Communications (Media & Telecommunications)

Doing Business in Canada

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Businesses in Canada engaged in telecommunications and broadcasting undertakings fall within the scope of federal jurisdiction as "interprovincial undertakings," establishing the basis for federal regulation in the communications sector overseen by the Canadian Radio-Television and Telecommunications Commission ("**CRTC**"), an administrative tribunal that operates at arm's length from the federal government. The Canadian communications market structure and economics have continued to evolve over the past decade. This evolution has seen significant legislative amendments in both the telecommunications and broadcasting sectors, accompanied by a number of changes to the CRTC's regulatory framework.

THE TELECOMMUNICATIONS LEGAL AND REGULATORY LANDSCAPE

Under the *Telecommunications Act*, the CRTC has jurisdiction over all telecommunications service providers ("**TSPs**"), including wireline and wireless telecommunications common carriers[1] and internet service providers ("**ISPs**"). Among the Act's stated objectives is to ensure that Canadians in all regions of Canada have access to reliable, affordable and high-quality telecommunication services. While the CRTC operates independently, the Minister of Innovation, Science and Economic Development ("**ISED**") exercises ministerial oversight over policy development of the telecommunications sector. Further, the ISED policy framework extends to the allocation and use of wireless spectrum under the *Radiocommunication Act*.

Section 8 of the *Telecommunications Act* permits the government to issue directions to the CRTC "of general application on broad policy matters" with respect to the statutory Canadian telecommunications policy objectives. The government issued an updated Policy Direction to the CRTC in 2023 (the "**Telecom Policy Direction**"),[2] which supplanted previous policy directions made in 2006 and 2019.

Among the multiple policy objectives in the Telecom Policy Direction are those requiring the CRTC to "promote competition, affordability, consumer interests and innovation."[3] The CRTC is also required to pursue "principles of effective regulation." When making decisions of an "economic nature," it must balance objectives, such as fostering competition, promoting investment in high-quality networks, improving consumer choice, supporting the provision of innovative services and encouraging the provision of services at reasonable prices for consumers.[4]

The Telecom Policy Direction has had significant influence on the CRTC's regulatory framework. Below, we summarize recent developments in the communications sector following the issuance of the Telecom Policy Direction.

Fixed Internet Competition

Over the past several decades, the CRTC has exercised its "forbearance" power under the *Telecommunications Act* to effectively liberalize (deregulate) retail telecommunications services provided by telecommunications carriers (and other TSPs). The statutory forbearance power may be exercised if the CRTC finds that there is sufficient competition for those services to protect the interests of users. However, the CRTC has adopted a rigorous "wholesale framework" in which facilities-based incumbent telephone companies and cable carriers must provide wholesale access services to non-facilities-based competitors to permit the latter to provide competitively priced services to both business and residential customers at regulated wholesale rates. Effectively, the wholesale regime results in a market framework in which facilities-based incumbent telephone companies and cable carriers are both suppliers to and competitors with their wholesale customers.

The CRTC attempts to strike a balance in its wholesale regime to ensure necessary incentives to promote investment in high-quality networks by facilities-based providers while also fostering competition. In November 2023, as part of its ongoing review of the wholesale high-speed access framework, the CRTC directed large incumbent telephone companies to provide temporary wholesale access to their fibre-to-the-premises networks in Ontario and Quebec within six months following the date of the decision. The CRTC established interim access rates for wholesale-based competitors. The decision proved highly controversial: Bell Canada, the largest

1 However, unlike the Federal Communications Commission in the United States, the CRTC does not award spectrum licences to wireless telecommunications carriers; that function is exercised by the Minister of Innovation, Science and Economic Development under the *Radiocommunication Act*.

2 *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23 (https://laws.justice.gc.ca/eng/regulations/SOR-2023-23/page-1.html)

3 The Telecom Policy Direction also directs the CRTC to: ensure that affordable access to high-quality telecommunications services in all regions of Canada; enhance and protect consumer rights; reduce barriers to entry into the market for telecommunications services; enable new technologies and differentiated service offerings; and stimulate investment in research and development and in other intangible assets that support the offer and provision of telecommunications services.

4 Moreover, the principles of effective regulation will also require the CRTC to ensure that its proceedings and rulings are transparent, predictable and coherent; based on sound and recent evidence and that its proceedings and decisions are conducted in a timely manner.

incumbent telephone company in Canada, sought leave to appeal to the Federal Court of Appeal. While leave was granted, the court declined Bell's request to stay the decision, allowing the access regime to proceed. Bell also petitioned the federal government to rescind or vary the CRTC's decision, but the Governor in Council (the federal Cabinet) limited its intervention to referring a limited aspect of the decision back to the CRTC for reconsideration.

In August 2024, the CRTC replaced the temporary regime with a broader, final framework.[5] The final framework extends wholesale access to large telephone companies' fibre across Canada and allows operators without a network footprint in a given territory to offer service using competitors' fibre. The stated purpose of the CRTC's ruling is to ensure equitable competitor access to gigabit-speed networks across Canada, regardless of whether those networks are owned by a cable company or a telephone company.

Among the key determinations in the final framework are the following:

- Canada's largest ISPs (the incumbent telco carriers and the cable companies) will have to use their own networks to compete in the parts of the country that they have traditionally served. This measure effectively prohibits a large ISP from enjoying wholesale access to others' networks when providing services in their home territories. Outside their existing territories, large ISPs can continue to use wholesale services to provide new competitive offers, for the benefit of consumers;
- new fibre deployed by the incumbent carriers (Bell Canada, SaskTel and TELUS) would not be eligible for wholesale access until 2029. The purpose of this measure is to provide these companies "greater opportunity to begin recouping their investments on new builds, which will encourage them to connect more Canadians to fibre sooner"; and
- cable companies were not required to provide additional wholesale access to their fibre facilities. The CRTC determined that the limited amount of fibre built by cable companies (just 5% of all households as of 2024) did not justify an additional wholesale fibre requirement. However, the CRTC ordered cable companies to continue to allow competitors to use their cable networks to serve consumers at the highest available speeds.

5 Telecom Regulatory Policy CRTC 2024-180 (Competition in Canada's Internet service markets).

The revised framework came into effect in February 2025. Both the CRTC and the federal government have declined to overturn the new framework.

Mobile Wireless Competition

The Telecom Policy Direction expressly directs the CRTC to improve upon its "facilities-based mobile virtual network operator ("**MVNO**") model," which it established in 2021[6] to encourage broader service-based competition. A facilities-based MVNO model allows regional carriers who already own spectrum to use the incumbents' wireless networks, on a temporary basis, to serve new customers while they build out their own networks.

The Policy Direction leaves open the potential for the CRTC to adopt a full MVNO model, if needed, to support competition in the sector. The CRTC is also required to revise its rules "if the effectiveness of the approach in fostering mobile wireless competition is lessened due to changes in the mobile wireless market structure or circumstances of competition."

MEASURES TO ENHANCE AND PROTECT THE RIGHTS OF CONSUMERS IN TELECOMMUNICATIONS MARKETS

Consumer Protection Initiatives

The CRTC has increased its focus on protecting consumers from unacceptable sales practices, promoting clarity and transparency of pricing information and service plan characteristics in marketing materials and ensuring that consumers can easily cancel, downgrade, transfer or change their telecom services.

The CRTC has continued to advance its consumer protection regime through a series of proceedings under its *Consumer Protections Action Plan*. Following amendments to the *Telecommunications Act* that came into force in October 2025, the Commission is required to implement enhanced consumer protection measures and has launched multiple consultations to give effect to these changes. In 2026, the CRTC introduced new requirements for service providers to offer self-service mechanisms enabling customers to modify or cancel their plans independently, along with obligations on transparency and written confirmation of customer actions.[7] These measures are intended to give Canadians greater control over their services and are scheduled to come into force in April 2027.

6 Telecom Regulatory Policy 2021-130.

7 Telecom Regulatory Policy CRTC 2026-78.

More broadly, in June 2026, the CRTC launched a further consultation to improve the clarity and consistency of consumer protections, including a proposal to consolidate the existing Wireless Code, Internet Code, Deposit and Disconnection Code and Television Service Provider Code into a single unified framework. Together, these initiatives reflect an ongoing regulatory effort to simplify consumer protections, enhance transparency and make it easier for Canadians to manage and switch telecommunications services.

Unsolicited Telecommunications Framework

CRTC oversight of TSPs under the *Telecommunications Act* extends to regulating unsolicited telecommunications under section 41 of the Act: the CRTC may order, prohibit or regulate the use by any person of the telecommunications facilities of a TSP for the provision of unsolicited telecommunications to the extent that it considers it necessary to prevent undue inconvenience or nuisance (giving due regard to freedom of expression). The CRTC has been relatively proactive in the area of unsolicited telecommunications, including establishing detailed Unsolicited Telecommunications Rules ("**UTRs**") and overseeing the rigorous "Do Not Call List" regime that governs telemarketing, automated calls and related practices. The UTR framework has been in place since 2007 and has been periodically updated and actively enforced, including through investigations and administrative monetary penalties for non-compliance.

The CRTC has the power to impose monetary penalties on individuals and corporations that contravene the unsolicited telecommunications rules, with the power to levy fines of up to $50,000 and $15 million, respectively, for violations of the rules.

In June 2026, the CRTC launched a further public consultation to review and modernize the UTRs, with the stated objective of simplifying the rules, improving compliance and ensuring the framework remains effective in light of evolving technologies and business practices.

Measures Supporting Deployment and Universal Access

The CRTC is required to adopt measures to support the objective of universal access to high-quality fixed Internet and mobile wireless services, including funding mechanisms and mandating improved access to support structures, such as telephone poles and conduits, as well as identifying and addressing other barriers to timely deployment of telecommunications networks.

OWNERSHIP AND CONTROL OF TELECOMMUNICATIONS CARRIERS

The *Telecommunications Act* establishes foreign ownership restrictions for the large "incumbent" Canadian telephone and cable companies (i.e., those carriers whose annual revenues from the provision of telecommunications services in Canada represent 10% or more of the total annual revenues for the sector. Non-Canadian ownership is limited to up to a direct or indirect one-third voting interest of a holding company that has a wholly-owned subsidiary operating company operating as a telecommunications carrier.

There are no foreign ownership limitations for smaller facilities-based telecommunications carriers in Canada.

PROMOTION OF SECURITY INTERESTS IN THE TELECOMMUNICATIONS SECTOR

Recent amendments to the *Telecommunications Act* introduced through Bill C-8, which passed Third Reading in the House of Commons in March 2026 and is now before the Senate, add the promotion of security as an objective of Canadian telecommunications policy. Bill C-8 establishes a broader mandatory cybersecurity framework applicable to the telecommunications sector and other critical infrastructure. The amendments confer significant authority on the Governor in Council and the Minister of ISED to issue cybersecurity directions, including the ability to require TSPs to take or refrain from specified actions in respect of products or services that pose security risks. Notably, while certain committee-proposed limits were removed on procedural grounds, the legislation preserves executive order-making authority subject to after-the-fact judicial review, alongside new statutory safeguards relating to privacy, data use and system integrity.

BROADCASTING REGULATORY FRAMEWORK

The CRTC has jurisdiction over broadcasting undertakings (including more recently "online undertakings," as discussed below) operating in whole or in part in Canada, under the policy framework of the Minister of Canadian Heritage, who is responsible for Canadian broadcasting policy.

The Legacy Regulatory Landscape

The CRTC supervises and regulates all aspects of the Canadian broadcasting system pursuant to the *Broadcasting Act* through its licensing and exemption powers over Canadian-owned and controlled broadcasting undertakings. Under the legacy provisions of the *Broadcasting Act*, conventional "free-to-air" television stations and terrestrial radio stations are subject to requirements providing for minimum levels of Canadian content on their services. These requirements were extended to discretionary television programming services and newer technologies such as satellite radio services, along with expenditure requirements pursuant to which specified percentage of revenues from broadcasting operations must be allocated toward expenditures for Canadian programs.

Further, broadcasting distributors (known as "broadcasting distribution undertakings" or "**BDU**"s) are required to give priority to the carriage of Canadian services and to contribute a certain percentage of their revenues from customers (subscribers) to the production of Canadian programming (primarily through allocating a percentage of revenue to recognized Canadian production funds).

Recent Amendments to Canadian Broadcasting Legislation

Significant amendments to the *Broadcasting Act* were enacted in 2023. The amended Act confers on the CRTC the express authority to directly regulate "online undertakings," a new category of "broadcasting undertaking," whether carried on in whole or in part within Canada, that transmit programs over the Internet, including on an on-demand basis.[8] This expanded statutory authority is in addition to the CRTC's existing authority over licensed (and exempt) Canadian-owned and controlled broadcasting undertakings under the Act.

An expanded broadcasting policy provides that the broadcasting system in Canada must serve the needs and interests of all Canadians "including Canadians from Black or other racialized communities and Canadians of diverse ethnocultural backgrounds," while also providing opportunities for Indigenous persons and programming "that reflects Indigenous cultures" and "that is in Indigenous languages" as well as "programming that is accessible without barriers to persons with disabilities."[9]

The expanded broadcasting policy objectives expressly provide that Canadian-owned and controlled broadcasting undertakings must employ and make "maximum use, and in no case less than predominant use," of Canadian creative and other human resources in the creation, production and presentation of programming. In contrast, foreign online undertakings are required to make "the greatest practicable use" of Canadian creative and other human resources and contribute in an equitable manner to strongly support the creation, production and presentation of Canadian programming, taking into account the linguistic duality of the market they serve.

The "Regulatory Policy" in section 5 of the Act requires the CRTC to ensure that each broadcasting undertaking contributes to the implementation of the objectives of the Canadian broadcasting policy in a flexible manner that is appropriate in consideration of the nature of the services provided by the undertaking.

Prescriptive Approach to Defining Canadian Content

The amended Act expressly provides that the CRTC can make regulations prescribing what constitutes a "Canadian program" (commonly referred to as "**Canadian content**"). The CRTC's discretion to determine the scope of eligible content is limited to specified criteria which the CRTC must consider including whether Canadians own copyright in relation to a program to control and benefit in a "significant and equitable manner" from its exploitation. The Act also prescribes other criteria as to what constitutes a Canadian program, such as key creative positions "primarily held" by Canadians, furthering Canadian artistic and cultural expression, and collaborating with Canadians operating in the broadcasting sector, including independent producers.[10]

Policy Direction Provides Guidance on New Regulatory Framework

In 2023, the Government of Canada published its *Order Issuing Directions to the CRTC (Sustainable and Equitable Broadcasting Regulatory Framework)* (the "**Policy Direction**").[11] The Policy Direction gives binding, high-level direction to the CRTC as it engages Canadians and all interested parties to design and implement the new regulatory framework for the broadcasting system. Key elements of the Policy Direction include redefining Canadian programs and increased support for equity-seeking groups, Indigenous persons, Canadian creators, independent broadcasters and community-run media outlets.

8 Government Briefing Deck issued with Bill C-10 (Predecessor to Bill C-11) November 3, 2020.

9 *Broadcasting Act*, section 3(1).

10 *Broadcasting Act,* section 10(1.1).

11 *Order Issuing Directions to the CRTC (Sustainable and Equitable Broadcasting Regulatory Framework)*, SOR/2023-239 ("Policy Direction"), section 11.

The Policy Direction also clarifies and arguably narrows the scope of the CRTC's regulatory focus over content made available on the platforms of social media services.

The Policy Direction directs the CRTC generally to develop a flexible and adaptable regulatory framework with minimal regulatory burden on the broadcasting system and to foster collaboration between Canadian and foreign broadcasting undertakings.

IMPLEMENTATION OF THE NEW BROADCASTING REGULATORY FRAMEWORK

Following amendments to the *Broadcasting Act* in 2023, the CRTC commenced public proceedings to establish a regulatory framework to address the wider scope of regulation contemplated in the amended Act.[12] The CRTC has enacted the *Online Undertakings Registration Regulations*[13] and has established a number of conditions of service for certain online undertakings.[14] These apply to most online undertakings (other than services which fall under a specified exemption threshold based on annual turnover). Upon coming into effect, online undertakings ceased to be exempt from CRTC regulation.

Broadcasting Fees Regulations

Among the changes to the broadcasting regulatory framework were those taken by the CRTC to bring online undertakings within the annual "broadcasting fees" regime.[15] The *Broadcasting Fees Regulations* require traditional broadcasters and online streaming services to remit "broadcasting fees" to the CRTC on an annual basis. An exemption threshold level of $25 million for "broadcasting ownership groups" has been established along with an exemption for each service earning up to $2 million in annual broadcasting revenues in Canada. A broadcasting ownership group's fee revenue is calculated by aggregating the total annual broadcasting revenues in Canada of each individual broadcasting undertaking with an annual revenue of more than $2 million within the ownership group. Broadcasting fees are not payable on the first $25 million in revenue earned by a broadcasting ownership group.

12 *The Path Forward – Working towards a modernized regulatory framework regarding contributions to support Canadian and Indigenous Content*, Broadcasting Notice of Consultation CRTC 2023-138, May 15, 2023.

13 Broadcasting Regulatory Policy CRTC 2023-329 and Broadcasting Order CRTC 2023-330.

14 Broadcasting Regulatory Policy CRTC 2023-331 and Broadcasting Order CRTC 2023-332.

15 Broadcasting Regulatory Policy CRTC 2024-65.

Base Contribution Decision

In June 2024, the CRTC issued its "base contribution" decision,[16] marking Step 1 in establishing the overall contribution framework governing online undertakings. Under this decision, most non-Canadian online streaming services are subject to a newly implemented requirement to contribute 5% of their annual turnover from broadcasting operations towards expenditures on the acquisition or production of Canadian content, as well as to a range of specified Canadian production and content funds.

Regulatory Developments to Date (Step 2)

Step 2 of the CRTC's contribution framework involved further examination of key policy elements, including the definition of Canadian content and expenditure obligations. In November 2025, the CRTC introduced a revised definition of "Canadian program" through updated certification criteria.[17] Under the modernized approach, a production must generally be produced by a Canadian company, meet minimum Canadian spending thresholds (including at least 75% of production and post-production costs paid to Canadians), and ensure that a meaningful portion of copyright remains Canadian-owned. The traditional fixed "points" system has been replaced with a more flexible model requiring productions to achieve either a 60% or 80% threshold for key creative roles, depending on the level of Canadian copyright participation, with stricter requirements where Canadian ownership is lower.

The CRTC also expanded the list of qualifying creative positions (including roles such as showrunner and certain department heads), introduced incentives tied to Canadian themes and source material, and relaxed certain nationality requirements for shared roles. Together, these changes broaden the criteria for qualification and create additional pathways for audio-visual works to be recognized as Canadian content.

Subsequently, in May 2026, the CRTC released a series of further policy decisions[18] which collectively

16 Broadcasting Regulatory Policy CRTC 2024-121, *The Path Forward – Supporting Canadian and Indigenous content through base contributions, June 4, 2024; as amended by* Broadcasting Regulatory Policy CRTC 2024-121-1 and Broadcasting Order CRTC 2024-194 (*Finalization of conditions of service*), 29 August 2024.

17 Broadcasting Regulatory Policy 2025-299.

18 Broadcasting Regulatory Policy CRTC 2026-95: *The Path Forward-Working towards a sustainable Canadian broadcasting system - Part 1 - Discoverability of Canadian and Indigenous content and services, and support for services of exceptional importance*; Broadcasting Regulatory Policy CRTC 2026-96: *The Path Forward- Supporting the creation and distribution of Canadian programming in the audio-visual sector- Part 2 - A modernized framework for Canadian programming expenditures*; Broadcasting *Regulatory Policy CRTC 2026-98, Regulatory policy for closed captioning provided by online streaming undertakings, 25 May 2026*.

expand the contribution, discoverability and regulatory compliance framework applicable to both traditional broadcasters and online undertakings. These decisions establish, among other things, a structured approach to promoting the visibility of Canadian and Indigenous content and a revised Canadian programming expenditure regime applicable to qualifying broadcasting ownership groups.

Among the key determinations in the 2026 policy decisions were the following:

- a new funding mechanism for "services of exceptional importance," requiring large broadcasting ownership groups (including online undertakings) exceeding specified revenue thresholds to contribute a fixed percentage of their Canadian audio-visual revenues to a centralized fund, while maintaining mandatory distribution obligations for such services;

- further refinement of the Canadian programming expenditure framework by establishing differentiated contribution levels and allocation requirements depending on the size and nature of the broadcasting ownership group, including specific obligations applicable to unaffiliated online undertakings; and

- standardized closed captioning requirements for online streaming undertakings, extending accessibility obligations more traditionally associated with licensed broadcasters to digital platforms. In particular, the policy requires qualifying undertakings to implement closed captioning across new and existing programming according to a phased timeline, culminating in full catalogue coverage, and establishes accompanying quality and reporting standards. These measures are intended to ensure that online audio-visual content is accessible to Deaf, DeafBlind and hard-of-hearing audiences, while aligning regulatory expectations across the broadcasting system.

Federal Government Announcement to Review the CRTC's Framework

The CRTC previously announced that "Step 3" will establish more tailored and structured contribution requirements applicable to specific broadcasting ownership groups and online undertakings. This evolving process forms part of the CRTC's broader regulatory plan to modernize Canada's broadcasting framework and remains ongoing. However, on June 3, 2026, the federal government announced that it will direct the CRTC to review its recent decisions governing online streaming and broadcasting, with a view to adjusting the implementation of the *Online Streaming Act*. This review is intended to address concerns relating to affordability, consumer choice and regulatory flexibility, and may result in further changes to the emerging framework.

Treatment of Social Media Services Under the *Broadcasting Act*

The *Broadcasting Act* and the Policy Direction expressly provide that social media creators and individual users who upload content remain exempt from the Act.[19] However, among the most controversial elements of the amended Act are the provisions with respect to CRTC regulatory oversight over social media services. Pursuant to section 4.2 of the Act, the CRTC may "prescribe" regulatory obligations in respect of certain types of "programs" uploaded by users (i.e., programs that either (directly or indirectly) that generate revenue or that have been broadcast "in whole or in significant part, by a broadcasting undertaking" (i.e., licensed television services or subscription video on demand streaming services).

The ostensible objective of delineating certain "programs" on social media services as being potentially subject to Canadian content contribution requirements is based on equitable treatment of programs consumed on different platforms, regardless of how they are transmitted. Therefore, to the extent that commercial, revenue-driven traditional entertainment content (but not "user generated content") is made available on social media platforms, the social media service providing the platform may be subject to regulatory obligations that are similar or akin to those imposed on streaming entertainment services.

At this time, the CRTC has not made a decision on whether requirements related to discoverability and showcasing of Canadian content are applicable to social media services under the Act.

FOREIGN OWNERSHIP RULES IN THE BROADCASTING SECTOR

The CRTC continues to exercise oversight of the ownership and control of traditional "licensed and exempt" Canadian-based broadcasters. Pursuant to the Government Direction to the CRTC made under the *Broadcasting Act*, non-Canadians are permitted to own and control, directly or indirectly, up to 33 1/3% of the voting shares and 33 1/3% of the votes of a holding company that has a wholly-owned subsidiary operating company licensed under the *Broadcasting Act*. Furthermore, the

19 Broadcasting Regulatory Policy CRTC, 2024-65, para 155.

Direction specifies that the Chief Executive Officer and at least 80% of the board of directors of a licensee that is a corporation must be resident Canadian citizens. Additionally, a non-Canadian may not exercise "control in fact" over a licensed broadcasting undertaking. Factors such as the level of ownership of equity through non-voting shares and total equity are relevant to the analysis of control in fact.

OTHER DEVELOPMENTS IN DIGITAL MEDIA

Regulatory Framework for News Organizations

On June 22, 2023, the *Online News Act* received Royal Assent, officially becoming the first-ever legislation in Canada that regulates online communications platforms that make news content available to Canadians. The intention of the *Online News Act* is to support fairness in the Canadian digital news marketplace by enabling Canadian news organizations to negotiate compensation with large online platforms that distribute their content.

The CRTC is responsible for overseeing the *Online News Act*, including the exemption criteria, the eligibility of news businesses, the Code of Conduct, prohibitions on discrimination and undue preference and administering the bargaining framework under the Act. The CRTC is also responsible for making regulations about how groups of news businesses are structured and how they carry out their obligations under the Act.

The *Online News Act Application and Exemption Regulations* sets out which news organizations are exempt from the formal bargaining process under the Act.

Since 2023, the CRTC has advanced implementation of the framework through a series of public consultations and regulatory determinations. These processes have addressed, among other things, the procedural rules governing bargaining, mediation and arbitration, the development of a code of conduct for fair negotiations and the recovery of regulatory costs associated with administering the regime. Several of these proceedings have now concluded with decisions, while others continue to refine the operational aspects of the framework.

More recently, implementation efforts have focused on the practical operation of the regime, including the designation of digital news intermediaries, the assessment of exemption applications and the facilitation of compensation arrangements between platforms and Canadian news organizations. These developments reflect a transition from initial rulemaking toward active administration and enforcement of the bargaining framework established under the *Online News Act*. [20]

Potential Regulatory Framework for Online Harms

In June 2026, the federal government introduced the *Safe Social Media Act* (Bill C-34), which proposes a new regulatory framework for online harms. The bill would establish a Digital Safety Commission of Canada and impose a range of obligations on operators of social media platforms, chatbot services and certain other online services, including duties relating to transparency, child protection and proposed age-based restrictions on access to certain social media services, and the mitigation of harmful content. As drafted, the framework contemplates significant regulatory oversight of digital platforms, although many operational details remain to be determined through regulations.

Provincial Regulation – Quebec Bill 109

In December 2025, the National Assembly of Quebec passed Bill 109, *An Act to affirm the cultural sovereignty of Québec and to enact the Act respecting the discoverability of French-language cultural content in the digital environment*, which establishes a distinct provincial framework aimed at promoting the discoverability of original French-language cultural content in the digital environment. The legislation applies to certain digital platforms and connected devices that provide access to audio-visual or audio content online and is expected to impose obligations relating to the promotion, recommendation and display of such content, as well as potential content thresholds to be prescribed by regulation. Bill 109 also introduces a registration regime for qualifying platforms, requires user interfaces to be configurable in French and grants the Quebec Minister of Culture and Communications broad authority to impose compliance measures, enter substitute arrangements with platforms and enforce the regime through administrative penalties. However, key aspects of the framework, including the scope of substantive obligations, remain subject to the adoption of implementing regulations.

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20 https://www.crtc.gc.ca/eng/industr/info.htm.

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