

ROLES AND RESPONSIBILITIES

The policy and regulatory environment governing broadband in Canada



The telecommunication sector in Canada is federally regulated. This impacts how Internet Service Providers operate and shapes the roles of governments (Indigenous, provincial, regional, and municipal) in connectivity expansion and uptake. It is important to understand the different roles of the federal, provincial, and municipal governments in connectivity.

FEDERAL GOVERNMENT

Telecommunications regulatory and oversight powers lie primarily with the federal government. The Government of Canada regulates the industry through three key pieces of legislation: the Telecommunications Act, Broadcasting Act, and the Radiocommunications Act.

The Innovation, Science and Economic Development Canada and the Canadian Radio-Television and Telecommunications Corporation hold primary responsibility for telecommunications.

Innovation, Science and Economic Development (ISED) Canada

ISED is the federal department directly responsible for telecommunications. The purpose of ISED is to improve conditions for investment and build a fair, efficient and competitive marketplace. It plays a key role in Canada's connectivity landscape:

1. approves the placement of transmission antennas for cellphone services and other consumer and commercial applications;
2. regulates much of the wireless sector and allocates radio-spectrum licenses;
3. maintains the National Broadband Internet Service Availability Map; and
4. administers federally funded broadband infrastructure programs.

Canadian Radio-Television and Telecommunications Commission (CRTC)

The CRTC is an administrative tribunal that operates at arm's length from the federal government. It has regulatory authority over most of the the country's telecommunications:

1. regulates telecommunications carriers, including major telephone companies;
2. approves internet wholesale rates charged by large telephone and cable companies to competitors;
3. issues licences for international telecommunications; and
4. conducts periodic reviews of basic telecommunication services.

The Commission does not regulate retail rates charged by service providers to their customers. There is one exception, however; it regulates retail rates in areas served by the NorthwestTel, which include part of northern BC.



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PROVINCIAL GOVERNMENT

The Province of British Columbia does not have regulatory authority over the telecommunications industry. The Province is responsible for several areas that have a direct impact on telecommunications providers, however, such as access to public assets (i.e. highway rights of way, Crown lands, hydro poles, and provincial building codes).

The Ministry of Citizen's Services holds the mandate for connectivity in BC. The ministry has three functions:

1. oversees broadband infrastructure programs;
2. offers connectivity preparedness planning tools and resources; and
3. coordinates connectivity policy and programs across government.

REGIONAL AND MUNICIPAL GOVERNMENTS

Regional and municipal governments do not have a mandated role in telecommunications, as connectivity is not considered a core municipal service. They do control, however, access to resources required by telecommunications companies for expanding their service footprints.

There are regulatory and policy tools that can be used by local governments to reduce service delivery costs and increase the potential to attract new investments in broadband network and operation. These include the implementation of a dig once policy or leveraging rights of way agreements and permitting mechanisms.

It is important to understand how regional and municipal governments policies and practices affect the economics of broadband and encourage broadband deployment.

While the Ministry of Citizen's Services has the lead on connectivity, the deployment of broadband across the province is supported by several ministries and agencies.

MINISTRY OF TRANSPORTATION

The Ministry of Transportation regulates access to highway rights of way, which can act as transportation routes for fibre attached to poles or buried underground.

MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT (FLNRO)

FLNRO regulates access to Crown land. Crown land is land (or land covered by water like rivers or lakes) that is owned by the provincial government, which sometimes provides the ideal site for radio towers or other infrastructure required to improve Internet access or extend it to more people.

BC HYDRO

BC Hydro is a Crown Corporation mandated to provide electrical services in BC. BC Hydro owns and/or regulates access to electrical poles which can be used as pathways for connectivity fibre distribution.

NORTHERN DEVELOPMENT INITIATIVE TRUST

Northern Development is an independent, non-profit corporation established through provincial legislation. It administers the Connecting British Columbia program on behalf of the Ministry of Citizen's Services.

For more information on connectivity in BC, visit our [website](#) or email us at ConnectedCommunitiesBC@gov.bc.ca.



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