



## MINUTES OF PROCEEDINGS

OTTAWA, Tuesday, December 6, 2022

(36)

[English]

The Standing Senate Committee on Transport and Communications met this day at 9:01 a.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, Dawson, Gold, P.C., Housakos, Klyne, Manning, Miville-Dechéne, Omidvar, Plett, Quinn, Simons, Wallin and Woo (14).

*Participating in the meeting:* Shaila Anwar, Clerk Assistant, Emily Barrette 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;

Yao Ahonda, Manager, Broadcasting, Marketplace and Legislative Policy.

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

Resuming debate on the motion in amendment to clause 3 of the Honourable Senator Wallin 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;”.

And on the subamendment of the Honourable Senator Simons, 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,”.

Thomas Owen Ripley answered questions from time to time.

After debate, the question being put on the subamendment, it was negatived.

After debate and with leave, the motion in amendment was withdrawn.

The Honourable Senator Wallin moved that Bill C-11 be amended, in clause 3, on page 8, by replacing lines 44 to 46 with the following:

“guages as well as in Indigenous languages;”.

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

YEAS

The Honourable Senators

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

NAYS

The Honourable Senators

Clement, Cormier, Dawson, Gold, P.C., Klyne, Miville-Dechêne, Omidvar, Quinn, Woo — [9]

ABSTENTIONS

NIL

The Honourable Senator Miville-Dechêne moved that Bill C-11 be amended, in clause 3, on page 8, by adding the following after line 46:

“(r.1) online undertakings shall implement methods such as age-verification methods to prevent children from accessing programs on the Internet that are devoted to depicting, for a sexual purpose, explicit sexual activity;”.

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

YEAS

The Honourable Senators

Clement, Cormier, Housakos, Manning, Miville-Dechêne, Plett, Quinn — [7]

NAYS

The Honourable Senators

Dawson, Gold, P.C., Simons, Wallin, Woo — [5]

ABSTENTIONS

The Honourable Senators

Klyne, Omidvar — [2]

The Honourable Senator Manning moved that Bill C-11 be amended, in clause 3, on page 8, by replacing line 31 with the following:

“(i) allow the discoverability of Canadian program-”.

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

YEAS

The Honourable Senators

Housakos, Manning, Plett, Quinn, Simons, Wallin — [6]

NAYS

The Honourable Senators

Clement, Cormier, Dawson, Gold, P.C., Miville-Dechêne, Omidvar, Woo — [7]

ABSTENTIONS

The Honourable Senator

Klyne — [1]

The Honourable Senator Simons moved that Bill C-11 be amended, in clause 3, on page 9, by replacing lines 18 and 19 with the following:

“the democratic process and support local journalism, and”.

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

It was agreed that clause 3, as amended, carry, on division.

The chair asked whether clause 4 shall carry.

The Honourable Senator Manning moved that Bill C-11 be amended, in clause 4,

(a) on page 9, by deleting lines 30 to 37;

(b) on page 10, by deleting lines 9 to 32.

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

YEAS

The Honourable Senators

Housakos, Manning, Plett, Wallin — [4]

NAYS

The Honourable Senators

Clement, Cormier, Dawson, Gold, P.C., Klyne, Miville-Dechêne, Omidvar, Quinn, Simons, Woo— [10]

ABSTENTIONS

NIL

The Honourable Senator Manning moved that Bill C-11 be amended, in clause 4,

(a) on page 9, by replacing lines 33 to 37 with the following:

“is uploaded to the social media service by the provider of the service or the provider’s affiliate, or by the agent or mandatary of either of them.”;

(b) on page 10, by deleting lines 9 to 32.

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

YEAS

The Honourable Senators

Housakos, Manning, Plett, Wallin — [4]

NAYS

The Honourable Senators

Clement, Cormier, Dawson, Gold, P.C., Klyne, Miville-Dechêne, Omidvar, Quinn, Simons, Woo— [10]

ABSTENTIONS

NIL

The Honourable Senator Quinn moved that Bill C-11 be amended, in clause 4, on page 10, by replacing line 10 with the following:

“Commission may, subject to affirmative resolution of Parliament, make regulations prescribing programs”.

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

At 11 a.m., the committee adjourned to the call of the chair.

*ATTEST:*

Vincent Labrosse

*Clerk of the Committee*