

Party positions on culture as of October 17, 2019

The [Coalition for the Diversity of Cultural Expressions](#) (CDCE) launched the [SaveOurCulture.ca](#) campaign on August 20 to ensure that its main recommendations to protect and promote the diversity of online cultural expressions are adopted by political parties during the election campaign.

We analyzed the platforms of the five main federal parties and reproduced in the following pages the commitments made on culture. We have added additional announcements that have been communicated in the media or by the parties themselves. Finally, we also retained new commitments made by the candidates of the five parties who participated in the [Debate on Culture and the Media](#) (DCM) on September 18 at the National Monument in Montreal¹.

We do not claim to be exhaustive and invite the reader to refer to platforms, articles, news releases and videos to learn about the arguments, assessments and criticisms put forward by parties and candidates. We will review any new information provided to us by [email](#) for possible inclusion in this document.

At the end of this document, we will recall the main recommendations made by the CDCE and transmitted to each of the parties before the election campaign was launched.

1. Liberal Party of Canada (LPC)

The Liberal Party of Canada has released its election platform [Forward. A real plan for the middle class](#) on September 29. Here are LPC's main commitments regarding arts and culture:

To ensure that more people have access to Canadian culture here and around the world, and to ensure that Canadian artists can continue to tell our stories, we will:

- *introduce the Culture Pass, a \$200 credit that every Canadian child will receive when they turn 12, to be used to access theatres, museums, galleries, workshops, and other cultural venues and local Canadian content;*
- *strengthen the regional mandate of CBC/Radio-Canada, so that local stations can broadcast more local news; and require CBC/Radio-Canada to open up its digital platform, so that journalism start-ups and community newspapers can access affordable technology to develop and distribute local content;*
- *continue to support Canadian film by increasing annual funding for Telefilm Canada by nearly 50 per cent a year;*
- *review our national museums policy to make sure that people can access Canadian history across the country, with better access to digital collections; and will move forward with making the Royal Canadian Mounted Police Heritage Centre into a national museum;*
- *introduce a new Cultural Diplomacy strategy, with at least one international mission each year to promote Canadian culture and creators around the world; and*
- *move forward, in our first year, with legislation that will take appropriate measures to ensure that all content providers – including internet giants – offer meaningful levels of Canadian content in their*

¹ The elements retained are not necessarily quotations and are reproduced from our notes. We have not reproduced the commitments contained in other documents or statements made by the parties.

catalogues, contribute to the creation of Canadian content in both official languages, and promote this content and make it easily accessible on their platforms.

- *To provide clearer direction on how national heritage places should be designated and preserved, we will move forward with new comprehensive heritage legislation on federally owned heritage places (pp. 49-50).*

LPC is also committed to implementing new tax measures. We highlight the commitment regarding the Web giants which, according to the document, would generate \$540 million in revenues in 2020-2021, and \$600 million, \$660 million and \$730 million, respectively, over the next three years (p. 80):

- *[We will] make sure that multinational tech giants pay corporate tax on the revenue they generate in Canada. We will also work to achieve the standard set by the Organisation for Economic Co-operation and Development (OECD) to ensure that international digital corporations whose products are consumed in Canada collect and remit the same level of sales taxation as Canadian digital corporations (p. 79).*

At the DCM, the LPC representative, Pablo Rodriguez, spoke on several issues. He defended his record, but also made the following commitments:

- *LPC will introduce a bill immediately following the submission of the report to be delivered by the expert panel on the review of the legislative framework for broadcasting and telecommunications, which will implement the report's recommendations. If the other parties support the bill, new laws could be passed in 2020. These laws will cover the Web giants, and it is moving towards asking for the same obligations in terms of Canadian content.*
- *It is necessary to maintain a cultural exemption in trade negotiations, as was done with the renewal of NAFTA. Our culture is not negotiable.*
- *We will be well represented at the Frankfurt Book Fair where Canada will be the host.*

On July 3, 2019, Minister Pablo Rodriguez issued a [statement](#) on the report *What We Heard*, produced by the Broadcasting and Telecommunications Legislative Review Panel, which includes the following excerpts:

- *Our end goal is clear. If you benefit, you contribute. No more free rides.*
- *Concretely, we will take appropriate measures to ensure that all players, including the Internet giants:*
 - *offer meaningful levels of Canadian content in their catalogues;*
 - *contribute to the creation of Canadian content; and,*
 - *promote Canadian content and make it easily accessible on platforms.*
- *In this context, it will be important to provide the Canadian Radio-television and Telecommunications Commission with the modern tools it needs in order play its role.*
- *We want a system where our creators and our businesses in the cultural sector compete on a level playing field with global Internet giants.*
- *We look forward to receiving this final report. We will take appropriate measures swiftly when we receive the final report.*
- *Canadians must continue to access Canadian stories, created by Canadians in both English and French, on all platforms. We believe that the government has a key role to play in that and, rest assured, we intend to fulfil that role.*

2. Conservative Party of Canada (CPC) :

The Conservative Party of Canada (CPC) published its election platform - [Andrew Scheer's Plan. For you to get ahead, on October 11](#). Here are the commitments of this party for culture:

- **Make Canada's National Museums Free :** *To encourage more Canadians to celebrate our shared heritage, we will remove admission fees from our national museums across the country. This will apply to museum visitors of any age, including tourists visiting from elsewhere in Canada and abroad. [...] We will also designate the RCMP Heritage Centre in Saskatchewan as a national museum (p. 49).*
- **Increase Funding for the Building Communities Through Arts and Heritage Program:** *To better support local festivals, community anniversaries, and important community events, we will extend the Building Communities Through Arts and Heritage Program for an additional three years. [...] We will also ensure that this program highlights the hidden gems in rural and remote areas, including Northern Canada.*
- **Prioritize the Commemoration of Nation Builders :** *To promote our nation's great history and honour Canada's leaders, we will ensure that commemoration of those who built our country is a priority for our government. [...] We will designate the grave sites of former Prime Ministers and Governors General as national historic sites (p. 50).*

The CPC has also committed to implementing new tax measures. We highlight the commitment to tax the Web giants that, according to the document, would generate \$410 million in revenues in 2020-2021 and \$450 million, \$500 million, \$560 million and \$610 million, respectively, over the next four years (p. 97):

- **Make Large Technology Companies Pay their Fair Share :** *A new Conservative government will ensure a level playing field with Canadian businesses. In line with similar taxes in Europe, we will apply a 3 per cent tax on revenues of businesses that provide a social media platform, search engine, or an online marketplace to Canadians. The tax will only apply to the largest companies; those with worldwide revenues of more than \$1 billion and revenues in Canada of more than \$50 million. We will include a pathway for these companies to set up shop here in Canada. If a company chooses to locate here and pay regular corporate income tax, then we will allow them to deduct their corporate income tax from the large technology company tax (p. 100).*

During his appearance on Radio-Canada TV show *Tout le monde en parle* on September 29, Conservative leader Andrew Scheer made the following statement: "One aspect of our platform [...] will target Web giants to ensure that they contribute to our society". He added that "The government must ensure that the people who create the [content] can receive the revenues and at the same time we must ensure that the Web giants pay their share"².

During the DCM, the PC representative, Gérard Deltell, spoke on several issues:

- The issue of taxation of Web giants (tax on revenues, sales tax, obligation to place a portion of government advertising in Canadian media) is a global issue. The CPC will await the progress of the WTO discussions before taking action since a global solution is needed.
- Broadcasting and telecommunications laws must be reviewed to include all the realities and components of today's world, with a global perspective.
- Funding levels for the CBC and the Canada Council for the Arts will be maintained.
- The CPC will soon make announcements about culture.
- The CPC had not imagined all the impacts that would be generated by the addition of exceptions to the Copyright Act. Exceptions may be made, but they must be reviewed. The Copyright Act needs to be revised, particularly because of technological changes.

² Our translation of the remarks as [reported by the Canadian Press article on the Radio-Canada website](#) on September 30, 2019

- It is important to defend the cultural exemption because Canada deserves to protect its culture.
- The imposition of quotas for Canadian content on online platforms is not completely excluded, but it is an idea that deserves to be appreciated globally. However, Spotify also allows artists to make themselves known.

3. New Democratic Party (NDP)

The New Democratic Party (NDP) Platform [A New Deal for People: New Democrats' Commitments to You!](#) was published in June 2019. Here are the relevant excerpts concerning arts and culture:

- New Democrats will **protect our heritage** and support a strong, independent Canadian arts and culture industry.
- New Democrats will make sure that Canadian talent can thrive on both digital and traditional platforms – here at home and around the world.
- We think that artists should be able to **earn a decent living** from their art, and that government has an important role to play in making sure that a diversity of Canadian voices tell our stories.
- That's why we will step up to make sure that Netflix, Facebook, Google, and other digital media companies **play by the same rules** as Canadian broadcasters. That means paying taxes, supporting Canadian content in both official languages, and taking responsibility for what appears on their platforms, just like other media outlets.
- We'll also **increase funding for CBC and Radio-Canada** to help reverse the damage of decades of funding cuts under both Liberal and Conservative governments.
- We will make sure that arts and cultural institutions receive stable, long-term funding to grow and promote Canada's diverse cultures and histories.
- We will also extend support to **Canadian media** to assist them in making the digital transition.
- The arts also have a vital place in reconciliation. A New Democrat government will provide financial support for **Indigenous theatre** at the National Arts Centre as part of our larger efforts to honour and support Indigenous arts and culture.
- Finally, recognizing the special challenges faced by people who make a living in the arts and culture industry, we'll make life more affordable by putting in place **income tax averaging** for artists and cultural workers (pp. 85-86).

In addition, an article published on [The Wire](#) on May 13, 2019 reported the following announcements on digital platforms made by Alexandre Boulerice at a press conference: "The NDP's platform for this year's federal election will include requiring foreign over-the-top (OTT) services to collect and remit sales tax on revenues earned in Canada and ending the tax exemption for advertising on foreign online platforms".

At the GDCM, NDP representative Chu Anh Pham spoke about the following commitments:

- The NDP agrees to raise a certain amount of money from the revenues of digital platforms.
- We must review the CBC's mandate, we do not want it to compete with private broadcasters.
- The NDP does not rule out the possibility of introducing a fee for Internet service providers.
- Royalties need to be improved, discoverability requirements need to be reviewed on digital platforms, means are needed to be more visible on foreign platforms. Quotas are one way forward.
- Public institutions (NFB, Telefilm Canada) must be restored to their former glory and become a driving force in the cultural sector once again.

4. Green Party (GP)

The Green Party's (GP) platform [Honest. Ethical. Caring. Leadership.](#) was published in September. Here are the relevant excerpts from the arts and culture:

- A Green government will ensure that [arts and culture] are integral to the green economy.
 - Increase funding to all of Canada's arts and culture organizations including the Canada Council for the Arts, the National Film Board and Telefilm Canada.
 - Review tax incentives for film production to ensure all parts of Canada are competitive and attractive to the industry, with incentives rising when Canadian artistic and technical talent are employed.
 - Implement a federal income tax credit for restoration expenditures to encourage private involvement in preserving Canada's built heritage.
 - Establish charitable tax credits for the private donation of easements on heritage properties to charitable organizations or local governments.
- A Green government will:
 - Reform anti-trust laws to enable the break-up of media conglomerates.
 - Close the loophole that exempts social media platforms from collecting taxes on advertising and ensure all government advertising is placed in Canadian publications.
 - Increase funding to CBC and Radio Canada by \$315 million per year until the per-capita level of funding is equal to that of the BBC.
 - Reform the governance structure of CBC/Radio Canada to remove the potential for political interference in board appointments (p. 44).

On October 9, the leader of the GP presented her [plan for culture](#). This includes new commitments³:

- ensuring that online multinationals charge GST and pay taxes on their revenue
- giving a veto to Quebec on agreements that affect Quebec culture (such as Netflix)
- increasing Quebec's representation in federal cultural institutions, such as the Canada Council for the Arts and the National Film Board, by naming one third of board members in consultation with the Quebec government
- applying the Charte de la langue française to federal jurisdiction businesses in Québec
- supporting innovative platforms such as *Éléphant* and *Tou.tv*.

During the DCM, the representative of the GP, Pierre Nantel:

- Welcomed the idea that community television stations could integrate the *Tou.tv* platform;
- Stressed the need for support from conventional broadcasters;
- Emphasized the need to have the means to ensure the vitality of cultural diversity.

5. Bloc Québécois :

The Bloc Québécois platform [Le Québec, c'est nous](#) was published in September. Here are the relevant excerpts from the arts and culture⁴:

- *Withdrawal from federal programs with full and unconditional compensation: The Bloc Québécois will campaign for a right of withdrawal with full and unconditional compensation for Quebec. Once completed and consolidated within the Government of Quebec, the elimination of administrative*

³ In the French version of the plan, the GP also committed "to appoint Quebecers to the vice-presidency and two positions as commissioners of the Canadian Radio-television and Telecommunications Commission (CRTC)" (our own translation).

⁴ Our own translation.

duplication will save hundreds of millions of dollars that can be reinvested to improve the programs in question.

- *Impose the Web giants: The Bloc Québécois proposes that Canada take its inspiration from France and tax Web giants for 3% of their activity in Canada. The Bloc is also proposing the creation of a working group bringing together the entire Francophonie on the promotion and protection of Francophone cultures on online platforms.*
- *Media crisis: The Bloc Québécois is proposing that the federal government impose the GST on online advertising, regardless of the platform, in order to put an end to unfair competition from Web giants. The Bloc Québécois also proposes the creation of a Print Media Fund, based on the revenues from taxes collected on advertising. Finally, the Bloc Québécois calls for the establishment of États généraux sur l'avenir des médias with all stakeholders affected by the current print media crisis, the governments of Quebec and the provinces, experts to find long-term solutions to ensure the survival of our press and all broadcasters (conventional and specialty television and radio).*
- *Quebec CRTC: The Bloc Québécois proposes that the federal government transfer telecommunications and broadcasting regulations to Quebec so that the development of our communications corresponds to our needs and our way of doing things.*
- *Support for online culture: The Bloc Québécois wants to review, with the cultural community, the Copyright Board's royalty rules for access to online music in order to find ways to ensure that artists receive fair remuneration. The Bloc Québécois will require a study by the Heritage Committee (a new Lincoln report) to come up with solutions to adequately support our injured creators. The Bloc Québécois will introduce a bill for the Canadian government to recognize the existence of a Quebec culture and promote it on platforms such as Apple Music, Spotify or Netflix in order to give our creators a greater place in their algorithms.*
- *Investments in culture: The Bloc Québécois is calling for an increase in Telefilm Canada's budget to allow the creation of heavy online series comparable to what is being done in many countries. It also calls on the government to maintain and index the Canada Council for the Arts budget at a minimum of \$300 million, including assistance for international promotion.*
- *Support for the book sector: The Bloc Québécois proposes that the purchase of books be exempt from the GST. The Bloc Québécois is also asking that the federal government offer booksellers reduced postal rates, through Canada Post, as it currently does for periodicals.*

On September 28, the Bloc Québécois reiterated certain commitments and made a [new announcement](#) in culture ⁵:

- *The Bloc wants the Canada Council for the Arts budget to increase to \$365 million by 2020. The party also wants continued growth in investment in the distribution of culture through the Canada Arts Presentation Fund and the Building Communities Through Arts and Heritage program. These budgets will have to be indexed annually.*

On [September 14, 2019](#), Bloc Québécois leader Yves-François Blanchet, along with other party candidates, proposed "the creation of a television support fund financed by the taxation of the activities of Web giants on the territory". They also clarified the tax measures that would apply to Web giants ⁶:

- *The Bloc Québécois wants the federal government to take inspiration from France and implement, without waiting for an OECD agreement, a "GAFA tax", in other words a tax equivalent to 3% of the revenue of Internet multinationals operating in Canada (\$500 million).*

⁵ Our own translation.

⁶ Our own translation.

- *Ottawa could commit to harmonize its tax with that of OECD countries in the event of an international agreement to that effect, thus avoiding, like France, reprisals from the American government.*
- *The Bloc Québécois also requires that online service providers, such as Netflix, be required to charge sales tax (\$100 million).*
- *The party is also calling for multinational Internet companies to be considered foreign, not local, media so that giants no longer benefit from the tax deduction available to advertisers who buy their advertising in Canadian media.*
- *The Bloc Québécois insists on setting up a fund to support cultural and media creation in order to redistribute the more than \$600 million that the party believes it can raise with these measures, of which Quebec should obtain a minimum share of \$240 million. The money will have to be distributed among the French-language news media, arts and culture bulged by the Web giants and invested in Quebec and Canada.*

During the DCM, the BQ representative, Monique Pauzé, spoke about the following commitments:

- Adapt legislation to assimilate technological devices to the private copying regime to obtain royalties.
- The BQ is in favour of quotas as there is on radio.

6. CDCE's MAIN RECOMMENDATIONS

- 1- Online programming services should contribute to the promotion and funding of Canadian content.

This can be achieved in the short term by a Governor in Council Direction to amend the New Media Exemption Order. It will be up to the CRTC to define the best ways to determinate the financial contributions and to regulate the presence and promotion of Canadian content on online programming services. These regulations must be accompanied by an obligation to provide data on the cultural content accessed by Canadians.

- 2- The CRTC must have the power to sanction companies that do not comply with the regulations.

The *Broadcasting Act* should be slightly amended to provide the CRTC with sanctioning powers similar to those it has under the *Telecommunications Act*. This change must be made quickly on an interim basis, before the complete overhaul of the legislation is completed, in order to force all companies to cooperate with the CRTC.

- 3- Telecommunications service providers (TSPs) must contribute to the financing of Canadian content.

This can be achieved through changes to the *Broadcasting Act* to ensure and regulate the contribution of TSPs to the financing of Canadian content. But this will take years to happen. In the short term, the Governor in Council can issue an order directing the CRTC to adopt and implement measures to ensure a contribution by TSPs to the financing of Canadian content.

- 4- The CDCE proposes that the revenues from the upcoming spectrum licence auctions be used as financial compensation for technological change and allocated to the financing of Canadian content.

- 5- The number of exceptions in the *Copyright Act* must be reduced and the remaining exceptions must be compensated. The new Act should be adapted to contemporary reality so that digital platforms

pay intellectual property rights to those who hold them in Canada and that the private copying regime includes technological devices that allow access to cultural content.

- 6- Canada should maintain its approach of excluding culture from trade negotiations, including digital trade, through a comprehensive cultural exemption, without the possibility of retaliation.