

BROADCASTING ACT REFORM

(Former Bill C-10)

Greetings,

The federal Liberal government of Justin Trudeau intends to reintroduce four (4) bills that died on the order paper last August during the dissolution of Parliament, including reform on broadcasting and conversion therapies.

This week we will talk about the bill, tabled in the fall of 2020, entitled "**An Act to Amend the Broadcasting Act and to Make Related and Consequential Amendments to Other Acts**" and which the government is preparing to reintroduce in the House of Commons.

Originally this bill was intended to impose the same rules on digital giants such as Netflix, Disney Plus, Spotify, Amazon prime Video, and others such as those governing the traditional television channels we know here (ex. TVA, CTV, Global, Radio Canada) and cable networks (Bell, Videotron, Rogers) that are dictated by the CRTC.

So, concretely, the government wants to force these digital giants to integrate music, television, and film content produced here in Canada, particularly in French. There would be two important advantages to this legislation: promoting local culture and forcing these companies to re-invest part of their huge profits, hereby creating work for people here. This would mean a significant economic contribution.

When the bill was introduced on November 3rd, 2020, there was a section of law that protected small producers, organizations, and citizens who use social media such as Facebook, YouTube, etc.

Article 4: "This law does not apply to:

(a) broadcasts uploaded to an online undertaking providing a social media service by a user of the service — other than the service provider, its affiliate or the agent of one of them — for transmission over the Internet and reception by other users;

Last April, following pressure from the committee of the Ministry of Heritage, the minister himself, Steven Guilbeault, withdrew this article for no valid reason.

The problem, according to many experts, is that the bill in its current form could give the CRTC the power to regulate not only platforms, but also user-generated content on social media. Former CRTC Commissioner Peter Menzies, an Internet law professor, Michael Geist, and lawyer Cara Zwibel, director for the Canadian Civil Liberties Association, all say **there is a danger of CRTC control and censorship.**

A press article from last July states: ¹

"Hate speech, sexual exploitation and terrorism are 'illegal in the physical world and should be in the digital world'," he said.

The problem is what definition and what will they include in the term "hate speech"? Will opinions conveyed on social media to promote God's values about homosexuality or transgender people be equated with "hate speech"? This is worrying in regard to limiting freedom of expression.

Therefore, we suggest that you write to Steven Guilbault, Minister of Canadian Heritage (Steven.Guilbeault@parl.gc.ca), and let him know, WITH RESPECT AND COURTESY, that you are committed to the protection of freedom of expression. **Your main argument** is that it is not just an issue of culture but also of protection of freedom of expression. **We ask, in the name of freedom of expression, that Article 4 be reinserted as stipulated in the initial bill presented in autumn 2020 in order to protect freedom of private expression on social networks.**

Thank you in advance for helping us protect freedom of expression.

¹ [libhttps://www.lapresse.ca/actualites/politique/2021-07-29/futur-projet-de-loi/ottawa-lance-une-consultation-pour-reglementer-les-reseaux-sociaux.php](https://www.lapresse.ca/actualites/politique/2021-07-29/futur-projet-de-loi/ottawa-lance-une-consultation-pour-reglementer-les-reseaux-sociaux.php)