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# Standing Committee on Canadian Heritage

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Chair: The Honourable Hedy Fry





## Standing Committee on Canadian Heritage

Friday, December 9, 2022

• (0850)

[*Translation*]

**The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)):** Good morning, everyone.

I call this meeting to order.

Welcome to the meeting number 60 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*]

Now, in keeping—

**Mr. Michael Coteau (Don Valley East, Lib.):** On a point of order, Madam Chair, in the interpretation, both the English and the French are coming in at equal levels.

**The Chair:** We'll suspend a minute to look at that.

• (0850)

(Pause)

• (0850)

**The Chair:** Today's meeting is taking place in a hybrid format, pursuant to the House order of Thursday, June 23, 2022. Members attending on Zoom, you know what to do, and you know how to get into your interpretation with the little globe at the bottom of your screen. Of course, you know to mute when you are not speaking. I think muting when you're not speaking is really important, mainly because it stops this kind of feedback from happening.

Please wait until I recognize you by name before speaking. Those of you on the floor, you know how to find interpretation. All comments should be addressed through the chair. In accordance with our routine motion, I'm informing the committee that all witnesses—officials from Heritage Canada—are present in the committee room and therefore no connection tests are needed.

Now I want to welcome the witnesses who are here to answer any technical questions. With us today are Mr. Ripley, associate assistant deputy minister, cultural affairs; Mr. Sabbagh, director general, broadcasting, copyright; Joelle Paré, acting director, marketplace and legislative policy; and Frederick Matern, manager, policy, marketplace and legislative policy.

We shall begin. The last time, if I recall, Mr. Champoux had withdrawn his amendment BQ-9, and we are now going to the question—

[*Translation*]

**Mr. Martin Champoux (Drummond, BQ):** Madam Chair, it was amendment BQ-5.

[*English*]

**The Chair:** It was amendment BQ-5, yes. I'm sorry.

Shall clause 31 as amended carry?

(Clause 31 as amended agreed to on division [*See Minutes of Proceedings*])

(Clause 32 agreed to on division)

**The Chair:** Now we have new clause 32.1, and under that we have amendment NDP-22.

Peter Julian, go ahead.

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Thank you very much, Madam Chair, and thanks to folks for moving along in terms of clauses. That's very helpful, so we can spend more time on the amendments and less time on voting on each of the clauses.

Amendment NDP-22 was suggested by FRIENDS, which is a national organization that provides a lot of support for CBC and public broadcasting. This is an issue of ensuring transparency and ensuring that there's more information available, which will help to improve the calibre of the agreements that are signed and the ability, of course, particularly of smaller news organizations or, as we saw in the Australian model, organizations like Country Press Australia, which groups together dozens of small newspapers across Australia. Having that information is a very important aspect of ensuring there is a level playing field for negotiations with big tech...

What this amendment would seek to do is ensure that a copy of the agreement is filed within 30 days of the date an eligible news business enters into an agreement or 30 days after the day on which an arbitration panel makes a decision, and that the commission would publish that agreement on its website as well. So it ensures more transparency and it ensures the ability of particularly the small players to know the extent of agreements that are being signed, so that they can more effectively negotiate as well.

With that noted, I move amendment NDP-22.

• (0855)

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

**The Clerk of the Committee (Ms. Aimée Belmore):** Mrs. Thomas has something.

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

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

I have a question for the mover. I'm wondering whether, for those agreements that have already been entered into prior to this legislation coming into place, they would be expected to then make them known and, if so, how they would meet that 30-day criterion.

**Mr. Peter Julian:** That is a very good question. I'll actually turn to Mr. Ripley for his interpretation of that clause.

Thank you for the question.

**Mr. Thomas Owen Ripley (Associate Assistant Deputy Minister, Cultural Affairs, Department of Canadian Heritage):** Thank you for the question, MP Thomas.

My reading of the proposed amendment would be that it would likely apply only to agreements moving forward, because the proposed amendment is circumscribed by eligible news businesses. Right now, in any agreements that are in place, there's been no designation of any eligible news businesses, so my read is that as it is drafted, it would apply only on a carry-forward basis.

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

Does that answer your question, Mrs. Thomas?

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

My only statement would be that I see a privacy issue here. Normally, commercial agreements wouldn't be published. We'll be voting against.

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

Is there anyone else who wishes to speak?

**The Clerk:** Mr. Bittle has his hand up, Dr. Fry.

**The Chair:** Chris Bittle, go ahead.

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

Just very quickly, I think we spoke to this at the last meeting in terms of amendments brought by Mr. Julian, which, though well intentioned, go against what we think one of the main purposes of the bill is, which is to regulate foreign tech giants and not news organizations. I agree with Mrs. Thomas that this is private information between two private organizations.

Thank you.

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

Is there any further discussion?

Shall amendment NDP-22 carry?

**The Clerk:** There are a few nos and one request for "on division".

**The Chair:** All right. Then maybe we should call the vote.

**Mr. Peter Julian:** Actually, Madam Chair, I think it's pretty clear that I don't have a majority on this, so I would accept that it's defeated on division.

**The Chair:** All right.

(Amendment negated on division)

(On clause 33)

**The Chair:** Now we'll go to clause 33 and amendment NDP-23.

Peter, go ahead

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

This is an amendment that was suggested by APTN and Dadan Sivunivut. This is part of the series of amendments that we have adopted so far that include, within Bill C-18, a very strong proponent in support of indigenous people and indigenous journalists.

This amendment would ensure that the roster of qualified arbitrators also includes indigenous persons.

I move amendment NDP-23.

• (0900)

**The Chair:** Thank you.

Is there any discussion on NDP-23?

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

(Clause 33 as amended agreed to on division)

(Clauses 34 and 35 agreed to on division)

(On clause 36)

**The Chair:** We're going to clause 36 now, with amendment NDP-24.

Go ahead, Peter.

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

This would seek to ensure, again, in terms of a level playing field, that panels including arbitrators would have access to information so they could better determine what is in the best interests of the negotiations. This issue of transparency is something we've seen reflected and improved in other parts of the bill.

For this particular part of the bill, this suggestion comes from Unifor, Canada's largest private sector union, which represents many journalists across the country. This would provide that information to arbitrators so that the panel could actually take that into consideration when there is a decision, and in that way they could make sure there is a balanced and informed decision-making process. The bargaining process would be more transparent as a result.

I believe Mr. Bittle may have a subamendment, but I move NDP-24.

**The Chair:** You move NDP-24.

Mr. Bittle, where are you?

**The Clerk:** Ms. Gladu's hand is actually up, Dr. Fry.

**The Chair:** Go ahead, Ms. Gladu.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** I want to raise a concern about this amendment, because the commission would be bound by certain confidentiality constraints that the panel might not be bound by, so I would be concerned about releasing confidential information to the panel.

I will oppose this amendment.

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

Mr. Bittle, do you have a subamendment?

**Mr. Chris Bittle:** I do not necessarily.

I'd like to throw it over to Mr. Ripley, if I could, to ask him what risks are associated with Mr. Julian's amendment, if any.

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

As MP Gladu noted, right now, at clause 55, there are provisions in place to ensure the protection of confidential information in the possession of the regulator, the CRTC. If this amendment were to pass as is, there would be no protection for that confidential information once it was put in the hands of the arbitration panel. One option would be to consider an amendment at clause 55 to that effect.

Having said that, I would acknowledge, right now, that the intention is that the arbitration panel's decision be public. If you provide them with confidential information and they use it in their decision-making process, issues then arise around transparency and the publication of those decisions.

**The Chair:** Thank you.

Is there any further discussion in the room?

**The Clerk:** I think Mr. Bittle would like to ask a follow-up question.

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

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

I will move a subamendment.

After “that, in the Commission's opinion, is necessary for a balanced and informed decision-making process”, we would add “on the condition that the Commission ensures that the arbitration panel or each individual arbitrator that presides over the final offer arbitration, do not further disclose any such confidential information and under any further terms that the Commission considers necessary.”

• (0905)

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

Is there any discussion on that subamendment?

**The Clerk:** There is discussion, but I believe Mr. Méla has a question as well.

**The Chair:** Mr. Méla, go ahead.

**Mr. Philippe Méla (Legislative Clerk):** Thank you, Madam Chair.

Would it be possible to have it in writing, by any chance?

Thank you.

**The Clerk:** On the floor, after Mr. Méla, are Mrs. Thomas and Mr. Julian.

**The Chair:** Thank you.

Is there a problem, Mr. Méla?

**Mr. Philippe Méla:** No, Madam Chair. Mr. Bittle just sent the amendment, so I have it in writing. That was all.

Thank you.

**The Chair:** Oh, you just wanted it in writing. Thank you.

Mrs. Thomas, go ahead.

**Mrs. Rachael Thomas:** Thank you, Dr. Fry.

I'll speak to the subamendment, and once that's done, I will speak to the amendment as a whole.

My question is for Mr. Ripley. What would the phrase “do not further disclose” mean?

**Mr. Thomas Owen Ripley:** My understanding of the subamendment is that if they were provided confidential information, they could use it only for the purpose of the activity of arbitration and, practically speaking, there would have to be some mechanism limiting their further disclosure. I suspect that would be something like a non-disclosure agreement signed between the CRTC, for example, and those arbitration panel members, but they would be bound not to further disclose or use that information in any other context.

**Mrs. Rachael Thomas:** Would there be any other portion of this bill or a loophole that would allow that information to be shared beyond the commission and the panel?

**Mr. Thomas Owen Ripley:** As the bill is constructed right now, the confidential information remains in the hands of the CRTC. This would be an expansion of that, and since the panel or the arbitration roster is composed of individuals from the private sector, from other sectors, it would be an expansion of the individuals with whom confidential information could be shared.

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

Mrs. Thomas, was your question answered?

**Mrs. Rachael Thomas:** Thank you, Madam Chair.

I have one more question for Mr. Ripley.

Given this phrase in the amendment, “any terms that the Commission considers necessary”, it seems that this amendment then allows for the proactive offering of information even before it's required.

• (0910)

**Mr. Thomas Owen Ripley:** This is what I believe MP Julian is seeking to do: The commission is the entity in possession of the confidential information, so they're the only entity, other than the person whose confidential information it is, that can assess whether or not it's relevant. Indeed, it relies on their judgment to assess, given the arbitration in question, whether there's information they feel the panel should know.

**Mrs. Rachael Thomas:** Right. Information could be sought out pre-emptively without needing evidence for it, because it's at their discretion.

**Mr. Thomas Owen Ripley:** It's at their discretion. With the way the bill is constructed right now, in the context of final offer arbitration, the decision the arbitration panel would be making would be based on the information provided by the two parties in their two offers. That's the information the arbitration panel would have in their possession.

What MP Julian is proposing to do is to provide an opportunity or a mechanism to the commission, if it were in possession of other information that it thought was relevant but that was confidential, to share that with the arbitration panel.

**The Chair:** Thank you.

Mr. Julian, go ahead.

**Mr. Peter Julian:** I think Mr. Bittle's subamendment is brilliant and I'm supporting it.

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

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

(Amendment as amended agreed to on division)

(Clause 36 as amended agreed to on division)

(Clause 37 agreed to on division)

(On clause 38)

**The Chair:** We are on amendment NDP-25.

Mr. Julian, go ahead.

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

Thank you for being up so early this morning in British Columbia. I know first-hand how working on eastern time and getting up at 4:30 in the morning is a challenge, so thank you for being here.

**The Chair:** Peter, when I was in Vancouver, I had to do this every Friday for the medical assistance in dying committee. I thought I had dodged that bullet today, but I haven't, obviously.

Thank you.

**Mr. Peter Julian:** Thank you for your availability.

NDP-25 was originally proposed by Unifor, Canada's largest private sector union, which represents many of the journalists across the country.

What NDP-25 is seeking to do is broaden the transparency of Bill C-18 to ensure that we know about the value of the deal. It allows arbitrators to request information when they're making decisions in the arbitration process. That helps in terms of structuring decisions to be as informed as possible, hopefully, so that the new negotiations with big tech will result in more supports for community newspapers, for online publishers, and for the ethnic press across the country so that we can have more journalists doing the excellent work they do.

I move NDP-25.

**The Chair:** Thank you.

Is there any discussion?

**The Clerk:** Mr. Bittle has his hand up.

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

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

Very quickly, again, I believe it's well intentioned, but I believe this moves us away from fair negotiations under the bill and it hurts the bargaining powers of news organizations.

Thank you.

• (0915)

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

Shall NDP-25 carry?

**Mr. Peter Julian:** I will request a recorded vote on this particular amendment.

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

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

**The Chair:** On NDP-26, go ahead, Peter.

[*Translation*]

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

We will recall that this amendment was proposed during testimony from several organizations in the Fédération nationale des communications et de la culture.

The amendment states that consideration should be given in the bargaining process to the imbalance of bargaining power between the news business and operator of the digital news intermediary concerned.

I therefore propose amendment NDP-26.

[*English*]

**The Chair:** Thank you.

Is there any discussion?

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

(Clause 38 as amended agreed to on division)

(On clause 39)

**The Chair:** On clause 39, we have amendment CPC-25.

Mrs. Thomas, go ahead, please.

**Mrs. Rachael Thomas:** Amendment CPC-25 is intended to make the criteria less arbitrary or discretionary. It's intended to consider both sides of the coin, both investments and expenditures involved in making news content available. We feel that this would help make the legislation more well rounded and take into account all factors involved in both the creation of news and the sharing of news content.

**The Chair:** Thank you.

Is there any discussion?

**The Clerk:** Mr. Bittle has his hand up.

**The Chair:** Mr. Bittle, go ahead.

**Mr. Chris Bittle:** Unfortunately, we believe that this would skew deals in favour of foreign tech giants, and therefore we can't support it.

**The Chair:** Thank you.

Is there any further discussion?

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

**The Chair:** Now we go to amendment LIB-1.

Anthony, is that you?

• (0920)

**Mr. Anthony Housefather (Mount Royal, Lib.):** Yes, it is.

**The Chair:** Amendment LIB-1 is not what we dealt with earlier on as a subamendment.

**Mr. Anthony Housefather:** No, it's not, Madam Chair.

**The Chair:** Okay. Go ahead then.

**Mr. Anthony Housefather:** Actually, it should be LIB-3, because I've had two other amendments.

Madam Chair, this basically does two things. It removes the arbitration powers requirement to consult with the commission in the event that it's dismissing an offer. There's no reason that the independent arbitrators should be going back to the CRTC to discuss this with them. That's not how arbitration works.

The second thing is that it's not following the normal rules of arbitration. The way the bill is drafted, it is encouraging bad behaviour. The way the bill is currently drafted, if the arbitration panel dismisses an offer, they're going back and giving the same party whose offer they dismissed because it was so bad the chance to make a new offer, when normally, in that situation, the other party's offer would win.

Right now what I'm saying is that if one offer is dismissed because it violates the terms of paragraphs 39(1)(a), (b) or (c), the other party's offer should then automatically win. The arbitration panel will explain why it dismissed the offer, but it's not obligated to give that party a chance to make a new offer, because then it would be encouraging parties to do the furthest possible they can, and if it's dismissed, all they have to do is make a new offer again.

The only time there should be a new offer is if both offers are dismissed. Then, of course, the parties will have a chance to make a new offer, but not if just one is dismissed. If one is dismissed, the other party's offer wins. That's how I understand arbitration to normally work. That is my recommendation.

Thank you, Madam Chair.

**The Chair:** Thank you.

Is there any discussion on this?

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

**The Chair:** Shall clause 39 as amended carry?

(Clause 39 as amended agreed to on division)

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

**Mr. Peter Julian:** On a point of order, I would like to propose that we carry clauses 40 to 44 on division if we have unanimous consent for that.

**The Chair:** Is there unanimous consent? All right.

(Clauses 40 to 44 inclusive agreed to on division)

**The Chair:** Thank you, Peter, for moving us along so nicely.

We are now going to amendment PV-6, which proposes a new clause, clause 44.1.

Is there anyone on amendment PV-6?

**Mr. Philippe Méla:** Madam Chair, if I may, the amendments by the Green Party are deemed moved, so nobody needs to be here to move them.

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

Is there any discussion on amendment PV-6?

Shall PV-6 carry?

**Mr. Peter Julian:** Perhaps it should be "on division"?

**The Chair:** Is that the sense in the room?

**Mrs. Rachael Thomas:** No, Madam Chair, it's just defeated, unless there's someone here who's voting in favour.

**Mr. Peter Julian:** I am, so it's defeated on division.

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

**The Chair:** Thank you.

(Clauses 45 to 48 inclusive agreed to on division)

(On clause 49)

**The Chair:** We are on amendment NDP-27.

Peter Julian, go ahead.

• (0925)

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

This was an amendment that was suggested by Unifor, Canada's largest private sector union, which represents many of our terrific journalists right across the country.

Again, in terms of the transparency, this is another of the amendments that would help to ensure more transparency in terms of the confidential information that the parties would require, assuming, as they move through the process, the best possible outcome for local community journalists.

I move NDP-27.

**The Chair:** Is there any discussion on NDP-27?

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

(Clauses 49 and 50 agreed to on division)

(On clause 51)

**The Chair:** We are on amendment G-4.

If G-4 carries, amendments BQ-6 and CPC-26 cannot be moved due to a line conflict.

Is there any discussion on amendment G-4?

**The Clerk:** Mr. Bittle has his hand up, Dr. Fry.

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

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

Very quickly, Madam Chair, we've heard concerns from the tech platforms about specific provisions in this act. We agree that we don't want unintended consequences, and we believe this amendment provides greater clarity as to the intention of the provision and the act.

Thank you.

**The Chair:** Thank you.

Is there any further discussion?

**The Clerk:** Mrs. Thomas has her hand up.

**The Chair:** Mrs. Thomas does, and Ms. Gladu has her hand up in the chat.

Okay, go ahead, Mrs. Thomas.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Actually, Chair, it's going to be me who takes over from Mrs. Thomas.

We think amendment CPC-26 is better. Just for the sake of time, we're going to oppose this, because we think ours is better, and it's coming up shortly.

**The Chair:** Thank you.

Ms. Gladu, go ahead.

**Ms. Marilyn Gladu:** Thank you, Chair.

Certainly, I agree with what Mr. Waugh said. I do think amendment CPC-26 is better, and I want to remind you about the conversations we heard from witnesses about undue preference and how this would interfere with the way people try to downvote hateful content or misinformation and upvote news that's trending and that kind of thing. They had recommended section 52D of the Australian legislation.

In consultation with the legislative clerks, there will be a further amendment CPC-27 for greater clarity with respect to all of those things that are allowed.

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

Shall G-4 carry?

I'm getting a sense that G-4 will be defeated on division. Is anyone voting for it?

**The Clerk:** I believe carried on division is what's being discussed.

**The Chair:** I heard Ms. Gladu and Mr. Waugh speak, but I didn't hear what the others think.

Shall G-4 carry on division?

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

**The Chair:** Now we go to BQ-6.

**Mr. Philippe Méla:** Madam Chair, it's the legislative clerk here.

**The Chair:** Go ahead, Mr. Méla.

**The Clerk:** Since G-4 was adopted, there is a line conflict between BQ-6 and CPC-26.

**The Chair:** Yes. There's a line conflict with BQ-6 and CPC-26. Okay.

Now we go to CPC-27.

Yes, Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

This is the one I was talking about. It would add the following:

(2) An operator that ranks or curates news content, increases or decreases the prominence of news content or makes news content available in a manner that makes a user more or less likely to interact with it does not contravene paragraph 51(1)(b).

That's just for greater clarity.

● (0930)

**The Chair:** Thank you.

Is there any discussion on this?

Yes, Mrs. Thomas.

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

I appreciate the amendment brought forward by my colleague Ms. Gladu. The only thing I would add is that in really basic, simple terms, this amendment is simply looking to protect the Internet in the way that it functions now. Individuals go online to look for content that appeals to them rather than what should be forced in front of their eyeballs. This protects that element. Users of the Internet, when they go searching for something, would continue to get content that would be curated for them, and that would not be called undue preference.

**The Chair:** Thank you.

Is there any further discussion?

(Amendment negated: nays 7; yeas 4)

(Clause 51 as amended agreed to on division [*See Minutes of Proceedings*])

(On clause 52)

**The Chair:** We are now on amendment G-5.

Go ahead, Mr. Bittle.

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

Very quickly, this amendment allows the CRTC to dismiss frivolous complaints as well as establish what factors they need to evaluate a complaint.

Thank you so much.



**The Chair:** Thank you.

Is there any discussion?

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

(Clause 52 as amended agreed to on division)

(Clause 53 agreed to on division)

**The Chair:** Next is amendment NDP-28, which proposes new clause 53.1.

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

I am going to move only part of NDP-28. I will be moving the part that Bill C-18 be amended by adding after line 30 on page 17 the following new clause:

53.1(1) If an eligible news business enters into a covered agreement, the business must file a copy of the agreement with the Commission within 30 days after the day on which it enters into the agreement or 30 days after the day on which an arbitration panel makes a decision that is deemed to be an agreement under section 42, as the case may be.

(2) The Commission must maintain and publish on its website a list of covered agreements, including the names of the parties and the commercial value and terms of the agreements.

(3) The Commission must add a covered agreement to the list within 90 days after the day on which a copy of the agreement is filed under subsection (1).

I am moving those three portions. I am not moving the fourth paragraph. I wanted to be clear about that. We have consulted the legislative clerk. I want to make sure that it is clear to everybody that I am not moving the fourth paragraph.

The three paragraphs that I am moving are reflected in testimony that came from both Unifor, Canada's largest private sector union, which represents so many journalists across the country, and the independent online news publishers of Canada, which publish so many of the terrific online publications, including, in my community, the Burnaby Beacon and the New West Anchor.

What this does is help to set that level playing field to ensure that there is more transmission of information and that particularly the small players have the information they need to ensure they get the best possible agreement, so that the hoovering up from big tech of all the journalistic ad revenues will actually serve to benefit both community publications.

Thank you.

● (0935)

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

I have Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

In the private sector, commercial agreements are typically not published with all their details, so I'll be opposing this.

**The Chair:** All right.

Now, is there any further discussion on the floor?

**Mr. Peter Julian:** I will ask for a vote on this amendment, please.

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

(Amendment negatived: nays 10; yeas 1)

**The Chair:** NDP-28 is defeated. Now we go to G-6.

I would like to suggest that this amendment seeks to add a new section, which is 53.1, to the bill—

**Mr. Philippe Méla:** Madam Chair, I'm sorry. This is the legislative clerk speaking. I just wanted to point out that since CPC-23 was defeated, the ruling does not need to be addressed.

**The Chair:** All right. Therefore, G-6 is admissible.

Now, is there any discussion on G-6?

Go ahead, Chris.

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

The amendment clarifies that if CBC is eligible, they will have to publish a report on where the money is going. We've already had a lengthy debate on CBC's eligibility, but we need to recognize that there should be unique requirements because they are a Crown corporation. That requires that they have certain reporting requirements under the act that other organizations won't have.

**The Chair:** Thank you.

Is there any discussion?

I have Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

I think we've been clear. We don't think CBC, which is getting billions of dollars already from the government, should be a part of this framework in Bill C-18. This will certainly not help the small media organizations that we're trying to help. It would give CBC the lion's share of the money, so I will be voting against this.

**The Chair:** Thank you.

**The Clerk:** Mr. Waugh has his hand up, Dr. Fry.

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

**Mr. Kevin Waugh:** Madam Chair, I echo what Ms. Gladu said.

I will say this. I did find the PBO numbers and the department numbers interesting this week. There was quite a discrepancy on dollars, so thank you to the department. It will be interesting to see who's right: the PBO or the department. I'm just going to throw that out there for reconsideration months later.

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

Shall G-6 carry?

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

**The Chair:** Now I'm going to call the question on clauses 54 to 67, which have not been amended. I'm seeking unanimous consent for us to allow those clauses to stand.

(Clauses 54 to 67 inclusive agreed to on division)

(On clause 68)

**The Chair:** I will go to clause 68, which is CPC-28.

That's Mrs. Thomas.

• (0940)

**Mrs. Rachael Thomas:** All right. The way this legislation is drafted, the current clause basically insinuates guilty until proven innocent, which is not in accordance with Canadian law or our justice system and the way that it functions.

This is simply looking to reverse that to where an entity is considered innocent until proven guilty. Again, we believe that is what makes for a strong justice system in this country.

**The Chair:** Is there any discussion on CPC-28?

**The Clerk:** Mr. Bittle has his hand up.

**The Chair:** Yes, Chris.

**Mr. Chris Bittle:** Very quickly, Madam Chair, the CRTC is a regulator, not a prosecutor. They rule on complaints; they don't make them.

I'll be opposed to this amendment.

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

Is there anybody else?

**The Clerk:** Mrs. Thomas has her hand up.

**The Chair:** Yes, Mrs. Thomas.

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

I appreciate Mr. Bittle's interjection. I think we're all aware that they're not a prosecutor. That's beyond the point.

This puts the burden of proof in clause 51 on the CRTC rather than on the accused DNI, which is appropriate. The accused should not have to prove their innocence. Instead, the accuser should be responsible for proving guilt.

Again, that's how our justice system works in this country. I would plead with the government to uphold that justice system. It has served us well for over 150 years.

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

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

(Clause 68 agreed to on division)

**The Chair:** Now, there are no amendments to clauses 69 to 83. Shall clauses 69 to 83 carry?

(Clauses 69 to 83 inclusive agreed to on division)

(On clause 84)

**The Chair:** On clause 84, we have G-7. If G-7 is adopted, NDP-29 cannot be moved due to a line conflict.

Is there any discussion on G-7?

**The Clerk:** Mr. Bittle has his hand up.

**The Chair:** Yes, Chris.

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

This is a consequential amendment related to G-3 and G-6. This is needed to remove the regulatory power for the Governor in Council to regulate CBC/Radio-Canada, as we discussed at length earlier in our debate on this topic.

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

Go ahead, Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

Not to sound like a broken record, but I don't believe CBC should be part of Bill C-18. They shouldn't be getting the lion's share of the money and keeping it from the local small media organizations. I won't be supporting this.

**The Chair:** Thank you.

Is there any further discussion?

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

**The Chair:** That means that amendment NDP-29 cannot be moved.

Guys, we're moving so nicely and quickly that I'm having to turn my pages faster than I think I can.

Shall clause 84 as amended carry?

(Clause 84 as amended agreed to on division [*See Minutes of Proceedings*])

(Clause 85 agreed to on division)

(On clause 86)

• (0945)

**The Chair:** We have amendment NDP-30.

Peter, go ahead.

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

**Mr. Philippe Méla:** Madam Chair, I'm sorry to interrupt. My apologies, but I've missed a page.

**The Chair:** I know. It's moving so quickly that sometimes the pages stick together. You're trying to move them and you can't.

Mr. Julian, go ahead.

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

I will say I think everybody's working very effectively together, which allows us to improve the bill since our attention is focused on the amendments. I note that we have an hour to go and only a handful of amendments, so I'm actually hopeful that we'll be completing the clause-by-clause review of this bill by the time the committee rises. That's wonderful.

Amendment NDP-30 comes from a suggestion that was made by the Canadian Union of Public Employees. They also represent journalists in some sectors across the country. CUPE is Canada's largest public sector union, though it does also represent people in the private sector.

There is a small typo I just want to correct.

This would amend the bill:

(a) by adding after line 33 on page 33 the following:

“(c.1) information relating to the effect of exemption orders made under subsection 11(1) on the Canadian digital news marketplace;

(c.2) recommendations for the attention of the Commission or the Governor in Council arising from the analysis included in the report; and”

(b) by adding after line 36 on page 33 the following:

“(3) For the purposes of the report, the independent auditor may consult the Commission, the Commissioner of Competition appointed under subsection 7(1) of the Competition Act and any person or entity governed by this Act.”

I move amendment NDP-30.

**The Chair:** Thank you.

Is there any discussion on NDP-30?

**The Clerk:** Mr. Bittle has his hand up.

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

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

I'd like to ask Mr. Ripley what, if any, issues he sees under this amendment.

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

Madam Chair, we have an observation with respect to paragraph 86(2)(c.1). From our perspective, this is information that the auditor could already ask for or that could be included in the report. MP Julian's amendment, however, would make it obligatory for the auditor to include this information, but the government's position is that agreements signed in the context of exemption are a key element of understanding the impact on the framework.

With respect to paragraph 86(2)(c), the only thing the committee may wish to consider is, again, the relationship with any confidential information that may be provided in that context. Again, there may be implications with respect to how that information should be treated and protected.

Thank you.

**The Chair:** Thank you.

**Mr. Chris Bittle:** Very quickly, Madam Chair, I just want to thank Mr. Ripley and state that I'll be opposed to this amendment.

**The Chair:** Thank you.

Is there any further discussion on amendment NDP-30?

**Mr. Peter Julian:** I would ask for a vote on this amendment.

**The Chair:** Fine.

(Amendment negated: nays 10; yeas 1)

**The Chair:** Mr. Bittle, go ahead on amendment G-8.

• (0950)

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

This is similar to prior amendments. It simply sets out the reporting requirements of CBC/Radio-Canada should they reach an agreement with tech platforms.

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

Go ahead, Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

I don't believe CBC should be included in the framework of Bill C-18. I think it's not going to help small and medium outlets, so of course I won't be supporting it.

**The Chair:** Thank you.

Is there any further discussion?

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

**The Chair:** Martin, go ahead on BQ-7.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, an annual audit report is provided for in section 86 of the bill, but it doesn't specify what will happen once the report is delivered to the CRTC by the independent auditor.

To make this more transparent and predictable, we suggest that the report be posted on the commission's website as soon as it is completed.

[*English*]

**The Chair:** Thank you.

Is there any further discussion?

Yes, Ms. Gladu.

[*Translation*]

**Ms. Marilyn Gladu:** Another amendment, NDP-31, deals with the same line. I prefer that one. So I'm going to vote against amendment BQ-7.

[*English*]

**The Chair:** Thank you.

Is there any further discussion?

**The Clerk:** Yes, Dr. Fry. There's Mr. Julian and Mrs. Thomas.

**The Chair:** Yes, Peter.

[*Translation*]

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

I always appreciate Mr. Champoux's work. However, the words “immediately after it is prepared” leave things in limbo. Are we talking about a day, a week, a month? Therefore, I will vote against the amendment, even if I know the intentions behind it were good.

Amendment NDP-31 actually proposes the following: “The Commission must publish the report on its website within 30 days after the day on which it receives it.” It sets a deadline, while also leaving enough time for the report to be published.

Therefore I will vote against BQ-7 and in favour of NDP-31.

[*English*]

**The Chair:** Thank you.

Is there any further discussion?

**The Clerk:** Mrs. Thomas was after Mr. Julian.

**The Chair:** Go ahead, Mrs. Thomas. I'm sorry.

**Mrs. Rachael Thomas:** I was just seeking a point of clarification from the legislative clerk that if BQ-7 carries, then NDP-31 cannot be considered.

**The Chair:** I don't think so, but go ahead, Mr. Méla.

**Mrs. Rachael Thomas:** Oh, I'm sorry. It's “after” line 36.

**Mr. Philippe Méla:** Yes.

**Mrs. Rachael Thomas:** My apologies.

**The Chair:** Thank you.

Do we need to call a vote?

[*Translation*]

**Mr. Peter Julian:** It is negated on division.

[*English*]

**The Chair:** All right.

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

**The Chair:** We are now on NDP-31.

Go ahead, Peter Julian.

[*Translation*]

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

I have already spoken to this amendment. I don't have anything else to say about it.

[*English*]

**The Chair:** Thank you.

Is there any further discussion on this amendment?

**The Clerk:** Mr. Bittle has his hand up, Dr. Fry.

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

**Mr. Chris Bittle:** Madam Chair, can the legislative clerk clarify whether there is a line conflict with G-9?

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

No, there is not, because you're adding it after line 36. You can always add several.... It will be renumbered, if needed, at the reprint.

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

**The Chair:** Thank you.

Shall NDP-31 carry?

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

**The Chair:** It's carried unanimously. There you go, Mr. Julian.

Mr. Bittle, you have the floor on G-9.

• (0955)

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

This amendment simply ensures that the report done by the independent auditor cannot disclose any commercially sensitive information.

**The Chair:** Thank you.

Is there any discussion?

Shall G-9 carry?

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

(Clause 86 as amended agreed to on division)

**The Chair:** Mr. Julian, you have the floor on NDP-32.

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

This is the last NDP amendment, so I want to take a moment to thank the legislative team and my team. Doris Mah and Shawn Hughes have done an amazing job. I thank the clerk, the legislative clerk, the analysts and you, Madam Chair, for working through what is a very complex bill. It is undoubtedly a better bill after we added all these amendments. I think it's fair to say the bill is substantially improved and we should all be proud of that.

Amendment NDP-32 was suggested by the Centre for Media, Technology and Democracy at McGill University. They do terrific work on issues related to technology and democracy in media. They raised concerns about the Australian model being overly opaque by design. News outlets had no idea what metrics or benchmarks were being used to guide their negotiations.

The bill currently has transparency requirements peppered throughout it. No doubt, there is room for increased transparency. Currently, the online news act requires annual data sharing. In order for news outlets to make more informed decisions in real time, they need aggregated, audited market data released at regular and more frequent intervals, not just annually, as the bill currently prescribes.

What this would do is add the following new clause:

86.1 As soon as feasible after the end of each quarter in each fiscal year, the Commission must publish on its website a quarterly report containing audited data on the Canadian digital news marketplace in an aggregated form, including data on the number of agreements entered into under this Act and the commercial value of those agreements.

This aggregated data, of course, is something that preserves confidentiality, which a number of people have raised as a concern. It provides for the transparency that is so vital in ensuring the success of this bill. We want to regenerate our local journalism. One way to do that is to make sure the market data is available in an aggregated and audited form.

I move NDP-32.

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

Go ahead, Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Madam Chair.

There is already an annual report on the marketplace. I think demanding a quarterly report, on top of that, is added bureaucracy, which I don't believe is needed.

I'll be voting against it.

**The Chair:** Thank you.

Is there any further discussion on the floor?

**The Clerk:** There is Mr. Bittle, Madam Chair.

**The Chair:** Mr. Bittle, you have the floor.

**Mr. Chris Bittle:** Never mind, Madam Chair. Thank you so much.

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

Shall NDP-32 carry? Is it on division?

**Mr. Peter Julian:** Madam Chair, I think there's one person arguing for it to be passed on division—

• (1000)

**The Chair:** Yes, and that is you.

**Mr. Peter Julian:** —and 10 people arguing for it to be defeated on division, so I'll go with defeated on division.

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

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

(Clauses 87 to 90 inclusive agreed to on division) (Clause 92 agreed to on division)

(On clause 93)

**The Chair:** On clause 93, we have G-10.

Go ahead, Mr. Bittle.

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

This sets out the sequence for regulation-making. In our discussion with platforms, they've indicated that they wish for certainty on the sequencing on how regulations will be developed and introduced, and this amendment, as I've said, offers clarity around that.

**The Chair:** Thank you.

Is there any discussion?

I have Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

To restate my previous view, I don't like it that the Governor in Council, which is actually the Liberal cabinet, gets to go and figure out what they're going to do after the fact, without any parliamentary oversight, so I'll be voting against.

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

Shall G-10 carry?

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

(Clause 93 as amended agreed to on division)

**The Chair:** Shall the short title carry?

**Some hon. members:** Agreed.

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

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

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

**The Clerk:** Dr. Fry, everything, including the short title, is on division.

**The Chair:** Okay. That's on division.

Shall the bill as amended carry?

**Some hon. members:** Agreed.

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

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

**The Clerk:** Dr. Fry, Mrs. Thomas has her hand up.

**The Chair:** Yes, Mrs. Thomas.

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

Well, this is the end to Bill C-18, and it will now be forwarded to the House, so I would like to go on the record as saying this bill started out with the intent—or the stated intent—of wanting to help newspapers, particularly those in rural areas that are of a smaller nature, along with ethnic media outreach or newspapers.

Unfortunately, in the way this legislation has developed and the way it is going forward to the House, it will reward the big players, such as the CBC, which already receives over a billion dollars in taxpayer money. This legislation will support Bell Media, and this legislation will support Rogers. Together, they will take about 75% to 80% of the money available through Bill C-18, which leaves a very small cut for newspapers to take. Once the larger players, such as Postmedia, Torstar and The Globe and Mail take their portion, it leaves an even smaller piece of the pie—if any—for those small players that function within our rural areas, particularly in western Canada.

It's a sad day for those news outlets, and it's incredibly hypocritical that this bill leads out with a preamble that wants to look after the sustainability of news and support good journalism, and yet it has gutted the ability for these smaller outlets to exist.

It's shameful that the NDP member actually ended up withdrawing his amendment that would advocate for those smaller players yet continues to use talking points as if he is advocating for them. He does not have their backs. He had an opportunity to vote for amendments that would allow entities with one journalist to be considered, and again I'll repeat that he withdrew that. Instead, he went into the pockets of the Liberals, as is the mode of operation of what the NDP are doing in this House at this time.

Again, it's a sad day for those smaller news outlets. My condolences to them.

**The Chair:** Go ahead, Ms. Gladu.

**Ms. Marilyn Gladu:** Thank you, Chair.

I also agree that the legislation unfortunately is not going to meet its intended purpose; I did vote for the purpose in clause 4, but as I said, I don't think it will.

I want to remind the government that the tech giants are willing to put money forward to go into a fund that could be administered by an agglomeration of small media outlets so that they could make sure their viability is protected, and this is much less bureaucratic and leaves the independence of the Internet, so I remind the government they can still do that at any time.

• (1005)

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

**The Clerk:** Dr. Fry, I have one more.

**The Chair:** I have one more question to ask, and then we can have the summary discussions afterwards.

Shall the committee order a reprint of the bill, as amended, for the use of the House at the report stage?

**Some hon. members:** Agreed.

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

**The Chair:** Yes, good.

**Mr. Philippe Méla:** Madam Chair.

**The Chair:** Yes, Mr. Méla.

**Mr. Philippe Méla:** I'm not sure there was an answer to the question of whether you shall report the bill, as amended, to the House.

**The Chair:** I thought there was.

**Ms. Marilyn Gladu:** Yes.

**The Chair:** Yes, there was. Thank you.

**The Clerk:** Dr. Fry, there wasn't. Can we please call that question?

**The Chair:** All right. Please call the question. I thought I saw everybody nodding, but there you go.

**The Clerk:** That's carried on division, Dr. Fry. Thank you.

**The Chair:** Okay. I had it written here: "carried on division". Okay, thanks.

Did I get a vote on "Shall the committee order a reprint of the bill to send to the House?" Okay, that was carried.

Now we have some hands up.

Mr. Housefather, go ahead.

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

I just want to briefly respond.

First of all, I want to congratulate the committee, because I agree with what Mr. Julian said. I believe the committee improved the bill. I think this was a very good way of working together.

[*Translation*]

We worked together to improve this bill. It's a good example of the cooperation that we have on this committee, and I'm proud of that.

[*English*]

Second, I also want to say that there's no preordained total amount that will be negotiated in these agreements. Nobody could possibly know what amount every single organization is going to get. To start throwing out that it's this percentage or that percentage that this one is going to get.... These are going to be negotiated agreements between the news media, either collectively or individually, and the platforms.

I think it's very premature to make those declarations. We have absolutely no idea. I believe this will achieve its intent.

[*Translation*]

It will support journalists in my region and elsewhere in Quebec and Canada. I'm proud of what we've accomplished.

Thank you.

[*English*]

**The Clerk:** Dr. Fry, on the floor I have Mr. Julian and Mr. Waugh.

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

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

I did commit to the Conservative House leader that I wouldn't say anything negative about Conservatives, but I will just note their ongoing hostility to CBC, which I find quite perplexing. We certainly saw it during the Harper years, during which CBC funding was absolutely gutted.

However, coming back to what we've achieved, we have adopted amendments that have helped to ensure that indigenous journalists are included in a very meaningful way in Bill C-18 and that they will benefit from that. We have ensured a lot more transparency in Bill C-18, which is certainly a lesson that has come out of the Australian model.

I want to note that of the 16 NDP amendments that were adopted by this committee, the most important one to my mind—and certainly to that of the independent online news publishers of Canada, the small players who are starting up right across the country and who are present in every community, including the Burnaby Beacon and the New West Anchor—is an amendment that allows journalists, even if they're part-time, to own or be a partner in a news business and not to deal at arm's length with the business. They are now open to Bill C-18, the online news act.

I am being heckled, Madam Chair, but I'll continue just the same.

What we've done is open the door to independent online news publishers right across this country. Dozens of publications, the community newspapers in Alberta and Saskatchewan, asked for this. They got that amendment, and that means that a two-person operation, even if they're working part time, even if they're partners and owners of the business, has access to Bill C-18. It is significant that small players right across the country, including those community newspapers in Alberta and Saskatchewan, will be able to get that access.

That is a significant amendment, Madam Chair, and I would note that the Conservatives voted against it, which is, I think, quite astounding, given what they have been saying about the act. Why would they oppose something that so clearly opens the door to the vast majority of the ethnic press, to community newspapers in Alberta and Saskatchewan, and of course to online news publishers?

I agree with Mr. Housefather that the bill is much improved. There are some aspects of transparency that I would have liked to see but that were not adopted by this committee. Generally the processes for Bill C-18 worked well. All members have tried to work in a constructive way, and we have a much better bill coming out of committee than we had going in.

I'd like to thank everyone who was involved in that, particularly the analysts, the clerks and the interpreters, who have helped us all through, and our officials from Canadian Heritage who have answered the questions in such a clear and effective way.

Thanks to you, Madam Chair, for your chairing and to Mr. Waugh for chairing part of this process as well, because that has helped us to bring this bill to a conclusion at committee as well.

Thank you.

• (1010)

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

Martin, go ahead.

[*Translation*]

**Mr. Martin Champoux:** I want to join my honourable colleagues in congratulating the committee on the work we have done.

Despite what our Conservative colleagues say, Madam Chair, we've just established a [*Technical difficulty*] that will help our media outlets to negotiate agreements and ensure that several media outlets will survive the crisis they have endured for too long now.

There are certainly losers in this story. I understand that the Conservatives are disappointed. Google and Facebook certainly won't be pleased with the outcome of our [*Technical difficulty*] today, but that was to be expected. Conservatives can rest assured that Google and Facebook will continue to be [*Technical difficulty*], because they did a great job representing them as we considered Bill C-18.

Having said that, I want to send a message to the small media outlets, the regional newspapers and the local media in Quebec and Canada. If this bill doesn't work as well as we would like, although I feel it will, we will be there. Bills are never perfect. They can always be improved. We will be watching its implementation and are

going to be there to monitor the activities between the businesses under this new law that's coming into force. I want them to know that we will never stop looking out for Quebec and Canadian media outlets and news businesses, especially the smaller ones.

On that note, Madam Chair, I also want to congratulate you for your work. I thank my colleague Mr. Waugh for his work as vice-chair. I salute all of my colleagues, because the atmosphere has generally been respectful, and I'm really proud of what we've accomplished, whether we agree or disagree on the outcome.

[*English*]

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

Is there anybody on the floor?

**The Clerk:** Yes, Dr. Fry. I have Mr. Waugh, Mrs. Thomas and Mr. Bittle.

**The Chair:** Mr. Waugh, go ahead.

**Mr. Kevin Waugh:** Thank you, Madam Chair.

I want to thank everyone around the table.

It will be interesting. I totally agree with the Globe and Mail's article today, which refutes what Mr. Julian has said all along. It was the Liberals under Chrétien and Martin who destroyed the CBC funding, not Harper. I want to thank Konrad Yakabuski for the Globe and Mail report today. It clearly says, "Under the Trudeau Liberals, the CBC keeps cashing in", as we're up to \$1.3 billion plus the \$42 million that they gave in the fall economic update.

The numbers are going to tell the story on this bill, if you don't mind my saying. The PBO has the number inflated to \$180 million more than the department. They have \$329 million that they feel is coming from the tech giants, and the department only had \$150 million. When you get the big boys at the table spreading the \$150 million, I think we're going to see the demise of local newspapers in Canada more than ever after this bill has passed.

You know, the Saskatoon berry pie used to be very big, and now the Saskatoon berry pie is only a tart, when we're going to leave Bill C-18. I think the future does not hold very well for small and medium newspapers. I'm really disappointed, as everybody knows, about the two reporters. I think it's going to have a big effect on the country. However, we'll see where it goes.

I want to thank everyone, as we head out of here before Christmas with Bill C-18.

Before we leave today, we do need to discuss next Tuesday and whether the judge is coming to talk about Hockey Canada.

Thanks, everybody.

• (1015)

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

Mrs. Thomas, go ahead.

**Mrs. Rachael Thomas:** Madam Chair, I was hoping that perhaps we could be provided with an update as to what Tuesday looks like for this committee.

**The Chair:** We will be doing that as soon as we have finished with everyone having their say.

Mr. Bittle, go ahead.

**Mr. Chris Bittle:** Thank you so much, Madam Chair. My say will be brief.

I want to add my thanks to everyone on behalf of the Liberals: the clerks, the legislative clerks, our analysts, ministry staff, ministers' office staff—who have been particularly helpful to me—and our own staff. I want to say thank you to the interpreters.

I know there has been a lot of animosity. However, the good news is that I believe all the parties ran on the Australian model and we have achieved that—on to report stage and third reading.

I guess time will tell. I will agree with Mr. Waugh: time will tell. We've seen the results from Australia and they've been overwhelmingly positive. I'm usually not an optimistic person—I think everyone around the table will agree that I'm not—but I am optimistic about what this legislation does, what it will do and the impacts it will have on Canadian journalism.

Once again, thank you to everyone. I know it can be tense at times, but it has been a collaborative process.

Thank you so much, everyone.

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

Before we move on to discuss Tuesday's business, I just want to let everyone know that this afternoon I will be reporting Bill C-18 as amended to the House.

I want to echo what everybody has said. For a chair, the process is sometimes bumpy, but that is par for the course in terms of many political parties having different points of view. However, I would like to say that overall the ability of the committee to come together as a standing committee, to get this bill moving and to finish the clause-by-clause took a lot of collaboration. I want to thank everybody for collaborating so that the process went smoothly at the end of the day and so we can send this bill to the House before we rise for Christmas.

I also want to thank Kevin for pitching in there for me when I was in Poland and for pitching in when my computer did not want to work last week. I want to thank him for that.

I also want to thank everyone, including Mr. Méla, for giving me all my little pieces of things so that I could do it efficiently and effectively. I want to thank the officials from the Department of Canadian Heritage who came here and answered so many questions to actually make sure that everyone understood exactly what the bill is meant to do, what amendments are meant to do, etc.

I want to thank everybody and, of course, our clerk, Aimée, for making this process move very smoothly.

Finally, I'll ask Aimée to comment, but on Tuesday, as the committee had decided, we have asked Mr. Cromwell to come.

**Mr. Chris Bittle:** On a point of order, Madam Chair—and I'm sorry to interrupt—I'm just wondering, if we're going to talk about sports, whether we can perhaps excuse anyone who doesn't want to or have to be here, unless the officials want to stay. They've done good work, and hopefully they can leave.

**The Chair:** They can, as I have thanked them, but obviously they're free to stay if they wish.

Let's move on. We've asked Mr. Cromwell to come on Tuesday. Perhaps the clerk can tell us whether or not he has agreed to come. She's nodding yes, so Mr. Cromwell will be coming on Tuesday.

Of course, as this committee decided a while ago, we're going to embark on a discussion of safe sport. We also agreed that the status of women standing committee is dealing with some of the elements of this, but we think that the element of safe sport is far broader than sexual misconduct. There are so many things that I personally have heard from many people about bullying in the system and putting down people in the system and how they are causing illnesses and psychological trauma to a lot of people in the system. I'm glad we're doing this study. I'm looking forward to it.

I'm hoping that we might also spare half an hour or so on Tuesday to maybe have some Christmas cheer and thank each other for working together in a very collegial manner. We could have a bit of Christmas cake, Aimée, and a little bit of tourtière. I don't know—I might trundle back a couple of bottles of B.C. wine with me for you guys, but let's just leave and spend the Christmas holidays and bring in our new year with a certain sense of camaraderie.

Thank you.

Anthony, go ahead.

● (1020)

**Mr. Anthony Housefather:** Thank you so much, Madam Chair, and thank you for the great job you did over the course of these hearings.

I just want to make sure. I'm hoping we're going to have Justice Cromwell for more than just one hour. One hour leaves very little time for questions. I'm hoping that Justice Cromwell is being brought here for at least 90 minutes. I thought it was for two hours but if it's not, I'm hoping it's for at least 90 minutes. I just want to get clarification on that.

The second thing is that I saw in the committee minutes that we had a request from Skate Canada potentially related to an extension. I just want to stress to the committee that given that we're hitting the Christmas break, perhaps we could allow the clerk to agree to reasonable requests for extensions that come in from the six different sporting federations, if the clerk and the chair judge them to be reasonable, during that period so that we don't have to meet again each time.

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

It would depend on Mr. Cromwell's availability. He's bringing with him a couple of people to help speak to the matter.



Aimée, will Mr. Cromwell be here for 90 minutes?

**The Clerk:** I invited Justice Cromwell for one hour, as I was instructed, but I can certainly increase the invitation and see if he is available to stay for however long the committee would like.

Was that 90 minutes or two hours?

**The Chair:** It was an extra 30 minutes. We're going to spend the last half hour of the committee just getting together and "bonding", for want of a better word.

**The Clerk:** Mrs. Thomas has her hand up.

**The Chair:** Yes, Mrs. Thomas.

**Mrs. Rachael Thomas:** Just to affirm what Mr. Housefather is saying, we're requesting that Mr. Cromwell come for a minimum of 90 minutes and up to two hours. I believe there's consensus in the room for that.

If I'm understanding correctly, it's more than just, "Hey, would you like to?" It's like, "Hey, actually, this is the time of the committee, and we would anticipate that you'd be here for 90 to 120 minutes."

**The Chair:** Thank you, Mrs. Thomas.

I don't necessarily think we can actually tell witnesses, "You'd better be here, because we want you to be here for that time." We ask them if they are available. I think the clerk will be doing that to ensure that we have the maximum amount of time with them.

Unless there is any further discussion, I think this meeting is deemed to be adjourned.

Thank you very much. See you on Tuesday.

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