



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Canadian Heritage

EVIDENCE

NUMBER 031

Monday, June 6, 2022

Chair: The Honourable Hedy Fry



Standing Committee on Canadian Heritage

Monday, June 6, 2022

• (1535)

[English]

The Vice-Chair (Mr. John Nater (Perth—Wellington, CPC)): Order. Good afternoon, everyone. You're stuck with me today. Madam Fry asked if I would chair today's committee, so here we are.

Welcome to meeting number 31 of the House of Commons Standing Committee on Canadian Heritage. I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe peoples.

[Translation]

Pursuant to the order of reference of Thursday, May 12, 2022, the committee is meeting in consideration of Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts.

Today's meeting is taking place in a hybrid format, pursuant to the House order of Thursday, November 25, 2021.

[English]

Obviously, we have been doing this long enough. I don't think I need to go over the rules for the hybrid format.

In recognition of the minister's time—we do have a 4:30 p.m. hard stop with the minister today—I will go straight to welcoming the Honourable Pablo Rodriguez, Minister of Canadian Heritage.

Mr. Minister, you have the floor.

[Translation]

Hon. Pablo Rodriguez (Minister of Canadian Heritage): Thank you, Mr. Chair.

Good afternoon, everyone.

Colleagues and friends, Mr. Chair, members of the committee, I want to begin by thanking you for your work. I know that you have spent more than 20 hours on this study. I'd also like to thank the witnesses.

This is an extremely important bill. It has led to many, often heated debates at the committee, and that makes perfect sense.

[English]

It's a debate about the fact that we now live in a digital world and, therefore, that we need policies and legislation that are built for that digital world. Honestly, I think Bill C-11 is the way to do it.

[Translation]

What will Bill C-11 change, specifically?

First, Bill C-11 will support our artists and creators. It will foster the creation of good jobs in the cultural sector, make Canadian content more accessible and make it easier for people to find home-grown Canadian music and stories.

Second, online streaming platforms will need to contribute to Canadian culture. I think this is self-evident and extremely important.

[English]

It's long past time that the streaming platforms contribute their fair share to our culture, just as traditional broadcasters have done up to now. We have a cultural policy system that has served Canadians for decades here and around the world, but Canada and the world have changed.

[Translation]

The reality right now is that platforms are taking up more and more room in our lives and that an increasing number of Canadians are cancelling their cable subscriptions. In fact, over 70% of Canadians now subscribe to platforms. The industry is here to stay and is likely going to experience further growth.

Bill C-11 is designed to ensure that our next generation of artists and creators can succeed in the digital age.

While following the debates, I heard a number of interesting ideas, such as redefining Canadian content; adding provisions to support indigenous peoples and racialized Canadians; providing more support to our cultural sector workers; and much more.

[English]

We also heard last week from a founding member of The Tragically Hip, one of Canada's most beloved bands, on why we need to do this, and why we need to do this now.

I have also heard concerns and criticism. That's normal. You know what? We need that. It's a normal discussion around a bill.

The government has been extremely clear that we have no intention of regulating what people post online, as some have claimed. While I think we have made this clear in Bill C-11, I have always said that I'm open to improving it.

As a former House leader—and Mr. Julian would know this—I know that we need to work together, particularly in a minority Parliament. I'm committed to doing that. Actually, I would say that I've been doing that since day one. But I'm also committed to passing this bill, because it's what Canada needs. It's what Canadians voted for. To be honest, all of the parties here in this room had something like this in their platform.

As we have said since the beginning, Bill C-11 is about the obligations of platforms, not users. I always say it: platforms in, users out. That's the key point. It's about bringing online broadcasters into our system. It's about creating more space for diverse voices and stories.

[*Translation*]

Decades ago, we made the choice to defend our culture. We made that choice because our stories matter a great deal to us. These stories bind us, unite us and set us apart from others.

I've said it before, and I'll say it again: if you benefit from the system, you need to contribute to it. It's as simple as that.

[*English*]

This is a debate about fairness and, of course, the debate won't end here. The bill will be further debated in the House and by the Senate.

After royal assent of the bill, I will provide a policy direction to the CRTC. Once the CRTC receives the policy direction, they're going to hold public hearings and develop the regulations, as they've always done as a public interest regulator.

[*Translation*]

I'm ready to take your questions.

Thank you.

[*English*]

The Vice-Chair (Mr. John Nater): Thank you, Minister. You finished with 30 seconds to spare, so we'll save that time for later.

We'll start with our six-minute round. The rotation is known to this committee. We'll start with Mr. Waugh. I believe Mr. Waugh and Ms. Thomas are splitting this round.

Mr. Waugh, the floor is yours.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Thank you, Mr. Chair.

I'm going to pick up on your last comment.

Minister, thank you for coming today, along with Mr. Ripley. It's good to see both of you again.

Will you release your policy directive today, to this committee, so that we can fully understand the impacts of the bill before we proceed ahead with this?

Hon. Pablo Rodriguez: We'll release it, as I mentioned in my speech, once the bill is adopted. I think the proper way to go is finishing the bill and making sure we know what's in it. We'll then be able to send it to the CRTC and there will be broad consultations.

Mr. Kevin Waugh: You wouldn't bring it to committee. What you're saying is, today you wouldn't bring it to us to have a look at your policy directive—

Hon. Pablo Rodriguez: First we have to adopt the bill. Based on the bill, I will draft the policy directive and the CRTC will get it.

Mr. Kevin Waugh: All right.

You said the bill is about making sure that Canadian voices are discoverable online—and that's the big one—but, so far, I don't think we've had a definition of “discoverability”.

Will you and your party support an amendment to provide a clear definition of discoverability and explain exactly how the platforms will be required to make Canadian content discoverable?

• (1540)

Hon. Pablo Rodriguez: I think it's up to the committee to discuss and debate that, but for discoverability, I don't think we have to look very far to understand it. It's a simple concept.

We want to see more Canadian stories, more Canadian music and more Canadian films. It's as simple as it sounds. I think we all care about.... I'm sure, Mr. Waugh, that you care about it too, because it's part of our identity. They're our stories.

Mr. Kevin Waugh: I agree. However, as you said, Canadian content does not qualify as official CanCon under the current rules, so this poses a big problem for the platforms.

Are they required to carry Canadian content, but the Canadian content they have does not count because it's outdated rules that will apply? Will you commit to ensuring that our Canadian content rules are updated at least one year in advance of implementing Bill C-11?

Hon. Pablo Rodriguez: As I've mentioned many times before, I will ask the CRTC—and they're fully aware of this—to update and modernize Canadian content. There are so many things that have been there forever. Just the bill we're discussing has been there for four years. I had black hair at the time.

It's time that we modernize that and many other things, and this is exactly what we're doing.

Mr. Kevin Waugh: I'm going to give Ms. Thomas the chance to fill the rest of the time.

Thank you.

Mrs. Rachael Thomas (Lethbridge, CPC): Minister, you said that this bill is going to go after platforms. Platforms are used by new media content creators. For those platforms to abide by your regulations, they will have to regulate the users. Hence, user-generated content is, in fact, captured by this bill.

Can you help me understand if that works in a different way?

Hon. Pablo Rodriguez: It's very simple. It's the platforms that are regulated.

Mrs. Rachael Thomas: It's users who use those platforms, sir.

Hon. Pablo Rodriguez: The CRTC's not interested in looking at what is in the program. Can you imagine the CRTC looking at millions or billions in a year? It's impossible. That's all it is.

It's about making sure there's more Canadian content.

Mrs. Rachael Thomas: Minister, is it users who use those platforms? Who uses those platforms? Do animals use those platforms? Do people use those platforms? Do new media generators use those platforms?

Hon. Pablo Rodriguez: Everyone. It's you, me and everyone.

Mrs. Rachael Thomas: Users use those platforms.

If those users are using those platforms that are regulated, is there a chance that regulation could be put on those people, so that they're abiding by it?

Hon. Pablo Rodriguez: No. It's not about the users.

Mrs. Rachael Thomas: It's not about the users. It stops at the platform, somehow, magically. It doesn't ever get passed down to the users. No behaviour is expected of them.

Hon. Pablo Rodriguez: You are talking about the streamers—the streaming platforms, right? You're talking about Netflix, Disney and others. Is that what you're talking about?

Mrs. Rachael Thomas: Is that your definition of platform?

Hon. Pablo Rodriguez: The streamers are those big companies, yes. They have to have an impact on Canadian culture.

Mrs. Rachael Thomas: Will YouTube be a platform?

Hon. Pablo Rodriguez: Yes. In parts of the commercial content, it will.

Mrs. Rachael Thomas: YouTube users would be captured by this bill.

Hon. Pablo Rodriguez: Sometimes YouTube can be used as a substitute for Spotify, for example. We've used that example many times in the past.

Mrs. Rachael Thomas: Right.

Hon. Pablo Rodriguez: It has to be commercial content. It's not about going after the content. The CRTC is not interested in what users put.... They're not going to say that this video was good or not good, or it should have more of this or more of that. No. It's just about seeing what qualifies as commercial content, because, at the end of the day, the revenues generated will depend on that.

Mrs. Rachael Thomas: Okay.

It's not actually a part of the bill that there would be any sort of dependency on revenue. Now you're introducing that. Is that an amendment you're planning to make to the bill?

Hon. Pablo Rodriguez: The bill is totally about contributing to Canadian content.

Mrs. Rachael Thomas: Are you saying that a content generator would have to bring in a certain amount of revenue in order to be captured by this bill?

Hon. Pablo Rodriguez: No.

Mrs. Rachael Thomas: No, it doesn't matter how much you make; you'll be captured.

Hon. Pablo Rodriguez: No, I think you're listening to whatever you want to listen to.

The bill is very simple. It's about the streamers contributing to Canadian culture. That's what it is. It is about making sure we find those stories online. That's what the bill is all about.

Mrs. Rachael Thomas: Minister, if your intention is not to capture individual users, then why don't you take proposed section 4.2 out of the bill altogether and just make that very clear?

Hon. Pablo Rodriguez: It's because there's commercial content that does exactly the same on Spotify. You find that content on YouTube and you find it also on Spotify. Sixty-six percent of Canadians go onto YouTube to listen to music. It's an important number there.

Mrs. Rachael Thomas: How are you going to define commercial content?

Hon. Pablo Rodriguez: We said it. There are the three things. Revenues—

Mrs. Rachael Thomas: In this bill, there's a line about revenue?

Hon. Pablo Rodriguez: Yes, it's proposed section 4.2. If you read it—

Mrs. Rachael Thomas: Does it say a specific amount of revenue?

Hon. Pablo Rodriguez: No.

• (1545)

Mrs. Rachael Thomas: I know it doesn't.

Hon. Pablo Rodriguez: The CRTC takes the three things. There's revenue, whether you can find it elsewhere, and whether it has a code. They will draw up regulations based on that. That's what people—

Mrs. Rachael Thomas: Everything has a code, Minister.

The Vice-Chair (Mr. John Nater): That's the time for that round—

Mrs. Rachael Thomas: Everything that uses music has a code; so you just said that everything can be captured.

Thank you.

The Vice-Chair (Mr. John Nater): Thank you.

There was an extra 25 seconds, which I will add on to each other first round as well out of fairness.

Mr. Louis, the floor is yours for six minutes.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you very much, Chair.

Thank you, Minister, for being here. I appreciate your time and that you're listening to the arts sector.

Over the course of the study, we've heard witness after witness tell just how vital this bill is for our cultural sector and how urgent it is to get it through.

I have a few quotes here from what we've heard. We heard from the CEO of Music Publishers Canada, Margaret McGuffin earlier this week, who said that Bill C-11 provides “an important balance by giving the commission the tools it needs to regulate when market forces fail. Modernizing the Broadcasting Act will ensure that, as technology evolves and online platforms continue to grow, [the music industry will] continue to thrive.”

Randy Kitt from Uniford told us:

Bill C-11 is just a much-needed update to the Broadcasting Act to ensure that Canadians have access to Canadian local programming, which couldn't happen if we let these Internet giants control our media.... Let's not get sidetracked by noise.

Bill Skolnik from the Coalition for the Diversity of Cultural Expressions told us:

We can only hope that this attempt to revise our legislation will conclude shortly so the benefits can reach Canadian creators, artists, producers and organizations as soon as possible. They have been waiting for a very long time.

I have one more quote, from Marla Boltman from the organization Friends, who told us:

Requiring contributions from foreign tech giants that extract billions of dollars from our country will help sustain our industry while driving investment and innovation in the creation of Canadian content that continues to reflect our diversity of voices and who we are as Canadians. Foreign contributions will level the playing field between Canadian broadcasters and foreign platforms. Frankly, it sends a message to the world that Canada is open for business, but there are no more free rides. If you benefit from the system, you must contribute to it.

I couldn't agree any more with those quotes. This is a badly needed update to our broadcasting system, which will support Canadian culture for years to come.

We've spent a lot of time talking about this. I'd like to ask you this directly, Minister: What will this bill do for our Canadian culture and our artists?

Hon. Pablo Rodriguez: Thank you, Mr. Louis, for reminding us about the importance of all those things.

This bill will play a major role for the Canadian cultural sector. This is why it's gotten so much support from the music, video, television and the movie industries. It's really time that we move on. The act has been out of date for what, about 40 years? I think this is a well-balanced bill that brings fairness to the system. This is what it's all about: levelling the playing field and having a fair system.

We have the streamers, which I love. Listen, I watch a lot of stuff on Disney. I'm a *Star Wars* fan. I watch stuff on Netflix, and this and that. They have no obligations, whereas other traditional broad-

casters have all kinds of obligations. I think it's time that we level the playing field and that the streamers contribute to Canadian culture.

Listen, some of them are already doing it. That's great. We love it. Is it possible to do more? Can we discuss and do things together? At the same time the bill is very flexible, in that it will tell a streamer, based on their own business model, that this is how things could work. Let's discuss with them, based on their own business model, what is different and how we can work together. There's a very flexible and collaborative approach in this.

I think it's important to protect our culture. It's who we are. It's our past, present and future. It's the way we tell our stories. We made a decision a long time ago to be different from our neighbours to the south. We love them, but hey, we're not them. We're different.

We put in place mechanisms to support our industries, actors, producers, directors and singers. This is what it's all about—supporting the music, film and video industries. I don't know why some people refuse to support them. It's very sad, but we'll be there for them.

Mr. Tim Louis: Thank you.

I think we all agree that a copy and paste solution won't work. I would like to hear from you directly about how Bill C-11 excludes individuals from these requirements. We've heard you use just today the term “platforms in, users out”. You've used that many times. Can you expand on what you mean when you say that?

● (1550)

Hon. Pablo Rodriguez: Absolutely. First, the bill is very clear. It excludes the users in proposed section 2.1. It's written there. I'm not inventing anything. The rest of the bill speaks for itself.

The problem is that people want us to see things in it that are not in the bill. These are simply not there. What we're looking for is if there's a platform or social media that plays an equivalent role of a streamer... In this case there's one, and it's YouTube. We're only talking about the commercial content, not what people post online. Whatever you post online, I'm sure it's great, but.... The CRTC actually said it very clearly. Now, other people will say, “Oh my God, you're going to play with algorithms.” No. It's clearly written there that the CRTC cannot play with algorithms. Lots of things are said about the bill that have nothing to do with the bill. The bill simply makes sure that the streamers and a platform that can be used by a streamer are covered by the bill. That's it, but users, no.

The Vice-Chair (Mr. John Nater): You have about 20 seconds, Mr. Louis.

Mr. Tim Louis: That's not enough to answer a question, but again—

Hon. Pablo Rodriguez: Just to go back on Ms. Thomas's comment at the end, it's not if you have a number that the bill touches you and is inclusive—no.

We say three criteria are important. Through the CRTC we say, this is your sandbox. Consider those three criteria, the most important being if you find the same context somewhere else. Then you draft regulations based on that.

The Vice-Chair (Mr. John Nater): Thank you, Minister, and Mr. Louis.

The next round is Monsieur Champoux.

[Translation]

You have the floor for six minutes and twenty-five seconds.

Mr. Martin Champoux (Drummond, BQ): Thank you for giving me an extra 25 seconds, Mr. Chair, well done.

Good morning, Mr. Minister.

I'd like to get back to clause 4.2 of Bill C-11. It's been the subject of much debate, as you know, because you've been at the heart of these discussions for quite some time.

Earlier, there was talk of commercial revenue.

Let's look at subclause 4.2(1):

For the purposes of paragraph 4.1(2)(b), the Commission may make regulations prescribing programs in respect of which this Act applies.

Subclause 4.2(2) states:

In making regulations under subsection (1), the Commission shall consider the following matters:

(a) the extent to which a program, uploaded to an online undertaking that provides a social media service, directly or indirectly generates revenues;

I think this is causing concerns. Some people think that if they generate advertising revenue or get contracts from what they produce on YouTube or TikTok, they will be subject to the regulations.

How do you respond to those concerns?

Hon. Pablo Rodriguez: Mr. Champoux, with all due respect, I would say that those concerns are baseless.

The three criteria set out in clause 4.2, namely revenue generation, the program being broadcast and the unique identifier, cannot be considered independently of one another. The CRTC must apply the spirit of the bill, taking into account all three criteria, and make rules on that basis.

You won't find a YouTuber on Spotify making a lot of money posting videos about this or that. They're not the same, and one is not a substitute for the other. It would be like saying that if you search for one thing you'll find the other. I really like folk music and folk rock. If I search for "folk rock" on YouTube, I won't get a video of skateboarders. It'll bring up folk rock. Within that category, I can then look for Joni Mitchell songs, or those of other Canadian singers, for instance.

Mr. Martin Champoux: Since you're talking about Canadian singers, I'd like to get back to the subject of discoverability. We've often had people share their concerns about how ambiguous or ambivalent discoverability is. We've had people come before this com-

mittee and say that they produce content right here in their own backyards, yet it's not recognized as Canadian content. Some witnesses had me wondering if they actually wanted their work to be recognized as Canadian content or whether, on the contrary, they wanted to distance themselves from it.

What do you say to these people? Is their work Canadian content or not?

Will I get YouTubers in my search results if I actually want to find skateboarders, for instance?

• (1555)

Hon. Pablo Rodriguez: I'm going to make an aside. I have to say that in the process of creating the bill, I discovered some amazing people and they are doing some fantastic things. It's something that my daughter looks at more than I do.

I have realized that we don't know these people very well. It would be worth taking the time to get to know each other and see how we can work together in the future. These people sometimes have fears, which are fuelled by certain individuals or certain parties. They fear that the CRTC will intervene and tell them that their content is inadequate and does not meet Canadian content criteria. These fears are unwarranted.

The CRTC will not manage the content itself. It will not tell you that the video you posted should not be the way it is. Can you imagine all the work the CRTC would have to do? I don't know how many videos are uploaded daily around the world, but imagine how many are uploaded annually. The CRTC can't monitor all that. We just want to make sure that the portion that is commercial content and is often used as a substitute for other content—take the example of YouTube for Spotify—will be treated the same way.

Mr. Martin Champoux: You talked about the importance of making contact, establishing a dialogue with these people and getting to know them. They are, in my opinion—I've said this before—the artists and craftsmen of a universe that is grafted onto broadcasting in some way, voluntarily or involuntarily. I don't think everyone is buying into that at the moment, but they are still players who are influential now and will be more so in the years to come.

Have you already started talking with representatives of this industry? I'm not just talking about the business leaders, but also the creators themselves.

Hon. Pablo Rodriguez: Yes, I even gave an award to the singer Jessie at the Juno Awards night. I went to see all the work she creates and it's amazing. Before that, I met several of the creators. I think it's a universe in itself and I would say that our young creators are among the best. I've met several from Quebec, and what they're doing is great.

I think we need to continue this dialogue.

Mr. Martin Champoux: Are you telling them that you want to help them without harming them?

They are concerned that the bill will harm them greatly. On May 18, we heard Mr. Ian Scott say that he was never going to impose ways of programming on YouTube, TikTok, and other platforms, and that, instead, he was going to give them a mandate to come up with suggestions to make sure that the goals were met.

Does this align with the vision you have?

Hon. Pablo Rodriguez: That's exactly right.

Neither we, through the law, nor the CRTC directly will ever interfere with how things are done. The CRTC will not have the right to dictate the types of algorithms. In any case, this is prohibited by law. There are also several sections of the law that talk about respecting freedom of expression, among other things. So I think the necessary elements are included in Bill C-11.

The only reason the CRTC may be interested in content is to know what portion of it is commercial and must be treated as if it were on another platform.

Mr. Martin Champoux: On May 24, the Quebec National Assembly unanimously passed a motion that reinforced Quebec's position and support for Bill C-11. The members of the assembly went quite far in saying that social media should also be regulated and that contact and formal consultation with the Quebec government should be maintained before making decisions that would have an impact on Quebec culture.

Do you have a good relationship with the Quebec government? Do you have discussions to look at ways to link your policies?

Hon. Pablo Rodriguez: Yes, I have a very good relationship with the government of Quebec, especially with Ms. Nathalie Roy, Minister of Culture and Communications, with whom I started working when I first served as Minister of Canadian Heritage. I maintain a very good relationship with her.

Mr. Martin Champoux: Thank you.

The Vice-Chair (Mr. John Nater): I'm sorry, but I must give the floor to someone else.

[English]

Hon. Pablo Rodriguez: You're tough, Mr. Chair.

The Vice-Chair (Mr. John Nater): I'm tough, but fair.

We'll now to the next questioner.

Mr. Julian, you have six minutes and 25 seconds.

[Translation]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you very much, Mr. Chair.

Minister, welcome to our committee.

You have probably been listening to the speeches in the House on Bill C-11. I was surprised to hear a member of the Conservative Party say that this bill would allow the government to track people on their mobile phones.

What are the most outlandish things you've heard about Bill C-11? There have been speeches that were really far from the substance of this bill.

Hon. Pablo Rodriguez: How much time do I have?

What I am a little concerned about, Mr. Julian, is the level of misinformation that there has been from members of the Conservative Party around the bill. I wouldn't say it was all Conservative members, but certainly some. They are making things up and creating a parallel debate on elements that do not exist in the bill. That is what is worrying.

For example, at a committee meeting I was appearing at, Ms. Thomas sent this tweet on Twitter:

[English]

“#killbillc11.... The bill needs to die a thousand deaths.”

[Translation]

How can we have a constructive debate to improve the bill when all along she has been saying that we should torpedo the bill?

Bill C-11, like any bill, deserves an informed and responsible debate, and we need to have it.

● (1600)

Mr. Peter Julian: That is also what we heard from the majority of the witnesses we had at this committee. They want the bill to pass. However, there are still concerns. People have raised some points to improve the bill.

[English]

This comes to my second question, which is about the issue of freedom of expression. You've already responded in part to this. Do you feel that all of the elements of the bill reinforce freedom of expression? Do you also feel that it provides clear direction to the CRTC that the bill has to be interpreted in a way that upholds freedom of expression?

Hon. Pablo Rodriguez: I do, Mr. Julian. First of all, the CRTC, whatever it does in regulations, has to respect freedom of expression.

Second, the bill makes things very clear. It was there before in the original Broadcasting Act. We brought some other elements into this act. This is the sad part of the previous debate on Bill C-10, which took place on freedom of expression, which was an aside. It had nothing to do with the bill, and the entire debate happened on that, while the bill was about something else.

This bill does not attack freedom of expression. It's not about freedom of expression. It's about streamers that make a lot of money here, and to contribute to Canadian culture. That's it.

Mr. Peter Julian: You're satisfied that the bill very clearly upholds freedom of expression, as a number of our witnesses have also mentioned.

There was, I believe, a bit of a difference of opinion around the CRTC when it originally appeared. The chair of the CRTC, Ian Scott, talked about user-generated content. He said that there is an ability to regulate under the Broadcasting Act now, under user-generated content. When he appeared the second time after a filibuster, he said very clearly, and the CRTC representatives did, as well, that there is a very narrow scope around user-generated content.

Is it your feeling, as well, that this very narrow interpretation is sufficient?

Hon. Pablo Rodriguez: As I said, the CRTC is not interested in the content.

[*Translation*]

The only reason we will be interested in user-uploaded content is when it has a commercial component. We will only be interested in commercial content that can be found on YouTube and Spotify. Again, I'm simplifying, but that's basically it. Otherwise, the CRTC will not focus on content at all. Imagine the resources it would take for any regulator, whether it's the CRTC or the equivalent body in England or Australia, to look at every video and make a judgment. People have tried to scare online creators by saying that the CRTC will look at their videos and make a judgment that it's not right and they shouldn't be there.

That's not it at all. The CRTC will look at the content only to determine if it is commercial in nature. If it is, it will check whether it is part of the overall revenue, so based on advertising. This will enable it to calculate the percentage of contribution and the type of commercial content. There is also discoverability. We'll be able to know what we can do to make our artists a little better known.

Mr. Peter Julian: Thank you,

In some of the testimony we heard, there was mention of the OUTtv channel, which was sidelined by several distributors, even though representatives from that channel had said they wanted to be there and offer content. Several distributors did not want this channel.

Are such cases of exclusion—in this one, the exclusion of an entire community—addressed in Bill C-11?

• (1605)

Hon. Pablo Rodriguez: I am quite familiar with the case of OUTtv. I had the opportunity to meet their representatives when I was in Vancouver, in your area, as well as here.

In my view, what will help them, generally speaking, are the objectives of the bill ensuring that, for the production of Canadian content, including their own, there will be more revenue and resources.

Mr. Ripley, do you want to elaborate on that?

Mr. Thomas Owen Ripley (Associate Assistant Deputy Minister, Department of Canadian Heritage): Thank you for the question, Mr. Julian.

I have been following the testimony of the OUTtv representatives. Right now, Bill C-11 includes a tool, which is the power of the CRTC to require Amazon Prime Video Channels, for example,

to include certain Canadian channels in their service. The parties are expected to negotiate in good faith...

[*English*]

The Vice-Chair (Mr. John Nater): I apologize. I have to interrupt you in order to carry on.

This concludes our six-minute round.

We'll now go to our five-minute round. I will be very ruthless in this round, so we can get the full round in. We have 25 minutes left, and 25 minutes' worth of questions. We'll try to get the whole round in.

Here is a reminder for the sake of the interpreters: When there's a question and comment, try not to have the microphones on at the same time and talk over each other. That's a challenge for the interpreters.

For this second round, Mrs. Thomas, you have exactly five minutes.

Mrs. Rachael Thomas: Minister, you keep using the term “commercial content”. Is that in the bill?

Hon. Pablo Rodriguez: Yes. Commercial content is what we're trying to define in order to see whether it's replacing things you see—

Mrs. Rachael Thomas: Is “commercial content”, then, a legal term used in the bill?

Hon. Pablo Rodriguez: It's a term used in the bill, yes.

Mrs. Rachael Thomas: How do you define “commercial content”?

Hon. Pablo Rodriguez: We're giving guidance to the CRTC based on whether the revenues...and whether the content is found elsewhere, and the unique number. It's not one of the three. We're giving this to the CRTC, and they have to take those three into consideration when they draft the regulations.

Mrs. Rachael Thomas: What is the revenue you're looking for, in order to know whether or not it's going to be regulated?

Hon. Pablo Rodriguez: There is no number.

Mrs. Rachael Thomas: There is no number.

Hon. Pablo Rodriguez: No.

Mrs. Rachael Thomas: Who will determine that number, then?

Hon. Pablo Rodriguez: It has nothing to do with a number. It's not the determination of a number.

Mrs. Rachael Thomas: Minister, you just said it was based on revenue...whether or not it was commercial content. What is that revenue number?

Hon. Pablo Rodriguez: If there are revenues, the CRTC will take those three criteria and draft regulations that will take the three elements into consideration.

Mrs. Rachael Thomas: What's that revenue cut-off?

Hon. Pablo Rodriguez: There's no revenue cut-off. You know that.

Mrs. Rachael Thomas: I'm asking you for clarification. When you say this bill is going after "commercial content", what's the number? How much revenue do you have to make in order to be counted as commercial content?

Hon. Pablo Rodriguez: You know there isn't one. Those are directions—criteria given to the CRTC to draw up the regulations.

Mrs. Rachael Thomas: Is it up to the CRTC to determine that monetary amount?

Hon. Pablo Rodriguez: They're not there to determine a specific amount—

Mrs. Rachael Thomas: They're not going to determine a specific amount?

Hon. Pablo Rodriguez: Again, even if an online creator might make a lot of money with it, if it's not used as a substitute, or you don't find it on Spotify, it has nothing to do.

Mrs. Rachael Thomas: Minister, I'm sorry. I'm going to let you clarify once again.

How are you going to determine...? Which revenue threshold are you going to determine whether it's commercial content?

Hon. Pablo Rodriguez: Commercial content is more than just revenue. It's got—

Mrs. Rachael Thomas: You said it is one of the three criteria, so if all three have to be there—

Mr. Chris Bittle (St. Catharines, Lib.): I have a point of order.

The Vice-Chair (Mr. John Nater): We have Mr. Bittle on a point of order.

Mr. Chris Bittle: I think, Mr. Chair, you discussed the "talking over the witnesses" thing, yet you let it go on now a few times. There's been a chronic interrupting of the minister after the question is asked. He should be able to answer his questions.

The Vice-Chair (Mr. John Nater): We will try to have the comments be about the same length as questions, and we will try to keep the microphones on one at a time for the sake of the interpretation.

Go ahead, Mrs. Thomas.

Mrs. Rachael Thomas: I trust that the time was not taken off my clock.

Minister, you're very confusing to those who are watching. On one hand, you're saying revenue will be accounted for and taken into consideration along with two other criteria. On the other hand, you're saying, "No, no, revenue doesn't need to be considered."

Can you please be clear? Is revenue going to be considered one of the criteria to determine whether or not content is covered by this bill?

Hon. Pablo Rodriguez: I don't think I'm confusing, Mrs. Thomas.

Mrs. Rachael Thomas: My question is simple, Minister.

Hon. Pablo Rodriguez: I've been very clear.

Mrs. Rachael Thomas: What is the revenue threshold?

Hon. Pablo Rodriguez: What is the revenue threshold that will have you support the bill?

Mrs. Rachael Thomas: What is the revenue threshold?

Hon. Pablo Rodriguez: Would you support the bill in any consideration, or never?

Mrs. Rachael Thomas: Minister, my question is toward you. What is the revenue threshold?

Hon. Pablo Rodriguez: I told you. It's one of the criteria that—

Mrs. Rachael Thomas: I know it's one of the criteria, so what is that criterion? What's that number? What's that revenue threshold?

Hon. Pablo Rodriguez: You've asked the same question probably eight times—the same one you filibustered last week. It's not going to get you anywhere. I answered your question.

• (1610)

Mrs. Rachael Thomas: So you don't know the revenue threshold?

Hon. Pablo Rodriguez: I answered your question.

Mrs. Rachael Thomas: You didn't. What's the number, then?

Hon. Pablo Rodriguez: I did answer, eight times.

Mrs. Rachael Thomas: So what's the number? What's the revenue threshold?

Hon. Pablo Rodriguez: It's one of the three criteria that the CRTC takes to generate the regulations, which will apply then to the—

Mrs. Rachael Thomas: Right. So what is that monetary amount that you're going to be able to determine whether or not it applies to it?

Hon. Pablo Rodriguez: I've answered your question. You know it very well.

Mrs. Rachael Thomas: I don't—

Hon. Pablo Rodriguez: Yes, you do.

Mrs. Rachael Thomas: —because it's not in Bill C-11. There's no revenue threshold given. What's the monetary amount?

Hon. Pablo Rodriguez: It's one of the three criteria.

Mrs. Rachael Thomas: If someone makes \$100 million in revenue, if someone makes \$50,000 in revenue or \$30,000 in revenue—

Hon. Pablo Rodriguez: It's one of the three criteria, and for—

Mrs. Rachael Thomas: What's the threshold? Who's in and who's out?

Hon. Pablo Rodriguez: For online creators, that wouldn't change anything, because they are excluded. Even if you would like to say to people, falsely, that they're included, they're not. It doesn't change anything.

Mrs. Rachael Thomas: So in order to determine if someone is producing "commercial content", which is the term you like to use, even though it's actually not defined in the bill, you get away....

It's actually very sneaky of you to use that term here today. So commercial—

Hon. Pablo Rodriguez: Isn't that a personal attack, Mr. Chair? That's not a personal attack? I would say that it is.

Mrs. Rachael Thomas: Minister, I'm asking a very simple question. I'm just asking whether you can provide me with that revenue threshold, the monetary amount.

Hon. Pablo Rodriguez: I answered, but I don't think anything I say will have you support the bill.

Mrs. Rachael Thomas: Could you give that dollar figure again?

Hon. Pablo Rodriguez: You said that this bill needs to die a thousand deaths, Ms. Thomas.

Mrs. Rachael Thomas: Could you give me that monetary amount?

Hon. Pablo Rodriguez: What's the point? You don't want this bill to pass.

Mrs. Rachael Thomas: You said that we needed to have a conversation, and I'm trying to have a conversation with you, Mr. Rodriguez.

Hon. Pablo Rodriguez: I'm trying to—

Mr. Chris Bittle: On a point of order.

The Vice-Chair (Mr. John Nater): Yes, Mr. Bittle, on a point of order.

Mr. Chris Bittle: I hear Ms. Thomas saying that she wants a conversation, but she is repeatedly interrupting the minister. Again, for the translators, perhaps we should ask the question and let the minister answer and not talk over him.

The Vice-Chair (Mr. John Nater): We have about 20 seconds left.

Ms. Thomas, do you want to take the last 20 seconds?

Mrs. Rachael Thomas: I was just hoping that Mr. Rodriguez could give me a dollar figure.

Hon. Pablo Rodriguez: Is that the same question? I think it is, right?

There will also be consultations—

Mrs. Rachael Thomas: What is that dollar figure in order to determine whether it is commercial content and therefore captured by this bill?

Hon. Pablo Rodriguez: Once the CRTC takes the three criteria to establish regulations, there will also be consultations, so all of the discussions will happen—

Mrs. Rachael Thomas: I recognize that. One of those criteria is a monetary amount.

The Vice-Chair (Mr. John Nater): That's the five minutes for that round.

Mrs. Rachael Thomas: No answer.

The Vice-Chair (Mr. John Nater): Ms. Hefner, you have five minutes.

Ms. Lisa Hefner (Hamilton Mountain, Lib.): Thank you very much, Mr. Chair.

Thank you, Minister and Mr. Ripley, for being with us today with your testimony. We really appreciate your time in answering these questions.

You touched on this point a little bit already through your testimony, but I think it bears elaboration. I'd like to talk about what happens after the passage of Bill C-11. Throughout this study, we've heard lots of speculation about what regulation might look like, including members of this committee telling digital first creators that they will be taxed. We know that's not true.

We had a few witnesses mention that a public open process will be conducted. I think that all the members of this committee would benefit from a thorough explanation of this process. There still seems to be confusion.

I'm wondering, Minister, if you could tell us what exactly will happen after royal assent of Bill C-11.

Hon. Pablo Rodriguez: Thank you. That's a very important question.

This is one of the steps. Then, of course, we're going back to the House, the Senate...and then royal assent. Then we will provide the CRTC with policy direction, so guidelines and clear direction from the government. Then, the CRTC will consult.

Everyone who is interested will be able to participate. Of course, there will be tons of people from the cultural sector. I expect people from music, video and cinema—all of those—to participate in this.

After that, the CRTC will take into consideration the policy direction. They have to take into consideration the three criteria: the revenue, whether the content is found elsewhere and whether there's an identifying number. They will take all of that into consideration. They will consult and they will draft the regulations.

There will be an ongoing consultation, because this is so important for the cultural sector.

Ms. Lisa Hefner: Just so I'm clear, after this bill goes through committee and all of the discussions and it goes to royal assent, there will be more consultation and more discussion with all the stakeholders, to make sure that the policy directive and the regulations are appropriate in doing what we want it to do.

Hon. Pablo Rodriguez: You understand it very well, absolutely.

Ms. Lisa Hefner: Perfect.

For my second question, I want to deal with a topic you have touched on as well today—social media. We know it's an incredible tool. It has changed our society over the past couple of decades. We've heard witnesses talk about how they are using social media to connect with international audiences. They're not just staying in Canada anymore. This is really important as well. They are sharing Canadian stories with the rest of the world.

We've also heard over and over again that these creators will not face any obligations as a result of Bill C-11. The opposition chooses to focus on Bill C-11 and the potential impact on social media, continuing to speculate wildly about what this bill will mean for Canadians' experience on these platforms.

Minister, you and your officials have repeated that social media is not the focus; that it's not what you're here to do. Bill C-11 will not have any impact on what Canadians say or do on social media. You said it here today again. There are a number of clauses in the bill that clearly state that fact. That being said, some social media platforms may be subject to obligations under Bill C-11, so I'm hoping that you can clarify this for the benefit of my colleagues. Why include social media at all?

• (1615)

Hon. Pablo Rodriguez: The platforms are included, or the streamers, unless there is a specific platform that can play, in a way, a certain role of some of the streamers. It happens with YouTube—not for a lot of the stuff, just for some stuff that is commercial.

People post online every day. I'm sure a lot of us today have posted and will post again tonight and tomorrow. It's normal.

Can you imagine if we really wanted the CRTC to look at all of the videos and posts and said, “CRTC, you have to look at all of that”? First of all, CRTC has zero interest in that. Even if they wanted to do it, they would not have the resources. It would be impossible. It's not what is happening here. This is not what's happening in England, Australia or New Zealand—nowhere, right?

The only reason we want to determine what is commercial content is that it's part of the equation. That's part of the numbers that will be used to determine what will be the contribution of YouTube to Canadian content. That's it.

The Vice-Chair (Mr. John Nater): You have six seconds.

Ms. Lisa Hepfner: Okay.

Tell us quickly about the urgency of this legislation, Minister.

The Vice-Chair (Mr. John Nater): There you go.

Thank you, Ms. Hepfner and Minister.

We now go to Mr. Champoux

[Translation]

Mr. Champoux, you have the floor for two and a half minutes.

Mr. Martin Champoux: Thank you, Mr. Chair.

Minister, let's change the subject. I would like to talk to you about the basic services provided under section 9(1)(h) of the Broadcasting Act. The companies that provide these services find that they are at a loss when faced with the digital giants. We are all very proud of ICI Television and APTN, which are shining examples. Indeed, APTN is an example that has been copied in several countries around the world. There is also MétéoMédia, The Weather Network, etc.

In short, the companies that provide these programming services feel that, as the bill is currently drafted, they may find themselves at a disadvantage when it comes time to negotiate distribution agree-

ments with online broadcasters. Their advertising revenues do not give them the financial means to sustain lengthy negotiations. They also find that they do not have particularly extensive means to challenge a decision before the CRTC, a process that would be very slow.

On the one hand, are you willing to guarantee negotiating terms to these companies, which provide specific programming services?

On the other hand, would you also be prepared to offer them means to challenge the outcome if the results of the negotiations turn out to be to their great disadvantage?

Are you aware of all this?

Hon. Pablo Rodriguez: Yes, I am aware of that, Mr. Champoux. You are right to raise it, because it is very important.

You are right that several of these channels play a very important role, including APTN, which gives a strong voice to indigenous people. I'm also thinking of CPAC and others. There are some very serious challenges. At the moment, this exists for Canadian companies. What you are proposing is to impose obligations on foreign online broadcasting companies. Now our American colleagues have made it very clear that this could be a big problem.

So, we are considering different possibilities, including using the money that will be generated by Bill C-11 to help these companies. Indeed, we estimate that this legislation will generate close to \$1 billion a year. I think we need to be creative and find solutions outside of the bill to give them a hand.

• (1620)

Mr. Martin Champoux: You just said that the Americans...

The Vice-Chair (Mr. John Nater): Mr. Champoux, I am sorry, but I have to give the floor to Mr. Julian for two and a half minutes.

Mr. Peter Julian: I would like to come back to this question.

You said that this will generate \$1 billion a year in revenue.

Hon. Pablo Rodriguez: Yes.

Mr. Peter Julian: Where will these funds be distributed?

Hon. Pablo Rodriguez: It will depend. You have to look at the objectives. What do we want? We want to see more Canadian content creation. Mr. Champoux obviously talked about Quebec content, and there will be more.

Through the objectives, we're going to make sure that we hear more of the various voices, the indigenous voices. Maybe we can't do it through mandatory distribution, but maybe we can do it in a different way: we need to hear more of the two official languages and other languages. We need to find ways to continue telling our stories. This money will be used for that. One billion dollars a year is nothing to sneeze at.

Mr. Peter Julian: No, it's a considerable amount of money. It can create Canadian content and a lot of opportunities to share our stories.

Does the department already have an idea of how this money is going to be distributed?

Hon. Pablo Rodriguez: Mr. Julian, I will answer your question more directly.

The objectives are clear. There will be more money for indigenous production and for marginalized communities, among others, in both official languages and in other languages. Then there will be consultations and projects will be set up. The important thing is to secure that money.

Mr. Peter Julian: All right.

For the moment you have not determined...

Hon. Pablo Rodriguez: No, I'm not the one who...

Mr. Peter Julian: I understand. Sometimes the department makes estimates so that they can...

Hon. Pablo Rodriguez: Mr. Ripley, is there anything else you would like to add?

Mr. Thomas Owen Ripley: We studied how the CRTC currently imposes obligations on broadcasters, and we've done some calculations to come up with the figure.

The vast majority of the revenue is tied to the obligation to contribute to the production of Canadian content.

As the minister mentioned, we already know that, as part of the licensing process, broadcasters are asked to contribute to dramas, children's programming and documentaries, for instance. We anticipate that will factor in to the deliberations.

[*English*]

The Vice-Chair (Mr. John Nater): That's two and a half minutes.

Thank you, Mr. Julian and Mr. Ripley.

Next, we have Mr. Waugh and Mr. Perkins, for five minutes.

Mr. Kevin Waugh: One billion a year. I've been on this committee now for a number of years, and I've never heard that figure, never, never. Where are you getting that money from?

Hon. Pablo Rodriguez: It's the first time I've heard it too, Mr. Waugh, you're right. The figure we were working with before—and I'll ask Mr. Ripley to comment afterwards—was \$830 million, but the fact is that with COVID happening, we went more and more to streamers, right? I'm sure you did too. We all did.

Mr. Kevin Waugh: I've heard about \$800 million, and I had trouble with that number, but I have a bigger problem with a billion.

Hon. Pablo Rodriguez: The fact is that there were more and more streamers who were used, and then the fact that you had Disney and others that came in, which added to the number.

Owen.

Mr. Thomas Owen Ripley: Yes, that's a revised figure, Mr. Waugh. We previously discussed the \$830 million. We recently up-

dated that figure. We have seen a growth of these services over the course of the pandemic, obviously, and we've also seen the entry of new services into the Canadian market, for example, we saw the launch of Disney+ and Apple TV+. That new figure takes into account the growth of online streaming services in Canada and their updated subscriber base.

Mr. Kevin Waugh: We can't even get APTN here to testify. When I look down the way to my left, it actually gets carriage fees. Everybody in this country has APTN, and everybody in this country is paying for APTN. There is a revenue stream for APTN with diverse stories. There is a revenue stream for The Weather Network. Everyone pays for that, and [*Inaudible—Editor*] television. We all know that, but when I talk about traditional broadcasters, Bell—the biggest media player in this country—was upset, because now, all of a sudden, because of the streamers, it might have to pay a little more for American shows that it shows from 7 to 10 p.m. in prime time. All of a sudden, it can't generate as much revenue, because the streamers are competing in Hollywood for American shows.

Have you thought about the traditional broadcasters crying, like Bell Media did? When it only spends \$1 billion on Canadian programming, and hardly any of it in prime time from 7 to 10 p.m., shame on Bell Media. You talk about diverse stories. Traditional broadcasters can't wait to get on the jet to Hollywood to buy American programming, and give little to Canadian programming.

• (1625)

Hon. Pablo Rodriguez: Mr. Waugh, if you think we need more Canadian programming, I'm with you—

Mr. Kevin Waugh: Don't you think that?

Hon. Pablo Rodriguez: A hundred per cent. That's why you should support the bill.

Mr. Kevin Waugh: I just heard Bell say they might spend \$10 billion on shows. I don't know what they spend. They wouldn't answer my question on that. They're busy buying NFL football for Sunday afternoon.

Hon. Pablo Rodriguez: This bill will make more Canadian content available.

I'm sure we want the same thing. We may not agree on other stuff on this, but I'm sure you want more Canadian content. This bill will provide more Canadian content.

Mr. Kevin Waugh: I'm not sure about that, but we'll go to Mr. Perkins.

Hon. Pablo Rodriguez: It will. I'm sure you're going to vote for it at the end of the day.

Mr. Kevin Waugh: Go ahead, Mr. Perkins.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Thank you, Mr. Chair.

Thank you, Minister.

I've looked through the bill—it's a big bill—and I can't find commercial content defined. Could you tell me where it is in the bill?

Hon. Pablo Rodriguez: Proposed section 4.2 defines the criteria that will explain what commercial content is. What we call “commercial content” will be caught based on the three criteria.

Mr. Rick Perkins: It's the legal pretzel clause—

Hon. Pablo Rodriguez: What?

Mr. Rick Perkins: The legal pretzel clause. It's the one that has triple negatives and would have screwed up Stéphane Dion. That's in proposed section 4.2

Hon. Pablo Rodriguez: No. I don't know the expression about the pretzels, but—

Mr. Rick Perkins: It's doesn't say commercial content in terms of—

Hon. Pablo Rodriguez: It says that commercial content will be based on the three criteria in proposed section 4.2. They are there.

Mr. Rick Perkins: Proposed subsection 9.1(8) says algorithms aren't involved. Nonetheless, the government says that Canadian content will be higher up in the search engines and the streaming services for people to see.

How is that going to be achieved? How does Canadian content get pushed up the screen as users see it, when there is no algorithmic control?

Hon. Pablo Rodriguez: There won't be any from the CRTC. The CRTC is precluded from playing with algorithms and we would never want the CRTC—

Mr. Rick Perkins: How are you going to measure the outcomes of that—

Hon. Pablo Rodriguez: That's exactly...you said the word.

Mr. Rick Perkins: —in terms of seeing how it goes? How are you going to watch it? You're going to have to look at the algorithms and the performance.

Hon. Pablo Rodriguez: The outcomes are what we're interested in. What YouTube does is their thing.

There are other options. You can have, for example, on the home page...it doesn't even touch algorithms. Maybe you can have a Canadian section. Maybe you have a playlist of Canadian content. There are other options, but it's—

Mr. Rick Perkins: No individual company is—

The Vice-Chair (Mr. John Nater): I apologize, Mr. Perkins and Minister. That is the five minutes.

I am being ruthless with this round. It is 4:27. I know the minister has to leave at 4:30.

We'll start Mr. Housefather's five-minute round. It will be up to the minister if he can stay for the extra 2.5 minutes for the full round of questions.

Mr. Housefather, the floor is yours.

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you very much, Mr. Chair.

[*Translation*]

Minister, we are happy to have you. I will keep it brief.

[*English*]

First, Mr. Minister, when it comes to proposed section 4.2, we've heard a lot of comments about what is regulated or what is not regulated. Can you clarify again that content is not regulated?

Hon. Pablo Rodriguez: Absolutely. It is not.

There are people trying to make others believe that the CRTC is there and that the government, through the CRTC, wants to know what people produce and if their videos are fine or not, and if we're not happy with it, we're going to take it offline. No.

The CRTC said it before: they're not interested in that content. The only thing we're looking at is what becomes part of commercial content, and that is defined in the criteria in proposed section 4.2.

Mr. Anthony Housefather: Exactly.

There have been a lot of comments about proposed paragraph 4.2(2)(a) and the ambiguity with respect to direct or indirect revenues. Normally, if someone was interested in supporting a bill and wanted changes to it, they would propose amendments to the section of the bill that they were confused about. Is that correct?

Hon. Pablo Rodriguez: If there was any interest, yes, but I don't sense a lot of interest on that side.

Mr. Anthony Housefather: I understand.

[*Translation*]

I have just one more question, Minister.

As I see it, the bill contains a number of provisions that are vital to our cultural sovereignty and the protection of Canadian culture, especially French-Canadian culture.

Can you talk more about that?

● (1630)

Hon. Pablo Rodriguez: The bill contains something very important, and unfortunately, it doesn't get a lot of attention. I'm talking about the objectives we want to achieve by passing the bill. We want to make sure we can continue to tell our stories, listen to our music and watch our films.

The content being created elsewhere in the world is great. There's no denying that, but we can't turn our backs on what we produce, what we create, because it speaks to our identity. It's us, it's who we are, and it's how we tell our story.

On one hand, the bill will ensure that there is more funding for the creation of Canadian content, including indigenous, English-language and French-language content, as well as content produced by various communities. On the other hand, the bill will ensure that the content is available and easy for people to find. That's how it works today.

Mr. Housefather, as you may recall, back in the day, record stores would have certain music playing when customers got to the cash as a way to showcase the artist. Nowadays, artists are discovered online: everything depends on their online exposure or lack thereof.

Mr. Anthony Housefather: I completely agree. I realize that you have a busy schedule, so I will let the chair conclude this half of the meeting.

Thank you, Minister.

Hon. Pablo Rodriguez: Thank you, Mr. Housefather.

[*English*]

The Vice-Chair (Mr. John Nater): Thank you, Mr. Housefather.

Thank you, Minister.

Thank you, Mr. Owen Ripley, for your time this afternoon.

We will proceed with the second panel in a few minutes, but thank you, Minister, for your time.

We will suspend briefly as we switch over the panels. Thank you, colleagues.

• (1630) _____ (Pause) _____

• (1630)

The Vice-Chair (Mr. John Nater): Thank you, colleagues. We will resume this meeting.

I'm assuming that we don't have opening comments from this set of witnesses, so we'll continue with our third round, the five-minute round.

I believe the first round will be with the Conservatives. I will look to my colleagues to see who is taking that round.

Mr. Waugh, the floor is yours for five minutes.

Mr. Kevin Waugh: Thank you, Mr. Chair.

Thank you, department officials and the two add-ons from the department.

Mr. Owen Ripley, on that number you gave me of \$1 billion, I need to know how that is going to be generated. I had questions at \$832 million. I was blown away here. I have to be honest. When I heard it was \$1 billion, like I said, I had trouble at \$832 million, and now you have \$200 million more coming from somewhere. Tell me where this is coming from.

• (1635)

Mr. Thomas Owen Ripley: Thank you, Mr. Waugh.

The methodology behind that number includes that a good chunk of it—just over \$900 million—will come from what we would call “expenditure requirements”. That would be an obligation on online streaming services to spend a certain percentage of their revenues on producing Canadian stories. That's how it works right now for broadcasters like TVA or CTV or whatnot.

Just to give you a reference point, for example, these days Canadian broadcasters spend just below approximately \$3 billion in

Canadian programs. It's to give you a reference point. That figure is largely composed of what we would call expenditure requirements.

Mr. Kevin Waugh: For something like Netflix, for example, which may be the biggest online provider that people in this country watch, what are we looking at from it?

Mr. Thomas Owen Ripley: I don't have the Netflix figure in front of me. One of my colleagues might.

What I would say to you, Mr. Waugh, is that for sure Netflix is doing a huge amount of production activity already in Canada. Most of it would not currently qualify as a Canadian program, so part of the impetus behind this bill is to get them to do more on the Canadian side, to involve more Canadian creatives and to tell more Canadian stories, right? It's great that it does so much business here in Canada, but obviously we want to put a challenge to it to do more to tell Canadian stories.

The minister has been clear that the conversation has to include looking at the definition of what constitutes Canadian programming. In fact, you were on this committee with the previous bill and know that there was discussion around putting down some factors in the bill around the importance of looking beyond just Canadian creators but also at Canadian cultural expression and those kinds of factors. That will have to be a conversation that is had when the bill moves out of the legislative process and into the regulatory process.

Mr. Kevin Waugh: There are some who would say that Netflix spends more on production in this country than Bell, than other media in this country. What do you say to that? I'm sure they do.

Mr. Thomas Owen Ripley: I'm not sure, Amy, if you have that figure.

If not, Mr. Waugh, we can get you that.

Mr. Kevin Waugh: Yes, I would like some of these figures.

What do you think, Amy?

Ms. Amy Awad (Senior Director, Marketplace and Legislative Policy, Department of Canadian Heritage): Netflix has revenues in Canada and the United States of approximately \$3.3 billion.

You know what? I'm going to get back to you. That number is changing.

Mr. Kevin Waugh: Yes. I want only the Canadian numbers, but I'm saying that a lot of these are spending more than traditional broadcasters for production in this country, right? Now you're telling me that they're going to actually have to pay more because of the \$900 million coming from whatever it is—Disney, Netflix, Apple or whatever.

Mr. Thomas Owen Ripley: It's not about doing more, necessarily, Mr. Waugh. Again, Netflix is a good example. They are already here. They are doing a ton of production activity in Canada, right?

So it's about actually using the market, just like we do with CTV, for example, saying that because you're in the Canadian market and earning so much from Canadian subscribers, our expectation is that a certain percentage of what you earn here is spent on Canadian production, as opposed to what we would call foreign location production, which doesn't necessarily have that high involvement of Canadian creatives or tell those Canadian stories, for example.

Mr. Kevin Waugh: Yes. I guess where I'm coming from is that when I look at the traditional broadcasters, they use the news as Canadian content. They have produced very few documentaries in this country. They have this one area where they say they've spent a lot of money on news, but I can tell you that they don't produce what they once did in documentaries and shows.

As I said to BCE, I give them credit, because they have more news hours than anybody in this country, but it's kind of a fallacy thing. During their newscast, they have quite a bit of American news, as you know, so they throw out the “we've got more Canadian content”, but really it's just news.

• (1640)

The Vice-Chair (Mr. John Nater): Unfortunately, Mr. Waugh, that is five minutes. I apologize. Perhaps we can come back to the answer in a future round.

Mr. Bittle, you have five minutes. The floor is yours.

Mr. Chris Bittle: Thank you very much, Mr. Chair.

We do have some unfinished business before the committee. I want to apologize to the witnesses. For those who are watching, this should really only take a few minutes. As I said last time, it shouldn't take more than the six minutes I have, and I'm willing to cede those six minutes.

I move the following:

That the committee commence its clause-by-clause study on the Online Streaming Act no later than Wednesday, June 8, at 3:30 p.m.

I have copies in both official languages that I can provide to the clerk.

The Vice-Chair (Mr. John Nater): We'll pause momentarily while those are distributed.

• (1640)

(Pause)

• (1640)

The Vice-Chair (Mr. John Nater): We will resume this meeting.

Mr. Bittle had yielded the floor.

We have a speakers list. As of right now, I have Mrs. Thomas and Mr. Perkins. If anyone wishes to speak to this, please indicate to me or the clerk and we will add you to the list.

On the motion, Ms. Thomas, go ahead.

Mrs. Rachael Thomas: Thank you, Chair.

I would offer an amendment to this motion. It would replace the words “no later than Wednesday, June 8, at 3:30 p.m.” with the following:

after the Standing Committee on Canadian Heritage commences a study of the alleged involvement of Hockey Canada in sexual assaults committed in 2018; that the committee invite the Minister of Sport to appear for no less than one hour; and that the committee invite representatives of Hockey Canada to appear for no less than two hours.

The reason I am suggesting this amendment is that it still provides a time frame. We will commence the clause-by-clause following this study.

This study is important, because it's one that was moved with unanimous consent in the House of Commons, which means that every single political party has agreed that this study is of great importance. The governing party, the NDP, the Bloc, the Green, the Conservatives and all independent members have agreed that this motion, this study, is important and that it should be done at the heritage committee. That motion was granted unanimous consent on June 2 in the House of Commons.

The study is an important one. It is a serious one. I believe time is of the essence. It would be diligent of this committee to then move forward and take on that study.

Yes, I realize it puts—

• (1645)

The Vice-Chair (Mr. John Nater): I apologize, Ms. Thomas, but for the benefit of our clerk, could you just reread the amendment?

Mrs. Rachael Thomas: Can I reread it? Is that what you're asking?

The Vice-Chair (Mr. John Nater): Yes, please. Thank you.

Mrs. Rachael Thomas: I'll do my best:

That the committee commence its clause-by-clause study on the Online Streaming Act after the Standing Committee on Canadian Heritage commences a study on the alleged involvement of Hockey Canada in sexual assaults committed in 2018; that the committee invite the Minister of Sport to appear for no less than one hour; and that the committee invite representatives of Hockey Canada to appear for no less than two hours.

I'm just looking for confirmation from the clerk.

Mr. John Nater: Why don't we read the whole thing over just once more? I believe we have up until the last invitation.

Mrs. Rachael Thomas: Then it is “and that the committee invite representatives of Hockey Canada to appear for no less than two hours.”

Perhaps just before I continue, then, out of respect for the committee and the clerk, perhaps we should read that back just so everybody has the wording we're looking at.

The Clerk of the Committee (Ms. Aimée Belmore): I'm just going to read this really slowly for myself and for the interpreters. Please jump in at any time if I make a mistake: “That the committee commences its clause-by-clause study on the Online Streaming Act after the Standing Committee on Canadian Heritage commences a study on the alleged involvement of...”—oh, dear, my handwriting—“...abuse”?

I'm sorry, Ms. Thomas, but could you clarify that one word?

Mrs. Rachael Thomas: Sure.

First of all, I recognize why you used the word “commences”, because it is what I originally used, and then went back and retracted, so I would say “completes”.

The Clerk: Thank you for the clarification. So it's “on the online streaming Act after the Standing Committee on Canadian Heritage completes a study” or “its study”?

Mrs. Rachael Thomas: “A study” or “its study”—I leave it with you. It's whatever you believe is best, “on the alleged involvement of Hockey Canada”.

• (1650)

The Clerk: Thank you.

Oh, that was “Hockey”. Thank you. I have appalling handwriting. It's “the alleged involvement of Hockey Canada in sexual assaults committed in 2018; that the committee invite the Minister of Sport to appear for no less than one hour; and that the committee invite representatives of Hockey Canada to appear for no less than two hours”.

Is that the correct text of the amendment?

Mrs. Rachael Thomas: That is correct, yes. Thank you.

The Clerk: Thank you very much for your patience.

Mr. Anthony Housefather: On a point of order, Mr. Chair, I would seek from you a ruling as to whether or not that amendment is receivable, given that it changes a certain date to an uncertain date.

The Vice-Chair (Mr. John Nater): Thank you, Mr. Housefather.

I will momentarily suspend and seek the advice of the table and I will return with a ruling.

• (1650)

(Pause)

• (1655)

The Vice-Chair (Mr. John Nater): Colleagues, we will resume this meeting. There is obviously some grey area on this. I will rule the amendment permissible. We will continue with the debate on the amendment.

Ms. Thomas has the floor.

Mrs. Rachael Thomas: Thank you, Chair.

I was in the middle of explaining why the amendment to the motion is important. It does ask us to push the pause button on Bill C-11 and complete a study with regards to Hockey Canada and the alleged involvement in sexual assaults that were committed in 2018. The reason that is important is that it is in accordance with a motion that was passed in the House of Commons with unanimous consent on Thursday, June 2, 2022. That motion reads as follows, and, by unanimous consent, it was resolved:

That the House call Hockey Canada before the Standing Committee on Canadian Heritage to shed light on its involvement in a case of alleged sexual assaults committed in 2018.

Given that motion was passed then and that we are the committee responsible for acting on that motion, it seems incumbent upon us to do so. Again, I would highlight that it was passed unanimously, which means that all parties voted yes to it—not just all parties,

but all members voted yes to it. It is a very important matter. It is a very time-sensitive matter.

In addition to that, I guess I would draw attention to the Minister of Sport and the words that she spoke in a media interview that was released on June 3. In the direct quote here in the article she said, “I am shocked and angry to read about the allegations made against the players of the Canadian junior hockey team.... All Canadians want to know and me too, is whether any public funds were used to cover up this story of gang rape”, and she added that an audit of federal funding was on the way.

Obviously the Minister of Sport has recognized that it's important to know whether or not public funds were, in fact, used to help cover up this occurrence. Then she went on to commit that there would be an audit of federal funding.

This committee has the responsibility of figuring out whether or not those public funds were used, and also to see whether or not that audit has started. If not, why not? If so, are there any findings from it?

We certainly have some good questions on that. Like I said, it is this committee's responsibility to take on this study. I would propose that we do that before continuing to proceed to clause-by-clause with Bill C-11.

The Vice-Chair (Mr. John Nater): Thank you, Ms. Thomas.

We do have a speaking list on the amendment. I have Mr. Julian, Mr. Uppal, Mr. Perkins and Mr. Waugh.

Mr. Julian, on the amendment, the floor is yours.

Mr. Peter Julian: Thank you.

I don't have the exact wording of the amendment, but I want to offer a subamendment. It would change the word “after” to “before”. What I'm attempting to accomplish is that the original intent of starting on Wednesday, June 8, is something that we, having heard from the witnesses, would want to proceed on. Subsequent to that, we could move immediately to the very important study that Ms. Thomas suggests.

I don't have the wording of the amendment.

Mr. Chair, does “before” as opposed to “after” accomplish that end?

• (1700)

The Vice-Chair (Mr. John Nater): Thank you, Mr. Julian. We will accept it as permissible.

For the benefit of the committee, if it's permissible, I'll have our clerk read out what the new wording would say with the amendments.

The Clerk: The subamendment to Ms. Thomas's amendment to Mr. Bittle's motion would read:

That the committee commence its clause-by-clause study on the Online Streaming Act before the Standing Committee on Canadian Heritage completes a study on the alleged involvement of Hockey Canada in sexual assaults committed in 2018; that the committee invite the Minister of Sport to appear for no less than one hour; and that the committee invite representatives of Hockey Canada for no less than two hours.

The Vice-Chair (Mr. John Nater): Thank you, Madam Clerk.

Mr. Julian, do you want to speak to the subamendment?

Mr. Peter Julian: Yes. I'll speak to it briefly, because I think we want to proceed to a vote. We have witnesses here, and I am eager to ask them questions. We've had lots of filibusters, which is really unfortunate, because that has often meant that witnesses have been delayed and we haven't been able to get answers to important questions. That being said, I think the more rapidly we proceed to clause-by-clause, which I imagine will take a lot of time.... We're offering a number of amendments; I know the other parties are as well. We submitted our amendments, Mr. Chair, last week. I think the Bloc Québécois and the Liberal Party also did. The Conservatives seemed reluctant to provide amendments, but as you know, Mr. Chair, amendments can be presented during clause-by-clause study, so they are certainly entitled to do that.

The point is this: We've been hearing from witnesses despite the filibusters. We've had a vast majority of witnesses saying that they support the legislation, but improvements need to be made, and it really is our responsibility as a committee to make those improvements, to put forward those amendments that we now have the opportunity to go through. The sooner we tackle the clause-by-clause and the improvements, the sooner we can get to the study that Ms. Thomas suggests, which, I don't deny, is important as well.

I guess what I'm suggesting, Mr. Chair, is if there is a real, genuine interest in proceeding to the other study the best way to do that is to proceed to clause-by-clause, complete the mandated responsibility that we were given by the House of Commons to examine this legislation, provide improvements, and then return it to the House of Commons. The sooner we do that, the sooner we can start the study that Ms. Thomas has mentioned.

• (1705)

The Vice-Chair (Mr. John Nater): Thank you, Mr. Julian.

I do have a list going for the subamendment. If I'm accurate, I have Mr. Julian, who just finished, Ms. Thomas, Mr. Perkins, Mr. Uppal and Monsieur Champoux. Does that sound accurate? No?

An hon. member: [*Inaudible—Editor*].

The Vice-Chair (Mr. John Nater): Okay. That's on the original motion. We'll add you to the list for the subamendment.

Ms. Thomas, the floor is yours, on the subamendment.

Mrs. Rachael Thomas: Thank you.

I'm a little bit surprised that this subamendment has been brought forward, because essentially it says that we're going to move forward with Bill C-11 first, and then, eventually, we will get to this motion that was unanimously passed in the House of Commons to look at Hockey Canada; but there is no time frame. If this committee spends the next few weeks looking at C-11, and then the parliamentary secretary makes the decision that actually we're not going to move...we're not going to have this committee anymore, and it just breaks for the summer, and then—

Mr. Chris Bittle: A point of order, Mr. Chair.

The Vice-Chair (Mr. John Nater): Mr. Bittle, on a point of order.

Mr. Chris Bittle: I have a point of clarification.

I would like to know what powers I have to suspend this committee. I didn't know those existed in the Standing Orders. I just found that out right now. I don't recall that in the green book of procedure.

The Vice-Chair (Mr. John Nater): I don't think that's a point of order, but I appreciate the comments.

Mrs. Thomas, you have the floor.

Mrs. Rachael Thomas: The Liberals can make the decision that this committee will longer meet, which puts this motion with regard to Hockey Canada on hold until the fall, and perhaps even beyond. The subamendment brought forward by Mr. Julian to say we're going to do clause-by-clause first.... We'll do that before, and then, after some time in the future—it could be down the road by weeks, months or even longer—we will eventually get to the unanimous consent motion passed in the House of Commons.

I have concerns about that, for a few reasons. One, it's actually disgraceful to the victim who came forward with her story, and it's a disgrace to those members of Parliament—to all of us—who stood in the House of Commons in support of this motion and taking it seriously. Two, it revictimizes this individual. What Mr. Julian is proposing is that her voice isn't worth hearing now. We'll hear it eventually. We'll give it attention eventually. We'll look into this eventually, which I think is very disheartening.

In addition to that, we have heard from the Minister of Sport that she was “shocked and angry”—those are the words she used—to learn about these allegations, and that she wished to get to the bottom of it. One of the ways we can make sure that happens is by acting on the study called for through this unanimous consent motion. Again, the Minister of Sport, who falls under the heritage committee, has said she wants to know whether any public funds were used to cover up this story of gang rape, and she wants an audit of federal funding and how it was used.

We can go with Mr. Julian's motion, and do it eventually—some day down the road—or we can do the right thing, be vigilant, take this victim seriously, and do the study now. We have an opportunity to communicate clearly to Canadians about how we treat victims in this place, how seriously we take their stories, and how genuinely we want to get to the bottom of something. I take the Minister of Sport at her word when she says that she does, in fact, want to know whether public funds were used, and that she does, in fact, want an audit with regard to those funds. The way she can make good on those commitments, indications or well-wishes is by allowing this study to go forward in a timely fashion.

• (1710)

Mr. Chris Bittle: I have a point of order.

The Vice-Chair (Mr. John Nater): Mr. Bittle has a point of order.

Mr. Chris Bittle: Thank you so much.

We're well into another Conservative filibuster. I think there are a number of people on the speaking list. Perhaps we should let the witnesses go.

The Vice-Chair (Mr. John Nater): That would be up to the will of the committee.

What's the opinion of the committee? Do we dismiss the witnesses or keep them?

An hon. member: Yes.

The Vice-Chair (Mr. John Nater): Do we dismiss them?

An hon. member: It's not fair.

The Vice-Chair (Mr. John Nater): Mr. Julian, are you on the same point of order?

Mr. Peter Julian: Yes. Thanks very much, Mr. Chair.

There were questions about the billion dollars that Mr. Waugh asked about and—

Mrs. Rachael Thomas: That's not a point of order.

Mr. Peter Julian: If you could provide those amounts back to the committee, I think it would be very helpful.

The Vice-Chair (Mr. John Nater): Thank you, Mr. Julian.

Thank you, Mr. Ripley, Mr. Sabbagh and Ms. Awad. You are dismissed, for lack of a better word. Thank you for your time.

We will now return to Mrs. Thomas.

Mrs. Thomas, you have the floor.

Mrs. Rachael Thomas: Thank you.

For context, I want us to understand what we're talking about here, because I believe there may be members here at the committee, and certainly those who are observing, who may not be familiar with what I am talking about. It actually might be worth taking a step back, and providing a bit of context for the unanimous consent motion that was passed in the House of Commons, and why I believe it is so important to make sure we get to that sooner rather than later.

In other words, push the pause button on Bill C-11, take care of this, and then we can resume clause-by-clause, rather than Mr. Julian's motion, which is to say that we'll eventually get to this unanimous consent motion.

For the sake of context, there is an article that was written on June 3, 2022 for Complex Canada. It says:

A 24-year-old woman who says she was sexually assaulted by eight Canadian Hockey League players, including some who played on the championship 2017-18 World Junior team and who went on to secure NHL contracts, has dropped a lawsuit against the individuals, Hockey Canada, and the CHL after reaching a settlement.

The incident has only recently come to light after TSN reported on documents filed in Ontario Superior Court in London, Ontario this spring that detail accusations laid by a female plaintiff referred to only as 'E.M.' who alleges she was repeatedly sexually assaulted in a hotel room while intoxicated after a Hockey Canada Foundation gala and golf event that took place in the Ontario city in June 2018.

It goes on to explain:

The woman's London-based lawyer told TSN that a settlement was reached and that none of the eight accused individuals—who are not named in the filings and referred to as John Doe 1-8—were ultimately charged. Allegations were also leveled against Hockey Canada for apparently being aware of the alleged incident and choosing not to investigate or punish players.

It is unclear if a non-disclosure agreement was part of the deal, but a statement from Hockey Canada spokeswoman Esther Madziya to TSN states that the faction contacted police immediately upon learning about the alleged incident in 2018.

Details of the night in question are disturbing and difficult to read, outlining how the plaintiff was allegedly given drinks by the accused and separated from her friends at a London bar and restaurant before returning to a hotel room...

The article goes on to explain what happened in that hotel room, and states:

'At times the plaintiff was crying and attempted to leave the room but was directed, manipulated and intimidated into remaining, after which she was subjected to further sexual assaults,' the lawsuit reads. 'Hockey Canada is deeply troubled by the very serious allegations of sexual assault regarding members of the 2017-18 National Junior Hockey Team,' the statement reads. 'As soon as Hockey Canada became aware of this matter in 2018, we contacted local police authorities to inform them. The same day, we also retained Henein Hutchison LLP, a firm with extensive experience in this area, to undertake a thorough independent internal investigation and make recommendations on areas for improvement which we have been implementing and will continue to pursue.'

'The person bringing the allegations forward chose not to speak with either police or with Hockey Canada's independent investigator and also chose not to identify the players involved. This was her right, and we fully respect her wishes. We have settled this matter and as part of that settlement, we will not be commenting further.'

● (1715)

The article goes on to say:

But questions remain regarding how the alleged gang rape was dealt with by the national governing body Hockey Canada, both from a public funding perspective and as multiple of the alleged assailants have gone on to play for NHL teams.

"I am shocked and angry to read about the allegations made against the players of the Canadian Junior Hockey Team," Canada's Minister of Sport Pascale St-Onge told the press in Ottawa.

"All Canadians want to know and me too, is whether any public funds were used to cover up this story of gang rape," she said, adding that an audit of federal funding is on the way.

The NHL responded by promising an investigation of its own: "We will endeavour to determine the underlying facts and, to the extent this may involve players who are now in the NHL, we will determine what action, if any, would be appropriate.

Mr. Chair, although I left out some of the details because I didn't feel that they would be necessarily appropriate to read into the mike today, I do believe that this article outlines the important nature of the study that I am requesting to move forward with. As stated previously, I do believe that time is of the essence. I believe it would be inappropriate for this subamendment to be passed because it would be to take this victim lightly. It would be saying that this can be pushed into the future to some unknown date and instead we would rush through clause-by-clause on C-11.

The Vice-Chair (Mr. John Nater): Thank you, Mrs. Thomas.

Next on the list for the subamendment is Mr. Perkins.

Mr. Rick Perkins: Thank you, Mr. Chair.

I appreciate the sense or the desire of the subamendment to try to balance the need to achieve both focuses, but I believe the committee mandates, or the references from the minister of both the legislation and of this particular sorry and sad situation, don't have a date for reporting back. Unless I'm mistaken, it is the choice of the committee as to which is a priority and what the intent back was. I understand that, even in the original motion on the number of witnesses, there was no reporting back date, although the chair in the last meeting hinted at some sort of desire to do that.

This is a serious issue that is urgent, because we're seeing and have seen cover-ups in junior hockey and sexual abuse. We all know about the Sheldon Kennedy case and those issues that we thought had led to change, but have apparently not changed the attitude of a lot of—or some elements or number of—junior players.

I played hockey at competitive levels all my life and understand the locker room sort of mentality that seems to develop, but it doesn't excuse anything that has gone on. Eight players, shockingly some of whom are in the NHL now, were involved in this alleged incident. There must obviously be a little more to it, or \$3.55 million of Hockey Canada dollars wouldn't have been used to try to keep this from going public, I assume, especially when NDAs are signed. The primary purpose we see of NDAs is apparently to keep these types of things from going public.

There's a lot of work that needs to be done that the minister has asked for on this important issue. I don't think the committee should be restricting its time frame, or the likelihood is.... Maybe it's not the parliamentary secretary's power to adjourn this committee early, but it certainly is when the House adjourns, and there's a lot of time that will be required, obviously, for clause-by-clause of C-11, which I don't believe really has a time limit on when it has to be done. It is not a time-sensitive bill. The committee can take as much time as it needs to continue the committee's study and the amendments, while this issue obviously is one that is very current and should be considered sensitively and with some transparency.

When these kinds of things happen, we've seen NDAs used in some very famous cases in the United States to try to keep criminal behaviour quiet, whether it was Bill Cosby or perhaps even some of the NDAs that former president Trump has used to keep his antics quiet.

While we don't know whether the audit has started, there is accountability for a governance organization that oversees all of our peak levels of amateur hockey to come before Parliament.... After all, it does receive public funds in some way and thus should be held accountable as to why, when we thought that some of these issues had been dealt with from a governance and an overall education and management perspective as a result of the Sheldon Kennedy case, this kind of incident apparently still happens.

I would ask the committee to consider that there is some urgency to this. Reject the subamendment to the motion so that we can consider this fairly urgent request and unanimous consent motion from the House to look into this quickly. We can't let the exposure or the chance that this will happen again.... It shouldn't have happened in the first place.

• (1720)

Certainly, there's some urgency to this. If the committee were not able to complete this study or to even look at this issue before the summer because the House chooses to rise, or to rise early, I think that would leave a lot of young Canadians very exposed to future situations that may or may not occur. It's too far to go—till perhaps next October—if the House were to rise before the minister's request on this gets dealt with.

It's a challenging situation, and I would urge the committee to reject this amendment and to get back to Ms. Thomas's amendment so that the minister's request to study this difficult situation gets treated with some urgency and sensitivity.

Thank you.

The Vice-Chair (Mr. John Nater): Thank you, Mr. Perkins.

I have Mr. Uppal next on the speaking list.

Hon. Tim Uppal (Edmonton Mill Woods, CPC): Thank you, Mr. Chair.

I can appreciate Mr. Julian's suggestion that this committee address Bill C-11 first and then move on to this issue with Hockey Canada. I can maybe appreciate it in the sense of its just trying to get one thing done and then going on to the next, but I do believe that in this case there is definitely a responsibility that we have as members of Parliament to first address these very serious allegations with Hockey Canada.

It is not only because it's possibly Government of Canada funding that may have been used as part of what looks like a cover-up of sexual assault on an individual by hockey players, but also because I would never want Canadians to think that somehow we put off possibly looking into a situation where maybe professional athletes are given the benefit of the doubt or being passed by for scrutiny because we figured we had more important things to do. This is of utmost importance.

I know that Mrs. Thomas went through some of the details, and after hearing those details, I would suggest that in no way would I feel comfortable in saying that we do not look into this immediately. I think that would be most important.

I do believe that there was no timeline set for Bill C-11 to go back to the House. We do have time, so I believe that as a matter of urgency for our committee, and also just respecting the will of the House of Commons, which unanimously.... This is something that does not happen often, where we have a unanimous vote in the House of Commons to address a situation. I believe that our colleagues, members of Parliament from all sides of the House, are looking to us to address this. I don't think it would be responsible for us to go back to them and say, "Yes, but we had other things we were planning on doing." This is something that has been handed to us as a committee, and we definitely do have a responsibility to address it, I would say, immediately.

I know there is going to be a little bit of time that will be needed to decide which witnesses we want to bring forward, and there are going to be legal issues here. There are sensitivities in a number of different ways that we would have to address, with some things possibly being in camera, so there are a number of things we have to consider.

I think it would be absolutely important that we move on to this new study, study the issue, do it properly and do what I would say is our job, to address these types of issues and to give Canadians confidence that we have taken this very seriously.

Once that is completed, we'll get back to Bill C-11. Bill C-11 is not going anywhere. This is something that...are changes to the Internet. There are different views on it, and we would continue to study that and continue to hear from witnesses, which is also, of course, part of our job.

I think it is of utmost importance that we do address this, especially considering that we don't have an actual timeline for either. I will say that even the House of Commons' unanimous motion that was provided to this committee did not have a timeline, but, considering the nature of those issues, I think it would be most important.

Even if you asked the Minister of Sport, I believe she also would agree that it is absolutely important that we look into the situation. It is very serious, and I would not want to face my constituents, letting them know that we put it off to address something else, and then all of a sudden the House adjourns or something for the summer, and we end up not looking into it. I think it is very important that we do look into this.

Thank you, Mr. Chair.

● (1725)

The Vice-Chair (Mr. John Nater): Thank you, Mr. Uppal.

I have Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair. I'm glad to see that I still have a bit of time left.

I think it's really something that we are debating this motion, which received unanimous support in the House a few days ago, especially since it was a Bloc Québécois motion. When we were preparing this absolutely crucial motion, we understood the paramount importance of this issue. We had a debate amongst ourselves around the level of urgency we should give the study we were proposing.

I bring it up because this was a motion put forward by the Bloc Québécois, so I probably understand the intent behind it more than anyone. We did indeed discuss when would be the right time for the committee to hear from the people at Hockey Canada and the Minister of Sport. It was clear to us that the committee's consideration of Bill C-11 took priority and should have our full attention as a matter of urgency. We agreed that, once that was dealt with, it would be appropriate to invite the Hockey Canada officials and the Minister of Sport.

I am trying to provide the context for the motion. Although we consider the motion to be crucially important and understand that it

concerns a very sensitive topic to be handled with the utmost respect, never did we intend for the committee to deal with the subject matter of the motion before completing the examination of Bill C-11. For that reason, I wholeheartedly support Mr. Julian's subamendment, which would ensure that, if we move swiftly to complete our work, we could hear from Hockey Canada officials and the Minister of Sport as early as next week. We could get on with the discussion of this extremely sensitive issue.

● (1730)

The Vice-Chair (Mr. John Nater): Thank you, Mr. Champoux.

[*English*]

Mr. Kevin Waugh: Thank you, Mr. Chair.

I lived through the Graham James incident. I knew Theoren Fleury, Sheldon Kennedy and Todd Holt. I heard the whispers for two years and did nothing. I covered the Western Hockey League for 40 years. When Swift Current came to Saskatoon, you'd often hear, "Graham James; Graham James".

I'm living this again, guys. It wrecked Theoren Fleury's life. It wrecked Sheldon Kennedy's life. It wrecked the whole organization of the Swift Current Broncos, and here we are again, saying that this can wait. It's ridiculous. This needs to be brought forward now.

Mr. Westhead from TSN came through with a very.... You know, we talk about reporting and investigation. He found this. Then it was buried in every Canadian newspaper in this country. It should have bloody well been on the front page. It was buried in the Toronto Sun, the Toronto Star and the Globe and Mail.

Damn it, I've looked at the 2017-18 roster, and there were eight players involved. Which ones? I've looked at every name on that roster from 2017-18. I'm disgusted with Hockey Canada. God, did they not learn anything from the Graham James incident?

Have you ever googled the Hockey Canada 2017-18 gold medal team roster? Have you looked? Who's involved? Maybe...? No...? I don't know where he is today. Where is he today? Who has covered that up? Google that roster from the 2017-18 gold medal team and tell me: There are eight on there; which eight?

When I heard this in the House of Commons, I...

Mr. Champoux, to be honest with you, I'm upset at myself for not bringing this out. I lived through the Graham James incident. I've done banquets with Kennedy, Fleury, Holt, Joe Sakic—the whole Swift Current team. I'm disturbed at myself for not bringing this unanimous consent to the House of Commons.

Hockey Canada, through Own the Podium high performance, gets \$7.8 million from the federal government. That's \$7.8 million through Own the Podium high performance. They swept this under the rug for three and a half years.

I'm sorry, guys, but this has to come now. I agree with sports minister St-Onge. When this was brought out that day in the House of Commons, her comments were appropriate. I don't ever want to see a Graham James again in my lifetime. I think I'm seeing it in front of me with the 2017-18 gold medal Team Canada.

We need to bring this right now. We have one team left in the NHL that's Canadian-based, and that's the Edmonton Oilers. We'll see tonight if they continue.

For Hockey Canada and all other fitness groups, research and media reports have revealed the harassment, the abuse and the discrimination in sport. We talk about getting involved in sport. Who the hell wants to get involved now with a story like this that's developed?

Mr. Chair, Clerk, and everyone around here, this brings back horrible memories for me. As a broadcaster in my community, I felt it was my job. I heard the whispers of Graham James, and now I'm living this again.

To me, as we have summer camps going on, and the CHL is going to have the Memorial Cup coming up here in a couple of weeks, it's all going to be good. We're going to have four teams compete for the Memorial Cup. The CHL will be excited because we have a national championship, where, believe me, they shouldn't be excited—

● (1735)

The Vice-Chair (Mr. John Nater): Mr. Waugh, I do apologize. I didn't want to interrupt you.

Mr. Kevin Waugh: I move for adjournment.

The Vice-Chair (Mr. John Nater): We have come to the end of our resources for this meeting.

We are adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>