



CHAPTER 52

An Act respecting educational programming

[Assented to 27 November 1979]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

DIVISION I

INTERPRETATION

Interpreta-
tion:

“cablecast-
ing firm”;

“broadcast-
ing firm”;

“pro-
gramming”;

“Board”.

“educa-
tional pro-
gramming”.

1. In this act, unless the context indicates otherwise,

(a) “cablecasting firm” means a person who operates a cable or wire network or system that distributes one or more audio or audio and video programmings intended to entertain, inform or instruct the audience linked with it;

(b) “broadcasting firm” means a person who operates an audio or an audio and video broadcasting station the programmes of which are intended to be received directly by the general public, and any network of such stations;

(c) “programming” means the ordered arrangement of programmes composing the programme schedule of a broadcasting station or of a cablecasting channel;

(d) “Board” means the Régie des services publics instituted under the Act respecting the Régie des services publics (R.S.Q., c. R-8).

2. For the purposes of this act, the expression “educational programming” designates any programming or any part thereof

(a) designed for presentation both in a context suitable for enabling the audiences for whom it is intended to pursue their education by acquiring knowledge, improving their knowledge or extending their scope of perception, and in conditions that make

it possible to supervise or evaluate such acquisition or improvement of knowledge or such extension of the scope of perception; or

(b) intended to supply information on the courses of study dispensed, or to present special events of educational value, within the educational system.

DIVISION II

EDUCATIONAL PROGRAMMING

Objects. **3.** Educational programming shall

(a) favour the exercise of the right of citizens to education, particularly by presenting programmes that meet specific needs of the population, lead towards diplomas or meet the needs of continuing education;

(b) promote the access of citizens to their cultural heritage, particularly by reflecting life in the various regions and among the various ethnic communities, favouring inter-regional and inter-cultural exchanges, encouraging the creation and broadcasting of Québec audio, video or audio-visual productions, or generally granting a favoured position to the Québec culture;

(c) promote the access of citizens to economic and social well-being by presenting programmes that meet their needs of economic and social education; or

(d) favour the exercise of the right of citizens to freedom of expression and to information, particularly by encouraging discussion of matters of common interest and presenting them from every viewpoint, and encouraging greater openness to the world, or maintaining a fair balance between matters dealt with, interests concerned and opinions expressed.

DIVISION III

POWERS OF THE BOARD

Pro-gramming declared to be educational. **4.** The Board may, at the request of a broadcasting or cablecasting firm, declare the programming or part of the programming submitted to it to be educational.

Modifica-tion. **5.** A broadcasting or cablecasting firm intending to substantially modify programming that has been declared educational shall, by way of an application, submit that modification to the prior approval of the Board.

Rebroad-cast. However, such an application is not required for the mere rebroadcast of programming already declared educational by the Board.

Educational
broadcasting
firm.

6. No broadcasting firm may designate itself as an educational broadcasting firm except in respect of its programming, or that part of its programming, that has been declared educational by the Board.

Cable
educational
channel.

7. No cablecasting firm may designate one of its channels as a cable educational channel except in respect of its programming, or that part of its programming, that has been declared educational by the Board.

Complaint.

8. Any person may, by way of an application, submit a complaint to the Board in respect of any contravention of this act or an order of the Board by a firm that broadcasts or distributes programming declared educational by the Board.

Notification.

9. The Board shall inform the *Ministre des communications* and the *Ministre de l'éducation* of every application it receives and of any public hearing it holds under this act. They may take part in the inquiry and hearing and make the submissions they see fit to make.

DIVISION IV

POWERS OF THE MINISTER

Financial
and
technical
assistance.

10. The *Ministre des communications* may, in accordance with the conditions, standards and terms fixed by regulation of the Government, grant financial and technical assistance to broadcasting or cablecasting firms whose programming has been declared educational by the Board.

Report.

Within six months following the end of each fiscal period, the Minister shall table before the *Assemblée nationale* a report identifying the beneficiaries of the financial assistance, indicating the amount of that assistance, and indicating the educational programming for which assistance has been granted.

Draft
regulation
published.

11. The Government shall publish a draft regulation in the *Gazette officielle du Québec* at least thirty days before making the regulation.

Coming
into force.

Such regulation comes into force on the day the Government publishes a notice of the making thereof in the *Gazette officielle du Québec* or on any later date it indicates. If the Government has amended the draft regulation, the text of such amendments or the final text of the regulation shall be published with the notice.

DIVISION V

FINAL PROVISIONS

Government
bound. **12.** This act is binding on the Government, government departments, and agencies which are mandataries of the Government.

Minister
responsible. **13.** The Ministre des communications is responsible for the application of this act.

Coming
into force
(23 Jan.
1980, *G.O.*,
p. 1011). **14.** This act comes into force on the date fixed by proclamation of the Government.