

FILMONTARIO

F I L M · T E L E V I S I O N · I N T E R A C T I V E

August 5, 2022

Governor in Council
Office of the Clerk of the Privy Council
1000-85 Sparks Street
Ottawa, Ontario
K1A 0A3

Attn: Clerk of the Privy Council

Re: Petition to Governor in Council under subsection 28(1) of the *Broadcasting Act* to set aside or refer back for reconsideration and hearing Broadcasting Decisions CRTC 2022-165

Dear Ms. Charette:

We have read the petition filed by the CMPA, (“the Petition”) seeking to have the Governor in Council refer the CRTC’s CBC licence renewal decision back to the Commission for its reconsideration and hearing. We share many of the concerns outlined in the petition, and support this request. We are also aware that several other organizations are filing appeals that express similar concerns.

FilmOntario is a not-for-profit industry consortium representing the more than 45,000 film and television industry workers in the province of Ontario. Our member organizations include producers, unions, studios, equipment suppliers, legal and financial service suppliers, and other industry organizations.

We question why the CRTC is replacing a number of measurable and enforceable licensing conditions that have supported baseline commitments for the creation and presentation of Canadian programming with a substantially deregulated framework. This new framework is inconsistent with existing policies and practices which have been developed, over time, in response to the policy objectives in the *Broadcasting Act*.

This decision is particularly problematic given the CBC’s unique role as Canada’s public broadcaster. The CBC receives \$1.4 billion annually in government funding to fulfill its statutory mandate under the *Broadcasting Act* and invests those resources for the development and production of high-quality Canadian content. The CBC’s investments in Canadian programming are critical to the health of our domestic production and broadcasting industries.

The decision could have a profound impact on the province of Ontario, which is home to a well-balanced audiovisual production ecosystem. This ecosystem includes 47% of the Canadian content produced in the country, a sizeable foreign-service production sector, and head offices of the major English-language Canadian broadcasters. In fiscal 2019-20, this amounted to \$3.55

billion in production volume, or 38% of the country's \$9.3 billion of production activity.¹ Equally importantly, this ecosystem has nurtured the creation of popular and globally acclaimed Canadian shows, licensed to the CBC by independent producers and employing thousands of Ontarians, such as *Murdoch Mysteries*, *Schitt's Creek*, and *Kim's Convenience*.

The new licensing framework for the CBC goes too far, too soon. It is premature to implement this largely deregulated framework, *removing licensing conditions that have been proven to support Canada's broadcasting policy*.

The CRTC's decision leaves independent producers, and the thousands of writers, directors, actors, and crew they employ every year, without any idea as to how much Canadian content will be commissioned by the CBC, and how much Canadian content will be broadcast on the CBC's licensed television services.

These are television programs and films that reflect Canada, and help maintain and enhance our national identity for audiences at home and around the world. We support the Petition to send the CBC licence renewal decision back to the CRTC for its reconsideration, so that the independent production industry in Ontario can continue to reflect and represent the needs and interests of Ontarians and Canadians and build on the success of the Canadian broadcasting system.

We appreciate the opportunity to provide our comments regarding this decision as well as our support for the Petition.

Sincerely,



Jennifer Jonas
Co-Chair, FilmOntario



Jayson Mosek
Co-Chair, FilmOntario



Cynthia Lynch
Managing Director and
Counsel, FilmOntario

¹ Unless otherwise noted, all figures derived from CMPA *Profile 2020: Economic Report on the Screen-Based Media Production Industry in Canada*, https://cmpa.ca/wp-content/uploads/2021/05/PROFILE-2020_EN.pdf.