



20 January 2025

Filed online

Marc Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Dear Secretary General,

Re: *The Path Forward – Defining “Canadian program” and supporting the creation and distribution of Canadian programming in the audio-visual sector,*
[Broadcasting Notice of Consultation CRTC 2024-288](#) (Ottawa, 15 November 2024)

The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including telecommunications. The Forum supports a strong Canadian communications system that serves the public interest as defined by Parliament in the 1991 *Broadcasting Act*, and asks for the opportunity to appear before the CRTC panel at the public hearing scheduled regarding BNoC 2024-288 which is now set to begin 31 March 2025.

The Forum’s brief comments on the above-noted notice of consultation are attached; answers to the CRTC’s questions are set out in separate Appendix 4. The Forum also commissioned a survey that was undertaken across Canada in both official languages from 16 to 18 January 2025; the survey questionnaire and question-by-question results are included in Appendices 2 and 3, respectively – the Forum will be publishing a complete analysis of the survey results at a later date. Relevant results from the survey are briefly addressed in the comments that follow, however, as well as in Appendix 4.

We look forward to reviewing other parties’ interventions and may reply to these at the appropriate time.

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Canadian audiovisual programming content in the 21st century:

Canadians want more content that is more Canadian

*The Path Forward – Defining “Canadian program” and supporting the
creation and distribution of Canadian programming
in the audio-visual sector*

Broadcasting Notice of Consultation CRTC 2024-288

Comments by the
Forum for Research and Policy in Communications (FRPC)
20 January 2025

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I. Introduction

- 1 The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including telecommunications. The Forum supports a strong Canadian communications system, provided it serves the public interest.
- 2 Broadcasting Notice of Consultation CRTC 2024-288 states that its purpose is to review some of the existing regulatory tools used to support the creation, funding and distribution of audio-visual Canadian programming, including the definition of “Canadian program” and expenditure requirements” (¶14) but excluding the definition of Indigenous programming content (footnote 4).
- 3 Somewhat confusingly, while 2024-288 says (¶18) the CRTC wants comments on four issues, it set its questions out in terms of six issues:

CRTC’s initial 4 issues

1. Modernizing definition of audiovisual Canadian content
2. Adjusting CPE and PNI expenditure requirements and funding at-risk programming such as news
3. Use of artificial intelligence (AI)
4. Access to data to make informed choices about Canadian programs

6 issues in 2024-288

1. Definition of Canadian program
2. Expenditures on Canadian programming
3. Data-related issues, including reporting and performance measurement
4. Artificial intelligence
5. Other criteria and issues relating to certification
6. Discontinuation of Canadian certification for certain types of productions

- 4 The CRTC also said it wanted to “have a fulsome public record” and “to engage with Canadians within and outside the audiovisual production industry” (¶181). The CRTC then
 - posed 50 questions in 2024-288 without including any evidence about the issues they address in the notice (and without indicating where parties might obtain such evidence elsewhere on the CRTC’s website)
 - published the same day a second major consultation notice (BNoC 2024-290) with 36 questions, no evidence and the same deadline for comments (20 January 2025) during and after which period its 2024-137 proceeding to develop a regulatory policy for online captioning remains underway
 - scheduled the comment period for both proceedings over the holidays in December when many Canadians including those in or related to Canada’s broadcasting sector tend to travel for family reasons¹
 - refused several requests (including from the Forum) to publish any information about “forthcoming public opinion research” (¶19) it expects to publish after the

¹ Statistics Canada reported that in January 2024 “Canadian residents returned from 4.0 million trips abroad in January, increasing 12.3% from January 2023 (3.6 million)”: [“Travel between Canada and other countries, January 2024”, The Daily](#) (22 March 2024). It estimated Canada’s population to be 40,784,356 in 2024 (Q1): [Population estimates, quarterly \(Table 17-10-0009-01\)](#).

intervention deadline but before its public hearing begins at the end of March 2025, and

- by 5:30 pm ET on 20 January 2025 had not added the regulatory-relief applications and interventions that 2024-288 said at ¶48 on 15 November 2024 would be added to the 2024-288 proceeding.

5 These procedures are the opposite of how one would obtain a fulsome public record.

6 The rushed 2024-288 and the equally rushed 2024-290 proceedings may result from inadequate CRTC resources. The CRTC's annual reports show that its full-time or equivalent staff grew by 13.5% between 2023 (531) and 2024 (614) and projects its staff will increase to 662 by 2026 (a 24.7% increase relative to 2023): see Appendix 1. While Bill C-11 has created new work for the Commission, it referred complaints about broadcast programming to the CBSC² beginning 1990 and complaints about telecom and broadcast distribution to the CCTS³ in 2007 and 2016, respectively. (Moreover, while the CRTC receives monthly program logs from all non-exempted and licensed television programming undertakings, it does not receive monthly program logs from radio stations.)

7 Given the CRTC's decision against disclosing information about its 2024-288 survey FRPC commissioned a national, bilingual, random-number telephone survey dealing with Canadian content in television. In early January 2025 (after the holiday period in December 2024), 1,502 people of 18 years of age or older living in Canada's provinces and territories provided their opinions about factors related to the 'Canadian-ness' of audiovisual programs: their actors, creative teams, creative control, financial control, ownership; subjects and depiction of recognizably Canadian images. The English-language and French-language survey questionnaires are set out in Appendix 2. Given the lack of time available to undertake a comprehensive analysis of this survey's results FRPC has set out the detailed responses to the questions in Appendix 3 (through an attached Excel spreadsheet). It will publish a complete analysis of the survey results at a later date.

8 In the remaining pages the Forum offers a preliminary response to issues it considers key. FRPC's answers to the CRTC's 50 questions are set out in Appendix 4.

II. Issues raised by BNoC 2024-288

9 While 2024-288 is tightly focussed on the objective characteristics that the CRTC can use to measure the 'Canadian-ness' of an audiovisual program, the Forum believes that a concern underlying the issue of measurement is that of Canadian identity and culture.

² CBSC: Canadian Broadcast Standards Council, established by private broadcasters in 1990.

³ CCTS: Commission of Complaints for Telecom-television Services, established by telecom companies in 2004/05.

- 10 FRPC's TV survey therefore asked whether Canadians have a strong or weak sense of Canadian identity and culture. Overall, 48% of people in Canada thought Canadians have a very or somewhat weak sense of Canadian identity and culture, while 28.1% thought they have a very or somewhat strong sense of Canadian identity and culture:

Table 1 Canadians' sense of identity and culture (January 2025 survey results)

Q3. Do you think Canadians currently have a very strong or very weak sense of Canadian identity and culture?										
Response categories	BC	Alta, Sask or Man	Ont	Que	NL or NB	NS or PEI	NWT [n=58]	Nunavut [n=11]	Yukon [n=65]	Canada
Very weak	28.0%	23.5%	23.0%	26.4%	16.7%	20.3%	8.8%	6.0%	12.9%	22.7%
Somewhat weak	25.0%	25.5%	22.4%	30.1%	19.0%	25.8%	32.1%	12.2%	26.5%	25.3%
No opinion or don't know	17.3%	21.0%	19.2%	33.5%	29.5%	21.5%	17.2%	32.5%	27.7%	23.8%
Somewhat strong	24.3%	22.5%	27.9%	7.6%	22.1%	22.1%	29.8%	49.3%	25.9%	21.6%
Very strong	5.3%	7.6%	7.6%	2.4%	12.6%	10.3%	12.1%	0.0%	6.9%	6.5%
Access Research, 16-18 January 2025 survey for FRPC's; results for this question (by location of resident) are statistically significant to the 0.05 level, although caution should be exercised in drawing inferences from the results for the Northwest Territories, Nunavut and Yukon due to the relatively low response rate										

- 11 Based on these data and on the Forum's analysis of the available information about Canadian content in audiovisual programming, FRPC does not support diluting the measurement of Canadian content of audiovisual programming: Parliament's *Broadcasting Policy for Canada* for Canada has declared since 1991 that Canada's broadcasting system must maintain and enhance its national identity and cultural sovereignty. ^{3(1)(b)}

A. Definition of Canadian program

- 12 The Forum's main concern is that any definition of Canadian audiovisual programs ensures that they reflect Canada and Canadians.
- 13 Given their responses about Canadians' sense of identity and culture it is unsurprising that two out of three people in Canada agree audiovisual programming that reflects events that have taken or are taking place in Canada should receive Canadian-content points and if they literally reflect images that are Canadian in origin:

Table 2 Canadian audiovisual content and events in Canada (January 2025 survey results)

Q5. The Canadian Radio-television and Telecommunications Commission is a federal agency that regulates television broadcasters in Canada. It decides if programs are Canadian based on the positions they hold, such as directors, actors or writers held by Canadians. The CRTC is thinking about adding to this definition. Do you think TV programs or movies should also get Canadian-content points if they are about events that took place in Canada?	Canada [n=1502]
Yes	67.9%
No	10.7%
No opinion or Don't know	21.3%

Table 3 Canadian audiovisual programs' depiction of Canadian images (January 2025 survey results)

Q6. Should TV programs or movies also get points if their scenery, buildings, licence plates or mailboxes are recognizably Canadian?	Canada [n=1502]
Yes	59.3%
No	16.9%
No opinion or Don't know	23.85
Access Research, 13-15 January 2025 survey;	

- 14** People in Canada strongly support the presence of Canadians among audiovisual programs' main actors and its writers or creative team. More than half (60.6%) of Canadians agree that these programs' creative control should be held by Canadians and two out of three (67.8%) believe that Canadians should fully hold the ownership rights to the programs, including the right to sell the programs abroad.

Table 4 Canadians' opinions on importance of five characteristics of audiovisual programs (January 2025 survey results)

Q4. I'm going to read some characteristics of Canadian TV programs or movies. Please indicate how important you think each one is to making these programs more Canadian, with 1 being Not important at all, 2 being somewhat unimportant, 3 if No opinion or Don't know, 4 if somewhat important and 5 if very important:					
Possible responses:	A. The main actors are Canadian	B. The writers or creative team are all Canadians	C. Creative control is held entirely by Canadians	D. Financial control is held entirely by Canadians	E. The ownership and right to sell the programs abroad are held fully by Canadians
Not important at all	16.3%	17.5%	12.4%	16.6%	10.0%
Somewhat unimportant	18.2%	14.8%	8.5%	15.7%	8.3%
No opinion or Don't know	18.2%	15.6%	18.5%	23.1%	13.8%
Somewhat important	36.0%	35.5%	39.8%	27.8%	32.0%
Very important	11.3%	16.6%	20.7%	16.8%	35.9%
Top 2 – Somewhat or very important	47.3%	52.1%	60.6%	44.5%	67.8%
Access Research, 16-18 January 2025 survey for FRPC					

- 15** In this context, FRPC notes that the CRTC's published Canadian certification database does not include any information on matters such as these, merely stating the total points a program obtained and the total points possible. Given Parliament's clear desire in both the 1991 *Broadcasting Act* and its April 2023 update (through the *Online Streaming Act*) that

Canadians be reflected in broadcast programming, the CRTC should develop indicia describing creative representation within audiovisual programs, to gather and publish these data going forward.

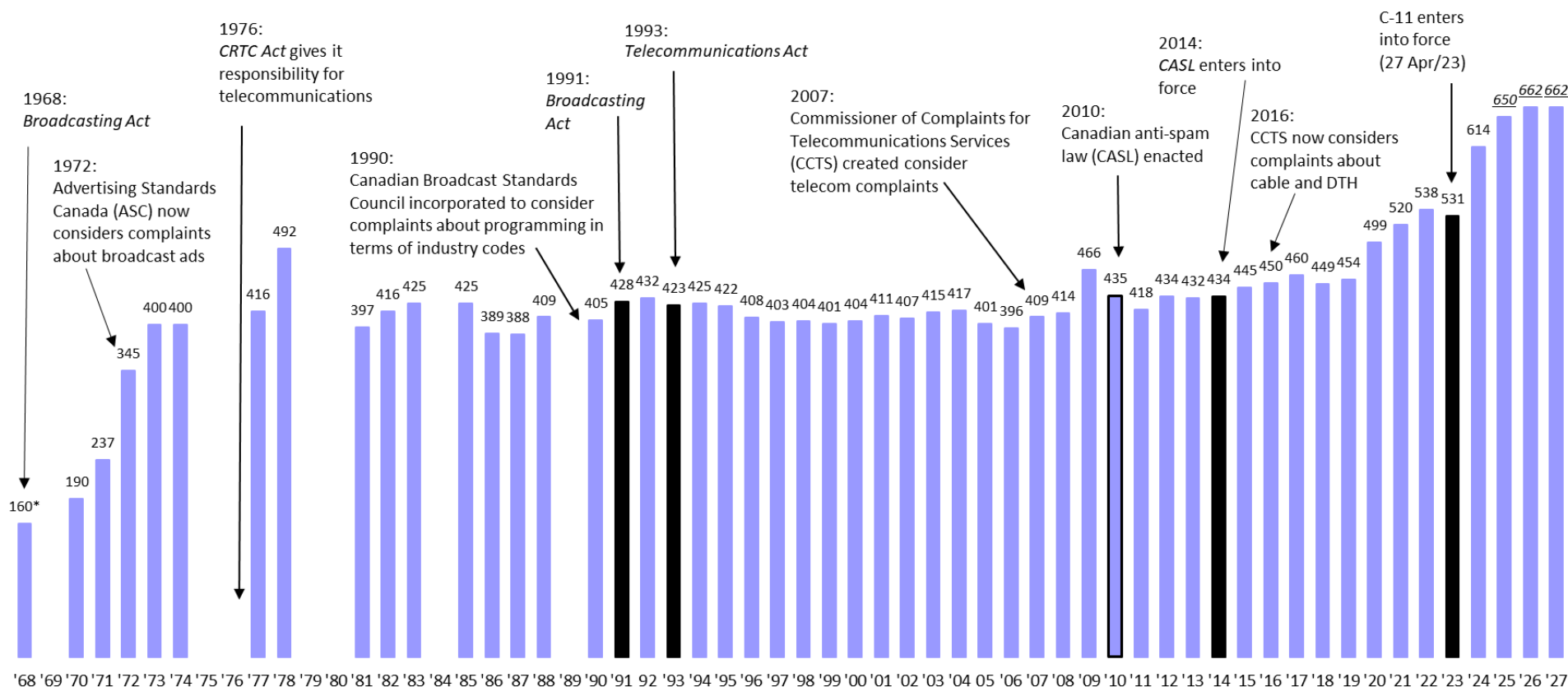
B. Data-related issues, including reporting and performance measurement

- 16 The CRTC requires television broadcasters to submit monthly program logs showing the programming that they broadcast. BNoC 2024-288 does not, however, provide any information about the level of Canadian programming broadcast by Canadian audiovisual programming undertakings (licensed or exempted), either in its Statistical and Financial Summaries for private television or discretionary television programming services, or in its open-data files.
- 17 The CRTC should publish quarterly summaries of the programming that individual undertakings and television ownership groups broadcast, including information about the level of first-run Canadian and non-Canadian program hours broadcast in terms of the CRTC's programming categories.
- 18 The CRTC should also include aggregated information about television services' employment by expense category (programming, technical, sales and promotion and administrative and support), to enable the public to evaluate the impact of the CRTC's regulatory frameworks on Parliament's objective both in 1991 and in 2023 that broadcasting undertakings make predominant use of Canadians to create and present programming. (The CRTC published such data for private radio and television broadcasters in 2014 with apparently no ill-effects: see <https://web.archive.org/web/20140918232258/http://www.crtc.gc.ca/eng/stats9.htm>).

Appendices:

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Appendix 1 CRTC staffing, 1968-2027



Sources: CRTC, *Annual reports, Part III Estimates, Departmental Performance Reports, Departmental Results Reports and Departmental Plans* (various years) - italicized and underlined text: CRTC's staffing forecast

Appendix 2 FRPC January 2025 survey questionnaires

DEFINITION OF CANADIAN AUDIOVISUAL CONTENT IN BROADCASTING

N=1,500 (10 provinces and territories)

Hello. This is Access Research calling on behalf of the Forum for Research and Policy in Communications. We would like to ask you some questions about television content in Canada. The survey will take about 5 minutes of your time. Just use the touchpad on your phone to select the correct answer when prompted. If you have any questions about this call, you can reach our firm, Access Research, at 1-855-561-3603 or at inquiry@access-research.com.

[En français : si vous souhaitez entendre ces questions en français, veuillez appuyer sur le 1 maintenant]

Prelim First of all, are you at least 18 years of age or older, and living in Canada?

a. Press 1 if Yes

b. Press 2 if No => Thank you, and terminate [T1]

T1. Thank you, that's all the questions I have. Have a great day.

Q1. How often do you watch movies or episodes of TV series?

Press 1 if Most days of the week

Press 2 if Once or twice a week

Press 3 if Once or twice a month

Press 4 if Once or twice every few months

Press 5 if Don't know

Q2. In the last year, have you watched any Canadian movies or TV series?

Press 1 if Yes

Press 2 if No

Press 3 if Don't know

Q3. Do you think Canadians currently have a very strong or very weak sense of Canadian identity and culture?

Press 1 if very weak

Press 2 if a somewhat weak

Press 3 if No opinion or Don't know

Press 4 if somewhat strong

Press 5 if very strong

Q4. I'm going to read some characteristics of Canadian TV programs or movies.

Please indicate how important you think each one is to making these programs more Canadian, with 1 being Not important at all, 2 being somewhat unimportant, 3 if No opinion or Don't know, 4 if somewhat important and 5 if very important:

The main actors or actresses are Canadian

The writers or creative team are all Canadians

Creative control is held entirely by Canadians

Financial control is held entirely by Canadians

The ownership and right to sell the program abroad are held fully by Canadians

Q5. The Canadian Radio-television and Telecommunications Commission is a federal agency that regulates television broadcasters in Canada. It decides if programs are Canadian based on the positions they hold, such as directors, actors or writers held by Canadians. The CRTC is thinking about adding to this definition. Do you think TV programs or movies should also get Canadian-content points if they are about events that took place in Canada?

Press 1 if Yes

Press 2 if No

Press 3 if No opinion or Don't know

Q6. Should TV programs or movies also get points if their scenery, buildings, licence plates or mailboxes are recognizably Canadian?

Press 1 if Yes

Press 2 if No

Press 3 if No opinion or Don't know

Q7. In some countries the scripts for TV programs are being generated by artificial intelligence. Do you think that computer software that creates TV program scripts should be given points for being Canadian in the same way that a Canadian scriptwriter receives points?

Press 1 if Strongly disagree

Press 2 if Somewhat disagree

Press 3 if No opinion or Don't know

Press 4 if Somewhat agree

Press 5 if Somewhat disagree

Demographic information

Q8. So that we can group our data, the next few questions are about yourself. Your answers will be kept confidential and anonymous. First, please indicate your gender.

Press 1 for Male

Press 2 for Female

Press 3 for Non-binary or other

Press 9 if you prefer not to say

Q9. How old are you?

Press 1 if between 18 and 24 years of age

Press 2 if between 25 and 34

Press 3 if between 35 and 44

Press 4 if between 45 and 54

Press 5 if between 55 and 64

Press 6 if between 65 and 74

Press 7 if 75 years of age or older

Press 9 if you prefer not to answer

Q10. What language do you speak at home?

Press 1 for English
Press 2 for French
Press 3 for Other
Press 9 for Prefer not to answer

In which province or territory do you live?

Press 1 if British Columbia
Press 2 if Alberta, Saskatchewan or Manitoba
Press 3 if Ontario
Press 4 if Quebec
Press 5 if Newfoundland and Labrador, or New Brunswick
Press 6 if Nova Scotia or Prince Edward Island
Press 7 if Northwest Territories
Press 8 if Nunavut
Press 9 if Yukon
Press 0 to repeat the question and answer options

Q11. What is the highest level of education that you have completed?

Press 1 if Grade 8 or less
Press 2 if Some high school or a high-school diploma or equivalent
Press 3 if College or CEGEP
Press 4 if Bachelor's degree
Press 5 if a Master's degree or Doctorate
Press 9 if you prefer not to answer
Press 0 to repeat the question and answer options

Q12. Which of the following categories best describes your total household income in 2024, before taxes?

Press 1 if under \$39,000
Press 2 if \$40,000 to just under \$60,000
Press 3 if \$60,000 to just under \$90,000
Press 4 if \$90,000 to just under \$120,000
Press 5 if \$120,000 to just under \$150,000
Press 6 if \$150,000 and above
Press 9 if you prefer not to answer
Press 0 to repeat the question and answer options

T2. Thank you very much for your assistance. Your opinion is very valuable to us. If you have any questions about this call, you can reach

DÉFINITION DU CONTENU CANADIEN AUDIOVISUEL

N=1,500 (10 provinces et territoires)

Bonjour. C'est Access Research qui vous appelle au nom du Forum pour la recherche et les politiques des communications. Nous aimerions vous poser quelques questions sur le contenu offert à la télévision au Canada. Le sondage prendra environ 5 minutes de votre temps. Utilisez simplement le clavier de votre téléphone pour sélectionner la bonne réponse lorsque vous y êtes invité. Si vous avez des questions au sujet de cet appel, vous pouvez communiquer avec Access Research, au 1-855-561-3603 ou à inquiry@access-research.com
[If you would like to hear these questions in English, please Press 1 now]

S1. Tout d'abord, êtes-vous âgé d'au moins 18 ans et vivez-vous au Canada ?

Appuyez sur 1 pour Oui

Appuyez sur 2 pour Non => Merci et terminez [T1]

T.1 Merci, je n'ai pas d'autre question à vous poser. Passez une bonne journée.

Q1. À quelle fréquence regardez-vous des films ou des épisodes de séries télévisées?

Appuyez sur 1 pour La plupart des jours de la semaine

Appuyez sur 2 pour Une à deux fois par semaine

Appuyez sur 3 pour Quelques fois par mois

Appuyez sur 4 pour Une ou deux fois chaque trois mois

Appuyez sur 5 si Vous n'êtes pas sûr

Q2. Avez-vous regardé des séries télévisées ou des films canadiens au cours de la dernière année?

Appuyez sur 1 pour répondre Oui

Appuyez sur 2 pour répondre Non

Appuyez sur 3 pour répondre Je ne sais pas

Q3. Pensez-vous que les Canadiennes et Canadiens ont actuellement une idée très claire ou très vague de l'identité et de la culture canadiennes?

Appuyez sur 1 pour répondre très vague

Appuyez sur 2 pour répondre un peu vague

Appuyez sur 3 si vous n'avez Pas d'opinion ou ne savez pas

Appuyez sur 4 pour répondre claire

Appuyez sur 5 pour répondre très claire

Q4. Je vais vous énumérer quelques caractéristiques d'émissions de télévision ou de films canadiens. Veuillez indiquer à quel point vous pensez que chacune d'entre-elles est importante pour rendre ces productions plus canadiennes. Indiquez vos réponses sur une échelle de 1 à 5, 1 étant Pas important du tout, 2 étant peu important, 3 Étant sans opinion ou ne sait pas, 4 Étant assez important et 5 étant très important :

Les acteurs ou actrices principaux sont Canadiens

Les scénaristes ou l'équipe créative sont tous Canadiens

Le contrôle de la création est détenu entièrement par des Canadiens

Le contrôle financier est détenu entièrement par des Canadiens

La propriété et le droit de vendre la production à l'étranger sont entièrement détenus par des Canadiens

Q5. Le Conseil de la radiodiffusion et des télécommunications canadiennes ou CRTC est un organisme fédéral qui réglemente la télédiffusion au Canada. Il détermine si les émissions sont canadiennes en attribuant un pointage aux emplois que les Canadiens détiennent dans des postes clés comme ceux de réalisateurs, acteurs ou scénaristes. Le CRTC envisage de modifier cette définition. Pensez-vous que les émissions de télévision ou les films devraient également obtenir des points de certification canadienne s'ils portent sur des événements qui se sont déroulés au Canada?

Appuyez sur 1 pour répondre Oui

Appuyez sur 2 pour répondre Non

Appuyez sur 3 si vous n'avez pas d'opinion ou ne savez pas

Q6. Les émissions de télévision ou les films devraient-ils également obtenir des points s'ils présentent des éléments comme des paysages, des bâtiments, des plaques d'immatriculation ou des boîtes aux lettres qui sont identifiables comme étant canadiens?

Appuyez sur 1 pour Oui

Appuyez sur 2 pour Non

Appuyez sur 3 si vous n'avez pas d'opinion ou ne savez pas

Q7. Dans certains pays, les scénarios des émissions télévisées sont générées par l'intelligence artificielle. Pensez-vous que les systèmes d'intelligence artificielle qui génèrent des émissions devraient recevoir des points de certification d'émissions canadienne de la même manière qu'un scénariste canadien en reçoit?

Appuyez sur 1 pour répondre Pas du tout d'accord

Appuyez sur 2 pour répondre Plutôt en désaccord

Appuyez sur 3 si vous n'avez pas d'opinion ou ne savez pas

Appuyez sur 4 pour répondre Plutôt d'accord

Appuyez sur 5 pour répondre Tout à fait d'accord

Information démographique

Q8 Pour que nous puissions regrouper nos données, les prochaines questions portent sur vous. Vos réponses resteront confidentielles et anonymes. Tout d'abord, veuillez indiquer votre genre.

Appuyez sur 1 si vous êtes un homme

Appuyez sur 2 si vous êtes une femme

Appuyez sur 3 si vous vous identifiez comme non-binaire ou autre

Appuyez sur 9 si vous préférez ne pas répondre

Q9 Quel âge avez-vous ?

Appuyez sur 1 si vous avez entre 18 et 24 ans

Appuyez sur 2 si vous avez entre 25 et 34

Appuyez sur 3 si vous avez entre 35 et 44

Appuyez sur 4 si vous avez entre 45 et 54

Appuyez sur 5 si vous avez entre 55 et 64

Appuyez sur 6 si vous avez entre 65 et 74

Appuyez sur 7 si vous avez 75 ans ou plus

Appuyez sur 9 si vous préférez ne pas répondre

Q10 Quelle langue parlez-vous à la maison ?

Appuyez sur 1 pour l'anglais

Appuyez sur 2 pour le français

Appuyez sur 3 pour toute autre langue

Appuyez sur 9 si vous préférez ne pas répondre

Q11 Dans quelle province ou quel territoire habitez-vous ?

Appuyez sur 1 pour la Colombie-Britannique

Appuyez sur 2 pour l'Alberta, la Saskatchewan ou le Manitoba

Appuyez sur 3 pour l'Ontario

Appuyez sur 4 pour le Québec

Appuyez sur 5 pour Terre-Neuve-et-Labrador ou le Nouveau-Brunswick

Appuyez sur 6 pour la Nouvelle-Écosse ou l'Île-du-Prince-Édouard

Appuyez sur 7 pour les Territoires du Nord-Ouest

Appuyez sur 8 pour le Nunavut

Appuyez sur 9 pour le Yukon

Appuyez sur 0 pour répéter les options

Q12 Quel est le plus haut niveau de scolarité que vous avez complété ?

Appuyez sur 1 pour le primaire

Appuyez sur 2 pour le secondaire

Appuyez sur 3 pour le collège ou cégep

Appuyez sur 4 pour un baccalauréat (BAC)

Appuyez sur 5 pour une maîtrise ou un doctorat

Appuyez sur 9 si vous préférez ne pas répondre

Appuyez sur 0 pour répéter les options

Q13 Laquelle des catégories suivantes décrit le mieux le revenu total de votre ménage avant impôt en 2024?

Appuyez sur 1 pour moins de 39 000 \$

Appuyez sur 2 pour 40 000 \$ à moins de 60 000 \$

Appuyez sur 3 pour 60 000 \$ à moins de 90 000 \$

Appuyez sur 4 pour 90 000 \$ à moins de 120 000 \$

Appuyez sur 5 pour 120 000 \$ moins de 150 000 \$

Appuyez sur 6 pour 150 000 \$ et plus

Appuyez sur 9 si vous préférez ne pas répondre

Appuyez sur 0 pour répéter les options

T.2 Merci beaucoup d'avoir répondu à nos questions. Votre avis nous est très précieux. Si vous avez des questions au sujet de cet appel, vous pouvez joindre Access Research au 1-855-561-3603 ou à inquiry@access-research.com. Merci.

Appendix 3 January 2025 survey regarding 'Canadian' factors in audiovisual programs: results

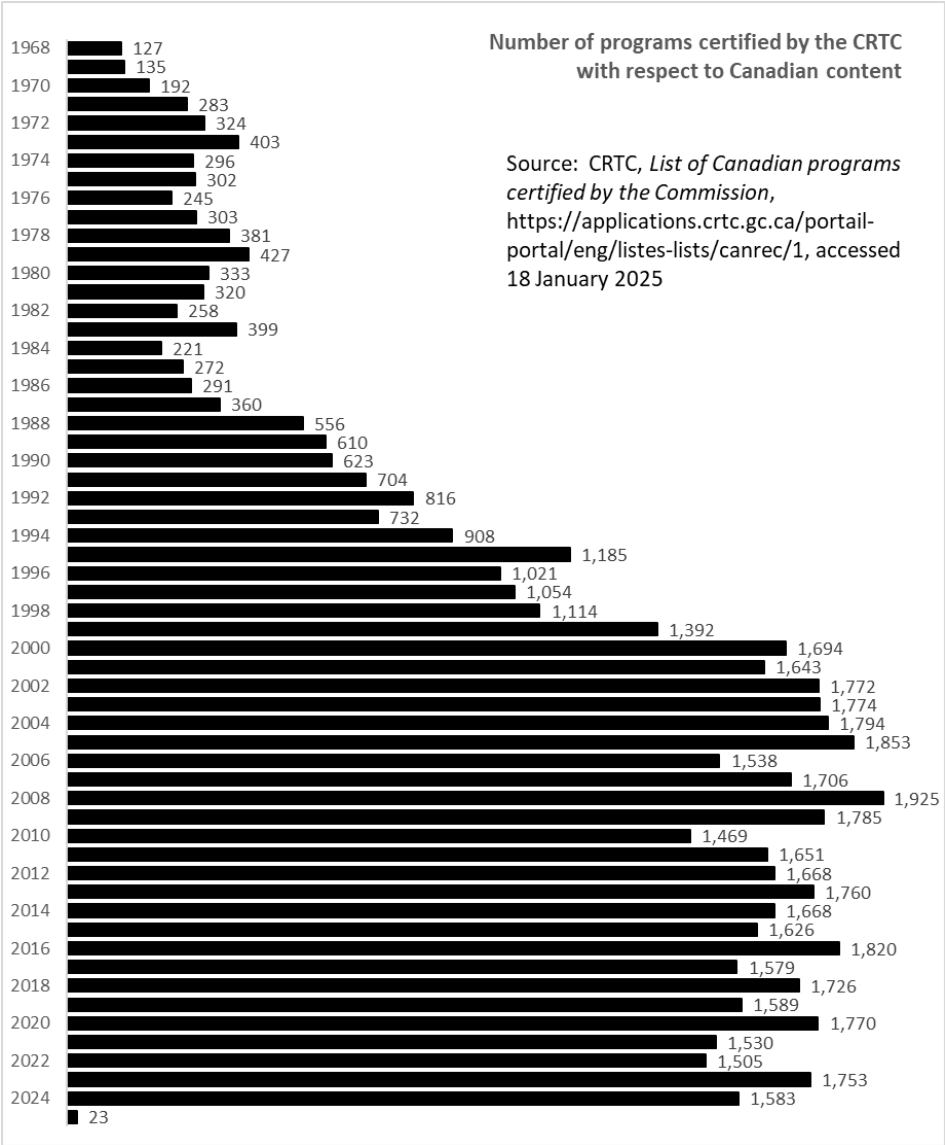
Attached separately as an Excel spreadsheet

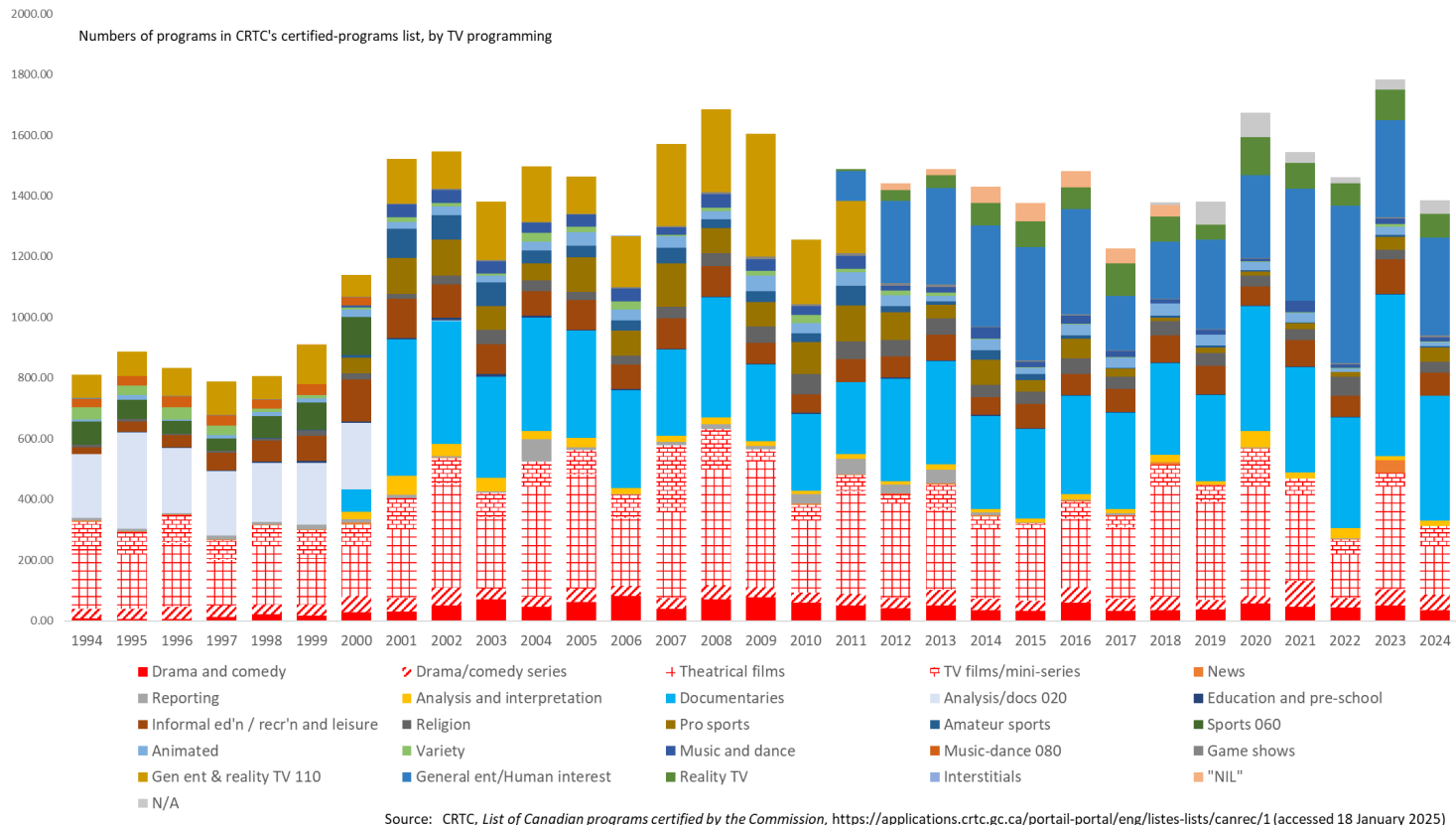
Appendix 4 FRPC responses to questions in Broadcasting Notice of Consultation CRTC 2024-288

1. Definition of “Canadian program”

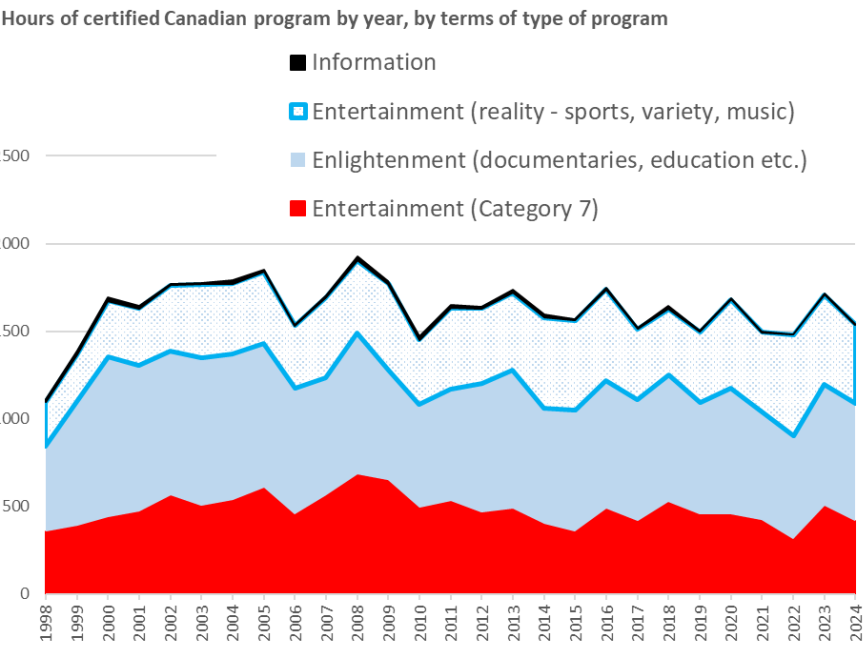
Q1. Currently, if a production does not have a sufficient number of key creative positions to attain the minimum 6 points, the Commission’s approach has been to require that all key creative positions of a production be filled by Canadians. Should the Commission continue with this approach? If not, under the Commission’s preliminary view above, what should be the minimum threshold for a production to be certified Canadian?

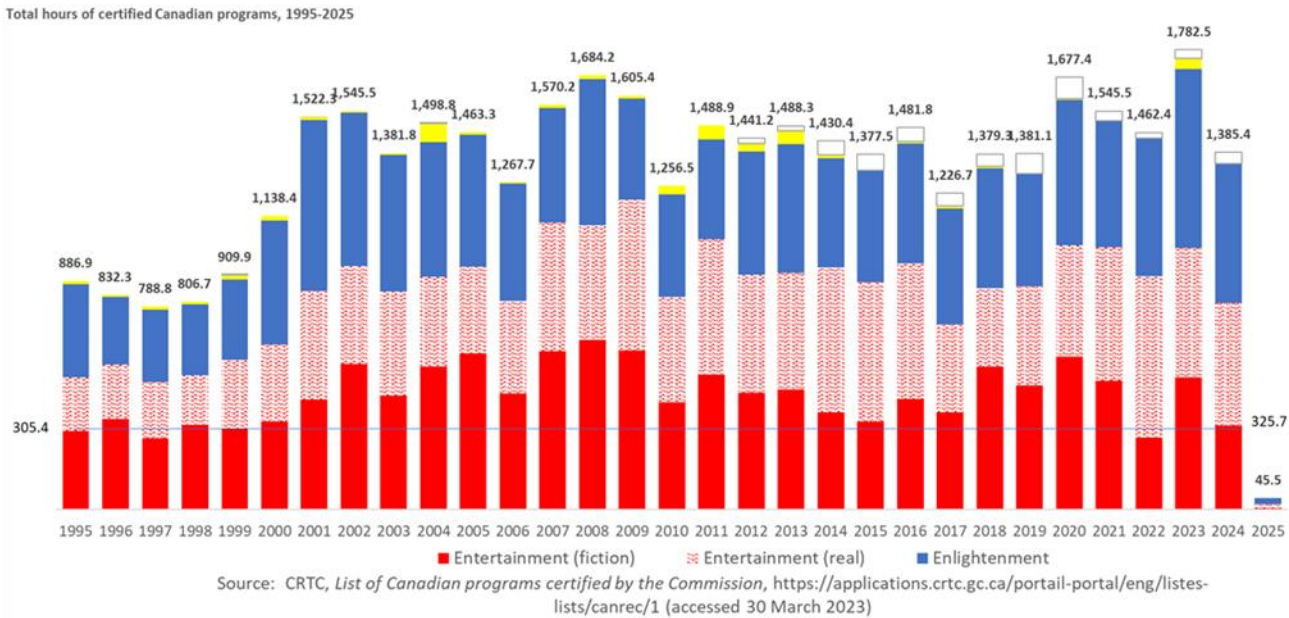
- 1. The CRTC has not provided any evidence in 2024-288 on this point.
- 2. The Forum downloaded the CRTC’s certification data (a spreadsheet with 59,710 entries) for analysis (see right). Of these 59,709 lines of data, 23,996 lines did not shown any points information from the CRTC, leaving 35, 713 with points information.
- 3. The level (number of lines) of data was relatively low until the 1990s, with blank cells outnumbering cells with values. By the late 1990s the quality of data began to improve. Even so, the many categories used by the CRTC in its TV logging system makes trends difficult to discern:



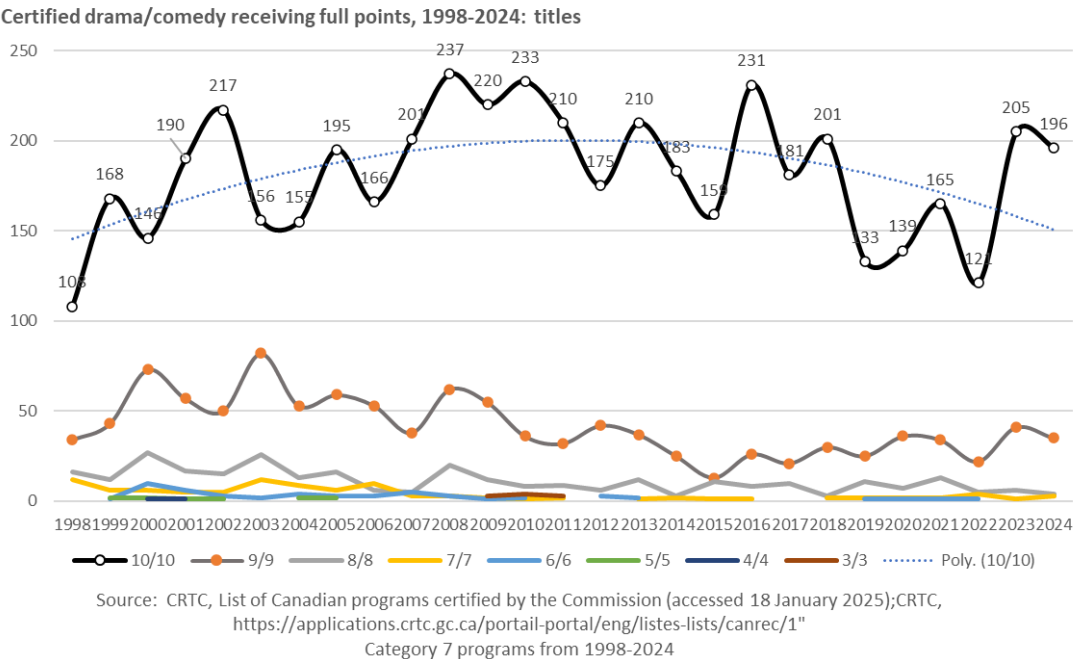


The Forum therefore regrouped the CRTC's TV program categories to reflect the century-old comment of the first Royal Commission on Broadcasting – that broadcast programming should inform, enlighten and entertain. Specifically, we looked at fictional entertainment programs drawn from category 7: drama/comedy series, comedy sketches, theatrical films and made-for-TV mini-series and movies and animated programs. The level of programming with any certification points is not demonstrably increasing.



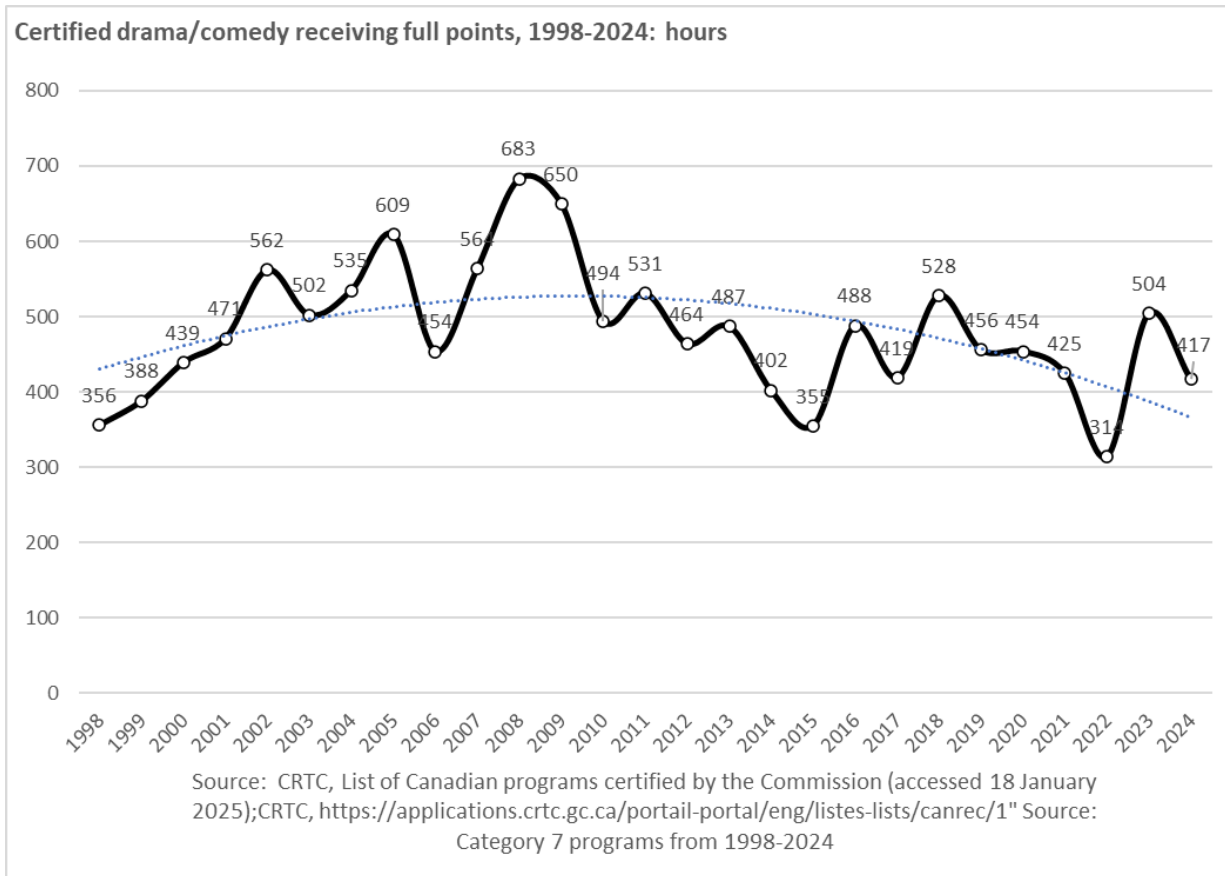


4. The CRTC has not provided any information in 2024-288 about the impact of the points system. It appears from the CRTC’s certification data that from 1998¹ to 2025 6,519 drama or comedy² titles received full or complete points, with just over a third – 4,906 or 34.2% -- receiving the full 10 out of 10 points. Methods of estimating trends vary: in this case, the polynomial-based trendline (generated by Excel) suggests that the number of full-point, Canadian fictional entertainment titles began to decline from 2010 to 2017:



¹ Only 5 titles received certification from 1994 to 1997.
² Series, made-for-TV specials, movies and mini-series, theatrical films and sketches.

Similarly, hours of full-point certified drama and comedy began to decline in 2008:



5. It is therefore unclear whether the CRTC's current points-system approach is achieving its intended objective that, in our view, should be an increase in the level of 'very' Canadian programming over time. While we may comment further at a later date or in reply, our main submission on this issue is that the CRTC should publish information about the number of titles and hours of Canadian programming being broadcast each year in its Open-Data reports, by level of points achieved, so that Parliament may understand the progress the CRTC is making towards full implementation of the Broadcasting Policy for Canada.
6. **Q2. In productions where rights for pre-existing or pre-recorded music were purchased from both Canadian and rights holders, should the Commission still grant a point? If not, please explain.**
7. The Forum may comment in detail at a later date or in reply.
- Q3. Does the Commission's preliminary view regarding key creative positions help ensure that the creative direction and control of a Canadian program remain Canadian? If not, how should this preliminary view be modified?**
8. The CRTC currently requires the positions of producer, co-producer, line producer and production manager to be held by Canadians (2024-288, ¶128).

CRTC issues and questions

9. As the CRTC is contemplating redefining the criteria for a Canadian program the Forum considers that (as of September 2026) no program should qualify as Canadian if it is not fully accessible to Deaf, Hard of Hearing, Blind or limited vision communities in Canada.
10. Next, the CRTC is proposing to add new criteria which would result in a total maximum of 15 points, of which 9 would be needed to receive Canadian certification from the CRTC. Based on the CRTC's description (summarized below), it would be possible in the case of Live action and animated programming for a program to be certified as fully Canadian without a Canadian showrunner, director or screenwriter.

Creative positions – Live action	Points	Achieving 9/15
Canadian Showrunner (2 points)	2	
Director (2 points)	2	
Screenwriter (2 points)	2	
First and Second Lead Performers (performer or voice) (1 point each)	2	2
Production Designer or Art Director (1 point)	1	1
Director of Photography or Chief Camera Operator (1 point)	1	1
Picture Editor (1 point)	1	1
Head of Costume Design (1 point)	1	1
Key Make-up/Hair Artist (1 point)	1	1
Music composer or the rights holders of the pre-existing or pre-recorded music for which the rights were purchased must be Canadian, rather than requiring an original composed song for the production (1 point)	1	1
Visual Effects Director or Special Effects Director (1 point)	1	1
Total:	15	9

Creative position – animation	Points	Achieving 9/15
Canadian Showrunner (2 points)	2	
Scriptwriter and Storyboard Supervisor (2 points; previously 1 point allocated)	2	
Director (2 points; previously 1 point allocated)	2	
Picture Editor (1 point)	1	1
Design Supervisor (1 point)	1	1
First and Second Voice (or First and Second Lead Performer) (1 point each; previously 1 point for one or the other, but not both)	2	2
Camera Operator and Operation or Virtual Camera Operator (1 point)	1	1
Music composer or the rights holders of the pre-existing or pre-recorded music for which the rights were purchased must be Canadian, rather than requiring an original composed song for the production (1 point)	1	1
In addition, animation productions are also awarded points when key creative functions are performed by a Canadian:		
Key Animation (1 point)	1	1
Layout Artist and Background (1 point)	1	1
Assistant Animation/In-betweening (1 point)	1	1
Total	15	9

The Forum would support the CRTC's proposals if Parliament had directed it to ease Canadian programs' access to foreign funding by permitting non-Canadian providing financial backing to indirectly exercise creative control through the employment of non-Canadian showrunners, directors and screenwriters.

Section 3(1)(d) does not state that Canada's broadcasting system should maximize foreign investment in Canadian programming, but rather than it should

(ii) encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity, by displaying Canadian talent in entertainment programming and and foster an environment that encourages the development and export of Canadian programs globally,

(iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests of all Canadians ... and reflect their circumstances and aspirations....

...

(iii.7) provide opportunities to Canadians from Black or other racialized communities and diverse ethnocultural backgrounds to produce and broadcast programs by and for those communities,

FRPC submits that section 3(1)(f) – which applies to each broadcasting undertaking including each television broadcasting undertaking – requires CRTC to ensure that Canadian undertakings make maximum and predominant use of “Canadian creative and other human resources” to create, produce and present programming. Parliament's use of “and” signals that, rather than treating all people interchangeably, it focussed on maximizing the use of people in the creative side of programming as well as all other staff.

Therefore, unless this legislative wording is amended, the CRTC should not adopt a Canadian program definition that enables programs to be considered Canadian when they employ non-Canadian showrunners, directors and screenwriters.

Q4. The Commission currently does not have a definition for the position of a “showrunner.” Please provide details on what such a definition should entail.

11. The Forum may comment in detail at a later date or in reply.

Q5. Please comment on the Commission's preliminary view that if a production includes a showrunner, a Canadian must occupy that position.

12. The Forum supports this position and may comment in more detail at a later date or in reply.

2. Cultural elements

Q6. Should the Commission include cultural elements within the certification framework? If yes, please describe what would constitute a “cultural element.” Further, how should the Commission identify such elements in an objective way and incorporate those elements into the definition?

13. FRPC supports the inclusion of cultural elements within the certification framework. It is puzzling that the CRTC, in its 2016 policy on news, required news programming to be “locally reflective”, to represent communities on screen and to cover “local cultural events”,³ but that it may choose in this proceeding against ensuring the reflection of cultural elements in Canadian programming directed at wider audiences.

³ Broadcasting Regulatory Policy CRTC 2016-224.

14. Our understanding is that the CRTC's hesitation on this point flows from the 17 workshops attended by a total of 382 participants. The workshops were held by Ipsos on the Commission's behalf in February and March 2024: 10 in-person and 7 virtual session, held in Montréal, Toronto, Halifax, Vancouver, Winnipeg, Calgary and 7 other unidentified locations.
15. The Ipsos [What We Heard Report](#) of September 2024 does not identify any of the 382 participants, but noted that these included "perspectives of Indigenous Peoples, official language minority communities (OLMCs), equity-deserving creators, online creators, small and large producers, domestic broadcasters, trade union representatives, and ... representatives from foreign streaming services" as well as other unidentified parties (Executive Summary).
16. Apparently an unknown number – "many", which does not automatically mean a majority – were concerned that there could be "uneasy discussions" about "which groups could be considered 'more' or 'less' Canadian" (underlining added)
- Many expressed concern that including such cultural elements in an updated CanCon definition could lead to uneasy discussions about which groups could be considered "more" or "less" Canadian. Francophone participants, whether in Quebec or those living as a part of an OLMC, were concerned that adding cultural elements to a revamped definition could dilute the importance of the French language in the Canadian audiovisual broadcasting system.
17. The Forum is also given to understand that the Commission may be concerned that images of Canada may not be readily recognizable from one part to the country to another: people in Toronto, for example, may recognize the CN Tower – people in Iqaluit might not.
18. The Forum supports the inclusion of cultural elements as a criterion when defining audiovisual Canadian programming. Times have fundamentally changed since 1968, when Canada – then still celebrating the success of Expo '67 – enacted new broadcasting legislation to support and strengthen Canadians' sense of cultural identity. The 1991 *Broadcasting Act* refined and provided more detail about the criteria related to cultural reflection in Parliament's *Broadcasting Policy for Canada*. Today Canada faces different challenges, most prominently from the suggestion in the past month by now-US-President Trump that Canada become part of the United States.
19. The Access Research survey of people in Canada's provinces and territories undertaken on behalf of FRPC in the third week of January 2025 found that almost half -- 48% -- think Canadians currently have a weak or very weak sense of Canadian identity and culture:

Q3. Do you think Canadians currently have a very strong or very weak sense of Canadian identity and culture?	Men (18 years or older)		Women (18 years or older)	
Very weak	28.8%	199	17.6%	130
Somewhat weak	29.3%	202	22.9%	170
No opinion or don't know	18.1%	125	27.6%	205
Somewhat strong	18.3%	126	24.9%	185
Very strong	5.4%	37	6.9%	51
Access Research, 16-18 January 2025 survey on behalf of FRPC				

20. More than half said they have watched Canadian movies or television series in the past year:

Q2. In the last year, have you watched any Canadian movies or TV series?	Men (18 years or older)		Women (18 years or older)	
Yes	59.7%	412	71.0%	526
No	23.0%	158	13.4%	99
Don't know	17.3%	119	15.6%	115
Access Research, 16-18 January 2025 survey on behalf of FRPC				

21. When asked, two out of three Canadians agreed that audiovisual programs should receive Canadian-content points if they deal with Canadian history – that is, events that took place in Canada:

Q5. The Canadian Radio-television and Telecommunications Commission is a federal agency that regulates television broadcasters in Canada. It decides if programs are Canadian based on the positions they hold, such as directors, actors or writers held by Canadians. The CRTC is thinking about adding to this definition. Do you think TV programs or movies should also get Canadian-content points if they are about events that took place in Canada?	Canada [n=1502]
Yes	67.9%
No	10.7%
No opinion or Don't know	21.3%

22. Similarly, more than half of Canadians agreed that audiovisual programs should receive Canadian-content points if what they depict on screen is recognizably Canadian:

Q6. Should TV programs or movies also get points if their scenery, buildings, licence plates or mailboxes are recognizably Canadian?	Male	Female	Canada [n=1502]
Yes	63.8%	56.2%	59.3%
No	20.6%	13.6%	16.9%
No opinion or Don't know	15.6%	30.2%	23.85
Access Research, 13-15 January 2025 survey; note that the relatively low response rates to this question by self-identified non-binary or other and for those who preferred not to state their gender amounted to 22 and 50 responses, respectively, which may be too low to permit statistical inferences to be drawn about the general population			

23. The Forum agrees with the majority of Canadians that Canadian audiovisual programs should be recognizably Canadian. We believe that the CRTC should consider how to incorporate Canadian imagery as part of its certification criteria, while continuing to ensure that existing factors including, in particular, creative and financial control as well as employment predominate. Determining that Canadian audiovisual programs cannot obtain points towards their Canadian-ness because they are about Canadian events that have happened, are happening (or that may happen), or because they show images of Canadian may in the longer run wind up diminishing Canadians' sense of identity. After all, since audiovisual content remains one of the most popular forms of media, it would also be critical to reflecting Canada to Canadians.

3. Creative control

Q7. Would this new flexible approach incentivize more collaboration and partnerships between Canadian and foreign creators?

24. Yes, it probably would: what is unclear is the basis of the CRTC's belief that this more flexible approach will strengthen or weaken the implementation of Parliament's *Broadcasting Policy for Canada*.

Q8. Would this new, flexible approach facilitate the exportability and discoverability of Canadian programming domestically and abroad?

25. The Forum may comment in detail at a later date, but notes that even without a change in definition some Canadian broadcasters have put a great deal of effort into successfully selling and exporting their programs even without a change in the CRTC’s Canadian content definition.

Q9. Would this new flexible approach ensure that a production remains culturally relevant and reflective for Canadians, and that Canadians continue to exercise significant creative input and control in a production?

26. The Forum may comment in detail at a later date or in reply.

Q10. Currently, the director or screenwriter/scriptwriter/storyboard supervisor position must be filled by a Canadian for a production to be eligible for certification. Please comment on whether the Commission should maintain this approach on top of the new flexibility proposed above (i.e., 80% of Canadians). Should other key creative positions be opened to this flexibility?

Q11. Currently, for a production to be certified, the following positions must be filled by a Canadian:
(a) the first or second lead performer (performer or voice); and
(b) camera operator (for animation productions other than continuous action animation).
Please comment on whether the Commission should maintain this approach.

27. The Forum asked Canadians about the importance of Canadians in four positions or sets of positions: main actors, writers/creative team, creative control, financial control as well as ownership and the right to sell programs abroad. Overall, Canadians offered fairly strong support for Canadian ownership and control, particularly with respect to ownership of programs and the right to sell the programs abroad:

Q4. I’m going to read some characteristics of Canadian TV programs or movies. Please indicate how important you think each one is to making these programs more Canadian, with 1 being Not important at all, 2 being somewhat unimportant, 3 if No opinion or Don’t know, 4 if somewhat important and 5 if very important:	A. The main actors are Canadian	B. The writers or creative team are all Canadians	C. Creative control is held entirely by Canadians	D. Financial control is held entirely by Canadians	E. The ownership and right to sell the programs abroad are held fully by Canadians
Not important at all	16.3%	17.5%	12.4%	16.6%	10.0%
Somewhat unimportant	18.2%	14.8%	8.5%	15.7%	8.3%
No opinion or Don’t know	18.2%	15.6%	18.5%	23.1%	13.8%
Somewhat important	36.0%	35.5%	39.8%	27.8%	32.0%
Very important	11.3%	16.6%	20.7%	16.8%	35.9%
Top 2 – Somewhat or very important	47.3%	52.1%	60.6%	44.5%	67.8%
Access Research, 16-18 January 2025 survey for FRPC's					

Q12. Currently, for an animation production to be certified, the following functions must be performed in Canada:

(a) Key Animation (1 point)

(b) Camera Operator (1 point)

Please comment on whether the Key Animation function should now be performed “by Canadians” instead of “in Canada,” and whether this should be mandatory for certification. Also, please comment on whether the Commission should continue to require that the “Camera Operator” function be performed in Canada as a mandatory requirement for certification.

28. The Forum may comment in detail at a later date or in reply.

4. Financial control

Q13. Please provide an intellectual property rights model (or models) for the Commission to consider based on the different ways that a definition of “Canadian program” would account for intellectual property rights as set out in paragraph 31. Please explain how the proposed model(s) would incentivize collaborations and foreign equity investments, and ensure that Canadian programming is competitive in the global market.

29. FRPC asked Canadians about the importance of Canadians’ fully owning Canadian programs and the rights to sell these programs abroad. The majority (67.8%) strongly or somewhat agreed on the importance of Canadians’ holding the intellectual rights in Canadian programs:

Q4. I’m going to read some characteristics of Canadian TV programs or movies. Please indicate how important you think each one is to making these programs more Canadian, with 1 being Not important at all, 2 being somewhat unimportant, 3 if No opinion or Don’t know, 4 if somewhat important and 5 if very important:	E. The ownership and right to sell the programs abroad are held fully by Canadians
Not important at all	10.0%
Somewhat unimportant	8.3%
No opinion or Don’t know	13.8%
Somewhat important	32.0%
Very important	35.9%
Top 2 – Somewhat or very important	67.8%
Access Research, 16-18 January 2025 survey for FRPC's	

Q14. In light of an approach based on Canadian intellectual property rights retention, should the Commission maintain the requirement that the key producer roles (producer, co-producer, line producer and production manager) be filled by Canadians to ensure Canadian financial and creative control? If not, please explain why.

Q15. How can the Commission incorporate the use of ownership and financial control of Canadian programs to help ensure the exportability of Canadian programming and formats through its modernized regulatory framework?

Q16. Is the current co-venture model used by the Commission relevant to a modernized definition of “Canadian program” that includes a requirement relating to the retention of intellectual property rights?

30. The Forum may comment in detail at a later date or in reply.

Q17. Are there any special considerations that the Commission should give to the ownership of intellectual property rights by public broadcasters?

31. The Forum may comment in detail at a later date or in reply.

5. Expenditures on Canadian programming

Q18. How does the Commission's view regarding PNI align (or not align) with business models and the availability of programming in the current broadcasting system?

32. The Forum may comment in detail at a later date or in reply.

Q19. Would the proposed changes to the definition of "Canadian program" ensure continued financial support for Canadian programs previously supported through the Commission's approach to PNI? Would the proposed changes ensure that those Canadian programs are not only made available to Canadians, but also exported internationally?

The Forum may comment in detail at a later date or in reply.

Q20. Should the CPE requirements for traditional Canadian broadcasters and foreign online undertakings be similar or different? How can the Commission impose equitable requirements that respect the different business models of the various undertakings and broadcasting groups?

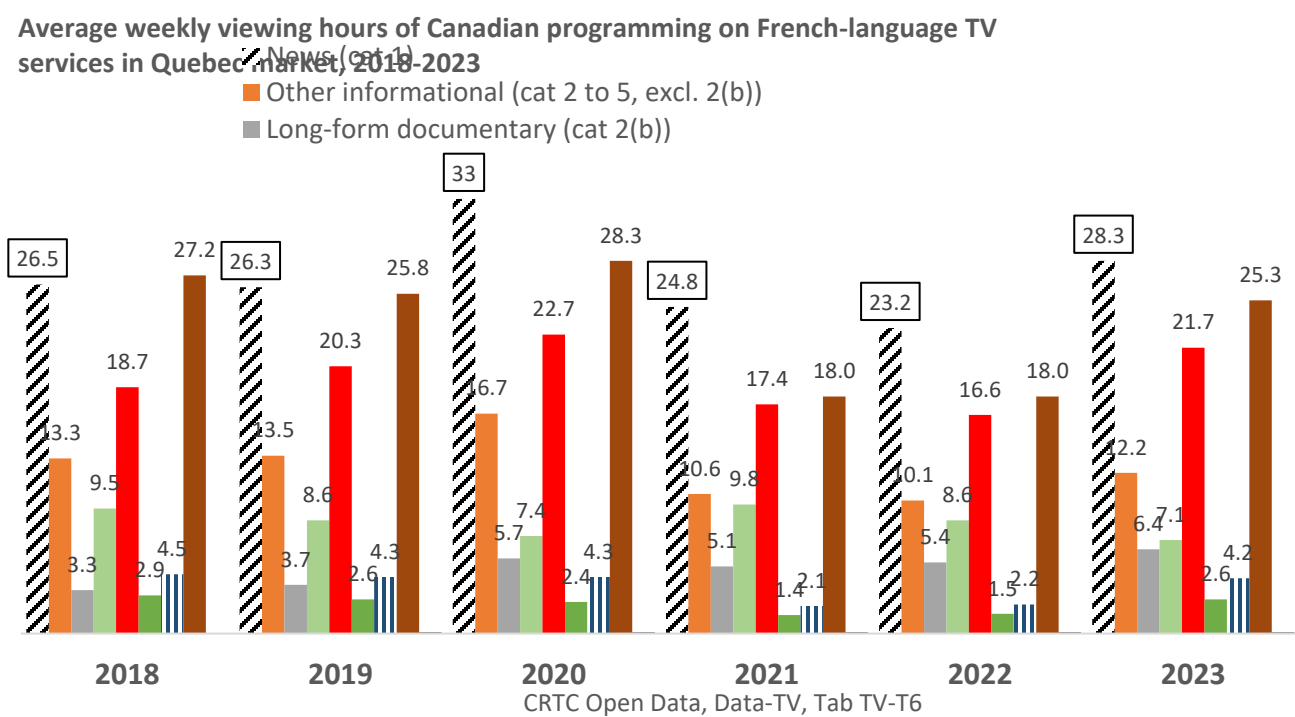
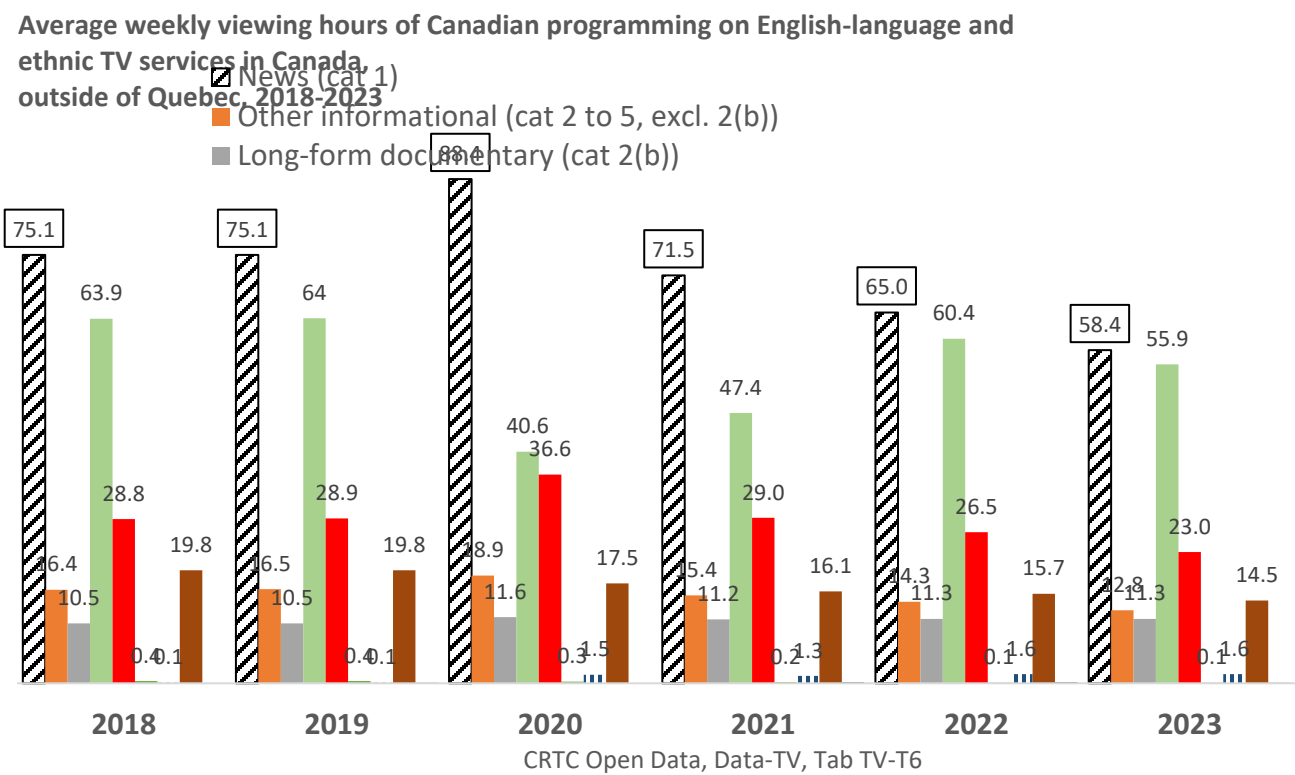
33. The Forum may comment in detail at a later date or in reply.

Q21. Please explain how the Commission should determine:

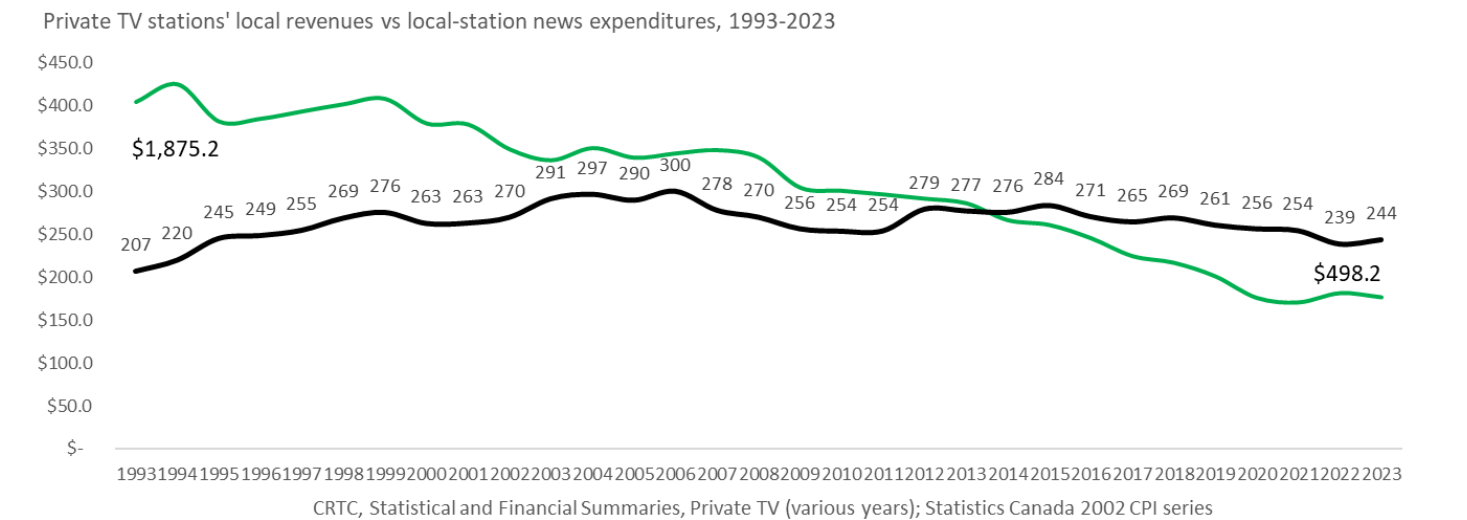
(a) what types of expenditures would fulfill the needs in the broadcasting system relating to Canadian programming, in particular news programming; and

(b) how these expenditures should be allocated.

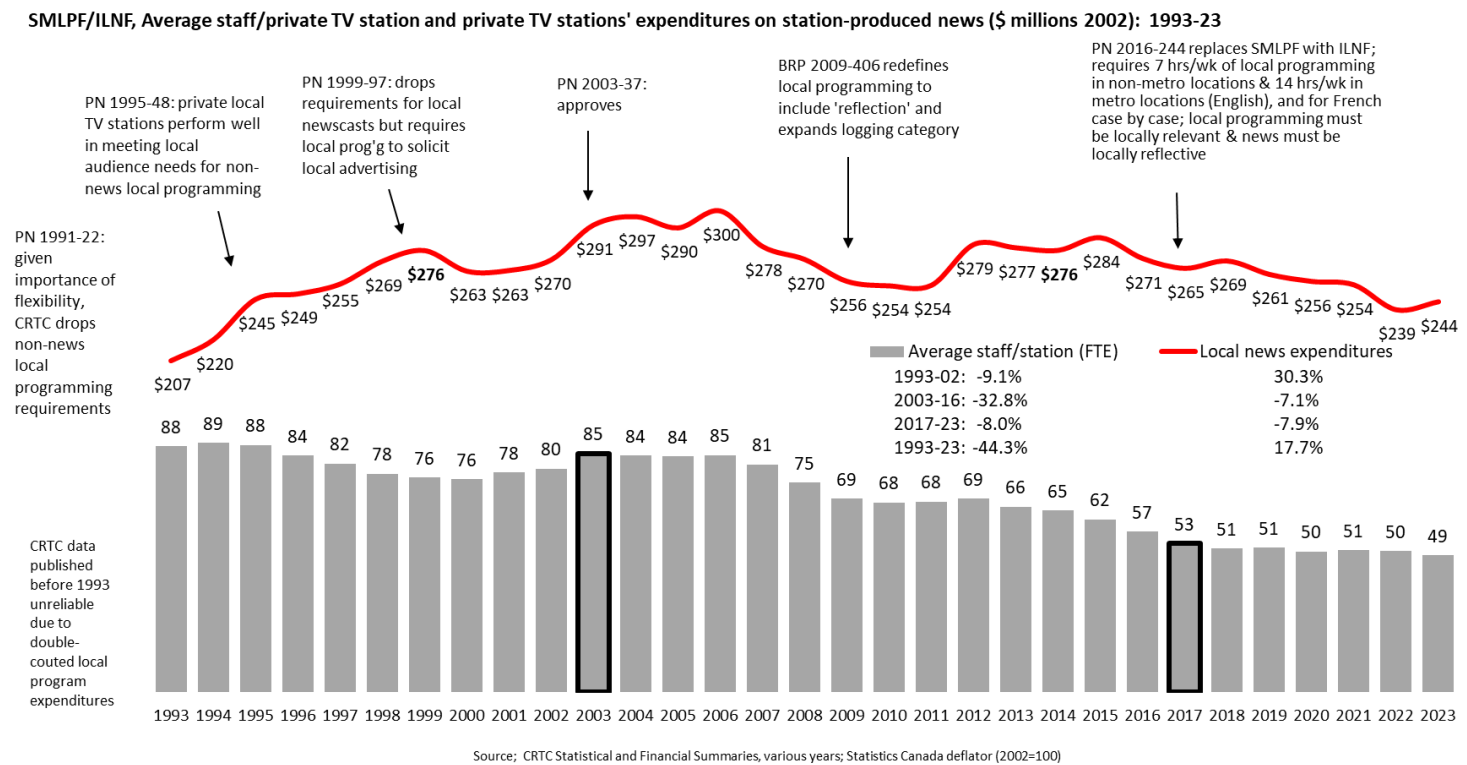
34. In discussing the issue of news 2024-288 refers to news as being "risky to produce and difficult to monetize in the current broadcasting system" but does not provide any evidence to support this position.
35. The Forum notes that the CRTC's data show that news remains the most popular form of programming (in terms of hours tuned) both outside of Québec and in Québec:



36. The Forum agrees that the CRTC’s current Statistical and Financial Summaries for private conventional television stations shows that local-station news expenditures have exceeded local advertising revenues since 2014:



37. Despite a range of CRTC initiatives, local news expenditures continued to decline along with average staff per private television station:



38. What is missing from BNoC 2024-288 is the interplay between private broadcasters’ offline licensed stations, their discretionary news services and their online services. In the case of online services, Bell’s include: CFTK-TV, CJDC-TV, CTV, CTV News and CTV News (FAST channel); Pattison media’s

online services include CFJC-TV, CHAT-TV and CKPG-TV, and Québecor's online services include TVA Nouvelles, TVA Sports, TVA Sports en direct and TVA+. How much of these services programming flows from licensed television services and how are those services compensated for the use of their content?

39. More information – the evidence regarding the convergence of licensed and registered audiovisual services – is needed to address the CRTC's concerns on this point.

Q22. Should different approaches be undertaken for the English- and French-language markets in a modernized CPE framework? For example, should the Commission impose a minimum expenditure requirement for Canadian original English- and French-language programs? If yes, should the approaches differ in both official language markets?

40. The Forum may comment in detail at a later date or in reply.

Q23. How can a modernized expenditure framework support Indigenous content and content created by and for equity-deserving groups, OLMCs and Canadians of diverse backgrounds?

41. The Forum may comment in detail at a later date or in reply.

Q24. In the modernized CPE framework, what programming, such as news, should be viewed as risky and expensive to produce and difficult to monetize but exceptionally important to the achievement of the objectives of the Act? How is such programming not already supported by the various business models in operation in the Canadian broadcasting system?

42. FRPC notes first that it is unclear why the CRTC is concerned about the 'riskiness' of any specific programming category, for two reasons. Parliament does not refer to risk in its *Broadcasting Policy for Canada* and, to the extent that risk is relevant in this proceeding, broadcasters that applied to be licensed accepted the risks of their undertaking – and are not required by law to retain that licence if they believe that the 'risks' of holding this licence exceeds the benefits it yields.

43. Yet, of course, many in Canada's television sector use their broadcasting licences to operate a business. The key difference between this business and any other business is the mechanism for dealing with unserved or underserved customers. Competitors seeking access to a TV station's audience cannot simply open up shop next door, so to speak, in the way a hair stylist can open a new outlet beside an existing stylist to attract the latter's dissatisfied clients and also entirely different clients. New TV stations must seek approval from the CRTC (and also Industry Canada, for access to a frequency).

44. Nothing in the 1968 nor the 1991 *Broadcasting Act* prevented the CRTC from adopting a competitive licence renewal approach. In the late 1970s, however, the Commission decided that it was best placed to evaluate its licensees' performance, making a competitive process inefficient by comparison. Times have changed.

45. The Forum suggests the CRTC should reconsider its five-decade-long self-imposed ban on competitive renewals as a way of evaluating risk. Licences could be granted for 10 years after which any other party could seek to obtain an existing licence from the licensee seeking the licence' renewal. Parties wanting to operate broadcasting television programming services would be highly motivated to propose a higher quality of service than the existing licensee; as well, the existing licensee would be highly motivated to maintain or improve its performance to forestall its replacement by a new broadcaster.

Q25. How should expenditures on news programs be incorporated into a modernized CPE framework?

Q26. What other incentives, such as CPE credits could be used to support certain types of programming (for example, original first-run programs and/or independent productionsFootnote 29)?

46. The Forum disagrees that news programming expenditures should be considered part of the CPE framework because news programming should be provided as part of licensed television broadcasters' commitment to serve community service
47. Moreover, BNoC 2024-288 provides no evidence about licensed television services' news – whether local, regional, national or international – to determine whether they are providing the quality and quantity of news desired by the communities they are licensed to serve.
48. For example, centralcasting appears to be extensive in Canada's broadcasting system, allowing several stations to share some or all of the same programming. Shared programming makes sense at the national level, but may be less relevant to audiences seeking local information. At the same time, however, the CRTC has required television stations to produce local programming in the communities from which they accept advertising revenues. Meanwhile, it was reported in October 2007 that that Canwest was using centralcasting to consolidate stations' local news productions across the country" in four "broadcast centres.⁴ At the time, CEP asked the CRTC to consider the implications of Canwest's actions for its compliance with the Act's employment opportunities requirement, Canwest's licences and the CRTC's policies. The CRTC decided that it lacked the evidence needed to address the situation, but said it would continue to monitor it.⁵ The CRTC's website does not address centralcasting and the main issue – that, in fact, total hours of service by this group of television services from the communities they served, appears to have been reduced along with (we assume) local employment in those communities.
49. In 2012 Shaw testified to the CRTC that it
- ... now employs centralized news production facilities in Toronto, Calgary, Edmonton and Vancouver. Staff members in these facilities control all the "back-shop" work -- cameras, audio, graphics and switching -- for newscasts in every Global station. It is one of the most innovative and efficient systems in North America.
- How efficient? Our 5:00 news hour in Kelowna goes to air every night using a crew in Toronto and at 5:30 is seamlessly handed off to another crew in Vancouver with zero disruption for the anchor team or the audience.
- These efficiencies allow us to spend less on overhead, and more where it belongs, in the community, with reporters and cameras on the streets. They have allowed us to introduce new programming, like "The West Block" with Tom Clark.⁶

⁴ Cartt.ca, "Global cutting 200 jobs as local news production retrenched" (4 October 2007), quoting from an internal memo that stated, "Once the new system is fully implemented and changes are made in Quebec and the Maritimes, our overall staffing levels will be reduced by approximately 200 positions across the country."

⁵ *Licence Renewals*, Broadcasting Decision CRTC 2009-409 (Ottawa, 6 July 2009), at ¶9:
... there is insufficient evidence on the public record of this hearing to conclude that the licensee was operating in non-compliance with the terms and conditions of its licences during the last licence term. However, the Commission will continue to monitor the situation.

⁶ CRTC, *Transcript - Review of the Local Programming Improvement Fund - Broadcasting Notice of Consultation CRTC 2011-788, 2011-788-1 and 2011-788-2*, Vol. 1 (Gatineau, 16 April 2012) at ¶72-74.

50. Bell has not said whether it has implemented centralcasting, though it explained the technique in detail to the CRTC in 2012:

705 MR. GRAY: There is an opportunity in newsrooms today to innovate in such a way that you automate control rooms. The net effect of that potentially could be to reduce your staff complement by as many as 20 people and it --

706 COMMISSIONER LAMARRE: Assuming you have at least 20 people in your news staff.

707 MR. GRAY: Yes, and let me explain sort of where that number comes from.

708 So if you have got two news crews on, okay, at a station doing noon and six, six and eleven, seven nights a week there is an opportunity through the utilization of technology called overdrive to reduce your control room complement from somewhere between 12 and 14 people potentially to as few as two.

709 So in the station that I described there is an opportunity to reduce your staff complement by 20. In the situation that you describe let's say that number is 10.

710 What you could do is reinvest half of those monies on the street. You could hire five video journalists. You could hire five reporters, five cameras.

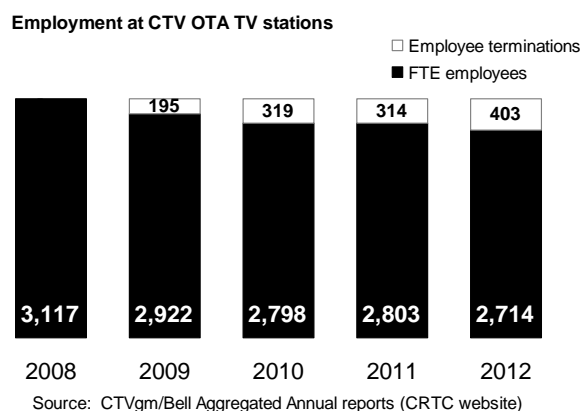
711 You could substantively improve the quality of your product in both of those cases while at the same time spending significantly less overall on news production. So that is the flaw in the current model.

51. In brief, Shaw and Bell each said that centralcasting would create financial savings that could then be tapped to hire more reporters and journalists.

52. Has this happened?

Figure 1 Employment and job losses at CTV, 2008-2012

53. We do not know. The CRTC does not appear to know how many reporters or journalists work in broadcasting,⁷ and if it does know, has not published this information. According to the aggregated financial summaries published by the CRTC, however, employment at CTV has decreased in each of the past five years (see Figure 1).



54. As the CRTC does put publish any data about what individual TV stations are broadcasting, it is difficult for audiences and the public to make an evidence-based case showing declining service to their communities. How many people know that the CRTC requires TV stations to submit their monthly program logs, where these are currently posted and how to analyze them?

⁷ In CRTC, *Letter to the Office of the Information Commissioner of Canada*, CRTC reference A-2010-00016 (Ottawa, 6 October 2010) at 1, the CRTC confirmed that it does "not collect staffing data on full-time journalists or their equivalents."

6. Applications from broadcasters seeking relief from expenditure requirements

Q27. Should the Commission set out reporting requirements, as described above (for example, through a requirement to provide production reports), for all broadcasting undertakings operating in Canada, whether they are Canadian or foreign, and whether they operate on traditional platforms or online?

55. Yes, the CRTC should require all broadcasting undertakings operating in Canada – both audiovisual and audio (as the only distinction that subsection 3(1) makes is between programming and distribution undertakings rather than radio or television) – to submit broadcast and production reports with respect to types of programming. The broadcast logs would provide evidence going forward of the level of individual types of programs each undertaking broadcasts in Canada, while the production logs would establish the level of individual types of programs produced by or for each undertaking.

Q28. Should the Commission require the public disclosure of the revenues and programming expenditures of all broadcasting undertakings subject to CPE requirements? Should the information be collected and published by the Commission or published by the undertakings themselves?

56. The Forum may comment in detail at a later date or in reply.

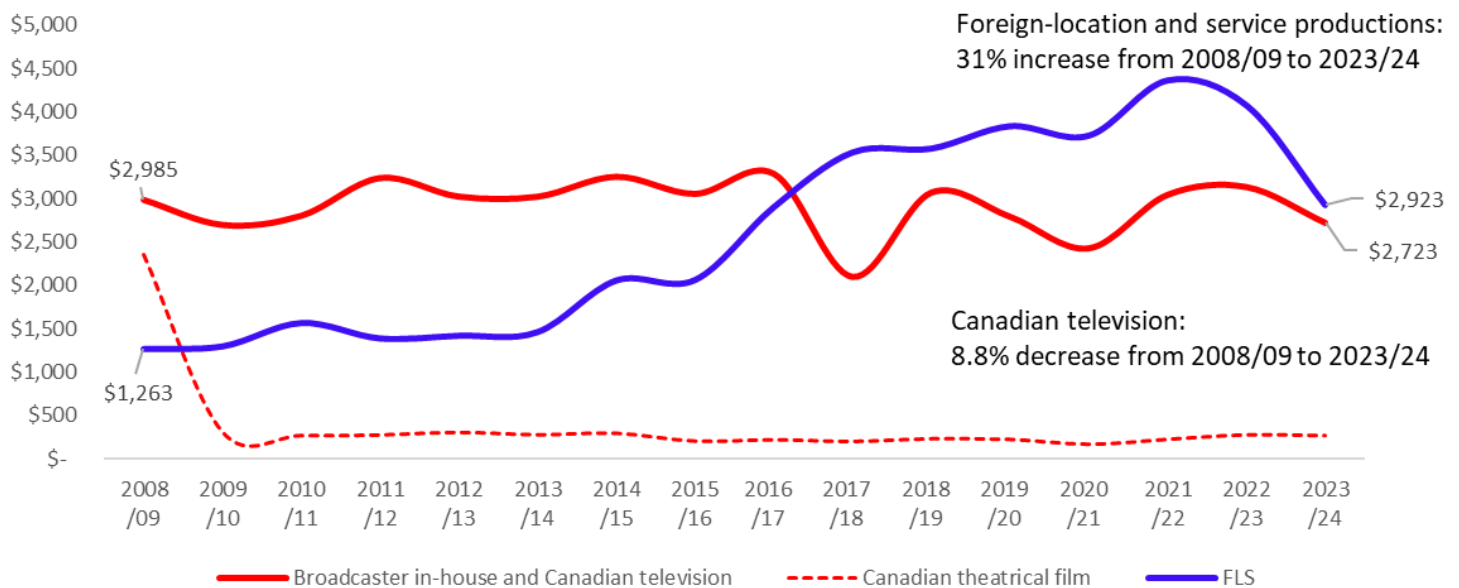
Q29. Should the published revenue and CPE data be broken down? Should it be published by service, by ownership group, or further, for example, by program category, language, or other elements?

57. The Forum may comment in detail at a later date or in reply.

Q30. What type of data should the production report include or not include (for example, language, region, producer information, and Canadian certification number)? Please explain.

58. An important issue in Canada is the distinction between Canadian audiovisual programming that meets Parliament's *Broadcasting Policy for Canada* and Canadian audiovisual programming produced on contract for non-Canadians. The latter is often loosely described as 'service' or 'industrial' programming: while no less important to the production sector as a whole, such programming cannot be counted as Canadian. The Canadian Media Producers Association (CMPA) has published at least two decades' worth of data about Canadian and service productions which FRPC has reproduced below with the incorporation of the Statistics Canada CPI deflation series for 2002: while industrial audiovisual production spending increased 31% from 2008/09 to 2023/24, Canadian television production spending decreased 8.8%.

Audiovisual production in Canada by spending source: 2008/09 to 2023/24 (\$millions 2002)



Source: CMPA, *Prime Time* reports (various years); StatsCan Table 18-10-0005-01.

59. The CRTC should publish long-term data about audiovisual program production in its open-data tables, to enable the public and other interested parties to evaluate the impact of the CRTC's policies. The CRTC's current practice is to publish a few years of data annually, rather than to simply publish the data it has itself collected over time. Publishing extensive time series will, first of all, provide all interested parties with an authoritative source of this information. Although the CRTC collected information about Canadian television programming in the 1980s and 1990s, for instance, few people are aware that data from 1993 and earlier are unreliable. Second, longitudinal data sets enable the impact of regulatory changes to be evaluated *and also modelled*.

As it is difficult to predict the focus of these policies going forward, the CRTC should base its decisions about the data it collects and reports on Parliament's *Broadcasting Policy*. The policy speaks to the system as a whole (3(1)(a)), the system's operations in English and French and the difference between public, private and community elements (3(1)(b); 3(1)(e)), independent broadcasters (3(1)(iii.5)), non-Canadian broadcasters (3(1)(f.1)), as well as local, regional and national programming (3(1)(i)(ii)).

Q31. To make it easier to work with industry data and to compare such data, should the production report include an identifier that is unique for each program? If yes, please explain how this identifier should work (for example, a serial number or alphanumeric text). Should the identifier itself carry any metadata (that is, data providing information about one or more aspects of the data)?

60. The Forum may comment in detail at a later date or in reply.

Q32. If the Commission decides to use unique identifiers, how could the production report be linked to audience measurement sources, providing information about the viewing patterns and availability of content produced?

61. The Forum may comment in detail at a later date or in reply.

Q33. How should the Commission collect data regarding key creative positions, producer positions and intellectual property for Canadian programming owned by people from the following groups:

- Indigenous peoples;
- equity-deserving groups; and
- OLMCs?

62. The Forum may comment in detail at a later date or in reply.

Q34. How should the Commission address concerns regarding privacy and self-identification issues? Could the use of a unique identifier help in addressing those concerns?

63. The Forum may comment in detail at a later date or in reply.

Q35. Should certain types of data (relating to, for example, programming or the operation of undertakings) provided by broadcasting undertakings be presumed to be confidential when filed? If yes, please explain why.

64. It is unclear why programming data would be considered confidential because the programming has already been broadcast and generally also includes both production and funding information. The CRTC, moreover, has for several decades published television broadcasters' program logs.

65. Operational information such as staff – by expenses category – should also be disclosed for individual ownership groups and, in the case of communities served by more than three unaffiliated ownership groups, by community served.

Q36. What is the best way to measure and evaluate the success of the new framework for expenditures on Canadian programming?

66. The CRTC should enable the public to measure and evaluate the Canadian television system by collecting data about expenditures on and the broadcast of television programming (by programming category) along with aggregated information about staffing (in the context of each of the four expense categories), publishing the data every month, and publishing its own summary information at least twice a year and preferably every quarter.

Q37. Given the Commission's preliminary view with respect to PNI, how can future data collection practices help track which types of programming are risky to produce and difficult to monetize, and consequently require regulatory incentives?

67. The Forum may comment in detail at a later date, but notes that the CRTC's legal mandate is set out primarily in subsections 3(2), 5(1) and 5(2) of the *Broadcasting Act*. None of these sections refer to or assign risk-management to the Commission.

Q38. How can the Commission measure whether the future modernized definition of “Canadian program” is meeting the desired goals as specified in paragraph 7 of this notice?

68. By measuring outcomes, publishing these data and also publishing its own analyses of these outcomes every year.

Q39. The *Official Languages Act* requires the Commission to establish evaluation and monitoring mechanisms for any positive measures taken in this regard. How can the Commission measure and evaluate the success of the framework for achieving the objectives relating to promoting and protecting the French-language and supporting the vitality and development of OLMCs?

69. The Forum may comment in detail at a later date or in reply.

7. Artificial Intelligence

Q40. Can AI-generated material be considered Canadian content? If yes, on what basis? Please explain.

Q41. What could the potential impact of AI be on pre- and post-production, including but not limited to tasks such as visual effects?

Q42. How could the use of AI impact discoverability of Canadian content?

70. Artificial intelligence material cannot be considered Canadian content, as majority control over decision-making cannot be determined. Moreover, Parliament in subsection 3(1)(f) could have but did not include AI in its requirements that individual broadcasting undertakings make:

... no case less than predominant use, of Canadian creative and other human resources in the creation, production and presentation of programming, unless the nature of the service provided by the undertaking, such as specialized content or format or the use of languages other than French and English, renders that use impracticable, in which case the undertaking shall make the greatest practicable use of those resources;

71. In early January 2025 Canadians also agreed that AI scripts should not be given points in the same that Canadian scriptwriters receive points:

Agree or disagree that AI scripts should receive points like Canadian scriptwriters (Q7)	Men (18 years or older)		Women (18 years or older)	
Strongly disagree	410	77.8%	334	45.1%
Somewhat disagree	126	18.3%	179	24.2%
No opinion or don't know	93	13.5%	130	17.5%
Somewhat agree	41	5.9%	66	8.9%
Strongly agree	19	2.8%	32	4.3%
Access Research, 16-18 January 2025 survey on behalf of FRPC				

8. Production costs

Q43. If the 75% threshold should not be maintained, please explain why and provide an alternative that would ensure continued and significant investment in Canadian resources.

72. The Forum may comment in detail at a later date or in reply.

9. Time credits

Q44. Should the Commission discontinue the use of time credits as an incentive to make Canadian programming available? If no, please explain why.

73. Yes, as the CRTC has not provided any evidence since 1994 that time-credit incentives have actually resulted in higher levels of Canadian programming,

Q45. Is there still a need for the Commission to continue incentivizing the dubbing of productions in Canada by Canadians? Please explain.

Q46. If you reply “Yes” to Q45, what types of incentives should be used to ensure that Canada’s dubbing industry continues to thrive? What types of regulatory tools could the Commission use to incentivize the dubbing of productions in Canada by Canadians in a modernized expenditure framework?

74. The Forum may comment in detail at a later date or in reply to Q45 and Q46.

10. Foreign courtesy credits and affidavits

Q47. Do you agree with the Commission’s proposal to consolidate the foreign courtesy credits, remove the equivalency-based approach, and replace the notarized affidavit with an attestation of duties for each person who receives a courtesy credit? If not, please explain.

75. The Forum may comment in detail at a later date or in reply.

11. Discontinuation of Canadian certification for certain types of productions

Q48 Given that the Commission rarely receives applications for Canadian certification of production packages and twinings, should the Commission discontinue certification of these types of productions? Please explain.

76. The Forum may comment in detail at a later date or in reply.

12. Pilot projects

Q49. Should the Commission eliminate pilot projects from the definition of a Canadian program? Please explain.

77. The Forum may comment in detail at a later date or in reply.

Q50. By reference to the factors set out in subsection 10(1.1) of the Act or section 13 of the Government of Canada’s policy direction, should adult programming continue to be recognized as Canadian programming? Please explain.

78. The Forum may comment in detail at a later date or in reply.