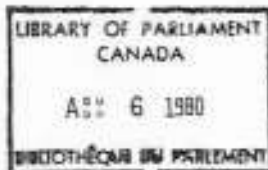


MEETING OF THE CONTINUING COMMITTEE  
OF MINISTERS ON THE CONSTITUTION

COMMUNICATIONS

Statement by the Honourable Jean Chrétien



Montreal, Quebec  
July 8-11, 1980

## COMMUNICATIONS

### Statement by the Honourable Jean Chrétien

One of the questions before us in communications is, how should we adjust the present framework of responsibilities in order to guarantee the continued successful development of our communications system to meet the challenges of tomorrow? Another is, how can we strengthen our relationships to achieve our objectives better?

I think it is important for us to work within a framework of objectives for communications, to assist us in considering practical and workable proposals to change the present jurisdictional arrangement. The Honourable Marc Lalonde tabled such a statement of objectives in Toronto in December 1978 and I am taking this opportunity to re-table those objectives as an annex to this statement.

In our deliberations, we must be mindful of Canada's communications achievements. Over the last 100 years, Canada's communications system has grown to become a world leader in quality and sophistication. I hasten to emphasize that we all have a right to be proud of these accomplishments - the federal government, the provinces and industry. A second annex highlighting some of these achievements is attached. I am sure it will be of interest to Ministers.

Evolving out of discussions with the provinces between October 1978 and February 1979, various proposals for constitutional change were advanced with regard to cable distribution and telecommunications carriers, and it was agreed to give further attention to accommodating provincial concerns respecting local elements in off-air broadcasting. The objective of the cable draft that was before First Ministers in February 1979 was in part to accommodate provincial concerns for a rational development of intra-provincial communication systems, as well as to ensure that the federal government's national objectives remained achievable. Specifically, the 1979 cable proposal entailed a transfer to provinces of some jurisdiction over cable which is now exclusively federal, taking into account the federal government's responsibility for the Canadian character of broadcasting and for safeguarding technical standards, as well as federal jurisdiction over closed-circuit programming services to the same extent that the federal government would control off-air services.

While at first, there appeared to be fairly general agreement on that draft, in later discussions it became clear that provinces had serious concerns with it. If we can now find consensus on that proposal then that is commendable. If not, we are willing to consider any other proposals on cable, while always keeping in mind fundamental national objectives.

On broadcasting, the previous federal government said in Halifax in 1979 that if there was sufficient progress on cable, attention could be given to early discussions of provincial concerns respecting local elements in broadcasting. We are not sure what the views of provinces are but we are sure that you share our desire to look at every way to improve the system, with an open mind and the necessary flexibility. We on the federal side want to work with you and make progress on this communications issue. We are willing to consider your views on broadcasting keeping in mind the achievements to date and the needs of the future.

With respect to telecommunication carriers, the federal government is prepared to transfer to the provinces of Newfoundland, Quebec, Ontario and British Columbia the intra-provincial aspects of certain carriers now wholly regulated by the CRTC, namely Terra Nova Tel in Newfoundland, Bell Canada and BC Tel. This new arrangement must of course recognize federal jurisdiction in all parts of Canada over all interprovincial and international aspects of telecommunications, technical standards, interconnection of systems and the continuing federal regulation of national carriers, CNCPT, Telesat and Teleglobe.

Any changes should also reaffirm Parliament's jurisdiction over the radio frequency spectrum.

In conclusion, I reiterate how important it is to consider all of these elements in the light of a set of fundamental Canadian communications objectives. Without such objectives I am concerned that discussions of all communication issue areas suggested for constitutional change will suffer from a lack of common purpose and I would urge Ministers to give these objectives full consideration.

We would wish to ensure that progress is made in each area so that the resultant package is a coherent, practical arrangement given that these elements are so fundamentally interrelated. I would hope we can work towards agreement on objectives and will bear them in mind throughout the scrutiny of federal/provincial roles. Let me emphasize that any system that can be implemented that fulfills these objectives will be a good system.

We are prepared to consider change in communications that will result in a rational system and an improvement on our present arrangements, beneficial to the people of Canada in every region.

DRAFT - FOR DISCUSSION PURPOSES ONLY

Federal Response to Nova Scotia's Proposal on Communications, Submitted at Mont Ste Marie on November 23-25, 1978

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The following principles with regard to the distribution of powers in the field of telecommunications are advanced for discussion:

1. The orderly development of efficient telecommunications systems is essential to Canada's security, as well as to its continued economic growth; efficient telecommunications systems are also an essential ingredient of the economic prosperity of each province.
2. Services and production resources associated with telecommunications should be developed and administered so as to be a factor of enrichment for all individual Canadians for every part of the country and so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada as a whole and of every province. To this end, there should continue to be both nationally-available networks to distribute programming from coast to coast, and local, provincial and regional programming outlets as well. Such undertakings should constitute an integrated Canadian system. Furthermore, the various elements of the programming system, regardless of the means used by broadcasters and undertakings to distribute their programming, should act in ways which will stimulate Canadian program production and the interchange of views among the various regions of Canada.
3. Telecommunications must be subject to effective Canadian control. Canadian ownership and control of undertakings in the area of broadcasting should be maintained.
4. Government involvement in the regulation of the content of telecommunications should allow freedom of expression.
5. Freedom of access to telecommunications carriage services should be recognized.
6. Federally authorized undertakings must have access to the facilities of provincially-regulated carriers.
7. All Canadians are entitled to broadcasting service in both official languages as public funds become available.
8. The field of telecommunications is one in which both orders of government have reasonable and legitimate interests, which should be recognized in any new distribution of legislative or regulatory powers.
9. Any preliminary agreement on the new distribution of powers must be followed by full and frank discussions with the affected industry members, by both levels of government.

Canadian Communications Achievements

When looking at Canada's achievements it must be kept in mind that these achievements of which we have reason to be very proud are a consequence of federal, provincial and industry efforts. While the federal government has exercised jurisdiction over the broadcasting industry, including cable television, the regulation of the telecommunications industry is, like the ownership, a mixture of federal and provincial jurisdiction. Thus, one way or another, through ownership and/or regulation, both levels of government have made significant contributions towards creating the environment wherein the industry has been able to reach its current stage of development.

Canada's communications infrastructure is the envy of most countries. Just about every Canadian has access to telephone and telecommunications services. Businesses are served by two national data communications networks. An extensive network of microwave radio systems links large and small communities across the nation. Canada was also the first country to establish its own domestic communications satellite system which complements the microwave facilities, particularly in the North.

The extensive network of microwave and satellite has enabled the CBC to bring television programming in both official languages to 99 percent of Canadians, while a second television service in either official language reaches 97 percent of Canadians. Cable television, offering a wide range of domestic and foreign stations, as well as community programming, is available to 70 percent of our homes. The net result is that Canadians have more programming choice than any other country in the world. There is a wide choice of private and public AM and FM radio programming available. Our film and recording industries are also very active.

In most developed countries, the telecommunications and broadcasting industries are owned and operated by agencies of the national government. In Canada these vital sectors have evolved from a pattern of mixed ownership. The broadcasting sector comprises the CBC, and a large number of private broadcasters. Several provincial governments have produced significant educational programming some of which has received international acclaim. The telecommunications sector comprises federal and provincial Crown corporations and a number of investor-owned corporations. Canada's satellite communications carrier is a mixed corporation, owned jointly by the federal government and the major telecommunications carriers, including the provincially-owned carriers.