



Sent via email to: [pm@pm.gc.ca](mailto:pm@pm.gc.ca)

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

December 12, 2016

Dear Prime Minister,

**Re: CRTC decision to eliminate simultaneous substitution for Super Bowl broadcast**

On behalf of the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA), the national union of 23,000 professional performers working in the English-language recorded media in Canada, I am writing to strongly encourage you to reverse the CRTC's decision<sup>1</sup> to disallow the performance of simultaneous substitution during the Super Bowl broadcast. This decision is scheduled to take effect in February 2017.

While the CRTC justified this decision as a response to consumers who expressed a wish to see the high-profile Super Bowl commercials that are blocked from viewing on Canadian television by the Canadian network that broadcasts the championship (because the American signal is swapped out for the Canadian network's signal), it is understood that fewer than 100 complaints were actually received<sup>2</sup>. That's less than 100 – or 0.00001% – complaints out of the 9.23 million Canadians who watched Super Bowl XLIX on Canadian television in 2015.

We believe such a minor irritant is not in itself a sufficient reason to make a change to this policy, particularly given the substantial benefits simultaneous substitution policies provide to Canada's broadcasting system. Additionally, the desire to watch non-Canadian advertising once a year is an inadequate justification for tearing down one of the key resources that helps fund Canadian programming.

Simultaneous substitution is part of the backbone of the Canadian broadcast system. In our written submissions to, and our appearance before, the Let's Talk TV consultation in 2014,<sup>3</sup> ACTRA strongly

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<sup>1</sup> Broadcasting Regulatory Policy CRTC 2015-25, Measures to address issues related to simultaneous substitution, January 29, 2015

<sup>2</sup> Why Super Bowl advertisements in Canada should be Canadian, by Ron Lund, Financial Post, February 5, 2016

<sup>3</sup> Broadcasting Notice of Consultation CRTC 2014-190, Let's Talk TV: A Conversation with Canadians, April 24, 2014

Alliance of Canadian Cinema, Television and Radio Artists

ACTRA National Office  
625 Church Street · Suite 300 · Toronto ON M4Y 2G1  
Toll free 1-800-387-3516 · Tel (416) 489-1311  
Fax (416) 489-8076 · E-mail [national@actra.ca](mailto:national@actra.ca) · [www.actra.ca](http://www.actra.ca)

Affiliated with the Canadian Labour Congress (CLC)  
and the International Federation of Actors (FIA)  
**Branch Offices:** Vancouver · Calgary · Regina · Winnipeg  
Toronto · Ottawa · Montreal · Halifax · St. John's

advocated to the CRTC that the simultaneous substitution regime must be kept intact, as the benefits for the Canadian broadcasting system substantially outweigh its disadvantages.

Canadian advertising aired during a simultaneous substitution broadcast provides an important revenue stream to the broadcaster and our broadcast system. It is this advertising revenue that, in part, gets reinvested into the creation of Canadian programming by maintaining Canadian Programming Expenditures (CPE) and Programs of National Interest (PNI) level.

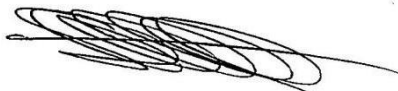
American broadcasters have no obligation to contribute to the Canadian broadcasting system. By dismantling the simultaneous substitution regime, American broadcasters gain the ability to advertise directly to Canadians at the expense of the Canadian broadcasting system, and will do so completely unconstrained by the standards and regulatory framework that governs their Canadian counterparts. As a result, Canadian audiences will be subjected to advertising that is not intended for their consumption and Canadian advertisers will be stuck on the sidelines, unable to effectively promote their products to their target markets during one of the most highly-watched broadcasts of the year.

Simultaneous substitution provides Canadian broadcasters with the protection needed to exploit the exclusive territorial rights they legitimately acquired and, as stated above, generate revenues that in part help support Canadian content creation. Removing simultaneous substitution reduces the protection available to Canadian broadcasters, and thereby threatens revenue generation and support for program obligations.

The creation of Canadian content is not only critical to our national identity, but it plays an increasingly important role in our nation's financial well-being. Canada's creative economy is worth \$48.8 billion – that is twice the value of the forestry, fisheries and agriculture industries combined.<sup>4</sup> Specifically, film and television production generated almost \$6 billion in GDP to the Canadian economy and created 125,400 full-time equivalent jobs in 2013/2014.<sup>5</sup>

We fail to see how a highly-successful policy that has served Canadian viewers so well, and funded the broadcasting system in Canada, can suddenly be right for some programs yet not for others. We, therefore, respectfully urge you to reverse the CRTC's decision.

Sincerely,



Stephen Waddell  
National Executive Director  
ACTRA National

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<sup>4</sup> In conversation with the Honourable Mélanie Joly, Minister of Canadian Heritage, Prime Time in Ottawa, February 4, 2016

<sup>5</sup> Canadian Media in a Digital Universe: DM@X & Nordicity, January 2016