

## FEDERAL CULTURAL POLICY IN CANADA

*Paper prepared for the Council of Europe/ERICarts  
“Cultural Policies Compendium”*

by  
John A. Foote  
Strategic Research and Analysis Division (SRA)  
Strategic Policy and Research Branch  
Department of Canadian Heritage  
[john.foote@pch.gc.ca](mailto:john.foote@pch.gc.ca)

25 Eddy Street, 12<sup>th</sup> Floor  
Hull, Quebec  
CANADA KIA 0M5

**December 2003**

*Reference: SRA-723-Revised*

For a PDF copy of this report contact us at:  
[sradoc\\_docras@pch.gc.ca](mailto:sradoc_docras@pch.gc.ca)  
or Fax: (819) 997-6765

\*\* The opinions expressed in this report are those of the author and do not necessarily reflect the views of the Department of Canadian Heritage.

## Table of Contents

<b>1. HISTORICAL PERSPECTIVE: CULTURAL POLICIES AND INSTRUMENTS .....</b>	<b>4</b>
<b>2. COMPETENCE, DECISION-MAKING AND ADMINISTRATION</b>	<b>6</b>
2.1 Organisational structure (organigram).....	6
2.2 Overall description of the system .....	6
2.2 Overall description of the system .....	7
2.3 Inter-ministerial and inter-governmental co-operation .....	8
2.4 International cultural co-operation .....	8
<b>3. GENERAL OBJECTIVES AND PRINCIPALS OF CULTURAL POLICY.....</b>	<b>9</b>
3.1 Main elements of the current national cultural policy model.....	9
3.2 National definition of culture .....	10
3.3 Cultural policy objectives.....	10
<b>4. CURRENT ISSUES IN CULTURAL POLICY DEVELOPMENT AND DEBATE..</b>	<b>12</b>
4.1 Cultural policy priorities in the past five years.....	12
4.2 Recent policy issues and debates.....	13
4.2.1 Provisions for cultural minorities .....	13
4.2.2 Gender equality and cultural policies .....	14
4.2.3 Language issues and policies.....	15
4.2.4 Relation between media and culture.....	16
4.2.6 Employment policies for the cultural sector.....	23
4.2.7 New technologies and cultural policies .....	24
4.2.9 Heritage issues and policies .....	26
4.2.10 Other relevant issues and debates .....	27
<b>5. MAIN LEGAL PROVISIONS IN THE CULTURAL FIELD.....</b>	<b>28</b>
5.1 Overview of legal competence for cultural policy-making .....	28
5.2 Legal frameworks for artists .....	29
5.2.1 Social security/labour relations .....	29
5.2.2 Tax measures.....	30
5.3 Cultural industries .....	30
5.3.1 Television and radio quotas.....	30
5.3.2 Language laws .....	31
5.3.3 Film or other promotion laws.....	31
5.4.1 Systems of authors' rights/droits d'auteur.....	33
5.4.2 Blank tape levies.....	33
5.4.3 Public lending rights.....	33
5.5 Cultural heritage and properties .....	33
5.6 Legal incentives for private sector investment in culture.....	34
<b>6. FINANCING OF CULTURE.....</b>	<b>35</b>
6.1 Short overview .....	35

---

6.2 Public cultural expenditure per capita.....	35
<b>7. CULTURAL INSTITUTIONS AND NEW PARTNERSHIPS .....</b>	<b>37</b>
7.1 Re-allocation of public responsibilities.....	37
7.2 Status/role and development of major cultural institutions.....	37
7.3 Emerging partnerships or collaborations .....	37
<b>8. SUPPORT TO CREATIVITY AND ARTICIPATION.....</b>	<b>38</b>
8.1 Direct and indirect support to artists.....	38
8.1.1 <i>Special artists support schemes</i> .....	38
8.1.2 <i>Support to professional artists' associations or unions</i> .....	39
8.1.3 <i>Grants or other schemes for artists</i> .....	39
8.2 Participation trends .....	40
8.3 Programme and policy initiatives to promote participation in cultural life .....	41
8.4 The role of amateur arts/cultural associations and centres.....	41
<b>SOURCES AND LINKS.....</b>	<b>43</b>
9.1 Key documents on cultural policy.....	43
9.2 Web links .....	44

## 1. Historical perspective: cultural policies and instruments

Governments in Canada at the federal, provincial/territorial and municipal levels have long intervened in one or more aspects of culture. Cultural policies in Canada are based on a variety of factors including perceptions of the public good, the national and regional interest, economic growth, social benefits and foreign trade and investment opportunities.

Canada's cultural fabric has been shaped by a small and geographically dispersed population, limited economies of scale and high costs of production, the ubiquitous proximity and presence of the United States of America (the world's largest and most influential cultural super-power) and a unique blend of multicultural demographics, official linguistic duality (French and English) and diverse Aboriginal cultures. The ongoing development of a national cultural policy, or policies, for Canada by the federal government has been shaped largely by the need to protect and affirm Canadian cultural sovereignty and to promote national unity and a Canadian identity.

The creation of Canada's national cultural institutions in the late 19<sup>th</sup> century and early 20<sup>th</sup> century stems from the Federal Government's recognition of its responsibility for preserving the young country's national cultural assets for the benefit of all citizens and future generations. The early federal role was therefore one of builder of cultural infrastructure (e.g. radio in the 1920s and 1930s) as well as owner, custodian and arbiter of national heritage (e.g. Historic Sites and Monuments Board dates from 1919). This long period of limited but direct federal intervention in culture gave rise to many institutions still active today such as the National Gallery of Canada (established in 1880 and incorporated in 1913), the National Archives of Canada (1872) and the National Film Board (1939). The Canadian Broadcasting Corporation/Radio-Canada was established in 1936 pursuant to the Report of the Royal Commission on Radio Broadcasting (1929), better known as the Aird Commission. Aird characterised the fledgling new service as "an instrument of education ... entertainment and ... informing the public on questions of national interest."

As new technologies emerged and Canada's economy diversified following the Second World War, the federal government's role in culture broadened beyond the operations and funding of national public institutions to include the development of programme-based cultural support institutions. This second period of federal intervention was initiated by the release in 1951 of the Report of the Royal Commission on National Development in the Arts, Letters and Sciences, co-chaired by Vincent Massey and Georges-Henri Lévesque. In setting out a blueprint for a more active federal scope of intervention in the cultural sector, particularly in regard to the arts and heritage, Massey-Levesque, like Aird before it, argued that the capacity for "successful resistance to the absorption of Canada into the general cultural pattern of the United States" is one of the principal objectives of the Canadian broadcasting system. It was soon to become a more generally applied principle throughout the cultural sector during this period which started with the creation of still more national cultural institutions, including the National Library of Canada (1953), the Canada Council (1957), the Canadian Film Development Corporation (1968), and most significantly, the Department of Communications (1969) and the Canadian Radio and Television Commission (1969) which established the policy and regulatory basis for the further development of the broadcasting system in Canada in the era of television. This period of institutional growth was highlighted by the country's first centennial celebrations in 1967 that sparked a renewed interest in Canadian culture among its citizens and a great expansion of cultural infrastructure particularly at the community level through the funding of arts and heritage activities and organisations.

The last three decades of the 20<sup>th</sup> century witnessed rapid cultural growth of culture in Canada attributable, in no small part, to the creation of a wide range of national policies and support programmes designed to further develop arts, heritage and broadcasting and to begin to provide support to the cultural industries (including film, sound recording, publishing, new media) and

---

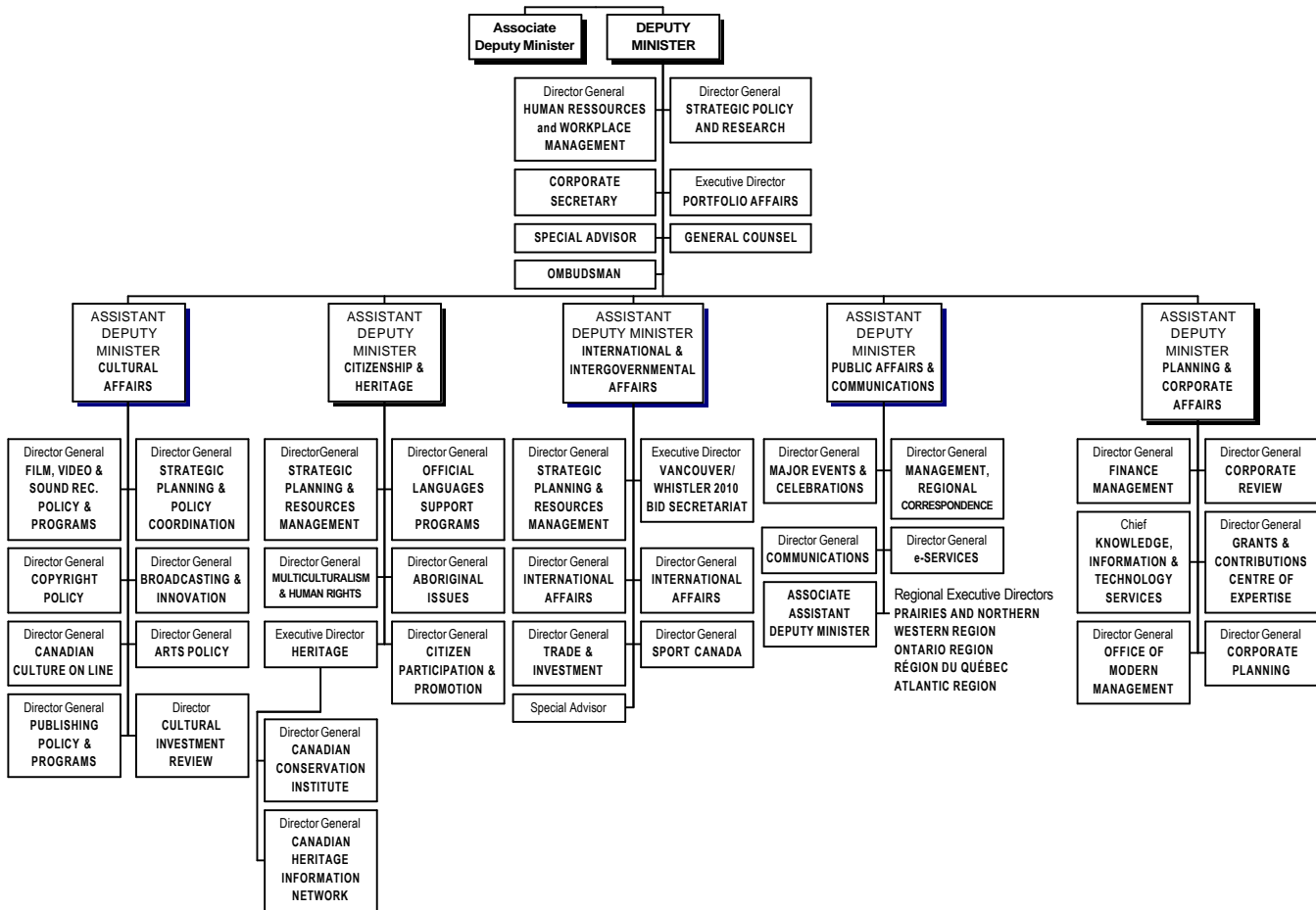
the enactment of legislative amendments governing such legislation as the *Broadcasting Act* (1991) and the *Copyright Act* (1988, and 1997 and 2002). In 1980, the Department of Communications absorbed the arts and culture programmes then housed in the Department of the Secretary of State. This period also marked the growth in Canada's international cultural role exemplified by accession to UN conventions and international showcasing of Canadian talent through such global events as Expo 67 hosted in Montreal.

The current period marks the further broadening of federal cultural policy in Canada and features the consolidation of heretofore separate functions within the Department of Canadian Heritage (created in 1993 and given royal assent in 1995) including culture, citizenship and identity, Sport Canada and until recently, Parks Canada. Federal cultural policies have continued to reflect the two official languages of Canada and have recently begun to take into account the changing multicultural nature of the Canadian population. The federal role in cultural policy has shifted somewhat from one of 'principal doer' or 'sole financier' to one of 'facilitator', 'referee' and 'partner' with other governments and the private sector. This emerging federal role was triggered by the decision to reduce spending in culture in line with an across-the-board cutback in federal spending in the mid 1990s. Over the last five years, however, new or expanded funding has been provided in every major area of government intervention, acting as a form of "correction" for cutbacks required to stem the federal deficit. Much of the impetus behind this change also stems from pressures on government for a more transparent and meaningful cultural policy process emanating from the private sector and 'third sector' institutions and associations. Some scholars and policy makers have suggested that the current period in cultural policy may ultimately become a more collaborative and partnership driven example of "new federalism" in practice.

## 2. Competence, decision-making and administration

### 2.1 Organisational structure (organigram)

#### DEPARTMENT OF CANADIAN HERITAGE



## 2.2 Overall description of the system

Although there is shared jurisdiction for culture among the three levels of government in Canada – federal, provincial and municipal - the federal Government of Canada alone is responsible for national cultural policies that affect the entire country. While federal jurisdiction in culture is not enshrined in the Constitution, court cases borrowing on the inter-provincial and international aspects of telecommunications have supported the notion of a pan-Canadian role and national cultural responsibilities for the federal government. These federal policies do not detract from the concurrent elaboration and implementation of provincial, territorial and, by extension, municipal cultural policies and programmes within their respective boundaries. Canada's system of cultural governance permits a form of *de facto* and concurrent competence in culture among the three levels of government.

There are ten provinces in Canada and three territories as well as many cities and towns which, constitutionally speaking, fall under the aegis of the provincial and territorial governments. While some of the larger provinces, especially Quebec, implement support programmes in most areas of cultural development, provincial and territorial spending in culture is consistently highest for museums. The primordial role of language in society and the recognition of French as the sole official language of the Quebec government are important reasons for the strong and active level of support provided across the cultural sector by the Quebec government. The Quebec role in culture extends beyond provincial boundaries to encompass areas of cultural co-operation with other francophone governments in the world. Quebec's involvement in culture is also very evident in their support of international touring of performing arts - the only province with a sustained strategy for supporting international touring abroad (some other provinces support it from time to time). Municipal spending is most extensive in libraries but also significant in other areas such as the shooting of feature films and television programmes and the support of performing and visual arts organisations and festivals in large urban centres such as Montreal, Toronto and Vancouver.

Within the federal cultural mandate, the Department of Canadian Heritage, headed by the Minister of Canadian Heritage, maintains close working relations with Cabinet and Parliament, as well as arm's length relations with cultural agencies that report to Parliament through the Minister (see also chapter 6.4).

Under Canada's Parliamentary system, members of the Cabinet are also Members of Parliament. Parliament enacts enabling legislation and approves federal spending in culture. Its Standing Committee on Heritage is responsible for conducting national reviews of major cultural issues such as broadcasting and book publishing, both recent undertakings, holding hearings on culture bills, and amending them before Third Reading in the House of Commons.

Arm's length relations refer to the separation from direct ministerial control of every day responsibility for the operations of federal cultural agencies and Crown Corporations while reserving the Minister's responsibility for culture in Cabinet and in Parliament. This provision is often contained in mandate-defining legislation and operating practices although some exceptions do occur such as the power accorded through the *Broadcasting Act* to Cabinet to send back for further review or rescind regulatory broadcasting decisions other than licensing decisions.

The Canadian Heritage Portfolio reports to the Minister of Canadian Heritage and includes the Department of Canadian Heritage (including the Canadian Conservation Institute, the Canadian Heritage Information Network and the Canadian Cultural Property Export Review Board), seven departmental agencies (the Canadian Radio-television and Telecommunications Commission, an independent public authority, the National Archives of Canada, the National Battlefields

Commission, the National Film Board of Canada, the National Library of Canada, the Parks Canada Agency and Status of Women Canada), ten Crown corporations (the Canada Council for the Arts, the four national museums, including the Canadian Museum of Nature, the Canadian Museum of Civilization, Canada Science and Technology Museum and the National Gallery of Canada, the Canadian Broadcasting Corporation, Telefilm Canada, the Canadian Race Relations Foundation, the National Arts Centre and the National Capital Commission) and the Public Service Commission. The latter reports to the Minister of Canadian Heritage and is not entirely a cultural institution although it too does engage in some cultural activities. The Heritage Portfolio institutions are funded by Parliament and make use of the instruments and tools required for the implementation of federal cultural policy. Moreover, these federal institutions are the repository of much of the government's accumulated expertise and experience throughout its history of active intervention in the cultural sector. Key areas of Portfolio cooperation include the digitisation of cultural holdings, national and international cultural promotion and participation in Government On-Line and youth participation in community, athletic, artistic and heritage activities.

### **2.3 Inter-ministerial and inter-governmental co-operation**

The Department of Canadian Heritage engages in inter-ministerial communications with other federal departments such as Foreign Affairs and International Trade, Justice, Human Resources Development, Treasury Board, Public Works, Industry, Transport, Defence and Finance on matters affecting the department. For example:

- Industry Canada established the Information Highway Advisory Council in the late 1990's but content-related issues were handled by the Department of Canadian Heritage;
- concentration of ownership in the cultural sector involves both the Department of Canadian Heritage and Industry Canada;
- copyright legislation is also split between Industry Canada and the Department of Canadian Heritage;
- the promotion of international cultural activities including culture and trade is shared by the Department of Foreign Affairs and International Trade and the Department of Canadian Heritage;
- the Department of Canadian Heritage works closely with the Department of Indian and Northern Affairs on cultural Aboriginal matters.

Federal cultural institutions take part in task forces and working groups that address government-wide horizontal issues. The Department of Canadian Heritage also participates alongside ministries of culture from the provinces and the territories in committees of Ministers and senior public servants. Currently, Canadian Heritage is working with the provinces and the territories on two leading edge issues on the enhancement of cultural tourism and improvement of cultural statistics. To date, however, there has been relatively little research and evaluation examining how the three levels of government actually interact on cultural matters in specific communities.

### **2.4 International cultural co-operation**

Canada is active internationally in the field of culture by virtue of bilateral and multilateral cultural agreements. The two institutions most involved are the Department of Foreign Affairs and International Trade and the Department of Canadian Heritage. Culture is regarded as the third pillar of Canadian foreign policy, or "the projection of Canadian values and culture." International intervention takes the form of a range of activities such as the stationing of five cultural trade officers in missions abroad, the Canadian Heritage Trade Routes programme,



participation in international sporting and cultural events, international expositions and co-production agreements, and participation in various multilateral fora. For example, in the area of film and other audio-visual co-operation, Canada is signatory to some fifty co-production agreements among which those with France and the United Kingdom have been most active.

On the multilateral level, Canada has taken a leadership role in the international dialogue on cultural diversity and international cultural co-operation. For example, statements and declarations on cultural diversity have been agreed to at UNESCO, the Organisation for American states (OAS), the G8, La Francophonie, the Council of Europe, and the International Network on Cultural Policy (INCP), the latter an informal network of Ministers of Culture. As a founding member of the INCP, Canada has helped to establish this forum as a major international venue to discuss cultural policy issues and to develop an International Instrument on Cultural Diversity (IICD). Canada is the chair of the INCP Working Group on Cultural Diversity and Globalisation, which is charged with developing the Instrument.

Draft texts on the nature and extent of what an Instrument might look like have been developed by three organisations having three distinct frames of reference: a working group of government experts under the aegis of the INCP (see [www.incp-ripc.org](http://www.incp-ripc.org)); the Cultural Industries Strategic Advisory Group on International Trade (SAGIT), which advises the Minister for International Trade (see [www.dfait-maeci.gc.ca/tna-nac/other-e.asp#culture](http://www.dfait-maeci.gc.ca/tna-nac/other-e.asp#culture)); and the International Network for Cultural Diversity, a network of cultural non-governmental organisations (NGOs) (see [www.incd.net/draftconvention.html](http://www.incd.net/draftconvention.html)).

Canada wishes to see an International Instrument that would set out clear ground rules to enable Canada and other countries to maintain policies that promote their culture, while respecting the rules governing the international trading system and securing markets for cultural exports. The Instrument would also recognise the importance of cultural diversity issues to international social and economic development. Canada continues to work closely with civil society, international governments and institutions such as UNESCO in shepherding this initiative intended to help promote cultural diversity, both at home and abroad.

### **3. General objectives and principles of cultural policy**

#### **3.1 Main elements of the current national cultural policy model**

Canada's federal cultural policy model does not consist of one single overarching statement of cultural policy, but rather includes a broad collection of policy statements, infrastructures, legislation, programmes, services and other tools in specific cultural domains. The national cultural policy model adopted by successive federal governments in Canada has been one of 'cultural affirmation' through sustained intervention, arm's length relations within the public sector, inter-governmental co-operation and consultations and mixed public-private sector partnerships. Some decentralisation of federal cultural policies and programmes is effected through regional and local offices. Cultural creativity and expression are supported by national subsidies to artists, community organisations and festivals. The economic viability of the cultural industries is enhanced through federal support programmes, tax benefits and domestic regulation. The preservation of, access to and engagement in heritage are ensured by such institutions as museums, archives and libraries that are largely public sector responsibilities at each level of government.

A great deal of creative thinking went into the establishment of the Department of Communications (DOC) in 1969. Apart from its direct responsibilities in broadcasting policy and

spectrum allocation, the DOC was instrumental in tracking the emerging social and economic issues and growing technological capacity of the national telecommunications and broadcasting systems in Canada. In 1969, the Telecommission Advisory Group conducted broad studies of these related matters and was thus the precursor of convergence before its time. In 1970, DOC played a leading role in the proactive federal Task Force on Privacy.

However, the creative potential of synergies of communications content and carriage which were manifested in the DOC mandate were broken up or retarded to some degree with the transfer of a number of carriage responsibilities in regulations, policies and programmes to Industry Canada in 1993 when the new Department of Canadian Heritage was established. The new Department was created by joining together cultural affairs (arts, heritage, broadcasting and cultural industries), Parks Canada, amateur sport and citizenship, and identity programmes (Official Languages, Multiculturalism, national symbols, anti-racism). This bureaucratic merger signalled a broadening of the operative definition of culture to include potential synergies or linkages between culture and matters of citizenship such as social cohesion, diversity, identity and attachment

The decision to set up a single federal department with both cultural and citizenship/identity responsibilities marked an innovative departure in cultural policy in Canada as it affirmed the complex social, economic and political impact of culture and the federal Government's commitment to intervene in support of an overall framework of cultural affirmation. Many of Canada's cultural policies and regulations have a dual focus in seeking to protect against undue United States' influence and ownership while simultaneously striving to promote openness in global interactions and ensuring that the unique cultural diversity of Canada is reflected, *inter alia*, in its domestic cultural institutions, Canadian content and cultural labour force.

### 3.2 National definition of culture

The fact that there is no single all-encompassing definition of culture in Canada is attested to by the observation of the Parliamentary Standing Committee on Heritage (1999) that after two years of deliberations, the Committee was no nearer to a consensus on the definition of culture. The oldest and narrowest definition encompasses only the high professional arts and classical disciplines. The modern definition of culture in Canada comprises the arts and heritage but also broadcasting, the cultural industries and new media, and more recently, the UNESCO-inspired "ways of life." This evolving definition corresponds closely to the Council of Europe's four cultural principles: the promotion of identity and diversity, and support for creativity and participation in cultural life. It should also be noted that successive Quebec governments have also supported what they call 'national cultural policy' in referring to that province's extensive cultural support policies and programmes.

### 3.3 Cultural policy objectives

While there is no single statement of Canadian cultural policy objectives, the federal government supports four goals subsumed under the Canadian Heritage mission, which is "to build a cohesive and creative Canada." (Planning and Priorities 2003-4):

- promoting the creation, dissemination and preservation of diverse Canadian cultural works, stories and symbols reflective of the country's past and expressive of its values and aspirations;
- fostering access to and participation in Canada's cultural life;
- fostering and strengthening connections among Canadians and deepening understanding across diverse communities;

- promoting understanding of the rights and responsibilities of shared citizenship and fostering opportunities to participate in Canada's cultural life.

The longest-standing federal objective in cultural policy has been *the creation and preservation of Canadian content*. Several national cultural institutions, such as the Canadian Broadcasting Corporation/Radio-Canada and the National Film Board, produce much of their own programming. National granting agencies, such as the Canada Council for the Arts and Telefilm Canada, and granting programmes such as the Book Publishing Industry Development Programme and Culture On-Line in the Department of Canadian Heritage, facilitate the development of cultural content by the private sector.

Canada's second core cultural policy objective is *promoting cultural participation* including access by consumers and audiences to a wide range of cultural content (including Canadian content) and access by content creators and providers to consumers and audiences making use of a wide range of communications and exhibition vehicles. Cultural participation can and does take many forms such as consumption, attendance, voluntarism and professional or amateur training. The goal of access receives increasing federal programme and policy support in response to increasing and more fragmented demand across the cultural sector. Policies and programme instruments such as marketing and distribution subsidies, distribution support, broadcasting regulations on simultaneous substitution and cable carriage priorities, and foreign ownership regulations and guidelines are all part of achieving progress towards this objective. Internet and satellite-delivered services make universal access possible, although viable pricing models would have to be in place before this objective is ever fully achieved.

The two foregoing cultural policy objectives in Canada operate in tandem with those formerly stated that refer more properly to citizenship but which may be expected to link together more closely with the cultural goals and instruments. Indeed, the Department is co-sponsoring with the Canadian Cultural Research Network and the University of Ottawa an international colloque that will investigate the scholarly foundations of "cultural citizenship" in November 2003. Some of the potential cross-over can already be identified in areas such as sport and culture in working together to improve good health and active life styles, and in continuing to develop close links between culture and tourism.

The third federal objective – *connections* - and its resulting initiatives connect citizens across the linguistic, ethnic, cultural and regional mosaic that makes up Canada. This priority was included in the 2002 Speech from the Throne, which committed the Government of Canada to "connect Canadians across their differences, to link them to their history and to enable their diverse voices to participate in choosing the Canada they want." (Report on Plans and Priorities 2003-4).

The fourth strategic objective – *active citizenship and civic participation* - is to develop a policy framework on shared citizenship and social cohesion to help guide policy and programme renewal and legislative reform. The latter objective is pursued through such initiatives as the facilitation of volunteerism, the encouragement of Aboriginal involvement and the integration of recent multicultural immigrants in cooperation with Citizenship and Immigration Canada. Two important instruments that play a fundamental role in reaching this objective are the renewed development of the Department's Official Languages Programme and the Aboriginal Peoples' Programme in 2003. The former will respond to the recent Official Languages Commissioner's Report on enhancing the availability and use of French on the Internet. The latter programme will be complemented by a federal strategy on Aboriginal languages and culture that will be developed in 2004 (Report on Plans and Priorities 2003-4).

Principles flowing from all four of these objectives include freedom of choice, a domestic market open to the world, diversity of content and content providers, the reservation of cultural shelf-

space for Canadian content, access to new technologies by artists, producers, distributors and consumers, public/private sector partnerships and more universal and extensive civic and cultural engagement including community building, the promotion of exchanges and volunteerism. There is also increasing focus on the principle of diversity in the elaboration and implementation of cultural policies. Canada's national cultural objectives and principles affirm the principles and instruments to ensure Canada's cultural sovereignty in the midst of high levels of foreign content and control in the domestic market. They also generally attract broad public support as part of a federal commitment to maintain an active presence in charting the country's present and future cultural affairs.

#### 4. Current issues in cultural policy development and debate

##### 4.1 Cultural policy priorities in the past five years

The Department of Canadian Heritage has identified four cultural and citizenship priorities for the first half decade of the 21<sup>st</sup> century (*Report on Plans and Priorities* 2003-4):

**Policy frameworks:** In 2002, the Department of Canadian Heritage announced that it is developing a framework on "shared citizenship and social cohesion" and another on "an overarching cultural policy framework that will integrate content development, access and preservation issues." In the short term, the Department continues to pursue the implementation of the *Government Response to the Standing Committee Report* (1999) and is engaging Heritage Portfolio organisations in the development of a "coherent and integrated perspective" in audio-visual culture, the arts, heritage/history, and outreach activities. By 2003, the Department had created a new structure designed to help integrate the broad expanse of the federal cultural mandate across the country and to strengthen Canada's domestic and international partnerships

**Legislative renewal:** In 2003, new or amended legislation has been drafted - the Library and Archives of Canada Act (Bill C-36) which will, if enacted, join together the National Archives and the National Library of Canada under one institution. In cooperation with Industry Canada, a legislative package for copyright is under development which will ensure that the economic and moral rights of creators and other rights holders are recognised and protected while also meeting the needs of users and addressing digital copyright issues, thus enabling Canada to ratify the 1996 WIPO Internet treaties. One of the most important areas that might, ultimately, take legislative form, follows the extensive work conducted since 2001 by the Standing Committee on Canadian Heritage in its review of the state and future directions of broadcasting in Canada, including certain aspects of the *Broadcasting Act*. This study addressed the changing environment occasioned by global digital innovation, the growth in the volume and diversity of Canadian content, possible changes in ownership regulations, and the constantly evolving roles and interaction of the public and private sectors in producing and disseminating competitive programming. Future directions require that fundamental suppositions and practices be called into question, not with a view to upsetting the existing Canadian broadcasting system but rather to assessing the effectiveness of existing policies and instruments in the context of a radically changing environment.

**Departmental assessment/Programme renewal:** Includes ensuring the integrity of existing programmes, assessing departmental programmes in the context of changing priorities and refining cultural objectives. In May 2001, the Government announced the investment of CAD 500 million over three years in new support of Canadian arts and culture (*"Tomorrow Starts Today"*). This investment continues to target all aspects of the creative process by encouraging

excellence among artists, promoting arts and heritage among the general population and providing cultural industries with the means and capacity to prosper.

**Public outreach:** The Department of Canadian Heritage is working with Portfolio partners through an Outreach Policy Cluster to develop an integrated and collaborative outreach approach critical to building connections among Canadians through more active inter-cultural understanding and dialogue. It is a priority of the Department of Canadian Heritage to extend its public outreach through *Culture.ca* – Canada's Cultural Gateway established in 2003 and a Canadian Cultural Observatory to be launched in late 2003. (See also chapter 4.2.9). A five year plan to celebrate 400 years of dialogue and discoveries is to begin 2004.

## 4.2 Recent policy issues and debates

### 4.2.1 Provisions for cultural minorities

Ethno-cultural and demographic changes including immigration flows are major contributors to diversity in Canada. In 1950, when the landmark Massey-Levesque Commission linked cultural diversity and Canadian identity, 92% of Canada's population growth was a product of the birth rate. Today, immigration has outpaced the natural birth rate, and accounts for 53% of overall population growth. Indeed, without continuing high levels of immigration, Canada would not produce enough natural growth in the population to expand its population and labour force. While the majority of the Canadian population of 31 million is still descended from either Great Britain or France, 47% of Canadians reported origins other than British, French, or Canadian and more than 200 different ethnic origins were reported in the most recent Census (Statistics Canada 2000). In 2002, the Government stated, "A central priority of the Department (of Canadian Heritage) will be to promote an inclusive society and a shared sense of citizenship that builds on and values, Canada's linguistic duality and cultural diversity, taking into account the unique and distinct character of Quebec's culture and the needs and circumstances of official language minority communities across Canada." (Department of Canadian Heritage, *Plans and Priorities* 2002).

Among the most significant legislation in the context of diversity are the *Official Languages Act* (1969), the *Canadian Human Rights Act* (1977), the *Canadian Multiculturalism Act* (1988), and the *Employment Equity Act* (1995). The latter designates women, Aboriginal peoples, visible minorities, and persons with disabilities to receive special attention. International conventions such as the *International Covenant on Economic, Social and Cultural Rights* (Canadian ratification 1976) and the *International Covenant on Civil and Political Rights* (Canadian ratification 1976) are also significant tools to promote diversity and equal rights and opportunities.

While Canada does not officially recognise specific ethno-cultural minorities beyond Aboriginal Peoples, and the French- and English-speaking peoples, principles of diversity are currently being implemented throughout the government, including federal cultural institutions, towards meeting the following objectives:

- equitable and comprehensive access to culture by all Canadians;
- Equitable access to public funding for creators and cultural institutions representing diverse communities;
- growth of a steady stream of Canadian content reflecting the full ethno-cultural diversity of the Canadian people that tells Canadian stories and embodies the voices of Canadian talent and creators in both official languages;
- equitable access to employment in federal cultural institutions;

- enhanced social cohesion and reduced social exclusion by the simultaneous celebration of differentiated identities and the forging of a new sense of belonging.

For example, the Canada Council for the Arts has, since the 1980s, adapted programmes and procedures to ensure proper reflection of Canada's cultural diversity:

- new definition of "professional artist" inclusive of a range of cultural practices and traditions;
- increased representation of culturally diverse and Aboriginal artists at about 20% of the total number of peer assessors;
- new programmes in Aboriginal music, dance, visual and media arts were added to existing programmes in theatre and writing;
- the number of culturally diverse and Aboriginal employees exceeds demographic representation in the population;
- increased outreach to diverse communities in addition to translation of programme information into several languages.

Although the Department of Indian Affairs and Northern Development administers the bulk of federal legislation and programmes pertaining to Aboriginal peoples in Canada, the Department of Canadian Heritage provides programme support to Indian, Métis and Inuit peoples who are not residents on reserves in Canada. One such programme is designed to revitalise fourteen Aboriginal languages used by the First Nations, Michif and Inuktitut. The Department also supports urban Aboriginal youth centres and Friendship Centres. In the Canada Council for the Arts, each programme is open to Aboriginal artists and arts organisations; some programmes in each discipline address Aboriginal individuals and organisations exclusively. In broadcasting, one of the most powerful instruments addressing Aboriginal culture is the Aboriginal People's Television Network (APTN) while the Canadian Television Fund, another of Canada's major cultural instruments, maintains a special envelope that funds Aboriginal productions with Aboriginal languages. A conference entitled the National Gathering on Aboriginal Artistic Expression, associated with the Council of Europe's Transversal Study on Cultural Diversity, was hosted by the Department of Canadian Heritage in 2002. Parks Canada and the Canadian Museum of Civilisation are also very active in Aboriginal culture and heritage issues.

Other examples of federal intervention in cultural diversity are the Minister's Forum on Diversity and Culture held in April 2003. The Forum resulted in a Strategic Plan launched officially on Canadian Multiculturalism Day (June 27). The Plan addresses representation, capacity-building, programme terms and conditions, pathfinder capacity, process improvements and public transparency and accountability. The Government also operates an expanded version of the National Arts Training Contribution Programme with criteria that support training institutions specialising in Aboriginal arts and non-European art forms.

Youth is yet another targeted group addressed by pan-federal initiatives such as the Young Canada Works Programme (YCW) which makes internships available to high school and post-secondary students to work up to three months in museums, libraries, archives and other cultural or heritage organisations across Canada. The YCW programme in Canadian Heritage operates within the Official Languages Programme, heritage institutions, national parks, historic sites and Aboriginal urban youth programmes. Another federal programme, Youth Exchanges Canada, offers exchanges to youth, especially under-represented youth.

#### 4.2.2 *Gender equality and cultural policies*

Status of Women Canada (SWC) is a federal agency that promotes gender equality in Canada and the full participation of women in the economic, social, cultural and political life of the

country. SWC is part of the Heritage Portfolio and reports to the Secretary of State (Multiculturalism). Its mandate includes a gender-based analysis of legislation, policies and programmes throughout the federal government including the Heritage Portfolio. Several priority areas are identified for action under this objective, including:

- enhancing women's participation in Canada's cultural development and heritage;
- commemorating women in Canadian history;
- promoting women in heritage programme development;
- fostering women's participation in the arts;
- enhancing women's participation in cultural industries and broadcasting;
- improving the status of women in sport in Canada;
- helping to reduce employment barriers and other obstacles facing first-generation Canadians and members of ethno-cultural and visible minorities, particularly women, within the artistic and performing arts world;
- helping Aboriginal women to maintain their cultural distinctiveness and to address their cultural identity and other issues;
- advancing women's contributions to Canadian identity;
- taking the needs of women in official-language communities into account in federal legislation, policies and programmes (*Plan for Gender Equality, 1995-2000*).

The Canadian Radio-television and Telecommunications Commission (CRTC) developed its first policy on equitable and realistic gender portrayal in on-air programmes and advertising in 1992. While there is substantial industry self-regulation with regards to gender, all private broadcasters in Canada must adhere to the Sex Role Portrayal Code for Television and Radio Programming administered by the Canadian Broadcast Standards Council.

To date, there has been no comprehensive scorecard on the progress of achieving gender equality throughout the entire cultural sector. However, according to the 1996 Census, women made up 54% of artists in Canada. Women were significantly more numerous than men among dancers (86%), artisans and craftpersons (63%) and slightly more numerous than men as musicians and singers (54%), writers (53%) and painters, sculptors and other visual artists (52%). Men, on the other hand, were almost twice as numerous as women as conductors, composers and arrangers (72%), producers, directors, choreographers and related occupations (64%) and actors (58%). Men generally occupy those occupations that pay the most while women continue to occupy those which pay the least in the cultural sector (Statistics Canada 1996 *Census*). Although the data from the 2001 Census has yet to be analysed, the Canadian Labour Force Survey reveals continued growth in the distribution of employment by women amongst artistic/literary/recreational professionals in Canada from 50.4% in 1987 to 53.5% in 2002.

#### 4.2.3 Language issues and policies

Canada has two official languages, English and French. Pursuant to recommendations of the *Report of the Royal Commission on Bilingualism and Biculturalism*, Parliament adopted the first *Official Languages Act* in 1969, which extended to all federal institutions. The current official languages policy is reflected in the:

- **Canadian Charter of Rights and Freedoms (1982):** Under Section 16, English and French are proclaimed official languages of Canada. Official bilingualism applies to legislative debates and proceedings, statutes, records and journals in federal and New Brunswick courts, and the provision of services and communications with the public. All other provinces and territories in Canada are unilingual with certain exceptions. Minority educational rights

for children to receive primary and secondary schooling in the language of the official language minority population of a province are guaranteed.

- **Official Languages Act (1988):** promotes linguistic duality in Canadian society and supports development of official language minority communities in Canada. Sections 41 and 42 of the *Act* commit the federal government to enhance the vitality of the official language minority communities of Canada foster the full recognition of both official languages and promote a co-ordinated approach among federal institutions.

The Government of Canada provides a wide range of programme support to the promotion and development of cultural content and services in each official language. Approximately 25% of some CAD 2.8 billion in federal cultural spending in 2000 was allocated to French language cultural expression. The CBC/Radio-Canada, Canada's national public broadcaster, is a major contributor to bilingualism in the provision of cultural goods and services. Of a total CBC budget of CAD 1.4 billion in 2000-01, French language television accounted for 20% and French language radio for 6.7%. French-language specialty channels on digital cable or satellite accounted for another 8.3%.

The Canada Council for the Arts, Telefilm Canada, the National Film Board and Canadian Heritage operate programmes that provide financial support for official minority language writers and publishers, musicians and other performers, museums and galleries, film makers, Canadian content on the Internet, etc. Approximately one-third of the Canadian Television Fund flows to French language productions and the other two-thirds to English language productions. The National Arts Centre operates theatre programmes in English and French.

Among the many issues debated surrounding bilingualism in Canada are the low levels of French language content on the Internet and the provision of inadequate support for 'third' or 'heritage' languages (in partial response to the emerged reality of non-English and non-French multiculturalism in Canada) relative to the level of support provided to the two official languages. The subject of language is also raised in the Canadian Multiculturalism Act which states the policy of Canada is to "preserve and enhance the use of languages other than English and French, while strengthening the status of and use of the official languages of Canada" and to "facilitate the acquisition, retention and use of all languages that contribute to the multicultural heritage of Canada." It is revealing that even in the Canadian Multiculturalism Act, languages other than the official languages are cast in terms of promoting official languages objectives.

According to the 2001 Census, Canadians speak over 100 languages while the mother tongue of 59.1% of Canadians is English, 22.9% French and 18% others. Outside Quebec, Francophones accounted for 4.4% of the population. Anglophones continued to leave Quebec: 8.3% in 2001, down from 9.2% in 1991. Allophones, largely immigrants, account for nearly one-quarter of the population of Ontario and British Columbia and for a majority of the population growth in each these two provinces. Most live in Toronto and Vancouver, Canada's first and third largest cities, respectively. The top five non-official languages spoken at home in Canada are Chinese (2.9%), Italian, German, Punjabi, and Spanish in that order (Statistics Canada, Census 2001). After Chinese (Mandarin and Cantonese), the languages exhibiting the strongest growth in recent years in Canada are Punjabi, Arabic and Tagalog (Philippines).

#### 4.2.4 *Relation between media and culture*

Cultural policy in Canada used to differentiate between media (or broadcasting), the "high arts" and heritage in which the federal government has been actively involved for many years and other areas of the cultural sector, notably the cultural industries (except for broadcasting) which did not receive major funding from the federal government before the 1970s. With the growth in



the cultural industries, particularly evident over the last thirty years, federal intervention in the cultural sector was broadened considerably. Individual components of the cultural sector including the media received support given their perceived importance in producing and distributing Canadian cultural content. While the precise nature of federal cultural support programmes and regulatory regimes varies considerably, the trend in cultural policy in Canada is towards a more holistic approach from creation through to consumption. The media, especially digital media, have become essential vehicles for the distribution and consumption of cultural content in Canada.

The relationship between the roles played by media and culture also affects the relations between identity and diversity. Some argue that identity helps to shape the form and frequency of cultural engagement and participation. Others contend that culture shapes identity and that consequently, there is a possibility that a dominant world culture might tend to reduce multiple or historical identities. As part of its research programme, the Department of Canadian Heritage is beginning to explore the interactive synergies and mutual impacts between culture and identity, and between culture and citizenship.

The Government of Canada employs the term, diversity in positive, nation reaffirming terms in its public declarations. Diversity, including cultural diversity, is viewed as a strength manifested in values of recognition and acceptance of difference, compromise, negotiation and peaceful resolution of conflict, and accommodation of and openness to the different practices and values of others. Diversity of cultural expression arguably promotes creativity on both the domestic and world stage and is expected to promote new ways of understanding complex issues, global connections with countries or heritage of origin, and the building of new social and cultural capital in support of economic values such as skill development and enhanced productivity.

Canada's official goals of diversity encompass a wide range of anticipated and achieved results that reflect its multicultural population, the two official languages of Canada and respect for the rights and practices of its minorities. In order that these goals stand out and receive public recognition and support, work is under way to ensure that the diversity objectives are highlighted by the intended application of a diversity lens to public policy initiatives. The diversity lens may help assess policy objectives and outcomes against the capacity of policy instruments to achieve overarching goals of inclusion, equality of opportunity, community strength, social cohesion, citizen engagement and attachment to Canada that are intrinsic to the Canadian diversity model. The diversity lens may also help ensure that in developing resources to promote the broadest public interest, there are not unintended negative impacts on cultural minorities.

Canada has a long history of relying on communications media as a tool for nation-building and cultural development. For example, the *Broadcasting Act* (1991) states, "The Canadian broadcasting system should ... through its programming and ... employment opportunities ... 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." The CBC/Radio-Canada reflects the special role of a national public broadcaster that operates in two official languages. The media is a key tool in promoting cross-cultural understanding and exchanging successful practices in the fight against racism. The Multiculturalism Programme of the Department of Canadian Heritage encourages, supports and facilitates fair representation of ethnic minorities in the media by initiating community projects and collaborating with media associations in the area of diversity representation and positive portrayal.

#### 4.2.5 Culture industries: development programmes and partnerships

The Government of Canada has developed a broad range of institutions, policies and programmes that provide support to the cultural industries and the arts via the Department of Canadian Heritage (DCH) and through relevant agencies or Crown Corporations. DCH has grouped the cultural industries under the Cultural Affairs Sector with separate divisions responsible for: broadcasting (television, radio, cable); film and video; sound recording; publishing (books, periodicals, newspapers), new media and the arts (see chapter 8). Several issues are common to many cultural programmes in DCH and Portfolio organisations. For example, pursuant to recent targeted research, DCH is reviewing how to respond more effectively across the range of cultural enterprises to the needs of small and medium-sized firms in accessing financing and making use of private and public sector support mechanisms. It is also preparing an integrated audio-visual strategy which:

- complements those developed for the arts and heritage/history sectors;
- examines public policy objectives from a content and audience perspective;
- identifies gaps in crucial data, developing indicators of change and assessing the efficiency of all rules and tools supporting creation, production, distribution, consumption and preservation of Canadian audio-visual content.

*Broadcasting:* Broadcasting accounted for 50% of total federal spending in culture in 2000-01. Most of this spending can be attributed to large annual Parliamentary appropriations to the federal public broadcaster, the Canadian Broadcasting Corporation/Radio-Canada. The priority accorded broadcasting speaks to its perceived roles in connecting, nation building and nation binding in a country as large as Canada. Public broadcasting (largely federal – the CBC/Radio-Canada - but some provincial such as Radio-Quebec and TV Ontario) revenues totalled CAD 1.3 billion in 2001 of which more than two-thirds was comprised of public subsidies and one-third advertising. Privately-owned and operated broadcasting revenues totalled CAD 9 billion in 2001 including private radio and television, pay and specialty services (digital), cable (excluding growing revenues from high speed access to the Internet), wireless and satellite distribution services. Among the more salient issues facing broadcasting in Canada are:

- the growing 'grey' market for the satellite reception of foreign signals not otherwise approved by the CRTC;
- the continuing decline in home-grown television drama in private sector television;
- greater concentration of cross-media ownership (e.g. Press/Telecommunications/Media);
- continuing pressure to liberalise foreign ownership regulations (currently at 47%);
- the costly transition to digital television involving both equipment and content considerations;
- the evolution of criteria that cover Canadian content regulatory requirements;
- the future of Internet as a distribution vehicle;
- television market fragmentation and reduced overall viewing of children's programming, gender portrayal, television violence and pornography.

Many of these issues were examined thoroughly by the Standing Committee on Canadian Heritage in a Report entitled *Our Cultural Sovereignty: the Second Century of Canadian Broadcasting* (June 2003). In this well-documented Report, recommendations were made in respect to: Canadian programming, the CBC, not-for-profit broadcasting, the private sector, community, local and regional broadcasting, northern and Aboriginal broadcasting, ownership, the digital transition, accessibility, the black and grey satellite market, globalisation and cultural diversity, and governance issues. Among its most important recommendations in regards to Canadian programming are: to develop a comprehensive and integrated Canadian programming policy and strategy, redesign the existing point system for the certification, funding

and production of Canada television programming focusing on the achievement of cultural objectives, improve the functioning of the federal tax credit system that supports Canadian television programming, recognise the Canadian Television Fund as an essential component of the Canadian broadcasting system, report annually to Parliament on the progress made towards reaching specific targets for all federal Canadian content policies and programmes and evaluate these changes every two years. Finally the CRTC should be directed by order-in-council to review its 1999 television policy for the exhibition of priority programming in prime time. The Government will respond to these and other recommendations in the Report in November 2003

*Canadian Broadcasting Corporation/Radio-Canada (CBC/R-C):* As a Crown Corporation, Canada's national public broadcaster operates at arm's length and is the largest cultural institution in the country. In recent years, it has been the subject of considerable public and internal governmental debate on issues including its role as described in the Broadcasting Act (1991), the question of access to advertising revenues, the disposition of local, regional and national coverage, the continuing vagaries of market share competition from private broadcasters in Canada and the United States, and the continuing difficulties in attracting viewers for Canadian content programmes on prime-time television. In its March 2002 submission to the Standing Parliamentary Committee on Canadian Heritage, the CBC called for the re-affirmation of the Government's commitment to national public broadcasting and distinctive, high-quality Canadian programming, to re-invest in and support Canadian programming, and partnerships and strategic alliances such as three new specialty channels in French-language arts programming, the Canadian Documentary Channel (with the National Film Board) and Country Canada.

*Canadian Radio-television and Telecommunications Commission (CRTC):* Under the *Broadcasting Act* (1968), the Government established the CRTC as a regulatory body in broadcasting and telecommunications although both are treated separately. The CRTC is mandated by legislation to balance the cultural, social and economic goals of the Broadcasting Act while broadening Canadian content choices. It is also mandated to ensure that programming in the Canadian broadcasting system reflects Canadian creativity and talent, linguistic duality, Canada's multicultural diversity, its Aboriginal Peoples, and Canadian social values. The CRTC regulates issues of portrayal, employment equity, multicultural, ethnic and Aboriginal broadcasting. In 1999, the Commission introduced a new policy for television, which is still in effect, stating: "... all conventional television licensees ... (will) make specific commitments to initiatives designed to ensure that they contribute to a system that more accurately reflects the presence of cultural and racial minorities and Aboriginal peoples in the communities they serve."

Another among the CRTC's most important accomplishments over the last five years is a revised regulatory framework for the distribution of broadcasting services by promoting competition between cable, satellite and microwave systems. Some deregulation has occurred in local news and cable rates where there is sufficient competition. In 2001, a wide range of digital specialty and pay cable services were licensed, including 'third language' ethno-cultural stations. In 2002, 47 new digital channels were launched and subscription revenues represented almost 25% of all TV broadcaster revenues, up from just under 18% in 1999. In 1999, the CRTC signalled its intention not to regulate the Internet directly. That same year, it revised its ethnic broadcasting policy and licensed the Aboriginal Peoples Television Network (APTN).

*Film and video:* Federal investment in Canada's growing film and video sector is designed to encourage and facilitate the production and distribution of Canadian films for theatrical release and television exhibition. Federal support is based on the perceived importance of film to

cultural development as well as its powerful and enduring influence on cultural expression and identity. However, the story is not all good. In 1999, Canadian films earned only 2.1% of total box office receipts at home and even this low figure was attributed to slightly higher figures for Quebec-based French-language films. Average feature film budgets (CAD 2.7 million English-language and CAD 2.2 million French-language) and average marketing budgets (CAD 150 000 for two-thirds of the movies supported by Telefilm) are low on the international scale. Yet, Canada produces between thirty and thirty-five feature films per year and its directors and actors continue to attract attention in international film festivals. Some of the main issues facing the film industry include:

- a possible cyclical downturn in the international demand for Canadian TV programmes;
- The continued fragility of stable financing for domestic 'high end' television programmes;
- nurturing documentaries and diversifying genre production;
- maintaining the relatively high levels of viewing for French-language Canadian films and television programmes and expanding English-language viewing of Canadian content through better marketing and dealing with the issue of promoting a star system in Canada;
- dealing with mounting opposition by some circles in the United States with so-called "run away film productions" (6% larger than Canadian spending in film in 2000);

Ensuring that the process of introducing and growing cultural diversity in the audiovisual sector is accelerated through a new partnership among the Department of Canadian Heritage, Telefilm Canada, the National Film Board of Canada and the Canada Council for the Arts. This coordinated approach seeks to open doors and remove real and perceived barriers to securing equitable access to programme support and opportunities.

Federal film programmes and institutions include:

- *National Film Board of Canada*: produces and distributes audio-visual works. Priorities include social issues, audiences, emerging filmmakers and minority participation, space on multiple distribution platforms, brand recognition and improved links to the educational system.
- *Telefilm Canada*: develops and implements programmes that assist in the making of films by the private and public sectors for theatre release and television exhibition.
- *Canadian Television Fund (CTF)*: is a unique private-public initiative entered into in 1996 by the DCH, Telefilm Canada and the private Cable Production Fund to invest in distinctively and identifiably Canadian TV drama, children's programming and variety/performing arts in both official languages.
- *Canadian Feature Film Policy (CFF)*: administered by Telefilm Canada with the objective of securing 5% of the domestic box office by 2006 and increasing international audiences for Canadian feature films.
- *Canadian Audio-Visual Certification Programme (CAVCO)*: assesses the level of Canadian content and the eligibility of films seeking federal support and certifies broadcasting programmes.

*Book publishing*: The book publishing industry in Canada is faced with limited economies of scale in the domestic market. Main challenges include:

- The competitive threat posed to domestic publishers by foreign publishers;
- The high cost of books produced in Canada;
- Reducing 'remainders' or returned books (30% in Canada in contrast to 10% or less in other world markets);
- Coping with the inevitable aggrandizement of firms linking retail and publishing;

- Ensuring an effective distribution system among publishers, wholesalers and retailers.

The issue of foreign ownership and market share is also acute: 5% of foreign publishers operating in Canada generate more than 33% of total industry revenue profits which are generally 10% higher than those of the average Canadian-owned firm. The costs associated with maintaining two parallel linguistic infrastructures at each stage of the book development chain are significant. Nevertheless, the result of almost 25 years of focused government support to the book sector has been a five-fold increase in annual industry revenues (CAD 2 billion in 2000) not to mention the considerable critical success and international acclaim of a generation of Canadian writers nurtured by the domestic sector of the industry.

The Department of Canadian Heritage provides direct funding to book publishers through:

*Book Publishing Industry Development Programme (BPIDP)*: provides financial assistance to Canadian-owned publishers and other sectors of the book trade to foster a strong and viable industry that promotes Canadian-authored books. The BPIDP also provides international marketing assistance through the not-for-profit Association for the Export of Canadian Books (AECB).

- *The Loan Programme for Book Publishers (LPBP)*: provides access to debt capital in partnership with the Royal Bank of Canada. (See also chapter 5.4.3)
- The Government of Canada also supports library and critical publishing houses through the not-for-profit Canadian Conference of the Arts and scholarly publications through the Social Sciences and Humanities Research Council.

*Periodical publishing*: Issues before the periodical industry in Canada have been shaped by the 1999 Canada-United States Agreement including access by US 'split-run' periodicals to advertising revenues in Canada. Through it, the United States recognised the right of Canada to require a majority of Canadian content in one of its cultural instruments. The *Foreign Publishers Advertising Service Act* allows foreign publishers to publish up to 18% of advertising aimed at the Canadian market thirty-six months after the enactment of the law and enables foreign publishers to access a higher percentage of the Canadian advertising services market provided they create majority Canadian content and establish a new periodicals business in Canada. The Department supports periodical publishers through the:

- *Publications Assistance Programme (PAP)*: PAP encourages the dissemination of Canadian publications, recognises the role played by small community weekly newspapers in rural communities, supports minority official language and ethnic weekly newspapers and makes library books more available in deprived areas by providing financial assistance to publishers of eligible Canadian periodicals to offset partially their distribution costs.
- *Canada Magazine Fund (CMF)*: CMF helps to ensure the viability of the Canadian magazine industry, which continues to suffer from a small domestic market share. The CMF is designed to foster the creation of Canadian editorial content in Canadian magazines, and enhance the quality and diversity of magazines. The Government of Canada also supports literary and art magazines through the Canada Council for the Arts.

*Sound recording*: Sound recording organisations, music artists and performers are faced with a rapidly changing global market. There are currently more than 25 000 Canadian song writers, composers and lyricists while more than 250 small Canadian companies produce 90% of Canadian artists' recordings. However, Canadian sound recordings represented only 11% of some CAD 1.3 billion in retail sales in 1999; the rest continues to be dominated by foreign-owned multi-nationals. At 2.5 recordings purchased per capita, Canada ranked tenth in the world in 1999. On-line penetration of sound recording amongst youth is above 90% in Canada. Top issues for debate in the music industry inside and outside Canada include a 19% drop in

retail sales in the late 1990s, especially in the singles market, continued piracy through file-swapping and the use of recordable compact discs.

The principal instruments of federal intervention in sound recording in Canada are the:

- *Canada Music Fund (CMF)*: designed to expand access to diverse Canadian music choices in existing and emerging media, increase opportunities for music artists and entrepreneurs and develop skills and know-how, several CMF components are administered by the private sector and by Telefilm Canada and the Canada Council for the Arts; among components are New Musical Works Programme (NMWP) and Music Entrepreneur Programme (MEP);
- *Canada Council for the Arts*: operates thirteen granting programmes and allocates grants and contributions to artists and arts organisations in professional music;
- *National Library of Canada*: preserves Canadian musical works for future generations;
- *Canadian Radio-television and Telecommunications Commission (CRTC)*: establishes and implements Canadian content quotas in both official languages for radio and television to ensure 'shelf space' for domestic music (radio) and music videos (television).

*Canadian Culture Online (CCOL)*: The CCOL is designed to stimulate the creation of Canadian digital content in both official languages and to extend Canadians' access to a broad range of Canadian cultural choices on the Internet. The objectives of CCOL in DCH are to achieve a critical mass of quality content on the Internet in both English and French, to build a conducive environment for Canada's cultural industries, institutions, creators and communities to produce and make available Canadian cultural content on the Internet and to increase visibility and build audiences for Canadian digital cultural content. CCOL has brought together a number of programmes which collectively are often referred to as new media.

Key new media issues under debate in Canada include the low level of French-language cultural content on the Internet (44% of French-Canadians used the Internet in 2001 compared to 58% of English-speaking Canadians perhaps reflecting the smaller amount of French-language content on the Net), the domination of US-based content and sites on the Net, child access to pornographic and violent Net content, and the slow development of interactive television and 'e-commerce' in cultural distribution. The growth of new electronic media such as digital video discs (DVD) has meant a concomitant rise in considerations of 'electronic copyright.'

It is particularly important that, among other things, the CCOL is focussing on social issues such as contributing to the closing of the digital divide and promoting a safe environment for children on the Internet. The CCOL consists of 8 funding programmes to provide seamless access to information concerning Canadian culture:

- *Canada New Media Fund (NMF)*: DCH provides financial support to Telefilm Canada to manage the NMF, which furthers the development, production, and marketing/distribution of new media works in both official languages;
- *Canadian Memory Fund (CMF)*: established in 2003-04 and administered by the Canadian Heritage Information Network (CHIN), the VMC funds the digitisation by federal institutions of heritage collections;
- *New Media Research Networks Fund (NMRNF)*: goal is to foster and mobilizes Canada's research talent in the private, academic, public and no-profit sectors and encourages partnerships in new media research;
- *Applied Research in Interactive Media (ARIM)*: designed to accelerate the development, demonstration, promotion and diffusion of advanced e-content for digital networks, including broadband applications. The ARIM is a partnership between the Canadian Network for the Advancement of Research, Industry and Education Inc. (CANARIE Inc.) and DCH;

- *Francocommunautés virtuelles (FV)*: administered by Industry Canada, FV assists Francophone communities and organisations across Canada to expand French-language content and services on the Internet. The FV also fosters the development of information and communications skills among users;
- *Partnerships Fund (PF)*: makes available over the Internet Canada cultural collections held by provincial, municipal and local cultural organisations. A strong emphasis is placed on youth;
- *Electronic Copyright Fund (ECF)*: provides funding to help Canadian copyright holders (including collectives, agencies and producers) to establish and improve online copyright management and licensing systems and mechanisms in the digital environment;
- *Canada-Telus New Media Learning Fund (NMLF)*: emphasising social sciences and arts and culture content and small and medium size enterprises, the goal of the NMLF is to develop innovative online new media learning content and applications for learners, teachers and parents for students in the pre-school, primary and secondary levels of education.

In addition to Canadian Culture On-Line, two federal services with direct application to culture are:

- *Government-On-Line (GOL)*: Established in 2002 for the delivery of public information and services by Internet, GOL will expedite programme application processes and inform the public of celebratory cultural events. It is expected to be operational in 2005;
- *Canadian Cultural Observatory (CCO)*: DCH is officially launching the CCO in November 2003 to provide cultural and heritage statistics and information on cultural policies, programmes, legislation and regulations. The Government of Quebec is alone among the provinces in operating its own provincial cultural and communications observatory.

#### 4.2.6 *Employment policies for the cultural sector*

The cultural labour force in Canada remains a leading topic for study and debate in today's rapidly changing cultural environment. Measuring and categorising cultural occupations has nevertheless remained problematic owing to different definitions of cultural work, methods of counting cultural workers, sources and procedures used to generate data. Much of the cultural labour force data is derived from the Canadian Census every five years, the monthly Canadian Labour Force Survey and annual or biannual cultural surveys.

Recent trends using employment indicators for 2000 include a high incidence of self-employment among 119 800 artists comprising nine cultural occupations in Canada (writers, producers, directors, choreographers, and related occupations; conductors, composers and arrangers; musicians and singers; dancers; actors; other performers; painters, sculptors and related artists; and artisans and craftpersons); wide variations in income between low-income writers, musicians, visual artists and dancers and higher income cultural managers, for example and a strong representation of part-time and multiple job holders in the cultural sector. The proportion of culture workers remained stable from 1987 to 1997 at approximately 2.5% of the total labour force. Research on the cultural labour force in Canada shows:

- *strong regional variations* (culture accounts for 3% of the employed labour force at the national level in 1997; in Newfoundland culture accounted for 1.4%);
- *different age distributions* according to occupation (68% of writers were over the age of 35 in 1997; 45% of employed performing artists were under 35);

- *relatively high levels of education* for cultural workers (over 60% of cultural workers in writing-related and heritage/libraries occupations had a university degree in 1997 in contrast to just over 22% for the entire labour force).

Recent federal initiatives in cultural human resource development include:

- **the Cultural Human Resources Council:** As a national service organisation, the CHRC forges partnerships with the federal and provincial governments to help build a cultural human resource strategy for Canada. The Council is dedicated to supporting cultural workers, producers and artists and to strengthening the Canadian cultural workforce. Among the issues discussed at its most recent Forum are recruitment and training, transitions from education to career development, retention in the labour force, and job creation;
- **national training institutions:** Although the federal government in Canada has devolved much responsibility to the provinces in respect to training, it maintains several national cultural schools including the National Theatre School and the National Ballet of Canada as well as national training support programmes in film and the arts.

#### 4.2.7 *New technologies and cultural policies*

While Canada has always been at the vanguard of developing and accessing new technologies such as cable and satellite, their rapid succession and use in creating, transmitting and receiving cultural content is both destabilising and invigorating at the same time. New technologies allow new players to enter the cultural marketplace, increase competition among traditional players and expose vast amounts of digital content to interested consumers. In order to remain competitive, cultural industries face the challenge of using new technologies to develop new products and to maintain overall corporate market shares in both traditional and new media modes. The introduction of new communication technologies in Canada has often complemented rather than displaced existing media and cultural formats.

Examples of policy related issues identified and addressed by the government include:

- the effect of growing levels of time-use of Internet content on the consumption of cultural content by traditional means;
- questions of privacy and pornography;
- limitations on regulatory application to the Internet including broadcast streaming;
- copyright protection in the digital environment;
- bridging the digital divide;
- supporting sustainable on-line business models for the cultural industries.

The Internet exemplifies the impact of new technologies with its rapid creation of new opportunities for the dissemination of cultural and other forms of content. Creators, producers and distributors of Canadian content are pressed to secure prominent places on the Internet in the face of rapid, massive and global information flows.

Cultural policies have been influenced by constant technological innovation providing the opportunity of expanding content diversity and consumer access. Some current initiatives, pursuant to recommendations of the influential Task Force on Digitisation in the late 1990s, include:

- the connectedness agenda whereby the federal government works with the provincial governments to ensure that every school across Canada will be linked to the Internet during the first half of the current decade;



- the Canadian Heritage Information Network (CHIN) operates an on-line 'virtual' museum with information on museum holdings (see chapter 4.2.3);
- the Department of Canadian Heritage's Canadian Cultural Observatory to be launched in 2003 and linked to a Cultural Portal and Government-On-Line (see also New Media in chapter 4.2.5);
- the Canadian Digital Content Initiative which includes the Canadian Memory Fund, les Franccommunautés virtuelles, the Partnerships Fund and various other DCH programmes that support the availability of Canadian cultural content on the Internet. In addition to CHIN and the Virtual Museum, heritage institutions (archives, libraries, museums) are at forefront of making heritage content available online.

The Canada Council for the Arts supports artists making creative use of interactive information and communications technologies and/or audio production technologies. Priority is given to proposals from artists whose work demonstrates the development of an individual style or expressive approach, as well as a commitment to questioning and expanding the art form. Recent examples of artists' work in new media include, but are not limited to:

- artworks created with information and communications technologies;
- installations and performances integrating information and communications technologies; artworks created through a creative application of communications networks;
- web art;
- artists' applications of robotics, software design leading to the production of an original artwork;
- creation of a prototype for use in/as an original artwork;
- artworks created using artificial intelligence or artificial life software and;
- visual music performances and/or installations (audio coupled with video or digital visuals).

While the Department of Canadian Heritage does not have many mechanisms to directly support film and video artists in the media arts tradition (media arts includes film, video, audio and new media), it does provide support to Canada Council's Media Arts Section's programme. The DCH Arts Policy Branch's Arts Presentation Canada Programme and Cultural Spaces Canada Programme contribute to access for Canadians to media artists and their works through the funding of Media Arts Festivals and by contributing to the improvement of creation/production, and dissemination and presentation spaces.

#### *4.2.8 Arts education: programmes and models*

Childhood experience and education are increasingly recognised as an important determinant of later arts and cultural practices. However, Canada has tended to separate culture (concurrently federal and provincial) and education (restricted to the provinces at the primary and secondary levels). This separation may have had the unwanted impact of placing certain limits on government spending in culture and retarding the emergence of a consensus on standardised curricula for the arts, history, literature and culture in Canada. Other issues include the digital divide between rural and urban student access to home computers and educational software and between male and female uses put to using computers including programming and desktop publishing (Statistics Canada 2003).

The Government of Canada partners with arts organisations and other governments through:

- **SchoolNet:** Operated by Industry Canada in partnership with provincial and territorial governments, the educational community and private sector to connect all Canadian schools and libraries to the Internet.

- **Canada Online:** Up to 10 000 public Internet access sites helping make Canada's Internet system among the fastest in the world.
- **EducAction:** Accesses contemporary learning materials about Canada generated by the Canadian Studies Programme in Canadian Heritage.
- **Federal cultural institutions:** The National Arts Centre (NAC) provides learning kits for elementary school teachers, conducts workshops for students in theatre, and produces arts appreciation concerts by the NAC Orchestra. The Canada Council for the Arts and the National Film Board promote cultural learning while the Book Publishing Industry Development Programme in the Department of Canadian Heritage provides subsidies to publishers of textbooks and other learning materials. The two national training programmes in the arts and film constitute important sources of educational support.
- **Other Canadian initiatives in arts and education:** include *ArtsSmarts* and *Learning Through the Arts*. Some provincial governments are also getting involved in arts education in a significant way.

#### 4.2.9 Heritage issues and policies

The Government of Canada, through the Department of Canadian Heritage, is defining a new policy framework for heritage, which is linked together with questions of citizenship in a newly organised departmental sector. Since Confederation, the federal government has played an active role in cultural heritage, beginning with the creation of national heritage institutions to preserve heritage objects, records, buildings and sites of significance to Canada. As with Canada's approach to cultural policy, there is no single, comprehensive, overarching statement of federal objectives in the area of heritage. The existing heritage framework reflects the evolution of a wide array of instruments, mostly targeted to specific areas of heritage such as museums, archives, historic sites, and libraries.

By virtue of the name, heritage has a particular focus in the federal Canadian Heritage portfolio. Canada's evolved organisational structure has facilitated the horizontal links between heritage policy and other aspects of Canada's cultural policy, ensuring that provisions for long-term preservation and access to cultural works are incorporated into new strategies for feature film, sound recording and digital content.

Current federal heritage developments include the Government's commitment to a Natural Heritage Action Plan through the creation of national parks and national marine conservation areas, the implementation of a multi-year initiative to encourage the conservation of heritage buildings in communities and a recent decision to combine the National Archives of Canada and the National Library of Canada into a new knowledge and preservation institute.

Over the past few years, the Department has been consulting with Canadians and heritage communities on new directions for federal heritage policy that would focus on bringing Canadians together through heritage, sharing our diverse stories and fostering a strengthened sense of shared citizenship. A renewed approach to heritage would reflect a more inclusive approach to heritage, update the Canadian Museum Policy and add new elements of support for the broader heritage community as a means of engaging a greater number of Canadians.

A principal goal of federal heritage policy in Canada includes strengthening the country's "...preservation and conservation capacity in order to preserve more of its heritage and enable Canadians to share and experience their heritage." (*Report on Plans and Priorities* 2002) Building capacity in the heritage community is a key part of the framework and through it, investments are planned on digital standards for heritage institutions and the skills required for the collection and management of digital cultural content. Enhancing domestic access to

heritage institutions, holdings and services is also an important element of the current Canadian heritage policy. The Federal heritage review extends to the following programmes and institutions:

- **Museums Assistance Programme (MAP):** MAP provides assistance to Canadian museums for projects that tell the Canadian story and promote inter-provincial perspectives, fosters Aboriginal museum development, and supports exchanges and dialogue.
- **Movable Cultural Property Programme (MCP):** MCP flows from the *Cultural Property Export and Import Act (1977)*, which regulates the import and export of cultural property and provides for special tax incentives for donating or selling important objects.
- **Canadian Cultural Property Export Review Board (CCPERB):** CCPERB is an independent tribunal established under the *Cultural Property Export and Import Act* to certify cultural property for income tax purposes.
- **Canada Travelling Exhibitions Indemnification Programme (Trex):** Trex provides indemnification for lost or damaged works travelling in exhibitions and reduces insurance costs associated with travelling collections.
- **Canadian Heritage Information Network (CHIN):** CHIN operates on-line museum and gallery information service, access to information on objects in museums, history specimens and archaeological sites, and Virtual Exhibitions.
- **Canadian Conservation Institute (CCI):** CCI promotes care and preservation of Canada's movable cultural heritage and advances conservation in museums, art galleries, academic institutions and other heritage organisations.
- **National heritage institutions:** include the National Gallery of Canada, the Canadian Museum of Civilisation, the Canadian War Museum, the Canadian Museum of Nature, the Canada Science and Technology Museum, the National Archives of Canada and the National Library of Canada.
- **Other programmes:** include, *inter alia*, Young Canada Works in Heritage Institutions, the Virtual Museum of Canada, and the Canadian Memory Fund as well as various activities and programmes of the Portfolio agencies.

#### 4.2.10 Other relevant issues and debates

*Trade in culture* is a burgeoning global phenomenon. Canada's cultural industries and the arts and heritage through touring and international exhibitions, actively promote the export of cultural goods and services. Exports of cultural commodities and services are estimated to total more than CAD 5 billion in 2002 although less than what is imported. Among the many issues raised by the nexus of culture and trade, perhaps the most important are: the de-stabilising effect that further WTO rulings (after those issued in 1997) against the application of certain cultural instruments such as the Postal Subsidy could have on the capacity and legitimacy of domestic cultural support measures; the continuing top-heavy reliance of Canada's cultural exporters on the United States market (96% of cultural goods in 2002); and determining how much of Canadian cultural exports reflect real Canadian content and not just such things as film location shooting or the printing of non-cultural content.

*Trade Routes* is the Department of Canadian Heritage's strategy to expand international markets for Canada's cultural sector. It supports the Government's trade agenda to enhance prosperity and job growth in the knowledge-based sectors of the new economy. Through Trade Routes, the Department of Canadian Heritage ensures that Canada's arts and cultural entrepreneurs and organisations have access to the [Team Canada Inc.](#) network of government trade programmes and services.

Historically, the federal government's interest in *cultural tourism* has been industrial and economic. The Department of Canadian Heritage participates in tourism promotion with federal

partners such as the Canadian Tourism Commission and Industry Canada and with the provincial governments through the Federal/Provincial and Territorial Committee on Culture and Heritage. The aims of this involvement are to promote the appeal of cultural attractions such as Aboriginal tourism, language learning tourism, culinary tourism, and the need to promote inter-regional tourism within Canada especially in light of the downturn in international tourism, post 9/11.

Authority for the review and approval of *foreign ownership and investment* in the cultural industries under the *Investment Canada Act* was transferred from the Minister of Industry to the Minister of Canadian Heritage in 1999. The Cultural Sector Investment Review directorate is now part of DCH's Cultural Affairs Sector. The *Investment Canada Act* applies to the production, distribution, sale and exhibition of books, magazines, periodicals and newspapers (excluding pure printing and type-setting), film and video recordings, audio and video music recordings, music publishing and broadcasting. The applications differ somewhat from industry to industry. For example, *film* take-overs of Canadian-owned and -controlled distribution firms are not allowed, new distribution entities are allowed to import and distribute proprietary products, and take-overs of foreign distribution businesses operating in Canada are allowed if the investor undertakes to reinvest a portion of its Canadian earnings in accordance with national cultural policies. Net benefit undertakings are required of foreign investors in the context of promoting national cultural heritage and identity objectives and are assessed according to economic impact, Canadian participation, innovation and productivity, competition, compatibility with national industrial, economic or cultural policies and Canadian exports.

## 5. Main legal provisions in the cultural field

### 5.1 Overview of legal competence for cultural policy-making

Culture is not specifically referred to in Canada's Constitution, either in the *British North America Act* (1867) or the *Constitution Act* (1982). In the early years, the provinces were originally to have jurisdiction over cultural issues, which were thought to be of a local nature. However, the federal government began to intervene more extensively in culture through the exercise of its spending power in the mid-20<sup>th</sup> century. Elements of the federal role in culture and communications have been upheld on the basis of national interest ("peace, order and good government") and the spill over properties of dissemination involved in the inter-provincial and international delivery of telecommunications and broadcasting signals. In the late 1970s, the Supreme Court of Canada extended exclusive federal jurisdiction to the regulation of cable television (by the CRTC) and in 1989, held that national telecommunication networks were also integral networks under federal authority.

The federal government has assumed exclusive authority over broadcasting, allowing for federally licensed provincial educational programming. It shares concurrent authority with the provinces on the balance of the cultural portfolio including the arts, heritage and the cultural industries. Quebec stands out among provinces in Canada in maintaining a strong cultural policy and programme presence at the provincial level motivated by its close connection to French-language culture.

The composite list of principal laws affecting federal cultural policy in Canada is as follows:

- *Department of Canadian Heritage Act*;
- *Broadcasting Act*;
- *Canada Council Act*;
- *Canada Travelling Exhibitions Indemnification Act*;

- *Canadian Charter of Rights and Freedoms*;
- *Canadian Multiculturalism Act*;
- *Canadian Radio-television and Telecommunications Commission Act*;
- *Copyright Act*;
- *Cultural Property Export and Import Act*;
- *Income Tax Act*;
- *Investment Canada Act*;
- *Museums Act*
- *National Archives of Canada Act*;
- *National Arts Centre Act*;
- *National Film Act*;
- *National Library Act*;
- *Official Languages Act*;
- *Status of the Artist Act*;
- *Telefilm Canada Act*.

## 5.2 Legal frameworks for artists

### 5.2.1 Social security/labour relations

Enacted in 1995, the *Status of the Artist Act* officially recognises the contributions artists make to Canadian cultural, social, economic and political life and establishes a policy on the professional status of the artist. It also recognises rights of freedom of association and expression of artists and producers, as well as the right of artists' associations to be recognised in law and to promote the socio-economic well being of those whom they represent. The *Act* established the Canadian Artists and Producers Professional Relations Tribunal, and put into place a framework for the conduct of professional relations between artists and producers within federal jurisdiction (government institutions and broadcasting undertakings under the jurisdiction of the Canadian Radio-television and Telecommunications Commission).

The *Status of the Artist Act* does not apply to individuals working in employer-employee relationships, nor does it apply to producers and artists working under provincial jurisdiction. Québec is currently the only province to have its own status of the artist legislation, (which preceded the federal law). Saskatchewan tabled enabling legislation in the spring of 2002 and a provincial law is currently under development in that province.

The Tribunal has encouraged constructive professional relations between self-employed artists and producers under its jurisdiction. The Tribunal had defined 23 sectors of artistic activity and certified 21 cultural associations by 2002. Fourteen final scale agreements have been reached including some with government producers and specialty television services. The effect of the Tribunal's work has yet to be fully felt in respect to raising the earnings of many self-employed artists in Canada who have average incomes (including income from other employment) CAD 3 000 less than the average income of CAD 26 000 for all workers in Canada (Census 1996). The *Act* was reviewed in 2002-2003 as stipulated in Clause 66 of the *Act*. Although the *Status of the Artist Act* was strongly endorsed by those consulted, there was also a consensus that the legislation by itself is insufficient to bring about significant change in artists' socio-economic circumstances. The *Act's* restriction to federal producers, the fact that it addresses only labour relations, and the fact that it does not apply to producers sub-contracted by producers within federal jurisdiction are seen as its main shortcomings. There was general agreement that other kinds of measures are necessary if the socio-economic circumstances of self-employed artists are to improve.

## 5.2.2 Tax measures

*Visual Artists and Writers:* Visual artists and writers who are self-employed are entitled to deduct reasonable expenses incurred in connection with earning income from their business, including work space in home expenses, professional membership dues. Visual artists and writers who are employees can deduct, within certain limitations, their expenses paid (e.g. advertising and promotion, travel expenses) to earn employment income from "qualifying artistic activity" which includes:

- creating (but not reproducing) paintings, prints, etchings, drawings, sculptures or similar works of art;
- composing a dramatic, musical or literary work;
- performing a dramatic or musical work as an actor, dancer, singer or musician; or
- an artistic activity in respect of which the taxpayer is a member of a professional artists' association that is certified by the Minister of Communications, now the Minister of Canadian Heritage.

*Performing artists* who are self-employed can deduct reasonable business expenses, including the following: insurance premiums on musical instruments and equipment, the cost of repairs to instruments and equipment, legal and accounting fees, union dues and professional membership dues, an agent's commission, publicity expenses, transportation expenses related to an engagement, cost of music, acting or other lessons incurred for a particular role or part or for the purpose of general self-improvement in the individual's artistic field. Artists who are employees may deduct reasonable employment expenses, subject to certain limitations (e.g. advertising and promotion, travel expenses). An employee who is employed in the year as a musician and is required as a term of the employment to provide a musical instrument for a period in the year, may deduct certain costs related to the musical instrument (e.g. capital cost allowance, amounts for maintenance, rental and insurance of the instrument).

Artists receive an income tax credit, calculated on the basis of fair market value, for a gift to institutions and public authorities designated under the *Cultural Property Export and Import Act* which regulates the import and export of cultural property and provides special tax incentives to encourage Canadians to donate or sell important objects to public institutions in Canada. An independent administrative tribunal certifies cultural property for income tax purposes by making determinations with respect to the "outstanding significance and national importance" and the fair market value of objects or collections donated or sold to museums, archives and libraries. Arts service organisations recognised by the Minister of Canadian Heritage and the Minister of Revenue as having charitable status may issue receipts for income tax purposes to persons who make gifts to associations. Income averaging measures have not been introduced to date.

## 5.3 Cultural industries

### 5.3.1 Television and radio quotas

Canada's television quotas are administered by the CRTC based on ownership of the production company, expenditures paid for services to Canadians or incurred in Canada, and predominantly, on the nationality of the producer and key creative personnel. The CRTC certifies programmes as Canadian if the producer is Canadian, key creative personnel are Canadian and at least 75% of service costs and post-production laboratory costs are paid to Canadians. Canadian content quotas in radio, set at 35% of airtime, are administered according to the MAPL system (music, artist, production and lyrics), which supports the exposure of Canadian music performers, lyricists and composers to Canadian audiences and a strengthened Canadian music industry.

In 2002, the Government launched a review of the definition of Canadian content in film and television production. However, regulations refer to the mandated availability of Canadian content, which, for television, is 60% from 18:00 to 24:00. They do not necessarily mean that the programming is in fact viewed at the same levels. For example, the average viewing rate of prime time (19:00 to 23:00) English- and French-language television programming has remained at 34% from 1991 to 2001. All day viewing of Canadian content on television averaged 41.7% over the last decade.

Critics argue that Canadian content should be defined according to other considerations than 'citizenship' or 'residence' such as theme and subject matter, location of production and post-production, copyright and rights ownership, and international and domestic distribution rights. It has also been suggested that private broadcasters could be required to dedicate a percentage of their budget - rather than a percentage of airtime - to Canadian programmes. Currently, with over CAD 1.4 billion in subsidies for Canadian television programming, only one Canadian production ranks among the top 20 TV programmes watched by English-Canadians while all the top 10 programmes viewed in Quebec are Canadian-made. English-language viewing in Canada is far less compared to other English-language markets such as the UK and Australia where 9 and 8 of the top shows watched are domestically produced, respectively. The realities are different in the French-language market where language has a buffering effect on foreign (US) competition. Telefilm Canada is currently considering changes in funding eligibility that would require marketing and other audience-building efforts.

In June 2003, the *Review of Canadian Content in the 21<sup>st</sup> Century in Film and Television Productions* (Francois Macerola) made 11 recommendations to the Government, among which the following are perhaps the most salient: (1) replace the current point/expenditure system by a creative expenditure model; (2) one arm's length organisation be made responsible for the certification of Canadian content: a proposed Canadian Content Commission; (3) the Canadian Film or Video Production tax Credit be scaled upwards; (4) Canada should seek preferential treatment and special association status with the most important multilateral initiatives especially those within the European Union; and (5) the distribution of Canadian feature films in Canada should continue to be reserved for Canadian-owned and –controlled companies.

### 5.3.2 *Language laws*

The legal foundation for extensive production and distribution of cultural content in French and English is the *Official Languages Act* (see also chapter 4.2.5). All federal cultural programmes and policies are structured according to two separate official linguistic communities and markets. Financial allocations to French-language recipients are usually at or above the levels represented by French-speaking Canadians in the population of Canada.

### 5.3.3 *Film or other promotion laws*

In 1997, the Government of Canada established the Canadian Film and Video Production Tax Credit (CPTC) and the Film and Video Production Services Tax Credit Programme (PSTC). The CPTC Programme comprises a fully refundable credit up to 12% of the total cost, net of assistance, of an eligible production. The PSTC is equal to 11% of salary and wages paid to Canadian residents or taxable Canadian corporations for services provided to film production in Canada.

#### 5.4 Copyright amendments

From the perspective of cultural policy objectives, copyright protection is seen as the foundation for creative endeavour. The creation of Canadian cultural content and the availability of diverse choices for Canadians depend on adequate copyright protection and the effective enforcement and administration of copyright through copyright collectives. However, the objective of the *Copyright Act* is also to ensure appropriate access for all Canadians to works that enhance the cultural experience and enrich the Canadian social fabric.

Responsibility for copyright is divided between the Minister of Industry and the Minister of Canadian Heritage corresponding to two measures of copyright: copyright-based economic growth and cultural policy on matters of content creation and dissemination, respectively. In June 2001, both Ministers announced further steps in the consultation process on digital copyright issues and tabled two papers on digital copyright issues. The first discussion paper was designed to establish whether near-term amendments could promote an effective framework for the digital environment and the nature of possible amendments. The second paper led to the tabling of *Bill C-48* in 2001 although it has not yet been enacted by Parliament. In 2002, *Bill C-11*, legislation to amend the *Copyright Act*, received royal assent. The Bill applies the *Act's* compulsory re-transmission licence to the Internet thus clarifying that existing distribution systems such as cable and satellite may continue to rebroadcast over-the-air radio and television signals by paying royalties set by the Copyright Board pursuant to the compulsory licence for the re-transmission of broadcast signals. The Bill also established a regulatory power that will allow new types of distribution systems, including the Internet, for the re-transmission of broadcast signals provided they meet certain conditions.

Also in 2002, the Government tabled a report on the operation and provisions of the *Copyright Act*. In this report, the government noted that the *Act* has generally worked well for Canadians but that modernising it continues to be required in order to keep abreast of new realities in the information-based society. This report outlines an ambitious agenda for copyright reform over the coming years including giving priority to Canada's ratification of the WIPO treaties. Further legislation may be anticipated in respect to digital copyright issues.

Some key issues debated in copyright include the following:

- how best to balance *the right to remuneration* for the communication, reproduction and other uses of protected works by creators and other rights holders and *access to these works* through means such as rights clearance mechanisms, private copying regimes, and exemptions for educational and other institutions;
- timing of Canadian ratification of the World Intellectual Property Organisation (WIPO) 1997 Treaties and the resulting required amendment of the Copyright Act;
- ownership of audio-visual and multimedia works (or compilations), commissioned photographs and authorship of photographic works;
- non-original database copyright protection;
- rules governing government as owner and user of copyrighted works, e.g. museums, Government-on-Line;
- terms of copyright protection (the current provision in Canada is life plus fifty years and life plus seven years in both the United States and the European Union);
- copyright protection for folklore and traditional knowledge, e.g. Aboriginal dances, stories.

Canada' copyright law establishes the economic and moral rights of creators to control the use of their works, to receive remuneration when their works are used and to protect the integrity of their work. The *Copyright Act* was first enacted in 1924 and updated in 1988 and 1997:



- In 1997, the *Copyright Act* added new remuneration rights to producers and performers of sound recordings broadcast or publicly performed by radio stations and in bars and restaurants, a levy on blank audio recording media, provisions granting exclusive book distributors legal protection in the Canadian market, and new exceptions for non-profit educational institutions, libraries, archives, museums, broadcasters and persons with perceptual difficulties;
- In 1997, the Government of Canada signed the *WIPO Copyright Treaty* (authors and creators) and the *Performances and Phonograms Treaty* (neighbouring rights). The two *Treaties* create an exclusive right for copyright owners to make their works available on-line to the public, prevent the circumvention of copyright protection and prohibit tampering with rights management information. Canada has consulted widely on its future ratification.

#### 5.4.1 *Systems of authors' rights/droits d'auteur*

The origins of copyright law in Canada draw on Anglo-American and continental-European legal traditions. The Anglo-American legal system focuses on an author's contribution to the pool of human art, knowledge and ideas while copyright law has remained largely economic in nature. In contrast, the continental European approach, which traces back to the mid-18th century, was born in the human rights tradition and places more emphasis on the link between the author and his/her creation. Moral rights are separate and distinct from economic rights and since moral rights are intended to protect the reputation of the author, they cannot be assigned but can be waived and inherited. Moral rights do not figure prominently in the current debate surrounding copyright in Canada.

#### 5.4.2 *Blank tape levies*

Blank tape levies were instituted in Canada as part of the 1997 amendment of the *Copyright Act*. The Private Copying Collective in Canada collects a tariff on blank audio recording media, including tape cassettes and CD-ROMs, the revenues of which are distributed through collectives representing musicians and other performers, composers, music publishers and recording companies.

#### 5.4.3 *Public lending rights*

Since its establishment in 1986, Canada's Public Lending Right Commission has administered the federal Public Lending Right Programme (PLR) consisting of payments to Canadian authors based on the holdings of their books by a representative sample of libraries across Canada. Over 13 000 writers, translators and illustrators across Canada received just under CAD 10 million in public lending right payments in 2002-03, marking a growth of over 300% in authors, titles and payments over the last sixteen years. The PLR Programme operates under the aegis of the Canada Council for the Arts.

### 5.5 **Cultural heritage and properties**

The following laws apply to cultural heritage:

- *National Parks Act*: In December 1998, Parliament passed the *Parks Canada Agency Act*, which provides a new operational framework for Parks Canada and establishes Parks Canada as an agency of the federal government;
- *Historic Sites and Monuments Act*;

- *Heritage Railway Stations Protection Act* (the authority of the Minister of Canadian Heritage is required to destroy or alter designated heritage railways under this Act);
- *Department of Transport Act* (deals with historic canals; there are also regulations in place in regard to heritage wrecks under the *Department of Transport Act* although no federal archaeology legislation exists which remains a gap at the federal level);
- *National Parks Act* (different than *Parks Canada Agency Act*);
- *Laurier House Act* (Prime Minister Wilfred Laurier's historic home);
- *National Battlefields at Quebec Act* (Plains of Abraham in Quebec City).

Among the most important issues facing natural and cultural heritage in Canada is how to stop the degradation or disappearance of historic sites and buildings and archaeological resources in Canada where 20% of Canada's historic buildings and archaeological sites have disappeared in the last half-century. As the largest property owner in Canada, the federal government is reviewing measures designed to protect federal historic buildings. The objective of the Federal Heritage Buildings Policy is to protect the character of designated federal buildings for present and future generations by promoting their long-term use in ways that preserve that character.

Parks Canada is responsible for Canada's programme of historical commemoration, which officially recognises national historic sites. The Minister of Canadian Heritage, on the advice of the Historic Sites and Monuments Board of Canada, makes such designations. To date, over 850 sites, 560 persons of national historic significance and 325 events and other designations of national historic significance have been identified. Priorities have been assigned to the recognition of historical sites that relate to the histories of Aboriginal peoples, women and ethno-cultural communities.

In March 2003, the federal/Provincial/Territorial Ministers responsible for Culture and Heritage met to discuss ways of cooperating in recognizing the value of historic places in Canada and to encourage their conservation. Cooperation is also extended to FPT Tourism ministers and to developing the connection between arts and culture and individual and community health.

## 5.6 Legal incentives for private sector investment in culture

Tax deductions by individuals for donating to not-for-profit charities and cultural organisations are an important incentive for philanthropy. The percentage of Canadians who contributed financially to cultural organisations in Canada doubled between 1996 (2.4%) and 2000 (5%). Cultural donations represent 3% of total value of donations (see Statistics Canada, *National Survey of Giving, Volunteering and Participating 2000*). There is currently a major lobby for the elimination of tax measures such as the reduction in the capital gains tax of donations of optioned shares.

Corporations and foundations also contribute to cultural organisations through grants and donations, endowment funds and sponsorships. The largest proportion of cultural donations flow to media, communications (public television, libraries and newsletter organisations) and the performing arts. As a percentage of total revenues, unearned revenues including endowments, trust funds, fund raising and sponsorships, amount to 21% for the performing arts and 10% for heritage institutions. Both showed growth potential during the 1990s, an otherwise difficult period for not-for-profit cultural organisations.

## 6. Financing of culture

### 6.1 Short overview

Since a mid-decade reduction in spending during the 1990s by governments at all three levels, cultural spending levels in Canada have slowly worked their way back to their previous zenith in 1992-93. In constant (1999) dollars, however, cultural spending was up only 1.5% between 1998/9 and 1999-2000, and has not yet returned to the levels of the early 1990s.

### 6.2 Public cultural expenditure per capita

Canada's public sector cultural expenditure per capita in 2000-2001 was CAD 96 at the federal level, CAD 68 at the provincial/territorial level and CAD 44 at the municipal level. Cultural spending in Quebec was higher per capita than in other provinces, reflecting the strong roles played by both the federal and provincial governments in Quebec in cultural spending in that province.

### 6.3 Public cultural expenditure by level of government

**Table 1: Public cultural expenditure by level of government, 1990/91, 1995/96, 200/01**

Level of Government	1990-1991		1995-1996		2000-2001	
	Total million CAD	% share of total*	Total million CAD	% share of total*	Total million CAD	% share of total*
Federal	2 893	49.0	2 923	47.6	2 961	44
Provincial Territorial	1 768	29.9	1 790	29.2	2 088	30.9
Municipal <sup>(1)</sup>	1 237	21.0	1 420	23.2	1 660	24.1
<b>Total<sup>(2)</sup></b>	<b>5 898</b>	<b>100</b>	<b>6 133</b>	<b>100</b>	<b>6 709</b>	<b>100</b>

\* Numbers may not total 100% owing to rounding. % of total government spending in culture including inter-governmental transfers

(1) Municipal spending is calculated on a calendar year basis.

(2) Includes inter-governmental transfers

Source: Statistics Canada, Surveys on Government Spending on Culture, 2000-2001

### 6.4 Sector breakdown

**Table 2: Public Cultural Expenditure by Sector, in million CAD, 2000-2001**

Sector	Federal	Provincial/ Territorial	Municipal (1)	Total Gross Expenditures (2)
Libraries (%)	39.9 (1.9)	777 (37.6)	1250 (60.5)	2067 (100)
Heritage Resources (%)	709 (52.8)	540 (40.2)	94 (7.0)	1 344 (100)
Arts Education (%)	0.4 (0.5)	87 (99.6)	N/A	87.4 (100)
Literary Arts (%)	160 (87.9)	22 (12.0)	N/A	182 (100)
Performing Arts (%)	132 (39.6)	180 (54.0)	21 (6.3)	333 (100)

Visual Arts and Crafts (%)	18 (30.5)	40 (67.8)	N/A	59 (100)
Film and Video (%)	306 (80.5)	73 (19.4)	N/A	379 (100)
Broadcasting (%)	1 484 (90.3)	161 (9.8)	N/A	1 644 (100)
Sound Recording (%)	10 (52.6)	9 (47.3)	N/A	19 (100)
Multiculturalism (%)	4 (7.4)	50 (92.6)	N/A	54 (100)
Other Activities (%)	98 (18.1)	148 (27.4)	295 (54.6)	540 (100)
<b>Total Expenditures (%)</b>	<b>2 961 (44.1)</b>	<b>2 088 (31.1)</b>	<b>1 660 (24.7)</b>	<b>6 709 (100)</b>

**Table 3: Canadian Heritage Portfolio Appropriations, 2001-2002**

Institutions	APPROPRIATIONS	
	Total in millions CAD	%
Department of Canadian Heritage	1 088	31.9
Canadian Broadcasting Corporation	983	28.8
Parks Canada	448	13.1
Public Service Commission	136	4.0
Canada Council for the Arts	154	4.5
National Capital Commission	102	3.0
Telefilm Canada	106	3.1
National Film Board of Canada	63	1.8
National Archives of Canada	65	1.9
Canadian Museum of Civilisation	54	1.6
National Library of Canada	43	1.3
National Gallery of Canada	43	1.3
National Arts Centre	31	0.9
Canadian Museum of Nature	26	0.8
Canada Science and Technology Museum	25	0.7
Status of Women Canada	22	0.6
Canadian Radio-television and Telecommunications Commission	11	0.3
National Battlefields Commission	10	0.3
Canadian Race Relations Foundation	**	
<b>Total Appropriations</b>	<b>3 409 ***</b>	

\* Numbers may not total 100% owing to rounding.

\*\* The Canadian Race Relations Foundation does not receive annual appropriations. It is funded primarily from the revenue generated by a CAD 24 million endowment received from the Government of Canada in 1996. The Foundation operates on income derived from investments, donations and fund raising activities.

\*\*\* The total Heritage Portfolio spending includes some organisations not generally considered to be cultural, e.g. Public Service Commission or which include only some cultural spending, e.g. Parks Canada and the National Capital Commission.

Source: Public Accounts of Canada, 2001-2002

---

## 7. Cultural institutions and new partnerships

### 7.1 Re-allocation of public responsibilities

The last major change occurred federally in 1993 when the Department of Canadian Heritage was established, with multiculturalism, identity, citizenship and cultural policy responsibilities. The only federal cultural re-allocation since then has been the removal of Parks Canada from Canadian Heritage making it independent while still part of the Heritage portfolio. To some extent, the Government has allocated some public responsibilities to the private sector through such programmes as the Canadian Television Fund.

### 7.2 Status/role and development of major cultural institutions

Many federal cultural institutions are moving away from their sole focus on narrowly defined client groups to a form of broader social inclusion as Canadians, from a dependency on government to higher self-sufficiency, from activity-based relationships to results-based interaction, and from direct project support to creating a supportive environment. Comparable change is evident in moving from sector policies to a policy framework or vision. The *Department of Canadian Heritage* has developed and continues to review a multi-year strategic framework and vision (see also chapter 4.1). Autonomous cultural policy and programme planning is becoming relatively rare in contrast to the traditional role of single-handed government initiatives. The Canada Council for the Arts provides numerous examples of close partnerships with third sector (not-for-profit) associations and has broadened the scope of its granting mandate to include new disciplines such as new media arts and new relationships such as the Aboriginal Arts Programme (see also chapter 8.1.1). The recent review of arts and heritage policies and the development of strategic policy frameworks involved extensive consultations with the respective industry and public interest associations affected thereby.

Most programmes today need to associate with other organisations such as other federal, provincial and municipal departments and agencies, non-governmental and voluntary organisations, commercial and not-for-profit entities and individual and groups of citizens. These partnerships are in place throughout the cultural sector. They range from joint funding undertakings such as the *Canadian Television Fund* to administrative arrangements where private sector associations implement portions of the *Book Publishing Industry Development Programme* and the *Canada Music Fund* (see also chapter 4.2. 9). Certain federal cultural agencies such as Telefilm Canada have taken on the job of administering Funds outside their traditional mandate such as the *Canada New Media Fund*.

However, there has been little in the way of privatisation of public-supported culture in Canada at the federal level. The last serious debate over the possible privatisation of national cultural institutions or their possible devolution to the provinces occurred in 1991 as part of failed constitutional reform. The role of public sector foundations has been to provide financial support for cultural activities usually at a provincial or local level.

### 7.3 Emerging partnerships or collaborations

Partnerships benefit from a long-term or strategic relationship based on trust. However, the principal reasons why partnerships have become '*de rigueur*' in Canada are at least three-fold:

- Government budgets can never meet the total demand for spending and services on their own. Financial and other collaboration in the development and delivery of cultural services is a way of sharing costs;
- The business and scope of culture is increasingly large and complex. All levels of society and many parts of the economy are affected by the cultural sector and hence should participate in its growth and evolution.
- The long-range goal of 'democratising' the basis of cultural policy is nearer at hand with governments' recognition that policies and programmes can only be successful if they have the imprint of both commercial and not-for-profit input and participation.

Provided that associated risks can be managed, collaboration offers governments a way to reach new audiences in non-traditional ways, to build the capacity of others and to leverage expertise and resources. Partnering can include arrangements that are consultative or advisory, contributory or support sharing, operational or work sharing, and collaborative or decision-making. Sponsorship and other forms of partnering are not to be confused with donations or advertising.

The Department of Canadian Heritage has also engaged in partnerships and sponsorships with third sector organisations in such areas as national parks and historic sites, diversity training, producing and distributing educational materials on Canada, promoting linkages to sports, artistic and ethno-cultural associations, youth exchange groups, and Native Friendship Centres, and promoting heritage tourism and Canadian participation in international expositions and fairs. The Community Partnerships Programme provides support to volunteers. The Partnerships Fund is designed to help make Canadian cultural collections available online in both official languages. The Programme associated with the International Day to Eliminate Racism Day for the Elimination of Racial Discrimination (March 21) benefits from corporate collaboration in both monetary and in-kind support. Funding mechanisms habitually include sustaining grants, contributions (including accountability for the recipient), loans and loan guarantees, cost-sharing agreements, co-operative agreements (non-financial), corporate sponsorship agreements, joint project agreements and contracts. There are also a variety of private sector partnerships at the urban level. In the arts, the Canadian Arts & Heritage Sustainability Programme (stabilisation) also provides an interesting example of private sector-public sector partnerships designed to encourage realistic financial planning and to avoid future deficits.

## 8. Support to creativity and participation

### 8.1 Direct and indirect support to artists

#### 8.1.1 *Special artists support schemes*

The Government of Canada has been closely involved with the arts, primarily the performing and visual arts and crafts, since the establishment of the arm's length but fully government-funded Canada Council in 1957 pursuant to the publication six years earlier of the *Report of the Royal Commission on the Arts and Letters* (Massey-Lévesque). The emphasis of federal policy in the arts has always been on the contribution of financial support to not-for-profit arts organisations and individual artists. The private or commercial side of the performing arts, such as commercial theatre, pop music, clubs and amateur participation, rarely receive federal art policy and programme support.

Apart from the quintessential concern over funding, other issues debated in the arts community include: tax incentives for charitable donations, community arts activities, arts appreciation programmes, arts training programmes, cultural facilities infrastructure improvements,

maintaining audience growth and development, touring within and outside Canada, public arts, and arts participation including volunteers and amateur arts creation activities.

The Department of Canadian Heritage has developed an arts policy framework that is being implemented through the following programmes:

- *Arts Presentation Canada*: seeks to give Canadians more access to professional arts festivals, replaces the festivals and special arts events of the former Cultural Initiatives Programme and received enhanced funding for the period 2002 to 2005.
- *Canadian Arts and Heritage Sustainability Programme*: operates in partnership with the provinces to reduce or eliminate operating deficits in not-for-profit performing arts and supports community- and institution-based projects that build capacity and endowments. It includes stabilization projects, capacity building and endowment incentives components.
- *Cultural Spaces Canada*: supports the improvement, renovation and construction of arts and heritage facilities in Canada. It complements the government-wide Infrastructure Canada Programme.
- *Cultural Capitals of Canada*: provides matching funds for activities that celebrate arts and culture in activities at the local level and that integrate arts and culture into community planning.
- *National Arts Training Programme*: supports independent, non-profit, incorporated Canadian institutions that provide training in preparation for professional careers in the arts.

The Canada Council for the Arts operates sixty-four programmes and provides over 6 000 grants and services to professional Canadian artists and arts organisations in 825 Canadian communities in dance, media arts, music, theatre, writing and publishing, interdisciplinary work and performance art, and the visual arts (2002-2003). The Council also runs or houses the following programmes:

- *Aboriginal Arts Programme*, an outreach programme for domestic audience and marketing development and touring assistance.
- *Canadian Commission for UNESCO*, currently establishing a global network of UNESCO-associated elementary and secondary schools.
- *Canada Council Art Bank* which maintains a collection of 18 000 paintings, prints, photographs and sculptures for rent and display to public and private institutions.
- Public Lending Right Programme and Commission (see also chapter 5.4.3).

### 8.1.2 Support to professional artists' associations or unions

While provincial arts councils provide assistance to provincial associations, the Canada Council for the Arts and the Department of Canadian Heritage provide support to national artists' associations and unions such as the Canadian Conference of the Arts, the Canadian Museums Association, the Writers Union and sound recording associations. The Department of Canadian Heritage provides legislative recognition of artists through the *Status of the Artist Act* (see also chapter 5.2.1). The federal National Arts Service Organisation (NASO) status is an example of indirect support to professional artists' associations and unions yet another example of federal support to arts associations.

### 8.1.3 Grants or other schemes for artists

The Canada Council for the Arts provides a wide range of grants, prizes and payments to Canadian artists who currently number more than 120 000 in Canada, an increase of 33 per cent over the past ten years. Of the total amount of CAD 125 million awarded in 2001, almost CAD 23 million went to 2 300 individual artists and just over CAD 100 million went to 1 969 arts

organisations. Grants are provided through programmes divided according to the following disciplines: visual arts, inter-disciplinary arts, writing and publishing, Aboriginal arts, theatre, dance, music/outreach, media arts (including film, video, new media and audio) and equity.

The Council also operates a two-year Artist and Community Collaboration Fund (ACCF) (2002-2004) which brings together professional artists and the broader community in order to give the arts a stronger presence in everyday life. Priorities are given to youth and arts education and as with all Council programmes, the ACCF is accessible to Aboriginal artists and arts organisations as well as artists and arts organisations of diverse regional and cultural communities of Canada. The Outreach Programme of the Canada Council for the Arts provides travel assistance to the presenters and curators of professional Canadian artists needed to reach new audiences at home and abroad.

## 8.2 Participation trends

By far the biggest audiences for cultural content are television viewers although recent viewing patterns show a small but significant decline in viewing. Despite increased access to cable and satellite transmission (combined) in recent years, the average time per week that Canadians spend viewing the small screen (21.3 hours in the fall of 2001) has remained stable in the past three years. However, while the national average remained stable during that period, viewing time decreased by more than two hours among teens and by more than one hour among children. In 2001, Canadians also listened to the radio an average of 20.1 hours a week.

In 1998, the five most popular cultural activities other than television and radio, were newspaper reading (81.8%), listening to music on cassettes, compact disks, and records (76.8%), viewing a movie, bought or rented, on VCRs (72.9%), reading magazines (71.2%) and reading books (61.3%). These scores are substantially lower in 1998 than in 1992.

Other cultural activities ranked lower in overall participation rates but nevertheless increased from 1992 to 1998 including:

- going to the movies (48.6% in 1992 and 59.1% in 1998);
- attending a professional concert/performance (23.7% in 1992 and 34.6% in 1998);
- visiting a public art gallery (19.3% in 1992 and 22.1% in 1998);
- attending a performing arts event (30% in 1992 and 35% in 1998);
- visiting a historic site (26.7% in 1992 and 32.4% in 1998);
- attending a museum declined slightly (32% in 1992 and 30% in 1998) as did visiting a zoo, aquarium, botanical garden or planetarium (36% in 1992 and 32% in 1998) and borrowing materials from a library (34% in 1992 and 27% in 1998).

Making use of 6 hours free time daily, cultural activity participants spent an average of 135 minutes daily watching television and only 13.5 minutes reading books, 9.8 minutes reading newspapers, 3.2 minutes surfing the Internet, 2.3 minutes going to a movie, and 2.2 minutes reading magazines. (See Statistics Canada, *General Social Survey (GSS) 1992 and 1998*; GSS has not yet updated overall cultural participation data although other sources have limited industry-specific consumption and participation data).

Tracking Internet use in Canada reveals that more Canadian households are now plugged into the Internet than are not, although the pace of growth in Internet use has levelled off somewhat since the late 1990s as it approaches saturation levels such as cable. 62% of Canadian households use it daily at home or elsewhere for personal and work related activities in 2002. It is possible that growing Internet use may account for part of the recent decline in television and reading activities. Moreover, Canadians have emerged as global leaders (second only to South



Korea) in the adoption of broadband Internet technologies (almost one-half of regular home users and the majority of business Internet users) in 2001.

### 8.3 Programme and policy initiatives to promote participation in cultural life

Several federal cultural institutions operate outreach programmes with schools and youth:

- **National Arts Centre (NAC):** The NAC Orchestra offers student matinee concerts for all grades that connect to the school curriculum for music. The NAC offers a "Musicians in the Schools" programme designed to bring musicians to the schools to perform and instruct.
- **National Gallery of Canada (NGC):** The NGC has designed an on-line school programme to assist teachers in planning class visits to the Gallery and to support the teaching of visual arts education. On-site student programmes include guided visits and studio activities.
- **Canadian Museum of Civilisation (CMC):** The CMC offers interactive programmes on themes modelled on the school curricula in Ontario and Quebec such as bringing a guide-interpreter to the classroom for a curriculum-related workshop.
- **Canada Science and Technology Museum (CSTM):** has an extensive outreach and education programme for student and teachers. There are similar programmes at the Canadian War Museum (CWM), the Canadian Museum of Nature (CMN), the Canadian Museum of Contemporary Photography (CMCP) and the Canadian Aviation Museum (CAM).

Federal initiatives to boost literacy in Canada are the provenance of the National Literacy Secretariat in Human Resources Development Canada (HRDC). The Secretariat works in partnership with provincial, and territorial governments, business, labour and the volunteer community. While the government invested over CAD 330 million on adult literacy from 1988 to 2002, adult illiteracy remains high in prose, document and quantitative functions. 42% of Canadians, aged 16 to 65, do not have the literacy skills required for full participation in the knowledge economy. The federal objective is to reduce by 25% the number of adult Canadians with low literacy skills by 2010. (See HRDC, *Knowledge Matters* 2002)

Volunteerism is another important form of cultural participation that is encouraged by both government and the private sector including many not-for-profit groups and some for-profit industries such as drive-in theatres. Almost 2% of the population ages 15 and older volunteered to help cultural organisations in 1997; the dollar value of their work was estimated at CAD 870 million. Volunteers comprised approximately 45% of the total staff of performing arts organisations and over 65% of the staff of heritage institutions in 1997. Rural and small town Canadians give proportionately more of their time (and money in donations) to the cultural sector than do urban Canadians, those ages 55 and over contributed the highest average number of hours of time, and females more than males. Volunteerism is also correlated positively with education and income.

### 8.4 The role of amateur arts/cultural associations and centres

The federal government does not normally provide funding to the amateur arts leaving it to the provincial and municipal governments and foundations. The issue of adequate incentives and support for amateur arts groups is an ongoing issue for debate although not primarily at the federal level. The generally recognised decline in arts appreciation curricula in the schools has contributed to widespread concern that instruction in the arts is insufficient to allow for creative individual and group cultural expression. However, arts associations and cultural houses advocate and encourage the participation of Canadians in cultural life. According to a 2000 survey of arts and heritage participation in Canada, 19.1 million Canadians (78% of the

---

population), ages 15 and up, participated in at least one of nine artistic or cultural activities in 2000.

Approximately 78% of the population ages 15 and up participated in at least one of nine artistic or cultural activities in 2000. Figures range from 40% (using a computer to design or draw something) to 11% for volunteering or becoming a member in an arts organisation.

Approximately 68% ages 15 and up participated in at least one of four heritage related activities in the last year, ranging from 55% for reading historical material to 6% for belonging to a heritage or historical society. Those with children in the home and those with higher levels of education are more likely to participate in artistic/creative activities than those who are without. Younger people between the ages of 15 and 24 are more likely to report participation in most activities.

95% of Canadians feel that to relax and enjoy oneself is a very (65%) or somewhat important (30%) reason for participating in artistic or cultural activities. Other reasons are: to learn new things or to improve skills (87%), to work or share something with others (83%), and to express oneself (75%). Artistic activities are also considered to be a way of connecting with one's cultural or ethnic background (53%). (Source: Environics, *Arts and Heritage Participation Survey 2000*).

---

## 9. Sources and links

### 9.1 Key documents on cultural policy

Baeker, Greg: *All Talents Count - A Pilot Inventory of National Cultural Policies and Measures Supporting Cultural Diversity*. Prepared for the International Network on Cultural Diversity, 2001.

Baeker, Greg: *Cultural Policy and Cultural Diversity in Canada*. Prepared for the Council of Europe, 2000.

Canada Council for the Arts: *Canada's Artists, as profiled in the 2000 Labour Force Survey*. 2002.

Canadian Radio-television and Telecommunications Commission: *Canadian Content in the 21st Century*. 2002.

Department of Canadian Heritage: *Performance Reports*. 2001-2004.

Environics: *Arts and Heritage Participation Survey*. 2000.

Foote, John: *Cultural Consumption and Participation*. Canadian Journal of Communication, Vol 27, Nos. 2 and 3, 2002.

Foote, John: *Cultural Diversity and Governance in Canada*. Colin Mercer (ed.): Culturelink Special Issue, 2001.

Foote, John: *La politique culturelle fédérale au Canada*. Loisirs et Société, Vol 22, No. 2, 1999.

Government of Canada: Response by the Government of Canada to the 9th Report of the Standing Committee, Connecting to the Canadian Experience: Diversity, Creativity and Choice. 1999.

Harvey, Fernand in C. Murray (ed.): *Proceedings of the Founding Session of the Canadian Cultural Research Network (CCRN)*. Ottawa, 1998.

Murray, Catherine: *Wellsprings of Knowledge: Beyond the CBC Trap*. Canadian Journal of Communication, Vol. 26, No. 1, 2001.

Parliamentary Research Branch: *Arts and Canada's Cultural Policy*. 1999.

Rabinovitch, Victor: *The Social and Economic Rationales for Canada's Domestic Cultural Policies*. In Dennis Browne (ed.): *The Culture/Trade Quandary*. 1998.

Standing Committee on Canadian Heritage: *9th Report: A Sense of Place, A Sense of Being*. 1999.

Standing Committee on Canadian Heritage: *The Challenge of Change: a Consideration of the Canadian Book Industry*. 2000.

Statistics Canada: *Cultural Surveys*. Annual and biannual

---

Statistics Canada: *General Social Surveys*. 1992 and 1998.

Statistics Canada: *Patterns in Culture Consumption and Participation*. 2000.

Statistics Canada: *Report on Cultural Trade and Investment*. 2001.

## 9.2 Web links

### Culture/arts portals

Aboriginal Canada Portal

<http://www.aboriginalcanada.gc.ca>

Canada's Cultural Gateway

<http://www.culture.ca/canada/>

Canadian Cultural Observatory

Includes selected publications of the Canadian Heritage Strategic Research and Analysis Directorate.

<http://www.culturescope.ca>

Culture, Heritage and Recreation Services

<http://www.culturecanada.gc.ca>

Government On-Line

<http://www.culturecanada.gc.ca>

Observatoire de la culture et des communications du Québec

<http://www.stat.gouv.qc.ca/observatoire>

The Canadian Art Database

<http://www.ccca.ca>

The Canadian Cultural Web Directory

<http://www.artscanadian.com>

The Virtual Museum of Canada

<http://www.virtualmuseum.ca>

### Cultural policy making bodies

Canadian Radio-television and Telecommunications Commission

<http://www.crtc.gc.ca>

Department of Canadian Heritage

<http://www.pch.gc.ca>

---

Status of Women Canada

<http://www.swc-cfc.gc.ca>

### **Grant-giving bodies**

Canada Council for the Arts

<http://www.canadacouncil.ca>

Department of Canadian Heritage

<http://www.pch.gc.ca>

Telefilm Canada

<http://www.telefilm.gc.ca>

### **Umbrella organisations**

Canadian Race Relations Foundation

<http://www.crr.ca>

International Network on Cultural Policy

<http://www.incp-ripc.org>

The Canadian Conference of the Arts (CCA)

[http://www.ccarts.ca/eng/home\\_e.htm](http://www.ccarts.ca/eng/home_e.htm)

The International Network for Cultural Diversity (INCD)

<http://www.incd.net>

### **Cultural statistics and research**

Canadian Heritage Publications

[http://www.pch.gc.ca/pc-ch/pubs/index\\_e.cfm](http://www.pch.gc.ca/pc-ch/pubs/index_e.cfm)

Institut de la Statistique Quebec

<http://www.stat.gouv.qc.ca/>

Statistics Canada

<http://www.statcan.ca/>