

March 29, 2021

Mr. Claude Doucet
Secretary General
Canadian Radio-television and Telecommunications Commission (CRTC)
Ottawa, Ontario
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Introduction & Summary

1. Regarding Broadcasting Notice of Consultation 2020-374-1, [Advance](#), [Canadian Council of Music Industry Associations](#) (including [Alberta Music](#), [Cultural Industries Ontario North](#), [Manitoba Music](#), [Music BC](#), [Music Nova Scotia](#), [Music NWT](#), [Music PEI](#), [Music Yukon](#), [Music/Musique NB](#), [MusicNL](#), [MusicOntario](#), [SaskMusic](#)), [Canadian Independent Music Association \(CIMA\)](#), Indigenous Music Alliance, [Music Managers Forum Canada](#), [Music Publishers Canada](#) and the [Songwriters Association of Canada](#) are submitting joint comments on the *Broadcasting Notice of Consultation CRTC 2020-374 and 2020-374-1: Call for comments on the Commercial radio policy framework review*.
2. Collectively, these organizations represent key stakeholders from across Canada's music industry, including but not limited to: artists/performers, record labels, music managers, music publishers, songwriters, record producers, recording studios, agents, licensors, creative content owners, artists and others professionally involved in the music industry ecosystem.
3. Our submission provides a complementary perspective to that of our colleagues at ADISQ with regards to the issues pertaining to the French-language music market in Quebec.
4. We echo and support Advance's submission that (i) there can be no real diversity within Canada's broadcasting system without diverse representation at every level of Canada's commercial radio system; (ii) it is imperative that the CRTC undertake and uphold mandates to create a Canadian broadcasting system that reflects the national diversity of cultural and the racial identity of the country, and to encourage Black-led ownership in the Canadian broadcasting industry; and (iii) any transfer of the broadcast license for Toronto based frequency 98.7FM should be in keeping with the original mandate of creating a station to provide a voice for the African and Caribbean communities.
5. Similarly, we echo and support the Indigenous Music Alliance's submission, which speaks to the specific realities of Indigenous artists and the Indigenous-owned music industry as sovereignty-affirming. We support their request for an Indigenous airplay quota for commercial radio, as well as additional CCD contributions.
6. In summary, this joint submission will discuss: (i) the importance of radio to the Canadian music industry ecosystem, (ii) the modernization of MAPL, (iii) Canadian content quotas on commercial radio, (iv) Canadian content development contributions & issues with discretionary funding, and (v) the need for a mandatory review period of all commercial radio policies.

The Importance of Radio to the Canadian Music Industry Ecosystem

7. Despite the growth of the audio streaming market, radio remains an important consumption channel for Canadians. Data from the latest Communications Monitoring Report 2020 cites that in 2019, 84% of Canadians listened to traditional radio services in a given week, compared to 42% of Canadians who accessed an online streaming service in a given month.¹
8. According to public opinion research commissioned by the CRTC, seven in ten Canadians report listening to commercial radio at least once on a weekly basis, which is the most of any broadcast platform.² Moreover, at least four in ten Canadians listen on a daily basis.³ Within this research, music was identified as the most important aspect of commercial radio for Canadians, followed by local news content.⁴
9. While Canadians appear to be generally satisfied with their listening experience on commercial radio, satisfaction falls when it comes to commercial radio's variety of programming, diversity of songs, genres and artists, promotion of Canadian content.⁵ In fact, commercial radio's overreliance on popular music was identified as an issue by Canadians.⁶
10. Radio also remains the number one source for music discovery in Canada, according to research conducted by Nielsen via their *Canada 360 Music Report 2019*. According to that report, 66% percent of Canadian music listeners reported discovering new music via the radio compared to 43% via streaming services.⁷
11. It is also important to recognize that Canadians strongly believe in the promotion of Canadian artists and music, and feel that this promotion is integral to ensuring a strong Canadian culture.⁸
12. Beyond radio's ability to connect Canadian audiences to Canadian content, the commercial radio broadcasting system is an important contributor to the overall health of the music industry ecosystem via mandated Canadian Content Development contributions (CCD).
13. While we acknowledge the Commission's stated desire to craft policy with an eye towards the long-term rather than the current COVID-19 crisis, we would propose that the effects of COVID-19 on the music industry have yet to be fully realized, and for many parts of the industry, the extent of the long-term damage is yet to be fully known.

¹ *Communications Monitoring Report 2020*, CRTC, <https://crtc.gc.ca/pubs/cmr2020-en.pdf>

² *Attitudes and opinions towards commercial radio in Canada - Final Report*, Ipsos Public Affairs for CRTC, <https://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/crtc/2021/090-19-e/POR090-19-Final-Report.html>

³ *ibid*

⁴ *ibid*

⁵ *ibid*

⁶ *ibid*

⁷ *Canada Music 360 2019: Report Highlights*, Nielsen Canada, <https://www.nielsen.com/wp-content/uploads/sites/3/2019/04/canada-music-360-report.pdf>

⁸ Ipsos Public Affairs for CRTC

14. The most immediate impacts of COVID-19 are being felt in the live music community - a sector that was among the first to close, and that will be one of the last to re-open. According to the Canadian Live Music Association, 64% of the live music industry is at-risk of permanent closure, and the industry has reported a 92% revenue loss.⁹ Beyond the live music sector, the independent music sector has experienced a \$233 million drop in revenues, most acutely felt by emerging artists and their representatives (which may include managers, record labels, music publishers, etc.)¹⁰ According to new research from Nordicity, the cumulative impact of COVID-19 on the independent music sector in Canada represents a shortfall of over a \$2.8 billion shortfall from the industry's five-year growth trend.¹¹ Specifically, the sound recording and distribution sectors are expected to experience a 32% decline in revenues, while music publishing companies are anticipating a 44% decline from 2019 levels.¹² According to this same research report, the best case recovery scenario for this sector is a return to pre-COVID-19 levels of revenues by 2023-2024, and only with substantial government support.¹³
15. Research conducted by Abacus Data on behalf of Music Canada suggests that in a typical year, Canadian professional musicians perform, on average, 96 times a year.¹⁴ In 2020, this number plummeted down to 8.¹⁵ In fact, 85% of Canadian musicians agree that if they can't perform, they will have a difficult time making a living.¹⁶ Moreover, royalty income, which forms the basis of revenue for songwriters and music publishers,, is typically collected and distributed based on activity from past periods, meaning that any downturn from COVID-19 will not be reflected until near the end of 2020 or in 2021.
16. A survey from Music Canada and CONNECT Music Licensing provides that nearly half of Canadian artists reported that they have lost more than 75% of their income and that 80% of Canadian artists are in need of financial assistance due to the COVID-19 pandemic.¹⁷
17. With the commercial music industry facing significant, long-term upheaval, a healthy, functioning commercial radio system is an integral part of the value chain that allows Canadian talent - both emerging and established - to continue to be heard by Canadians across the country.

⁹ *For The Love of Live*, Canadian Live Music Association, https://canadianlivemusic.ca/wp-content/uploads/2021/02/CLMA_press-release_EN_final.pdf

¹⁰ *COVID-19 Recovery Recommendations for the Canadian Independent Music Industry*, Canadian Independent Music Association, https://cimamusic.ca/news/recent-news/read_article/17882/new-report-outlines-devastating-impact-of-covid-19-on-canadian-independent-music-industry

¹¹ *ibid*

¹² *ibid*

¹³ *ibid*

¹⁴ *Crowded Out: What Canada's professional musicians say the impact of the pandemic has been on their lives, art, and work*, Abacus Data, <https://abacusdata.ca/crowded-out-musicians-live-performances-covid19-pandemic/>

¹⁵ *ibid*

¹⁶ *ibid*

¹⁷ *COVID-19 Artist Impact Survey*, Music Canada & CONNECT Music Licensing, <https://musiccanada.com/news/covid-19-continues-to-hit-the-music-industrys-most-vulnerable-music-canada-survey/>.

Modernizing MAPL: Moving to a CANCON/FAIR PLAY system.

18. Originally adopted in 1971, the MAPL system was originally developed to “increase exposure of Canadian musical performers, lyricists and composers to Canadian audiences”, in addition to strengthening the Canadian music industry’s creative and production components.¹⁸
19. MAPL defines a Canadian musical selection for the purpose of the Canadian content regulations for radio according to four criteria: **music, artist, performance and lyrics.**¹⁹ Two out of the four criteria must be fulfilled to qualify as a Canadian musical selection. There are also four special cases where a song could be deemed as MAPL compliant.²⁰
20. The MAPL system has served Canadian recording artists and songwriters well for many years. It has built a bedrock for which much of the Canadian music industry stands upon today. It has helped provide a springboard for artists to compete on the airwaves in Canada, and as a result helped their businesses grow into ticket sales, t-shirts and in some cases, international success.
21. A lot has changed in the last 50 years. The creative process of writing, collaborating and recording has changed. The consumption of music by fans is vastly different. The representation of Canadian talent on the global stage has also grown immensely, with more Canadians working internationally than ever before. We have also changed as a society. We’re trying to be more compassionate, be better listeners, and to make more space for those previously excluded by our business.
22. The primary issue with the MAPL system, as it currently stands, is that it no longer adequately reflects the realities of songwriting and recording music today.
23. For example, to qualify for the music and lyrics criteria of MAPL, the music must be entirely composed by a Canadian and the lyrics must be entirely written by a Canadian. While this system may have been appropriate in an era where songwriting was primarily undertaken by singer-songwriters, the reality is that today, most songs are written with multiple songwriters and composers, meaning that these songs are instantly disqualified from the “M” and “L” portions of MAPL. Moreover, the performance portion of the existing MAPL is at odds with how recording is conducted in the modern era, where recording can be done just as easily from a laptop as it could be in a traditional recording studio. And finally, there is no practical distinction between the M and L components in modern songwriting. Co-writers typically work on all aspects of the composition and lyrics simultaneously and without distinction, and as a result, this is an antiquated and no longer relevant descriptor of songwriting.
24. Ultimately, we believe that a more modern and flexible approach to defining Canadian content is required to better serve the goals of the Broadcasting Act.

¹⁸ *The MAPL System*, CRTC website, https://crtc.gc.ca/eng/info_sht/r1.htm

¹⁹ *Radio Regulations*, SOR/86-982 at section 2.2(2).

²⁰ For example, if the musical selection was performed live or recorded after 1 September 1991, and a Canadian who has collaborated with a non-Canadian receives at least half of the credit as a composer and lyricist.

25. We propose that MAPL be replaced with the following revised system.
26. In the CANCON/FAIR PLAY System, a composition would need 6 (six) points to qualify as CANCON/FP eligible.
- a. Artist/Band/Performer – (2 Points)*
 - b. Composition (up to 4 points). Based on Canadian writer in writing splits*.
 - i. 1-25% - 1 Point
 - ii. 26%-50% - 2 Points
 - iii. 51% - 75% - 3 points
 - iv. 76% -99% – 4 Points
 - v. Note: **Any 100% Canadian-written composition auto-qualifies as CANCON/FP.**
 - c. Indigenous artist - (1 Point)
 - d. Visible Minority Canadian artist - (1 Point)
 - e. Woman artist - (1 Point) – (either 50% of band or lead vocal performance on track)
 - f. Canadian entity owns the master in Canada (can be artist) - (1 Point)
 - g. Canadian entity owns the publishing (can be writer) - (1 Point)
 - h. Canadian producer - (1 Point, 2 if Indigenous/Visible Minority or Woman)
 - i. Canadian engineer - (1 Point, 2 if Indigenous/Visible Minority or Woman)
 - j. 50% or more of recording (tracking) done in Canada - (1 Point)
27. *Denotes a mandatory point. For any song to be deemed CANCON/FP either Point 1 OR at least 2 points from Point 2 must apply.
28. Under this revised system, this new and flexible definition of Canadian content continues to increase exposure of Canadian musical performers, lyricists and composers, but it also better strengthens the Canadian music industry, (including the creative and production components) as well as evening the playing field for all our artists to participate.
29. We believe that this format maintains the integrity of the original MAPL system, but also expands on it by creating more pathways to eligibility for Canadian artists and industry. By expanding the scope of what can be defined as Canadian content, it assists and rewards the Canadian labels and publishers that keep Canadian intellectual property in Canada. These are the companies investing time and money into the Canadian artists that have seen the most international success over the last 50 years. The CANCON/ FAIR PLAY system would also include eligibility points for Canadian producers and engineers who more than ever have a hand in crafting songs that are topping the charts, especially in genres like HipHop, R&B, and Dance.
30. Perhaps most importantly, the system makes space for underrepresented and marginalized groups. If you can't see it, you can't be it. By expanding eligibility to include points for Indigenous artists we hope to finally hear the unique stories and songs from the First Peoples of this land and hear more of these uniquely Canadian stories on mainstream commercial radio. By including visible minorities into the program, we can play a part in addressing the systemic exclusion of so many artists in popular genres like Rock and Alternative music. Lastly, by prioritizing our women we can help facilitate the change needed to upset the long-standing issue of voices on the radio being

predominantly male. A 2019 University of Ottawa study recently found that women are “out programmed” by men at a rate of almost 9 to 1 at the Canadian Country Music format, which is simply unacceptable.

31. This point is further illustrated by examining the differences between the Canadian top 100 tracks in radio airplay over the period of 2016-2020 and the top Canadian streaming charts over the same time period. This analysis demonstrates that there is a significant discrepancy when it comes to Black Canadian artists (and songs) - these songs appear in the Top 100 most frequently on streaming services, which is an indication of the disconnect between radio playlists and what people are electing to play when given the choice.²¹
32. We also believe that by providing a more flexible and adaptable approach to determining what is Canadian content, this system would better meet the policy goals of the Broadcasting Act, Section 3(1) and meet “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 Indigenous peoples within that society”, and would “contribute[s] in an appropriate manner to the creation and presentation of Canadian programming”.
33. In terms of easing the administrative burden of implementing this new system, we propose that if the CANCON/FAIR PLAY system is adopted, Canadian music selections that qualify under the current MAPL system be grandfathered into the CANCON/FAIR PLAY system. After the conclusion of this grandfathering period, any songs after that date would be required to comply with the CANCON/FAIR PLAY system.
34. In addition, the required metadata to implement the CANCON/FAIR PLAY system is already being submitted to DMDS and/or MRC Data by record labels on a regular basis. As such, we are confident that the modifications required for this system would not create an undue administrative burden on broadcasters because this data is readily available within their ordinary business practices. The industry would also be happy to work with the CRTC to roll out an education program to facilitate smooth implementation.

Canadian Content Quotas on Commercial Radio

35. The impact of Canadian content regulations on commercial radio has a positive effect on Canadian creators, and the companies that invest in them.
36. In particular, data from SOCAN demonstrates that Canadian content regulations are effective in ensuring that Canadian creators are compensated for their works.
37. For every dollar in royalties collected on commercial radio in 2020 by SOCAN, 36.7 cents goes to SOCAN’s songwriter and composer members, the majority of whom are Canadian creators. This correlates with the 35% Canadian content requirement under the Radio Regulations.

²¹ See attached appendix

38. The message is stark: without Canadian content regulations, Canadian creators are at a significant risk of losing their livelihoods.
39. With these findings in mind, we propose that the Canadian content regulations remain at least at 35% of popular musical selections during the broadcast week.
40. The Canadian content quota is appropriate to ensure that Canadian artists are heard on commercial radio. However, the quota system currently does not set a maximum cap on airplay for any Canadian artists, or include adequate incentives to support airplay of emerging artists during prime time broadcast hours. As a result, many stations over-rely on a handful of well-known and established Canadian artists to meet the popular music quota (a phenomenon called ‘artist burn’).
41. As the industry argued in 2006 during the *Commercial Radio Policy* consultation, we do not believe that there is a limited supply of Canadian music that Canadians want to hear. However, without adequate regulatory incentivization, there tends to be an over-representation of well-known and already established Canadian artists, particularly during prime time broadcast hours. This reality simply does not support emerging artists, who require the radio spins and plays during prime time hours that will allow them to build their careers.
42. We propose that the Canadian content system be revised to address this issue, either by mandating that a certain portion of the quota be dedicated to emerging artists or by creating a maximum cap for the portion of the quota that can be filled by well-known and established Canadian artists. We are prepared to work alongside the commercial radio system to develop a forward-thinking approach to better supporting emerging artists on radio in meaningful ways.
43. We also believe that such a system could not operate fairly as a bonus system, as was originally proposed by the Canadian Association of Broadcasters during the 2006 Commercial Radio Policy consultation. As was the case, we still hold that safeguards would be required to ensure that such a system does not result in the overall reduction in the levels of Canadian music played. As the Commission noted in 2006, we would be concerned that if emerging artists are integrated through some sort of bonus system, “an increase could lead to more repetition of the musical selections by Canadian artists that are already established.”
44. This issue was most recently examined in Broadcasting Regulatory Policy 2011-316, where the CRTC commissioned research to better understand the representation of emerging artists on commercial radio. In the English-language radio market, about one in six songs played by Adult Contemporary stations (the least emerging artist-friendly format) were identified as emerging artists.²² At the time, the Commission deemed that it was not necessary to undertake a public consultation process to determine if specific emerging artist quotas would be required. As the systematic underrepresentation of emerging artists on commercial radio persists, we believe that it is time to re-examine this issue more substantively, and develop creative solutions to help emerging artists break through to Canadians on commercial radio.

²² CRTC, *Broadcasting Regulatory Policy 2011-316*, <https://crtc.gc.ca/eng/archive/2011/2011-316.htm>

45. We are also supportive of the proposal made by the Indigenous Music Alliance to enact a specific quota to support Indigenous airplay on commercial radio. Specifically, adult contemporary, contemporary hit and country radio stations would be regulated to ensure new Indigenous music (recorded within a one-year period) is included within playlists within 6:00am-12:00am (seven-days a week). The quota would be rolled out over a four-year period: 3% of Indigenous content for two years, 4% for one year, and 5% after one more additional year.

Canadian Content Development Contributions

46. The music industry depends on expenditure commitments from broadcasters to Canadian Content Development (“**CCD**”) to fund critical activities.
47. The goal of CCD, within the context of the *Broadcasting Act*, is to support the development and promotion of Canadian content. This funding supports the creation of new content and a wide variety of activities integral to the functioning of the sector, including showcases at music festivals, professional development and training, award shows, conferences as well as local, regional and national music initiatives. For creators and organizations engaging in these activities, COVID-19 may have shifted them towards virtual formats, and the sector has proven to be innovative and forward-thinking in the way that it has embraced the new digital environment. Thus, the importance of the activities that CCD funds have not diminished in importance due to COVID-19.
48. Second, CCD is an important source of funding to many organizations, initiatives and artists across the music industry. In 2019, Canada’s radio broadcasters contributed a total of \$46 million in CCD contributions across all types of CCD.²³ Through basic contributions, over-and-above contributions and tangible benefits, CCD funding is allocated to important music industry organizations like FACTOR, Musicaction, Radio Starmaker Fund (Fonds Radiostar) as well as directly to national, provincial, and territorial music industry associations engaging in eligible activities. In short, this funding is significant to the broader music industry ecosystem.
49. CCD funding is also very important on the regional and local level, as it allows broadcaster contributions to fund activities that directly benefit their local communities, as well as the key territorial music industry associations who are able to foster and develop regional talent.
50. Basic CCD contributions, which are tied to the broadcaster revenues, are expected to continue to steadily decrease. During broadcast year 2018-19 for example, the sector accounted for \$1.4 billion in revenues in 2019, but experienced a slight 4% decline in revenues year-over-year.²⁴ As a result, we anticipate basic CCD contributions will decline as well. However, we would highlight that overall, the sector’s profitability remains relatively strong, with the PBIT margin reported at 17.3%.

²³ Communications Monitoring Report 2020

²⁴ Communications Monitoring Report 2020

51. For their part, over-and-above and tangible benefit contributions are also anticipated to decline, due to the nature of the radio market (fewer new stations, fewer transactions in the marketplace).
52. We can acknowledge that COVID-19 has made an impact on the broadcasting sector, as well as most other sectors within the Canadian economy. Put simply, we have no doubt that Canada's broadcasters are suffering; and ultimately, the entire music industry ecosystem is suffering too.
53. Ultimately, the formula for determining CCD contributions allows for a certain level of flexibility that should allow broadcasters to weather the storm, because these funds are based on last year's revenues. This means that CCD contributions in a particularly bad broadcasting year are not decreased until the following broadcasting year. Conversely, in a particularly good broadcasting year, these benefits are not felt by the music industry until the CCD contributions are increased in the next broadcasting year.
54. As recently as Broadcasting Decision 2020-389 (Akash Broadcasting Inc.) and Notice of Consultation 2020-334 (Canadian Association of Broadcasters), Canada's broadcasters have been signaling that the pandemic is a justifiable reason for demanding significant regulatory relief, chiefly in the form of relaxed expenditure requirements and reduced content requirements. At its core, these types of requests can be understood as a request for the music industry to subsidize the operations of billion-dollar companies.
55. In Broadcasting Decision 2020-389 (Akash Broadcasting Inc.), the CRTC affirmed that "it must balance the needs of other players in the broadcasting system and ensure that the benefits are commensurate with the assets being acquired. In this case, it must also ensure that eligible third-party Canadian content development recipients receiving tangible benefits can also continue to contribute to the broadcasting system." In the spirit of this decision, we urge the Commission to continue to safeguard this key balance between the different players within the broadcasting system.
56. We are also supportive of the Indigenous Music Alliance's request for an additional 15% in CCD contributions to be added to the existing FACTOR and Musicaction allocations to administer to the benefit of Indigenous artists and the Indigenous-owned music industry through the work of those existing music industry bodies. This request is understood to be reflective of Indigenous people's constitutional relationship with Canada, as one of Canada's founding partners.

Issues with Discretionary Funding:

57. CCD funds are best leveraged when allocated to music industry programs such as those developed by national and provincial not-for-profit music industry associations. Those programs deliver direct benefits through programs and services to the Canadian-owned music sector, as the Commission acknowledged in Broadcasting Decision CRTC 2013-310. CCD contributions made through discretionary tangible benefits should be directed to the national and provincial music industry associations (MIAs), funders (FACTOR/Musicaction), and charitable organizations (Musiccounts, Unison Benevolent Funds).
58. Given the geographically dispersed nature of Canada and the concentration of music programming in major centres such as Toronto, the Commission should encourage

Canadian talent development in all regions of the country, and require all or a percentage of discretionary CCD contributions for individual stations to be spent in the region or geographic area.

59. Every licensee should be required to submit to the Commission an annual report on its discretionary CCD spending, similar to the obligation in Broadcasting Decision 2013-310 or to the reporting requirements discussed in Broadcasting Decision 2019-431, which would include the nature of the activity and performance indicators and would be made publicly available.
60. The eligibility criteria for discretionary initiatives set out in paragraphs 106 to 112 of the Commercial Radio Policy 2006 are no longer relevant. Initiatives, including talent contests, for the production and promotion of local music and the promotion of local musical artists, particularly emerging artists by radio stations is not a relevant development activity. In the current music industry environment, the development needs of artists include songwriting development, social media and marketing skills training, music business training, market intelligence and networking, showcasing at music industry conferences, production and performance coaching, and other opportunities that allow artists to rise above the masses of music being created. These are not provided through a talent show or battle of the bands.
61. Changes should be made to discretionary funding to counter problems identified by the CRTC, namely that (i) too often CCD contributions from stations across the country are pooled and an event in a major market (Toronto, Montreal or Vancouver) is sponsored without funds being distributed in the station's local region; (2) the star of an event may not be a Canadian artist; (3) the broadcaster spends all the funds on promoting the artists without spending any of the funds on production or other expenses to support the artist; (4) the broadcaster manages all aspects of the promotion in a manner that primarily serves the interests of such broadcaster; (5) broadcasters do not place emphasis on the support of emerging artists and many events are headlined by established and well-known Canadian acts; or (6) broadcasters purchase advertising time and advertisements in the print and social media to promote the event, but do not provide quantifiable evidence to demonstrate the benefit to Canadian artists resulting from this advertising.
62. The following examples of eligible activities specific to Category C: Initiatives, including talent contests, for the production and promotion of Canadian local music and local musical artists, particularly emerging artists, should be removed: Talent contests (singing, songwriting, "battle of the bands" type events); Promotional material to promote artists' performances at music festivals/concerts/events; Prize money to be awarded to winners of music competitions; Emerging Music Artist Patron (contribution to an artist or musical band for career development related expenses.)

Redirecting Discretionary Contributions

63. CCD contributions can help launch and boost the careers of emerging artists when contributions are made to artist development programming with clear objectives and outcomes, and run by experienced organizations such as national and provincial MIAs, and organizations with artist development expertise. The provincial/territorial and

national MIAs have become the primary incubator system for the music industry in Canada and collectively program for more than 10,000 members annually with programs and business development activities designed to be effective and accountable to the music community and to funders. MIAs are able to create and deliver CCD programs based on community-informed decision making. The MIAs are positioned to understand the needs of the communities across Canada as well as being active partners with Canada's private radio broadcasters. CCD investment through Canada's MIAs provide the best return on investment of CCD funding and will help continue the healthy development of Canada's music industry.

64. As we have discussed in paragraphs 26-29 above, radio programming is failing to properly represent the contributions of female, Indigenous and visible minority artists. We have also noted that a large portion of the current activities eligible for CCD discretionary contributions do not effectively serve the purpose of developing and promoting Canadian content at all. We therefore propose that the 40% of the CCD basic contribution that is presently allocated to discretionary contributions be reduced to 10% percent and the remaining 30% be allocated towards a fund to support the development of female, Indigenous and visible minority artists. This fund would be jointly administered by the MIAs in conjunction with the organizations (eg. Advance, Indigenous Music Alliance) which advocate for the underrepresented communities described above.
65. We also propose that the list of CCD initiatives eligible for discretionary activities continue to include MusiCounts and be expanded to include the Unison Benevolent Fund. The Unison Benevolent Fund is a non-profit charitable organization that provides counselling and emergency relief services to Canadian music community members in crisis - an initiative that has been increasingly vital as the music community continues to experience the consequences of the COVID-19 pandemic.²⁵ MusiCounts ensures that all youth in Canada have access to music education in their school or community, and work to improve access to music education for youth by offering instrument grants to schools and communities across the country.²⁶ These are important development activities that help to cultivate the next great Canadian success stories.

Measuring Success: Mandatory Review Period

66. Moreover, we acknowledge that this is a challenging and constantly-shifting landscape. Technological change is rapid in this space - with new services, delivery models and distribution channels emerging continuously, and consumer preferences and tastes increasing at a similar pace. Put simply, it is difficult to predict the future in this realm, even with the best available data.
67. For that reason, we believe that it is imperative that the Commission include a mandatory review period for its commercial radio review policy. We believe that a mandatory review period of every 5 years would be satisfactory both in terms of being able to adjust to the changing landscape, as well as ascertain whether policy and

²⁵ Unison Benevolent Fund, <https://www.unisonfund.ca/>

²⁶ MusiCounts, <https://www.musiccounts.ca/our-story/>

regulatory mechanisms are working appropriately for the benefit of the broadcast system as a whole.

68. Commercial radio policies were last substantively reviewed in the Broadcasting Public Notice 2006-158²⁷, with a targeted policy review in 2014 (2014-554) targeting specific issues around HD radio and new regulatory compliance mechanisms.²⁸ To put this time lag into context - this policy was last reviewed during the same year that Spotify launched in Canada.²⁹ In the context of how quickly the music ecosystem has transformed over the period, this legislation and regulatory framework needs to be reviewed and adjusted on a more regular basis to continue to serve Canadians.

End of document

²⁷ CRTC, 2006-158, <https://crtc.gc.ca/eng/archive/2006/pb2006-158.htm>

²⁸ CRTC, 2014-554, <https://crtc.gc.ca/eng/archive/2014/2014-554.htm>

²⁹ The Globe & Mail, *Rock On: Music streaming service Spotify launches in Canada*, <https://www.theglobeandmail.com/technology/tech-news/rock-on-music-streaming-service-spotify-launches-in-canada/article20853317/>