

# The greatest risk with Bill C-10 isn't action, but inaction

By [Kevin Desjardins](#). Published on May 13, 2021 3:40pm

*'Bill C-10 has never been about regulating individuals' user-generated content; it's been about ensuring entities like Netflix contribute to the creation and funding of Canadian content, just as traditional broadcasters do today.'*

Parliament Hill (Andrew Meade/iPolitics)

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For Canada's private broadcasters, Bill C-10 was supposed to be a long-overdue opportunity to update the legislation and regulations that govern how they operate. What it has become in recent weeks is an opportunity for grandstanding and quasi-academic showboating at a moment when our broadcasting sector can least afford it.

Case in point: In 2018-19, private, conventional Canadian TV stations posted negative profit margins of seven per cent — the seventh consecutive year of losses — and total Canadian radio revenues declined by four per cent. And this was before COVID-19 devastated the industry.

Opening the Broadcasting Act for the first time in 30 years was never going to be simple. That it has required substantial effort to move Bill C-10 through the Canadian Heritage committee would come as no surprise to anyone who's been engaged in the sector for longer than the past two weeks. That such a long line of stakeholders has engaged with the committee process demonstrates just how important the legislative renewal is, and how many creative-sector jobs are dependent on a sustainable domestic-broadcasting sector.

These discussions are not an academic exercise for Canada's private broadcasters, or the many Canadians who depend on a vibrant and growing broadcasting industry. Quashing this unfinished piece of legislation for the sake of scoring political points could place thousands of Canadian jobs in jeopardy.

What broadcasters have asked for all along is something resembling a fair deal. A decade of exemptions from regulatory oversight has allowed foreign-content streamers to grow into dominant providers of programming to Canadians, while broadcasters continue to adhere to regulations that are better suited to a moment when TVs and radios still had physical dials. The truth is that Bill C-10 was never intended to impose unfair or unduly burdensome content regulations on streaming services. A fair, honest, and informed reading of the bill would make that clear. It was always intended to formally bring these unregulated services into the Canadian broadcasting system through obligations that reflect the benefits they enjoy by operating in Canada, and establish modern rules for all. In its appearance before the Heritage committee, even Netflix stated that it "supports the flexible framework proposed in Bill C-10."

And yet, even with those relatively low stakes, the process of moving this legislation forward has been hijacked by a few voices who share an absolutist's view opposing any form of government oversight of internet-based services. Their laboured arguments about the possible outcomes of the bill stretch credulity, and have unnecessarily incited anger and fears among some Canadians. Bill C-10 has never been about regulating individuals' user-generated content; it's been about ensuring entities like Netflix contribute to the creation and funding of Canadian content, just as traditional broadcasters do today.

In any serious decision-making process, risks need to be measured against benefits. The opponents of Bill C-10 have vastly inflated the risk that individuals' free speech could be impinged by a government agency, while glossing over the risk of continued policy inaction for Canadian broadcasters.

While there have been many statements made on the importance of Canadian-ownership rules, failing to modernize the Broadcasting Act now is the single biggest threat to Canadian-owned media and the news and information programming they produce. The majority of Canadians seek their news from broadcasters, and Canada's private broadcasters are at the top of the list as the most trusted sources of information. The foreign streaming services have neither the inclination nor the ability to tell Canadian stories from Lethbridge, Quebec City, Victoria, or Moncton.

While public debate is focused on the importance of user-generated content, the future viability of local news, information, and analysis produced and distributed by Canada's private broadcasters continues to get overlooked. That distraction and delay is the real risk to free, open, and informed discourse, and the health of Canadian democracy.

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