

FOURTH REPORT OF THE STANDING SENATE COMMITTEE ON TRANSPORT AND COMMUNICATIONS,  
AS AMENDED BY THE SENATE ON APRIL 18, 2023:

The Standing Senate Committee on Transport and Communications has the honour to present its

FOURTH REPORT

Your committee, to which was referred Bill S-242, An Act to amend the Radiocommunication Act, has, in obedience to the order of reference of November 3, 2022, examined the said bill and now reports the same with the following amendments:

1. *Clause 1, page 1*: Replace lines 7 to 15 with the following:

“paragraph (1)(a)(i.1) that the holder

**(a)** must deploy the spectrum to provide service to at least 50% of the population within the geographic area covered by the spectrum licence, within three years of the licence’s issuance; and

**(b)** must, in respect of the utilization of radio frequencies within a Tier 1 to 4 service area as described in *Canada Gazette* notice DGSO-006-19, *Decision on a New Set of Service Areas for Spectrum Licensing*, published on July 23, 2019, deploy the spectrum to provide service to at least 50% of the population within any Tier 5 service areas located within the geographic area covered by the spectrum licence, within three years of the licence’s issuance.

~~**(1.12)** The holder of a licence issued under subparagraph (1)(a)(i.1) in respect of the utilization of radio frequencies within a Tier 1 to 4 service area as described in *Canada Gazette* notice DGSO-006-19, *Decision on a New Set of Service Areas for Spectrum Licensing*, published on July 23, 2019, must deploy the spectrum to provide service to at least 50% of the population within any Tier 5 service areas located within the geographic area covered by the spectrum licence within three years of the licence’s issuance.~~

~~**(1.13)**~~ **(1.12)** If the holder of a licence issued under subparagraph (1)(a)(i.1) sells that licence within three years of the licence’s issuance, the holder must include the condition set out in subsection (1.11) as a condition of sale of that licence.”.

2. *Clause 1, page 2*:

(a) Replace line 17 with the following:

“graphic area covered by the licence, or any portion thereof, to be assumed by an-”;

(b) add the following after line 18:

**(6.1)** The Minister may, pursuant to an arrangement referred to in subsection (6), issue a licence to a third party under subparagraph (1)(a)(i.1) that is subordinate to the licence that is to be revoked if

**(a)** the Minister is satisfied that the issuance of the subordinate licence would allow for the condition set out in subsection (1.11) to be met within three years of the subordinate licence's issuance; and

**(b)** the holder of the licence that is to be revoked is in compliance with all the terms and conditions of their licence other than the condition set out in subsection (1.11) and with any other applicable prescribed requirements.

**(6.2)** If the Minister issues a subordinate licence pursuant to subsection (6.1), the notice of revocation provided under subsection (3) is deemed never to have been provided and the period of three years referred to in subsection (1.11) applicable to that licence is deemed to have begun on the day on which the subordinate licence was issued.”;

(c)replace line 30 with the following:

“tion (3) or surrendered due to the holder's inability to meet the condition set out in subsection (1.11), the Minister must, within 60 days of the effective”;

(d)replace line 32 with the following:

“tive bidding or other reallocation process to select the person to whom the licence will”;

(e)add the following after line 33:

“(9) Neither the person whose spectrum licence has been revoked under subsection (3) nor any of their affiliates is eligible to participate in the reallocation process used by the Minister under subsection (8).”.

Your committee has also made certain [observations](#), which are appended to this report.

Respectfully submitted,

LEO HOUSAKOS

*Chair*