ruled it—

**The Chair:** I did not hear from anybody at all. I don't know if people are agreeing with me or not.

**Mr. Philippe Méla:** But you ruled—

**The Chair:** I can't see the floor.

**Mr. Anthony Housefather:** I have a point of order, Madam Chair. You ruled NDP-24.1 out of order, so I don't think we would be voting on it.

• (2405)

**The Chair:** I did not know if anyone was challenging that ruling, Mr. Housefather, because I didn't hear from anyone. Not being able to see the floor, I am hoping that somebody could feed back to me what is going on.

If everyone is agreed that NDP-24.1 is inadmissible, then I shall not ask for a vote on it, and I will not ask for the vote on CPC-29.1.

Now, shall clause 37 carry?

(Clause 37 agreed to on division)

(Clauses 38 agreed to on division)

**Mr. Chris Bittle:** On a point of order, Madam Chair, I think there's agreement that we can group everything until clause 52 and pass them on division.

**The Chair:** All right. If there's full agreement from everybody—

**Mrs. Rachael Thomas:** There is not. I object.

**The Chair:** All right. We have an objection.

We will vote individually.

(Clauses 39 to 52 inclusive agreed to on division)

(On clause 53)

**The Chair:** On clause 53, we have CPC-29.2.

Shall CPC-29.2 carry?

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

(Clause 53 agreed to on division)

(On clause 54)

• (2410)

**The Chair:** We're on clause 54, amendment CPC-30.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

(Clause 54 agreed to on division)

**The Chair:** Shall the short title carry?

(Short title agreed to: yeas 7; nays 4)

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall the bill as amended carry?

**An hon. member:** I want a recorded vote.

(Bill C-11 as amended agreed to: yeas 7; nays 4)

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

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** I think, everyone, that ends this meeting—

**Mr. Peter Julian:** I have a point of order, Madam Chair.

**The Chair:** Is it Mr. Julian?

**Mr. Peter Julian:** Yes, it is, Madam Chair.

**The Chair:** Yes, I recognize your voice so well, Mr. Julian.

**Mr. Peter Julian:** Thank you, Madam Chair.

I think we all owe a debt of thanks to the clerks and to the legislative clerks who've been working on getting the amendments, and to the translators. Through you, Madam Chair, our profound thanks for the effectiveness of the staff of the House of Commons at all levels.

**Voices:** Hear, hear!

**The Chair:** Thank you, Mr. Julian.

Does anyone wish to say anything else before we adjourn?

Hearing nothing, I want to agree with Mr. Julian about the terrific work that everyone has done to support these meetings and also specifically to Mr. Méla, because he has been extraordinary in doing a lot of work in a very short time.

Again, I move that this meeting be now adjourned unless anyone thinks otherwise. I want to thank all of you. This has been very tiring and very troubling for you all, I know, and very emotional. I know you're tired. Thank you all as a committee for being very congenial throughout it.

The meeting is adjourned.

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