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## CRTC Says It's Collecting Podcasters' Details to Use Only 'If Needed,' Not to Regulate

Noé Chartier

Canada's broadcasting regulator says it will not be casting its net over podcast services, but podcasts still must register in case their information becomes "needed."

Officials from the Canadian Radiotelevision and Telecommunications Commission (CRTC) who testified at the House of Commons heritage committee on Nov. 23 were asked to clarify the need for podcast services making more than \$10 million in revenue to register if they're not to be regulated.

"There's been a lot of talk of how you were purported to want to regulate podcasts," said Liberal MP Taleeb Noormohamed. "Are you in the business you in the business of regulating podcasts? Are you collecting information on podcasts?" CRTC chairperson Vicky Eatrdes said that was not the case on both counts, but an executive who also testified said the regulator is indeed collecting "basic information."

Scott Shortliffe, executive director of broadcasting with the CRTC, said the information collected includes the legal name, address, and contact information.

"That is all we're asking for and that gives us the ability to collect information down the line if we need it," said Mr. Shortliffe.

Mr. Noormohamed asked for confirmation that the "average creator of a podcast should not have to worry about any kind of oversight from the CRTC."

"That is correct," said Mr. Shortliffe.

Conservative MP Martin Shields pressed for clarification on the "if needed" response given by the executive. "What does that mean?" "If needed" in this case means we have a broad mandate to look at the broadcasting system in Canada," answered Mr. Shortliffe, who added that at this time the CRTC doesn't have any "specific questions" about whether podcasting impacts the broadcasting system in Canada.

"We've preserved the ability to contact large companies that distribute podcasts in the future, if needed," he said.

The CRTC is formulating regulations pertaining to the adoption of Bill C-11 in April. Concerns have been raised as to have been raised as to whether the regu-

Vicky Eatrdes, chair and CEO of the Canadian Radio-television and Telecommunications Commission, waits to appear before the Standing Committee on Public Accounts on Parliament Hill on Oct. 5, 2023.

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lator can now police user-generated content on online platforms.

The new legislation gives the CRTC the authority to "ensure online streaming services make meaningful contributions to Canadian and Indigenous content."

In decisions issued in late September, the CRTC said online streaming services operating in Canada that offer broadcasting content and make more than \$10 million in revenue need to register. Another directive says certain online streaming services have to give the CRTC information about their content and subscribership.

The Liberal government provided directions to the CRTC with regard to the implementation of Bill C-11 in mid-November. It said that regulations should not be imposed on "online undertakings in respect of the programs of social me-

dia creators, including podcasts.”

Conservative MP Rachel Thomas asked Ms. Eatrides whether the government made this explicit in the directive because Bill C-11, which revamped the Broadcasting Act, can be interpreted as covering user-generated content.

“If that’s already not in the legislation, why would that distinction need to be made in your directive?” she asked.

“I would say that we know that user-generated content is out, that is clear to us. I can’t speak to why something was in a directive or not,” Ms. Eatrides said.

University of Ottawa professor Michael Geist, the Canada Research Chair in internet and e-commerce law, has said the need to mention user-generated content in the directive suggests it is covered by the legislation.

“Today’s final policy direction again demonstrates that the issue was real and it was largely the sustained criticism that pressured the government into a policy direction limiting the application of its own law,” Mr. Geist wrote in a Nov. 14 blog post.

Matthew Horwood contributed to this report.

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Scott Shortliffe, executive director of broadcasting, CRTC