

# COMPENDIUM

## CULTURAL POLICIES AND TRENDS IN EUROPE

### COUNTRY PROFILE

# CANADA

**Last profile update:** November 2008

This profile was prepared and updated by **Mr. John FOOTE (Ottawa)**.

It is based on official and non-official sources addressing current cultural policy issues.

The opinions expressed in this profile are those of the author and are not official statements of the government or of the Compendium editors.

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## 1. Historical perspective: cultural policies and instruments

Governments in Canada at the federal, provincial / territorial and municipal levels have long intervened in culture. Cultural policies in Canada are based on a variety of factors including perceptions of the public good, the national and regional interests, economic growth, social benefits, Canada's two official languages and multicultural society, 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 focused on 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 19th century and early 20th 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 a 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 of broadcasting 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, the Massey-Levesque Commission, like the Aird Commission 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), the National Museums (1968) and most significantly, the Department of Communications (1969) and the Canadian Radio and Television Commission (1969). The latter 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 20th century witnessed rapid growth of culture in Canada attributable, in no small part, to the creation of a wide range of national and provincial / territorial policies and support programmes designed to contribute to the further development of arts, heritage and broadcasting and to begin to provide support to the cultural industries (including film / video, sound recording, periodical and book publishing, new media) and the enactment of legislative amendments governing such cultural legislation as the *Broadcasting Act* (1991) and the *Copyright Act* (1985 and 1997). 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 in 1967.

The current period marks a 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, with the enactment of the *Department of Canadian Heritage Act*, and given royal assent in 1995) including culture, citizenship and identity, Sport Canada and until recently, Parks Canada. Federal cultural policies continue to reflect the two official languages of Canada, the changing multicultural nature of the Canadian population and the rights and needs of the diverse and growing Aboriginal population.

Pursuant to the federal election in 2008, the responsibility for multiculturalism was transferred to Citizenship and Immigration Canada, responsibility for the Status of Women was transferred to the Minister of State (Status of Women) and responsibility for La Francophonie was transferred to the Minister of Intergovernmental Affairs and La Francophonie and the President of the Queen's Privy Council for Canada.

## 2. General objectives and principles of cultural policy

### 2.1 Main features of the current cultural policy model

Although there is shared jurisdiction for culture among the levels of government in Canada – federal, provincial (including municipal), and territorial and aboriginal (where negotiated) - 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 specifically in the Constitution, court cases borrowing from 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 involvement in culture and citizenship among its respective 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 successive Quebec governments. The government of Quebec has also pursued active involvement and cooperation with la Francophonie and UNESCO. Quebec's extensive involvement in culture is also evident in its support of international touring of performing arts - the only province with a sustained strategy for supporting international touring abroad although some other provinces support it from time to time. Municipal spending is most extensive in libraries but also significant in other areas such as promoting 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, and other locations throughout Canada.

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. During the 1980s, cultural industry, arts and heritage responsibilities were transferred from the Secretary of State to DOC, thereby making cultural policy more comprehensive in scope.

In 1993, Canada's evolving cultural governance structure was further advanced through the establishment of the Department of Canadian Heritage with the enactment of enabling legislation through the *Department of Canadian Heritage Act*, which received Royal assent in 1995. The *Act* (1995) sets out the role and responsibilities in Canadian identity and values, cultural development, and heritage. In 2003, responsibility for Parks Canada and historic sites, which had been part of the newly created mandate of the Department of Canadian Heritage since 1993, was transferred from the Minister of Canadian Heritage to the Minister of the Environment.

The decision to set up a single federal department in 1993 with both cultural and citizenship / identity responsibilities marked an innovative departure in cultural policy in Canada by affirming 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. To date, Canada's cultural policies and regulations have demonstrated a flexible vision and capacity to build and protect cultural sovereignty faced with the ever present influence of the United States while simultaneously striving to promote openness in global interactions and ensuring that the unique cultural diversity of Canada is reflected in its domestic cultural infrastructure, content and labour force.

## **2.2 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 encompassed 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, ways of life, and citizenship and identity. The evolving definition contains certain elements in common with 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 a "national cultural policy" that refers to successive government of Quebec cultural support policies and programmes.

## **2.3 Cultural policy objectives**

While there is no single statement of Canadian cultural policy objectives, the federal government supports two strategic outcomes whereby: "Canadians express and share their diverse cultural experiences with each other and with the world and Canadians live in an inclusive society built on inter-cultural understanding and citizen participation." The mission or *raison d'être* of the Department of Canadian Heritage and the Federal Cultural Portfolio of organisations is to contribute to a cohesive and creative Canada in which all Canadians have opportunities to participate in the nation's cultural and civic life. These strategic outcomes are the desired results of the policies, programmes and services provided to Canadians and are intricately linked to the government of Canada outcomes related to strengthening Canada's social foundations. These are, respectively: (1) a vibrant Canadian cultural and heritage and (2) an inclusive society that promotes linguistic duality and diversity. (2006-2007 *Departmental Performance Report*).

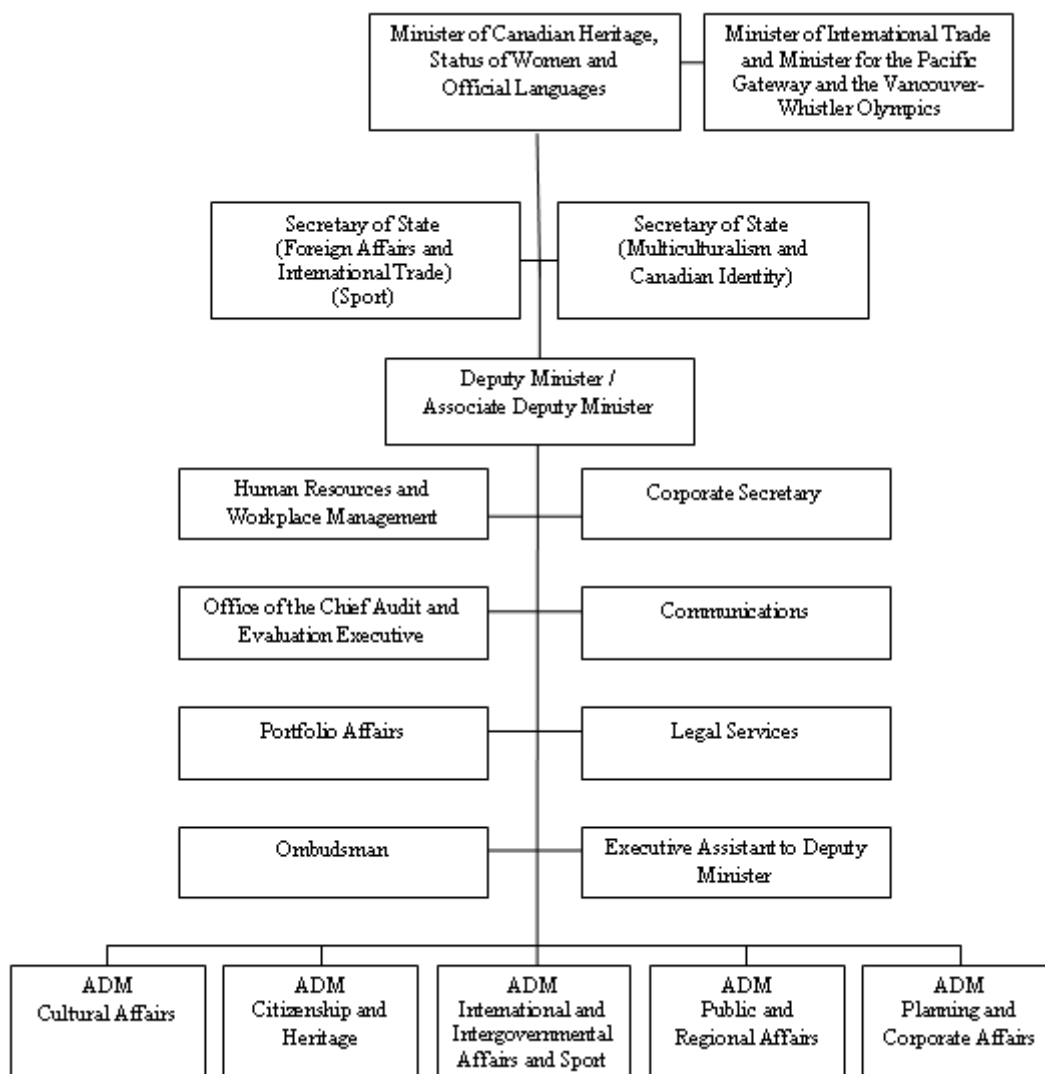
The first strategic outcome - *cultural expression* - subsumes four activities: creation of Canadian content and performance excellence, sustainability of cultural expression and participation, preservation of Canada's heritage, and access and participation in Canada's cultural life. The second strategic outcome - *inclusion* - subsumes the promotion of inter-cultural understanding, community development and capacity-building, and participation in community and civic life. It is revealing that the most significant element in common with the two strategic outcomes and activities is that of participation, whether civic or cultural.

Principles, values and traditions flowing from these strategic outcomes and 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 increasingly diverse artists, producers, distributors and consumers, public / private sector partnerships and more universal and extensive civic and cultural engagement including community building, the promotion of cross-cultural understanding and dialogue, exchanges and volunteerism. In recent years, coupled with the continuing saga of technological innovation, the principle of diversity has transformed the elaboration and implementation of cultural policies. Today, the principle of dialogue is increasingly important in regard to cultural governance and multiculturalism in both domestic and global settings. These strategic outcomes and principles have generally attracted broad public support in Canada as part of a shared commitment amongst governments and citizens to maintain an active presence in charting the country's present and future cultural affairs.

### 3. Competence, decision-making and administration

#### 3.1 Organisational structure (organigram)

##### Organisational Structure of the Department of Canadian Heritage 2008-09\*



\* Recent changes in the organisational structure (organigram) are not included.

#### 3.2 Overall description of the system

As chapter 3.1 indicates, the organisational structure of the Department of Canadian Heritage includes the Deputy Minister and the Associate Deputy Minister and five Assistant Deputy Ministers responsible for five Sectors, respectively (Cultural Affairs; Citizenship and Heritage; International and Intergovernmental Affairs and Sport; Public and Regional Affairs; and Planning and Corporate Affairs). The Department of Canadian Heritage, with its headquarters located for the most part in Gatineau Quebec, delivers over sixty programmes, ten of which are delivered by the Department's five Regional Offices. In addition to delivering programmes, the Department plays an important role in developing and implementing policies and programme design, building partnerships, conducting outreach and communications to traditional and new clients and stakeholders and providing analysis and advice to the Minister.

The governance structure of the Department comprises three management levels:



- Decision-making committees (Executive Committee chaired by the Deputy Minister and Departmental Audit Committee, including, inter alia, members outside the department);
- Operational Committees chaired by the Deputy Minister or Associated Deputy Minister (Communications and Coordination, Strategic Policy, Planning and Evaluation – newly integrated and to be operational in early 2008-09, Operations and Management); and
- Advisory Committees (Policy reporting to the Strategic Policy, Planning and Evaluation Committee, a newly integrated Planning Committee including risk management, Human Resources, Finance, Information Management and Information Technology, Programme Management and Service Delivery, and Legal Services Planning and Priorities).

The above governance structure is designed to enhance consistency within such a disparate organisation as well as the transparency of the decision-making process and to ensure progress towards the achievement of the Department's strategic outcomes (see chapter 2).

Under Canada's Parliamentary system, members of the Cabinet are also Members of Parliament. Parliament is bicameral in Canada, comprising the elected House of Commons and the appointed Senate which operates as a forum for "sober second thought" of proposed legislation. It enacts enabling legislation and approves federal spending. The Parliamentary Standing Committee on Canadian Heritage is responsible for conducting national reviews of major cultural issues such as broadcasting, feature films and book publishing, holding hearings on culture bills and amending them before a Third (and final) Reading in the House of Commons and Senate.

"Arm's length relations" refer to the separation from direct ministerial control of every-day 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, in certain cases, additional provisions are made for Cabinet to send back for further review or to rescind regulatory decisions other than broadcasting licensing decisions.

### **Canadian Heritage Portfolio**

The Canadian Heritage Portfolio reports to the Minister of Canadian Heritage and Official Languages and, in addition to the Department of Canadian Heritage (including the Canadian Conservation Institute (CCI) and the Canadian Heritage Information Network) and consists of 19 other federal organisations that operate in the audio-visual, heritage, arts, human rights and public service human resources areas. The Minister is responsible for ensuring that the Canadian Heritage Portfolio agencies and Crown corporations support the priorities of the government of Canada.

The Portfolio agencies produce their own performance reports, except for the Crown corporations, which prepare annual reports, summaries of which are tabled in Parliament in accordance with the reporting obligations set out in the applicable enabling legislation. The Canadian 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. The following organisations comprise the Canadian Heritage Portfolio:

#### **Audio-visual**

The *Canadian Broadcasting Corporation (CBC / Radio-Canada)*, Canada's national public broadcaster creates and delivers programming and information through a comprehensive range of media.

The *Canadian Radio-Television and Telecommunications Commission* regulates and supervises all aspects of the Canadian broadcasting system with a view to implementing the broadcasting policy set out in the *Broadcasting Act*.

The *National Film Board* produces and distributes audiovisual works that provide a uniquely Canadian perspective, including diverse cultural and regional perspectives, recognised across Canada and around the world.

*Telefilm Canada* is dedicated to the development and promotion of Canada's audiovisual industry. Telefilm finances original, diverse and high quality films, television programmes and new media products, which reflect Canada's linguistic duality, cultural diversity, and regional character.

## **Heritage**

*Library and Archives Canada* preserves the documentary heritage of Canada for the benefit of present and future generations. It is a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada. It facilitates cooperation in the Canadian knowledge community, and serves as the continuing memory of the government of Canada and its institutions.

The *Canada Science and Technology Museum Corporation* fosters scientific and technological literacy throughout Canada with its collection of scientific and technological objects. The Corporation oversees the operation of the Canada Science and Technology Museum, the Canada Aviation Museum and the Canada Agriculture Museum.

The *Canadian Museum of Nature* increases interest in, knowledge of, and appreciation and respect for the natural world with its collection of natural history objects.

The *Canadian Museum of Civilisation Corporation* increases knowledge and critical understanding of, and appreciation and respect for, human cultural achievements and human behaviour with its collection of objects of historical or cultural interest. The Canadian War Museum is an affiliated museum.

The *National Gallery of Canada* furthers knowledge, understanding and enjoyment of art for Canadians with its collection of art. The Canadian Museum of Contemporary Photography is an affiliated museum.

The *National Battlefields Commission* preserves and develops the historic and urban parks of the National Battlefields Park in Quebec City and in the surrounding area, including the Plains of Abraham and Des Braves Park.

The *Canadian Cultural Property Export Review Board* determines whether cultural property is of "outstanding significance and national importance" pursuant to the *Cultural Property Export and Import Act* for the purposes of export control and fiscal measures.

## **Arts**

The *Canada Council for the Arts* fosters the development of the arts in Canada by providing artists and professional arts organisations in Canada with a broad range of grants through peer evaluation committees.

The *National Arts Centre* has become Canada's pre-eminent performing arts centre. It creates, showcases and celebrates excellence in the performing arts, and strives to symbolise artistic quality, innovation and creativity for all Canadians.

## **Human Resources**

The *Public Service Commission* is responsible for safeguarding the values of a professional public service: competence, non-partisanship and representativeness. It does this in the public interest as part of Canada's governance system.

The *Public Service Labour Relations Board* is an independent, quasi-judicial statutory tribunal responsible for administering the collective bargaining and grievance adjudication system in the federal Public Service and Parliament as well as providing mediation and conciliation services to help parties resolve differences without resorting to a formal hearing.

The *Public Service Staffing Tribunal* is an independent and quasi-judicial body which conducts hearings and provides mediation services in order to resolve complaints related to internal appointments and lay-offs in the federal public service.

The *Public Servants Disclosure Protection Tribunal* is responsible for determining, for each application referred by the Public Sector Integrity Commissioner, whether a complainant of wrongdoing has been subjected to a reprisal and whether the person or persons identified in the application as having taken the alleged reprisal actually took it; it may make an orders granting a remedy to the complainants.

### 3.3 Inter-ministerial or intergovernmental co-operation

While there are not formal inter-ministerial committees or intergovernmental networks responsible for promoting intercultural coordination in Canada, the Department of Canadian Heritage engages in inter-ministerial communications with other federal departments such as Foreign Affairs and International Trade Canada (DFAIT), the Department of Justice Canada, Human Resources and Social Development Canada, Treasury Board of Canada, Public Works and Government Services Canada, Industry Canada, Transport Canada, the Department of National Defence, Health Canada, Indian and Northern Affairs Canada, Citizenship and Immigration Canada and the Department of Finance Canada on matters affecting the department. For example:

- Industry Canada established the Information Highway Advisory Council in the late 1990s but content-related issues were handled by the Department of Canadian Heritage;
- Policies and programmes affecting concentration of ownership and competition in the cultural sector involves both the Department of Canadian Heritage and Industry Canada as well as the Canadian Radio-Television Commission in relation to broadcasting;
- copyright legislation is split between Industry Canada and the Department of Canadian Heritage;
- the promotion of international cultural activities including **trade in culture** ~~and trade~~ is shared by Foreign Affairs and International Trade Canada (DFAIT) and the Department of Canadian Heritage;
- Sections 41 and 42 of the *Official Languages Act (OLA)*: Section 41 commits the federal government to enhancing the vitality of official-language minority communities (OLMC), as well as fostering the full recognition and use of both English and French in Canadian society. Section 42 mandates the department of Canadian Heritage, through interdepartmental coordination, to promote and encourage a coordinated approach to this commitment (see chapter 4.2.5);
- *l'entente pour le développement des arts et de la culture de la francophonie canadienne* which promotes arts and culture within the Canadian minority Francophone population is a result of a partnership with the Fédération culturelle francophone canadienne, Department of Canadian Heritage, Canada Council for the Arts, Canadian Broadcasting Corporation, National Film Board and National Arts Centre;
- the Department of Canadian Heritage works closely with Indian and Northern Affairs Canada on Aboriginal cultural matters; and
- the department shares with Health Canada certain provisions relative to sport under the *Physical Activity and Sport Act* (2003).

Federal cultural institutions take part in task forces and working groups that address government-wide horizontal issues. Regional Executive Directors represent the Department of Canadian Heritage on 13 Regional Federal Councils across the country. The Councils are composed of senior officials of federal departments and agencies in each province and territory. As well, regional managers and staff are involved in the work of Council Sub-Committees on a wide range of management and policy issues. Councils serve as a forum for information exchange, and are a valuable vehicle for regional management of horizontal policy issues, collaborative initiatives across departments, integrated and improved service delivery, two-way communication with the central agencies on regional perspectives, and cooperation with other jurisdictions.

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. For example, Canadian Heritage participated from 2002 to 2005 along with the federal Atlantic Canada Opportunities Agency (ACOA) in the Atlantic Canada Opportunities Partnership (ACCEP) to stimulate economic development in Atlantic Canada (including four provinces) through culture and to celebrate the history and cultural diversity of that region. Currently, Canadian Heritage is working with all provincial and territorial colleagues on several leading-edge issues represented by the following federal-provincial working groups: the enhancement of culture / heritage tourism (this initiative was renewed for a two-year period in October 2006); the impact of new innovative technologies on the creative cultural process, cultural consumption and cultural policy; the instrumental and intrinsic benefits of the arts, culture and heritage; cultural statistics; and historic places. To date, however, there has been relatively little scholarly or governmental research examining how the three levels of government actually interact on cultural matters in specific communities (see chapter 7.3).

### **3.4 International cultural co-operation**

#### **3.4.1 Overview of main structures and trends**

Canada is active internationally in the field of culture by virtue of bilateral and multilateral cultural agreements. The two institutions most involved are Foreign Affairs and International Trade Canada (DFAIT) and the Department of Canadian Heritage. Culture and the arts are recognised in Canada's foreign policy as important tools to showcase Canada's rich diversity internationally and to encourage dialogue and inter-cultural understanding abroad.

International intervention takes the form of a range of activities such as provision of export support through the Canadian Heritage Trade Routes Programme which includes five cultural trade development officers in missions abroad; provision of bilateral technical assistance; exchange of best practices; participation in international sporting and cultural events; international expositions and co-production agreements; and in various multilateral fora. Canada is signatory to audio-visual co-production treaties with 53 countries. In 2006, Canada partook in a total of 62 co-productions comprising 51 bipartite, 9 tripartite and 2 quadripartite projects with a total budget of CAD 420 million, up from CAD 372 million in 2005. About 35% of the projects are film and 65% are television. The United Kingdom and France remain Canada's largest co-production treaty partners, with total budgets for bipartite projects of CAD 245 million in 2006. In 2006, the government announced its plans to develop an international audio-visual co-production framework over three years. The policy framework is being developed and will be implemented and completed through the re-negotiation of treaties over the next few years. The planned review of international co-productions will result in clearer objectives, selection criteria for new partners, and integrated performance measurement (*Report on Plans and Priorities 2006-07*).

On the multilateral level, Canada has taken a leadership role in the international dialogue on cultural diversity and international cultural co-operation. For example, Canada was a key player at UNESCO in the development of the Universal Declaration on Cultural Diversity (UNESCO 2001). Canada also supported statements and declarations on cultural diversity that have been agreed to at the Organisation for American States (OAS), the G8, the *Organisation internationale de la Francophonie*, the Council of Europe and the International Network on Cultural Policy (INCP), the latter an informal network of Ministers of Culture established in June 1998. As a founding member of the INCP, Canada played a key role, including acting as the Secretariat, in helping to establish the INCP as an international venue to discuss cultural policy issues. Canada also played a leading role at the INCP Meeting in Spain in September 2007 in regard to intercultural dialogue.

This initial work and awareness-raising by the INCP was also reflected in the development of the *International Convention on the Protection and Promotion of the Diversity of Cultural Expressions* at UNESCO. Canada played a key role in the negotiations of the *Convention* at UNESCO. In cooperation with the provinces, territories and civil society, Canada worked towards a *Convention* which recognises the dual social and economic nature of cultural goods and services, and which reaffirms the right of governments to adopt and maintain policies and measures in support of culture. The *Convention* was adopted at the 33rd UNESCO General Conference October 20, 2005 and in November 2005, Canada became the first country to formally accept the *Convention* which Canada believes will act as a benchmark in cultural affairs at the international level and will give culture its rightful place in the practice of international law. Throughout 2006, Canada promoted the timely and widespread ratification of the *Convention*. On December 18, 2006, the 30 ratifications needed for the *Convention* to enter into force were reached. The *Convention* entered into force, March 18, 2007. Canada continued its active role in the implementation of the *Convention* through the first meeting of the Intergovernmental Committee in 2007 (see planned priorities below). On 21 May 2008, Canada celebrated World Day for Cultural Diversity for Dialogue and Development.

Canada is also Party to the UNESCO *Convention concerning the Protection of the World Cultural and Natural Heritage* (1972) and the *Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954 / 1999)*, also known as the *Hague Convention*. In December 2005, Canada became a Party to the First and Second Protocols to The Hague Convention, and the Protocols came into force in Canada in March 2006. Also in the UNESCO context, Canada is a long-standing participant in the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, a forum for mediation of disputes between states that fall outside the various international agreements on the subject, and the body that informs and guides UNESCO efforts against illicit traffic in cultural property. In 2005, Canada was elected Chair of the Committee.

Planned priorities given to Canada's cultural interests abroad (see chapter 4.1) include the following key initiatives:

- *International Strategic Framework (ISF)*: The ISF is an integrated, long-term approach to international activities and programmes related to culture and sport, which helps the Department of Canadian Heritage and its Portfolio partners identify priorities, align resources, and achieve new synergies. Through this initiative, Canadian Heritage can better focus on key areas where it plays an important international role and contributes to furthering Canada's international trade and foreign policy priorities. The Department of Canadian Heritage and Portfolio partners work closely with other federal departments and agencies active in the international sphere of arts, culture, social inclusion, and sport – such as Foreign Affairs and International Trade Canada (DFAIT), the Citizenship and

Immigration Canada (CIC), and the Canadian International Development Agency (CIDA) – to translate these objectives into action and concrete results (see chapter 3.4.2).

- *International Cultural Trade*: the Department of Canadian Heritage is developing a focused cultural trade strategy to assist small- and medium-sized enterprises (SME) in optimising their export capacity, carry out cultural trade missions in both emerging and established markets, provide market development support through export-marketing workshops for cultural industries, foster bilateral trade negotiations in all of the ongoing negotiations of free trade agreements involving Canada, provide expert cultural advice to MERCOSUR on its regional handicrafts market project, and contribute to multilateral trade negotiations in the Doha Development Round of the World Trade Organisation;
- *UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions*: The Department of Canadian Heritage continues to collaborate with DFAIT in playing a leading role in the implementation of the *Convention*, engage with civil society and NGO partners, undertake consultations with provincial and territorial governments, and carry out activities in support of the implementation of the *Convention*. In the *Convention*, international cooperation is of central importance, and states are encouraged to create the conditions conducive to promoting cultural diversity by: facilitating cultural policy dialogue; building public-sector strategic and management capacities pertaining to cultural institutions through professional and international cultural exchanges and sharing best practices, in particular with developing countries; strengthening partnerships with and among civil society, NGOs and the private sector; promoting the use of new technologies; fostering partnerships to strengthen information sharing and cultural understanding, in particular by signing joint production and joint distribution agreements; and establishing an International Fund for Cultural Diversity. In June 2007, Canada was elected to the Intergovernmental Committee which held its first session in December 2007 in Ottawa, Canada; and
- *International Exhibitions*: The government of Canada has accepted the invitation by the People's Republic of China to participate in the Shanghai 2010 International Exhibition, with the theme, "Better City, Better Life" (see chapter 3.4.6).

### 3.4.2 Public actors and cultural diplomacy

As noted in chapter 3.4.1, the Department of Canadian Heritage developed the ISF to increase the promotion of Canadian culture abroad, strengthen international dialogue on best practices in the area of social inclusion and civic participation, ensure better visibility of Canadian cultural content and expertise through new technologies, strengthen relations with the USA, increase focus on G8 and emerging global powers such as China, India and Brazil, and ensure greater coherence with overall government international priorities. The ISF has resulted in more clearly defined roles for the Canada Council for the Arts, the Trade Routes Programme in the Department of Canadian Heritage, and the Department of Foreign Affairs and International Trade's Promart Programme in the area of international cultural promotion.

Foreign Affairs and International Trade Canada (DFAIT) also has a history of promoting the Canadian cultural sector and its successes around the world as part of its efforts to advance Canadian foreign policy objectives. In 2007, DFAIT's Promart Programme was restructured and currently advances foreign policy and trade objectives in the following fields: performing arts (touring, special projects, Canadian festivals), music and sound recording (same as preceding), literature and publishing (travel for authors), media arts, film television and video (travel grants for International Market Development, Canadian festivals, grants for International Business Development) and visual arts (touring of contemporary Canadian art exhibitions, preparatory tours, incoming familiarisation visits, international career development travel, major international art events). Canada's cultural diplomacy is intended to help improve professional opportunities for Canadian artists and to facilitate, along with other

members of the cultural community, a place for Canada in the mainstream of international artistic excellence.

In addition to DFAIT and Canadian Heritage, the Canada Council for the Arts is also active in promotion of Canadian culture abroad. While it does not provide funding for the same projects as DFAIT in the performing arts and music and sound recording, the Canada Council does fund projects in the following fields: literature and publishing (international translations, launch tours for translated books in partnership with Posts, author travel), media arts, film, television and video (individual travel grants, partnerships with DFAIT and Trade Routes, independent media director screenings at priority venues) and visual arts (individual travel grants).

### 3.4.3 European / international actors and programmes

Among Canada's multiple relations with European and other international actors, are the following:

- **Council of Europe:** The Department of Canadian Heritage, on the basis of Canada's Observer status at the Council of Europe (COE), follows the activities of the COE Steering Committee for Culture (CDCULT), as well as the Council's activities related to cultural co-operation, social cohesion, intercultural dialogue, and media diversity. Participation in the deliberations of the Council of Europe enables Canada to exchange with and learn from a range of important European partners. Canadian Heritage and its portfolio will continue to engage with the Council as a means of deepening cooperation on a variety of issues with partners from Western, Central and Eastern Europe. Canada also takes part in the COE / ERICarts *Compendium of Cultural Policies and Trends in Europe*.
- **European Union:** Canada and the European Union (EU) co-operated on the drafting of the text for the UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* prior to its adoption in October 2005. Canada continues its co-operation with the EU as the *Convention* begins the implementation phase in 2007. At the annual Canada-EU Summit held in Ottawa in October 2008, the Prime Minister of Canada stated, "Canada and the EU will prepare formal mandates with a view to launching negotiations on an economic partnership as soon as possible in 2009." Canada and the EU published the results of a joint study by the European Commission and the government of Canada into the costs and benefits of a closer economic partnership between the EU and Canada, entitled "Assessing the Costs and Benefits to a Closer EU-Canada Economic Partnership". The study examines how various forms of trade liberalisation would impact on both economies, although it makes no policy recommendations.
- **Arctic Council:** In 2006, Canada became more involved in the cultural policy activities of the Arctic Council, including participating in a conference on the Cultural Dimension of Cooperation among Arctic Council Members States, held in January 2006 in Khanty-Mansiysk, Russia. At this meeting, Canada outlined its activities in the area of the revitalisation of indigenous languages. As a result of this meeting, Canadian Heritage, in conjunction with other government of Canada Departments, proposed the organising of an Arctic Languages Symposium to the Member States and the Permanent Indigenous Participants of the Arctic Council. This Symposium is planned to be held in 2008 and will bring together language revitalisation experts and practitioners to share best practices and foster co-operation between governments and indigenous groups.
- **Organisation of American States (OAS):** The third Inter-American Meeting of Ministers of Culture or Highest Appropriate Authorities was held in Montreal in November 2006. Priorities discussed included: the preservation and presentation of tangible and intangible cultural heritage including good practices in digital preservation of cultural heritage; culture and the enhancement of the dignity and identity the populations in the Western

Hemisphere including the development of partnerships between the educational and cultural sectors; culture and the creation of decent jobs and the overcoming of poverty including the development of standardised cultural indicators and satellite accounts as well as the development and promotion of cultural industries; common measurements to evaluate achievements and outcomes of cultural policies and social projects to overcome exclusion in the Americas; and culture and the role of indigenous peoples. Ministers reiterated the importance of policies and programmes that foster cultural development and the promotion of cultural diversity, as well as cultural identities, within the knowledge-based society. From 2005 to 2007, Canada chaired the Inter-American Committee on Culture (CIC) which is responsible for dialogue on cultural policy issues affecting the Americas. Canada was re-elected chair of the CIC for a further two year term in 2007. As a result of Canada's leadership, a new Action Plan will guide the ensuing work of the Committee, and will focus on two main elements: (1) building institutional capacity in cultural industries; and, (2) promoting social inclusion, particularly as it relates to youth. Member States agreed with the links made between these two strategic elements and the building of democracies, promoting governance and the reduction of poverty. As CIC chair, Canada works closely with co-chairs Brazil, Colombia, Jamaica and the United States.

- **La Francophonie:** Canada plays an active part in the international Francophonie and the « Organisation internationale de la Francophonie » (OIF). The missions of the OIF include promoting the French language and cultural and linguistic diversity; promoting peace, democracy and human rights; supporting education, training, higher education and research; and developing cooperation to ensure sustainable development and solidarity. Canada hosted the XIIth Summit of La Francophonie in Quebec City in October 2008. Within the scope of this work, Canada also takes part in the direct operating agencies recognised in the OIF Charter, including the International Association of Francophone Mayors (AIMF), the Association of Francophone Universities (AUF), the Senghor University of Alexandria and the TV5 network. In addition, Canada participates in the International Council of French-Speaking Radio and Television (CIRTEF) launched under the leadership of the Canadian Broadcasting Corporation/Radio-Canada and Télé-Québec, which is a professional association of public broadcasters in Quebec. The aim of this organisation is to establish open dialogue between broadcasting agencies and to promote the role of radio and television as an engine for development. The Department of Canadian Heritage plays a leading role in the institutions of La Francophonie including the bi-annual Summits of Heads of State and Governments of Countries Using French as a Common Language (operational since 1986), annual ministerial conferences, and different committees of the OIF in areas such as cultural and linguistic diversity, sport and youth, arts and audiovisual. The Department also manages the government of Canada's involvement in TV5 and administers the funding awarded to TV5Monde and TV5 Québec-Canada. This multinational network airs programming from Canada, Europe and Africa, promotes cultural diversity and offers a window on La Francophonie. Through its involvement in TV5, Canada is supporting emerging productions from countries of the southern hemisphere.
- **Organisation for Security and Co-operation in Europe (OSCE):** Canadian Heritage is active in the human dimension of the OSCE, or the set of norms and activities related to human rights and democracy. The OSCE, particularly through its Office for Democratic Institutions and Human Rights (ODIHR), is a venue for engaging key partners in Europe on several files such as combating racism and promoting diversity, which are key components of Canada's commitment to promoting human security. The Department of Canadian Heritage provides input to and plays a consultative role regarding issues related to combating intolerance and promoting mutual respect, intercultural dialogue and understanding at the OSCE (see chapter 3.4.5).



### 3.4.4 Direct professional co-operation

The Department of Canadian Heritage welcomes numerous delegations from various countries every year to share and exchange on good practices and experience on a wide variety of issues and topics, including multiculturalism, aboriginal policies and programs, broadcasting policies, cultural industries policies and programs, and support for cultural activities such as theatre and the visual arts. In 2007, Canadian Heritage officials met with government representatives from countries such as China, Vietnam, Thailand, Indonesia, Australia, New Zealand, Spain, United Kingdom and Brazil. Other examples include:

- **South Africa:** Canada and South Africa have engaged in various areas of cultural cooperation over recent years, including but not limited to the digitalisation of cultural heritage, policy exchange on copyright, audiovisual cooperation and the development of an art bank. In May 2007, in the context of the Fourth Annual Canada-South Africa Bilateral Consultations, PCH hosted a delegation of representatives from the Department of Arts and Culture of South Africa to further discussions on the next areas of cultural cooperation. Agreement was reached on the following initiatives: heritage training in areas of preservation and conservation, performance management and governance including best practices for cultural institutions, and the promotion of audio-visual co-productions. Both departments have been in contact to define and put in place the activities that will fall under these three areas of cooperation.
- **Jamaica:** In November 2007, Canadian Heritage welcomed a delegation from Jamaica to participate in the Cultural Information Systems and Cultural Portals Knowledge Exchange Session to support their efforts in creating a Cultural Information System for Jamaica. Although Jamaica is a leader in its region with regard to digitisation of cultural information, the Jamaican representatives approached Canada to discuss the department's experience and best practices in the creation of Culture.ca and Culturescope.ca. Jamaica plans to share the knowledge obtained in Canada during the five-day programme to assist fellow counterparts in the Caribbean in the development of their own systems.

### 3.4.5 Cross-border intercultural dialogue and co-operation

**Organisation for Security and Cooperation in Europe (OSCE):** In 2006, Canada participated in the OSCE Tolerance Implementation Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding, held June 12-13, 2006 in Almaty, Kazakhstan. The meeting focused on the role of governments and civil society in creating a context for inter-cultural, inter-religious and inter-ethnic understanding, with a view to ensuring inclusiveness and respect for diversity. During the meeting, Canada shared good practices on multiculturalism and social cohesion policies.

**Canadian International Model United Nations (CANIMUN):** Both PCH and DFAIT support the Conference, a four-day bilingual event held in Ottawa annually. Organised by the United Nations Association in Canada (UN-Canada) in partnership with DFAIT and PCH, CANIMUN offers a unique model for post-secondary level delegates from across Canada and around the world.

**The Youth on the Move Programme (DFAIT):** provides opportunities to both young Canadians and Europeans to work or travel on both sides of the Atlantic. By gaining exposure to new cultures, values, ideas, languages and ways of life, youth gain the kind of experience that promotes knowledge and skills to work in the global knowledge-based economy. The programme's Youth and Academic Mobility Unit for Europe has a mandate to promote youth and academic mobility programmes to young people in Canada and in Europe between the ages of 18 and 35. DFAIT manages more than seventy bilateral and multilateral International Youth Programmes in 54 countries and organisations. These programmes, agreed upon on a reciprocal basis, facilitated more than 56 000 exchanges worldwide in 2006.

### 3.4.6 Other relevant issues

**Global Centre for Pluralism (GCP):** On October 25, 2006, the government of Canada signed a funding agreement with the Global Centre for Pluralism, and in March 2007 CAD 30 million was provided for an endowment for this organisation. Subsequently, the government announced its intention to conclude a lease agreement with the Centre for the former site of the Canadian War Museum in downtown Ottawa. The Global Centre for Pluralism is a new not-for-profit, non-governmental organisation, which addresses a global gap in institutions that research and teach about pluralism as a foundation for good governance, peace and human development. As a majority of the world's nations are comprised of diverse ethnic, cultural, linguistic and religious communities, Canada's cultural and linguistic diversity offers practical lessons in managing diversity, reducing potential conflict and fostering inclusion.

**World Urban Forum:** The third session of the World Urban Forum (WUF), organised by UN-HABITAT and hosted by the government of Canada, was held in Vancouver, B.C., June 19-23, 2006. The Forum marked the 30th anniversary of the first United Nations Habitat Conference also held in Vancouver in 1976. The 2006 theme in WUF3 was sustainable cities, addressing social inclusion and cohesion, partnership and finance, and urban growth and the environment. Inclusiveness was recognised as an important feature of sustainability, identified as a "key means of deepening democracy and promoting citizen involvement and social cohesion." The Department of Canadian Heritage hosted a panel discussion entitled, "Ideas Into Action: The Cultural Basis of Sustainable Community Planning", which considered cultural vitality as an integral dimension of planning for sustainability alongside economic viability, environmental responsibility and social equity and a second panel discussion entitled, "Sport as a Tool for Social Cohesion and Development–Canadian Policy Responses", which considered domestic and international case studies to illustrate the value of sport as a tool for community development. Following WUF2 in Barcelona in 2004, WUF3 sought to turn ideas into concrete actions for dealing with issues facing cities and the sharing of good practices and lessons learned around the world. WUF4 was held in Nanjing, China in 2008.

**International Exhibitions:** International exhibitions are defined by the Bureau international des expositions / International Bureau of Expositions (BIE) as a forum for the exchange of information which fosters better understanding amongst people. Canada has participated in international expositions since their inception in 1851. The Department of Canadian Heritage coordinates Canada's participation and plans for international expositions including, notably, Expo 2008 in Zaragoza, Spain and Expo 2010 in Shanghai. Over the years, exposition themes have ranged from new technologies such as "Man and his World" at Canada's Expo'67 in Montreal to environmental relationships such as Expo'86 in Vancouver. The international expositions in Zaragoza focussed on water and sustainable development and the forthcoming exposition in Shanghai will focus on sustainable urban development and quality of life.

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

### 4.1 Main cultural policy issues and priorities

**Policy frameworks:** The Department of Canadian Heritage identified five priorities in the *Report on Plans and Priorities* (2008-2009), which together are designed to help build a cohesive and creative Canada. Of these, two were previously committed, one was ongoing and two are new. According to the Treasury Board Secretariat, an ongoing priority is considered to have no end date whereas formerly committed priorities outlined in previous *Reports* are considered to have estimated end dates. The current planned priorities include the following:

#### **Priority 1: Adapting Cultural Policy to Changing Technology and a Global Marketplace**

The October 2007 Speech from the Throne noted the government of Canada's commitment to improve the protection of cultural and intellectual property rights, including copyright reform. Key initiatives include: implementing supplementary funding to the Arts Presentation Programme for professional arts festivals through programming that combines and complements paid admission events with free or low-cost events, programming that engages local professional artists, extending programming outreach to other communities, initiatives that reach out to youth and other under-served populations, active outreach to schools, community centers or other venues where professional artists engage with the community, and partnerships with other community-based organisations over a period from 2008 to 2011; responding to the evolving Canadian broadcasting environment through collaboration and leveraged partnerships to ensure that the Canadian broadcasting system remains relevant in a global digital environment; adapting the Canadian copyright regime to address domestic and international challenges through legislation amendment; reviewing the Canadian Periodical Policy and redesigning its support framework in 2008-09 and implementing changes in 2009-10; and in support of the program activity to preserve Canada's heritage, moving forward on the Canadian Museum for Human Rights which will be the first new national museum to be established (by legislation) in Canada in 40 years. Legislation to that effect received Royal Assent on 10 March 2008 (see chapter 5.2).

#### **Priority 2: Promoting Canada through Community Engagement and Major Events**

Key initiatives include: Supporting the 400th anniversary in 2008 of the founding of Quebec City; in support of the program activity of access to Canada's cultural life, implementing the Building Communities through the Arts and Heritage Programme for local community festivals and commemorations (including the Budget 2007 announcement of CAD 30 million per year over two years to encourage Canadian involvement in their communities through the expression, celebration and preservation of local arts and heritage); supporting Canadian participants at Expo 2010 in Shanghai; supporting celebrations marking the 150th anniversary of the Crown Colony of British Columbia; supporting activities related to the 250th anniversary of representative government in Nova Scotia; developing next steps for the Community Historical Recognition Programme and the National Recognition Programme; and moving forward on the Global Centre for Pluralism.

#### **Priority 3: Delivering New Support for Official Languages**

The 2006 Speech from the Throne recognised that "linguistic duality is a tremendous asset for the country," while Budget 2007 announced significant funding dedicated to supporting official language minority communities and promoting linguistic duality, as well as for events surrounding the 400th anniversary of Québec City. The government plans to implement new support for Official Languages pursuant to a Budget 2007 announcement of CAD 15 million per year over the next two years for that purpose.

#### Priority 4: Investing in Canadian Sport

Canada's achievements as a sporting nation contribute to the strength of the Canadian identity as well as to the economic, social, and cultural fabric of the nation. Key initiatives include investing in athlete support, strategic opportunities and promotional activities in preparation for the 2010 Olympic and Paralympic Winter Games in Vancouver-Whistler, British Columbia and implementing the Canadian Heritage Sport Fund. These initiatives also include support to community sport participation in sports.

#### Priority 5: Strengthening Management Practices

The Department of Canadian Heritage is reviewing and continually adjusting its corporate management infrastructure and its governance structure to respond to new requirements regarding results-based management, comptrollership, risk management, internal audit and evaluation, service delivery, and public service renewal and modernisation. Extensive redesign of the Department's Program Activity Architecture (PAA) and Performance Measurement Framework (PMF) is also currently under way, to further enhance governance and accountability through informed and transparent policy development, decision-making and risk management.

The Department of Canadian Heritage's Program Activity for Architecture (effective as of 1 April 2008) is anchored by two strategic outcomes: *Canadians express and share their diverse cultural experiences with each other and the world*; and *Canada is an inclusive society built on intercultural understanding and citizen participation*. These two strategic outcomes are supported by seven programme activities: Creation of Canadian content and performance excellence, sustainability of cultural expression and participation, preservation of Canada's heritage, access to Canada's culture, promotion of inter-cultural understanding, community development and capacity-building, and participation in community and civic life. Further discussion of selected initiatives is contained in subsequent chapters of this Profile although it should be noted here that sports initiatives also complement certain cultural initiatives in regard to the strategic outcomes and some programme activities.

More generally, in financial terms, planned expenditures relative to the foregoing strategic outcomes and programme activities are slated to drop from just under CAD 1.4 billion in 2008-09 to CAD 985 million in 2010-11, a reduction of 29.4% (see chapter 6.2.3). The bulk of these departmental cutbacks are reflected in the CAD 342 million in "sunsetted" programme spending during the period 2008-2011, including Tomorrow Starts Today (arts and heritage), Canadian Television Fund, Community Historical Recognition Programme, Urban Multipurpose Aboriginal Youth Centres, Katimavik, the Vancouver-Whistler Olympics and the 400th anniversary of the founding of Quebec City. Of these, the two largest are Tomorrow Starts Today and the Canadian Television Fund (see chapter 8.1.2 and chapter 4.2.3, respectively). Cutbacks in the department's full-time human resource equivalents are planned to reach 280 from 2 354 in 2008-0 to 2 074 in 2010-11, or a planned decline of 11.9%.

**Legislative renewal:** Examples of recent cultural legislation include, *inter alia*, the enactment of the *Library and Archives of Canada Act* (2004) in order to join together the National Archives and the National Library of Canada under a single institution, Library and Archives Canada. In 2007, in cooperation with Industry Canada, a legislative package for copyright remained under development in order to 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, thereby allowing Canada to consider ratifying the 1996 WIPO Internet treaties, namely the *WIPO Copyright Treaty* (WCT) and the *WIPO Performances and Phonograms Treaty* (WPPT). In June 2007, an Act to amend the *Criminal Code* for unauthorised recording of a movie in motion picture theatres was enacted based on *Bill C-59*. In 2008-09, the Department will draft amendments to the *Copyright Act* which will provide sufficient copyright protection and fair compensation for copyright holders and

promote lawful access to works in accordance with international standards. This long over-due revision to copyright legislation is planned to be carried out "as soon as is reasonably possible, depending on the legislative calendar." Amendments to the *Copyright Act* were introduced in Parliament in June 2008 but were not enacted owing to the federal election held on 14 September 2008.

Other aspects of legislation include reviews of existing legislation through the Standing Committees of Parliament, particularly the Standing Committee on Canadian Heritage. The following selected list of Bills, studies or enquiries heard by the Committee, as well as government responses thereto, in recent years included: Assistance programme for exhibits and festivals; Bill C-327, An Act to amend the *Broadcasting Act* (reduction of violence in television broadcasts); Canadian Feature Film Industry; Canadian Independent Film and Video Fund - Mandate and Priorities; Canadian Radio-television and Telecommunications Commission (CRTC) - Mandate and Priorities; Follow up of Canadian Feature Film Industry Study; Full investigation of the Role of a Public Broadcaster in the 21st Century; Needs of remote Francophone organisations; Policies and Priorities of the Department of Canadian Heritage; Present Mandate of the Canadian Broadcasting Corporation; Statutory review of Canada Travelling Exhibitions Indemnification Act; Study on the Future of the Canadian Television Fund; Study related to Canadian museums; and Telefilm Canada - Mandate and Priorities.

**Departmental assessment / Programme renewal:** Includes ensuring the integrity of existing programmes, assessing departmental programmes in the context of changing priorities and refining cultural objectives. Programme Activity Architecture (PAA), which provides a list of programme activities and establishes links between programme activities, strategic results, resource allocation and the accountability structure, is the principal tool for departmental planning and assessment and performance measurement, including Part III of the Report on Plans and Priorities (2008-09 Estimates) and the Departmental Performance Report (2006-07).

In addition, departmental evaluations are undertaken every 3 to 4 years. For example, in 2003-04, the Auditor General reported on the protection of cultural heritage involving the Department of Canadian Heritage, the National Archives of Canada, the National Library of Canada, the Parks Canada Agency and the Treasury Board Secretariat. In 2005, the Auditor General of Canada reported on the performance of federal programmes in support of the cultural industries notably the Canadian Television Fund and Telefilm Canada. (*Report of the Auditor General of Canada*, November 2005). In 2006, the following evaluation reports were released, inter alia, on: Canada New Media Fund, Evaluation of Atlantic Canada Cultural and Economic Partnership (ACCEP), Multiculturalism Programme, Canada Magazine Fund, and Canada Travelling Exhibitions Indemnification Programme. In 2007, the Community Participation Programme and the Canadian Volunteerism Initiative were evaluated and subsequently discontinued (see below).

In regard to programme renewal, one of the most significant during this decade was the investment of CAD 500 million over three years in new support of Canadian arts and culture (announced in 2001 under the rubric "*Tomorrow Starts Today*" or TST). The TST investments continue 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 (see chapter 8.1.2). The TST has since been renewed until 2010 although as noted previously, it is included amongst those initiatives to be "sunsetting" by the end of 2009-10. As part of an earlier Expenditure Review, recent examples of discontinued programmes include: the Canadian Volunteerism Initiative, the Acknowledgement, Commemoration and Education Programme, the Community Participation Programme and the Court Challenges Programme.

**Public outreach:** The Public and Regional Affairs Sector is designed to allow the public to understand the department's programmes. It operates a public opinion research capacity as well as coordinates the department's regional offices. The Department provides services to Canadians from 22 points of service located in Gatineau-Ottawa and in five regions: West, Prairies and North, Ontario, Quebec, and Atlantic. The Sector is also responsible for major events and celebrations through its State Ceremonial and Corporate Events, Celebration, Commemoration and Learning and International Expositions Directorates (see chapter 3.4.6). The department organises four celebrations through the Celebrate Canada Programme: National Aboriginal Day (June 21), Saint-Jean-Baptiste Day (June 24), Canadian Multiculturalism Day (June 27) and Canada Day (July 1). Examples of the commemoration component include *A Canada of Prosperity and Sharing* in 2006 which marked the 40th anniversary of the Canada Pension Plan and *Democratic Canada* in 2007, when Canada celebrates the 140th anniversary of Confederation, as well as the 25th anniversary of the Canadian Charter of Rights and Freedoms. The Department of Canadian Heritage also continues to work 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. The Department of Canadian Heritage extends its public outreach through *Culture.ca* – Canada's Cultural Gateway established in 2003 and the Canadian Cultural Observatory launched in November 2003 (see chapter 4.2.2). In 2007, the Department of Canadian Heritage conducted an in-depth review of the funding, relevance and performance of all its programmes and spending to ensure results and value for money from programs that are a priority for Canadians. Pursuant to this review, the government of Canada eliminated the Observatory / Culturescope.ca and Culture.ca. Original programme objectives have been fulfilled in regards to the Observatory / Culturescope.ca and Culture.ca. The digital space has evolved tremendously so that the domestic and international community now has a wider array of interactive and networking vehicles and research tools available.

## **4.2 Specific policy issues and recent debates**

### **4.2.1 Conceptual issues of policies for the arts**

Information is currently not available.

### **4.2.2 Heritage issues and policies**

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 cultural property.

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 of and access to cultural works are incorporated into new strategies for feature films, sound recordings and digital content. The Department of Canadian Heritage partners with Library and Archives Canada (LAC) through the Audio-Visual Preservation Trust Programme (A-V Trust) to preserve and make accessible Canadian recorded music, heritage and feature films no longer in commercial distribution. According to this initiative,

LAC receives funding for collecting, preserving and conserving such films and A-V Trust for raising awareness of same.

Total heritage industry revenues grew by 1.1% in 2005, reaching CAD 1.04 billion. In the not-for-profit sector, which account for almost 90% of total sector revenues, total revenues were CAD 924 million. The not-for-profit heritage sector registered essentially a balanced budget with a small collective deficit of CAD 1.3 million. However, three types of not-for-profit heritage organisations registered a collective deficit in 2005, including museums (2.1% of revenues), art galleries (1.5% of revenues) and historic and heritage sites (1.2% of revenues). Only zoos and botanical gardens posted a surplus (8.2% of revenues). For-profit heritage organisations generated revenues of CAD 117 million in 2005. In 2004, Federal and provincial support to not-for-profit heritage institutions accounted for almost 85% of the total. More than one-quarter of total grants and subsidies went to art museums and non-commercial galleries in 2004. While historic sites received 9% of total heritage support, this amount accounted for almost 45% of their total revenues in 2004.

Current federal heritage priorities include developing a renewed federal vision for museums in the 21st century (see chapter 4.1). The government of Canada's support for museums is governed by a policy that is now more than fifteen years old. Since that time, while some challenges faced by museums, such as preservation of collections, have remained constant, museums have been faced with new challenges. Canadian society has changed, new technologies have emerged, cultural consumption patterns have altered, new partnerships with civil society have been established, new trends in volunteerism are evident, and attitudes toward public institutions have evolved. Furthermore, the government of Canada has committed to strengthening the involvement of Aboriginal peoples in policy development. The Department of Canadian Heritage has undertaken widespread consultations for over two years toward development of a new policy to assist museums to position themselves to meet their challenges and to mobilise support from all stakeholders.

In December 2006, the government of Canada announced CAD 100 million in funding for urgent capital and infrastructure investment for the following five Canadian Heritage Portfolio organisations: the Canadian Museum of Nature, the Canadian Museum of Civilisation, the National Gallery of Canada, the Canadian Museum of Science and Technology and the National Arts Centre. The Federal government is also contributing to the financing of the Canadian Museum of Human Rights in Winnipeg, the first new national museum created outside the National Capital Region in Ottawa and Gatineau. In November 2008, the newly appointed Minister of Canadian Heritage and Official Languages announced the termination of the selection process for the Portrait Gallery of Canada which was to be based on a collection by Library and Archives Canada (LAC) of more than 20 000 paintings, drawings and prints, 4 million photographs, several thousand caricatures, and ten thousand medals and philatelic items some of which will be made available through travelling exhibitions and arrangements that might possibly be entered into between LAC and museums and galleries throughout the country. This decision was based on financial reasons brought to the fore during the current global economic downturn.

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. The Auditor General of Canada Report in 2004 stated that Canada's heritage is at risk of being lost and encouraged the government to adopt a more strategic and global approach to the protection of cultural heritage. Building capacity in the heritage community is a key part of the heritage framework. 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)*: the government of Canada protects movable cultural heritage through the *Cultural Property Export and Import Act (1977)* to ensure that nationally significant heritage material is preserved in Canadian public collections and made accessible to the public. Canada also collaborates with other countries in the fight against illicit traffic in cultural property;
- *Canadian Cultural Property Export Review Board (CCPERB)*: the CCPERB is an independent tribunal established under the *Cultural Property Export and Import Act* in 1977 to certify cultural property for income tax purposes and to implement the UNESCO Convention on illicit traffic in cultural property. The *Cultural Property Export and Import Act* and the *Income Tax Act* provide special tax incentives to encourage philanthropy through donations or sales of important cultural property to designated Canadian institutions and public authorities;
- *Canada Travelling Exhibitions Indemnification Programme (Trex)*: Recognising the cultural importance and economic benefits provided by travelling exhibitions, the *Canada Travelling Exhibitions Indemnification Act (1999)* establishes a process whereby the government assumes financial risk for loss or damage to objects in major travelling exhibitions in Canada;
- *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, and Library and Archives Canada; and
- *Other programmes*: include, Young Canada Works in Heritage Institutions, the Virtual Museum of Canada which held its fifth anniversary in March 2006, official-language programmes that support heritage activities within official-language minority groups, the Canadian Memory Fund, and various activities and programmes of the Portfolio agencies.

In the *Report on Plans and Priorities (2006-2007)*, the government of Canada notes that Canadians trust museums more than any other source of information about Canada's history. The Department of Canadian Heritage works with the four national museums (see chapter 3.2) and Library and Archives Canada to ensure they are equipped to extend the reach of national collections to all Canadians. Non-federal museums also play a key role in preserving Canada's heritage. In consultations with the museum community, work has continued to measure the cultural, social and economic impact of museums, including a software application used to measure economic impact. The Department of Canadian Heritage is also continuing to work with the museum sector to develop a renewed vision for the government's museum policy.

Other efforts in 2006-2007 include modernisation of the *Cultural Property Export and Import Act (1985)* including a Discussion Paper and consultations with the stakeholders to help identify options for legislative reform; a required review of the Travelling Exhibitions Indemnification Programme (in accordance with Section 5.1 of the *Act (1985)*); and various Canadian Conservation Institute initiatives such as renovations and consultations with Aboriginal communities and planning for the 2007 Preserving Aboriginal Heritage Symposium: Traditional and Technical Approaches; and the Canadian Heritage Information Network (CHIN) through which further enhancements to the Virtual Museum of Canada are being initiated in 2006-2007 through a pilot project to establish new online museum space



facilitating educational outreach through online interaction, to help teachers and museum educators develop and share lesson plans and scenarios, and to facilitate access by students and lifelong learners to these learning resources. Other strategies to reinforce the role of museums are being evaluated.

In regard to school libraries (under provincial jurisdiction), the Association of Canadian Publishers cited estimates of Canadian content in school libraries ranging from under 10% to 30%. It notes that despite a continuing emphasis on literacy, school libraries have not become a priority in Canada. (Association of Canadian Publishers 2004) Statistics Canada found that total spending on collections development in Canada's 15 500 elementary and secondary schools was only CAD 56 million in 2003-04 and on a per- school basis, median expenditures were as low as CAD 2 000.

In 2007, Library and Archives Canada (LAC) launched a new programme, Forum on Canadian Democracy. With this online Programme, LAC plans to target academic researchers, politicians and the public policy community who may have occasion to access departmental records from the time of Confederation 140 years ago to current information such as public opinion polls and the government of Canada web-sites. This massive undertaking of digitising government records, ranging from "cleared" Cabinet documents to Orders-in-Council (Cabinet Decisions) and Canada Gazette releases listing legislation enacted, will facilitate the operation of the Forum on Canadian Democracy and the cause of access to public information (see *Access to Information Act* (1985) in chapter 5.1.8).

#### **4.2.3 Cultural / creative industries: policies and programmes**

Cultural industries are defined by Statistics Canada for the purpose of the construction and refinement of the North American Industry Classification System (NAICS) in 2002. The latter comprises establishments primarily engaged in creating and disseminating (except by wholesale and retail methods) information and cultural products, such as written works, musical works or recorded performances, recorded dramatic performances, software and information databases, or providing the means to disseminate them. Establishments that provide access to equipment and expertise to process information are also included.

The government of Canada has developed a broad range of institutions, policies and programmes that provide support to the cultural industries, the arts and heritage via the Department of Canadian Heritage and through relevant agencies or Crown Corporations. The Department has grouped the cultural industries within the Cultural Affairs Sector with separate divisions responsible for: broadcasting (television, radio, cable, satellite); film and video; sound recording; publishing (books, periodicals, newspapers); Canadian Culture Online; and the arts (see chapter 8). While traditionally neither the arts nor heritage are defined as cultural industries, they co-exist quite effectively with the commercial cultural industries listed above. The Department is structured to include both private (commercial, for-profit) cultural industries and public (not-for-profit) cultural industries and organisations. Heritage, formerly part of the Cultural Development Sector in the late 1990s, has since migrated to the Department's Citizenship and Heritage Sector.

Some issues beyond the availability of funding are common to many cultural industry-support programmes in the Department of Canadian Heritage and Portfolio organisations. The Department is also preparing an integrated audio-visual strategy which:

- complements those mechanisms developed for the arts and heritage / history sectors including training and education programmes available for future cultural industry professionals;
- examines public policy objectives from a content and audience perspective; and

- 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.

A second common theme of cultural industries in Canada is their relatively low level of domestic market share and the correspondingly high share of foreign market share in Canada as represented in Table 1.

**Table 1: The market share of foreign media products in Canada, 2004**

<b>Film</b>	95% of cinematic theatre box office revenues (86% US and 9% other)
<b>Books</b>	46.6% of the industry's total domestic revenue (there is currently no accurate figure available for the market share of foreign books in Canada. Instead, we traditionally use the revenue share of foreign publishers in Canada).
<b>Periodicals</b>	41% of sales (The vast majority of foreign titles circulating in Canada are US titles)
<b>Sound recordings</b>	75% of all sound recordings sold in Canada in 2004 by foreign artists. (The basis of the calculation is the top 2000 sales chart for the year. Only Canadian artists are identified. Foreign artists are not distinguished by country of origin).
<b>Television</b>	52% viewing share of English-language programming and 34% of French-language programming. For drama and comedy, the viewing shares of non-Canadian English-language and French-language drama and comedy are 80% and 65%, respectively (country of origin in data is identified as Canadian or non-Canadian).

Source: CRTC *Broadcasting Policy Monitoring Report* (2007).

*Broadcasting:* Broadcasting accounted for almost three-quarters of total federal spending on the cultural industries in 2003-2004. 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 geographically large as Canada. Public broadcasting (largely federal –just under two-thirds were comprised of public subsidies and slightly less than one-third of advertising. Privately-owned and -operated broadcasting revenues totalled CAD 14 billion in 2006 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. (Statistics Canada 2007) Among the more salient issues facing broadcasting in Canada are:

- new technology altering media usage habits and blurring some distinctions between broadcasting and telecommunications;
- media enterprises turning to convergence (media cross-ownership and consolidation);
- global trade and investment liberalisation affecting cultural industries both in terms of imports and exports of cultural goods and services; and
- balancing policy objectives in light of technological change between the economic interests of the media industry and the interests of Canadians.

Since 2003, the government has actively addressed many of these issues. The Standing (Parliamentary) Committee on Canadian Heritage released its Report, *Our Cultural Sovereignty: the Second Century of Canadian Broadcasting in June 2003*. The Committee made recommendations in respect to many broadcasting issues: 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 satellite market, globalisation and cultural diversity and governance

issues. The government responded in regard to three priorities: Content, Governance & Accountability and Looking to the Future.

Also in 2003, the Standing Senate Committee on Transport and Communications launched a major study of the state of the Canadian news media to examine the role of public policy in ensuring that Canadian news remains healthy, independent and diverse. It concluded that while Canadians are generally well-served by news gathering organisations, recent changes in cross-media ownership and consolidation may threaten the diversity of views and services offered to Canadians. It urged the government to make modifications to legislative, regulatory, policy, and programme frameworks to ensure that the media, particularly news media, continue to serve Canadians. Some Recommendations of the Telecommunications Policy Review Panel, established by the Minister of Industry in 2005, involved or impacted on the CRTC structure, role, and functions, and the way in which it regulates broadcasting. In an Afterword to the *Report*, the Panel suggested that an outside panel of experts undertake a comprehensive review of Canada's broadcasting policy and regulatory framework.

Recognising that the Canadian broadcasting industry is going through a fundamental transformation, in June 2006, the government of Canada requested, by Order-in-Council under the terms of Section 15 (1) of the *Broadcasting Act*, the CRTC to undertake a study of how continuing technological changes are expected to shape the broadcasting environment in the future. On December 14, the CRTC submitted to the government, its *Report* examining the future environment facing the Canadian broadcasting system. *The Future Environment facing the Canadian Broadcasting System (2006)* found that any negative impact on the broadcasting system from shifting media consumption patterns has been marginal to date, while Canadians still consume the vast majority of programming through regulated Canadian broadcasting undertakings. The Report also noted, however, that many Canadians and younger Canadians, in particular, increasingly access programming through unregulated electronic platforms (e.g. Internet and mobile networks). It concluded that ongoing monitoring of developments in audio-visual technologies will become an ever more important foundation of an informed public policy response to the introduction of new, heretofore unregulated broadcasting services and their increasing impact over time.

The CRTC also conducted a review of Canada's commercial radio policy. While the Commission chose not to increase the minimum level of Canadian popular musical selections from 35% to 40%, it did propose to set minimum levels of 25% for Canadian concert music and 20% for Canadian jazz and blues, up from the existing levels of 10%.

Yet another example of regulatory re-thinking in Canada is encompassed by an independent report by Christian Leblanc and Lawrence Dunbar to the Chairman of the CRTC entitled, *Review of the Regulatory Framework for Broadcasting in Canada* (August 2007). While the mandate of the report's authors does not include any recommended legislative change, it does refer to the need for "smart regulation" and regulatory reform. The Report addresses all broadcasting regulations in Canada and is based on existing policy objectives detailed in subsection 3(1) of the *Broadcasting Act* and the regulatory principles in subsection 56(2) of the *Act*. The Report calls for the creation of a multi-disciplinary committee to address issues of common concern including digital media. It recommends a number of actions in regard to greater competition, Canadian content (Cancon), access, and new media. To cite just two examples, the Report contends that it is imperative to develop more targeted and effective measures to provide an incentive for scheduling more Cancon drama, and not just entertainment magazines and reality programming, in peak viewing times throughout the year. The Report is also critical of simultaneous substitution whereby Canadian broadcasters substitute their own signal to broadcast American TV shows with Canadian advertisements. The authors of the Report urge the CRTC to begin a process of consultations with other departments and agencies in order to develop a national policy for digital media. There is, as yet, however, no clear signal as to whether the CRTC will act on the Dunbar-Leblanc

recommendations although the Report will be considered during a review of its broadcasting distribution undertakings and discretionary programming services regulatory framework policy beginning April 7, 2008.

*Canadian Broadcasting Corporation / Radio-Canada (CBC / SRC)*: as a federal Crown Corporation, Canada's national public broadcaster operates at arm's length from the government and is the largest cultural institution in the country. The role of the CBC / Radio-Canada is set out in Section 3(1)(m) of the *Broadcasting Act* (1991) which outlines eight elements of the Corporation's mandate pertaining to its programming which should:

- be predominantly and distinctively Canadian;
- reflect Canada and its regions to national and regional audiences, while serving the needs of those regions;
- actively contribute to the flow and exchange of cultural expression;
- be in English and French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities;
- strive to be of equivalent quality in English and French;
- contribute to shared national consciousness and identity;
- be made available throughout Canada by the most appropriate and efficient means and resources should become available for the purpose; and
- reflect the multicultural and multiracial nature of Canada.

CBC / Radio-Canada programming includes news and current affairs, sports, arts and culture, and children's and youth while services include: French and English language radio, including broadcasting in Northern Canada and CBC / Radio-Canada International, including the Web-based radio service, RCI viva for recent and aspiring immigrants to Canada, French and English language satellite radio, French and English television including continuous news channels (RDI for the French language and Newsworld for the English language), Internet, and new communications and information platforms.

In recent years, the CBC / Radio-Canada 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 audience and advertising 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. Total revenues for the Corporation are CAD 1.62 billion in 2006-07 comprising, *inter alia*, just over CAD 1 billion in Parliamentary appropriations, CAD 328 million in advertising and programme sales, and CAD 150 million from specialty services. In addition, the government allocated CAD 60 million for each of the two following fiscal years, 2007-08 and 2008-09 to be expended on Canadian programming. Over the last decade, CBC appropriations declined from 40% of total federal spending in culture in 1995-96 to 30% in 2004-05. However, on an internationally comparative basis, the CBC ranks third from the last in per capita public funding for public broadcasters (CAD 33 per capita), less than one-quarter of funding of the BBC in the UK and one-half of France-Television. (Nordicity 2006)

In November 2006, the Parliamentary Standing Committee on Canadian Heritage announced its intention to "undertake a full investigation of the role for a public broadcaster in the 21st century, an examination of the various services including the adequacy of regional programming, and an examination of the issues posed by new media; the study will gather public input from stakeholders." The Committee heard testimony in 2007 from a variety of sources affected by or involved in public broadcasting in Canada. The President of the CBC called for a new contract with Canadians over ten years. This does not imply legislative change but might act as an additional link between the federal government's public broadcaster

and Canada's population, or its 32 million "shareholders". The CBC suggestion would be based on five principles: mixed public / private system, programming independence, distinctive programming, serving all Canadians and adequate resources to meet requirements. To date, there is no indication when the Standing Committee will complete its work in Canada's 40th Parliament and release a report.

*Canadian Radio-television and Telecommunications Commission (CRTC):* in accordance with the *Broadcasting Act* (1968), the government of Canada established the CRTC as an independent public authority that regulates broadcasting undertakings including the CBC and telecommunications common carriers. The CRTC is mandated by legislation to balance the cultural, social and economic goals of the *Broadcasting Act* (1991) 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 also regulates issues of portrayal, employment equity, multicultural, ethnic and Aboriginal broadcasting. In January 2008, the CRTC conditionally approved the Journalistic Independence Code proposed by the Canadian Broadcast Standards Council (CBSC) provided the CBSC includes a minimum number of journalists on the panels that study complaints and formalizes the process used to select panel members. The CRTC is of the view that the principles in the Code will ensure a diversity of professional editorial voices and will eventually apply to all broadcasters who own a newspaper in the same market.

*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. In 2005-2006, total production volume of film and television production reached just under CAD 4.8 billion, a 5.8% increase over the previous year, comprising CAD 1.8 billion in Canadian television production, CAD 323 million for Canadian feature films, CAD 995 million in broadcaster in-house production and CAD 1.7 billion in foreign location shooting. Foreign financing of Canadian television production dropped from 28% to 10% between 1999-2000 and 2005-06. Real GDP in the motion picture and video production, distribution and post-production industry grew by an average annual rate of 5% between 1998 and 2004, and 1.5% in 2005. The export value of Canadian film and television production was up by 11% to almost CAD 2 billion in 2005-06 (Canadian Film and Television Production Association 2007).

Looking at the economic profile of feature films alone, Canada produced 76 feature films in 2005-06 and Canadian feature and short film directors and actors continue to attract attention in international film festivals. However, in 2006, Canadian feature films attained a total Canadian box office market share of only 4.2% in Canadian theatres (17% French-language films, 1.8% English-language films). A total of 99 Canadian theatrical films played in Canadian movie theatres in 2006, down from 105 the previous year. 295 American films played in Canadian theatres in 2006 (up significantly from 257 in 2005) and 218 foreign films, other than American, played in Canadian theatres the same year (also up significantly from 202 in 2005). Total paid admissions (attendance) declined to CAD 105 million in 2005 from the preceding figure of CAD 114 million in 2004. Across both official language film markets in Canada, the average production budgets for feature films increased from CAD 2.4 million in 2000-01 to just under CAD 5 million in 2005-2006, while average marketing budgets for Canadian feature films increased from CAD 226 000 in 2000-01 to over CAD 500 000 in 2005-06. The average hourly production budget of English-language Canadian television programming in fiction in 2004/05 was CAD 1.3 million and CAD 259 000 for French-language fiction.

Some of the main issues facing the film industry include:

- a recent cyclical downturn in the international demand for Canadian TV programmes;
- the continued fragility of stable financing for domestic "high end" television programmes and declining activity in the international financing for Canadian programming;
- inadequate levels of marketing funding for Canadian films;
- 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;
- opportunities and risks associated with new distribution platforms, especially copyright and business model issues;
- increased competition from other countries for attracting foreign location shooting; and
- a decline in Canada's co-production activity.

Federal film programmes and institutions include:

- *National Film Board of Canada (NFB)*: during its 65-year history, the NFB has produced and distributed over 12 000 productions and received more than 5 000 awards including 12 Oscars and more than 90 Genies for television. Priorities include social issues such as human rights, cultural diversity, audiences, emerging filmmakers and minority participation, space on multiple distribution platforms, brand recognition, preserving Canada's collective memory in film, and improved links to the educational system;
- *Telefilm Canada*: invests in the production and dissemination of film, television and new media. In March 2005, the government of Canada enacted amendments to the *Telefilm Canada Act* to clarify and update its mandate to reflect its current activities. Telefilm Canada is a federal cultural agency dedicated to the development and promotion of the Canadian audiovisual industry. Telefilm provides financial support to the private sector to create distinctively Canadian productions that appeal to domestic and international audiences. The Corporation also administers the funding programmes of the Canadian Television Fund;
- *Canadian Television Fund (CTF)*: is a unique private-public initiative entered into in 1996 by the government, Telefilm Canada, Canadian direct-to-home satellite service providers and the private cable-distribution companies (through the private Cable Production Fund) to invest in high-quality Canadian TV drama, documentaries, children's and youth programming and variety / performing arts in both official languages as well as Aboriginal languages. Over the past ten years, the CTF has contributed CAD 2.22 billion to support 4 470 productions resulting in more than 23 000 hours of television for Canadians and more than CAD 7.4 billion in production volume across Canada. The CAD 240 million CTF (over two years, 2007-08 and 2008-09) is today Canada's largest direct funder of television programmes. In 2005, the government announced changes in the governance of the CTF involving a single Board (CTF Corporation), a single administrator (Telefilm Canada) and public policy direction coming from the government. In February 2008, the Minister of Canadian Heritage asked the CRTC to report and make recommendations on the CTF, under section 15 of the *Broadcasting Act* (1991) according to which the Governor in Council (better known as the federal Cabinet) can request the CRTC to hold hearings or make reports. After Public Hearings in February 2008, the CRTC submitted a Report in June 2008 which contained a number of recommendations on the future of the CTF and was the subject of a Public Hearing in February 2008;
- *Canadian Feature Film Policy and Fund (CFF)*: first established in 2000 with the publication of *From Script to Screen* and administered by Telefilm Canada with the objective of securing 5% of the domestic box office by 2006 (achieved in 2005) and increasing domestic and international audiences for Canadian feature films (the Standing Committee on Canadian Heritage noted that French-language films have achieved

audience success while English-language films have not achieved the same results). The CFF contributed CAD 63 million towards the production of 44 feature films with total budgets of CAD 163 million in 2006-2007;

- *Canadian Audio-Visual Certification Office (CAVCO)*: administers two tax credit programmes, assesses the level of Canadian content and the eligibility of films seeking federal support and certifies film and television programmes. CAVCO is currently developing an online application system that will be in place in 2008; and
- *Canadian Independent Film and Video Fund*: a national private-sector non-profit organisation that is funded by the federal governments and the private sector. Its mandate is to support the development of the non-theatrical film industry by providing assistance to emerging independent producers who create films, videos and new media projects destined for specialty television, business, education, health, libraries, community groups, cultural and social services.

*Book publishing*: While the book publishing industry in Canada is faced with limited economies of scale in the domestic market, it continues to grow steadily over the past thirty years the industry Canadian book publishing. This is reflected in growing revenues from both domestic sales and exports of Canadian books abroad. Total revenues in the industry reached CAD 2.15 billion in 2004, up 12.5% from 2000. However, 19 foreign-controlled publishers, which represent less than 6% of all companies surveyed, accounted for 46.7% of revenues of Canadian-based companies that is held by foreign-owned, Canadian-based companies in 2004. 350 book publishers produced nearly 17 000 new titles in 2004 (especially trade books) and reprinted over 12 000 existing titles (especially educational books). Canadian-controlled book publishers produced 86% of all titles printed and about two-thirds of all reprinted titles. Foreign controlled publishers accounted for 59% of revenues from book sales in Canada and 67% of all educational book sales in Canada in 2004. The overall profit margin of book publishers is relatively high in large part owing to substantial skewing of the data on profit margins caused by a few large and / or non-traditional publishers in the sample utilised by Statistics Canada. Main challenges for the Canadian-owned book publishers in Canada include:

- the high cost of books produced and sold in Canada which may vary according to the enhanced value of the Canadian dollar compared to the American dollar;
- reducing "remainders" or returned books (30% in Canada in contrast to 10% or less in other world markets);
- coping with the growing concentration of ownership in of firms linking retail and publishing;
- the competitive threat posed to domestic publishers by foreign publishers and the problem of ensuring succession of individual publishers in Canada; and
- ensuring an effective distribution system among publishers, wholesalers and retailers (*BookNet Canada* (BNC) is a not-for-profit agency collaboration beginning in 2003 between industry and Canadian Heritage to enhance the efficiency of and track the sales performance of the book supply chain in Canada).

The issue of foreign ownership and market share is particularly acute: 5% of foreign publishers operating in Canada generate more than 33% of total industry profits which are generally 10% higher than those of the average Canadian-owned book publishing firm. Four out of five foreign-controlled book publishers earned a profit in 2004 compared with just 40% of Canadian publishers. Canadian-controlled book publishers are considerably smaller, on average, than foreign-controlled book publishers. Nevertheless, the result of 25 years of focused government support to the book sector has been an increase in annual revenues not to mention the considerable critical success and international acclaim of a generation of Canadian writers. To illustrate, in the first year of the BPIDP (see below), funding recipients published 2 162 new titles and in 2005-06, almost three-times as many, 6 083 new titles.

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

- *Book Publishing Industry Development Programme (BPIDP)*: established in 1979, provided over CAD 37 million in financial assistance in 2006-07 to some 222 Canadian-owned publishers and other sectors of the book trade with the objective of fostering a strong and viable industry that promotes Canadian-authored books. The BPIDP also provided international marketing assistance totalling CAD 4.8 million in contributions in 2006-07 some of which is administered by the non-profit Association for the Export of Canadian Books (AECB). This has contributed to the industry's increase in export and foreign rights sales over the past decade which reached CAD 333 million in 2004. While Canadian book exports continue to be strong in the USA, UK, France and Australia, initiatives such as the Association of Canadian Publishers' trade mission to China in 2005 and Canada's annual presence at the Belgrade International Book Fair give Canadian publishers a higher profile in emerging markets. Books represent approximately one-fifth of all Canadian cultural industry exports. BPIDP assistance to publishers is indirectly responsible for bringing new voices to Canadians in the form of first-time authors of 1 000 titles in 2006-07, or 15% of all new books published; and
- The government of Canada also supports library and publishing houses through the Canada Council for the Arts and scholarly publications through the Social Sciences and Humanities Research Council.

*Periodical publishing (including small community newspapers)*: Since the work of the Royal Commission on Publications in 1961, it has been recognised that, in light of strong competition from foreign publications, government action was and remains necessary for Canadian magazines to exist in sufficient quality, numbers, or diversity. The Royal Commission led to a range of measures that were successful in building the numbers and circulation of Canadian magazines over thirty years. In the mid-1990s, however, the United States launched a challenge to these measures at the World Trade Organisation (WTO). In 1999, representatives of Canada and the United States signed an agreement that led Canada to amend its periodical support structure to allow foreign magazines conditional access to the Canadian advertising market. Tariff and tax barriers were removed and exceptions in the *Foreign Publishers Advertising Services Act (1999)* (often referred to as Bill C-55) allow foreign publishers to supply advertising services directed at the Canadian market under certain conditions. Responsibility for enforcement rests with the Department of Canadian Heritage.

When Bill C-55 was passed, Canadian periodical publishers feared that the increased competition would lead to loss of revenues and profits. However, periodical publishing continues to grow. In 1998, 2 027 periodicals were produced with a total annual circulation of 603 million copies. In 2003, 2 383 periodicals sold 758 million copies in Canada. Industry revenues approached CAD 1.6 billion in 2003, up 22.4% from 1998. According to Statistics Canada, farm, general consumer and special interest magazines enjoyed large increases in profits from 1998 to 2003.

Other challenges to the periodical industry in Canada include:

- rising distribution costs;
- competition from digital media sources for readers and advertising (such as a decline in classified advertising sales); and
- foreign dominance of newsstand sales.

The government uses a two-pronged approach in supporting magazines and newspapers in the face of these challenges: legislation to influence certain marketplace conditions and direct funding programmes. The three federal legislative instruments applicable to the periodical industry in Canada are:



- *Foreign Publishers Advertising Services Act (1999)*: This Act (often referred to as *Bill C-55*) regulates foreign magazine publishers' participation in the Canadian advertising market by limiting their sales of Canadian advertising to 18% of their total advertising revenues in each issue of a magazine. The limit does not apply, however, if a foreign publisher makes an investment in the Canadian magazine industry that is reviewed and accepted by the Minister of Canadian Heritage as likely to be of net benefit to Canada. The Act's objective is to allow Canadian publishers to compete fairly with lower-cost foreign companies for ad sales, a key source of revenue for most magazines, thus strengthening their financial viability;
- *Income Tax Act (1985)*: Section 19 of this Act provides an incentive for Canadian advertisers to advertise in Canadian-owned newspapers by allowing deductions for advertising expenses only in newspapers with at least 75% Canadian ownership. Section 19.01 allows Canadian advertisers to fully deduct magazine advertising only if the magazine, either Canadian- or foreign-owned, contains at least 80% original editorial content. The objective is to stimulate production of Canadian content by creating incentives for advertisers to do business with magazines with high levels of Canadian editorial content; and
- *Investment Canada Act (1985)*: The Minister of Canadian Heritage, under this Act, may review foreign investment in the cultural industries, including magazine and newspaper publishing, for net benefit to Canada. To supplement the Act, Canadian Heritage has developed a policy on foreign investment in the magazine industry that generally requires non-Canadians establishing magazine businesses in Canada to produce a majority of original Canadian content in their magazines (see chapter 4.3).

The principal periodical support programmes in the Department of Canadian Heritage are:

- *Publications Assistance Programme*: The beginnings of the Publications Assistance Programme (PAP) can be traced back to the *Post Office Act (1849)*, which provided domestic and foreign newspapers, magazines, and books with reduced postal rates to promote literacy. The current programme does not cover the mailing of books since its objective is to ensure that Canadians have access to a diverse selection of magazines and small weekly community newspapers with high levels of Canadian content. The PAP supports almost 1 200 Canadian magazines and community newspapers, as well as publications serving ethno-cultural, aboriginal and minority official language communities, by funding a portion of their mailing costs for delivery in Canada and is currently delivered in partnership with Canada Post. In 2006-2007, the PAP provided CAD 60.4 million in subsidies to over 202 million copies of Canadian publications to offset mailing costs. This programme is widely credited for the development of the strong, subscription-based business model by the Canadian periodical industry. In light of a significant change to its partnership with Canada Post for the delivery of the Publications Assistance Programme, the Department of Canadian Heritage will be reviewing its Canadian periodical support framework in consultation with stakeholders; and
- *Canada Magazine Fund (CMF)*: Launched in 2000, the CMF, is intended to promote the creation of Canadian editorial content, increase Canadians' access to Canadian magazines, and enhance the quality and diversity of Canadian magazines and to strengthen the sustainability and infrastructure of the industry, in the face of long-standing competitive disadvantages. In 2006-2007, the CMF provided CAD 15.6 million through four components: Support for Editorial Content, Support for Arts and Literary Magazines, Support for Business Development for Small Magazine Publishers, and Support for Industry Development.

*Music*: The music industry has been greatly impacted by the advance of technology and shift in consumer behaviour. Global trade value of recorded music has dropped from a peak of USD 25.8 billion in 1999 to USD 19.6 billion in 2005, a 24% decrease. Reasons for this decline can

be explained by peer-to-peer file sharing on the Internet, a decrease in format replacement (consumers replacing vinyl with CDs) and competition from other entertainment products (DVDs, gaming, cell phone). In Canada, the trade value of recorded music sales fell 18% to CAD 192 million in the first half of 2007. However, digital sales accounted for 12% of the Canadian market over the same period, compared to 6% at the end of 2006.

Canadian domestic trade revenues in sound recordings decreased from USD 582.8 million in 2005 to USD 529.8 million in 2006 placing Canada 6th in the world with 3% of global trade revenues. Despite the downturn in overall music sales:

- Canadian artists' share of domestic sales increased from 16.1% in 2001 to 22.3% in 2006;
- overall royalties SOCAN paid out to its members increased 0.3% from 2005 to CAD 106.3 million in 2006;
- over 2 000 new recordings by Canadian artists are produced annually; and
- between 2001 and 2005, 302 Canadian albums received certifications based on sales from the Canadian Recording Industry Association (Gold = 50 000 units, Platinum = 100 000 units and Diamond = 1 million units sold).

Notwithstanding the successes of the Canadian music industry, Statistics Canada reported that, in 2003, 287 Canadian-controlled labels produced 89% of new Canadian recordings, but earned only 21% of total Canadian recording industry revenues. In contrast, 13 foreign-controlled labels produced only 11% of new Canadian recordings and earned 79% of total revenues.

The principal instruments of federal intervention in the music industry in Canada are:

- *The Canada Music Fund (CMF)*: based on the policy framework *From Creators to Audience*, the CMF is designed to strengthen the Canadian music industry at every level. The objectives of the CMF are threefold: i) to enhance access to a diverse range of Canadian music choices through existing and emerging media; ii) to increase opportunities for Canadian music artists and entrepreneurs to make a significant and lasting contribution to Canadian cultural expression; and iii) to ensure that Canadian music artists and entrepreneurs have the skills and means to succeed in a global and digital environment. The CMF comprises seven funding components: Creators' Assistance, Canadian Musical Diversity, New Musical Works, Music Entrepreneurs, and Sector Associations, Collective Initiatives and Canadian Music Memories. The Department of Canadian Heritage works closely with its CMF programme delivery partners to ensure the effective administration of the Fund, including two not-for-profit talent development organisations {Foundation Assisting Canadian Talent on Recordings (FACTOR) and Fondation Musicaction}, the Canada Council for the Arts, the SOCAN Foundation, Library and Archives Canada and the Audio Visual (AV) Preservation Trust;
- *The Canada Council for the Arts*: operates thirteen granting programmes and allocates grants and contributions to artists and arts organisations in professional music;
- *Library and Archives Canada*: preserves Canadian musical works for future generations;
- *The Canadian Radio-television and Telecommunications Commission (CRTC) Radio Regulations*: based on the *Broadcasting Act*, the 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);
- *The Copyright Act (1985)*: promotes the creation and dissemination of artistic works through intellectual property protection and enforcement; and
- *Investment Canada Act (1985)*: contains net benefit provisions for cultural investment in sound recording as well as other cultural industries.

*Canadian Culture Online (CCO)*: Established in 2001, CCO 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 CCO in the Department of Canadian Heritage are: to achieve a critical mass of quality cultural 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. Approximately 50% of CCO funds are dedicated to the development of French-language content on the Internet.

CCO supports the following six funding programs:

- **Canada New Media Fund (CNMF):** The Department of Canadian Heritage provides financial support to Telefilm Canada to manage the CNMF, which furthers the development, production, and marketing / distribution of new media works at the intersection of technology and culture in both official languages (third party funded project);
- **Canadian Memory Fund (CMF):** The CMF aims to connect all Canadians with the riches of Canadian heritage by making key Canadian cultural collections held by federal institutions free of charge on the Internet in both official languages;
- **Partnerships Fund (PF):** The Partnerships Fund is designed to assist partnership initiatives between not-for-profit, public and private organisations and institutions to connect all Canadians with the riches of Canada's heritage by making Canadian cultural collections held by provincial, municipal and local cultural organisations available via the Internet in both official languages. At this time, the department is particularly seeking projects for the development of online content, which helps deepen an understanding of Canada and its rich diversity, particularly in the areas of: Canada's contemporary culture and artistic expression; Aboriginal culture; Francophone community content; and Canada's cultural diversity, including the content of minority groups in Canada;
- **New Media Research Networks Fund (NMRNF):** The objective of the NMRNF is to help build research and development (R&D) capacity in Canada and to advance innovation in the area of digital cultural content. Under this fund, a group of public and private sector partners organise themselves into a Network enabling researchers to share knowledge, resources and facilities. and
- **Gateway Fund:** The primary objectives of the Gateway Fund are to: increase the amount of quality Canadian cultural content for the Internet; build audiences for that content by making it easy to find on the Internet; and engage Canadians to use the content and share their perspectives on Canadian events, people and values.
- **New Media R&D Initiative:** The New Media R&D Initiative is aimed at supporting innovative applied research at the intersection of technology and culture. Its three main objectives are: to help build R&D capacity in Canada and to advance innovation, specifically in the area of digital cultural content; to strengthen R&D capacity in small- to medium-size enterprises (SMEs) in the cultural new media industry; and to encourage partnerships between organisations involved in developing innovations to allow them to share expertise and build on each others' strengths.

Canadian Culture Online also supports:

- **Culture.ca:** Developed in collaboration with partners from the private and public sectors and administered by the Department of Canadian Heritage e-Services, the Culture.ca cultural portal is intended to engage Canadians in cultural life by providing access to quality Canadian cultural content in both official languages. In January 2008, Culture.ca commenced a cultural podcast listing ([podcasts.culture.ca](http://podcasts.culture.ca)) which brings together podcasts produced by Canadians in French, English and other languages on a variety of cultural topics;

- The Canadian Cultural Observatory (Observatory) and Culturescope.ca: The Department of Canadian Heritage launched the Observatory in November 2003 to provide statistics and information on cultural and heritage policies, programmes, legislation and regulations. Its objectives are to advance cultural development in Canada by fostering responsive research, encouraging informed decision-making in policy and planning, and stimulating community debate and improved knowledge exchange. Culturescope.ca is the Observatory's collaborative, interactive website developed in partnership with the not-for-profit, private and public sectors; and
- The Virtual Museum of Canada (VMC): A partnership between Canada's vast museum community and the department's Canadian Heritage Information Network, the VMC brings together art, culture, and heritage from Canadian museums through an online gateway.

The Department of Canadian Heritage is undertaking a review of the Canadian Culture Online (CCO) Strategy to be completed by March 2008. This review will include consultations with the new media industry and other stakeholders to assess current and potential development and determine what types of federal support might be needed. A revised CCO strategy will be presented for government approval and implemented once approved. In October 2008, the Department refuted publicly a newspaper report that the Fund would be discontinued. The Department pointed out that the Fund was renewed in June 2007 for a period of two years up to 31 March 2009. The Department stated that no decision has been made to eliminate the CNMF.

#### 4.2.4 Cultural diversity and inclusion policies

Cultural minorities in Canada are diverse in scope and definition. In Canada, the term, "cultural minorities" applies to ethno-cultural, official languages, ethno-racial, religious and demographic populations, including immigrants. "Visible minorities" are yet another definition with populations totalling over 4 million in 2001. One-half of the population in Toronto and Vancouver, Canada's largest and third largest cities, respectively, will soon be comprised of visible minorities according to current and projected immigration trends. Immigrants already constitute 44% of Toronto's population and 38% of Vancouver's population. In 1950, when the landmark Massey-Lévesque Commission linked cultural diversity and Canadian identity, 92% of Canada's population growth was a product of the domestic birth rate. Today, immigration, defined as persons who are, or have been, landed immigrants in Canada, excluding non-permanent residents, has outpaced the natural birth rate in Canada, and accounts for 20% of Canada's population and 53% of the country's overall population growth. The immigrant growth rate from 2001 to 2006 was 14%. Indeed, without continuing high levels of immigration, Canada would be unlikely to produce enough natural growth in the population to expand its population and labour force. While the majority of the Canadian population of more than 33 million is still descended from either Great Britain or France, 47% of Canadians reported multiple origins or at least one origin other than British, French, or Canadian and more than 200 different ethnic origins were reported in the 2006 *Census* (Statistics Canada 2007).

While Canada does not officially recognise specific ethno-cultural minorities, the 39th Parliament of Canada voted, November 22, 2006 to recognise that the Québécois form a nation within a unified Canada.

Until recently, the Department of Canadian Heritage was responsible for the implementation of the Multiculturalism Programme, based on the *Canadian Multiculturalism Act, (1985 and assented to in 1988)* - see chapter 5.3.8. It is now part of Citizenship and Immigration Canada. Canada's diversity is a source of enormous benefit to Canada's social, political, economic and cultural development. However, there is growing evidence that while many members of ethno-

cultural / racial communities participate fully in all aspects of Canadian life, others encounter barriers, some long term, to their full participation in society. The Multiculturalism Programme fosters awareness among federal institutions of their obligations under the *Canadian Multiculturalism Act*, and also aims to support the removal of barriers related to race, ethnicity, cultural or religious background that would prevent full participation in Canadian society. The Programme is active in supporting civil society, research and policy development, public education and promotion, and public institutions (including federal institutions). (Annual Report on the Operation of the *Canadian Multiculturalism Act*, 2006-2007)

Examples of best practices under each of the foregoing activity areas include projects funded by the Programme such as:

- *Support to Civil Society*: Mosaic anti-racism youth project in the Northwest Territories; a youth leadership for inclusion in Northeastern Ontario; Third International Symposium on Hate in the Internet conducted by the League for Human Rights of B'nai Brith; Baraka 2007 developed by the Black Islanders Cooperative in Charlottetown, PEI during Black History Month in Canada; Black Youth in Action designed to promote black youth community leadership and to counter racism in Halton, Ontario; Condition of the Haitian Community forums in Montreal held by the National Council of Citizens of Haitian Origin; and Responding to the Educational Challenges of Newcomer Students and Families in focus groups led by the Multicultural Women's Organisation of Newfoundland and Labrador;
- *Research and Policy Development*: Report on Visible Minorities in Urban Cities and the rise of ethno-cultural "ghettoes" in Montreal, Toronto and Vancouver, and the Demographic Imbalance between City and Country;
- *Support to Public Institutions*: United against Racism – Designing Inclusive Schools Conference in Winnipeg for Aboriginal students; National Transcultural Health Conference organised by the Montreal Children's Hospital; and a Health Guide for New Arrivals and Health care Workers in Moncton, New Brunswick; and 4. Public Education and Promotion: Black History Month each February, annual March 21 Racism, Stop It! National Video Competition, Asian Heritage Month recognised each May; and the 11<sup>th</sup> annual Mathieu da Costa Challenge involving texts and drawings submitted by youth from 9 to 18 in commemoration of the first recorded black person to set foot in Canada; participation in the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (ITF) in Prague; National Historic Recognition Programme and Community Historical Recognition Programme, apologies for the Chinese Head Tax and for the Komagata Maru incident in which Indo-Canadian migrants were refused disembarkation in Vancouver in 1914.

The Department considers such support as contributing to inter-cultural understanding and the social cohesion of the country and helping to develop collaborative frameworks with other Canadian Heritage programmes and other government departments and agencies to address specific challenges facing ethno-cultural / racial communities in Canada (see chapter 4.2.7 and chapter 4.2.8). Support is provided by Canadian Heritage and other Portfolio institutions to organisations working with ethno-cultural / racial communities across the country. Since the provisions of the Canadian Multiculturalism Act (1988) apply to all federal institutions, and not just to the programmes administered by the Department of Canadian Heritage, significant levels of federal support and regulations are directed at ensuring that federal government activities are carried on in a manner that is sensitive to the multicultural reality of Canada. For example, the Broadcasting Act (1991) has had a significant impact on Canadian society because it outlines the governance of the CBC, the establishment of the CRTC and the regulation of the broadcasting industry. Another example is the Canada Council for the Arts, which has, since the 1980s, adapted programmes and procedures to ensure proper reflection of

Canada's cultural diversity. For example, its Equity Office provides a strategic focus on equality of opportunity for visible minority artists and organisations.

In broad terms, principles of diversity are implemented throughout the federal government, in order to ensure:

- 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; and
- enhanced social cohesion and reduced social exclusion through the simultaneous recognition of differentiated identities and the forging of a new sense of belonging.

The Department of Canadian Heritage also targets youth, an important demographic minority, in its program and policies, in order to increase young Canadians' knowledge and understanding of Canada, its history, people and institutions; and their appreciation for Canada's cultural diversity, linguistic duality and heritage, through reciprocal "home stay" exchanges, thematic forums, learning materials and activities, and employment and internship opportunities. In 2005-2006, over 21 000 youth benefited from departmental programs directed at youth, including Exchanges Canada, Katimavik and Young Canada Works. More still benefited from learning materials and activities funded by the Canadian Studies Program. Participants were able to better understand both the diversity and the shared aspects of the Canadian experience, and connect with one another and their communities.

#### *Provisions for Aboriginal People*

Aboriginal societies have a unique place in Canadian society that is recognised in the Constitution, celebrations, arts, heritage and cultural activities, the government's policy agenda and by Canadians in general. In order to move beyond the stage of "recognition" to a more dynamic inclusion, participation and contribution of Aboriginal societies to Canada's civic life, an informed partnership with Aboriginal societies is necessary - a partnership founded on the collective goal of preserving and strengthening Aboriginal cultures as a key to the vitality, well-being and development of Aboriginal communities, the enhancement of understanding across diverse communities and the overall enrichment of Canadian life.

According to the 2006 Census, 1,173 million persons reported having Aboriginal ancestry / origin and, of those, 75% reported identifying with at least one Aboriginal group. A majority of the Aboriginal identity population resides in urban areas (494 095), 20% in rural areas (196 135) and 29% on reserves (286 080). Urban areas accounted for a large portion of the increase (56%) in the Aboriginal identity population between 1996 and 2001.

- In 2006, the large majority of the Aboriginal identity population was First Nations (almost 60%) and the remainder was Métis (almost 29%) and Inuit (4.3%). In a medium-growth scenario, the Aboriginal share of the total Canadian population is expected to increase to 4.1% by 2017, up from 3.4% in 2001. Growth in Aboriginal populations in Canada from 1996 to 2006 was 45% compared to just 8% for non-Aboriginals. The Aboriginal median age is projected to increase from 24.7 to 27.8 years while that of the total Canadian population is expected to increase from 37.1 years to 41.3 years. (Statistics Canada, *Projections of the Aboriginal Populations, Canada, Province and Territories, 2001-2017*).
- The Aboriginal population is also very young. According to the 2001 *Census of Population* children under 15 years of age represented 37% of the total Aboriginal identity population. Moreover, the Aboriginal identity population will continue to be much younger than the total Canadian population. However, only 21% of the Aboriginal identity

population reported having an Aboriginal mother tongue (i.e. the first language learned and still understood) and only 4% of urban Aboriginal identity youth (15 to 24 years old) reported an Aboriginal mother tongue. It should be noted that some of the Aboriginal data contained in the Statistics Canada projections 2001-2017 are controversial because they did not take into account "ethnic mobility" in terms of self-identification or –attribution, therefore affecting the population numbers, especially those of the Métis.

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 programmes to support an Aboriginal infrastructure at the national, regional and community levels for Inuit, Métis, Non-Status Indians and First Nations living primarily in urban and rural off-reserve communities. These programmes enable Aboriginal people to address social, cultural and economic issues affecting their lives in Canadian society. 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-language productions. A National Gathering on Aboriginal Artistic Expression was held in 2002 and National Gatherings on Aboriginal Culture and Tourism were held in 2003 and 2005.

The Urban Multipurpose Aboriginal Youth Centres Programme (UMAYC) is administered by the Department of Canadian Heritage to develop a network of urban, multipurpose, Aboriginal youth programming in Canada. Programming provides accessible, Aboriginal community-based, culturally relevant and supportive projects, programmes, services and counselling to urban Aboriginal youth and facilitates their participation in existing programmes in order to improve their economic, social and personal prospects.

The Canada Council for the Arts also supports cultural diversity through its engagement with Aboriginal artists. The Aboriginal Arts Secretariat develops policies, programmes, strategic initiatives and budgets to support Aboriginal artistic practices in all arts disciplines. The Aboriginal Peoples Collaborative Exchange Programme offers funding to Aboriginal groups and individuals for projects that involve the sharing, appreciation, understanding or awareness of traditional and / or contemporary knowledge and practice. Other examples of greater culturally diverse and Aboriginal inclusion include:

- a new definition of "professional artist" inclusive of a range of cultural practices and traditions;
- an 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 added to existing programmes in theatre and writing;
- the number of culturally diverse and Aboriginal employees exceeding demographic representation in the population; and
- increased outreach to diverse communities in addition to translation of programme information into several languages.

According to the *Report on Plans and Priorities* (2006-2007), the Department of Canadian Heritage plans to respond, pursuant to consultations with its partners in the Canadian Aboriginal language community, to the *Report of the Task Force on Aboriginal Languages and Cultures* (2005) in regard to the establishment of a policy on Aboriginal language preservation, revitalisation and promotion and the development of tools that enable Aboriginal languages to be heard, read and recognised in public places and to make the languages accessible to all speakers, on and off reserve, in those places where the languages are used (see chapter 4.2.5). For legal references to Aboriginal People, please see chapter 5.3.8.

#### 4.2.5 Language issues and policies

Language issues in Canada refer primarily to the country's two official languages, English and French. Pursuant to recommendations of the *Report of the Royal Commission on Bilingualism and Biculturalism* (1969), Parliament adopted the first *Official Languages Act* (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 and of the province of New Brunswick. 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. Quebec is officially French and all other provinces and territories in Canada are unilingual English. 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 under the Charter.
- *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 and use of both official languages and promote a co-ordinated approach among federal institutions.

Through its responsibilities under the *Official Languages Act*, Canadian Heritage supports the Minister of Canadian Heritage, Status of Women and Official Languages, also responsible for La Francophonie, in facilitating the enhancement of Canada's two official languages and supporting official language minority communities. The Department of Canadian Heritage also encourages and promotes a coordinated approach to the implementation of Section 41 of the *Official Languages Act* (1985). Since 1994, Section 41 has been the subject of an annual report by the Department of Canadian Heritage on the implementation of the *Act* by 27 designated federal institutions. Through the Development of Official Language Communities Programme, the Department of Canadian Heritage works with partners to increase the overall proportion of eligible students enrolled in minority language schools in Canada (see chapter 5.1.9). 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 and also broadcasts in 8 Aboriginal languages in northern Canada. Of a total CBC / Radio-Canada budget in 2005-06 (operating expenditures include television, radio, corporate management, amortisation of property and equipment, specialty services and distribution and affiliates) of CAD 1.704 billion in 2005-06, French language television accounted for 24% and French language radio for 9%. The CBC also operates several French-language specialty channels on digital cable and satellite.

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 and film makers. About fifty percent of Canadian Culture Online funds are dedicated to the development of French-language content on the Internet. 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. In 2003-04, the Department of Canadian Heritage renewed its Development of Official Language Communities and Enhancement of Official Languages Programmes. The Department of Canadian Heritage supports provincial and territorial second-language learning programmes, which reach 2.5 million Canadians. The government also works closely with over 150 NGOs to promote Canada's two official languages.



In November 2006, the government responded to the *6th Report of the Standing Senate Committee on Official Languages: French-language Education in a Minority Setting: a Continuum from Early Childhood to the Postsecondary Level*. The federal government is committed to working with the provinces and territories to support and improve the educational opportunities and outcomes for all Canadians living in minority language communities. It is primarily focussed on early learning and childcare, primary and secondary education and postsecondary education. This undertaking has resulted in an investment of approximately CAD 5 billion over the past 35 years. Students from Francophone minorities now reach parity with those from the Anglophone majority (outside Quebec) with respect to the percentage of postsecondary graduates within one and a half generations. According to an Ipsos-Reid Survey in 2004, French immersion students have greater awareness of the benefits of linguistic duality especially fluency in both languages.

In June 2008, the government of Canada released the Roadmap for Linguistic Duality in Canada 2008-2013 in furtherance of which a government-wide investment of CAD 1.1 billion over five years to encourage linguistic duality among all Canadians and to support official-language communities in health, justice, immigration, economic development, and arts and culture. The Roadmap is designed to support the cultural vitality of communities by emphasising the value of increased knowledge of English and French and access to services for both official-language communities. It will target youth in particular and will be implemented by 13 federal departments and agencies.

French language development is also enhanced through the following instruments (other than the *Official Languages Act* and Programme): the Francophone Institute for New Information and Training Technologies (INTIF), the Francophone Information Highway Fund (FFI), the Information Highway Access Points for Youth Programme, the Intergovernmental Agency of La Francophonie (AIF) discussed in chapter 3.4.6 and Franconet Canada. Among other things, the AIF supports the arts, audiovisual and cultural heritage particularly in developing Francophone countries.

Language issues in Canada also relate to Aboriginal languages. In this regard, the Aboriginal Languages Initiative (ALI), created in 1998, provides CAD 5 million annually to support the preservation, revitalisation and promotion of Aboriginal languages in Canada. In 2006-07, the ALI provided funding to 24 Aboriginal organisations, allowing over 200 communities to carry out language projects. Three-quarters of funding is earmarked for First Nations languages, 15% for Inuktitut, and 10% for Michif, the Métis language. Individual organisations assess the conditions of their own languages and develop intervention strategies based on these needs. Funding is also provided annually to the Assembly of First Nations (AFN) in support of the Chiefs Committee on Languages and for its comprehensive approach including research, planning and symposia. The ALI also provides targeted support to 6 Inuit regional organisations focussing on early childhood language acquisition, promotional projects for youth, and the development of new Inuktitut lexicons and directories, and to the work of the National Inuit Language Committee. Five Métis organisations also receive support to the revitalisation of Michif including working groups and workshops for language practitioners and regional organisations, as well as funding for the Métis National Council (MNC) in relation to the work of the national Michif Language Working Group and the annual Michif Conference. In September 2008, the government of Canada announced funding for the Qikiqtani Inuit Association's project, Pigiavik, designed to preserve, protect and promote the Inuktitut language among the younger generations of Inuit. It has several components including traditional knowledge and its digitisation and the development of Inuktitut magazines for children and youth.

Another area of growing recognition is of other non-official or third or "heritage" languages. The *Canadian Multiculturalism Act* (1985) 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 (1985)*, languages other than the official languages are cast in terms of promoting official languages objectives.

According to the 2006 *Census*, Canadians speak some 147 languages, up from 38 in 1971. The mother tongue of 58% (down from 61% in 1991) of Canadians (Anglophones) is English, 22% (down from 25% in 1991) is French (Francophones) and 21% (up from 16% in 1991) have other languages as their mother tongue (Allophones). Outside Quebec, Francophones accounted for 4.3% of the population. In Quebec, Anglophones comprised 8.6% of the province's population in 2006, down from 9.6% in 1991 (a percent decrease but numeric increase). Allophones, largely immigrants, account for slightly more than one-quarter of the population of Ontario and British Columbia and for a majority of the population growth in each these two provinces. The top five non-official languages spoken at home in Canada are Chinese (comprising 8 language categories including Mandarin and Cantonese), Italian, German, Punjabi and Spanish, in that order. After Chinese, languages exhibiting strong growth in recent years in Canada include Urdu, Punjabi, Arabic and Tagalog (Philippines).

One of the most interesting examples of the enhancement of non-official languages in Canada is found in Canada's broadcasting system. A wide range of digital specialty and pay cable services are licensed in Canada including "third language" ethno-cultural stations. According to the *CRTC Ethnic Broadcasting Policy (1999)*, ethnic television and stations are required to devote at least 60 % of their schedules to ethnic programming and at least 50 % of their schedules must consist of their own respective language programming. As of December 2006, the CRTC had approved over 189 Canadian ethnic pay and specialty services. Of these, 26 specialty and four (4) pay services have been launched. The Commission also authorizes non-Canadian third-language programming services that may be distributed by broadcasting distribution undertakings in Canada. As of December 2006, there are 71 third-language programming services authorised for distribution. Moreover, 21 private commercial over-the-air third-language radio stations had been authorised by 2006 to broadcast in Canada, each with certain unique conditions of license that were imposed to ensure diversity of the programming. (*CRTC Broadcasting Policy Monitoring Report 2007*) In June 2008, the Minister of Canadian Heritage and Official Languages asked the CRTC to report on the accessibility and quality of broadcasting services offered to minority French- and English-language communities. It forms part of the government's new initiative entitled, Roadmap for Canada's Linguistic Duality, 2008-2013 (see above).

In June 2008, the government of Canada announced the development of a new Programme to Support Linguistic Rights. The Programme is intended to promote awareness of linguistic rights through public education, to offer access to mediation and arbitration to settle disputes out of court, and to support litigation that helps to clarify linguistic rights when test cases are involved and mediation efforts have failed and is funded at CAD 1.5 million annually through the Development of Official-Language Communities Programme in the Department of Canadian Heritage. In August 2008, the government of Canada marked the 35th anniversary of the Official Language Monitor Programme funded by the Department of Canadian Heritage and administered by the Council of Ministers of Education, Canada (CMEC) in cooperation with provincial and territorial departments of education (see chapter 8.3).

Another interesting report in the area of language is a CD Howe study entitled, *Laggards No More* (Vaillancourt et al 2007) which concludes that the socio-economic status of francophones in Quebec has increased steadily since 1960, the beginning of the Quiet Revolution in that province almost fifty years ago. Incomes of bilingual francophones (male and female) in Quebec now surpass those of unilingual and bilingual anglophones and unilingual francophones. It is noteworthy, none the less, that the average male annual income of female bilingual francophones, at CAD 26 644, is much less than that of male bilingual

francophones at CAD 38 851. The report also found that Francophones own 67% of the Quebec economy in 2003, up from 47% in 1961.

#### 4.2.6 Media pluralism and content diversity

The early history of cultural policy in Canada used to focus primarily on broadcasting, the "high arts" and heritage in which the federal government has been and remains actively involved for many years. With the rapid growth of the cultural industries, particularly evident over the last forty 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 and production, through distribution, exhibition and marketing, to consumption, participation and preservation. The media, both print forms and electronic media, are essential vehicles for the distribution and consumption of cultural content in Canada.

In regard to anti-trust measures to prevent media concentration, media firms, like other commercial entities in Canada, are subject to the *Competition Act (1985)*, a law of general application. While the government recognises the importance of ensuring a diversity of sources of news and information, the *Competition Act (1985)* is neither intended nor designed to address non-economic issues. The role of merger review under the *Act* is to preserve competition in all industries, including the media sector. It is important to both the stakeholders and the economy as a whole that economic competition is preserved.

On the other hand, based on its authority under the *Broadcasting Act (1991)*, the Canadian Radio-television and Telecommunications Commission (CRTC) is mandated to monitor and regulate the broadcasting systems, and to pursue social, cultural, and economic goals which complement the Competition Bureau's application of economic criteria in reviewing mergers. Moreover, while legislation and regulations do not prohibit broadcasters from purchasing newspapers and vice-versa, the CRTC has imposed safeguards on a case-by-case basis as a condition of licence. It has also established maximum thresholds regarding the number of radio and television stations an owner may operate in a specific market through its radio and television policies.

In regard to training programmes to sensitise journalists to culture-related issues and conflicts in order to ensure diversity of views, the government indirectly supports creators through the Canada Magazine Fund, particularly through the Support for Editorial Content components. The government of Canada respects the independence of the press and supports the ability of journalism associations to direct and manage journalists' professional development. The roles played by media and culture also affect 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 could reduce or marginalise multiple domestic 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. Canada believes that countries must have the capacity to promote cultural diversity by:

- acknowledging and treating cultural diversity as a public good and ensuring that citizens have the opportunity to make their voices and opinions heard in a changing world;

- striking a balance between remaining open to other world cultures and promoting local, regional and national cultural expressions; and
- sharing their cultural perspectives so that each country's stories and experiences contribute to enriching world culture.

Diversity, including cultural diversity, is viewed as a social strength or asset in Canada manifested in values of recognition and acceptance of difference, compromise, negotiation and peaceful resolution of conflict, and in the accommodation of and openness to the different practices and values of "the other". Diversity of cultural expression arguably promotes creativity and should 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, two official languages and recognition of the unique place of Aboriginal peoples including their rights, cultures and languages. In order that these goals stand out and receive public recognition and support, diversity is focused by the application of a "diversity lens" to many cultural policy initiatives. The diversity lens helps to 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, intrinsic to the Canadian diversity model. The diversity lens may also help ensure that in developing resources to promote the broad 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." 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." (*CRTC Ethnic Broadcasting Policy* 1999).

Media transactions in Canada require a review process by the CRTC and the Competition Bureau, in accordance with current rules and legislation. Currently, the CRTC evaluates transactions based on its common ownership policy. For television, the policy generally prohibits a television licensee from owning more than one station operating in one language in the same market. For radio, the policy prohibits a licensee from owning more than three stations in one language in a market, and in large markets, no more than four. While the CRTC does not currently have specific policies in place that limit a single entity from owning radio, television and print assets in the same market, when evaluating proposed ownership transactions, the CRTC generally considers:

- *concentration of ownership*, which is the level of market presence that a single entity could have in terms of number of outlets or market share (revenues or audiences). The CRTC considers the overall public interest to ensure effective competition and a diversity of voices, and has from time to time required the divestiture of specific undertakings or imposed conditions of license. For example, in 2007 CTVglobemedia was denied its proposal to acquire the CHUM City TV stations because of concentration of ownership concerns.
- *cross-media ownership (also called horizontal integration)*, which is the ownership by a single entity of several types of media outlets (television, radio, print) in a given market.

The CRTC has in the past imposed special conditions on licensees to ensure that separate and independent news management and presentation structures are maintained. For example, when Quebecor acquired TQS in 1997, it was required to submit a professional code of conduct which outlined the structural separation of newsgathering activities as well as the separation of news management and decision making on content and presentation.

- *vertical integration*, which is where broadcasting, production and distribution undertakings are commonly owned by a single entity. In these situations, the CRTC applies appropriate safeguards either broadly by regulation or on a case-by-case basis in the form of conditions of license or expectations. For example, when a broadcaster is affiliated with a production company, the CRTC has often imposed limits on the amount of programming that may be used from the affiliated production company. Similarly, when a BDU owns a digital specialty service, the CRTC has specified that the BDU must carry 5 non-affiliated stations for every affiliated service.

In the wake of a string of media transactions, the CRTC announced in March 2007 that it would begin examining its ownership policies as they relate to the *Broadcasting Act's* objective of ensuring that the broadcasting system provides Canadians with a diversity of voices. In September 2007, the CRTC held a public hearing to further examine the issue. Over 160 interveners submitted comments to the process, including individual Canadians, large and small broadcasters, broadcasting distribution undertakings; independent production companies, interested associations, unions and guilds, and community radio and television groups, and approximately 50 interveners appeared at the hearing. The issues raised during the process focused on three main areas: plurality of commercial editorial voices, diversity of programming choices, and safeguards for journalistic content in situations where different media outlets in a given market are controlled by a single entity. The CRTC released the results of its examination in January 2008 based on the following revised policy framework which includes:

- the reaffirmation of common ownership policies governing the number of conventional television and radio stations a person may control in the same market;
- the establishment of a new policy restricting cross-media ownership in order to maintain a plurality of editorial voices – under the new approach, a person or entity may only control two of the following media that serve the same market, namely a local radio station, local television station or local newspaper;
- the imposition of limits on the ownership of broadcasting licences to ensure that one party does not control more than 45% of the total television audience share as a result of a transaction; and
- a refusal to approve transactions between companies that distribute television services (such as cable or satellite companies) that would result in one person effectively controlling the delivery of programming in a market.

The foregoing decisions apply only to private broadcasters but the CRTC will consider the contribution public broadcasters and community broadcasters make to the diversity of voices in during separate proceedings planned for 2008.

CBC / Radio-Canada reflects the special role of a national public broadcaster that operates in two official languages across the country. Official-language minority media provide local community content to both Anglophone and Francophone minority communities. The media constitute key tools in promoting cross-cultural understanding and exchanging good practices in the fight against racism. For example, the Northern Broadcast Access Programme and the Northern Distribution Programme of the Department of Canadian Heritage, as well as several Portfolio agency programmes, promote the production and distribution of radio and television programming in Aboriginal languages, especially in three Arctic territories and the northern

portions of seven provinces. Other examples include Arts Presentation Canada, Cultural Spaces Canada, the National Arts Training Contribution Programme and the Canadian Arts and Heritage Sustainability Programme which monitor arts-related results and evaluate the adequacy of the process for culturally diverse populations, including Aboriginal applicants (see chapter 8.1.2). The Publications Assistance Programme has also taken measures to improve access to ethno-cultural magazines and non-daily newspapers. 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.

The importance of relating the media as communication tools with privileged ties to diverse audiences was one of the rationales for conducting the *Ethnic Diversity Survey in Canada*, which the Department of Canadian Heritage helped to finance. Released in 2003, this Survey was based on responses from 42 500 respondents that focused on ethnicity conducted in Canada (Statistics Canada - Canadian Heritage collaboration). It used ethnic self-definition exploring both ethnic origin and ethnic identity in relation to place of birth, religion, language and population group (visible minority). It was also inter-generational by exploring and comparing the backgrounds of respondents with those of their parents and grandparents. The *Ethnic Diversity Survey* looked at questions of participation and discrimination and showed that data from the *2001 Census of Population* make it clear that Canada is a very diverse society, and that this diversity is likely to increase in the years to come. It also helped the Multiculturalism Programme show that the government of Canada has a key role to play in ensuring that government policies, programmes and services are adapted to the needs of an increasingly diverse population. The results also showed that immigrants were more likely than people born in Canada to report a strong sense of belonging to their ethnic or cultural group. It also found that the participation of immigrants in all types of groups and organisations increased with time spent in Canada.

The growing importance of diversity in Canada can be assessed according to trends in the changing composition of the arts labour force (see chapter 3.4.6). There are 131 000 artists in Canada. (Statistics Canada *Census of Population* 2001) Recent findings show a rapid increase of visible minority artists who are growing in number at a rate more than twice as fast as all artists, although the visible minority artists make up a smaller per cent of all artists (8.9%) than do visible minorities in the total population (over 14%). Visible minority and Aboriginal artists earn substantially less than other labour force workers while immigrant artists earn less than other immigrants and all Canadian workers although the difference in earnings is on a par with other artists (Hill Strategies *Diversity in Canada's Arts Labour Force* 2005).

Diversity research is becoming more prevalent in Canada as the phenomenon itself grows. The Department of Canadian Heritage organised a forum in 2005 to assess the future demographic landscape of Canada and released a Report, *Serving Canada's Multicultural Population for the Future: Canada 2017*. Papers were produced at the forum on labour market barriers, access to health and social services, the social geography of cities, the representation of visible minorities in public institutions, and the generational challenges of diverse families. The media play a prominent role in each of these and other relevant areas. Media diversity promotes the development of synergies between a multicultural society and cultural creativity can be fostered and celebrated.

#### **4.2.7 Intercultural dialogue: actors, strategies, programmes**

Intercultural dialogue (ICD) is central to the evolving mandate of the Department of Canadian Heritage and the Heritage portfolio. ICD effectively joins up the traditional ideas of culture as creativity and of citizenship as democracy and is increasingly perceived as potentially an

effective tool to facilitate the effective development and operation of cultural and civic policies and programmes. ICD also helps to foster the education and transmission of values that serve as the foundation for making things work and making them work equitably and transparently.

The scope of ICD is as complex and vast as are the roles of the Department. The development of ICD calls for a more systematic merger of interests and cross-sectoral communications and partnerships, upgraded linkages between cultural diplomacy and trade, international cultural promotion and cooperation, multiculturalism and cultural policies, and fundamental values and best practices. ICD is an important and necessary step in the cultural and civic continuum from creator to consumer and conserver and also a process that complements existing outreach activities that reach marginalised minorities often subject to chronic disparities. As with cultural diversity, intercultural dialogue will be reflected, over time, in policy and programme development and evaluation, the identification and analysis of horizontal and transnational issues such as identity and belonging, social and economic impacts, and the "cross-overs" between cultural and civic participation and networking. In its broadest context, intercultural dialogue refers to purposeful connections among populations in Canada to foster an ongoing exchange of views and perceptions and a common exposure of the population to the complex diversity of cultural and civic input represented by the public agenda. In its more restricted sense, ICD is exemplified by events or activities that bring cultures together in respect and tolerance.

For example, cultural and intercultural festivals provide opportunities for such dialogue, which, include inclusive cultural repertoires audiences. An example of inter-cultural festivals in Canada is ICA FolkFest, Victoria, BC's inter-cultural arts festival, which was founded in 1971 to showcase the skills, talents and contributions of immigrants and minority communities. It has evolved into a unique urban arts festival: amateur performers and emerging artists share the stage with award-winning musicians and dancers from around the world, and Vancouver Island's culinary arts scene is highlighted alongside music, dance, theatre, film and circus arts.

Opportunities for enhanced dialogue also exist in relation to the written and Internet-based press, broadcasting and cable television, feature films, music and sound recordings, community and inter-community interaction, e.g. cultural tourism, twinned cities and youth exchanges. Canadian Heritage also supports the view that international amateur sporting events provide opportunities to promote intercultural dialogue and understanding, through major multi-sport events like the Commonwealth, Francophonie Games and the Olympic and Paralympic Games and related programmes like the Cultural Olympiad. Some examples of activities involving enhanced intercultural dialogue include the promotion of both cultural and intercultural understanding, community development and capacity-building, and community cultural and civic participation. This dialogue in Canada includes the promotion of linguistic duality involving the official languages, which has resulted in an increase in the proportion of bilingual (French and English) Canadians from 12% in 1971 to 18% in 2001. The proportion of young Canadians aged 15 to 19 who self-declare as being bilingual in Canada's two official languages rose from 16.4% in 1971 to 24% in 2001. Almost two-thirds of Canadians living in a majority situation consider Canada's linguistic duality to be a source of cultural enrichment in 2006. Intercultural dialogue is also growing in respect to non-official languages used by recent immigrants (see chapter 4.2.5).

Examples of good practices in the promotion of intercultural understanding which is basic to intercultural dialogue are drawn from initiatives and components of the Official Languages Programme (see chapter 4.2.5) and the Canadian Multiculturalism Programme (see chapter 4.2.4). In regard to the former, dialogue and understanding are enhanced by second-language learning agreements between the federal and provincial governments through the Enhancement of Official Languages Programme. The current objective is to double the

proportion of Canadian youth between 15 and 19 years old who have a working knowledge of both official languages.

The Multiculturalism Programme places particular emphasis on the removal of barriers that prevent full participation of all Canadians in Canadian society. For the purposes of this chapter, it is important to note the connection between multiculturalism and cultural development and between civic and cultural participation. The link between intercultural understanding and the concomitant removal or reduction of impediments to the enjoyment of cultural and civic participation is intercultural dialogue which is, in turn, the key to advancing social cohesion (see chapter 4.2.8 below).

#### **4.2.8 Social cohesion and cultural policies**

Social cohesion is defined by the Council of Europe as "the capacity of a society to ensure the welfare of all its members, minimising disparities and avoiding polarisation." A cohesive society is "a mutually supportive community of free individuals pursuing these common goals by democratic means" (European Committee for Social Cohesion 2004). In Canada, considerable work has been undertaken by government departments, agencies and research institutes such as the Policy Research Initiative (PRI) in respect to social cohesion and its infrastructure of social capital especially networking (Policy Research Initiative 2005). Culture is recognised as a core component of social cohesion along with economic viability (including equitable income distribution, absence of income polarisation along gender, ethnic, regional and class lines, depth and duration of poverty and unemployment), norms and values in regard to dignity and respect, tolerance and reciprocity, personal development and autonomy, civic participation, and quality of life. In respect to culture and social cohesion, the issue is whether cultural participation enhances social cohesion. In order to understand how cultural capital may become or otherwise lead to social capital, essential to the development of social cohesion, research into the social, economic and political benefits of culture to good citizenship is required. The *2006-07 Departmental Performance Report* concludes, "The Department's mission and strategic outcomes are aimed at cultural and social phenomena that are difficult to quantify or to attribute to any given intervention. These include creativity, social cohesion, confidence, pride, and a feeling of belonging and attachment to Canada. Continuous effort and research are needed to refine indicators and frameworks for programme evaluation and policy review."

Volunteering and donating are often used as indicators of social cohesion. The 2004 *Canada Survey of Giving, Volunteering and Participating (2006)*, estimated 11.8 million volunteers in Canada out of a total population of 31 million, or approximately one in three. The *Survey* provides a snapshot of the state of voluntary and civic action in Canada. Conducted every three years, the *Survey* is the result of a partnership of federal government departments, including Statistics Canada, the Department of Canadian Heritage, Human Resources and Social Development Canada, the Public Health Agency of Canada, and Health Canada, and voluntary sector organisations, including Imagine Canada and Volunteers Canada. The *Survey* asks Canadians a series of questions about how they give money and other resources to individuals and to charitable and non-profit organisations, how they volunteer time to charitable and voluntary organisations and directly to individuals, and how they participate in organisations by becoming members (see chapter 8.2.2). The key findings of the *Survey*, according to custom tabulations for Hill Strategies Research (2007), 729 000 Canadians aged 15 and over, or 2.8% of the population in that age range, contributed 88 million hours of volunteer labour service in 2004, worth about CAD 1.1 billion, to arts and cultural organisations. Owing to changes in Statistics Canada survey content and methodology, precise comparisons with previous data cannot be made. However, volunteerism in Canada's arts and culture organisations increased between 2000 and 2004. Highly educated and single Canadians are more likely to volunteer.



Not surprisingly, the total number of approximately 732 000 donors (aged 15 and over) to these organisations is very close to the number of volunteers. These donors made financial donations worth CAD188 million to arts and culture organisations in 2004 which represents a record level of donations by individuals to arts and culture organisations – much higher than amounts captured in surveys conducted in 2000 and 1997.

Other examples of federal initiatives that support social cohesion and the building of an inclusive and participatory society are: *A Canada for All: the Action Plan Against Racism* (CAPAR, 2006-2007), including the Inclusive Institutions Initiative, and the historical recognition initiative (see chapter 4.1). In regard to the CAPAR, building partnerships between governments and civil society, including ethno-cultural / racial and Aboriginal communities, play a key role in its implementation. The Multiculturalism Programme in partnership with the Social Sciences and Humanities Research Council (SSHRC) continues to work towards the identification of indicators for measuring racism. To measure the impact of CAPAR, the Department is developing indicators and consulting Canadians to solicit their feedback. Progress will be reported in the *Annual Report on the Operation of the Canadian Multiculturalism Act*. The Inclusive Institutions Initiative was created in 2005 as part of the CAPAR and works to help more than 20 federal institutions identify gaps or barriers that may limit access to federal programmes and services by ethnic communities, to strengthen relationships between federal institutions and ethnic communities, and to encourage federal institutions to extend the reach of their programmes, policies and services to ethnic communities.

#### **4.2.9 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. The cultural labour force, as defined by Statistics Canada for the purposes of the *Census*, includes those Canadians 15 and over in any of 45 cultural, heritage and artistic occupations.

Recent trends using employment indicators for 2001 include a high incidence of self-employment among 130 700 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 craft- persons); 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. In 2003, Statistics Canada estimated that the cultural sector directly employed 615 900 or 3.9% of the total labour force (see provincial distribution of the Canadian cultural labour force in Table 2 below). Part-time employees continued to out-number full-time workers in not-for-profit heritage institutions, with a continued reliance on volunteers as an integral component of their work force. Art museums and galleries indicated that over 85% of their total work forces were volunteers while historic sites indicated volunteers made up 74% of their work force. In the film and television production labour market, 119 500 full-time equivalent (direct and indirect) jobs were generated in Canada in 2004-05, 11% fewer jobs than the previous year and the third straight annual decrease. Just under 7 500 full-time and almost 1 400 part-time employees in the book publishing industry contributed to the cultural labour force in 2004.

**Table 2****Culture employment by province**

	1996	1997	1998	1999	2000	2001	2002	2003
Newfoundland and Labrador	5,200	4,700	5,400	5,800	5,700	5,900	5,800	6,300
Prince Edward Island	1,700	1,700	2,000	1,800	1,900	1,700	1,800	1,800
Nova Scotia	13,600	13,400	13,500	13,900	13,700	13,500	12,700	12,400
New Brunswick	10,200	9,900	9,500	10,600	10,500	9,800	10,000	9,200
Quebec	122,200	118,500	129,300	137,900	151,900	167,000	168,100	165,500
Ontario	216,700	219,500	221,100	235,100	270,100	258,600	248,200	252,300
Manitoba	17,200	18,500	18,800	19,300	19,000	21,200	20,300	18,400
Saskatchewan	13,900	14,000	14,300	15,000	14,500	14,300	13,800	14,200
Alberta	50,000	52,500	51,300	53,200	55,200	55,700	53,500	57,800
British Columbia	71,900	67,300	80,400	76,000	74,900	75,500	79,800	78,000

Notes: Employment estimates are rounded to the nearest hundred.

Data are revised as more robust data becomes available.

Source: Culture Statistics Program, Statistics Canada.

More recent research has estimated that nearly 1,1 million jobs can be attributed directly and indirectly to economic activity generated by cultural sector industries in Canada in 2007 (Conference Board of Canada 2008).

Earlier research on the cultural labour force demonstrated:

- *Strong regional variations:* culture accounts for 3,3% of the employed labour force in Quebec, Ontario and BC and just 2% in Saskatchewan, New Brunswick, Newfoundland and PEI;
- *Different age distributions:* The % of culture workers under 25 years of age is smaller than the % in the overall labour force but the proportion of culture workers between 25 and 44 is higher than in the entire labour force. Between 1996 and 2001, however, growth was fastest in the young age group;
- *Relatively high levels of education* for culture workers: over one-third of culture workers have completed a university education, greater than the 22% of all workers in Canada who have completed a university education;
- *Faster growth rate:* from 1971 to 2001, the culture labour force grew by 160%, compared to growth of 81% in the overall labour force (Cultural Human Resources Council 2004);
- *Gender differences* (the number of women culture workers quadrupled between 1971 and 2001 while the number of men culture workers doubled).

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; and
- *National training institutions:* Although the federal government in Canada has devolved much responsibility to the provinces in respect to training, it supports 37 national institutions including the National Theatre School and the National Ballet School, through the National Arts Training Contribution Programme, as well as providing funding to national training schools in the film and video sector.

#### 4.2.10 Gender equality and cultural policies

Status of Women Canada (SWC) is a federal agency, established thirty years ago, that promotes gender equality in Canada and the full participation of women in the economic, social, cultural and political life of the country. SWC reports to the Minister of State (Status of Women). Its mandate includes a gender-based analysis of legislation, policies and programmes

throughout the federal government including the Heritage Portfolio. SWC operates a Policy Research Fund that supports gender-based research and acts as a knowledge broker on gender equality, a centre of expertise and a catalyst for network building. The following priority areas have been identified by SWC for action:

- 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; and
- 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, the 2001 *Census* data indicate that women made up 54% of the 130 695 artists representing nine occupations in Canada. Women were significantly more numerous than men among dancers (85%), artisans and craft persons (62%) and slightly more numerous than men as musicians and singers (56%), writers (54%) and painters, sculptors and other visual artists (54%). Men, on the other hand, were almost twice as numerous as women as conductors, composers and arrangers (68%), producers, directors, choreographers and related occupations (61%) and actors (55%). Men continue to be over-represented in the highest-paying occupations while women continue to be over-represented in the lowest-paying occupations in the cultural sector. (Hill Strategies: *A Statistical Profile of Artists in Canada 2004*). There has been continued growth in the proportion of employment by women in artistic, literary and recreational occupations in Canada from 50.4% in 1987 to 53.5% in 2002. There is wider awareness of both progress and gaps in the effort to ensure equality of women. For example, in 2005: only one in five Members of Parliament was a woman; the employment income gap between male and female university graduates who work full time has widened; women working full time still earn only 71 cents for every dollar that men make; there are over six times as many female victims of sexual assault as male victims; and women are still more likely than males to live in poverty, especially Aboriginal and female lone parents. The issue of unpaid work at home remains controversial.

Other initiatives of SWC include research on the gender dimensions of Canada's social capital and Canada's key role in the Beijing +10 Platform for Action (1995 and 2005) that represented a critical opportunity for exchange among international representatives on the issue of how to achieve results in gender equality. The terms and conditions of the Women's Programme were renewed for the period September 2006 to September 2011. The objective of the Programme is to achieve the full participation of women in the economic, social and cultural life of Canada through the implementation of strategies to advance gender equality and gender-based-

analysis (GBA). Pursuant to an evaluation of the Programme in 2006, a major review of the structure, information system, governance and management effectiveness was conducted in 2007. Recent SWC initiatives include: the Federal / Provincial / Territorial Ministers Responsible for the Status of Women Policy Forum on Aboriginal Women and Violence (March 2006) held in Ottawa to discuss the need to raise awareness, better access to Programme support, and the need to integrate Aboriginal values, traditions and rights in policies, programmes, research and legislation; the government commemoration, on 6 December, of Canada's National Day of Remembrance and Action on Violence against Women; government *Responses* to several *Reports of the Standing Committee on the Status of Women* in 2005-06 on gender-based analysis, funding, pay equity and parental benefits for self-employed people. In November 2007, the Minister of Canadian Heritage, Status of Women and Official Languages announced a call for proposals for funding affecting Aboriginal women under the Women's Community Fund which also contains initiatives on family violence and women's self-government participation. The Women's Partnership Fund provides support to collaborative projects involving other levels of government and NGOs.

#### **4.2.11 New technologies and digitalisation in the arts and culture**

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 accessible platforms 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 displace existing media and cultural formats. In light of the growing impact and growth of new technologies on the cultural industries, an internal DCH task force on new technologies was set up in 2005 with a two-year timetable. The CRTC completed its report on new technologies in 2006 (see chapter 4.2.3) and is currently engaged in a New Media Project Initiative on the implications of new media for content and access, the two central policy and regulatory concerns in broadcasting. The key questions from the perspective of the CRTC are, "Is it necessary to regulate commercial broadcasting delivered over the Internet and mobile devices? If so, is it possible and how should it be done?"

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

- the effect of growing levels of time-use and consumption of Internet content on the traditional patterns of time-use and consumption of cultural content;
- 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 between rich and poor and well- and poorly-educated citizens; and
- 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 (Internet participation trends are discussed in chapter 8.2.1).

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 this decade;
- Canadian Heritage Information Network (CHIN), which operates an on-line "virtual" museum with information on museum holdings (see chapter 4.2.2);
- Canadian Cultural Observatory, which was launched in November 2003 and linked to a Cultural Portal and Government-On-Line (see chapter 4.2.6); and
- Canadian Digital Content Initiative, which includes the Canadian Memory Fund, the Partnerships Fund and various other DCH programmes, supports the availability of Canadian cultural content on the Internet (see chapter 4.2.3). In addition to CHIN and the Virtual Museum, heritage institutions (archives, libraries, museums) are at forefront of making heritage content available online (see chapter 4.2.2).

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 Department's Arts Presentation Canada Programme and Cultural Spaces Canada Programme contribute to access by Canadians to media artists and works through the funding of Media Arts Festivals and by contributing to the improvement of creation / production, and dissemination and presentation spaces. Canadian Culture Online's Canada New Media and New Media Research Networks Funds and New Media R&D Initiative provide support to small- and medium-sized enterprises (SMEs) active in the cultural new media sector and not-for-profit arts and cultural organisations.

### **4.3 Other relevant issues and debates**

*Trade in culture:* consists of imports and exports of goods and services involving Canada's cultural industries as well as the arts and heritage and is manifested, inter alia, in touring and international exhibitions. Exports of Canadian cultural goods in 2006 totalled CAD 2.1 billion, down 12.7% from 2005. Although the Statistics Canada data collected on cultural services is roughly two years behind those pertaining to cultural goods, cultural service exports totalled

CAD 3.049 billion in 2004, an increase of 40.8 % from 2003. Film and television production and distribution services (including revived foreign location shooting in Canada of feature films and TV series and copyright royalties received by Canadian exporters) represented Canada's largest cultural *service* export and was valued at more than CAD 1.6 billion in 2005-06. The film and video sector exported cultural *goods* valued at CAD 555 million in 2006, making it the second largest cultural goods exporter after the print media with CAD 787 million (see Table 3 below).

**Table 3: Cultural Exports by Sector (2004 and 2006)**

Canada's Cultural Sectors				
Cultural Exports by sector \$CAN	Services 2004 <sup>1</sup>	Goods 2006 <sup>1</sup>	Culture Employment <sup>2</sup>	Contribution to Canada's GDP <sup>2</sup>
Writing, Publishing Services	\$33 M	-	-	-
Books	-	\$399 M	-	-
Newspapers & Periodicals	-	\$206 M	-	-
Other Printed Material	-	183 M	-	-
Writing, Publishing Goods	-	\$788 M	163,700	\$16.9 B
Film and Video Services	\$2 B*	-	-	-
Film and Video Goods	-	\$556 M	91,400	\$4 B
Design Services	\$136 M	-	45,000	\$1.1 B
Design: Architectural Services	\$124 M	-	17,600	\$1.2 B
Design: Advertising Services	\$139 M	-	50,000	\$2.8 B
Design: Advertising Goods	-	\$321 M	-	-
Sound Recording Services	\$63M	-	-	-
Sound Recording Goods	-	\$123 M	12,300	\$914 M
Visual Arts: Original Art; Lithograph	-	\$90 M	14,000	\$1.3 B
Visual Arts: Photographic Services	\$54 M*	-	9,500	\$400 M
Visual Arts: Photographs	-	\$169 M	-	-
Broadcasting Services	\$100 M	-	56,900	\$7 B
Heritage	-	\$22 M	37,000	\$1.1 B
Performing Arts Services	\$109 M	-	24,500	\$1.3 B
Festivals	\$47 M	-	4,400	\$82 M
Libraries	N/A	N/A	25,400	\$1.1 B
Support Services	-	-	-	\$4.3 B
Unallocated Copyrights, Trademarks, Other cultural services,	\$300 M	-	N/A	N/A
<b>Cultural Services Exports, Total</b>	<b>\$3.05 B</b>	-	-	-
<b>Cultural Goods Exports, Total</b>	-	<b>\$2.1 B</b>	-	-
<b>Culture Employment and Total GDP Contribution \$CDN</b>	-	-	<b>615,900</b>	<b>\$43 B</b>

Notes:  
 Data produced by Statistics Canada uses cultural sector definitions from the Canadian Framework for Cultural Statistics which does not include new media or craft.  
 1. Data are from Statistics Canada data tables : 87-213-XWE for services & 87-213-XWF for goods.  
 2. 2003 figures estimated from Statistics Canada's Economic Contribution of the Culture Sector in Canada's Provinces using 2002 market share percentage for each sector.  
 3. Source for other industry sectors : GDP by Industry, Statistics Canada (2003)  
 \*Estimated. Final data yet to be released by Statistics Canada.

Taking cultural goods and services together for the latest common year of data (2004), Canada's cultural services trade deficit reached CAD 1,969 billion. There are a number of issues facing the country's trade in culture including: data collection gaps such as the non-inclusion of crafts and interactive digital media (or new media) in Statistics Canada's cultural statistical framework; the lack of integrated measurement of downloaded cultural content (e.g. television programming, video on demand, music, books) the absence of data on some royalties and rights such as copyright collection societies; and the level of reliance of

Canada's cultural exporters on the United States market (89,9% of Canadian cultural goods exports in 2006 and 78% of Canada's cultural service exports in 2004).

*Trade Routes* is a programme that carries out 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 Trade Team Canada – Cultural Goods and Services: a network of government trade programmes and services. The Trade Routes Contribution Programme helps cultural organisations succeed internationally through export preparedness and international market development. The Trade Routes Programme was renewed for a five-year period to 2010. Trade Routes Advisers are currently stationed in Canadian Missions abroad in Paris, London, New York, Los Angeles and Shanghai, as well as international trade regional offices across Canada. In August 2008, the Department of Canadian Heritage announced it will no longer provide financing to Trade Routes. The funding will stop at the end of the department's fiscal year, on 31 March 2009. In a release posted on Canadian Heritage's website, the government of Canada said it is "committed to a more disciplined approach to managing spending in order to deliver programs that are efficient and effective and that meet the priorities of Canada."

*Cultural Tourism:* 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, and inter-regional tourism within Canada especially in light of the earlier downturn in international tourism, post 9/11 (see chapter 7.3).

Tourism in Canada is a CAD 62.7 billion industry. According to the Tourism Industry Association of Canada, more than 200 000 small and medium-sized businesses make up the industry and employed 625 800 Canadians directly in 2005 and one million indirectly, or about four per cent of Canada's workforce. According to Industry Canada, tourism is Canada's largest provider of new jobs. Aboriginal tourism (all tourism businesses owned or operated by First Nations, Métis, and Inuit) generated CAD 4.9 billion and employed about 13 000 people full time in 2001. Canada's cultural attractions also show Canada to the world and promote understanding of Canadian people, heritage, and nature. Canada ranks among the world's top 12 destinations according to the UN World Tourism Organisation. More than 36 million travellers entered Canada in 2005 and many Canadians travel within the country. The Canadian Tourism Commission raises awareness of Canada as a four-season tourism destination. This Crown Corporation also monitors tourism trends and challenges.

*Foreign Investment:* Authority for the review and approval of foreign ownership and investment in the cultural industries under the *Investment Canada Act* (1985) was transferred from the Minister of Industry to the Minister of Canadian Heritage in 1999. The Cultural Sector Investment Review directorate is part of the Department's Cultural Affairs Sector. The *Investment Canada Act* (1985) applies through the application of Investment Canada Regulations to non-Canadians who invest in businesses engaged in the publication, distribution or sale of books, magazines, periodicals, newspapers or music in print or machine readable form (excluding printing and typesetting), the production, distribution, sale or exhibition of film or video products, the production, distribution, sale or exhibition of audio or video music recordings and the publication, distribution or sale of music in print or machine readable form. Investments involving the acquisition of control of Canadian cultural businesses or the establishment of new cultural businesses are subject to approval by the Minister of Canadian Heritage. Investments are assessed for net benefit to Canada, based on the factors set forth in Section 20 of the *Investment Canada Act* (1985), which include

compatibility with Canada's cultural policies. As Applications for Review and Notifications are approved, they are published on a monthly basis. They contain only the information that may be disclosed under the *Act* (1985). The *Act* also provides remedies for non-compliance.



## 5. Main legal provisions in the cultural field

### 5.1 General legislation

#### 5.1.1 Constitution

*Canada's Constitution Act (1982)* contains several provisions that relate indirectly to culture and directly to citizenship in Canada: Part I – *Canadian Charter of Rights and Freedoms*, Part II - Rights of the Aboriginal Peoples of Canada, Part III – Equalisation and Regional Disparities, Part IV - Constitutional Conference(s), Part V – Procedure for Amending the Constitution of Canada, and Part VI – a general statement that the Constitution of Canada is the supreme law of Canada, and law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

The *Charter* is divided into the following major sections: 1. Guarantee of rights and freedoms; 2. Fundamental freedoms (conscience and religion, thought, belief, opinion and expression including freedom of the press and other means of communications), and peaceful assembly and association; 3-5. Democratic rights; 6. Mobility rights; 7 – 14; Legal rights (life, liberty and security; to be secure against unreasonable search or seizure; not to be arbitrarily detained or imprisoned; arrest or detention; those charged with an offence; not to be subjected to any cruel or unusual treatment or punishment; not to have any incriminating evidence used to incriminate a witness in any other proceedings except in a prosecution for perjury for the giving of contradictory evidence; the assistance of an interpreter for a party or witness in any proceedings who does not understand or speak the language used in the proceedings, or who is deaf; 15. Equality rights; 16-22. Official languages of Canada; 23. Minority language educational rights; 25-31. General (including, *inter alia*, Section 25 (a) and (b) that provides the guarantee in the *Charter* that certain rights and freedoms shall not be construed so as to abrogate or derogate from any Aboriginal, treaty or other rights and freedoms that pertain to the Aboriginal Peoples of Canada, Section 26 the provision that the guaranteed in the *Charter* that certain rights and freedoms shall not be construed as denying the existence of any other rights and freedoms that exist in Canada; Section 27 providing that the *Charter* shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians; Section 28 containing the provision that the rights and freedoms referred to in the *Charter* are guaranteed equally to male and female persons, and nothing in the *Charter* extends the legislative powers of any body or authority); and Sections 32-34 concerning the application of the *Charter*.

Of these, the key provision against discrimination is contained in Section 15 (1):

"Every individual is equal before the and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability, and law."

This provision underlies many of the policies and programmes of the Department of Canadian Heritage in regard to its citizenship mandate. Sections 16 on the Official languages of Canada and 23 on Minority language educational rights also constitute a foundation for other citizenship and cultural policies and programmes respecting their implementation.

Section 35 on the Rights of the Aboriginal Peoples of Canada provides that the existing Aboriginal and treaty rights (including rights that now exist by way of land claims or may be so acquired) of the Aboriginal Peoples of Canada, including the Indian, Inuit and Métis Peoples of Canada, are recognised and affirmed. The Aboriginal and treaty rights are guaranteed equally to male and female persons. The government of Canada recognised the

inherent right of self-government of Aboriginal people as an existing right under this section in 1995 with the Inherent Right and Negotiations of Aboriginal Self-Government Policy. This recognition is based on the view that Aboriginal people have the right to govern themselves in relations to matters that are internal to their communities, integral to their unique cultures, identities, traditions, languages and institutions and with respect to their special relationship to their land and their resources. There are currently 66 active self-government and comprehensive claims files in Canada: 39 in the province of British Columbia and 16 self-government files and 11 comprehensive claims in the rest of Canada (see chapter 3.2, chapter 5.1.2 and chapter 5.3.8).

### **5.1.2 Division of jurisdiction**

In a recent case, the Supreme Court of Canada described the division of legislative powers with respect to culture. In *Kitkatla Band v British Columbia (Minister of Small Business, Tourism and Culture)* [2002] 2 S.C.R. 146, the Court, in a unanimous decision, declared:

[51] The Constitution of Canada does not include an express grant of power with respect to "culture" as such. Most constitutional litigation on cultural issues has arisen in the context of language and education rights. However, provinces are also concerned with broader and more diverse cultural problems and interests. In addition, the federal government affects cultural activity in this country through the exercise of its broad powers over communications and through the establishment of federally funded cultural institutions. Consequently, particular cultural issues must be analysed in their context, in relation to the relevant sources of legislative power.

This passage gives a good indication of the constitutional division of powers relating to "culture": the federal government's role is through the exercise of legislative powers, and through the establishment of federally funded institutions. However, the Court did not mention another lever of federal policy, the federal spending power, which also enables the government to be involved in cultural activities throughout the country. The spending power, as its name implies, is strictly a power to spend money and while, a government may influence a recipient of the grant or contribution through the imposition of terms and conditions on spending, the government has no explicit authority to legislate or to regulate the activity of the recipient. However, the federal government does regulate or influence cultural activities through such measures as copyright law, taxation and trade laws, treaties and agreements. Self-government arrangements also recognise Aboriginal governments as jurisdictional players in the cultural sphere with law making authorities over Aboriginal cultures and languages. The provinces also have the right under the Constitution to regulate the activities of artists and local businesses and undertakings within the province with respect to culture, as an aspect of their overall jurisdiction under the "property and civil rights" power (Section 92(14) of the *Constitution Act, 1867*).

### **5.1.3 Allocation of public funds**

Public funding is allocated on the basis of the Federal Budget and the Public Accounts, which list policy and programme spending for the Department of Canadian Heritage and the Federal Cultural Portfolio (see chapter 6).

### **5.1.4 Social security frameworks**

Enacted in 1993 and brought into force in 1995, the *Status of the Artist Act (1995)* 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. Although Part I of the *Act (1995)* established the Canadian Council on the Status of the Artist, which was intended to provide advice to the Minister of Canadian Heritage, to date, this part of the *Act* has not been implemented. Part II of the *Act (1995)* 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 Tribunal reports to Parliament through the Minister of Labour.

As *Labour Law* falls under provincial jurisdiction in Canada, the *Status of the Artist Act (1995)* applies only to artists engaged by the federal government. It does not apply to individuals working in employer-employee relationships; nor does it apply to producers and artists working under provincial jurisdiction. Quebec was the first and only province to have its own status of the artist legislation (which preceded the federal law) in 1987. Recently, however, both Ontario and Saskatchewan have introduced *Status of the Artist*-enabling legislation in 2007, and Newfoundland and Labrador has just begun the process to move towards creating the same type of legislation. Efforts continue to be made to encourage other provinces to consider enacting similar legislation.

The Tribunal has encouraged constructive professional relations between self-employed artists and producers under its jurisdiction. The Tribunal 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 7 300, less than the average income of CAD 31 757 for all workers in Canada (*Census 2001*).

The *Status of the Artist Act* was reviewed in 2002-2003 as stipulated in section 66. (Prairie Research Associates 2002) Although the *Act (1995)* was 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 by artists' organisations in particular 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. The evaluation recommended that other policies and programmes be explored to improve the situation of artists, in addition to possible amendments to the *Act (1995)*, itself. The Departments of Canadian Heritage and Human Resources Development Canada continue to seek progress in this regard.

### **5.1.5 Tax laws**

Tax deductions by individuals for donating to not-for-profit charities and cultural organisations are an important incentive for philanthropy. While the number of donors to cultural organisations decreased by 21% from 571 000 in 1997 to 451 000 in 2000, the value of cultural donations increased 22% from CAD 39.4 million in 1997 to CAD 47.9 million in 2000, or twice as fast as the rate of increase in the value of donations to any type of non-profit organisation. In 2004, about 732 000 Canadians aged 15 and over, or 3.3% made financial donations to arts and culture organisations, or 3.3% of all donations, including visual arts, architecture, ceramic art, performing arts, museums, zoos, aquariums, media and communications as well as historical, literary and humanistic societies. Donors indicated that

they made a total of CAD 188 million to cultural organisations or CAD 257 as an average donation per donor compared to CAD 395 for the average value of donations to religious organisations per donor. The top one-quarter of donors provided the great majority of the total value of all donations. Arts and culture rank eighth out of 11 types of not-for-profit organisations in value of donations, well behind religious organisations (CAD 4 billion), health care (CAD 1.2 billion) and social service organisations (CAD 903 million). (Statistics Canada, *National Survey of Giving, Volunteering and Participating 2006 and Hill Strategies Research, 2006*). There is continuing pressure for the elimination of tax measures such as a 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 flows to media, communications (public television, libraries and newsletter organisations) and the performing arts. As a percentage of total revenues, private sector 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. An incentive was announced in 2006 to increase the opportunity to make private donations to charitable institutions, including not-for-profit arts and cultural groups, through improved tax treatment for the donation of publicly traded securities. See chapter 5.3.6 for film production credit legislation and chapter 4.2.2 for cultural property tax incentives.

Certain deductions to the *Income Tax Act* (1985) are in effect for visual artists and writers, and performing artists. *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 and 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). It should be pointed out that both employed and self-employed artists may make such deductions only against their *self-employed* artistic income. This provision applies to both visual artists and writers and to performing artists. The deduction related to musical instruments for performing artists is the only one that *does* apply to artists' employment income.

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 (1985)*, 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. It is a tax credit scheme for "donors" of cultural property that may include an artist if the person actually owns the artwork at the time of the gift, but the scheme itself is open to any taxpayer in Canada who wishes to make a gift to public institutions. 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.

### **5.1.6 Labour laws**

See chapter 5.1.4 on social security provisions.

### **5.1.7 Copyright provisions**

The origins of *Copyright Law* in Canada draw from a mixture of Anglo-American and continental-European legal traditions. The Anglo-American legal system reflects an approach centered on the author's contribution to the pool of human art, knowledge and ideas through his or her work. Copyright is rooted in the tradition which took the form of monopoly protection of authors and publishers and it has remained essentially 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 or her creation. Both traditions have influenced Canada's legal framework for copyright.

Responsibility for copyright is shared between the Minister of Industry and the Minister of Canadian Heritage corresponding to the different policy priorities of the respective departments. Industry Canada is involved in innovation and knowledge based economic growth, as well as consumer interests and protection whereas Canadian Heritage is involved in implementing and promoting policies, projects and programs with respect to Canadian identity and values, cultural development and heritage.

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 enforcement as well as effective administration of rights through copyright collective societies. Canada's *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. Also, the objective of the *Copyright Act (1985)* is meant to ensure appropriate access for all Canadians to works that enhance the cultural experience and enrich the Canadian social fabric.

The *Copyright Act* was first enacted in 1924 and major amendments were introduced in 1988 and 1997 with the following results:

- a number of new provisions, including a compensation right for cable retransmission and a clarification of the scope and strength of moral rights;
- collective societies administer specific rights on behalf of their rights holder members. The introduction of a set of provisions to allow the emergence of new types of collectives over which the Copyright Board was given jurisdiction;

- new rights for performers, sound recording makers ensured that they would be compensated when their performances or recordings were communicated to the public or performed in public. Broadcasters were given certain rights in their signals, including the right to "fix" them, as well as certain limited rights in relation to their rebroadcast or public performance;
- the introduction of new exceptions for schools, libraries, archives and museums;
- the creation of a private copying exception and a regime for compensating rights holders for the unauthorised copying of sound recordings for private use. This regime consists of a levy payable in respect to certain types of media used for such copying. The amount of the levy is set by the Copyright Board.

The government of Canada also brought the *Copyright Act* in line with commitments made under the *Canada-United States Free Trade Agreement* in 1989, the *North American Free Trade Agreement* in 1995, and the World Trade Organisation *Trade-Related Aspects of Intellectual Property Rights (TRIPs) Agreement* in 1996. Canada thereupon substantially changed the *Copyright Act*, and dealt with numerous issues of domestic and international concern. It was able to become a party to an international agreement (the 1961 *Rome Convention*) and to meet the standards as well as ratify the latest version (1971) of the *Berne Convention*.

Following these amendments, many issues remained outstanding and new ones were emerging. In 1997, the government of Canada signed the World Intellectual Property Organisation (WIPO) *Copyright Treaty* (for authors and creators) and the *WIPO Performances and Phonograms Treaty* (for sound recording makers and performers). The two WIPO Treaties create an exclusive right for copyright owners to make their works available on-line to the public, prevent the circumvention of technical protection measures and prohibit tampering with rights management information.

In June 2001, the government of Canada announced further steps in the consultation process on digital copyright issues and released a document entitled, *Framework for Copyright Reform*. This document identified matters to be dealt with in future revisions and outlined a consultative process, which has since been followed. In October 2002, a comprehensive review of the *Copyright Act* entitled *Supporting Culture and Innovation: Report on the Provisions and Operation of the Copyright Act* was tabled in Parliament (the Section 92 Report) in compliance with the 1997 amendments of the *Act*. Important issues were identified including WIPO Treaty implementation.

Subsequently, in October 2003, the Standing Committee on Canadian Heritage began its review of the Section 92 Report including a list of all issues, such as WIPO Treaties. In May 2004, the Committee released an Interim Report. In June 2005 Bill C-60, *An Act to amend the Copyright Act* was tabled in Parliament. This proposed legislation was intended to implement the provisions of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, clarify liability for Internet Service Providers, facilitate the use of new technologies for educational and research purposes as well as inter-library loans and harmonise the treatment of photographers with that of the other rights holders. The proposed legislation died on the Order Paper with the calling of the general elections and prorogation of Parliament in late 2005.

In 2006, the Department of Canadian Heritage, in coordination with Industry Canada, continued to work towards the eventual introduction of a piece of legislation to amend the *Copyright Act* in order to allow Canada to implement the provisions of the two WIPO Treaties. Also, a 2006 report commissioned by the Department of Canadian Heritage, *The Economic Impact of Canadian Copyright Industries - Sectoral Analysis* by CONNECTUS Consulting Inc. indicates that copyright industries in Canada (including the written and electronic Press and literature, theatrical and music productions, motion picture and video industries, sound recording, radio and television, software databases and new media, and

advertising services) comprised 4.5% of the Canadian GDP and 5.5% of total Canadian employment in 2004. In 2007, Parliament passed an *Act to amend the Criminal Code of Canada (2007) in regard to the unauthorised recordings of a movie in theatres* which effectively stemmed the growing "piracy" of live feature films in Canadian theatres by use of camcorders or other copying instruments. This law has already led to a number of prosecutions for violations.

In the October 2007 *Speech from the Throne*, which is presented by the Governor General of Canada to mark a new Session of Parliament but is approved in advance by the Prime Minister and the government as an indication of its planned directions in the coming year, the government of Canada made a commitment to improve the protection of cultural and intellectual property rights in Canada, including copyright reform. The Minister of Canadian Heritage is currently working with the Minister of Industry Canada towards the introduction of legislation to amend the *Copyright Act* that will allow the Canada to implement the WIPO Treaties.

### **5.1.8 Data protection laws**

While there are no specific data protection laws applicable targeting the cultural sector, federal legislation generally applicable in Canada includes the *Privacy Act (1985)* which extends the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information. According to Privacy International, Canada, Greece and Romania have the best privacy records of 47 countries surveyed although Canada's Privacy Commissioner recently noted that 2008 will be another challenging year of privacy in Canada in light of heightened national security concerns, the growing business appetite for personal information, technological advances and the absence of a national privacy law in the United States, Canada's neighbour and largest trading partner. The *Access to Information Act*, in force since 1983 but proclaimed into law in 1985, gives Canadians a broad legal right to information that is recorded in any form and controlled by federal government institutions. Individuals may apply for access to certain information, and, unless the requested information falls within specific and limited exceptions, the Act requires its release within specified time limits. The exemptions are set out in the Act; they generally relate to individual privacy, commercial confidentiality, national security or other confidences necessary for policy-making. Records containing Cabinet confidences are excluded from the operation of the Act for 20 years from the date of their making (see chapter 4.2.2). The *Access to Information Act (1985)* also contains provisions affecting the protection of data and information although the practical purpose of the *Act*, which is to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific and that decisions on the disclosure of government information should be reviewed independently of government, is to balance the privacy requirements for the protection of personal data and information.

### **5.1.9 Languages laws**

Sections 41 and 42 of the *Official Languages Act* commit the federal government to enhancing the vitality of English-speaking and French-speaking minority communities, as well as to fostering the full recognition and use of both English and French in Canadian society. This commitment ensures not only that official-language minority communities have access to services in their language, but also that all federal institutions actively contribute to the development and vitality of these communities. Thus, all federal cultural programmes and policies are structured according to two separate official linguistic communities and markets.

Second (official)-language learning support programmes are among the most important tools in developing an inclusive and participatory society in Canada. For 35 years, the government of Canada has provided financial assistance to the provinces and territories, which together have jurisdiction over education. The Department has signed four-year agreements with the Council of Minister of Education, Canada and the provinces and territories for specific measures related to second-language learning. The objective of the Enhancement of Official Languages Programme and the Action Plan for Official Languages is to double the proportion of Canadian youth between 15 and 19 years old who have a working knowledge of both official languages and a greater understanding and appreciation of the benefits of linguistic duality. In addition to the second language learning programmes, the Department of Canadian Heritage also implements the Development of Official-Language Communities Programme (see chapter 4.2.5).

#### **5.1.10 Other areas of general legislation**

Information is currently not available.

## **5.2 Legislation on culture**

Culture is not specifically referred to in Canada's Constitution; it is neither in the *British North America Act* (1867) nor 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-20th 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.

In 1993, the Department of Canadian Heritage was created by the *Department of Canadian Heritage Act* and in 1995, the *Act* was given Royal assent. It sets out the mandate of the new amalgamated department, over which the Minister of Canadian Heritage presides, and explicitly includes the Minister's powers, duties and functions that relate to Canadian identity and values, cultural development and heritage. Section 4 (1) states: "The powers, duties and functions of the Minister extend to and include all matters over which Parliament has jurisdiction, not by law assigned to any other department, board or agency of the government of Canada, relating to Canadian identity and values, cultural development, heritage and areas of natural or historical significance to the nation." The *Act* specifies 12 responsibilities:

- the promotion of a greater understanding of human rights;
- fundamental freedoms and related values;
- multiculturalism;
- the arts including cultural aspects of the status of the artist;



- cultural heritage and industries including performing arts, visual and audio-visual arts, publishing, sound recording, film, video and literature;
- the encouragement, promotion and development of amateur sport;
- the advancement of the equality of status and use of English and French and the advancement and development of the English and French linguistic minority communities in Canada;
- state ceremonial and Canadian symbols;
- broadcasting (except in respect of spectrum management and the technical aspects of broadcasting);
- the formulation of cultural policy (including the formulation of cultural policy as it relates to foreign investment and copyright);
- the conservation, exportation and importation of cultural property; and
- national museums, archives and libraries.

The composite list of statutes in force is administered, in whole or in part, by the Canadian Heritage Portfolio and most of these statutes have either a direct or indirect effect on cultural policy. Many of the pieces of legislation below indicate 1985 as year of enactment since they were included in consolidated legislation in that year although all Acts are now updated in laws (see [justice.gc.ca](http://justice.gc.ca) every year).

- *An Act to acknowledge that persons of Ukrainian origin were interned in Canada during the First World War and to provide for recognition of this event* (2005);
- *An Act to amend the Criminal Code of Canada (unauthorised recordings of a movie)* (2007);
- *An Act to incorporate the Jules and Paul-Emile Léger Foundation* (1980-83);
- *An Act to Amend the Museums Act* (2008);
- *Broadcasting Act* (1991);
- *Canada Council for the Arts Act* (1985);
- *Canada Travelling Exhibitions Indemnification Act* (1999);
- *Constitution Act including the Canadian Charter of Rights and Freedoms* (1982);
- *Canadian Heritage Languages Institute – not in force* (1991);
- *Canadian Multiculturalism Act* (1985);
- *Canadian Radio-television and Telecommunications Commission Act* (1985);
- *Copyright Act R.S.C. 1985, c. C-42, hereinafter as amended – formulation of cultural policy*;
- *Cultural Property Export and Import Act* (1977);
- *Department of Canadian Heritage Act* (1995);
- *Foreign Publishers Advertising Services Act* (1999);
- *Holidays Act* (1985);
- *Income Tax Act – tax credits, national arts service organisations and cultural property* (1985);
- *Investment Canada Act - cultural foreign investment* (1985);
- *Library and Archives of Canada Act* (2004);
- *Lieutenant-Governors Superannuation Act – in part* (1985);
- *Museums Act* (1990);
- *National Acadian Day Act* (2003);
- *National Anthem Act* (1985);
- *National Arts Centre Act* (1985);
- *National Battlefields at Quebec Act* (1907-08);
- *National Capital Act* (1985);
- *National Film Act* (1985);
- *National Horse of Canada Act* (2002);

- *National Sports of Canada Act* (1995);
- *National Symbol of Canada Act* (1985);
- *Official Languages Act – Part VII* (1985);
- *Parliamentary Employment and Staff Relations Act* (1985);
- *Physical Activity and Sport Act – in respect of sport* (1985);
- *Public Service Employment Act – reporting to Parliament* (1985);
- *Salaries Act – lieutenant-governors* (1985);
- *Sir John A. MacDonald and Sir Wilfred Laurier Day Act* (2002);
- *Status of the Artist Act - Part I* (1992);
- *Telefilm Canada Act* (1985); and
- *Trademarks Act - use of national symbols* (1985).

## 5.3 Sector specific legislation

### 5.3.1 Visual and applied arts

See chapter 5.3.6 and chapter 5.3.7.

### 5.3.2 Performing arts and music

See chapter 5.3.6 and chapter 5.3.7.

### 5.3.3 Cultural heritage

The government's role in heritage is governed by the *Department of Canadian Heritage Act* (1995), the *Museums Act* (1990) which declares the heritage of Canada and all its peoples is an important part of world heritage and must be preserved for present and future generations, the *Library and Archives of Canada Act* (2004), the *Cultural Property Export and Import Act* (1977), and the *Canada Travelling Exhibitions Indemnification Act* (1999). The *Act to Amend the Museums Act* received Royal Assent in 2008 and formally established Canada's latest national museum, the Canadian Museum for Human Rights to be located in Winnipeg. The new museum will explore the theme of human rights to enhance public understanding, promote respect for others, and encourage reflection and dialogue. It will be built with support from other levels of government, the private sector, and non-governmental organisations.

In 2004, some laws, which apply to cultural heritage, were transferred to the Minister of the Environment. *Bill C-7*, an *Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act* and to make related amendments to other *Acts* replaces section 4(1) of the *Parks Canada Agency Act* with a new subsection listing the various matters now placed under the authority of the Agency. Briefly, all "built heritage" matters – canals, railway stations, buildings, and historic sites – are the responsibility of the Agency, which reports to the Minister of the Environment. Responsibility for national cultural heritage institutions, movable cultural property protection and the National Battlefields Commission remains with the Department of Canadian Heritage and the Portfolio.

The following laws apply to cultural heritage:

- *Cultural Property Export and Import Act* (1977): an *Act* respecting the export from Canada of cultural property and the import of cultural property into Canada illegally exported from foreign states – the Department of Canadian Heritage is currently reviewing this legislation to ensure that it remains as effective as possible in the protection of Canadian and international heritage (see chapter 4.2.2);

- *Income Tax Act (1985)*: provides for an exemption from the payment of capital gains taxes on certified cultural property donated or sold to designated institutions or public authorities in Canada; gifts of certified cultural property are also eligible for a tax credit;
- *Canada Travelling Exhibitions Indemnification Act (1999)*: an Act to establish an indemnification programme for travelling exhibitions;
- *Canada National Parks Act (2000)*: an Act respecting the national parks of Canada;
- *Parks Canada Agency Act (1998)*: provides a new operational framework for Parks Canada and establishes Parks Canada as an agency of the federal government;
- *Historic Sites and Monuments Act (1985)*: an Act to establish the Historic Sites and Monuments Board of Canada;
- *Heritage Railway Stations Protection Act (1985)*: the authority of the Minister of the Environment is required to destroy or alter designated heritage railways stations under this Act;
- *Department of Transport Act (1985)*: Historic Canal Regulations under this Act deal with historic canal preservation;
- *Canada Shipping Act (2001)*: Heritage Wreck Regulations currently being developed under this Act will protect heritage wrecks. No federal archaeology legislation exists;
- *Laurier House Act (1952)*: an Act respecting the custody and care of Prime Minister Wilfred Laurier's historic home in Ottawa;
- *National Battlefields at Quebec Act (1908)*: an Act to acquire and preserve the great historic battlefields (Plains of Abraham) at Quebec; and
- *Criminal Code*: along with the *Cultural Property Export and Import Act (1977)*, the *Crimes Against Humanity and War Crimes Act (2000)*, and the *National Defence Act (1985)*, the *Criminal Code (1985)* plays a role in implementing Canada's obligations under the Protocols to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict by prohibiting certain acts against significant cultural heritage outside Canada.

#### **5.3.4 Literature and libraries**

*Library and Archives of Canada Act (2004)*: the Act joins together in a new agency the formerly separate National Library of Canada and the National Archives of Canada.

#### **5.3.5 Architecture and spatial planning**

See chapter 5.3.3 for cultural heritage.

#### **5.3.6 Film, video and photography**

Two laws apply to film at the federal level in Canada: the *National Film Act (1985)*, which applies to the National Film Board, and the *Telefilm Canada Act (1985, amended 2005)*, which applies to Telefilm Canada. The Standing Committee on Canadian Heritage in Parliament recommended that the mandate of Telefilm Canada, the National Film Board and other federal cultural agencies be better aligned toward common objectives while clearly delineating their respective roles and responsibilities. The government is reviewing the Acts of the NFB and Telefilm Canada and will make legislative changes in the coming years as required.

In 1995 the government of Canada established the Canadian Film or Video Production Tax Credit (CPTC) and in 1997, the Film or Video Production Services Tax Credit Programme (PSTC). The CPTC Programme comprises a fully refundable credit of up to 12% of the net total cost 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.

In February 2005, amendments to the *Income Tax Act* (1985) were approved concerning the CPTC Programme which supports film and video production in Canada by providing a tax credit equal to 25 per cent of qualifying labour expenditures, valued at approximately CAD 185 million in 2006. The intent of the modifications is to simplify the credit and ensure that tax assistance is appropriately targeted. The amendments include the following:

- the limit on the base of qualifying labour expenditures was raised to 60 per cent of the total cost of a production from the previous 48 percent rate;
- labour expenditures in respect of non-residents of Canada (other than Canadian citizens) are no longer eligible for the credit;
- the holding of an interest in a film or video production by a person other than the production corporation no longer disqualifies the production from eligibility for a tax credit, unless the production or one of the investors is associated with a tax shelter. However, the credit continues to be available only with respect to production expenditures made by the production corporation; and
- if a government entity is an investor, that investment will be treated in the same manner as other forms of government assistance.

In 2003, the PSTC tax credit was raised to 16 percent from 11 percent of salary and wages paid to Canadian residents or taxable Canadian corporations (for amounts paid to employees who are Canadian residents) for services provided to the production in Canada. This refundable tax credit has no cap on the amount that can be claimed. The Department of Canadian Heritage also announced the results of public consultations through the Canadian Audio-Visual Certification Office in regard to copyright ownership, acceptable share of revenues, format, programmes and screen credits and production control guidelines.

In March 2008, the Minister of Canadian Heritage, Status of Women and Official Languages issued a public statement indicating that under a proposed amendment to the film or video tax credit regime, the current rules of the *Income Tax Act* will be changed to disallow "extreme or gratuitous" films. The government contended that the proposed Bill C-10 "has nothing to do with censorship and everything to do with the integrity of the tax system...The modifications in question will affect a very small number of the over 1 000 productions that receive tax credits annually."

### **5.3.7 Mass media**

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 each week, 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. The CRTC also maintains a 65% French-vocal music content requirement each week and at least 55% of the popular vocal music selections broadcast between 6AM and 6PM, Monday through Friday, must be in the French language (see chapter 4.2.3).

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, in 2003, viewing of English-language Canadian content television during prime-time (19h00 to 23h00) was substantially lower at 23.1% than its availability (36.1%) while the comparable figures for French-language Canadian content television were 78.4% viewing and 65.6% availability. All day viewing of Canadian content on television was 43.2% in 2003. In 2003, Canadian programs garnered 78% of the total viewership to French-language programmes and 37% of the total viewership to English-language programmes. Viewing by English-language viewers to Canadian drama and comedy programmes was 11.6%. In contrast, the viewing share for Canadian drama and comedy programmes by French-language viewers was 44.5% in 2003. Since then, audience statistics have been switched to the BBM TV meter survey and the CRTC and the Department of Canadian Heritage no longer use the viewing statistics from BBM TV diary surveys. The new meter data system provided by BBM does not allow for the calculation of viewing shares during peak hours along comparable lines with trend line information. The latest television and radio audience figures for all content (not just Canadian content) are contained in chapter 8.2.1.

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 programmers. Currently, with the large levels of spending of Canadian broadcasters (private TV, public (CBC / SRC and educational) TV, and pay and specialty services combined) on telecasting Canadian programmes (CAD 2.2 billion in 2006) and federal subsidies for Canadian television programming, non-Canadian still dominate the top 20 TV programmes watched by English-Canadians whereas almost all of the top 20 programmes viewed in Quebec were Canadian. Viewing of English-language Canadian content on television 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 Canada's French-language market where language has a buffering effect on foreign (US) competition. Telefilm Canada currently administers funding eligibility requirements for marketing and other audience-building efforts. (*Statistics Canada and CRTC 2007*)

In June 2003, the *Review of Canadian Content in the 21st Century in Film and Television Productions* (Francois Macerola) made recommendations to the government, among which are the following: (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.

### **5.3.8 Other areas of culture specific legislation**

Although Ministerial responsibility for multiculturalism has been transferred to the Minister of Citizenship, Immigration and {now} Multiculturalism, the *Canadian Multiculturalism Act* (assented to in 1988) most definitely applies to all Canadian Heritage programmes. Section 3 (1) of the *Act* includes ten elements that comprise the multiculturalism policy of the government of Canada:

(a) recognise and promote the understanding that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage;

- (b) recognise and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada's future;
- (c) promote the full and equitable participation of individuals and communities of all origins in the continuing evolution and shaping of all aspects of Canadian society and assist them in the elimination of any barrier to that participation;
- (d) recognise the existence of communities whose members share a common origin and their historic contribution to Canadian society, and enhance their development;
- (e) ensure that all individuals receive equal treatment and equal protection under the law, while respecting and valuing their diversity;
- (f) encourage and assist the social, cultural, economic and political institutions of Canada to be both respectful and inclusive of Canada's multicultural character;
- (g) promote the understanding and creativity that arise from the interaction between individuals and communities of different origins;
- (h) foster the recognition and appreciation of the diverse cultures of Canadian society and promote the reflection and the evolving expressions of those cultures;
- (i) preserve and enhance the use of languages other than English and French, while strengthening the status and use of the official languages of Canada; and
- (j) advance multiculturalism throughout Canada in harmony with the national commitment to the official languages of Canada.

The Programme is further supported by other legislation including: the *Canadian Citizenship Act (1985)*; the *Canadian Human Rights Act (1985)*; and the *Canadian Charter of Rights and Freedoms (1982)*, the latter contained in Part II of the *Constitution Act (1982)*. Under the *Canadian Multiculturalism Act (assented to in 1988)*, federal institutions report annually to the Department of Canadian Heritage on their implementation of initiatives to preserve and advance an equitable and respectful multicultural society. Other examples of sector-specific laws that relate to diverse multiculturalism include: the *Employment Equity Act (1995)*; the *Official Languages Act (1985 including Part VII of the Act, 1988)*; and the *Immigration and Refugee Protection Act (2001)*. In addition, Canada has ratified a number of international instruments that uphold the fundamental values of multiculturalism, namely: the *Universal Declaration of Human Rights (1948)*; the *International Covenant on Economic, Social and Cultural Rights (1977)*; and the *International Covenant on Civil and Political Rights (1977)*. In 1970, Canada became a party to the *International Convention on the Elimination of All Forms of Racial Discrimination*.

## 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 of 1993-1994. Total cultural spending by all governments in Canada excluding inter-governmental transfers surpassed the 1993-94 levels for the first time in 2001-02. Using current CAD, cultural spending by all levels of government (including inter-governmental transfers) in 2005-06 was 15% higher than the level reached in 2003-04 (see chapter 6.2.2 Table 5). Federal spending in culture remains highest in both absolute and per capita terms although provincial and particularly municipal spending has increased somewhat relative to federal spending. Table 8 indicates that forecasted federal spending in culture will decline in absolute terms in both 2009-10 and 2010-11.

### 6.2 Public cultural expenditure

#### 6.2.1 Aggregated indicators

**Table 4: Per capita expenditure on culture by level of government in CAD, 1998-99 to 2005-06**

Level of government	98-99	99-00	00-01	01-02	02-03	03-4	04-05	05-06
Federal	94	93	97	104	110	111	112	109
Provincial / territorial	63	65	68	67	68	69	70	75
Municipal	48	51	54	59	60	63	54	71

Source: Statistics Canada, Government Expenditures on Culture, 1998-99 – 2005-06.

#### 6.2.2 Public cultural expenditure broken down by level of government

**Table 5: Public cultural expenditure: by level of government in CAD million, 2003-04 – 2005-06**

Level of government	2003-2004		2004-2005		2005-2006	
	Total	% share of total*	Total	% share of total*	Total	% share of total*
Federal	3 217	45.3	3 600	47.4	3 550	45.3
Provincial / territorial	2 069	29.1	2 270	29.9	2 430	31.0
Municipal <sup>(1)</sup>	1 814	25.5	1 730	22.8	2 310	29.5
<b>Total</b> <sup>(2)</sup>	<b>6 708</b>	<b>100.0</b>	<b>7 600</b>	<b>100.0</b>	<b>7 840</b>	<b>100.0</b>

Source: Statistics Canada, *Surveys of Government Expenditures on Culture, 2003-04 - 2005-06*.

\* Numbers do 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; Data for 2004 under review.

(2) Includes inter-governmental transfers.

## 6.2.3 Sector breakdown

**Table 6: Federal expenditures on culture by type and sector in CAD million, 2004-05 – 2005-06**

Type and sector of cultural spending	2004-05	2005-06
<b>Type</b>		
Operating expenditures (wages and salaries, purchases of goods and services)	2 573.9	2 600.8
Capital expenditures	300.4	243.4
Operating and capital grants, contributions and transfers	723.7	702.8
<b>Total</b>	<b>3 598.0</b>	<b>3 547.1</b>
<b>Sector</b>		
Broadcasting	1 685.8	1 677.4
Heritage	929.3	910.3
Film and video	350.2	344.5
Performing arts	200.4	188.2
Literary arts	135.8	133.6
Other	296.5	293.1
<b>Total</b>	<b>3 598.0</b>	<b>3 547.1</b>

Source: Canadian Heritage: Government expenditures on culture, 2004-05 – 2005-06.



**Table 7: Transfer payments programmes by the Department of Canadian Heritage, in million CAD, 2006-2007**

Names of transfer payment programmes (above CAD 5 million)*	Amount of grants	Amount of contributions	Total
Aboriginal Peoples' Programme (including Young Canada Works)	0.6	65.2	65.8
Arts Presentation Canada Programme	0.0	22.1	22.1
Athlete Assistance Programme	25.3	0.0	25.3
Book Publishing Industry Development Programme (BPIDP)	0.0	36.7	36.7
Canada Magazine Fund	0.0	15.64	15.64
Canada New Media Fund	0.0	14.0	14.0
Canadian Arts and Heritage Sustainability Programme	15.4	5.6	21.0
Canadian Culture On-line Programme	0.0	5.4	5.4
Canadian Television Fund	0.0	120.0	120.0
Celebration, Commemoration and Learning Programme	2.1	11.6	13.7
Community Partnerships Programme	0.0	7.9	7.9
Cultural Spaces Canada	0.30	19.8	20.1
Development of Official-Language Communities Programme	5.2	216.3	221.5
Enhancement of Official Languages Programme (including Young Canada Works)	0.2	118.5	118.7
Exchanges Canada Initiative	0.1	22.4	22.5
TV5 Programme	4.1	3.0	7.1
Hosting Programme	0.0	126.5	126.5
Katimavik Programme	0.0	17.5	17.5
Multiculturalism Programme	0.6	8.6	9.2
Museum Assistance Programme (including Young Canada Works)	1.6	8.2	9.8
Music Entrepreneur Programme**	0.0	0.0	0.0
National Arts Training Contribution Programme	0.0	17.04	17.04
New Musical Works Programme**	0.0	0.0	0.0
Partnerships Fund**	0.0	0.0	0.0
Publication Assistance Programme	45.4	0.0	45.4
Sport Support Programme	0.0	94.	94
<b>Total</b>	<b>101.5</b>	<b>988.3</b>	<b>1 089.9</b>

Source: Department of Canadian Heritage, Departmental Performance Report (2006-07).

\* All of the above transfer payments programmes are voted, which means that each year the Parliament of Canada votes annual *Appropriation Act* or *Acts* to grant expenditure authority to the Crown for departments and agencies. This spending authorisation lapses at year-end. For more detailed information on these transfer payments programmes.

\*\* Music Entrepreneur Programme and New Music Works Programme are included under Canada Music Fund. Partnerships Fund is included under Canadian Culture Online.

**Table 8: Forecast and Planned Cultural Spending by the Department of Canadian Heritage, in million CAD, 2008-2011**

	<b>Forecast Spending 2007-08</b>	<b>Planned Spending 2008-09</b>	<b>Planned Spending 2009-10</b>	<b>Planned Spending 2010-11</b>
<i>Program activities</i>				
Creation of Canadian Content and Performance	341.1	<b>339.6</b>	226.1	215.6
Sustainability of Cultural Expression and Participation	213.9	<b>176.2</b>	151.7	80.5
Preservation of Canadian Heritage	39.0	<b>40.7</b>	41.4	42.1
Access to Canada's Culture	188.7	<b>207.4</b>	205.1	116.5
Promotion of Inter-Cultural Understanding	121.6	<b>121.5</b>	120.0	122.6
Community Development and Capacity Building	260.0	<b>252.9</b>	242.7	243.9
Participation in Community and Civic Life	203.9	<b>257.2</b>	200.1	153.6
<i>Budgetary Main Estimates (gross)</i>	1 368.2	<b>1 395.5</b>	1 187.1	974.8
Less: Respendable Revenue	5.2	<b>4.2</b>	4.0	4.0
<b>Total Main Estimates</b>	1 363.0	<b>1 391.3</b>	1 183.1	970.8
<i>Supplementary Estimates</i>				
Additional Funding	99.0			
Various transfers to / from other government departments and / agencies	-10.2			
Reprofiling of funds	-38.1			
Other planned initiatives		<b>35.5</b>	26.5	46.5
Total Adjustments	50.7	<b>35.5</b>	26.5	46.5
<b>Total Planned Spending</b>	1 413.7	<b>1 426.5</b>	1 209.6	1 017.3
Less: Non-respendable revenue	62.8	<b>62.8</b>	62.8	62.8
Plus: Cost of services received without charge	30.7	<b>31.3</b>	31.6	30.5
<b>Net Cost of Program</b>	1 381.6	<b>1 395.3</b>	1 178.4	985.0
<b>Full-time Equivalents</b>	2 252	<b>2 354</b>	2 351	2 074

Source: Department of Canadian Heritage Report on Plans and Priorities, 2008-2009.

### 6.3 Trends and indicators for private cultural financing

Information is currently not available.

## 7. Public institutions in cultural infrastructure

### 7.1 Cultural infrastructure: tendencies & strategies

The last major change in federal public sector responsibilities occurred in 1993 when the Department of Canadian Heritage was established, with multiculturalism, identity, citizenship, parks and cultural policy responsibilities. The *Department of Canadian Heritage Act* came into force with *Royal Assent* in 1995. The only federal cultural re-allocation since then has been the removal of Parks Canada from Canadian Heritage, making Parks Canada independent and subsequently, part of the Environment Portfolio (see chapter 3.2).

### 7.2 Basic data about selected public institutions in the cultural sector

**Table 9: Cultural institutions financed by public authorities, by domain**

Domain	Cultural institutions (subdomains)	Number (Year)	Trend (++ to --)
<b>Cultural heritage</b>	Cultural heritage sites (recognized)		
	Museums (organisations)		
	Archives (of public authorities)		
<b>Visual arts</b>	public art galleries / exhibition halls		
	Art academies (or universities)		
<b>Performing arts</b>	Symphonic orchestras		
	Music schools		
	Music / theatre academies (or universities)		
	Dramatic theatre		
	Music theatres, opera houses		
	Dance and ballet companies		
<b>Books and Libraries</b>	Libraries		
<b>Audiovisual</b>	Broadcasting organisations		
<b>Interdisciplinary</b>	Socio-cultural centres / cultural houses		
<b>Other (please explain)</b>			

Source(s):

### 7.3 Status and partnerships of public 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 a sustainable 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) as part of its inputs to the annual *Reports on Plans and Priorities* and *Departmental Performance*. 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 e.g. *Moving Forward - Strategic Plan 2008-2011* (2007) 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 chapter 8.1.2). Periodic reviews of arts and heritage policies and the

development of strategic policy frameworks have involved extensive consultations with the respective industry and public interest associations affected thereby.

Most programmes today habitually 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 both individuals 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 chapter 4.2.3). The mandate of Telefilm Canada has also expanded to include "new media" and the Canada New Media Fund as part of its audio-visual responsibilities.

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 in the Charlottetown talks. The role of public sector foundations has been to provide financial support for cultural activities usually at a provincial or local level.

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; and
- 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
- the constitutional make-up of Canada results in the existence of several grey areas in which cultural matters often intersect with others such as education, making it difficult for any one level of government to proceed in isolation from the others.

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.

Among the multitude of inter-governmental partnerships in which the Department of Canadian Heritage was engaged in 2006 are the following initiatives:

*Federal-Provincial-Territorial (FPT) Culture / Heritage and Tourism Initiative:* aimed at better understanding and improving the link between culture / heritage and tourism. Launched in 2003 following a 1997 directive from the FPT Ministers responsible for culture and heritage, this initiative focuses, *inter alia*, on common issues and opportunities for cooperative tourism activities within the culture and heritage sector and between the culture and heritage sectors and other tourism stakeholders. The project was renewed in 2006-2007 for two years (see chapter 3.3 for other FPT partnerships).

*FPT working groups:* Aboriginal Cultures and Tourism has addressed repatriation of sacred aboriginal artefacts, including human remains, the preservation and promotion of Aboriginal languages, and has produced three reports (see chapter 9.1). The FPT working group on the

2010 Cultural Olympiad, to take place in Vancouver and Whistler, British Columbia will continue its work over the next few years. The Cultural Olympiad is part of a major inter-governmental partnership directed towards the preparation for the 2010 Olympic and Paralympic Winter Games. The 2010 Games Federal Secretariat, in collaboration with federal departments and agencies, the government of British Columbia, and other provinces and territories, as well as the municipal governments of Vancouver and Whistler, is working on the promotion of opportunities across Canada to leverage social and economic benefits associated with hosting the 2010 Winter Games, specifically in the areas of culture and diversity, aboriginal participation, official languages, sport and recreation, economic development, environment and sustainability, volunteerism, and tourism (see chapter 4.1).

The *FPT Initiative on New Technologies* has conducted research on the impact of new technologies on the cultural industries and on cultural policy development. In 2007-2008, the New Technologies Initiative is focusing on identifying best practices for government support of new technologies and priority areas for support. In 2007, a new working group on the instrumental and intrinsic benefits of the arts, culture and heritage, was established. Its objective is to develop performance measures that assist government decision makers to assess funding decisions by a) demonstrating the link between arts, culture and heritage activities and the achievement of public policy objectives; and b) demonstrating accountability by arts and culture organisations for the use of public monies. Canadian Heritage agreed to lead the first phase of the project in 2007-2008, which will investigate existing documentation on intrinsic and instrumental benefits of the arts, culture and heritage, and produce a feasibility study report that will outline possible methodologies that could be used to develop common measures. Priority will be given to measures that are identifiable, common (across Canada) and quantifiable. A sub-working group on cultural statistics was also established. The objective is to act as facilitator for the above-mentioned working group on the instrumental and intrinsic benefits of the arts, and to improve communication between Statistics Canada and the provinces and territories, and to meet their cultural statistics needs.

*Tri-Level Committees:* These committees bring together funding partners (high officials) from the three levels of government (federal, PT and municipal) as well as staff from federal and provincial arts councils. Their objective is to foster better collaboration and efficiency between levels of governments. Structure and functioning varies from one committee to another, to adapt to specific needs and municipalities involved. Meetings occur on a regular basis to share information and to consult on funding priorities. These committees currently exist in British Columbia, Alberta (Edmonton and Calgary), Manitoba, Ontario (Toronto) and New Brunswick.

*400th anniversary of the founding of Quebec City:* the project to commemorate and celebrate the *400th anniversary in 2008 of the founding of Quebec City* in 1608 is coordinated by the Department of Canadian Heritage Celebration, Commemoration and Learning Programme which works with provincial governments, municipalities and other partners including the Société du 400ième anniversaire de Québec, a non-profit organisation (see chapter 4.1).

*Third sector organisations:* 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 Aboriginal representative, women's organisations, 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 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 and Heritage Sustainability Programme (arts stabilisation) also provides an interesting example of private sector-public sector partnerships designed to encourage realistic financial planning and to avoid future deficits.

## 8. Promoting creativity and participation

### 8.1 Support to artists and other creative workers

#### 8.1.1 Overview of strategies, programmes and direct or indirect forms of support

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.

In 2004, virtually all operating revenues of *for-profit arts companies* came from earned revenues (57% ticket sales, 40% merchandising, royalties and rentals) and only 2% from government funding and 1% from private donations. The *not-for-profit arts companies'* relative dependence on government subsidies and donations is evident from their revenue sources are as follows: ticket sales 42%, merchandising, royalties and rentals 8%, governments 29% and private donations 21%. Together, overall revenue from live performances accounted for 49% of total revenues for not-for-profit performing arts companies in 2004, unchanged since 2001. Total revenues surpassed CAD 1.2 billion in 2004, up 25% since 2001. Theatre accounts for 28% of total revenues and comprises the largest segment of the not-for-profit arts sector, attracting over half of total arts attendance. Not-for-profit music was the second largest segment (primarily orchestras) with 25% of total performing arts revenues.

Owing to the recent inclusion of for-profit companies in the Statistics Canada survey of the performing arts, data trend lines go back to 2001 only. Just less than 1 000 for-profit and 500 not-for-profit companies were surveyed in 2004. All disciplines of not-for-profit performing arts companies registered deficits in 2004 owing to expenditure increases. Before-tax profit margins were negative at -1.2% in 2004 for not-for-profit companies. However, this deficit shows some reduction since 2001.

Beyond the quintessential concern over funding and deficit financing, other issues debated in the arts community include: the socio-economic condition of artists, especially the self-employed, the nature of the employer-employee relationship, tax incentives for charitable donations, community arts activities, arts appreciation programmes, arts training programmes, cultural facilities infrastructure improvements, maintaining audience growth and development, domestic and foreign touring within and outside Canada, public arts, and arts participation, including volunteers and amateur arts creation activities.

#### 8.1.2 Special artists' funds

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 diverse, high quality artistic expression through the support of presenters, performing arts series, and other artistic experiences (replaces the festivals and special arts events component of the former Cultural Initiatives Programme). It funds more than 500 organisations in over 200 communities each year;
- *Canadian Arts and Heritage Sustainability Programme*: supports professional not-for-profit arts or heritage organisations, national professional not-for-profit arts or heritage

service organisations, provincial professional not-for-profit heritage service organisations, municipal or regional governments and agencies of provincial / territorial governments (for Heritage only), and Aboriginal organisations / governing bodies in the improvement of their management practices and the development of greater financial capacity of arts and heritage organisations, including matching donations to endowment funds. Funding is also made available for projects focused on improved governance structure and development of new or diverse audiences;

- *Cultural Spaces Canada*: seeks to improve access to arts and heritage experiences for Canadians and to improve physical conditions for artistic creativity by supporting the construction and renovation of arts and heritage facilities in Canada as well as the acquisition of specialised equipment. It complements the government-wide Infrastructure Canada Programme;
- *Cultural Capitals of Canada*: provides funds for activities that celebrate arts and culture at the local level and that integrate arts and culture into community planning. Five Cultural Capitals were announced in January 2008 for 2009 in accordance with three funding categories: municipalities with populations greater than 125 000, municipalities with populations between 50 000 and 125 000, and municipalities below 50 000 in population;
- *Building Communities Through Arts and Heritage*: announced in the 2007 Federal Budget, the Programme provides grants and contributions to local arts and heritage festivals and events for the purpose of engaging Canadians in their communities through arts and heritage festivals and events and community historical anniversaries;
- *National Arts Training Contribution Programme*: supports independent, not-for-profit, incorporated Canadian institutions that provide training in preparation for professional careers in the arts; and
- *Official-Language Support Programmes*: through funding and multi-partner agreements, support arts and culture networks within the English-speaking and French-speaking minority communities.

In 2001, the government of Canada announced the "Tomorrow Starts Today (TST)" initiative, which provided support for Canadian artists, arts organisations and the cultural industries. Support was provided from 2001 to 2006 through the following programmes: the arts and heritage (Arts Presentation Canada, Canadian Arts and Heritage Sustainability Programme, Cultural Capitals of Canada, Cultural Spaces of Canada, National Arts Training Contributions Programme), book publishing (Aid to Publishers, Supply Chain Initiatives Publishers, Collective Initiatives), the Canada Council for the Arts, Canadian Culture Online (Applied Research in Interactive Media Programme, Canada New Media Fund, Culture.ca, Francommunautés virtuelles, Partnerships Fund, Virtual Museum of Canada Investment Programme, Canadian Memory Fund) and Trade Routes. The TST has since been renewed until 2010, although support to the different programmes has changed.

### **8.1.3 Grants, awards, scholarships**

In 2005-06, the Canada Council for the Arts (CAC), which celebrated its 50th anniversary in 2007, awarded 5 780 grants, with a total value of CAD 120.5 million, to some 2 100 professional Canadian artists out of a total of 131 000 professional artists in Canada and 2 000 arts organisations, as well as CAD 2.6 million in endowed prizes in 2005-06. The recipients reside in over 825 Canadian communities in dance, media arts, music, theatre, writing and publishing, interdisciplinary work and performance art, and the visual arts (*Annual Report 2005-06*). 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. Of these disciplines, music, theatre, and writing and publishing receive the largest funding



although important levels of funding are also provided youth-related activities, Aboriginal artists and organisations and culturally diverse artists and organisations.

The Council also runs or houses the following programmes:

- *Aboriginal Arts Programme*, an outreach programme for domestic audiences and marketing development and touring assistance;
- *Canadian Commission for UNESCO*, currently establishing, *inter alia*, 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; and
- *Public Lending Right Commission*. The federal arm's length Public Lending Right Programme (PLR) was established in 1986 to increase the revenues and improve the financial situation of Canadian writers and to give public recognition to their important contribution to protecting and growing Canada's cultural identity. It is administered by the Public Lending Right Commission, comprised of representatives of national writers', librarians' and publishers' associations and operates under the administrative aegis of the Canada Council for the Arts. The PLR makes payments to Canadian writers, translators and illustrators based on the holdings of their books by a representative sample of libraries across Canada. 15 417 writers, translators and illustrators across Canada received just over CAD 9 million in public lending right payments in 2006-07, marking a growth of over 300% in authors, titles and payments over the last seventeen years.

The Council also operates the Artist and Community Collaboration Fund (ACCF), 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 ACCF for 2006-2007 increased the Canada Council for the Arts' commitment to the diverse artistic activities that bring together professional artists and the broader community. Through this, it gives the arts a stronger presence in everyday life. The fund offers opportunities for communities to express themselves through creative collaborations with leading professional artists. The ACCF is delivered through participating programs in all sections of the Canada Council. Artists and community collaboration activities are also supported within other Canada Council programmes outside the framework of the ACCF.

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. Council's Audience and Market Development Programme (AMDP) provides travel assistance to increase, enhance and broaden programming options for presenters and curators of professional Canadian artists and to assist professional artists and their managers to develop and reach new audiences and markets in Canada and internationally. Along with its grants programme and special initiatives, the AMDP maintains updated on-line directories of presenters, agents and festivals.

#### **8.1.4 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 arts service organisations, other artists' associations and unions such as the Canadian Conference of the Arts, the Canadian Museums Association, the Writers Union and sound recording associations such as FACTOR. The Department of Canadian Heritage provides legislative recognition of artists through the *Status of the Artist Act* (see also chapter 5.1.4). National arts service organisations (NASOs) are also eligible for charitable tax status, which is another form of indirect support to arts associations.

## 8.2 Cultural consumption and participation

### 8.2.1 Trends and figures

*Television viewing:* By far the largest audiences for cultural content are television viewers. In Canada, there are two (2) ways to measure viewing data: BBM Fall Surveys using diaries and the recently merged Nielsen Media Research / BBM national metered data, which is the most recent and accurate. Television viewing results provided in this document are based on BBM national metered data. Per capita average weekly television viewing decreased slightly from 25.1 hours in 2005 to 24.3 hours in 2006 indicating relatively little displacement of television viewing by computer-related activities such as games and the internet. In 2006, women aged 18 and over again watched the most television among the different groups, 26.5 hours per week on average, while adult men (18+) watched only 25.4 hours per week. Children 2 to 11 years were the least avid viewers with an average viewing of 17.3 hours, down from 19.2 hours in 2005. (*BBM Canada TV Meter Databank 2006*)

*News and current affairs:* Statistics Canada's *General Social Survey on Social Engagement in 2003* (2004) reports that in 2003, 89% of Canadians followed news and current affairs daily or several times a week, with a special emphasis on seniors, of which 95% followed the news daily or weekly. Men, people who are married, workers employed as professionals or managers, and those with higher incomes were more frequent users. Slightly more French-language users at home followed the news and current affairs than did English-language users at home; Quebec users ranked highest in Canada. Among frequent users or consumers 19 and over, 91% included television, 70% read newspapers, 53% listened to the radio, 30% used the Internet, and 23% read magazines for their news and current affairs information. In terms of demography, Internet use for this purpose was highest among Canadians ages 19 and over (42%) and lowest among seniors, and (only 9%), and among men (36%) more often than women (20%). Interestingly, 36% of immigrants not born in Canada used the Internet for news and current affairs compared to 28% for Canadians born in Canada. Frequent users were more likely to engage in non-voting political activities including attending public meetings, searching for political information, volunteering for a political party, contacting a politician or newspaper, signing a petition, or participating in a march or demonstration. Thus, it can be postulated that following the news and current affairs is positively related to being a more politically engaged citizen.

*Radio listening:* Canadians devoted less time listening to the radio in 2006 than in previous years. On average, Canadians tuned in to the radio for 18.6 hours per week, down from 19.1 hours a week in 2005. Since 1999, when radio listening peaked, the average has dropped by almost two hours. In 2006, the decrease was most notable in teenagers aged 12 to 17, the lowest of all age groups surveyed, who listened 7.6 hours per week and adults aged from 18 to 24 and 55 to 64 whose weekly listening levels decreased by approximately one hour. Females 65+ continued to be the most avid radio listeners at 22.7 hours per week, virtually unchanged from 2005. AM radio continues to decline in total average hours tuned, while FM recuperates these hours. In 2006, approximately 73% of the tuning to Canadian radio stations was through the FM band. (*Statistics Canada and CRTC 2007*)

*Cultural attendance:* According to Statistics Canada and other cultural surveys, attendance figures generally show a small increase over time in most of Canada. However, owing to non-standard definitions of many survey questions concerning attendance or visiting, there is often difficulty experienced by cultural participation researchers in arriving at verifiably comparative figures and trend lines:

- *Feature film theatres:* Movie attendance rebounded slightly in 2005 as more Canadians went to both movie theatres and drive-ins, and the industry enjoyed growth in total revenues, profits and profit margin. Although film data collected by Statistics Canada using comparable surveys is limited by major changes in the wording of questionnaires, backcasting was deployed in order to make the comparisons below. Movie theatres and

drive-ins combined sold 120.3 million tickets, up 0.5% from the previous year, according to new data from the Motion Picture Theatres Survey. The recovery helped take the sting out of a 4.6% decline in attendance in 2003 / 2004. But attendance in 2004 / 2005 was still 4.1% lower than it was in 2002 / 2003, which was the highest since 1960. Moreover, foreign films continue to dominate box office receipts as noted in chapter 4.2.6;

- *Not-for-profit performing arts:* 14.2 million people in Canada and abroad attended nearly 44 000 performances in 2004. Theatre accounted for 7.8 million in attendance and 30 000 performances. Music organisations reached 3.2 million people at nearly 5 000 performances. Dance organisations accounted for 1.6 million in attendance and 3 400 performances. Opera, musical theatre and dinner theatre organisations reached 1.1 million people at 3 400 performances. Other performing arts companies accounted for 460 000 in attendance at 2 000 performances. (Statistics Canada, 2006) The Department of Canadian Heritage also commissioned Phoenix SPI to conduct a 1 200 telephone sample survey of arts and heritage access and availability in Canada in 2007. The Report found that most surveyed Canadians (86%) attended at least one type of arts or cultural event or activity in the past year, with the most popular events being live performances (69%), craft shows (58%) and festivals (53%). Not surprisingly, these same events were also the most frequently attended arts events. Half (51%) attended a live performance at least two to three times in the year preceding the survey. This was followed, at a distance, by craft shows (34%) and arts and cultural festivals (30%). Even events typically associated with niche markets – visual art exhibits, media arts presentations, opportunities to interact with artists, and literary / poetry readings – attracted 9-23% of Canadians more than once a year, and another 5-21% once only. Overall, the 2007 results are similar to the findings of past years. Respondents were slightly more likely to have attended an event based on non-European cultures and traditions and less apt to say they are more interested in seeing arts or performances from their own cultural background as opposed to others. Otherwise, arts attendance has remained fairly steady over time from 2000 to 2007. In addition, over time, the importance Canadians attribute to the arts as part of their quality of life is virtually unchanged from previous years;
- *Heritage institutions:* The Statistics Canada Heritage Survey includes some 50 for-profit and over 600 not-for-profit heritage institutions. In 2004, 35 million visitors passed through the turnstiles of heritage institutions, up from 31.6 million in 2002. Museums (especially not-for-profit museums), exhibition centres, planetariums and observatories accounted for 45% of total attendance. The average admission fee for adults to all heritage institutions surveyed rose from CAD 3.60 in 1999 to CAD 4.62 in 2004. (Statistics Canada 2006) In addition, a survey conducted of 2 400 Canadians in 2003 by the Canadian Museums Association reported that 48% of Canadians visited a museum in their community at least once during the year prior to the survey. Most saw these visits as both an educational and entertaining experience for children, youth and adults alike. (Canadian Museums Association 2003). According to the 2007 Phoenix PSI report, attendance at all types of heritage institutions is down from 2000 levels, although, compared to 2000, it is encouraging that respondents were more likely to have visited these institutions both locally and while on vacation.

*Time use for cultural activities:* Data in Table 10 below represents the % of the Canadian population 15 and older who participate at least once a year in a given activity. Other breakdowns in regard to the frequency of participation (number of occasions daily, weekly, monthly and annually) are available for 2005 but are not included here. In addition to the categories indicated in Table 10, a report on the number and percentage of the residents of each province participating in cultural activities in 2005 was released in 2007. According to Hill Strategies, some key findings include:

- most cultural and heritage activities attracted about the same percentage of the population in 2005 as in 1992. Provinces in this situation include Alberta,

Saskatchewan, Manitoba, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador;

- almost all cultural and heritage activities saw an increase in the absolute number of provincial residents attending, visiting, reading, watching or listening;
- reading, music and movies are among the most popular cultural and heritage activities in all provinces;
- British Columbia and Ontario are the only provinces where a heritage activity such as visiting a conservation area or nature park attracted at least half of the population in 2005;
- contrary to the national trend, many cultural and heritage activities attracted a smaller percentage of British Columbians in 2005 than in 1992;
- in Ontario, many cultural and heritage activities attracted a larger percentage of residents in 2005 than in 1992 (including cultural / heritage performances such as Aboriginal dance, Chinese opera, or Ukrainian dance), museums, public art galleries, historic sites, book reading, movies and videos;
- in Quebec, as in Ontario, many cultural and heritage activities attracted a larger percentage of residents in 2005 than in 1992 (including cultural / heritage performances such as Aboriginal dance, Chinese opera, or Ukrainian dance), museums, public art galleries, historic sites, conservation areas or nature parks, movies, videos and music on CD or other pre-recorded formats; and
- movie-going is particularly popular in Quebec which is the only province where more people go to movies than read books. In addition, Quebec is the only province where movie-going is within 10 percentage points of video-watching.

**Table 10: Canadian cultural time use activities, 1992, 1998 and 2005 (% of Canadians 15 and older participating at least once a year)**

	1992	1998	2005
<b>Publishing</b>			
Read a newspaper (not for paid work or academic studies)	93.2	88.7	86.7
Read a magazine (not for paid work or academic studies)	80.8	77.2	78.2
Read a book (not for paid work or academic studies)	66.8	66.5	66.6
<b>Music</b>			
Listen to recorded music on CD or other format	81.7	83.3	83.9
Listen to downloaded music on a computer, MP3 player	NA	NA	28.6
<b>Film</b>			
View a movie, bought or rented, VHS or DVD format)	71.8	79.1	78.6
Go to the movies at a drive-in or theatre	49.2	64.1	61.0
<b>Performing Arts</b>			
Attend live professional music, dance, theatre or opera performance (excl. festivals)	42.4	37.6	41.2
Attend theatrical or stage performance in drama, musical theatre, dinner theatre or comedy	24.3	21.7	22.6
Attend symphonic or classical music performance	8.4	9.0	9.5
Attend popular music performance in pop / rock, jazz, blues, folk and country and western genres	24.0	21.3	23.8
<b>Heritage</b>			
Visit public art gallery or art museum incl. special art exhibit	19.6	24.0	26.7
Visit a museum	32.7	32.3	35.2
Visit a zoo, aquarium, botanical garden, planetarium or observatory	35.7	35.0	33.5
Visit historic site	27.1	35.2	33.4
Visits to conservation area or nature park	46.7	48.9	45.9

Sources: Statistics Canada: *General Social Surveys*. 1992, 1998 and 2005; Hill Strategies, *Profile of the Grand Heritage Activities of Canadians in 2005*. (2007)

*Daily cultural activity time use:* 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 in 2005. (Statistics Canada, 2006)

*Other cultural participation surveys:* In particular, surveys, such as reading books, some of the above figures may mask results from more recent surveys. For example, according to one survey, the reading of books by Canadians has remained rather stable in recent years. Over half of Canadians surveyed in 2005 reported reading every day (Créatec 2005). According to a survey of almost 2 000 Canadians aged 16 and over, 87% read a book for pleasure in 2004. Over half of Canadians read books for pleasure every day or almost every day. On average, Canadians indicated they read 17 books for pleasure and about two-thirds of respondents read at least one book by a Canadian author. 10% read at least one electronic book and the same percentage listened to an audio book. 40% of Canadians borrowed a book for leisure reading from a library in 2004 with an average of five visits each to a public library. Finally, while the impact of the Internet on reading is still unclear, a recent report by the National Endowment for the Arts cites declines in reading and book expenditures in the United States and explains what this means for literacy and why more than reading is at risk. Further research on the actual impact of the Internet (among other things) is appropriate not only for reading but also for other forms of cultural participation, new and old (see below).

*Internet access and use:* 78% of Canadians had access to the Internet in 2005, 65% at home, 45% at work, 29% at Library or other locations without access fees and 16% at school although the pace of growth in Internet use has levelled off somewhat since the late 1990s, similar to that of cable before it. Sixty per cent of Canadians reported using the Internet, at least once a week, and this rate of use remained constant at 60% from December 2004 to December 2005, up from 26% in March 1998. In December 2005, the average Canadian with Internet access connected for an average of 16 hours of Internet use per week. On average, men spent 142 minutes more on the Internet use per week than women. Among Canadians between 18 and 34 with access to the Internet use, 92% use it at least weekly. According to a recent global compilation, Canada was the top country in average monthly hours online over the Internet per unique visitor in January 2007 among both broadband and narrow band users 15+: 41.3 hours for broadband users and 14.2 hours for narrowband users (COM Score 2007). In 2005, 74% of Canadians had high-speed access to the Internet at home although only 26% had dial-up access (Statistics Canada 2006).

More recent research by Fletcher, Zamaria, Ewing and Thomas (2008), of comparative data drawn from the Canadian Internet Project of Statistics Canada (see <http://www.cipic.ca>) and an Australian Survey commissioned in 2007 by the Institute for Social Research, respectively on Canadian and Australian diffusion and usage of the Internet, indicate continuing growth amongst consumers / users in both countries. Researchers in both countries also take part in the Worldwide Internet Project (WIP) - an international research consortium at the Annenberg School for Communication at the Center for the Digital Future at the University of Southern California under the direction of Jeffery Cole - which asks Internet and mobile device users in 25 countries about their online activities and experiences, how their use patterns have reshaped their ways of seeing their media environment, and how this has affected their traditional media diet. Canadian results indicate that the relative importance of entertainment has grown from 31.3% in 2004 to 52.4% in 2007 although it is still shows that information at 66.1% remains the principal rationale for usage of the Internet. In Australia, slightly behind Canada in terms of Internet availability and usage, entertainment accounts for 31.5% while information accounts for 68.4%. In regard to the impact of Internet usage on traditional media time-use in 2007, between 20 and 25% of Internet users in Canada and Australia reported spending less time on newspapers, magazines and books as a result of being online. In Australia, 40.4% reported watching less TV in 2007 while 24.1% reported watching less TV in Canada as a

result of using the Internet in the same year. Young viewers / users (18 to 29 in age) of the Internet value the opportunity to share their own creative content online significantly more than all other age groups in respect to reading or contributing to blogs, visiting and posting to social networking sites, posting photos and videos and sending original creations.

*Cultural consumption:* Statistics Canada's *Survey of Household Spending* contains data on the purchase of cultural goods and services among many other categories. The data drawn from this annual survey, a paper-based questionnaire on Canadians' spending habits, represent a broad survey of overall spending habits. The Survey does not provide all of the details that might be desired regarding cultural spending items. For example, the live performing arts category is not broken down according to sub-types of for-profit and non-profit arts activities, including pop concerts, opera, dance, classical music, etc. Similarly, spending on books is not broken down into Canadian-authored books, Canadian-published books or fiction and non-fiction categories. The report examines cultural spending, not overall attendance at cultural activities. Free cultural activities, by definition, are excluded from this Survey. Table 11 contains comparative figures in 1997 and 2003 that show that Canadian household spending on culture grew by 45%.

**Table 11: Household spending on cultural activities in Canada, in million CAD, 1996-2003**

	1996	1997	1998	1999	2000	2001	2002	2003	% change (1996-2003)
Heritage	213	403	421	442	462	436	492	493	132
Broadcasting	3 260	3 650	4 037	4 456	4 896	5 426	5 817	6 542	101
Performing arts	765	896	868	883	993	968	1 161	1 170	53
Written media	3 874	4 378	4 510	4 737	4 869	4 949	5 093	5 315	37
Library	125	143	131	134	136	123	164	155	24
Photography	1 191	1 338	1 341	1 459	1 482	1 486	1 584	1 466	23
Film	3 711	3 754	3 997	4 229	4 203	4 649	4 411	4 484	21
Visual arts	915	520	815	616	721	818	806	804	-12
Total	14 054	15 082	16 120	16 955	17 762	18 854	19 527	20 430	45

Source: Statistics Canada. *Survey of Household Spending*.

Data on cultural spending by consumers (households) in 2005 indicate: Internet spending jumped by 15% to an average of CAD 240; DVD players, which have become the most rapidly adopted new technology since television in the 1950s, were reported by 80% of all households surveys, up from 20% in 2001; Canadians spent an average of CAD 104 per household for attending the movies; net spending on games of chance (e.g. lotteries) increased 5% to CAD 280 per household; live performing arts spending accounted for CAD 100 per household; purchases of audio and visual equipment, including pre-recorded and blank media such as CDs, DVDs and tapes, rose 6% to an average of CAD 470 per household while home entertainment services, including rentals of pre-recorded media, remained flat, declining 1% to CAD 110; and satellite subscriptions rose 17% to CAD 138 per household. (Statistics Canada: *Spending Patterns in Canada 2005*). Table 12 shows consumer spending on cultural equipment from 2001 to 2005, inclusive.

**Table 12: Consumer spending on cultural equipment in Canada, % of households, 2001-2005**

	2001	2002	2003	2004	2005
CD player	71.1	73.9	76.2	79.7	80.4
Cablevision	68.1	66.1	64.8	66.3	65.4
Satellite dish	---	---	---	22.0	22.6
DVD player	---	---	---	66.3	77.1
CD writer	---	---	---	38.3	43.5
DVD writer	---	---	---	16.0	24.5
VCRs	91.6	92.1	99.0	99.2	99.0
Colour TV sets	99.2	99.1	99.0	99.2	99.0

Source: Statistics Canada: Spending Patterns in Canada in 2005. (2006)

*Immigrant cultural participation:* A number of public opinion surveys and reports have determined trend lines in regard to the role of immigrants over several generations in cultural and civic participation. While there is not yet enough evidence to demonstrate the degree to which content diversity and access in both official and non-official languages shape the frequency and time use of participation patterns in both the cultural and civic realms, recent reports indicate a complex impact on participation and identity occasioned by enhanced demographic and ethno-cultural diversity of audiences and citizens. Jedwab (2003) notes that while historically, analysts have focused on generational differences, gender and region as principal factors shaping cultural consumption, ethno-cultural origin is now an equally important factor.

Environics (2001) found that immigrants are somewhat more interested in attending cultural events based on their own cultural background than non-immigrants and would like more exhibits or performances that connect with their cultural or ethnic background. Nine out of ten immigrants expressed an interest in seeing artwork and attending live performances based on different cultures, compared to 81% for respondents born in Canada. Solutions Research Group (2006) surveyed 3 000 members of the six largest ethno-cultural population groups in Toronto, Montreal and Vancouver, Canada's three largest cities. With few exceptions, all groups were attracted to performances featuring their respective cultural traditions at some expense of mainstream events. Moreover, interest in other cultures is strong across the majority of the six population groups surveyed. Use by recent immigrants of other sources of cultural content such as digitally equipped libraries may be another important indicator of public engagement and life-long learning in culture and citizenship although work needs to be undertaken to prove this hypothesis. The importance of linking cultural participation to intercultural dialogue is explored in a preliminary fashion in the author's draft paper, "Intercultural Dialogue and Cultural Participation: the Canadian Experience" submitted to the Council of Europe (September 2008).

### 8.2.2 Policies and programmes

While there is no explicit policy linking participation in cultural life to the broader issues of civic participation, citizenship, civil society developments and social cohesion, many recent changes and elaboration of cultural and civic responsibilities in the Department of Canadian Heritage architecture speak to the logical correlation and synergy between the Department's respective policies promoting both higher levels of cultural and citizenship / identity participation. What is needed now is more measurement of the presumed correlation.

Another example of Federal government initiatives to boost cultural and civic participation in Canada include the work to enhance literacy by the National Literacy Secretariat in Human Resources Skills Development Canada (HRSD). 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.

According to the *Canada National Longitudinal Survey of Children and Youth: Early Reading Ability and Later Literacy Skills (2006)*, which tracked literacy skills of 1 329 children aged 8 or 9 in 1994 / 05 and the same children ten years later in 2004 / 05, the results demonstrate that: early reading skills have an impact on literacy skills of children regardless of the child's background; children who do well in reading at school at age 8 or 9 have high literacy skills at age 19 or 19 even when factors related to socio-demographics, child behaviour, school issues and parental literacy practices are taken into account; and the child's gender and mother tongue had no significant impact on later literacy scores. However, parental reading of their own books (asked when the children were 12 or 13) has a significant positive impact on the child's literacy scores at 18 or 19. Moreover, children who improved their reading skills between 8 or 9 and 12 or 13 years of age still improved their later literacy scores showing that not "all is not lost" by the time children are 8 or 9 (Statistics Canada 2006).

According to the *International Adult Literacy and Skills Survey* of 23 000 adults found that 42% of Canadians scored below Level 3 prose literacy, the desired threshold for coping with the increasing skill requirements of the knowledge society (others include document, numeracy and problem-solving skills). The Survey also showed a clear link between high proficiency in prose literacy and earnings especially for women. In addition, higher levels of prose literacy are associated with higher levels of involvement in various community groups and organisations and in volunteer activities. Literacy performance was lower among Aboriginal people and immigrant Canadians although the survey examined literacy in English and French only, not Aboriginal or other languages. (Statistics Canada 2005)

*Volunteerism* is another important form of cultural and civic 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 351 000 Canadians or 1.4% of the population ages 15 and older volunteered to help arts and cultural organisations in 2000 and the dollar value of their work was estimated at CAD 690 million for 51.9 million volunteer hours of work. 65% of the staff of heritage institutions were recorded as volunteers in 1997. In a survey of heritage institutions in 2004, surveyed art museums and art galleries indicated that over 85% of their total work forces consisted of volunteers. Reliance on volunteers constituted almost 74% of their work force. In a separate survey of the performing arts, volunteers comprised approximately 41% of the total staff of not-for-profit performing arts organisations in 2004. Rural and small town Canadians gave proportionately more of their time (and money in donations) to the cultural sector than did urban Canadians while those aged 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.

Statistics Canada's *Satellite Account of Non-profit Institutions and Volunteering, 1997-2001 (2005)* contains statistics on the economic contribution of the non-profit sector in Canada. The satellite account is part of the Canadian system of National Accounts and consists of a set of economic accounts, including the value of productive activity (Gross Domestic Product) and sources of income and expenditures of the Canadian non-profit sector for the period from 1997 to 2001. A non-market extension assigning an economic value to volunteer work for the years 1997 and 2000 has also been included. In 2000, "culture and recreation" led the way with an estimated CAD 3.6 billion worth of volunteer effort.



## 8.3 Arts and cultural education

### 8.3.1 Institutional overview

Childhood experience and education are increasingly recognised as important determinants 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 users put to using computers including programming and desktop publishing. Some examples of recent reports include: *Music Education: State of the Union Benchmarks Study* (Coalition for Music Education in Canada (2005) and *English-language Canadian Literature in High Schools and Arts Schools in Ontario* (2004).

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;
- Similar programmes exist 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); and
- The CBC / Radio-Canada operate CBC Learning which allows teachers, post-secondary teachers, school boards and corporate training departments to review lessons, watch excerpts and purchase Canadian educational video and audio content online. The new website is <http://www.cbclearning.ca>
- As part of the Canadian Culture Online Strategy, the Department of Canadian Heritage created *Culture.ca* as Canada's cultural portal which, *inter alia*, contains abundant information on arts and education in Canada.

The government of Canada partners with arts organisations and other governments through initiatives and organisations such as:

- *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;
- *National Arts and Youth Demonstration Project*: the Department of Canadian Heritage supported a multi-year pilot study (2001-2004) on the impacts of after-school arts programmes on youth-at-risk from low income families at five centres across the country: Montreal, Toronto, Winnipeg, Vancouver, and a rural town in Ontario. 183 children between 10 and 15 years of age participated in structured arts instruction, largely theatre-based programmes twice a week over a nine-month period. Many of the participants were

from diverse cultural and ethnic groups. The report found that the children showed statistically significant improvement in programme participation and enjoyment, arts skills development, task completion, and pro-social skills. It also found that the children showed a decrease in conduct problems but that this change was not significantly different from age-related changes experienced by a control group of children. The report showed a decrease in the emotional problems outcome of the participants when compared to a control group. In addition, compared with other children, arts programme participants did not experience the same increase in emotional problems as they progressed through their teen years. Benefits to participation included: increased confidence, improved interpersonal skills, conflict resolution skills, problem-solving skills, and skills acquisition in arts activities. Among parents, a more positive community feeling was demonstrated;

- *EDUAction*: EDUAction is a six-volume series of teaching materials on Canada including a volume on Arts Education. The EDUAction series is produced by the Canadian Studies Programme in the Department of 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 educational publishers among other publishers in Canada. The two national training programmes in the arts and film also constitute important sources of educational support;
- *Other Canadian initiatives in arts and education*: these include ArtsSmarts, Learning through the Arts, the Arts Network for Children and Youth, the Media Awareness Network and the National Symposium on Arts Education (see below). Some provincial governments are also getting involved in arts education in a significant way. DCH, the Canada Council for the Arts, the Canadian Association of Public Arts Funders and provincial governments have formed a research project partnership scanning and detailing case studies of arts and education across Canada; and
- *National Arts and Learning Symposium* (May 2007): In addition to the University of Ottawa and the Canadian Commission for UNESCO, the Symposium's partners included Queen's University, Ontario's Ministry of Education (Direction des politiques et programmes d'éducation en langue française), the Ontario Arts Council, Canadian Public Arts Funders (CPAF), the Arts Network for Children & Youth (ANCY), ArtsSmarts, and Learning through the Arts. The aims of the Ottawa Symposium were to build creative capacity in Canadian arts and learning and strengthen bridges between all interested stakeholders. Inspired by the first UNESCO World Conference on Arts Education in Lisbon (2006), Canadian participants discussed work for the next World Conference on Arts Education, to be held in Seoul, Korea in 2010. A second domestic symposium will be held in Kingston in 2008. The Symposium was structured around the four major themes of the Lisbon conference:
  - advocacy for arts education: the value of cultural and artistic creativity in post-industrial economies and focused on themes related to the global context and our need for the art;
  - impact of arts education: artistic education demonstrates a special impact on social cohesion, respect for cultural diversity, non-violence, cultural heritage appreciation, improved learning achievement, conflict resolution, teamwork, creative thinking, and artistic creativity;
  - strategies for promoting arts education policies: issues relating to funding, bridging the gaps, creating partnerships, supporting lifelong learning, and the need to narrow the gap between planned policies and delivery in arts education, as well as linking arts education efforts to the global Education for All initiative; and

- teacher training: the need for quality arts education in the schools and other sectors, basic teaching qualifications to teach arts subjects, and defining the role of community practitioners and artists in the educational process.

### **8.3.2 Arts in schools (curricula etc.)**

Information is currently not available.

### **8.3.3 Intercultural education**

The role of intercultural education in assisting the process of social cohesion in a democratic context is an important aspect of a state's response to diversity. Moreover, intercultural educational measures, which include interculturally-educated teachers, as well as multilingual policies, which attempt to improve intercultural relations and non-centric curricula, help create inclusive, stable and peaceful and democratic polities (Gundara 2001 / 02). While intercultural education is not generally part of the Federal government's cultural policy mandate, there are growing numbers of government initiatives in regard to intercultural education, which is often defined as multicultural education. Some examples of such involvement at the Federal levels include policies, programmes and studies funded by the Department of Canadian Heritage and Citizenship and Immigration Canada on aspects and instruments of change in relation to racism and discrimination, including Aboriginal and multiethnic groups and citizens, resource lists of educational materials, teachers' guides for primary, secondary and university education, employment equity programmes and human rights education.

At the provincial level, a wide range of education studies, policies and programmes exist such as Quebec's *School Guide on Intercultural Education*, Aboriginal education directorates in the provincial ministries of education, distance education curricula, studies and curricula on heritage languages as both subject and language of instruction, online educational resources, and parental involvement in educational curricula and life-long learning. In respect to NGOs, studies and advocacy are conducted by organisations as the Canadian Council on Multicultural and Intercultural Education, the Canadian Anti-Racist Education and Research Society, the Canadian Race Relations Foundation, the Coalition for the Advancement of Aboriginal Studies, the B'nai Brith League of Human rights, the Bronfman Foundation, various Teachers Federations, the SchoolNet Grassroots Programme with school Internet projects, and the Canadian Ethnocultural Council (*Education Indicators in Canada: Report of the Pan-Canadian Education Indicators Programme*, Statistics Canada 2007).

### **8.3.4 Higher arts education and professional training**

Information is currently not available.

### **8.3.5 Basic out-of school arts and cultural education (music schools, heritage, etc.)**

Information is currently not available.

## **8.4 Amateur arts, cultural associations and civil initiatives**

### **8.4.1 Amateur arts and folk culture**

The federal government does not normally provide funding to the amateur arts leaving it to the provincial and municipal governments and foundations. One interesting exception to this is the CBC Radio Competition for Amateur Choirs to which the Canada Council for the Arts contributes for the administration of the competition. 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 public opinion survey, approximately 78% of the population aged 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) to 11% for volunteering or becoming a member in an arts organisation. Approximately 68% aged 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. Ninety-five per cent of Canadians feel that to relax and enjoy oneself is a very (65%) or somewhat (30%) important 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%) (Environics 2000).

#### **8.4.2 Cultural houses and community cultural clubs**

A random review of Internet websites indicates a vast array of cultural houses including linguistic cultural clubs such as the Alliance Française with ten associations in Canada out of more than 1 130 associations in 138 countries, and the Goethe Institute with three chapters in Canada. Other national ethno cultural groups are widespread such as the Portuguese-Canadian National Congress and the German-Canadian Congress. A wide range of community cultural centres also exist such as the Chinese Cultural Centre of Greater Vancouver, the Calgary Multicultural Centre, the Canadian Centre on Minority Affairs (Black and Caribbean) Canada, the Centre culturel français de Vancouver, Lithuania Online Organisations, the Iranian Cultural Centre, the African Heritage Cultural Centre, the Vancouver Multicultural Community, Heritage Foundations in various cities across Canada, SaskCulture Inc., and the Edmonton Historical Heritage Festival Association. There is also a large number of cultural publications such as *Lethbridge Cultural Life* and *Toronto Culture*, as well as cultural organisations dedicated to such events as centennial-and-beyond celebrations, the Scandinavian Midsummer Festival in Vancouver and the Vancouver Asian Canadian Theatre. Finally, there are a large number of university and high school student unions which often feature cultural and ethnocultural activities. It should be noted that the above examples of cultural houses and community cultural clubs are indicative of a much broader field of organisations that currently lacks overall centralised documentation.

#### **8.4.3 Associations of citizens, advocacy groups, NGOs, and advisory panels**

Information is currently not available.

## 9. Sources and links

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## **9.2 Key organisations and portals**

### **Cultural policy making bodies**

Canadian Radio-television and Telecommunications Commission  
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Department of Canadian Heritage  
<http://www.canadianheritage.gc.ca>

Canadian Broadcasting Corporation / Radio-Canada  
<http://www.CBC.ca>

Status of Women Canada  
<http://www.swc-cfc.gc.ca>

### **Professional associations**

The Canadian Conference of the Arts (CCA)  
<http://www.ccarts.ca>

Canadian Film and Television Producers Association  
<http://www.cftpa.ca>

### **Grant-giving bodies**

Canada Council for the Arts  
<http://www.canadacouncil.ca>

Department of Canadian Heritage  
<http://www.pch.gc.ca/>

### **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 Québec

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

Statistics Canada

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

### **Culture / arts portals**

Aboriginal Canada Portal

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

Canada's Cultural Gateway

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

Canadian Association of Safe and Healthy Schools

<http://safehealthyschools.org>

Canadian Cultural Observatory (includes many documents on culture in Canada including, *inter alia*, selected publications of the Canadian Heritage Policy Research Group, formerly the Strategic Research and Analysis Directorate)

<http://www.culturescope.ca>

Culture, Heritage and Recreation Services

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

Government On-Line

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

Canada Online

[info@canadaonline.ca](mailto:info@canadaonline.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 Canadian Music Centre

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

Le portail des arts et de la culture de la zone francophone

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

Quebec English-language Arts Network

<http://www.quebec-elan.org/>

The Virtual Museum of Canada

<http://www.virtualmuseum.ca>

Youth On The Move

<http://www.dfait-maeci.gc.ca/canada-europa/youth/menu-en.asp>  
(<http://www.exchanges.gc.ca>).