



## MINUTES OF PROCEEDINGS

OTTAWA, Wednesday, November 30, 2022

(35)

[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 Clement, Cormier, Dasko, Dawson, Gold, P.C., Housakos, Klyne, Manning, Miville-Dechéne, Plett, Quinn, Simons, Sorensen and Wallin (14).

*Other senators present:* The Honourable Senator Tannas (1).

*Participating in the meeting:* Shaila Anwar, Clerk Assistant, Mark Palmer and Karine Déquier, procedural clerks and Guillermo Renna, Legislative Clerk, Committees Directorate; Jed Chong and Khamla Heminthavong, 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.

The committee resumed clause-by-clause consideration of Bill C-11.

The Honourable Senator Dasko moved that Bill C-11 be amended in clause 3,

(a) on page 5, by replacing line 1 with the following:

**“(3) Subparagraphs 3(1)(d)(iii) and (iv) of the Act are re-”;**

(b) on page 6, by adding the following after line 8:

**“(iv) promote innovation and be readily adaptable to scientific and technological change;”.**

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

The Honourable Senator Clement moved that Bill C-11 be amended, in clause 3,

(a) on page 5,

(i) by replacing line 6 with the following:

**“Canadians from Black or other racialized communities and Cana-”,**

(ii) by replacing line 46 with the following:

**“Black and other racialized communities and the diversity of the”;**

(b) on page 6,

(i) by replacing line 3 with the following:

**“carried on by Canadians from Black or other racialized communi-”,**

(ii) by replacing line 6 with the following:

**“Black or other racialized communities and diverse ethnocultural”;**

(c) on page 7, by replacing line 21 with the following:

**“of Canadians from Black or other racialized communities and di-”.**

Thomas Owen Ripley answered questions from time to time.

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

The Honourable Senator Clement moved that Bill C-11 be amended, in clause 3, on page 5, by replacing line 14 with the following:

**“ples and languages within that society,”.**

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

The Honourable Senator Dasko moved that Bill C-11 be amended, in clause 3, on page 6, by adding the following after line 8:

**“(3.1) The Act is amended by adding the following after subparagraph 3(1)(d)(iv):**

(v) reflect and be responsive to the preferences and interests of various audiences;”.

After debate, the Honourable Senator Plett moved that the motion in amendment be amended by adding "consumers and" after "various".

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

YEAS

The Honourable Senators

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

NAYS

The Honourable Senators

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

ABSTENTIONS

The Honourable Senator

Sorensen — [1]

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

YEAS

The Honourable Senators

Dasko, Dawson, Gold, P.C., Klyne, Quinn, Simons, Sorensen, Wallin — [8]

NAYS

The Honourable Senators

Clement, Cormier, Housakos, Manning, Miville-Dechêne, Plett — [6]

ABSTENTIONS

NIL

At 8:15 p.m., the committee suspended.

At 8:22 p.m., the committee resumed.

The Honourable Senator Wallin moved that Bill C-11 be amended, in clause 3, on page 6, by adding the following after line 8:

**“(3.1) Paragraph 3(1)(d) of the Act is amended by striking out “and” after subparagraph (iii), by adding “and” after subparagraph (iv) and by adding the following after subparagraph (iv):**

**(v) ensure freedom of expression and journalistic independence.”.**

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

The Honourable Senator Cormier moved that Bill C-11 be amended, in clause 3, on page 6, by replacing lines 11 to 27 with the following:

**“(f) each broadcasting undertaking shall make maximum use, and in no case less than predominant use, of Canadian creative and other resources in the creation, production and presentation of their Canadian programming, unless the nature of the undertaking renders that use impracticable, in which case the undertaking shall make the greatest practicable use of those resources to the extent that is appropriate;**

**(f.1) each broadcasting undertaking shall strongly contribute in an equitable manner to the creation, production and presentation of Canadian programming;”.**

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

YEAS

The Honourable Senators

Clement, Cormier, Wallin — [3]

NAYS

The Honourable Senators

Dasko, Dawson, Gold, P.C., Housakos, Klyne, Manning, Miville-Dechéne, Plett, Quinn, Simons, Sorensen — [11]

ABSTENTIONS

NIL

The Honourable Senator Clement moved that Bill C-11 be amended, in clause 3, on page 7, by adding the following after line 22:

**“(ii.2) reflect the importance of Indigenous language revitalization by supporting the production and broadcasting of Indigenous language programming, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and in response to the Truth and Reconciliation Commission of Canada’s Calls to Action,”.**

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

The Honourable Senator Cormier moved that Bill C-11 be amended, in clause 3, on page 7, by deleting lines 30 to 35.

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

The Honourable Senator Clement moved that Bill C-11 be amended, in clause 3, on page 8, by replacing line 16 with the following:

“broadcasting system in order to serve Indigenous peoples where they live;”.

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

The Honourable Senator Wallin moved that Bill C-11 be amended in clause 3, on page 8,

(a) by deleting lines 31 to 34;

(b) by replacing lines 44 to 46 with the following:

“guages as well as in Indigenous languages;”.

After debate, the Honorable Senator Simons moved that the motion in amendment be amended by replacing paragraph (a) by the following:

a) by replacing lines 32 to 34 with the following: “ming services and original Canadian programs in English and French,”

After debate, it was agreed that the subamendment of the Honourable Senator Simons and the motion in amendment of the Honourable Senator Wallin stand postponed until the next meeting.

At 9:45 p.m., the committee adjourned to the call of the chair.

*ATTEST:*

Vincent Labrosse

*Clerk of the Committee*