



# Writers Guild of Canada Decries Decision on Bill C-11

A Senate Committee's rejection, on November 30, 2022, of amendments to the *Online Streaming Act* puts Canadian creators—and Canadian stories—at risk of being cut out of the system.

**For immediate release**

**Toronto, ON – January 31, 2023** – The Writers Guild of Canada (WGC) is incredibly disappointed by the decisions of the Senate Standing Committee on Transport and Communications to entrench a fundamentally unfair double-standard in Bill C-11.

“Canadian audiovisual creators feel like they were run over by a bus last month,” said WGC Acting Co-Executive Director Neal McDougall. “The bus was driven by U.S. streaming services and trade representatives, which continue to use their oversized leverage to influence Canadian broadcasting policy to the detriment of screenwriters across this country. This was a Christmas gift to U.S. economic interests.”

Bill C-11 as currently drafted creates two different standards for the use of Canadian creative resources – one for traditional Canadian broadcasters, and a lesser standard for foreign streamers. Since foreign streamers will likely soon dominate the Canadian broadcasting landscape, we now face the serious risk of Canadian creators being cut out of the system.

“The WGC, and virtually every creative association and guild in our sector, have been talking about this for over a year,” said WGC President Alex Levine. “But we honestly didn't think we'd actually wind up here. Setting a lower standard for streamers is reckless. We are already seeing U.S. streamers hire U.S. writers to co-opt some of our most Canadian stories. Canadians have to be able to tell our own stories.”

The relevant sections are 3(1)(f) and 3(1)(f.1), which create two different standards for the use of “Canadian creative and other human resources”, including Canadian screenwriters. Foreign online undertakings need only make “the greatest practicable use” of those resources, which is clearly a lower standard than the maximum-but-not-less-than-predominant-use standard that has applied for decades under the current *Broadcasting Act*.

“We already have precedents for what maximum-but-not-less-than-predominant-use of Canadian creative resources can mean, and that includes a 6-out-of-10 CAVCO-point definition for Canadian content,” said Neal McDougall. “This is a critical risk to writing roles, since series television is a writer- and showrunner-driven medium, so streamers will strive to keep that core creative control in Hollywood. We can clearly see that the strategy of the streamers is to accept the fact of regulation, but to weaken it so much that they can effectively count their ongoing foreign location service production towards meeting the objectives of the Act.”

“This is an existential issue for us,” said Alex Levine. “We've already seen domestic Canadian production decline as the streamers capture Canadian eyeballs and drain money from our system.



Canadian screenwriting jobs are evaporating. We're on a precipice. Section 3(1)(f.1), as it currently reads, undercuts the purpose and threatens the promised outcome of the bill."

"There is still a chance to fix this at the Senate at Third Reading," said Neal McDougall. "The Senate must exercise its independence and fix this section to support creators. If they caved to foreign pressure, then the Writers Guild of Canada will continue to work with the Government to defend Canada's screenwriters in the strongest possible terms in the upcoming policy direction to the CRTC. We expect the Government to find a way to ensure the CRTC holds streamers to account when it comes to allowing Canadians to tell our own stories."

"It has taken decades to build a Canadian creative talent pool," said Alex Levine. "We cannot just let it vanish in mere months thanks to this."

**For more information, contact the WGC's Manager of Communications Emily Saso at 416-721-5705 or [e.saso@wgc.ca](mailto:e.saso@wgc.ca).**

#### **ABOUT THE WRITERS GUILD OF CANADA**

The Writers Guild of Canada represents 2,500 professional English-language screenwriters across Canada—the creators of Canadian entertainment enjoyed on all screens. [wgc.ca](http://wgc.ca) @WGCTweet