



1999 ALLOCATION OF PAID TIME

REASONS FOR DECISION

Under section 307 of the *Canada Elections Act* (the "Act"), every broadcaster in Canada is required to make available for purchase by registered political parties six and one-half hours (390 minutes) of air time in the next federal election. The Act provides that the allocation of this time among the parties is to be made by agreement among them, or failing such agreement, by the decision of the Broadcasting Arbitrator.

On November 12, 1998, following a meeting of the parties, I issued an order allocating the 390 minutes of paid time among the parties, along with Reasons for Decision. That decision followed the so-called "modified approach" that I have taken in the allocation decisions which governed the allocation during the 1993 and 1997 federal general elections. Under this approach, one-third of the available time is allocated equally among the registered parties. The remaining two-thirds of the time is allocated on the basis of the statutory factors set out in section 310 of the Act, with equal weight being given to the percentage of seats in the House of Commons and the percentage of the popular vote garnered by each of the registered parties in the 1997 general election and half weight being given to the number of candidates endorsed by each of the registered parties as a proportion of all candidates so endorsed.

Under section 314 of the Act, I am required to hold a meeting each year to review the allocation. In accordance with that section, I convened a meeting of all the registered parties on September 10, 1999. By error, simultaneous translation facilities were not made available by Elections Canada for this meeting. Accordingly, a second meeting was convened on December 3, 1999, at which such facilities were made available. A transcript in both official languages of the discussion at the September 10, 1999 meeting was also provided to each party.

The registered parties who were invited to both meetings are listed below in alphabetical order:

Bloc Québécois (B.Q.)
Canadian Action Party (Action)
Christian Heritage Party of Canada (C.H.P.)
Liberal Party of Canada (Lib.)
Marxist-Leninist Party of Canada (M.-L.)
Natural Law Party of Canada (N.L.P.)

New Democratic Party (N.D.P.)
Progressive Conservative Party of Canada (P.C.)
Reform Party of Canada (Ref.)
The Green Party of Canada (G.P.)

All of the parties sent representatives to at least one of the meetings, and most of them attended both meetings. All of the parties indicated that they wished to be included in any allocation of time. (Under subsection 309(1) of the Act, I am limited to awarding time to those registered parties who have indicated they wish me to do so.)

At the first meeting, the bulk of the discussion focussed on whether the modified approach I had adopted in 1998 should be continued or not. At the second meeting, this discussion continued. In addition, however, a new factor was introduced in that two additional parties had been accepted for registration by the Chief Electoral Officer, namely, the Communist Party of Canada and the Rest of Canada (ROC) Party. Under subsection 311(1) of the Act, both of these parties are automatically allocated 6 minutes each if they request it, and under subsection 314(2), their total allotment of 12 minutes is required to be accommodated within the 390 minutes being allocated to the registered parties. Both parties did request to be included.

There was vigorous discussion at both meetings on the appropriate approach to take in regard to the allocation of time. In addition, in the second meeting, the issue of "rounding" was raised for the first time. As has been the case before, there was no unanimity between the parties as to how the allocation should be made. However, there was a general consensus that any rounding should be to the nearest half-minute, instead of to the nearest minute.

I have carefully considered the views expressed by all of the parties. Based on this review, I have concluded as follows:

1. First, I have decided to continue with the "modified approach" adopted in previous decisions, for the same reasons expressed in my 1998 Decision. While this is by no means a perfect formula, I think it strikes an appropriate balance at this time. As I noted in 1998:

"This approach represents a middle ground, in that it seeks to provide a higher minimum amount for all parties than the statutory factors generate but still gives greater weight to the parties that are represented in the House of Commons. While giving a fair opportunity to the smaller registered parties to make a meaningful case, it also gives predominant weight to the statutory factors and I believe it best meets the public interest test."

2. In conformity to subsection 314(2), I have decided to reduce the time allotted to the registered parties pro rata by 12 minutes, so as to make room for the 6 minute allocation for each of the new parties under section 311.

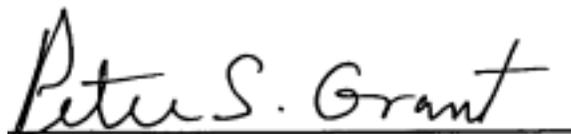
3. Following the consensus at the second meeting, I have decided to do all rounding to the nearest half-minute. In response to the suggestion by the representative of The Green Party of Canada, I have also decided to carry out the rounding exercise only at the end of all the other calculations.

The resulting allocation is as follows:

Political Party	Minutes:Seconds
Liberal Party of Canada	113:00
Reform Party of Canada	59:30
Progressive Conservative Party of Canada	48:00
Bloc Québécois	40:30
New Democratic Party	40:30
Natural Law Party of Canada	17:00
The Green Party of Canada	15:30
Christian Heritage Party of Canada	14:30
Marxist-Leninist Party of Canada	14:30
Canada Action Party	14:30
Communist Party of Canada	6:00
Rest of Canada (ROC) Party	6:00
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TOTAL	390:00

Accordingly, I have issued an allocation order to the above effect.

I wish to conclude, as I have done before, by thanking the registered parties for their participation in this exercise, which was useful and constructive.



Peter S. Grant
The Broadcasting Arbitrator

Toronto, December 22, 1999



1999 ALLOCATION OF PAID TIME

ORDER

Following meetings of the registered parties held on September 10 and December 3, 1999, and pursuant to section 314 of the *Canada Elections Act*, I hereby allocate the broadcasting time to be made available under section 307 of the Act on the basis set forth in Appendix "A".

December 22, 1999

A handwritten signature in cursive script that reads "Peter S. Grant". The signature is written in black ink and is underlined.

Peter S. Grant
The
Broadcasting
Arbitrator

APPENDIX "A"

**ALLOCATION OF BROADCASTING TIME TO BE MADE AVAILABLE BY
EVERY BROADCASTER UNDER SECTION 307 OF THE
CANADA ELECTIONS ACT FOR PURCHASE BY
REGISTERED AND ACCEPTED PARTIES,
AS DETERMINED BY THE BROADCASTING ARBITRATOR
UNDER SECTION 314 OF THE ACT
(TORONTO, December 22, 1999)**

Political Party	Number of Minutes:Seconds
Liberal Party of Canada	113:00
Reform Party of Canada	59:30
Progressive Conservative Party of Canada	48:00
Bloc Québécois	40:30
New Democratic Party	40:30
Natural Law Party of Canada	17:00
The Green Party of Canada	15:30
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TOTAL	390:00