



MINUTES OF PROCEEDINGS

OTTAWA, Wednesday, November 23, 2022
(33)

[English]

The Standing Senate Committee on Transport and Communications met this day at 6:45 p.m., in room B45, Senate of Canada Building, the chair, the Honourable Leo Housakos, presiding.

Members of the committee present: The Honourable Senators Batters, Clement, Cormier, Dasko, Dawson, Gold, P.C., Housakos, Klyne, Miville-Dechéne, Plett, Quinn, Simons, Sorensen and Wallin (14).

Other senators present: The Honourable Senators Martin and Tannas (2).

Participating in the meeting: Shaila Anwar, Clerk Assistant, Maxime Fortin, Principal Clerk and Guillermo Renna, Legislative Clerk, Committees Directorate; Jed Chong and Marion Ménard, analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Tuesday, October 25, 2022, the committee continued its consideration of Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts.

WITNESSES:

Canadian Heritage:

Thomas Owen Ripley, Associate Assistant Deputy Minister;

Amy Awad, Senior Director, Marketplace and Legislative Policy;

Charles Kouri, Policy and Research Analyst, Marketplace and Legislative Policy.

It was agreed that the committee proceed to clause-by-clause consideration of Bill C-11.

It was agreed that the title stand postponed.

It was agreed that clause 1, which contains the short title, stand postponed.

The chair asked whether clause 2 shall carry.

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by replacing lines 21 to 27 with the following:

“community element means the participation of members of the community, through volunteers and a community board elected by members, in the content production of community media in the language of their choice, as well as in the day-to-day operations and administration of not-for-profit community media entities responding to the needs of the community they serve; (*élément communautaire*)”.

The Honourable Senator Quinn moved that the motion in amendment be amended by replacing the word “elected” with the word “selected”.

Thomas Owen Ripley answered questions from time to time.

After debate, it was agreed that the subamendment stand postponed.

The Honourable Senator Plett moved that the motion in amendment be amended by replacing the word “means” with the word “includes”.

After debate, it was agreed that the subamendment and amendment stand postponed.

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by replacing lines 31 and 32 with the following:

“decision includes a determination made by the Commission in any form; (*décision*)”.

After debate, the question being put on the motion in amendment, it was adopted.

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by adding the following after line 32:

“Indigenous news organization means a broadcasting undertaking that is owned or controlled by Indigenous people and provides news programming; (*organisme de nouvelles autochtone*)”.

The Honourable Senator Klyne moved that the motion in amendment be amended by replacing the words “news programming” with the words “content on multiple platforms”.

After debate, the question being put on the subamendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Batters, Cormier, Klyne, Housakos, Plett, Quinn, Wallin — [7]

The Honourable Senators

Clement, Dasko, Dawson, Gold P.C., Miville-Dechêne, Simons, Sorensen — [7]

ABSTENTIONS

NIL

The question being put on the motion in amendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Batters, Housakos, Plett, Quinn, Wallin — [5]

NAYS

The Honourable Senators

Clement, Cormier, Dasko, Dawson, Gold P.C., Klyne, Miville-Dechêne, Simons — [8]

ABSTENTIONS

NIL

Resuming debate on the motion in amendment to clause 2 of the Honourable Senator Batters, that Bill C-11 be amended in clause 2, on page 2, by replacing lines 21 to 27 with the following:

“community element means the participation of members of the community, through volunteers and a community board elected by members, in the content production of community media in the language of their choice, as well as in the day-to-day operations and administration of not-for-profit community media entities responding to the needs of the community they serve; (*élément communautaire*)”.

And on the subamendment of the Honourable Senator Quinn, that the motion in amendment be amended by replacing the word “elected” with the word “selected”.

The question being put on the subamendment, it was adopted.

Resuming debate on the subamendment of the Honourable Senator Plett, that the motion in amendment be amended by replacing the word “means” with the word “includes”.

The question being put on the subamendment, it was adopted.

The question being put on the motion in amendment, as amended, it was adopted.

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by adding the following after line 32:

“discoverability means the ability for Canadians to search for and find Canadian content; (*découvrabilité*)”.

After debate, the Honourable Senator Wallin moved that the motion in amendment be amended by replacing the word “means” with the word “includes”.

After debate and with leave, the subamendment was withdrawn.

After debate, the question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators

Batters, Housakos, Plett, Quinn, Wallin — [5]

NAYS

The Honourable Senators

Clement, Cormier, Dasko, Dawson, Gold P.C., Klyne, Miville-Dechêne, Simons, Sorensen — [9]

ABSTENTIONS

NIL

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by adding the following after line 36:

“journalism includes Indigenous storytelling; (*journalisme*)”.

After debate, the question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators

Batters, Housakos, Plett — [3]

NAYS

The Honourable Senators

Clement, Cormier, Dasko, Dawson, Gold P.C., Klyne, Miville-Dechêne, Quinn, Simons, Sorensen, Wallin — [11]

ABSTENTIONS

NIL

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 2, by adding the following after line 36:

“marginalized communities means communities of individuals who face discrimination and exclusion — including social, political and economic exclusion — because of unequal power relationships across economic, political, social and cultural dimensions; (*communautés marginalisées*)”.

After debate, the Honourable Senator Plett moved that the motion in amendment be amended by replacing the word “means” with the word “includes” and by adding “cultural,” after “including”.

At 9:07 p.m., the committee suspended.

At 9:24 p.m., the committee resumed.

Resuming debate on the subamendment of the Honourable Senator Plett, that the motion in amendment be amended by replacing the word “means” with the word “includes” and by adding “cultural,” after “including”.

The question being put on the subamendment, it was negated on the following vote:

YEAS

The Honourable Senators
Batters, Housakos, Plett — [3]

NAYS

The Honourable Senators
Clement, Cormier, Dasko, Dawson, Gold P.C., Klyne, Miville-Dechêne, Quinn, Simons, Sorensen — [10]

ABSTENTIONS

Wallin — [1]

The question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators
Batters, Housakos, Plett — [3]

NAYS

The Honourable Senators

Clement, Cormier, Dasko, Dawson, Gold P.C., Klyne, Miville-Dechêne, Quinn, Simons, Sorensen, Wallin
— [11]

ABSTENTIONS

NIL

The Honourable Senator Batters moved that Bill C-11 be amended, in clause 2, on page 4, by adding the following before line 1:

“(2.4) This Act does not apply to an online undertaking whose revenues in Canada from paid subscriptions and embedded advertising do not exceed \$150,000,000 annually.”.

After debate, it was agreed that the motion in amendment stand postponed until the next meeting.

At 9:46 p.m., the committee adjourned to the call of the chair.

ATTEST:

Vincent Labrosse

Clerk of the Committee