

# The Canadian Telecommunications: Industry Regulation and Policy

## Introduction Thecasesolutions.com

The Canada Radio-television and Telecommunications Commission (CRTC) is a federal regulatory system that is responsible for regulating Canada's telecommunications and broadcasting sector. The CRTC was created in 1968 as an independent public authority, where the organization has made multiple judgments involving regulation and serves to address the effects that technology has on society.



### Sources Cited

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The primary reason for the creation of an organization such as the CRTC is so that the agency can operate under its own authority, while still remaining accountable to the government. Additionally, the federal government felt that an independent public agency could satisfy particular tenets of the Broadcasting Act.

## The Broadcasting Act

Created in 1968 and later modified in 1991, the Broadcasting Act was put in place to ensure that the following requirements are fulfilled by the CRTC:

- Canadians must control and operate the Canadian broadcasting system.
- All broadcasting services must be available primarily in English and French.
- The Canadian broadcasting system must operate to defend, strengthen and enhance the economic, social, political and cultural foundations of Canada.
- Every aspect of the Canadian broadcasting system should operate in an appropriate manner.
- All broadcasted selections are to be developed with a high standard of programming.
- There is to be a variety of television programs to select from, such as educational and cultural programs.
- As stated in section 3 of the act, radio waves are considered to be public property and should be treated as such.

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## Contemporary Legal Situation

On November 14 2013, Shelly Glover, the Minister of Canadian Heritage and Official Languages, stated that the Government of Canada had requested that the CRTC is to report on television channel choice in regards to Section 15 of the Broadcasting Act. Section 15 of the Broadcasting Act allows the government of Canada, through the Governor in council, to request that the CRTC is to form reports or hold hearings regarding any circumstance that is within the jurisdiction of the organization. This request was initiated to ensure that Canadian consumers can have more flexibility in their choice of their television services. As a result, the CRTC has been issued to unbuckle their television channels, were the organization must submit a report stating how they intend to act in favor of Canadian consumers by April 30 2014.

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## Telecommunications and Broadcasting Regulations in Canada Thecasesolutions.com

Broadcasting in Canada must be regulated, since the broadcasted frequencies are regarded as public domain. Originally, the number of frequencies were limited, while the amount of newspapers available were in abundance. This created the need to regulate who had access to these frequencies.

Both broadcasting and telecommunications are managed by the CRTC, although some aspects of either division are directed by various federal government departments. These departments include: Heritage Canada, Industry Canada, the Copyright Board, Competition Bureau, and broadcasting standards organizations. However, the CRTC's function as regulator is more sophisticated than the agencies that supervise the other divisions, since the CRTC is expected to use a reasonable amount of discretion when interpreting and applying its mandating legislation (The authority to carry out certain laws).

## The Telecommunications Act Thecasesolutions.com

Passed in 1993, the Telecommunications Act required that telecommunications services were to have a more competitive structure, and as a result Canada's telephone companies have become increasingly advanced. The fundamental objectives of the act support universal service as well as improving the service provided by telecommunication providers in Canada.

## Thecasesolutions.com History

Created in 1968, the CRTC is a product of multiple hearings, commissions, studies and legislation. Prior to the creation of the CRTC, regulating the Canadian broadcasting system was the duty of the Canadian Broadcasting Corporation. During 1958, Prime Minister John Diefenbaker's government created the Board of Broadcast Governors (BBG), which would later become known as the CRTC.

Initially, the organization's duty was to ensure that all aspects of the Broadcasting Act had been met. Later in 1976, the Board of Broadcast Governors became the Canadian Radio-television and telecommunications Commission. Since the creation of the CRTC, the organization's responsibilities have developed to include telecommunications carriers and service providers that are in federal jurisdiction. Additionally, the CRTC is responsible for overseeing new developments in telecommunications technology, such as the Internet, Voiceover, and cellular phones.

## How the CRTC Influences Law Today

Through broadcasting and telecommunications, the CRTC provides Canadians with an easily accessible method to remain aware of the current events or issues present in society. By informing Canadians of these events, society may have the opportunity to act in favour of the law, or take the appropriate measures to modify the law with the intent to benefit the general public.

Because of Pierre Jureau had put into effect the Canadian content regulations, the Canadian "Juno" music awards were named after him in 1972. Jureau's legacy has been that Pierre Jureau was "instrumental in developing legislation that assured we would see and hear Canadian creation broadcast from coast to coast". Upon his death in 2012, the current CBC president Hubert Lacroix mentioned that "Pierre Jureau was a passionate defender of public broadcasting and a fervent promoter of Canadian content".

## The Juno Awards



Pierre Jureau

Pierre Jureau, born at Verdun, Quebec on October 17 1922, is recognized to be the first chairman of the CRTC as appointed by Pierre Elliott Trudeau in 1968. Jureau is responsible for creating the first minimum standards for local fare on radio and television programs. Jureau believed that "Canadian broadcasting should be Canadian". Jureau's CRTC regulations, also known as "Cancon," would later assist both music and television industries in Canada.

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## Sources Cited

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