



Adobe Stock image, by terovesalainen

Justice Centre Reports and Analysis | Benjamin Klassen

Canada's *Online News Act*:

A disaster for freedom of expression



March 18, 2024

Abstract

The Government of Canada’s Bill C-18, the Online News Act, was introduced to correct a perceived imbalance between Canadian news organizations and large “Digital News Intermediaries” (DNIs) such as Google and Meta. Framed as a mechanism to secure fair compensation for news outlets, the Act instead triggered a series of unintended — though predicted by experts — negative consequences. By effectively imposing a “link tax,” the legislation disrupted the basic architecture of the internet, prompting Meta to block Canadian news content and leading the federal government to strike a last-minute \$100 million deal with Google. Beyond its economic fallout with millions in lost revenue, in particular by small independent outlets, Bill C-18 grants the CRTC sweeping new authority to regulate digital platforms and oversee financial arrangements between private actors, thereby increasing government leverage over the news marketplace itself. The result is not a stronger, more independent press, but covering deeper financial issues, a stifling of innovative business models, expanded government control over online expression, less access to information, and further erosion of public trust in media.

Copyright and reprinting

Copyright © 2026 Justice Centre for Constitutional Freedoms.

Licensed under the Creative Commons [CC BY-NC-ND](https://creativecommons.org/licenses/by-nc-nd/4.0/). This license enables reusers to copy and distribute the material in any medium or format in unadapted form only, for non-commercial purposes only, and only so long as attribution is given to the creator.



Acknowledgements

We thank our Justice Centre team of litigators, researchers, and communicators for contributing their insight and expertise to this report. We also thank the thousands of Canadians who have supported the Justice Centre with their financial resources. The Justice Centre is leading Canada in public policy and advocacy because of your generosity and vision.

Updates to this Report

This is version 1.0 of this report, which may be updated periodically.

About the Author

This report was authored by Benjamin Klassen, Education Programs Coordinator and public policy analyst at the Justice Centre.

Table of Contents

Executive summary	1
Introduction	2
The origin of the “link tax”	6
The failed link tax in Europe	6
The failed link tax in Australia	7
Canada’s Bill C-18	8
Addressing perceived “imbalances”	8
Bill C-18’s “unworkable” issues – and Meta’s exit	9
<i>Expert reviews: “worst public policy failure”</i>	11
Google’s \$100 million deal	12
The dangers of a “link tax”	13
Anti-access to information	13
The arbitrary value of links	14
<i>The potential for censorship</i>	15
Independence of the press undermined	16
Bill C-18 revamp — Is the problem resolved?	17
The ongoing media crisis	17
<i>Meta’s departure: a devastation to the news industry</i>	18
<i>The economic cost to the news industry</i>	19
<i>A dangerous loss of access to information</i>	20
The press’s continuing dependence on government	21
Perpetuating the dwindling trust in the news	23
Media prop-up: A constraint on innovative solutions	24
Conclusion	27
Appendix A	28
The link tax in comparator countries	28
The link tax in Australia	29
Bibliography	31

Executive summary

Due to the proliferation of the internet and mobile devices, most revenue that formerly went to the news industry has migrated over to digital platforms such as Google and Meta. This has been a devastating blow to the news ecosystem, making former business models all but obsolete.

With the 2023 Bill C-18, the '*Online News Act*', the Government of Canada intended to correct a perceived imbalance where 'Digital News Intermediaries' (DNI) purportedly profited unfairly from news at the expense of the news outlets. Based on previous models in other Western countries, this policy was introduced to bring DNIs to the negotiating table under government supervision, to ensure fair compensation for news outlets.

However, the policy has had several significant issues, prompting some experts to call it the worst public policy failure they have ever seen. The initial government proposal required DNIs to pay outlets for hosting their content — a so-called "link tax." This approach risked undermining the entire news ecosystem and setting a dangerous precedent by making hyperlinks costly, thus threatening the fundamental principle of the free flow of information on the internet. The backlash was swift, with Meta deindexing all Canadian news on its platform and Google threatening to do the same. In response, the government struck a last-minute \$100 million deal with Google, essentially conceding to their every demand.

While Google's continued presence in Canada is a positive outcome, the overall impact of Bill C-18 has been detrimental. The news industry has lost millions in revenue due to Meta's exit and the termination of Google and Meta's existing deals with news outlets. Additionally, the policy has increased government influence over news in determining which organizations qualify for the fund, further eroding public trust in the independence of the news industry. With Meta's departure, millions of Canadians are now also less informed, as the platform had been a primary news source for many.

In short, far from supporting the news industry, Bill C-18 has struck a heavy blow to Canada's news ecosystem, has further eroded public trust in the news, and has left Canadians with less access to news and information.

Introduction

In 1989, Sir Tim Berners-Lee introduced the World Wide Web (WWW), a decentralized system of information exchange using hyperlinks to link content across the web.¹ This invention would go on to revolutionize communications worldwide. It democratized information by enabling it to flow freely across the globe, fundamentally altering how users shared and accessed data. The transition from print to online information came rapidly, radically altering countless industries.



Tim Berners-Lee, pictured at CERN (Image: [CERN](#))

The newspaper industry, in large part sustained by advertisers, was just one industry that faced a seismic shift as a result of the invention. Shortly after the advent of the internet, mobile devices with high-speed internet capabilities accelerated the shift. People bought fewer physical newspapers, and substantial advertisement revenue migrated to buy-and-sell platforms, such as Craigslist and Kijiji, and to social media companies that had managed to harness their profiling capabilities to produce highly targeted advertisements.²

Of course, this global shift also affected Canada. By 2022, annual advertising revenue in Canada reached \$14 billion, of which Google and Meta were raking in roughly 80 percent³ — a devastating blow to the Canadian news industry.

Unable to compete with other advertisers, newspapers experienced a dramatic decline, resulting in hundreds of closures and a hollowing out of major news institutions.⁴ According to Pablo Rodriguez, former Heritage Minister, 451 news outlets have died since 2008, and, since 2010, a minimum of one-third of Canadian journalism jobs have vanished.⁵ In addition to substantial layoffs, many employees transitioned to remote work.

¹ CERN, *A short history of the web*. CERN. <https://home.cern/science/computing/birth-web/short-history-web>.

² Menzies, Peter, and Von Finckenstein, Konrad. *...and now, the news. A national news media policy for Canada*. MacDonald Laurier Institute. June 2023. https://macdonaldlaurier.ca/wp-content/uploads/2023/06/20230605_National-news-policy-Menziesvan-Finckenstein_PAPER-v4.pdf

³ Government of Canada, *The Online News Act*. <https://www.canada.ca/en/canadian-heritage/services/online-news.html>.

⁴ Gardner, Sue. *Bill C-18 is Bad for Journalism and Bad for Canada*, Max Bell School of Public Policy, McGill. Oct 12, 2022, https://www.mcgill.ca/maxbellschool/max-policy/c-18?utm_source=pocket_reader.

⁵ CTV, *Feds try to avoid Australian pitfalls in online news bill*, April 06, 2022, https://www.mcgill.ca/maxbellschool/max-policy/c-18?utm_source=pocket_reader.

Gone are the days when newsrooms bustled with hundreds of journalists all working frantically on their next big scoop.

With this dramatic transformation, the industry has faced an unavoidable need for adaptation. As summarized by Peter Menzies, an accomplished Canadian journalist and newspaper executive and former member of the Canadian Radio-television Commission (CRTC), “It’s the end of an era for news—the industry can either adapt or die.”⁶

Nevertheless, adapting to the online environment has been slow and, in many cases, unsuccessful. Some outlets, particularly independent start-ups, have been able to survive from digital subscriptions, private investments, and some remaining advertisers. Others, particularly the established media and broadcasters, argue they can’t make ends meet and need additional support from the government. While many have argued that such support would constitute too much government intervention in the media, multiple lobby groups like News Media Canada (which represents 570 news outlets⁷) have since lobbied the government to interfere on their behalf to try to save the industry in its traditional form.⁸ As a result, in recent years, the Government of Canada has repeatedly propped up the media with a series of subsidies.

In addition to the long-standing annual \$1.4-billion subsidy to the CBC, the Government has responded with four main financial policies to support the Canadian news industry. These programs include the fourteen-year-old *Canada Periodical Fund*⁹, and the two more recent programs — the *Local Journalism Initiative*¹⁰ and the *Canadian Journalism Labour Tax Credit*¹¹, commonly known as the “media bailout” program. Each of these programs have seen expansions in recent years, revealing the media’s long-term dependence on government subsidies for survival. The government has also created multiple media support policies that do not directly subsidize them, like the recently created 15 percent *Digital News Subscription Tax Credit*, which indirectly supports the news through tax credits to consumers. In addition, the Government has passed other regulatory policies

⁶ Menzies, Peter. *It’s the end of an era for news – the industry can either adapt or die*. The Hub. <https://thehub.ca/2023/11/22/peter-menzies-its-the-end-of-an-era-for-news-the-sooner-we-accept-that-the-easier-the-transition-will-be/>

⁷ The Globe and Mail. *Fall economic statement includes \$129-million for news organizations*, Nov 21, 2023 <https://www.theglobeandmail.com/politics/article-fall-economic-statement-2023-news-organizations/>.

⁸ Menzies and Finckenstein, *...and now, the news*

⁹ Government of Canada, *Canada Periodical Fund*, <https://www.canada.ca/en/canadian-heritage/services/funding/periodical-fund.html>.

¹⁰ Government of Canada, *Local Journalism Initiative*, <https://www.canada.ca/en/canadian-heritage/services/funding/local-journalism-initiative.html>.

¹¹ Government of Canada, *Canadian Journalism Labour Tax Credit*. <https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/corporations/business-tax-credits/canadian-journalism-labour-tax-credit.html>.

related to licensing, foreign ownership, and other objectives, all managed by the CRTC.¹² (See footnote for a detailed breakdown of these funding programs.¹³)

Bill C-18 is, therefore, just the latest government intervention aimed at rescuing a failing traditional media industry. Based on the Australian model of a similar law, it was ostensibly introduced to give publishers stronger bargaining power against online platforms (called “digital news intermediaries”), to ensure qualifying “news outlets” receive “fair” compensation for their content.¹⁴ This was supposed to address the perceived unfair bargaining advantage intermediaries held. To pay for content that platforms such as Google and Meta were allegedly “stealing” from publishers, the platforms would have to pay publishers for linking their content, prompting experts to call it a “link tax.”¹⁵ With initial projections of injecting an additional \$329 million into the Canadian news industry,¹⁶ this

¹² Menzies and Finckenstein, ...and now, the news

¹³ The breakdown of all government subsidy programs is as follows. **First**, the [Canada Periodical Fund](#) (CPF), created in 2010 by merging two previous programs, serves as a [subsidy fund for community newspapers and magazines](#), with a permanent annual funding of \$75.5 million disbursed by its three components, Aid to Publishers, Business Innovation, and Collective. As a result of mounting difficulties due to COVID-19, the Government expanded this fund with two further initiatives. **First**, it boosted the *Aid to Publishers* component with an initial [25 percent top-up fund of \\$15 million in 2020](#), and an [additional \\$10 million in 2021](#) (see also [News Media Canada](#)). **Second**, the Government created a brand new fourth component to the CPF, the *Special Measures for Journalism*. This new component was to support local and diverse journalism for those not eligible for the *Aid to Publishers* component, and saw an [initial disbursement of \\$45 million in 2020](#) (see also [News Media Canada](#)), with two subsequent additions, [\\$21.5 million in 2021](#), and a [three-year \\$40 million fund starting in 2022](#).

Next, the *Canadian Journalism Labour Tax Credit* was launched in 2019 with an [initial announcement of a \\$595 million five-year package](#). It provides a refundable tax credit to all eligible news businesses and is often referred to as the “media bail-out” program. Recently, likely as a way to make up for the losses incurred due to Bill C-18, a [\\$129 million expansion](#) of the program was announced in the fall economic update this past November, in 2023.

Also introduced in 2019, the *Local Journalism Initiative* was aimed at supporting local community outlets, with an initial \$50 million five-year budget. Recent top-ups include \$10 million over 2021 to 2022, and an additional \$10 million for 2023-2024 (see [News Media Canada](#) and the [Government of Canada](#)).

And finally, in 2021, the government created a [15 percent consumer Digital News Subscription Tax Credit](#), which was supposed to support news businesses by incentivizing consumers to get more paid subscriptions. There are also some other regulatory policies related to licensing, foreign ownership, and other objectives, which are all managed by the CRTC (see [Menzies and Finckenstein](#)).

Combined, by the end of 2024, with all these subsidies, the Government of Canada will have handed out around \$1.746 billion to Canadian news outlets in the last 5 years. This is on top of the \$6.5 billion it has transferred to the publicly funded CBC in the same time frame. This is evidently not a long-term solution and only ensures the media’s greater dependence on the government.

¹⁴ Government of Canada, *The Online News Act*.

¹⁵ Geist, Michael. *Why the Government’s Draft Bill C-18 Regulations Don’t Work: The 4% Link Tax is Not a Cap. It’s a Floor*, Sept 14, 2023, <https://www.michaelgeist.ca/2023/09/why-the-governments-draft-bill-c-18-regulations-dont-work-the-4-link-tax-is-not-a-cap-its-a-floor/>.

¹⁶ Geist, Michael. *Broadcast Bonanza: PBO Says Bill C-18 Would Give a Quarter Billion to Broadcasters...*, Oct 19, 2022, <https://www.michaelgeist.ca/2022/10/broadcast-bonanza/>.

initiative was expected to mitigate a significant portion of the decline in advertisement revenue, largely attributed to these companies. But all this would only subsidize a failing news business model; some have likened it to subsidizing buggy whips at a time when cars became the dominant means of transportation.

Since then, a lot has transpired. Meta, citing liability concerns and deeming the news not worth the cost, has barred all Canadian news on its platform. This alone has led to tens if not hundreds of millions in lost revenue for the news industry and taken away the primary platform small and start-up news outlets use to grow their viewership.¹⁷ After months of negotiations and a looming threat of a similar departure, the government finally negotiated a deal with Google last November that will have them make an annual contribution of \$100 million into a new single collective news fund. This is much short of the initial amount promised by the government, but it nonetheless secures Google's continued presence in Canadian news, preventing further harm to the news industry.

While it may sound appealing to make Big Tech contribute to the struggling news industry, especially given their role in newspapers' significant reduction in advertisement funds, the implications of policies like Bill C-18 must be seriously considered. The simple hyperlink is one of the greatest democratizing tools ever invented, facilitating instant global dissemination of information without gatekeepers monitoring, regulating, or monetizing the process. Link tax policies like Bill C-18, however, disrupt the democratic flow of information by attributing arbitrary value to certain links, making them expensive, risky and an administrative headache. By making the distribution of information costly, it interferes with free speech online, and consequently, the unrestricted access to information. Despite changing the application of the Bill with the \$100 million deal, significant damage to the news industry remains due to the loss of previous Google and Meta deals, as well as Meta's exit from the news industry. Moreover, it fails to address some of the underlying concerns related to independence of the press, freedom of expression, and access to information.

The problem of news financial sustainability is real, but there are several alternative support measures the government could have used without creating these problems. Experts like Peter Menzies and Konrad von Finckenstein have proposed alternatives such as reforming the CBC, increasing the digital news subscription tax deductibility, and supporting the digital transformation by subsidizing technological and business model innovations, phasing out current financial subsidies, amongst others.¹⁸ Other experts propose letting go of the media entirely and seeing what emerges from the rubble. Regardless of where one might stand on this, one thing is evident: Bill C-18's approach has proven to be a disaster on all fronts. Canada must find a better way to support the news industry.

¹⁷ Menzies, Peter. *Government surrenders to Google*, Nov 30, 2023, <https://macdonaldlaurier.ca/government-surrenders-to-google/>.

¹⁸ Menzies and Finckenstein, *...and now, the news*

In the following pages, this report will briefly delve into the origins of the so called “link tax” followed by an overview of Bill C-18, and then go on to analyze the implications of the Bill in its two stages. First, it will assess the potential implications the link tax could have had on Canadian’s freedom of expression if it had been implemented as the regulations initially proposed. It will then investigate how, despite the \$100 million dollar deal, the news industry is still adversely affected while leaving unaddressed the concerns of press independence, diminished freedom of expression, and reduced access to information for Canadians. This report will reveal that policies like Bill C-18 tread on delicate ground, teetering on the brink of hostility toward our essential rights and freedoms, and should be avoided in favor of better alternatives.

The origin of the “link tax”

Bill C-18 is not the first of its kind. Similar laws have been passed degrees of success in jurisdictions such as Germany, Spain, the EU, and more recently Australia. Before delving into the specifics of Bill C-18, it is important to examine some these precedents to better understand the nature and rationale behind such legislation and its potential implications on the digital media landscape.

The failed link tax in Europe

The origin of the link tax can be traced to Europe. Prompted by the difficulties of traditional newspapers to transition to and compete in the online environment, publishers started growing hostile toward the highly successful news aggregators and social media, as early as 2009. This, even though these were the primary drivers of traffic to their websites, from which they then could sell subscriptions and advertisements.¹⁹ These platforms had a much farther reach than any particular news organization, so by indexing or linking their content on these platforms, publishers could get a much broader audience. While having the ability to opt out of having their news indexed, most publishers were eager to distribute their content this way.²⁰ Nevertheless, some European news publishers wanted it both ways. They wanted the high traffic driven by indexing their news, but they also wanted to be paid for it.²¹ In essence, they insisted on both: the intermediaries must index their content, yet they must also pay for the “privilege” of being obliged to do so.

The link-tax was first introduced in Germany in 2012 in the form of an “Ancillary Copyright Law”, which made news aggregators and search engines like Google pay for licenses to display “snippets of text” or thumbnails (like a picture) with the link to indicate what the link

¹⁹ CCIA, *Understanding “Ancillary Copyright” in the Global Intellectual Property Environment*, <https://ccianet.org/wp-content/uploads/2015/02/CCIA-Understanding-Ancillary-Copyright.pdf>

²⁰ Ibid.

²¹ Ibid.

was about.^{22, 23, 24} As experts had repeatedly warned, this immediately backfired, hurting the industry, especially the smaller businesses. Even news organizations that initially strongly supported it ultimately backed down and gave aggregators free licenses.²⁵

When Spain tried a similar law a couple of years later, it was less responsive than Germany's legislators. This resulted in Google barring news in Spain altogether for 8 years, before returning in 2014, devastating the news landscape.^{26, 27} The EU's 2019 directive for a similar law has likewise faced significant criticism and faced backlash, as evidenced by France's protracted struggle to enforce it.²⁸

The failed link tax in Australia

And lastly, Australia's 'Media Bargaining Code' was based on a similar idea, though they went further and added a government-mandated arbitration clause to ensure fair deals.²⁹ While it has resulted in multiple deals, here too the overall results are far from positive, with the established media taking the lion's share of the funding, and only a meagre portion reaching small independent news — this effectively just subsidized failing business models to the detriment of innovative ones.^{30, 31, 32} What's more, Meta has since announced that it will not renew its deal with Australian News Media Publishers.³³

²² OpenMedia, *What the heck is ancillary copyright and why do we call it the Link Tax?*, May 05, 2016, <https://openmedia.org/article/item/what-heck-ancillary-copyright-and-why-do-we-call-it-link-tax>

²³ CCIA, *Understanding "Ancillary Copyright"*

²⁴ Search Engine Land, *To Avoid Liability, Google Limits German News Content to Headlines*, Oct 02, 2014, <https://searchengineland.com/avoid-liability-google-reduces-news-content-germany-headlines-204811>.

²⁵ OpenMedia, *Ancillary Copyright for publishers*, https://openmedia.org/files/documents/acforpresspublishers_kreutzerengweb-3.pdf

²⁶ NiemanLab, *After 8 years, Google News Returns to Spain*, June 22, 2022 <https://www.niemanlab.org/2022/06/after-8-years-google-news-returns-to-spain/>.

²⁷ NiemanLab, *After 8 years...*

²⁸ CNBC, *EU Lawmakers approve copyright reforms that could have a big impact on Google, Facebook*, MAR 26 2019, <https://www.cnbc.com/2019/03/26/eu-parliament-passes-copyright-ruling-that-will-hit-google-facebook.html>

²⁹ Australia Government, *News Media and Digital Platforms Mandatory Bargaining Code*, <https://treasury.gov.au/sites/default/files/2022-11/p2022-343549.pdf>

³⁰ Financial Post, *Australia's news revenue-sharing law behind battle with Big tech*, Feb 18, 2021, <https://financialpost.com/pm/business-pmn/australias-news-revenue-sharing-law-behind-battle-with-big-tech>

³¹ Gardner, *Bill C-18 is Bad for Journalism*

³² The Globe and Mail, *On Bill C-18, Canada has a clear choice: flourish like Australia or flounder like Spain*, NOV 26, 2023, <https://www.theglobeandmail.com/business/commentary/article-on-bill-c-18-canada-has-a-clear-choice-flourish-like-australia-or/>

³³ ABC News, *Meta won't renew commercial deals with Australian news media*, 29 Feb 2024, <https://www.abc.net.au/news/2024-03-01/meta-won-t-renew-deal-with-australian-news-media/103533874>

Despite these failures, the Government of Canada deemed it wise to create its own version of the link-tax, one that is largely based on the Australian model. (To get a more detailed understanding of these examples, please review Appendix A.) Predictably, it also failed.

Canada's Bill C-18

Addressing perceived “imbalances”

Similar to the Australian model, Bill C-18 is ostensibly aimed at enhancing “fairness” in the Canadian news market by addressing a perceived bargaining imbalance between Canadian news outlets and Digital News Intermediaries (DNI).³⁴ The definition of “bargaining imbalance” was narrowed by regulations such that it only applied to Google and Meta, excluding companies like Twitter, Microsoft and Apple.³⁵ In providing a bargaining framework, the act was going to ensure that “eligible” news outlets could negotiate “fair” compensation by these entities when their “content is made available” on those platforms.³⁶ Content online is “made available” through search results and links, which means platforms would be mandated, effectively, to pay for links, either in aggregate or per link.³⁷ This, despite links being a free and beneficial service for news outlets, who eagerly utilize it to distribute their content.

Negotiations for this compensation were encouraged to take place voluntarily between the two parties, but if deals were not achieved independently, platforms would be mandated to go through a bargaining process with the outlets, mediated by the CRTC.³⁸ If necessary, it would then go to arbitration by a CRTC-approved arbitral panel that would choose between one of two final offer submissions by the two parties.³⁹ By delegating this arbitration process to the CRTC, the government aimed to avoid a primary criticism of the Australian model, which gave ministers oversight over this process themselves.

Since its inception, the Bill was ostensibly designed to provide support to small local news publishers. Pablo Rodriguez, the Heritage Minister at the time, said “[w]e want to make sure the local independent news thrives in our country” and underscored that the bill’s objective was to bolster a “free, independent, nonpartisan professional press”.⁴⁰ While platforms

³⁴ Government of Canada, *The Online News Act*

³⁵ Geist, Michael. *Why is Meta Blocking all News Links? Because Bill C-18 Covers all News Outlets*, Aug 11, 2023, <https://www.michaelgeist.ca/2023/08/why-is-meta-blocking-all-news-links-because-bill-c-18-covers-all-news-outlets/>

³⁶ Government of Canada, *The Online News Act*

³⁷ Geist, Michael, *LawBytes Podcast*, Ep. 145: *Why bill C-18's Mandated Payments for links is a Threat to Freedom of Expression...*, Nov 07, 2022, https://www.michaelgeist.ca/2022/11/law-bytes-podcast-episode-145/?utm_source=pocket_saves

³⁸ Government of Canada, *The Online News Act*

³⁹ Ibid.

⁴⁰ Western Standard, *Bill C-18 to benefit CBC*, Apr 06, 2022, https://www.westernstandard.news/news/bill-c-18-to-benefit-cbc/article_668cbe4a-1547-56ce-9e66-c9634861419d.html

until now had privately negotiated deals with individual news providers, Bill C-18 was originally estimated by the Parliamentary Budget Office to contribute an additional revenue of \$329 million to the Canadian news sector.^{41, 42} This substantial financial infusion into the news sector, combined with the goal of supporting struggling small local publishers, sounded like a potential game-changer for them.

Bill C-18’s “unworkable” issues – and Meta’s exit

Nevertheless, when Bill C-18 was first announced, Google and Meta were quick to voice their concerns with the bill, describing it as unworkable. Citing numerous concerns inherent to the bill and emphasizing the minimal profitability of news for them, they cautioned mandated payments based on links could lead them to withdraw from making news available to Canadians on their platforms.⁴³ The government, however, saw this as a bluff.⁴⁴ In Australia, the platforms had made similar statements, and while Meta left for a brief period, both platforms eventually made deals with news businesses and continued their services. In light of this, the government largely dismissed the concerns of the platforms and proceeded with its objective.

When the Bill received royal assent on June 22, 2023, Meta promptly responded by confirming that they would block all news in Canada, which they soon did.⁴⁵ Realizing the gravity of the situation, the government engaged in negotiations with Google in hopes of some last-minute agreement, but on June 29, Google announced that it would follow suit and ban news sharing on its platform before the Bill would come into effect in December.^{46, 47} Instead of taking responsibility, however, the government repeatedly accused the platforms of being selfish and not wanting to give their fair share.

Among the platforms’ main concerns were the unknown financial liabilities, as they could potentially be held liable for anyone linking a news article on their platform. Google, in particular, continued to stress this concern and recommended a liability cap on the

⁴¹ Rakowski, Harry. *Bill C-18 is an impending disaster for Canadian news*, The Hub, <https://thehub.ca/2023/07/18/harry-rakowski-bill-c-18-is-an-impending-disaster-for-canadian-news/>

⁴² CTV, *Understanding Bill C-18: Canada’s Online News Act. And its proposed rules, explained*, Dec 19, 2023, <https://www.ctvnews.ca/politics/understanding-bill-c-18-canada-s-online-news-act-and-its-proposed-rules-explained-1.6488532>

⁴³ Geist, Michael. *What if it isn’t a bluff?*, Jul 18, 2023, <https://www.michaelgeist.ca/2023/07/what-if-it-isnt-a-bluff-the-consequences-of-the-governments-epic-bill-c-18-miscalculation-begin-to-set-in/>

⁴⁴ Ibid.

⁴⁵ Meta, *Changes to News Availability on Our Platforms in Canada*, June 01, 2023, <https://about.fb.com/news/2023/06/changes-to-news-availability-on-our-platforms-in-canada/>

⁴⁶ Google, *An update on Canada’s Bill C-18*, June 29, 2023, <https://blog.google/intl/en-ca/company-news/outreach-initiatives/an-update-on-canadas-bill-c-18-and-our-search-and-news-products/>

⁴⁷ This response echoes a similar scenario observed only months prior with C-18’s sister Bill C-11, where [streaming services warned they would leave Canada](#) if they did not get exemption from the Bill’s requirement that a certain amount of “Canadian” content to be shared in Canada.

company's total financial exposure, a proposal consistently ignored by the government.⁴⁸ Moreover, they repeatedly sought to determine whether they could be exempt from liability if they were to achieve agreements with publishers independently, a proposition the government consistently rejected.⁴⁹ Other concerns pertained to the ambiguous and overbroad criterion of the Bill (see footnotes for further details).⁵⁰

For Canadian experts and politicians, the ill-defined guidelines and criteria of the Bill constituted one of their primary concerns, as they would afford undue power to the CRTC and Tech companies. According to Michael Geist, an Ottawa professor and expert on internet security,

“Bill C-18 doesn’t only increase the power of the Internet companies. It also provides exceptional new powers to the CRTC. These include determining which entities qualify as DNIs, which agreements create an exemption, which Canadian news organizations qualify as eligible news businesses, and whether the arbitration decisions should be approved. On top of that, the CRTC will also create a code of conduct, implement the code, and wield penalty powers for failure to comply. Far from a hands-off approach, the CRTC will instantly become the most powerful market regulator of the news sector in Canada.”⁵¹

MP Rachael Thomas, the Shadow Minister for Canadian Heritage, voiced similar concerns, adding that by granting this power to the CRTC, the government would in turn substantially enhance its ability to influence the media through the institution.⁵²

The draft regulations that followed on September 1, 2023, which unveiled further details about the Bill's implementation plans, further aggravated the situation. Instead of creating the proposed cap on liability, they opted for a four percent floor tax on total search

⁴⁸ The Globe and Mail, *On Bill C-18, Canada has a clear choice*

⁴⁹ Ibid.

⁵⁰ Some of the other concerns about the Bill pertained to its vagueness and overbroad scope. Citing these concerns, [Google warned](#) that it “prohibits “undue preference” re “eligible news businesses”, without saying what that means. And it could mean making us liable for not displaying spammers, foreign propagandists, and those who seek to mislead and defraud you.” Similarly, the criterion for triggering the mandatory negotiations, described as “significant bargaining power imbalance,” [lacked clarity regarding what would constitute such an “imbalance”](#).

Moreover, in trying to make the Bill more inclusive than its Australian counterpart, Canadian politicians included all newspapers, radio, and even foreign news outlets, [making it overbroad to the point of being unworkable](#), according to Michael Geist. According to Geist, the government used the “broadest possible approach that includes foreign news outlets with little or no connection to Canada”, and even those “who are not eligible news businesses under the law.” In short, the bill contained many such serious structural issues that sparked grave concerns for the platforms and experts alike.

⁵¹ Geist, Michael, *Taking Aim at Sharing News Online: Bill C-18...*, Apr 06, 2022, <https://www.michaelgeist.ca/2022/04/taking-aim-at-sharing-news-online-bill-c-18-and-the-governments-misguided-requirement-to-mandate-payment-for-internet-linking/>

⁵² Rachael Thomas, *Bill C:18: Undermines Independent Journalism*, In House of Commons. <https://x.com/RachaelThomasMP/status/1671250319127330818?s=20>

revenues in Canada.⁵³ To be exempt from mandatory arbitration, platforms would have to meet this minimum contribution amount. With this, the government now estimated to get \$172 million from Google and \$62 million from Meta, were it to return.⁵⁴ (This is a total of \$234 million, down from the initial estimate of \$329 million.) With this, the government not just ignored Google's main concerns, but aggravated them.

Throughout this process, the government had numerous better alternatives proposed by experts that it could have utilized to compel Tech giants to contribute to news, instead of resorting to the overinclusive, vague, and poorly drafted link tax.⁵⁵

Expert reviews: "worst public policy failure"

Regrettably, instead of listening to experts, the government repeatedly blocked debates and took the most precarious route, ignoring all risks of the Bill. As noted by Halifax lawyer and privacy expert David Fraser, the bill is

*"one of the worst examples of bad public policy in the technology space. It essentially uses pretend market and bargaining mechanisms to legally extort money from successful technology companies in order to prop up failing news businesses."*⁵⁶

Similarly, on an MLI panel discussion, Peter Menzies (former journalist and Regional Commissioner of CRTC) stated that,

*"I have tried but I cannot think of a piece of legislation that has more disastrous consequences than the Online News Act."*⁵⁷

Even senators criticized it, like Trudeau appointed Senator Paula Simons, previously a well-accomplished journalist, who expressed her opinion as,

*"[H]onest to God, I really feel that this is written by people who have never used the Internet."*⁵⁸

Put simply, this Bill was not all it was cracked up to be.

⁵³ Geist, Michael. *Why the Government's Draft Bill C-18 Regulations Don't Work*

⁵⁴ Ibid.

⁵⁵ Geist, Michael. *Ottawa professor says people should be unsurprised about Bill C-18's implications*, Western Standard, Aug 23, 2023, https://www.westernstandard.news/news/ottawa-professor-says-people-should-be-unsurprised-about-bill-c-18s-implications/article_113e2484-4136-11ee-b2ba-ef02a56f2a9c.html

⁵⁶ C2C Journal, *Extortion, Dependency and Media Welfare: Bill C-18*, April 11, 2023

⁵⁷ Menzies, Peter. *The Online News Act: Surveying the fallout and what comes next*, MacDonald Laurier Institute, Nov 28, 2023, <https://macdonaldlaurier.ca/online-news-act-fallout/>

⁵⁸ Ricochet Media, *Online News Act threatens Canadian press freedoms, warns senator*, Mar 06, 2023, <https://ricochet.media/media/media-3/online-news-act-threatens-canadian-press-freedoms-warns-senator/>

Google's \$100 million deal

Finally, after another couple of months of negotiations, the government realized they had little choice but to abandon their ambitious aspirations with the Bill. Thus, on November 29 they announced their \$100 million deal with Google.⁵⁹ This was an eleventh-hour deal, and the mechanics of the agreement were drastically different from what the government had initially envisioned in the outlined structure of the Bill.

The government not only agreed to the liability cap and single collective fund Google and experts had proposed all along, but also the dollar amount Google had put on the table.^{60, 61} Dealing with a “media collective” allowed Google to avoid having the government arbitrate individual deals with certain news companies, which was one of the key issues of the Bill.

Thus, according to Michael Geist, an Ottawa professor and expert on internet security, these new regulations “effectively bury the original Bill C-18 and resurrect it as the law the government spent months rejecting.”⁶² Technically, what this meant is that while the act itself is not changed, the government is granting Google an exemption from the act with this new deal.⁶³ In short, the government’s extended kerfuffle with the tech giant had not achieved anything.

Nevertheless, Heritage Minister Pascale St-Onge heralded the agreement as, “It’s \$100 million that doesn’t exist right now in the system. It’s new money, new revenue.”⁶⁴ All things considered, however, the bill barely breaks-even financially, if that (considering the lost deals prior to Bill C-18 and Meta’s exit), and some of the Bill’s strongest original supporters and lobby groups have denounced it as unsatisfactory. Torstar owner and publisher Jordan Bitove said, for instance, the deal is “disappointing,” and “Torstar cannot support the \$100-million cap”.⁶⁵

In brief, Bill C-18’s journey, from its inception to the recent Google deal, is a tumultuous one to say the least. Not only did its original “link tax” approach not pan out, but its

⁵⁹ CBC, *Federal government reaches deal with Google on Online News Act*, Nov 29, 2023, <https://www.cbc.ca/news/politics/google-online-news-act-1.7043330>

⁶⁰ Geist, Michael. *Salvaging Bill C-18: Government Upends Legislation to Bring Google Onside the Online News Act*, Nov 29, 2023, <https://www.michaelgeist.ca/2023/11/salvaging-bill-c-18-government-upends-legislation-to-bring-google-onside-the-online-news-act/>

⁶¹ Menzies, Peter. *Government surrenders to Google*

⁶² Geist, Michael. *Bill C-18 is Dead, Long Live Bill C-18: Gov. Rewrites Online News Act with Final Regulations*, Dec 15, 2023. <https://www.michaelgeist.ca/2023/12/bill-c-18-is-dead-long-live-bill-c-18-government-rewrites-online-news-act-with-final-regulations/>

⁶³ Thomas, Rachael, MP. *The Collusion Between Big Tech and Big Government that Will Kill Local News in Canada*, Dec 01, 2023. <https://www.rachaelthomas.ca/post/the-collusion-between-big-tech-and-big-government-that-will-kill-local-news-in-canada>

⁶⁴ Toronto Star, *Torstar critical of Liberal online news compensation deal with Google*, Nov 30, 2023. https://www.thestar.com/news/gta/torstar-critical-of-liberal-online-news-compensation-deal-with-google/article_9a7470e6-cf06-5718-90f7-715dd5c0ab05.html

⁶⁵ Ibid.

structural issues led to months of frustrating negotiations that in the end generated only a fraction of the originally estimated amount into the news industry, while leaving the industry to fight for its lost viewership due to Meta's exit. This is a case of horrible public policy. With such catastrophic failure in an industry so vital to a healthy democracy, it is important to investigate what exactly went wrong to avoid similar policies from being tried in the future.

The dangers of a “link tax”

Anti-access to information

Despite the government's ultimate reversal on the link tax, it is important to analyse the link tax and its potential perils on the news ecosystem, and consequently, freedom of speech and information. The following analysis in this section provides a better understanding of how destructive the Bill, based on the initial so-called “link tax”, could have been to our *Charter* rights. Following that analysis, the Bill will be examined as it was ultimately implemented, showing that it has not rectified the damage and leaves some of the main concerns unaddressed.

One of the key concerns of the link tax is its undermining of the democratic nature of the web. By placing value on links, it makes the redistribution of online speech costly, thereby inhibiting the free flow of information, particularly the sharing and accessing of high-quality journalism. Moreover, similar to how government subsidies make the media reliant on the government, news funding by big tech produces the danger of media becoming reliant on these entities for their continued survival, raising serious concerns over their independence from them. Will dependant media outlets really “bite the hand that feeds?”

The revolutionary nature of the web arose from its facilitation of the seamless flow of information. For the first time in history, information could be freely shared globally, allowing anyone with a computer and a link instantaneous free access. With search engines like Google, anyone could effortlessly find information on any given topic worldwide. There were no gatekeepers monitoring or taxing information access.

Regulations like Bill C-18, however, disrupt this free flow of information by taxing the distributors either for the total number of links, or the number of clicks on each news link that is posted on their platforms. OpenMedia, a global non-profit fighting for a free and open internet, has been an avid opponent of the link tax since the idea first emerged in Europe. According to them,

“the Link Tax catastrophically misunderstands how the Internet works”, and “undermin[es] both the way that hyperlinks are used online, and the way we value and share quality content.”⁶⁶

The free flow of information by way of links, is the very reason the internet is the great resource it is.

In her analysis of the Bill, Sue Gardener, formerly a Canadian journalist and senior director of CBC, also champions the internet’s openness, asserting that links are integral to a democratic form of disseminating information online.⁶⁷ Referencing the Canadian Supreme Court Case *Crookes v. Newton* (2011), she underscores the court’s recognition of the indispensable role of the link in sharing information on the web, which it characterized as “one of the great innovations of the information age” whose “use should be facilitated rather than discouraged.”⁶⁸ She contends that the Internet was designed to remain open and expand naturally, free from and requirements of licensing, permissions, or approvals.⁶⁹ She criticizes the link tax for dismantling this openness, and argues it produces a commercialized internet, where private corporate deals determine what people can access online.⁷⁰ She concludes that the nature of the link is “anti-access to information”.⁷¹

In essence, the link tax does precisely what the internet was designed to avoid. It was meant to be an information democratizing tool, empowering everyone equally to express and access information freely without interference. Legislation like Bill C-18, however, not only regulates which platforms are obliged to compensate news outlets to enable their expression, but also which outlets are entitled to compensation.⁷² By making the distribution of certain kinds of online expression costly, the government would be interfering in the freedom of online expression and distribution of the press.

The arbitrary value of links

Another concerning dimension of the link tax is that it imposes arbitrary value on some links, and not others. Proponents of the link tax mistakenly assume that intermediaries profit disproportionately from the links, and grant governments the authority to place compensatory value on links containing speech that it deems valuable enough for

⁶⁶ OpenMedia, *What’s wrong with the Link Tax?*, Oct 28, 2020. <https://openmedia.org/article/item/whats-wrong-with-the-link-tax-an-faq>

⁶⁷ Gardner, *Bill C-18 is Bad for Journalism*

⁶⁸ Supreme Court, 2011 SCC 47 (CanLII) | *Crookes v. Newton* | CanLII, Oct 19, 2011. <https://www.canlii.org/en/ca/scc/doc/2011/2011scc47/2011scc47.html>

⁶⁹ Gardner, *Bill C-18 is Bad for Journalism*

⁷⁰ Ibid.

⁷¹ Gardner, Sue. *Michael Geist’s Podcast Series, Ep. 125*, <https://x.com/mgeist/status/1513918786822447107?s=20>

⁷² Geist, Michael. *Why Bill C-18’s Mandated Payment for links is a Threat to Freedom of Expression in Canada*, Nov 01, 2022. <https://www.michaelgeist.ca/2022/11/why-bill-c-18s-mandated-payment-for-links-is-a-threat-to-freedom-of-expression-in-canada/>

compensation. This could open the door to further risks such as censorship and systematically supporting certain kinds of speech favourable to the regulators or the government.

Since the link tax is premised on the belief that platforms like Google and Meta profit unfairly from news, advocates believe that government intervention is necessary to provide the publishers the essential “bargaining power” to negotiate fair compensation for their news. However, they have largely ignored the platforms’ repeated assertions that news contributes minimally to their profits, such as in Meta’s case where news generates only 3 percent of its traffic and minimal profit.⁷³ In contrast, 17 to 30 percent of publishers’ traffic is driven by the platform, generating a substantial portion of their profits.⁷⁴ Nonetheless, politicians have asserted that the platforms are “stealing” valuable content, despite publishers being eager to share links on the platforms themselves. In a CBC interview earlier this year, Pablo Rodrigues, the Heritage Minister at the time, argued. “We’re just saying to the tech giants, well, you have to consider that this has value and pay for that value — not more, not less [than] what’s fair.”⁷⁵

The questions here is: where did the value come from, and why are only certain kinds of links deemed as having compensable value, with only certain platforms singled out for payment? By making platforms pay for links, the government is placing value where none may exist. In an online blog post, Michael Geist argues that, with the Bill, the government is essentially saying that not all speech using links is equal.⁷⁶ The Bill makes links from certain established broadcasters like Bell, Rogers, and CBC compensable, whereas similar links from smaller outlets are not.⁷⁷ He contends that if you argue for the compensability of links, it is unreasonable to assert that only links from specific outlets hold value while others do not. Geist concludes that,

“Bill C-18’s dangerous approach ascribes value to links where there isn’t any, regulates which platforms must pay in order to permit expression from their users, and dictates which sources are entitled to compensation.”⁷⁸

Granting the government the power to attribute taxable value to links, would set a dangerous precedent.

The potential for censorship

⁷³ Geist, Michael. *Made-in-Canada Internet Takes Shape with Risks of Blocked Streaming Services...*, June 23, 2023. <https://www.michaelgeist.ca/2023/06/made-in-canada-internet-takes-shape-with-risks-of-blocked-streaming-services-and-news-sharing-as-bill-c-18-receives-royal-assent/>

⁷⁴ Ibid.

⁷⁵ CBC, *New law requiring Fb, Google, to pay for news draws praise, criticism*, Jun 23, 2023. <https://www.cbc.ca/news/politics/c18-facebook-google-news-praise-criticism-1.6886808>

⁷⁶ Geist, Michael. *Why Bill C-18’s Mandated Payment for links is a Threat to Freedom of Expression*

⁷⁷ Ibid.

⁷⁸ Ibid.

Once the principle is established that some platforms must pay to allow their users certain expression, it could then be applied to other cases as well. Geist points to an example where the Canadian Journalists for Human Rights organization has argued that misinformation is synonymous with information pollution and that platforms should be required to pay a fee for facilitating such expression, similar to the Bill C-18 model.⁷⁹ Not all “misinformation”, however, is actually misinformation. For instance, it was supposedly misinformation to say that vaccines don’t stop transmission – until it was proven that they didn’t. It was also deemed misinformation to say that no graves have been located at the Kamloops Indian Residential School, even though millions of dollars of investigation have not revealed a single grave to date. If “misinformation” is taxable “pollution,” this could soon include “hate speech”, which is often used to describe dissenting political views, like conservative views on marriage and abortion.

This principle can also be applied to other areas that could use government support. Geist, for example, mentions health information or educational materials.⁸⁰ Why not have platforms pay for those links to support those areas? “Indeed”, he argues, “once the principle is established that links may require payment, the entire foundation for sharing information online is placed at risk and the essential equality of freedom of expression compromised.”⁸¹ Regardless of how sublime the intentions for the Bill, it risks opening the door to the kind of speech regulation that goes squarely against our freedom of expression protected by the Charter.

Independence of the press undermined

If the government’s initial proposal for the link tax had succeeded and both Google and Meta had stayed and contributed the desired amount, it would have introduced yet another concern (though this concern still exists in some way, as explained below). It would have made the news industry financially dependent on big tech, where some would rely on them for huge portions of their salary. Given the existing apprehensions about the size of big tech and their disproportionate power and influence on society, such financial reliance would only increase their influence while potentially disincentivizing journalists from reporting critically on them.

Concerned about this financial dependence on big tech, Sue Gardner argues that it “would create an incentive for [outlets] to pull their punches in how they covered the platforms. Even if they didn’t, readers would likely suspect it anyway.”⁸² Similarly, Derek Fildebrandt, the founder and CEO of Western Standard, said in a committee that it’s hard not to have the news influenced by advertisers, despite having a “firewall” between the advertisers,

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Gardner, *Bill C-18 is Bad for Journalism*

whom they are largely funded by, and the newsroom.⁸³ If this is the case for advertisers who vary greatly in their political leanings, the concern only amplifies when merely two Big Silicon Valley companies pay a huge portion of media outlets' salaries. Would they manage to continue to hold them accountable? Many have pointed out that Google's search engine already seems discriminatory in its search results, making it difficult to find anything that is counternarrative on any subject. With this new increase in power, it is unclear how Canadians can be expected to trust the media's ability to scrutinize them.

Of course, the same issue applies to the Government's role in supporting the media. This Bill is just another intervention by the government on behalf of the media, further deepening their reliance on the government for their survival, and fostering an incentive for the media to be soft on the government. Since this issue is not resolved with the revamp of the Bill, this issue will be explored in greater detail below.

While the Canadian government was forced to exempt Google from the "link tax" regulations, this analysis underscores the inherent dangers of this policy. The catastrophic consequences, though still existent in a somewhat lesser form, would have reverberated across the news ecosystem, undermining the fundamental nature of the web by inhibiting the free flow of information, arbitrarily imposing cost on certain speech, and compromising the independence of news media. While it is great news that the government ultimately abandoned this dangerous approach, this doesn't necessarily mean that the problems are all resolved now — significant issues still remain. With this, we turn our attention to the remaining issues with the Bill.

Bill C-18 revamp — Is the problem resolved?

The ongoing media crisis

While the Google deal is great news for keeping them in Canada and giving some money to the industry, the complete picture is not as optimistic. Many issues remain, including the allocation of the funds themselves. While the final regulations ensure that most of the funds will be allocated for print and digital platforms (it puts a cap of 7 percent on what CBC can get, and 30 percent on broadcasters), it will still benefit larger entities.⁸⁴ The regulations stipulate that only outlets with two or more full-time employed journalists (while the policy is not clear on this, it appears that this excludes the owners, who are often journalists themselves, but would not qualify as an "employed" journalist), who produce

⁸³ Fildbrandt, Derek. Transport and Communications (TRCM – Standing Committee) Senate of Canada, May 09, 2023. <https://sencanada.ca/en/Content/Sen/Committee/441/TRCM/53EV-56189-E>

⁸⁴ Geist, Michael. *Bill C-18 is Dead, Long Live Bill C-18*

“general interest” news⁸⁵ that is made available online,⁸⁶ are eligible for the funding. With this, many important small and indie publishers are excluded.⁸⁷ (See footnotes for the more specific requirements.⁸⁸) In essence, there is still “unfairness” in its distribution, with larger operations such as Torstar and Postmedia being favoured over smaller ones. Even for these larger entities, however, the overall benefits of the Bill are minimal, if existent at all.

Meta’s departure: a devastation to the news industry

One of the most devastating effects of Bill C-18 was that Meta deindexed all news from their two platforms, Facebook and Instagram. It is important to note that Meta left as a direct response to the link tax and its ambiguous liability concerns, before it was scrapped for the single-collective fund. Nevertheless, the revamp did not entice it back, as it still requires a substantial financial contribution, for a service that already amounts to a hassle for the little revenue it generates. As such, the problems the Bill incurred by Meta’s withdrawal under the link tax, persist under the revamped version of the Bill. These issues mean that, instead of helping local independent publishers as intended, the Bill actually serves to punish them by taking away the main avenue through which news businesses could expand their viewership. This has resulted in some news outlets getting up to 50 percent less traffic,⁸⁹ and it is not likely that Meta will return to Canada any time soon.⁹⁰

This is hugely devastating to an emerging sector of the news industry that had managed to utilize Meta and similar platforms to drive business and thrive in the digital environment. Rather than opposing big tech, they harnessed it as a free paper-delivery-boy to deliver content to their audience and subsequently generate revenue through subscriptions and advertisements.⁹¹ Meta’s withdrawal, however, eliminated the primary platform start-ups used to grow their business, who, according to Menzies, “may have represented the industry’s best chance to transition to the digital world.”⁹² It meant a halt on growth for

⁸⁵ Gardner, *Bill C-18 is Bad for Journalism*

⁸⁶ Can Gov, *Online News Act – Regulations*, Dec 15, <https://www.canada.ca/en/canadian-heritage/services/online-news/application-exemption-regulations.html#a1>, Accessed December 18, 2023

⁸⁷ Geist, Michael. *Bill C-18 is Dead, Long Live Bill C-18*

⁸⁸ The Bill’s funds are set to be [distributed to news organizations based on](#) the number of employed “journalists”, whose definition they have broadened to include “full-time *equivalent* employees” employed for the purpose of producing original news. According to Michael Geist, this [disproportionally benefits larger news organizations](#) that employ more “journalist-equivalent” personnel. Additionally, it will only go to news that is “[intended to be made available online](#).” This means, it must also be on the internet, or “Googleable”, excluding content solely in print. Moreover, it excludes numerous small and indie publishers, as it excludes those with fewer than two hired journalists and those “[primarily focused on a particular topic](#)” in preference to those producing general interest news.

⁸⁹ Geist, Michael. *A Reality Check on the Online News Act: Why Bill C-18 Has Been a Total Policy Disaster*, Sept 20, 2023. https://www.michaelgeist.ca/2023/09/a-reality-check-on-the-online-news-act-why-bill-c-18-has-been-a-total-policy-disaster/?utm_source=pocket_list

⁹⁰ *Ibid.*

⁹¹ Menzies, Peter. *The Online News Act: Surveying the fallout*

⁹² Menzies, Peter. *Government surrenders to Google*

many independent outlets, and loss of millions for established media,⁹³ while some others have suspended their services altogether.⁹⁴

Village Media is just one example of a successful start-up that was launched and operates profitably online. It provides a space for small community outlets to host their content, enabling a profitable transition to the online environment for many newspapers.⁹⁵ A crucial factor in their success was leveraging Meta and Google as free channels to promote their ventures. Geff Elgie, the founder and president of Village Media, emphasized Facebook as an “excellent tactic to launch new communities with”.⁹⁶ However, with Meta’s withdrawal, they’ve halted all progress of expansion. As for many start-ups, the platform constituted the main tactic to grow a following base, which for them drove around 17 percent of their viewers.⁹⁷ For many, it's much higher. According to Elgie, while \$100 million fund will contribute some funds to their journalists, they would’ve been much better off without the Bill and keeping all their previous traffic.⁹⁸

The economic cost to the news industry

Perhaps nothing paints a clearer picture of the repercussions of the Bill than the overall economics. Google and Meta both had existing deals with outlets prior to the Bill, estimated at \$20 million and \$50 million, respectively, with the former cancelled due to Meta’s exit and the latter folded into the new Google Fund, whose administrative cost of \$5-6 million will also be taken out of the fund.⁹⁹ In the end, this leaves the news industry with a meagre \$25 million of new revenue.¹⁰⁰ This also means that some of those who previously had existing deals with Google will now receive less under this new funding model.¹⁰¹

The real kicker, however, is revealed by factoring in the more than \$200 million in lost annual revenue that Meta drove into the industry by allowing news businesses to freely promote their content. This leaves the news industry with a minimum loss of \$100 million,

⁹³ Menzies, Peter. It’s hard to see how the government’s online news mess can be cleaned up, Sept 21, 2023. <https://thehub.ca/2023/09/21/peter-menzies-its-hard-to-see-how-the-governments-online-news-mess-can-be-cleaned-up/>

⁹⁴ Geist, Michael, At Committee, <https://x.com/RachaelThomasMP/status/1729650855010267181?s=20>

⁹⁵ VillageMedia, *Homepage*, <https://www.villagemedia.ca/>. Accessed January 20, 2024.

⁹⁶ The Globe and Mail, *Ottawa should accommodate Google’s C-18 concerns, urges group representing Canada’s major publishers*, Oct 12, 2023. https://www.theglobeandmail.com/politics/article-c-18-google-news-media-canada-ottawa/?utm_source=dlvr.it&utm_medium=twitter

⁹⁷ Elgie, Jeff. *Episode 187: Jeff Elgie on What the Bill C-18 Deal with Google Means for the Future of the Canadian News Sector*, Michael Geist’s Law Bytes Podcast, Dec 04, 2023. <https://law-bytes.castos.com/episodes/episode-187-jeff-elgie-on-what-the-google-deal-on-bill-c-18-means-for-the-future-of-the-canadian-news-sector>

⁹⁸ Ibid.

⁹⁹ Geist, Michael. *Bill C-18 is Dead, Long Live Bill C-18*

¹⁰⁰ Ibid.

¹⁰¹ Elgie, Jeff. *Episode 187: Jeff Elgie on What the Bill C-18 Deal with Google Means*

likely closer to \$150 million, according to Menzies.¹⁰² If Google had followed through on its initial intention to leave as Meta did, it “would have constituted a kill shot to the [news] industry”, Menzies said in another report.¹⁰³ In short, the lobbyists with the Government, who originally anticipated a boost of hundreds of millions of dollars to save the news industry, have ultimately exacerbated the problem by a substantial margin.

All of this gives rise to significant concerns regarding freedom of expression and the press. The Bill’s consequences have undeniably diminished outlet’s ability to share their information to an audience as wide as before, let alone growing their viewership. Meta’s departure not only left them with a lower income stream, but also left them scrambling to find other avenues to distribute their content. This leaves us with an indisputable reality—Bill C-18 has interfered in the freedom of the press. While these adverse outcomes might have been unintentional or may be attributed to incompetence, some have a more sinister perspective. Pierre Poilievre, for instance, called it a deliberate “getting in the way of what people can see and share online.”¹⁰⁴ Regardless of how one interprets it, the undeniable outcome of Bill C-18 is a reduction in freedom of the press in Canada.

A dangerous loss of access to information

Another concern that arises from Meta’s withdrawal is its encroachment on Canadians’ ability to freely receive information. Statistics reveal that about 78 percent of Canadians now use Facebook,¹⁰⁵ and another 51 percent use Instagram.¹⁰⁶ For many, Meta’s platforms were their primary ways of accessing news, but this Bill has blocked that, prompting some to even cross the border just to access their own news.¹⁰⁷ For many other users who never checked the news, just being on these platforms exposed them to professional news articles nonetheless.¹⁰⁸ This meant that even if they were not actively looking for it, they were passively being informed by high-quality journalism. Not only did this help Canadians stay more informed, but it simultaneously gave people more accurate and often less biased information, as opposed to misinformation that is often rampant on social media platforms. This is important, as a well- and accurately-informed society can critique their government more accurately and make better and more informed voting decisions, which plays a pivotal role in maintaining a stable democracy.

¹⁰² Menzies, Peter. *Government surrenders to Google*

¹⁰³ Ibid.

¹⁰⁴ CBC, *New law requiring Fb, Google, to pay for news draws praise, criticism*

¹⁰⁵ Techwyse, *Canada Facebook Users Statistics 2023*, July 28, 2022.

<https://www.techwyse.com/blog/general-category/canada-facebook-users-statistics-infographics>

¹⁰⁶ Online Business Canada, *2022 Report: Social Media Use in Canada (Statistics)*, Oct 02, 2022.

<https://canadiansinternet.com/2022-report-social-media-use-in-canada-statistics/>

¹⁰⁷ NowToronto, *Man drives across U.S. border to view Canadian news on social media amid Meta news block*, Sept 14, 2023. <https://nowtoronto.com/news/man-crosses-border-to-see-if-canadian-news-visible/>

¹⁰⁸ Elgie, Jeff. *Episode 187: Jeff Elgie on What the Bill C-18 Deal with Google Means*

Due to the sheer number of users, Meta's platforms were also great for sharing emergency announcements, such as cases of missing children or other emergencies.¹⁰⁹ During last summer's wildfires that caused tens of thousands to evacuate their homes, Meta continued its news blockage, putting some people at risk of not receiving announcements of evacuation requirements in time.¹¹⁰ This too, is part of the collateral damage of the Bill. Despite the adverse effects on the ability to access such vital information, Government officials have shirked responsibility. In response to Meta's news blockage during the fires, Trudeau denounced it as selfish and putting "corporate profits ahead of people's safety."¹¹¹ In short, Meta's departure has resulted in less free speech and less access to important online information for Canadians, contributing to a less informed and less safe society.

The press's continuing dependence on government

As discussed under the analysis of the link tax, Government policies that intervene in media affairs through financial support, however well-intentioned, have the potential to undermine the sacred principle of independence of the press. Despite changing the key elements of the Bill during its revamp, this is an issue that remains unaddressed. The desired goal is to have no government intervention at all, whether through direct financial assistance or indirect market interventions through policy, as Bill C-18 does. While the government's policies like Bill C-18 and its subsidy programs are deemed "temporary" measures to aid the news in its transition to the online environment, they are counterproductive in that they incentivize media for continued dependence instead of finding market-based solutions. (More on this in the next section.) This essentially means that the "temporary" program will likely not be so temporary after all. Instead of creating more news support programs, the government should wean the media off the programs that already exist.

According to *Freedom House*, media freedom is on a downward spiral around the globe, and this is primarily due, not to overt authoritarian methods of squelching the media, but to subtle efforts to throttle media independence to exert greater influence over them.¹¹² Common tactics include extending proactive assistance to friendly media by providing "lucrative state contracts, favorable regulatory decisions, and preferential access to state information. The goal is to make the press serve those in power rather than the public."¹¹³

Sound familiar?

¹⁰⁹ Ibid.

¹¹⁰ CBC, *N.W.T. wildfire evacuees say Facebook's news ban 'dangerous' in emergency situation*, Aug 18, 2023. <https://www.cbc.ca/news/business/nwt-wildfire-evacuation-meta-blocking-news-1.6939286>

¹¹¹ CTV, *Meta putting profit ahead of safety by blocking wildfire news, says Trudeau*, Aug 21, 2023. <https://www.ctvnews.ca/politics/meta-putting-profit-ahead-of-safety-by-blocking-wildfire-news-says-trudeau-1.6528013>

¹¹² FreedomHouse, *Media Freedom: A Downward Spiral*, <https://freedomhouse.org/report/freedom-and-media/2019/media-freedom-downward-spiral>. Accessed January 15, 2024.

¹¹³ Ibid.

This is exactly what the Canadian government has been doing in recent years. While its effort to save the news industry through methods such as financial subsidies and policies like Bill C-11 and C-18 might not be deliberate methods to curb media independence, although this is definitely a possibility, there is no doubt that such measures do raise questions about whether and to what extent Canadian news publishers remain independent and free from Government influence.

[Y]ou simply “cannot credibly claim independence from government when you simultaneously team up with it in regulatory negotiations”
- Michael Geist, Ottawa professor and expert on internet security

It's hard to argue that news businesses that take a substantial amount of their salary from the Government and work with them to produce favourable policies, are entirely independent and free from any influence from the government. Because of media subsidies, many Canadians already see the media as a conduit for the government's objectives. As a result of government subsidies, tax credits, and regulatory policies like Bill C-18, some outlets will have up to 70 percent of their news funded.¹¹⁴ This, despite less than one in five Canadians supporting government funding of the news.¹¹⁵ Moreover, collaborating with the government to create favourable policies raises further concerns. In the lead-up to Bill C-18, News Media Canada, the lobbying arm for Postmedia, Torstar, and others, had 52 meetings with Ottawa politicians.¹¹⁶ According to Geist, you simply “cannot credibly claim independence from government when you simultaneously team up with it in regulatory negotiations.”¹¹⁷

A thriving news industry is essential to a healthy democracy, but just as essential is its independence. MP Rachael Thomas, the Conservative Canadian Heritage critic, expressed her concern as,

“...yes, we do need media, but we need independent journalists, who are going to tell the stories that need to be told, without pressure from the government or tech giants. We need journalists to truly be free, to come at things from a non-partisan angle.”¹¹⁸

MP Thomas says that journalists have the crucial role of holding governments to account by educating and informing people, but to do this, they must be kept independent “without

¹¹⁴ Geist, Michael. *On Media Bailouts and Bias: Why Government Media Policy is Undermining Public Trust*, Nov 25, 2023. <https://www.michaelgeist.ca/2023/11/on-media-bailouts-and-bias-why-government-media-policy-is-undermining-public-trust/>

¹¹⁵ The Hub, *Why The Hub has signed the Ottawa Declaration on Canadian Journalism*, May 30, 2024. <https://thehub.ca/2024/05/30/why-we-have-signed-the-ottawa-declaration-on-canadian-journalism/>

¹¹⁶ Geist, Michael. *How Did News Media Canada get Bill C-18? The Lobbying Records tell the story*, Apr. 19, 2022. <https://www.michaelgeist.ca/2022/04/how-did-news-media-canada/>

¹¹⁷ Geist, Michael. *On Media Bailouts and Bias*

¹¹⁸ MP Rachael Thomas, *C-18 Encroaching on Free and Independent Journalism*, In the House of Commons 1, <https://x.com/RachaelThomasMP/status/1689360875197550593?s=20>

government intervention, without undue pressure, without being dictated to.”¹¹⁹ She criticizes Bill C-18 for placing the government within newsrooms by legislating what the CRTC will do, which, in turn, applies its decisions to media.¹²⁰

A specific example of how Bill C-18 could influence media and introduce biased news coverage is by incentivising journalists to self-censor in order to meet the qualifying criteria set by the CRTC to access the funds. The regulations’ qualifying criteria, such as producing “original news content” that is “Canadian” or is “general interest news”,¹²¹ are inherently arbitrary, and give substantial power to the qualifying board over what news meets these criteria. Could, for example, news that is critical of a certain government policy like mask mandates be deemed “misinformation”, and thus not “Canadian” or “general interest news”?

As we have seen before, there is little transparency with regard to how these decisions are made, which organizations did not qualify, and the reason for disqualification¹²² This can create an incentive for outlets to self-moderate their output in hopes of qualifying for the fund. We have already seen substantial biased coverage, especially as it relates to news support policies. Some news outlets that rarely side with the government on any policy, have seen a substantial shift when it comes to their coverage of policies that prop up the news.¹²³ This is precisely the reason independent outlets like the Western Standard, Blacklock’s Reporter, and others have refused to accept any taxpayer subsidies despite qualifying for them.¹²⁴

Perpetuating the dwindling trust in the news

The news industry’s dependence on government perpetuates a further issue: the dwindling public trust in the news. Even if journalists were not biased, it creates a public perception that they are, resulting in a lower of trust in the media.¹²⁵ With increasing public awareness of government funding the media, trust in journalism simply diminishes. According to a March 2021 poll, 49 percent of Canadians distrust journalists and think they are “purposely

¹¹⁹ Ibid.

¹²⁰ Rachael Thomas, *Bill C-18: Undermines Independent Journalism*

¹²¹ Canadian Parliament, *Bill C-18*, June 22, 2023. <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-18/royal-assent>

¹²² Canadaland, *Explainer: Canada’s News Bailout, and What FB and Google have to do with it*, Apr 11, 2022. <https://www.canadaland.com/qcjo-news-media-bailout-explainer/>

¹²³ Geist, Michael. *On Media Bailouts and Bias*

¹²⁴ Fildbrandt, Derek. Transport and Communications (TRCM – Standing Committee) Senate of Canada

¹²⁵ Geist, Michael. *On Media Bailouts and Bias*

trying to mislead” people.¹²⁶ Similarly, a news Statistics Canada update reveals that only 13 percent of anglophones have high trust in the media.¹²⁷

It’s because of this trend, according to Peter Menzies, that reporters are sometimes branded as “toadies with labels such as #JustinJournos”, which, upon change of government would likely be “#Pierre’sPravda”.¹²⁸ Sue Gardner argues that, “For journalism to be trusted, it needs to be—and perceived to be—independent from government, and willing and able to be critical of government.”¹²⁹ This is precisely what Bill C-18 undermines.

There are a number of issues that arise when trust in traditional news is so low. People tend to seek out alternative sources of news, including niche Substacks and social media platforms, where information often lacks critical context and is prone to spiral into extremism. This shift not only contributes to the spread of misinformation and wild conspiracy theories but also exacerbates political polarization. The resulting decrease in traffic and profits for mainstream news outlets leads to a reduction in high-quality journalism, as these outlets increasingly resort to clickbait tactics to generate revenue. Consequently, the public is left less informed on a variety of crucial issues, from politics to social and economic matters, impairing their ability to make informed voting decisions and hold public officials to account.

This trend poses significant long-term challenges to the health of Canada’s democracy, highlighting the urgent need for news independence and for the government to avoid implementing policies like Bill C-18 that further undermine the news industry’s independence and public trust.

Media prop-up: A constraint on innovative solutions

The approach the Canadian Government has used with Bill C-18, with the stated goal of supporting small, independent news businesses, represents a profound misunderstanding of the news industry in the digital age. The news industry’s struggle to adapt to the online environment is evident, and with this policy, the government effectively props up an obsolete business model, thereby delaying the necessary transition to the digital environment, which many independent start-up news organisations have already successfully done. Sue Gardner has joked that this kind of government prop-up of outdated

¹²⁶ Taxpayer Federation, *Free the Media*, Nov 29, 2023. <https://www.taxpayer.com/newsroom/free-the-media#>.

¹²⁷ Statistics Canada, *Confidence in institutions and the media, 2023*, Feb 13, 2024. <https://www150.statcan.gc.ca/n1/daily-quotidien/240213/dq240213a-eng.htm>

¹²⁸ Menzies, Peter. *It’s the end of an era for news*

¹²⁹ Gardner, *Bill C-18 is Bad for Journalism*

business models is akin to the government fighting to save the horse and buggy industry at a time when cars become the dominant mode of transport.¹³⁰

The policy not only distorts the market and privileges certain players over others, but it stifles precisely the kind of market-based innovations and solutions that represent the media's best chance toward a sustainable business model, as noted by Sue Gardner.¹³¹ This kind of safety net provided by the government to the mainstream media removes their incentive to develop innovative solutions to their own problems.

The news industry's struggle to adapt to the online environment underscores a broader issue: the necessity for a competitive market that encourages experimentation and innovation. As noted by thinkers like Clay Shirky and echoed by successful online content creators, the path to sustainability and relevance in the digital environment does not lie in clinging to the past but in embracing the possibilities of the future through experimentation and innovation.¹³² Government policies should therefore aim to facilitate a diverse and competitive media landscape where innovation can flourish in a free market economy without undue interference.

With Bill C-18, they have done precisely the opposite. And, as if it hasn't occurred to the government that they are perhaps not the solution to the media's problem, they have recently hosted committee hearings about whether the news industry should host a government-supported national news forum to discuss innovative solutions.¹³³ While such a forum could perhaps be beneficial, it is the industry itself in a free market economy that should lead that initiative, not the government.

There are some news outlets that have already managed to use innovative solutions to successfully transition to the digital environment without taking government subsidies, like the Western Standard. However, it is precisely these successful innovative independent startups that government support policies like Bill C-18 hurt the most. According to Derek Fildebrandt of the Western Standard, "The biggest challenge, by far," that independent outlets like them face is that through policies like Bill C-18, their taxpayer dollars are redistributed to establishment media like CBC, Postmedia, Torstar, and the Suns, who then use those tax dollars as an unfair advantage against them by competing against them.¹³⁴ He says,

¹³⁰ Gardner, Sue. *A closer look at the government's Online News Act Horse and Buggy Act*, The Hub, Sept 04, 2023. <https://thehub.ca/2023/09/04/a-closer-look-at-the-governments-online-news-act-horse-and-buggy-act/>

¹³¹ Gardner, *Bill C-18 is Bad for Journalism*

¹³² Clay Shirky, *Newspapers and Thinking the Unthinkable*, Edge, Aug 01, 2024. https://www.edge.org/conversation/clay_shirky-newspapers-and-thinking-the-unthinkable

¹³³ Speer, Sean. *The news industry won't be fixed by a parliamentary committee*, The Hub, Feb 21, 2024. <https://thehub.ca/2024/02/21/sean-speer-the-news-industry-wont-be-fixed-by-a-committee/>

¹³⁴ Fildebrandt, Derek. *Transport and Communications (TRCM – Standing Committee) Senate of Canada*

“if there really is anything Ottawa can do to help independent publishers, the innovative ones, the guys who are selling light bulbs, not candles, it’s to stop funding the candle industry. Stop trying to give advantages to our competitors using our own tax dollars, and let nature, let the market, sort it out.”¹³⁵

In other words, not only do these kinds of government support policies intervene in the kinds of market experimentation and innovation necessary to work towards financial sustainability, but they also disadvantage those few that have been innovative and produced successful business models that work for them, and likely could for the rest.

By these kinds of direct interventions in the media landscape, the government directly influences the news market and inadvertently picks winners and losers, thereby curtailing the diversity of views and debates necessary to a healthy democracy. This not only contravenes the *Charter’s* guarantee of freedom of the press, but also undermines Canadian’s right to a pluralistic media landscape with broad-ranging views.

In advocating for an approach to media policy that respects *Charter* freedoms, any approach taken by the government should entail the least amount of government intervention necessary, allowing the market to naturally produce viable business models.

One important thing the government could do, however, is to address the role and funding of CBC. If, for example, the CBC were entirely decommercialized and given a clear mandate to lower its costs, as proposed by many experts, including Peter Menzies, this would open up the CBC’s \$650 million commercial revenue, of which \$420 comes from advertising, to the rest of the news industry.¹³⁶ This is significantly more than any of the previous estimates of what Bill C-18 was going to inject into the industry. By using a policy of least intervention and addressing the CBC issue in this way, press freedom could be maintained and more money freed up to support independent start-ups, generating greater diversity of views in our news landscape.

In essence, Bill C-18’s devastation on the news industry and constraint on innovative solutions generates significant concerns regarding freedom of the press and the ability for Canadians to access a diverse range of news. Whichever route the government chooses, any path forward should prioritize fostering an environment where innovative solutions can emerge organically, driven by the principles of freedom and competition that are foundational to both the market and a democratic society.

¹³⁵ Ibid.

¹³⁶ Menzies and Finckenstein, ...and now, the news

Conclusion

Similar to previous examples in other Countries, the saga of Bill C-18 has left a series of negative effects on the Canadian news landscape and various charter freedoms. While its intention to address the problem of news sustainability is commendable and mirrors a global concern, the Bill's approach demonstrates a profound misunderstanding of the digital news ecosystem and the nature of free information flow online. This approach has negatively affected the news industry, resulting in diminished press freedom, freedom of expression, and access to information.

The unfolding of Bill C-18 serves as a vital lesson on the importance of exercising extreme caution in devising policies affecting the news sector. It is imperative for policies to go beyond financial considerations to firmly uphold the invaluable principles of freedom of expression and the press. The Bill's initial proposal under the link tax raised great concerns, as, amongst other issues, it posed serious threats to the democratic nature of the web and the free flow of information. Despite the revision of the Bill, multiple concerning issues remain, not least of which Meta's drastic decision to deindex all Canadian news, which disadvantaged news outlets economically and decreased freedom of the press and access to information.

Media support policies like Bill C-18 perpetuate the media's dependence on the government, raising concerns of potential influence on editorial decisions, thus compromising the autonomy and integrity of the press and exacerbating the dwindling public trust in the media. Moreover, in seeking to support traditional news that uses obsolete business models, these policies not only inhibit innovative market-based solutions to the deeper issue but also inadvertently reinforce a news ecosystem that favours larger, established entities over smaller, independent start-ups, who represent the industry's best chance of adapting to the online environment. In short, far from being the solution to the problem, Bill C-18 has been a train wreck and should be a cautionary tale for future governments.

As we consider the path forward, it is crucial to let this experience shape future attempts at solving the news sustainability problem. Bill C-18's journey underscores the need for policies that not only understand the intricacies of digital ecosystems but also promote competition, innovation, and independence within the news industry, all while protecting and promoting our cherished charter rights and freedoms. This entails fostering an environment where innovative business models can flourish without undue interference, and where the fundamental principles of free expression and access to information are upheld. Only through such an approach can we ensure both the sustainability of a vibrant news industry and the protection of our *Charter*-protected rights and freedoms, both of which are essential to the health of democracy in Canada and beyond.

Appendix A

The link tax in comparator countries

As a result of mounting pressure from the German newspaper trade association BDZV, in 2013, Germany became the first country worldwide to adopt an ancillary copyright law.¹³⁷ This law gave publishers an exclusive right over their published content, and therefore the right to charge a fee for content that is linked with snippets of explanatory text or thumbnails.¹³⁸ This meant that platforms would not be charged for the link itself, but for indexing it with some of the text or even a photo to indicate what the link was about. Initially, by making news aggregators liable for even the “smallest text excerpts”, legislators had effectively penalized headline texts that search engines use to index content in search results.^{139,140} This, however, was excluded in a last-minute change,¹⁴¹ allowing them to link content using headlines instead of just the raw HTML. The law specifically targeted news aggregators like search engines and social media companies who were required to apply for a licence from each publisher for the right to include snippets and thumbnails with the link to their content.¹⁴²

Right from the start, the law was heavily opposed by many experts, independent observers, and other organizations, and as it happens, had an overall negative effect with lots of legal fees and no real profits generated for the news industry.¹⁴³ When, due to ambiguous liability concerns, Google announced that it would de-index news content by default and have outlets opt-in if they wanted their news indexed, many publishers gave Google free licences, including some who initially were the strongest proponents of the law, like Axel Springer.^{144, 145, 146} Ultimately, the law generated no real benefits, generated huge amounts of legal fees, and left punishing consequences to smaller services.¹⁴⁷

Despite the negative experience in Germany, Spain introduced a similar law in 2014. However, instead of letting publishers issue free licenses, they made payments mandatory for platforms to index any news. As a response, Google removed its news aggregator (ie.,

¹³⁷ Ibid.

¹³⁸ OpenMedia, *What the heck is ancillary copyright*

¹³⁹ CCIA, *Understanding “Ancillary Copyright”*

¹⁴⁰ Search Engine Land, *To Avoid Liability, Google Limits German News Content to Headlines*, Oct 02, 2014. <https://searchengineland.com/avoid-liability-google-reduces-news-content-germany-headlines-204811>

¹⁴¹ CCIA, *Understanding “Ancillary Copyright”*

¹⁴² OpenMedia, *Ancillary Copyright for publishers*

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ OpenMedia, *What the heck is ancillary copyright*

¹⁴⁶ Search Engine Land, *German Publishers Opt-In to Google News – For the Moment*, Aug 01, 2013. <https://searchengineland.com/german-publishers-opt-in-to-google-news-for-the-moment-168514g>

¹⁴⁷ CCIA, *Understanding “Ancillary Copyright”*

Google News) altogether.¹⁴⁸ The law caused millions of lost revenue to publishers while disproportionately affecting smaller publishers, and gave consumers a smaller variety of content while limiting accessibility to news they did have.¹⁴⁹ Google News finally returned to Spain in 2021 after an eight-year hiatus, after Spain signed on to a European Union copyright directive, which enables publishers to allow links free of charge and allows Google to ban links if negotiations do not result in agreements.¹⁵⁰ To put it mildly, Spain's example proved to be extremely disastrous.

As if the previous two examples were not clear enough, In 2019, the European Union introduced its 'Copyright in the Digital Single Market' bill, which, based on Germany's ancillary law, was a directive for countries to require news aggregation services like Google and Facebook to negotiate commercial licences from publishers to feature snippets with links to their content.¹⁵¹ Here again, experts pointed out the inherent ambiguity of the Bill,^{152, 153} nevertheless, in October 2019, France became the first EU member to enforce the directive.^{154, 155} As could be expected, Google responded by threatening to strip links of all such contextual information, forcing French lobby groups to concede to Google-led deals in long drawn-out negotiations that resulted in only meagre injections into the industry and infuriating many French outlets.^{156, 157}

The link tax in Australia

A similar policy passed in Australia in 2021 set the precedent of requiring a government-appointed arbiter to address the perceived bargaining imbalance between big tech and publishers.¹⁵⁸ The so-called Media Bargaining Code would have the arbiter ensure "fair" deals are negotiated if Google and Meta are unable to reach fair deals with publishers on

¹⁴⁸ NiemanLab, *After 8 years*

¹⁴⁹ ArsTechnica, *New study shows Spain's "Google tax" has been a disaster*, July 30, 2015.

<https://arstechnica.com/tech-policy/2015/07/new-study-shows-spains-google-tax-has-been-a-disaster-for-publishers/>

¹⁵⁰ NiemanLab, *After 8 years*

¹⁵¹ CNBC, *EU Lawmakers approve copyright reforms that could have a big impact on Google, Facebook*, Mar 26, 2019. <https://www.cnbc.com/2019/03/26/eu-parliament-passes-copyright-ruling-that-will-hit-google-facebook.html>

¹⁵² Ibid.

¹⁵³ CNBC, *What Europe's copyright overhaul means for Youtube, Facebook and the way you use the internet*, Mar 29, 2019. <https://www.cnbc.com/2019/03/28/article-13-what-eu-copyright-directive-means-for-the-internet.html>

¹⁵⁴ CNBC, *EU Lawmakers approve copyright reforms*

¹⁵⁵ CNBC, *What Europe's copyright overhaul means*

¹⁵⁶ CNBC, *Google agrees to pay French publishers for news*, Jan 21, 2021.

<https://www.cnbc.com/2021/01/21/google-agrees-to-pay-french-publishers-for-news.html>

¹⁵⁷ Reuters, *Exclusive: Google's \$76 million deal with French publishers leaves many outlets infuriated*, Feb 12, 2021. <https://www.reuters.com/article/us-google-france-copyright-exclusive/exclusive-googles-76-million-deal-with-french-publishers-leaves-many-outlets-infuriated-idUSKBN2AC27N/>

¹⁵⁸ Financial Post, *Australia's news revenue-sharing law behind battle with Big tech*, Feb 18, 2021. <https://financialpost.com/pm/business-pmn/australias-news-revenue-sharing-law-behind-battle-with-big-tech>

their own.¹⁵⁹ In response, Google and Meta both threatened to abandon news, with Meta making good on this threat, until some last-minute changes were made that would exempt the platforms from having the code applied to them, granted that they would negotiate deals with enough news businesses independently.^{160, 161}

Since then, both Google and Meta have made several deals with publishers independently, amounting to a total of more than AU\$200 million.¹⁶² Nevertheless, the established news businesses have been the big benefactors, with 90 percent of it going to the three largest media companies, while small and independent publishers have struggled to receive anything.^{163, 164} Despite this, the Australian model was hailed as a success by Canadian politicians who, with Bill C-18, sought to implement a similar law. It is worth mentioning here that Meta has since announced that it will not renew its deal with Australian News Media Publishers.¹⁶⁵

In short, while link tax policies are well-intentioned to address real concerns, they are ill-conceived, and a similar pattern of failure runs across all examples where they have been tried. They have huge negative implications on the news landscape, bringing little benefit while repeatedly hurting small independent news outlets and consumers the most. While the media's transition to the online environment has been slow and arduous, it is not sweeping government control that will fix the industry, but rather a time-tested invention — the genius of a free market economy.

¹⁵⁹ Ibid.

¹⁶⁰ CNBC, *Australia passes new media law that will require Google, FB to pay for news*, Feb 24, 2021. <https://www.cnbc.com/2021/02/25/australia-passes-its-news-media-bargaining-code.html>

¹⁶¹ The Globe and Mail, *On Bill C-18, Canada has a clear choice*

¹⁶² Ibid.

¹⁶³ Gardner, *Bill C-18 is Bad for Journalism*

¹⁶⁴ The Globe and Mail, *On Bill C-18, Canada has a clear choice*

¹⁶⁵ ABC News, *Meta won't renew commercial deals with Australian news media*, Feb 29, 2024. <https://www.abc.net.au/news/2024-03-01/meta-won-t-renew-deal-with-australian-news-media/103533874>

Bibliography

- ABC News, *Meta won't renew commercial deals with Australian news media*, 29 Feb 2024, <https://www.abc.net.au/news/2024-03-01/meta-won-t-renew-deal-with-australian-news-media/103533874>
- ArsTechnica, *New study shows Spain's "Google tax" has been a disaster*, July 30, 2015. <https://arstechnica.com/tech-policy/2015/07/new-study-shows-spains-google-tax-has-been-a-disaster-for-publishers/>
- Australia Government, *News Media and Digital Platforms Mandatory Bargaining Code*, <https://treasury.gov.au/sites/default/files/2022-11/p2022-343549.pdf>
- C2C Journal, *Extortion, Dependency and Media Welfare: Bill C-18*, April 11, 2023
- Can Gov, *Online News Act – Regulations*, Dec 15, <https://www.canada.ca/en/canadian-heritage/services/online-news/application-exemption-regulations.html#a1>, Accessed December 18, 2023
- Canadaland, *Explainer: Canada's News Bailout, and What FB and Google have to do with it*, Apr 11, 2022. <https://www.canadaland.com/qcjo-news-media-bailout-explainer/>
- Canadian Parliament, *Bill C-18*, June 22, 2023. <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-18/royal-assent>
- CBC, *Federal government reaches deal with Google on Online News Act*, Nov 29, 2022, <https://www.cbc.ca/news/politics/google-online-news-act-1.7043330>
- CBC, *N.W.T. wildfire evacuees say Facebook's news ban 'dangerous' in emergency situation*, Aug 18, 2023. <https://www.cbc.ca/news/business/nwt-wildfire-evacuation-meta-blocking-news-1.6939286>
- CBC, *New law requiring Fb, Google, to pay for news draws praise, criticism*, Jun 23, 2023. <https://www.cbc.ca/news/politics/c18-facebook-google-news-praise-criticism-1.6886808>
- CCIA, *Understanding "Ancillary Copyright" in the Global Intellectual Property Environment*, <https://ccianet.org/wp-content/uploads/2015/02/CCIA-Understanding-Ancillary-Copyright.pdf>
- CERN, *A short history of the web*. CERN. <https://home.cern/science/computing/birth-web/short-history-web#:~:text=Where%20the%20Web%20was%20born,and%20institutes%20around%20the%20world.>
- Clay Shirky, *Newspapers and Thinking the Unthinkable*, Edge, Aug 01, 2024. https://www.edge.org/conversation/clay_shirky-newspapers-and-thinking-the-unthinkable
- CNBC, *'EU Lawmakers approve copyright reforms that could have a big impact on Google, Facebook*, Mar 26, 2019. <https://www.cnbc.com/2019/03/26/eu-parliament-passes-copyright-ruling-that-will-hit-google-facebook.html>
- CNBC, *'What Europe's copyright overhaul means for Youtube, Facebook and the way you use the internet*, Mar 29, 2019. <https://www.cnbc.com/2019/03/28/article-13-what-eu-copyright-directive-means-for-the-internet.html>

- CNBC, *Australia passes new media law that will require Google, FB to pay for news*, Feb 24, 2021. <https://www.cnn.com/2021/02/25/australia-passes-its-news-media-bargaining-code.html>
- CNBC, *EU Lawmakers approve copyright reforms that could have a big impact on Google, Facebook*, MAR 26 2019, <https://www.cnn.com/2019/03/26/eu-parliament-passes-copyright-ruling-that-will-hit-google-facebook.html>
- CNBC, *Google agrees to pay French publishers for news*, Jan 21, 2021. <https://www.cnn.com/2021/01/21/google-agrees-to-pay-french-publishers-for-news.html>
- CTV, *Feds try to avoid Australian pitfalls in online news bill, April 06, 2022*, https://www.mcgill.ca/maxbellschool/max-policy/c-18?utm_source=pocket_reader.
- CTV, *Meta putting profit ahead of safety by blocking wildfire news, says Trudeau*, Aug 21, 2023. <https://www.ctvnews.ca/politics/meta-putting-profit-ahead-of-safety-by-blocking-wildfire-news-says-trudeau-1.6528013>
- CTV, *Understanding Bill C-18: Canada's Online News Act. And its proposed rules, explained*, Dec 19, 2023, <https://www.ctvnews.ca/politics/understanding-bill-c-18-canada-s-online-news-act-and-its-proposed-rules-explained-1.6488532>
- Elgie, Jeff. *Episode 187: Jeff Elgie on What the Bill C-18 Deal with Google Means for the Future of the Canadian News Sector*, Michael Geist's Law Bytes Podcast, Dec 04, 2023. <https://law-bytes.castos.com/episodes/episode-187-jeff-elgie-on-what-the-google-deal-on-bill-c-18-means-for-the-future-of-the-canadian-news-sector>
- Fildebrandt, Derek. Transport and Communications (TRCM – Standing Committee) Senate of Canada, May 09, 2023. <https://sencanada.ca/en/Content/Sen/Committee/441/TRCM/53EV-56189-E>
- Financial Post, *Australia's news revenue-sharing law behind battle with Big tech*, Feb 18, 2021, <https://financialpost.com/pmn/business-pmn/australias-news-revenue-sharing-law-behind-battle-with-big-tech>
- Freedom House, *Media Freedom: A Downward Spiral*, <https://freedomhouse.org/report/freedom-and-media/2019/media-freedom-downward-spiral>, Accessed January 15, 2024.
- Gardner, Sue. *A closer look at the government's Online News Act+Horse and Buggy Act*, The Hub, Sept 04, 2023. <https://thehub.ca/2023/09/04/a-closer-look-at-the-governments-online-news-act-horse-and-buggy-act/>
- Gardner, Sue. *Bill C-18 is Bad for Journalism and Bad for Canada*, Max Bell School of Public Policy, McGill. Oct 12, 2022, https://www.mcgill.ca/maxbellschool/max-policy/c-18?utm_source=pocket_reader.
- Gardner, Sue. *Michael Geist's Podcast Series, Ep. 125*, <https://x.com/mgeist/status/1513918786822447107?s=20>
- Geist, Michael, *LawBytes Podcast, Ep. 145: Why bill C-18's Mandated Payments for links is a Threat to Freedom of Expression...*, Nov 07, 2022, https://www.michaelgeist.ca/2022/11/law-bytes-podcast-episode-145/?utm_source=pocket_saves
- Geist, Michael, *Taking Aim at Sharing News Online: Bill C-18...*, Apr 06, 2022, <https://www.michaelgeist.ca/2022/04/taking-aim-at-sharing-news-online-bill-c-18-and-the-governments-misguided-requirement-to-mandate-payment-for-internet-linking/>

- Geist, Michael. *A Reality Check on the Online News Act: Why Bill C-18 Has Been a Total Policy Disaster*, Sept 20, 2023. https://www.michaelgeist.ca/2023/09/a-reality-check-on-the-online-news-act-why-bill-c-18-has-been-a-total-policy-disaster/?utm_source=pocket_list
- Geist, Michael. At Committee, <https://x.com/RachaelThomasMP/status/1729650855010267181?s=20>
- Geist, Michael. *Bill C-18 is Dead, Long Live Bill C-18: Gov. Rewrites Online News Act with Final Regulations*, Dec 15, 2023. <https://www.michaelgeist.ca/2023/12/bill-c-18-is-dead-long-live-bill-c-18-government-rewrites-online-news-act-with-final-regulations/>
- Geist, Michael. *Broadcast Bonanza: PBO Says Bill C-18 Would Give a Quarter Billion to Broadcasters...*, Oct 19, 2022, <https://www.michaelgeist.ca/2022/10/broadcast-bonanza/>.
- Geist, Michael. *How Did News Media Canada get Bill C-18? The Lobbying Records tell the story*, Apr. 19, 2022. <https://www.michaelgeist.ca/2022/04/how-did-news-media-canada/>
- Geist, Michael. *Made-in-Canada Internet Takes Shape with Risks of Blocked Streaming Services...*, June 23, 2023. <https://www.michaelgeist.ca/2023/06/made-in-canada-internet-takes-shape-with-risks-of-blocked-streaming-services-and-news-sharing-as-bill-c-18-receives-royal-assent/>
- Geist, Michael. *On Media Bailouts and Bias: Why Government Media Policy is Undermining Public Trust*, Nov 25, 2023. <https://www.michaelgeist.ca/2023/11/on-media-bailouts-and-bias-why-government-media-policy-is-undermining-public-trust/>
- Geist, Michael. *Ottawa professor says people should be unsurprised about Bill C-18's implications*, Western Standard, Aug 23, 2023, https://www.westernstandard.news/news/ottawa-professor-says-people-should-be-unsurprised-about-bill-c-18s-implications/article_113e2484-4136-11ee-b2ba-ef02a56f2a9c.html
- Geist, Michael. *Salvaging Bill C-18: Government Upends Legislation to Bring Google Onside the Online News Act*, Nov 29, 2023, <https://www.michaelgeist.ca/2023/11/salvaging-bill-c-18-government-upends-legislation-to-bring-google-onside-the-online-news-act/>
- Geist, Michael. *What if it isn't a bluff?*, Jul 18, 2023, <https://www.michaelgeist.ca/2023/07/what-if-it-isnt-a-bluff-the-consequences-of-the-governments-epic-bill-c-18-miscalculation-begin-to-set-in/>
- Geist, Michael. *Why Bill C-18's Mandated Payment for links is a Threat to Freedom of Expression in Canada*, Nov 01, 2022. <https://www.michaelgeist.ca/2022/11/why-bill-c-18s-mandated-payment-for-links-is-a-threat-to-freedom-of-expression-in-canada/>
- Geist, Michael. *Why is Meta Blocking all News Links? Because Bill C-18 Covers all News Outlets*, Aug 11, 2023, <https://www.michaelgeist.ca/2023/08/why-is-meta-blocking-all-news-links-because-bill-c-18-covers-all-news-outlets/>
- Geist, Michael. *Why the Government's Draft Bill C-18 Regulations Don't Work: The 4% Link Tax is Not a Cap. It's a Floor*, Sept 14, 2023, <https://www.michaelgeist.ca/2023/09/why-the-governments-draft-bill-c-18-regulations-dont-work-the-4-link-tax-is-not-a-cap-its-a-floor/>.
- Google, *An update on Canada's Bill C-18*, June 29, 2023, <https://blog.google/intl/en-ca/company-news/outreach-initiatives/an-update-on-canadas-bill-c-18-and-our-search-and-news-products/>

- Government of Canada, *Additional support to strengthen local and diverse journalism*, Oct 20, 2022. <https://www.canada.ca/en/canadian-heritage/news/2022/10/additional-support-to-strengthen-local-and-diverse-journalism.html>
- Government of Canada, *Backgrounder: Final Component of Phase 2*, July 07, 2020. <https://www.canada.ca/en/canadian-heritage/news/2020/07/backgrounder-final-component-of-phase-2-of-the-covid-19-emergency-support-fund-for-culture-heritage-and-sport-organizations.html>
- Government of Canada, *Canada Periodical Fund*, <https://www.canada.ca/en/canadian-heritage/services/funding/periodical-fund.html>.
- Government of Canada, *Canadian Journalism Labour Tax Credit*, <https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/corporations/business-tax-credits/canadian-journalism-labour-tax-credit.html>.
- Government of Canada, *Departmental Results Report 2021-22 – Canadian Heritage*, <https://www.canada.ca/en/canadian-heritage/corporate/publications/plans-reports/departmental-results-report-2021-2022.html>. Accessed, January 25, 2024.
- Government of Canada, *Local Journalism Initiative*, <https://www.canada.ca/en/canadian-heritage/services/funding/local-journalism-initiative.html>.
- Government of Canada, *The Online News Act*. <https://www.canada.ca/en/canadian-heritage/services/online-news.html>.
- Menzies, Peter, and Von Finckenstein, Konrad. ...*and now, the news. A national news media policy for Canada*. MacDonald Laurier Institute. June 2023. https://macdonaldlaurier.ca/wp-content/uploads/2023/06/20230605_National-news-policy-Menziesvan-Finckenstein_PAPER-v4.pdf
- Menzies, Peter. *Government surrenders to Google*, Nov 30, 2023, <https://macdonaldlaurier.ca/government-surrenders-to-google/>.
- Menzies, Peter. *It's hard to see how the government's online news mess can be cleaned up*, Sept 21, 2023. <https://thehub.ca/2023/09/21/peter-menzies-its-hard-to-see-how-the-governments-online-news-mess-can-be-cleaned-up/>
- Menzies, Peter. *It's the end of an era for news – the industry can either adapt or die*. The Hub. <https://thehub.ca/2023/11/22/peter-menzies-its-the-end-of-an-era-for-news-the-sooner-we-accept-that-the-easier-the-transition-will-be/>
- Menzies, Peter. *The Online News Act: Surveying the fallout and what comes next*, MacDonald Laurier Institute, Nov 28, 2023, <https://macdonaldlaurier.ca/online-news-act-fallout/>
- Meta, *Changes to News Availability on Our Platforms in Canada*, June 01, 2023, <https://about.fb.com/news/2023/06/changes-to-news-availability-on-our-platforms-in-canada/>
- News Media Canada, *Canada Periodical Fund*, <https://nmc-mic.ca/public-affairs/canada-periodical-fund/>, Accessed January 20, 2024.
- Nieman Lab, *After 8 years, Google News Returns to Spain*, June 22, 2022 <https://www.niemanlab.org/2022/06/after-8-years-google-news-returns-to-spain/>.

Now Toronto, *Man drives across U.S. border to view Canadian news on social media amid Meta news block*, Sept 14, 2023. <https://nowtoronto.com/news/man-crosses-border-to-see-if-canadian-news-visible/>

Online Business Canada, *2022 Report: Social Media Use in Canada (Statistics)*, Oct 02, 2022. <https://canadiansinternet.com/2022-report-social-media-use-in-canada-statistics/>

Open Media, *Ancillary Copyright for publishers*, https://openmedia.org/files/documents/acforpresspublishers_kreutzerengweb-3.pdf

Open Media, *What the heck is ancillary copyright and why do we call it the Link Tax?*, May 05, 2016, <https://openmedia.org/article/item/what-heck-ancillary-copyright-and-why-do-we-call-it-link-tax>

Open Media, *What's wrong with the Link Tax?*, Oct 28, 2020. <https://openmedia.org/article/item/whats-wrong-with-the-link-tax-an-faq>

Our Commons, *Supporting the Canadian Magazine*, Aug 06, 2021. <https://www.ourcommons.ca/Content/Committee/441/FINA/Brief/BR11511153/br-external/Jointly09-e.pdf>

Rakowski, Harry. *Bill C-18 is an impending disaster for Canadian news*, The Hub, <https://thehub.ca/2023/07/18/harry-rakowski-bill-c-18-is-an-impending-disaster-for-canadian-news/>

Reuters, *Exclusive: Google's \$76 million deal with French publishers leaves many outlets infuriated*, Feb 12, 2021. <https://www.reuters.com/article/us-google-france-copyright-exclusive/exclusive-googles-76-million-deal-with-french-publishers-leaves-many-outlets-infuriated-idUSKBN2AC27N/>

Ricochet Media, *Online News Act threatens Canadian press freedoms, warns senator*, Mar 06, 2023, <https://ricochet.media/media/media-3/online-news-act-threatens-canadian-press-freedoms-warns-senator/>

Search Engine Land, *German Publishers Opt-In to Google News – For the Moment*, Aug 01, 2013. <https://searchengineland.com/german-publishers-opt-in-to-google-news-for-the-moment-168514g>

Search Engine Land, *To Avoid Liability, Google Limits German News Content to Headlines*, Oct 02, 2014. <https://searchengineland.com/avoid-liability-google-reduces-news-content-germany-headlines-204811>

Speer, Sean. *The news industry won't be fixed by a parliamentary committee*, The Hub, Feb 21, 2024. <https://thehub.ca/2024/02/21/sean-speer-the-news-industry-wont-be-fixed-by-a-committee/>

Statistics Canada, *Confidence in institutions and the media, 2023*, Feb 13, 2024. <https://www150.statcan.gc.ca/n1/daily-quotidien/240213/dq240213a-eng.htm>

Supreme Court, 2011 SCC 47 (CanLII) | *Crookes v. Newton* | CanLII, Oct 19, 2011. <https://www.canlii.org/en/ca/scc/doc/2011/2011scc47/2011scc47.html>

Taxpayer Federation, *Free the Media*, Nov 29, 2023. <https://www.taxpayer.com/newsroom/free-the-media#:~:text=The%20Trudeau%20government%20has%20poured%20%24595%20million%20into,addition%20to%20the%20billion-dollar%20subsidy%20for%20the%20CBC.>

Techwyse, *Canada Facebook Users Statistics 2023*, July 28, 2022. <https://www.techwyse.com/blog/general-category/canada-facebook-users-statistics-infographics>

The Globe and Mail, *On Bill C-18, Canada has a clear choice: flourish like Australia or flounder like Spain*, NOV 26, 2023, <https://www.theglobeandmail.com/business/commentary/article-on-bill-c-18-canada-has-a-clear-choice-flourish-like-australia-or/>

The Globe and Mail, *Ottawa should accommodate Google's C-18 concerns, urges group representing Canada's major publishers*, Oct 12, 2023. https://www.theglobeandmail.com/politics/article-c-18-google-news-media-canada-ottawa/?utm_source=dlvr.it&utm_medium=twitter

The Globe and Mail. *Fall economic statement includes \$129-million for news organizations*, Nov 21, 2023 <https://www.theglobeandmail.com/politics/article-fall-economic-statement-2023-news-organizations/>.

The Hub, *Why The Hub has signed the Ottawa Declaration on Canadian Journalism*, May 30, 2024. <https://thehub.ca/2024/05/30/why-we-have-signed-the-ottawa-declaration-on-canadian-journalism/>

Thomas, Rachael, MP. *Bill C-18: Undermines Independent Journalism*, In the House of Commons, <https://x.com/RachaelThomasMP/status/1671250319127330818?s=20>

Thomas, Rachael, MP. *C-18 Encroaching on Free and Independent Journalism*, In the House of Commons, <https://x.com/RachaelThomasMP/status/1689360875197550593?s=20>

Thomas, Rachael, MP. *The Collusion Between Big Tech and Big Government that Will Kill Local News in Canada*, Dec 01, 2023. <https://www.rachaelthomas.ca/post/the-collusion-between-big-tech-and-big-government-that-will-kill-local-news-in-canada>

Toronto Star, *Torstar critical of Liberal online news compensation deal with Google*, Nov 30, 2023. https://www.thestar.com/news/gta/torstar-critical-of-liberal-online-news-compensation-deal-with-google/article_9a7470e6-cf06-5718-90f7-715dd5c0ab05.html

Village Media, *Homepage*, <https://www.villagemedia.ca/>. Accessed January 20, 2024.

Western Standard, *Bill C-18 to benefit CBC*, Apr 06, 2022, https://www.westernstandard.news/news/bill-c-18-to-benefit-cbc/article_668cbe4a-1547-56ce-9e66-c9634861419d.html



Justice Centre
for Constitutional Freedoms
