| **1968 *Broadcasting*** *Act*Objective*Italics – absent in 1991*18 objectives, of which 2 were mandatory (“shall”) | **1991 *Broadcasting Act***: Objective**~~Bold & struck through~~** *–* absent in C-1059 objectives 228% increase compared to 1968), of which 8 are mandatory (“shall”/imperative) | **Bill C-10 (June 2021)**:Objective**Highlighted bold small caps** – addition to 1991 language74 objectives 25% increase compared to 1991; 311% increase compared to 1968), of which 14 are mandatory (“shall”/imperative) |
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|  |  | **Exclusion — carrying on broadcasting undertaking****2 (2.1) A person who uses a social media service to upload programs for transmission over the Internet and reception by other users of the service — and who is not the provider of the service or the provider’s affiliate, or the agent or mandatary of either of them — does not, by the fact of that use, carry on a broadcasting undertaking for the purposes of this Act.** |
|  |  | **2 (2.2) A person does not carry on a broadcasting undertaking for the purposes of this Act whose transmission of programs over the Internet is****(a) ancillary to a business not primarily engaged in the transmission of programs to the public and is intended to provide information or services to clients;****(b) part of the operations of a primary or secondary school board, college, university or other institution of higher learning, a public library or a museum; or** **(c) part of the operations of a theatre, concert hall or other venue for the presentation of live performing arts.** |
| [see 2(c) <=] | 2(3) This Act **shall** be construed and applied in a manner that is consistent with the freedom of expression and journalistic, creative and programming independence enjoyed by broadcasting undertakings.[1 objective] | **Interpretation**2(3) This Act **shall** be construed and applied in a manner that (a) is consistent with the freedom of expression and journalistic, creative and programming independence enjoyed by broadcasting undertakings; and**(b) supports the commitment of the Government of Canada to enhance the vitality of both official languages and of official language minority communities in Canada.**[2 objectives] |
| 2. It is hereby declared that | 3 (1) It is hereby declared as the broadcasting policy for Canada that | 3 (1) It is hereby declared as the broadcasting policy for Canada that |
| (a) broadcasting undertakings in Canada make use of radio frequencies that are public property and such undertakings constitute a single system, herein referred to as the Canadian broadcasting system, comprising public and private elements; | [=> see 3(1)(b) and 3(2)] |  [=> see 3(1)(b) and 3(2)] |
| (b) the Canadian broadcasting system **should** be effectively owned and controlled by Canadians so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada;[1 objective] | (*a*) the Canadian broadcasting system **shall** be effectively owned and controlled by Canadians;[=> see above and 3(1)(d)(i)][1 objective] | (a) the Canadian broadcasting system **shall** be effectively owned and controlled by Canadians, **and foreign broadcasting undertakings may also provide programming** **to Canadians**;[2 objectives] |
|  | [resembles subsection 3(1)(f) <= ] | (a.1) **each broadcasting undertaking shall contribute to the implementation of the objectives of the broadcasting policy set out in this subsection in a manner that is appropriate in consideration of the nature of the services provided by the undertaking**;[1 objective] |
|  | (*b*) the Canadian broadcasting system, operating primarily in the English and French languages and comprising public, private and community elements, makes use of radio frequencies that are public property and provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty; | (b) the Canadian broadcasting system, operating primarily in the English and French languages and comprising public, private and community elements, makes use of radio frequencies that are public property and provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty; |
|  | (*c*) English and French language broadcasting, while sharing common aspects, operate under different conditions and may have different requirements; | (c) while sharing common aspects, English and French language broadcasting operate under different conditions **— in particular, the minority context of French in North America —** and may have different requirements; |
|  | (*d*) the Canadian broadcasting system **should** | (d) the Canadian broadcasting system **should** |
| [see 2(b)] <= | (i) serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada, | (i) serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada, |
|  | (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 by offering information and analysis concerning Canada and other countries from a Canadian point of view~~**[3 objectives] | (ii) encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity **and** by displaying Canadian talent in entertainment **and information** programming,[2 objectives] |
|  | (iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, **~~of Canadian~~****~~men, women and children~~**, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of **~~aboriginal~~**peoples within that society, and[3 objectives] | (iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests **of all Canadians** **— including Canadians from racialized communities and Canadians of diverse ethnocultural backgrounds, socioeconomic statuses, abilities and disabilities, sexual orientations, gender identities and expressions, and ages — and reflect their circumstances and aspirations**, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of **Indigenous** peoples within that society,[3 objectives] |
|  |  | **(iii.1) provide opportunities to Indigenous persons to produce programming in Indigenous languages, English or French, or in any combination of them, and to carry on broadcasting undertakings, and**2 objectives] |
|  |  | **(iii.2) support the production and broadcasting of original programs in French,**[1 objective] |
|  |  | **(iii.3) enhance the vitality of official language minority communities and support and assist their development by taking into account their particular needs and interests — in particular that French is a minority language in Canada and that English is a minority language in Quebec — including through supporting the production and broadcasting of original programs by and for those communities**,[2 objectives] |
|  |  | **(iii.4) support community broadcasting that reflects both the diversity of the communities being served and the high engagement and involvement in community broadcasting by members of those communities, including with respect to the languages in use within those communities and to the ethnocultural and Indigenous composition of the communities,**[1 objective**[** |
|  |  | **(iii.5) ensure that Canadian independent broadcasting undertakings continue to be able to play a vital role within that system,**[1 objective] |
|  |  | **(iii.6) serve the needs and interests of official language minority communities by providing them with opportunities to produce and access programming in English or French, and**[2 objectives] |
|  | (iv) be readily adaptable to scientific and technological change;[1 objective]  | (iv) be readily adaptable to scientific and technological change;[1 objective]  |
|  | (*e*) each element of the Canadian broadcasting system **shall** contribute in an appropriate manner to the creation and presentation of Canadian programming;[1 objective]  | (*e*) each element of the Canadian broadcasting system **shall** contribute in an appropriate manner to the creation and presentation of Canadian programming;[1 objective]  |
|  | (*f*) each broadcasting undertaking **shall** make maximum use, and in no case less than predominant use, of Canadian creative and other resources in the creation 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;[3 objectives]  | (f) each Canadian broadcasting undertaking **shall** **employ and** make maximum use, and in 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;[5 objectives]  |
|  |  | (f.1) **each foreign online undertaking shall make the greatest practicable use of Canadian creative and other human resources, and shall contribute in an equitable manner to strongly support the creation, production and presentation of Canadian programming, in accordance with the objectives of the broadcasting set out in this subsection and taking into account the linguistic duality of the market they serve;**[2 objectives]  |
|  | (*g*) the programming **~~originated~~****~~by broadcasting undertakings~~** **should** be of high standard;[1 objective]  | (g) the programming **over which a person who carries on a broadcasting undertaking has programming control** **should** be of high standard;[1 objective]  |
| (c) all persons licensed to carry on broadcasting undertakings **have a responsibility** for programs they broadcast *but the right to freedom of expression and the right of persons to receive programs, subject only to generally applicable statutes and regulations, is unquestioned;*[1 objective] | (*h*) all persons who**~~are licensed to~~** carry on broadcasting undertakings **have a responsibility** for the programs they broadcast;[=> resembles 2(3)][1 objective]  | (h) all persons who carry on broadcasting undertakings **have a responsibility** for the programs that they broadcast **and over which they have programming control;**[1 objective]  |
| (d) the programming provided by the Canadian broadcasting system **should** be varied and comprehensive and **should** provide reasonable, balanced opportunity for the expression of differing views on matters of public concern, and the programming provided by each broadcaster **should** be of high standard, using predominantly Canadian creative and other resources;[4 objectives ]  | (*i*) the programming provided by the Canadian broadcasting system **should**(i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes,[=> see i(iv) – ‘differing views’][=> see g – ‘high standard’][=> see f – ‘predominantly Canadian resources’][2 objective] | (i) the programming provided by the Canadian broadcasting system **should**(i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for people of all ages, interests and tastes,[=> see i(iv) – ‘differing views’][=> see g – ‘high standard’][=> see f – ‘predominantly Canadian resources’][2 objective] |
|  |  | **(i.1) recognize and support Canada’s linguistic duality by placing significant importance on the creation, production and broadcasting of French language original programs, including those from French linguistic minority communities,**[1 objective]  |
|  | (ii) be drawn from local, regional, national and international sources,[1 objective]  | (ii) be **drawn** from local, regional, national and international sources, **including, at the local level, from community broadcasters who, through collaboration with local organizations and community members, are in the unique position of being able to provide varied programming to meet the needs of specific audiences**,[1 objective]  |
|  |  | (ii.1) **include programs produced by Canadians that cover news and current events — from the local and regional to the national and international — and that reflect the viewpoints of Canadians, including the viewpoints of Indigenous persons and of Canadians from racialized communities and diverse ethnocultural backgrounds;**[1 objective]  |
| (i) facilities ***should*** be provided within the Canadian broadcasting system for educational broadcasting; and[1 objective] | (iii) include educational and community programs,[1 objective]  | (iii) include educational and community programs,[1 objective]  |
| [see 2(d) <=] | (iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern, and[1 objective]  | (iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern, and[1 objective]  |
|  | (v) include a significant contribution from the Canadian independent production sector;[1 objective]  | (v) include a significant contribution from the Canadian independent production sector;[1 objective]  |
|  | (*j*) educational programming, particularly where provided through the facilities of an independent educational authority, is an integral part of the Canadian broadcasting system; | (*j*) educational programming, particularly where provided through the facilities of an independent educational authority, is an integral part of the Canadian broadcasting system; |
| (e) all Canadians **are entitled** to broadcasting service in English and French as public funds become available;[1 objective]  | (*k*) a range of broadcasting services in English and in French **shall** be extended to all Canadians **~~as resources become available~~**;[1 objective]  | (k) a range of broadcasting services in English and in French **shall** be **progressively** extended to all Canadians;[1 objective]  |
| (f) there **should** be provided, through a corporation established by Parliament for the purpose, a national broadcasting service that is predominantly Canadian in content and character;[1 objective] | (l) the Canadian Broadcasting Corporation, as the national public broadcaster, **should** provide **~~radio and television~~** services incorporating a wide range of programming that informs, enlightens and entertains;[1 objective] | (l) the Canadian Broadcasting Corporation, as the national public broadcaster, **should** provide **broadcasting services** incorporating a wide range of programming that informs, enlightens and entertains;[1 objective] |
| (g) the national broadcasting service **should** | (*m*) the programming provided by the Corporation **should** | (*m*) the programming provided by the Corporation **should** |
| (i) *be a balanced service of* information, enlightenment and entertainment *for people of different ages, interests and tastes covering* the *whole* range of programming in fair proportion[1 objective]  | [=> see 3(1)(l)] | [=> see 3(1)(l)] |
| (ii) be extended to all parts of Canada, as public funds become available,[1 objective] | [=> see m(vii)] | [=> see m(vii)] |
| [see 2(g)(iv) <=] | (i) be predominantly and distinctively Canadian,[2 objectives]  | (i) be predominantly and distinctively Canadian,[2 objectives]  |
| [see 2(g)(iii) <=] | (ii) reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,[2 objectives] | (ii) reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,[2 objectives] |
| [see 2(g)(iii) <=] | (iii) actively contribute to the flow and exchange of cultural expression,[1 objective]  | (iii) actively contribute to the flow and exchange of cultural expression,[1 objective]  |
| (iii) be in English and French, serving the special needs of geographic regions, and actively contributing to the flow and exchange of cultural and regional information and entertainment, and[3 objectives]  | (iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities,[2 objectives]  | (iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities,[2 objectives]  |
|  | (v) strive to be of equivalent quality in English and in French,[1 objective]  | (v) strive to be of equivalent quality in English and in French,[1 objective]  |
| (iv) contribute to *the development of* national *unity and provide for a continuing expression of Canadian* identity;[2 objectives]  | (vi) contribute to shared national consciousness and identity,[1 objective]  | (vi) contribute to shared national consciousness and identity,[1 objective]  |
|  | (vii) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and[1 objective]  | (vii) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and[1 objective]  |
|  | (viii) reflect the multicultural and multiracial nature of Canada;[1 objective]  | (viii) reflect the multicultural and multiracial nature of Canada;[1 objective]  |
| (h) where any conflict arises between the objectives of the national broadcasting service and the interests of the private element of the Canadian broadcasting system, it shall be resolved in the public interest but paramount consideration shall be given to the objectives of the national broadcasting service | (*n*) where any conflict arises between the objectives of the Corporation set out in paragraphs (*l*) and (*m*) and the interests of any other broadcasting undertaking of the Canadian broadcasting system, it shall be resolved in the public interest, and where the public interest would be equally served by resolving the conflict in favour of either, it shall be resolved in favour of the objectives set out in paragraphs (*l*) and (*m*); | (*n*) where any conflict arises between the objectives of the Corporation set out in paragraphs (*l*) and (*m*) and the interests of any other broadcasting undertaking of the Canadian broadcasting system, it shall be resolved in the public interest, and where the public interest would be equally served by resolving the conflict in favour of either, it shall be resolved in favour of the objectives set out in paragraphs (*l*) and (*m*); |
|  | (*o*) programming that reflects the aboriginal cultures of Canada **should** be provided within the Canadian broadcasting system **~~as resources become available for the purpose;~~**[1 objective]  | (o**)** programming that reflects the Indigenous cultures of Canada **and programming that is in Indigenous languages should be provided** within the Canadian broadcasting system**, including by broadcasting undertakings that are carried on by Indigenous persons and community elements**[1 objective]  |
|  | (*p*) programming accessible by disabled persons **should** be provided within the Canadian broadcasting system **~~as resources become available for the purpose;~~**[1 objective]  | (p) programming **that** is accessible **without barriers to persons with disabilities** **should** be providedwithin the Canadian broadcasting system; [1 objective]  |
|  | **~~(~~*~~q~~*~~) without limiting any obligation of a broadcasting undertaking to provide the programming contemplated by paragraph (~~*~~i~~*~~), alternative television programming services in English and in French should be provided where necessary to ensure that the full range of programming contemplated by that paragraph is made available through the Canadian broadcasting system;~~**[1 objective] |  |
|  |  | **(q) online undertakings that provide the programming services of other broadcasting undertakings should**  |
|  |  | **(i) ensure the discoverability of Canadian programming services and original Canadian content, including French language original content, in an equitable proportion, and** **[1 objective]**  |
|  |  | **(ii) when programming services are supplied to them by other broadcasting undertakings under contractual arrangements, provide reasonable terms for the carriage, packaging and retailing of those programming services;****[1 objective]**  |
|  |  | **(r) online undertakings must clearly promote and recommend Canadian programming, in both official languages as well as Indigenous languages, and ensure that any means of control of the programming generates results allowing its discovery; and****[3 objectives]**  |
|  | **~~(~~*~~r~~*~~) the programming provided by alternative television programming services~~ should** |  |
|  | **~~(i) be innovative and be complementary to the programming provided for mass audiences,~~**[2 objectives] |  |
|  | **~~(ii) cater to tastes and interests not adequately provided for by the programming provided for mass audiences, and include programming devoted to culture and the arts ,~~**[2 objectives] |  |
|  | **~~(iii) reflect Canada’s regions and multicultural nature,~~**[1 objective] |  |
|  | **~~(iv) as far as possible, be acquired rather than produced by those services, and~~**[1 objective] |  |
|  | **~~(v) be made available throughout Canada by the most cost-efficient means;~~**[1 objective] |  |
|  | (*s*) private networks and programming undertakings **should**, to an extent consistent with the financial and other resources available to them, | (*s*) private networks and programming undertakings **should**, to an extent consistent with the financial and other resources available to them, |
|  | (i) contribute significantly to the creation and presentation of Canadian programming, and[1 objective]  | (i) contribute significantly to the creation and presentation of Canadian programming, and[1 objective]  |
|  | (ii) be responsive to the evolving demands of the public; and[1 objective]  | (ii) be responsive to the evolving demands of the public; and[1 objective]  |
|  | (*t*) distribution undertakings | (*t*) distribution undertakings |
|  | (i) **should** give priority to the carriage of Canadian programming services and, in particular, to the carriage of local Canadian stations,[1 objective]  | (i) **should** give priority to the carriage of Canadian programming services and, in particular, to the carriage of local Canadian stations,[1 objective]  |
|  | (ii) **should** provide efficient delivery of programming at affordable rates, using the most effective technologies available at reasonable cost,[1 objective]  | (ii) **should** provide efficient delivery of programming at affordable rates, using the most effective technologies available at reasonable cost,[1 objective]  |
|  | (iii) **should**, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, provide reasonable terms for the carriage, packaging and retailing of those programming services, and[1 objective]  | (iii) **should**, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, provide reasonable terms for the carriage, packaging and retailing of those programming services, and[1 objective]  |
|  | (iv) **may**, where the Commission considers it appropriate, originate programming, including local programming, on such terms as are conducive to the achievement of the objectives of the broadcasting policy set out in this subsection, and in particular provide access for underserved linguistic and cultural minority communities.[2 objectives]  | (iv) **may**, where the Commission considers it appropriate, originate programming, including local programming, on such terms as are conducive to the achievement of the objectives of the broadcasting policy set out in this subsection, and in particular provide access for underserved linguistic and cultural minority communities.[2 objectives]  |
| (j) the regulation and supervision of the Canadian broadcasting system **should** be flexible and readily adaptable to scientific and technical advances | Regulatory policy(2) The Canadian broadcasting system **should** be regulated and supervised in a flexible manner that(a) is readily adaptable to the different characteristics of English and French language broadcasting and to the different conditions under which broadcasting undertakings that provide English or French language programming operate;(b) takes into account regional needs and concerns;(c) is readily adaptable to scientific and technological change;(d) facilitates the provision of broadcasting to Canadians;(e) facilitates the provision of Canadian programs to Canadians;(f) does not inhibit the development of information technologies and their application or the delivery of resultant services to Canadians; and(g) is sensitive to the administrative burden that, as a consequence of such regulation and supervision, may be imposed on persons carrying on broadcasting undertakings.[ 8 objectives] | Regulatory policy(2) The Canadian broadcasting system **should** be regulated and supervised in a flexible manner that(a) is readily adaptable to the different characteristics of English and French language broadcasting and to the different conditions under which broadcasting undertakings that provide English or French language programming operate;(b) takes into account regional needs and concerns;(c) is readily adaptable to scientific and technological change;(d) facilitates the provision of broadcasting to Canadians;(e) facilitates the provision of Canadian programs to Canadians;(f) does not inhibit the development of information technologies and their application or the delivery of resultant services to Canadians; and(g) is sensitive to the administrative burden that, as a consequence of such regulation and supervision, may be imposed on persons carrying on broadcasting undertakings.[ 8 objectives] |
| and that the objectives of the broadcasting policy for Canada enunciated in this section can best be achieved by providing for the regulation and supervision of the Canadian broadcasting system by a single independent public authority.[1 objective] | 3(2) It is further declared that the Canadian broadcasting system constitutes a single system and that the objectives of the broadcasting policy set out in subsection (1) can best be achieved by providing for the regulation and supervision of the Canadian broadcasting system by a single independent public authority.[1 objective] | 3(2) It is further declared that the Canadian broadcasting system constitutes a single system and that the objectives of the broadcasting policy set out in subsection (1) can best be achieved by providing for the regulation and supervision of the Canadian broadcasting system by a single independent public authority.[1 objective] |
| Mandatory (“**shall**”): 2 (11%)Discretionary (“**should**”/”**may**”): 16 (89%)Total objectives: 18 (100%) |  8 (14%) 51 (86%) 59 (100%) |  14 (20%) 60 (80%) 74 (100%) |