

November 2025

# CCIA Comments on Québec's Cultural Sovereignty Streaming Act, Bill 109

## 1. What do you think of the objectives of the bill?

Completely agree

I mostly agree

Neither agreeing nor disagreeing

I disagree

Completely disagree

Prefers not to answer

## 2. You can comment on the main points of the bill.

Bill 109 imposes regulatory duplication and high compliance costs that conflict with Canada's CUSMA rules that prevent discrimination against U.S. digital services and content.

**Broad Scope:** Assuming designation criteria based on subscribership or revenue, numerous U.S. firms will be affected. Because Bills C-11 and 109 target similar large digital platforms, the same companies will be covered. This disproportionately impacts American technology and media firms; CCIA analysis shows 80 percent of captured services are U.S.-based, which, based on this factor alone, constitutes a clear case of *de facto* discrimination.

**Quotas:** Bill 109 discoverability requirements may require U.S. streaming platforms to redesign algorithms to prioritize French content; this, along with any proposed quotas, will, as a *de facto* matter, violate CUSMA rules guaranteeing non-discriminatory treatment of digital products irrespective of place of production or nationality of the creator and are impractical requirements for interactive services with vast libraries.

**Litigation and Compliance Costs:** The Act requires platforms or devices to default to French and integrate mandated government services, necessitating costly Québec-specific software and interface updates that fragment North American product lines. The regulatory burden is heightened by Bill 109's demands for registration, data disclosure, and inspections, with penalties up to CAD\$300,000 per offense. Crucially, the bill enshrines a "right to discoverability," exposing foreign firms to increased litigation and escalating compliance costs.

**Duplication:** Bill 109 imposes a provincial layer of oversight (reporting, inspection, and contribution) atop the federal regulation already established by Bill C-11. This regulatory duplication creates excessive uncertainty for U.S. companies forced to navigate two compliance regimes for a single digital market.

### 3. Suggestions for amendments to the bill

1. The bill should explicitly eliminate any numerical quotas, as envisaged in Chapter IV, Article 20, as these are incompatible with interactive services based on large catalogs.
2. The scope of applicability of the bill described in Chapter 1, Article 2 should be amended to exclude audiobooks and podcasts.
3. The drafting of Chapter 1, Article 3 is unclear with respect to scope. The law should clarify that all social media are excluded, not simply social media targeting indigenous populations.
4. Registration requirements, set out in Chapter II, Article 6, should be explicitly limited to organizations actively soliciting business in Québec.
5. Articles 15-19 of Chapter III, addressing interface requirements, should be limited to reasonably implementable software updates, rather than substantial redesign of hardware and our software applications. A sufficiently long phase-in (up to a year) should be included, and a procedure for applying for an exemption, if cost and/or technical challenges are significant. This provision should also be linked to substitute measures (Chapter V), if a supplier is unable to reasonably implement proposed technical changes.
6. Chapter IV, Article 20 should eliminate all references to quantities or proportions of cultural content, (sub-articles 2 and 3) given the impracticability of implementing quotas in an interactive medium involving massive numbers of audiovisual works.
7. Chapter IV Article 20, sub-article 5 should be changed to reflect the fact that meta-data standards are determined outside the control of any individual streaming supplier or government.
8. Chapter VII, articles 34-38 should restrict information requests to what companies deem not commercially sensitive.
9. This law should include a sunset clause, and a mandatory mid-term review where the continued need for prescriptive intervention in commercial decisions is justified.

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**4. Experience (You can share your personal experience related to the subject of the bill)**

**5. Other comments (You can use this section to submit any other comments on the topic under study)**

Please see detailed concerns regarding Bill 109 [here](#), and regarding the analogous Federal Online Streaming Act [here](#).