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Scott Shortliffe

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Vice President, Broadcasting
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New York

Dear Mr. Shortliffe:

**Re: Addition of documents to the record of the purported application by
Local Independent Television Stations Group (“LITS”) to commence
collective bargaining with Meta under the *Online News Act* (Application
2026- 0066-8)**

As you are aware, we represent Meta Platforms, Inc. (“**Meta**”) in the above-noted matter. We write on behalf of Meta in response to the Commission’s letter dated April 24, 2026 (the “**Letter**”), in connection with the purported application filed by LITS to bring Meta under the *Online News Act* (the “**ONA**”).

In its Letter, the Commission invited the parties to comment on the following matters: (i) whether the Commission should take into account the reply submitted by the National Campus and Community Radio Association (“**NCRA**”) on April 9, 2026; (ii) whether the Commission should take into account Meta’s letter dated April 16, 2026 and LITS’s letter dated April 20, 2026; and (iii) whether Meta wishes to supplement its responses to the requests for information issued by Commission staff between October 4, 2024 and December 3, 2025, in light of the current proceeding. This letter sets out Meta’s submissions on each of these three matters, without prejudice to, and maintaining Meta’s position that, Meta is not an operator, LITS has no standing to bring the underlying application, and that Meta does not intend to take any further steps in relation to it.

Whether the Commission should take NCRA’s reply into account in its deliberations

In accordance with Meta’s position outlined in its letters to Mr. Miller and the CRTC dated February 20 and April 16, 2026, Meta takes no position on whether the CRTC should consider NCRA’s reply in its deliberations.

Whether the Commission should consider Meta’s letter dated April 16, 2026, and LITS’s letter dated April 20, 2026, in its deliberations

Meta’s letter dated April 16, 2026, restates Meta’s position from its February 20, 2026 letter, that the bargaining process prescribed in sections 18-44 of the *Online News Act*, S.C. 2023, c. 23 (the “**Act**” or the “**ONA**”) applies only to “an operator, an eligible news business or a group of eligible news businesses”.¹ In accordance with the ONA’s definition of an operator, the Commission’s finding in Online Regulatory Policy CRTC 2025-57 that “Google is the only DNI operator to which the Act applies”, Meta is not an operator², and is therefore not required to participate in the bargaining process. As stated in Mr. Miller’s letter dated April 20, 2026, LITS does not object to the inclusion of Meta’s letter in the record.

Meta takes no position on whether LITS’s letter dated April 20, 2026, should be considered by the Commission in its deliberations.

Supplementary responses to the requests for information issued by Commission staff between October 4, 2024, and December 3, 2025

The information provided herein should be read in conjunction with Meta’s prior responses to the requests for information issued by Commission staff, dated December 20, 2024 (the “**December Response**”), and January 17, 2025 (the “**January Response**”).

With respect to the technical and commercial measures, including processes and statistics, that Meta has undertaken to identify news content on its platforms at a Canadian and global scale, pursuant to section 55(1) of the ONA, Meta designates the highlighted portions of its responses below (the “**Confidential Information**”) confidential on the basis that this Confidential Information is sensitive commercial and technical information. Meta consistently treats these technical and commercial measures, including its processes and statistics, in a confidential manner and does not publicly disclose this information. Additionally, Meta maintains the Confidential Information as confidential because public disclosure of it could cause public harm and irreparable prejudice to Meta, as it would increase the risk such information could be used by third parties to circumvent Meta’s compliance with the Act. As such, the potentially significant harm that would result from the public disclosure of the Confidential Information outweighs the public interest in access to this information. The narrowly tailored confidentiality designations herein protect against this harm, while preserving the CRTC’s ability to fulfill its mandate. Meta has filed an abridged version of this letter excluding only the information designated as confidential.

¹ Act, [section 18](#).

² Act, [section 2](#); List of digital news intermediaries: [List of digital news intermediaries | CRTC](#); Online News Regulatory Policy CRTC 2025-57: [Online News Regulatory Policy CRTC 2025-57 | CRTC](#).

In response to question 2 of the Commission’s request for information dated November 25, 2024 (the “**RFI**”), Meta outlined measures it takes to end the availability of news on Facebook and Instagram (see January Response). As described on pages 3-4 of the January Response, in the months before the ONA came into force, Meta began taking proactive steps to identify Facebook Pages, Instagram accounts, and Internet domains of news outlets using both [REDACTED].

Meta supplements its January Response to question 2 of the RFI as follows:

- The process described in the January Response for identifying domains and associated Facebook Pages and Instagram accounts that contain news content produced by a news outlet is dynamic and subject to continual refinement to ensure the accuracy and integrity of outcomes. Meta maintains robust mechanisms to revisit prior determinations and update outcomes as circumstances warrant, including where a domain’s content or classification has evolved or where new or additional information becomes available. As described in response to RFI question 2(b) in the January Response, domains, Facebook pages, and Instagram accounts that were reviewed by Meta and not determined to be in scope may later be blocked as a result of subsequent reviews or new information, as was the case with the entities identified in Schedule B of LITS’s purported application. Domains, Facebook pages, and Instagram accounts that were reviewed by Meta and determined to be in scope may later be unblocked as a result of an appeal and/or new information coming to light.
- [REDACTED]

In response to question 3 of the RFI, Meta describes how, beyond the proactive measures taken to end news availability in Canada, Meta also conducts ongoing monitoring of its platforms for domains, Facebook Pages, and Instagram accounts that may be in scope. As described in the January Response, [REDACTED]

[REDACTED]

Meta supplements its January Response to question 3 of the RFI as follows:

- Once Facebook Pages, Instagram accounts, and domains are reviewed as part of the daily monitoring described above, they are excluded from future reviews (unless reviewed as part of an appeal, as described above), ensuring the review is conducted at scale, particularly for new Facebook pages and Instagram accounts that may go “viral,” and limiting duplication where possible.
- Meta also reviews domains based on other signals, including, for example, the self-attestation made by hundreds of businesses as to their and their domains’ eligibility as news businesses and/or news outlets. Meta also reviews entities it becomes aware of incidentally, including by way of third-party communications identifying unlocked entities alleged to contain news content.
- [REDACTED]
- In its January Response, Meta responded to question 3(b) of the RFI by stating that Meta manually monitors for news content. Meta is now also considering ways to further enhance its processes by leveraging the use of artificial intelligence.

Meta’s position with respect to what constitutes news content, and is therefore subject to the ONA and the process described above, is based on the definition of “news content” in section 2 of the ONA.

As the legislative history of the ONA makes clear, user generated quotes and screenshots were not intended to engage or trigger the ONA. Parliamentary debate confirms that at its core, the ONA was not intended to capture individuals quoting news content without linking to that piece of news.³ Similarly, the ONA was not designed to limit or restrict the Canadian peoples’ ability to share quotes about news content by including user-generated

³ House of Commons Standing Committee on Canadian Heritage, Meeting 57, November 29, 2022, p. 13. See also House of Commons Standing Committee on Canadian Heritage, Meeting 55, November 22, 2022, p. 11.

content such as quotes and screenshots within its scope. It was also not the legislative intent to include within the scope of the ONA where incidental or *de minimis* amounts of news are inadvertently available on a platform – such incidental uses could never give rise to a bargaining imbalance.⁴

Considering the clear legislative intent not to capture screenshots and other user-generated content under the ONA, it would be a misguided and undue expectation if companies had to establish systems that accurately, and at scale, identify and compensate for every single instance of news content included in user-generated and uploaded screenshots, embedded videos, or content that is copy/pasted. The same is true for all news content embedded in content hosted on a range of external, non-Meta platforms, including YouTube, TikTok, Snapchat, X, Vimeo, etc., on which any news publisher can create a new channel at any time, and which platforms themselves are not news publishers, under the ONA.

As a practical matter, with respect to copyrighted material, if owners of such material find that there is a breach of their copyright on Meta's platforms, the owner may make a request to Meta, and where it is determined that the material in question is copyrighted, the post will be removed in accordance with Meta's policies and applicable law.⁵ Publishers of news content may use the same process to report where their copyrighted news content has been posted by users on Facebook or Instagram.

We hope this additional information is helpful.

Yours truly,



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Partner

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⁴ House of Commons Standing Committee on Canadian Heritage, Meeting 57, November 29, 2022, p. 13.

⁵ See: [How do I report copyright infringement on Facebook? | Facebook Help Center](#) and [About the Intellectual Property Reporting Center | Meta Business Help Center](#).