

Canada's Online News Act

Open Call, Eligibility, and Single Collective

Open Call

On February 28, 2024 Google officially initiated its open call process (<https://blog.google/canada-news-en/#overview>) for news organizations that could be eligible under the Online News Act to identify themselves as soon as possible. Additional information about the open call can be found on Google's microsite (<https://blog.google/canada-news-en/#overview>), where you will also be able to read over a detailed FAQ section.

News Media Canada is encouraging members to register directly with Google by completing their open call application form (<https://blog.google/canada-news-en/#overview>) **by April 30, 2024 at midnight ET.**

If you fail to register by Google's deadline, you will not be eligible to participate.

When Google sends you the confirmation email, please send a copy of it to

News Media Canada at services@newsmediacanada.ca.

Eligibility

Per section 27 of the Online News Act, there are three possible paths for a news business to be eligible:

- (a) is a qualified Canadian journalism organization as defined in subsection 248(1) of the Income Tax Act, or is licensed by the Commission under paragraph 9(1)(b) of the Broadcasting Act as a campus station, community station or native station as those terms are defined in regulations made under that Act or other categories of licensees established by the Commission with a similar community mandate;
- (b) produces news content of public interest that is primarily focused on matters of general interest and reports of current events, including coverage of democratic institutions and processes, and
 - (i) regularly employs two or more journalists in Canada, which journalists may include journalists who own or are a partner in the news business and journalists who do not deal at arm's length with the business,
 - (ii) operates in Canada, including having content edited and designed in Canada,
 - (iii) produces news content that is not primarily focused on a particular topic such as industry-specific news, sports, recreation, arts, lifestyle or entertainment, and
 - (iv) is either a member of a recognized journalistic association and follows the code of ethics of a recognized journalistic association or has its own code of ethics whose standards of professional conduct require adherence to the recognized processes and principles of the journalism profession, including fairness, independence and rigour in reporting news and handling sources; or
- (c) operates an Indigenous news outlet in Canada and produces news content that includes matters of general interest, including coverage of matters relating to the rights of Indigenous peoples, including the right of self-government and treaty rights.

As a reminder, per the regulations, distribution of funds will be based on the number of **full-time equivalent employees** who, in the previous calendar year, were employed by each news business for the purpose of producing, for news outlets operated by that business, **original news content** that is intended to be **made available online**.

Single Collective

News Media Canada is seeking to work with other publisher and broadcaster organizations to form a Single Collective responsible for representing all news businesses that respond to the open call. That agreement will include the provision of C\$100 million dollars annually, indexed to inflation, to be distributed in accordance with the regulations. The Single Collective would adhere to the following principles:

1. **Representation:** The single collective should represent the full diversity of the Canadian news ecosystem and its interests.
2. **Governance:** The single collective should have a robust and well documented governance structure, including but not limited to board composition, decision making and dispute resolution. This governance structure should reflect the interests and needs of the full range of news businesses identified through the open call.
3. **Transparency:** The single collective should operate with a high level of transparency with membership, including but not limited to membership composition, reporting of payments and administrative fees.
4. **Fees:** The single collective should minimize administrative fees as much as possible in order to maximize the portion of funds that reach news businesses — and commit that those fees are used solely for the purposes of distributing funds.

We will update you on the status of our efforts to form a Single Collective and if Google accepts our expression of interest.

nmc-mic.ca/07/03/2024/canadas-online-news-act-open-call-eligibility-and-single-collective/