



CHAPTER 105

An Act respecting civil responsibility in respect of radio-broadcasting

[Assented to, the 4th of April, 1931]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. This act may be cited as *Civil Responsibility Radio-Broadcasting Act*. Short title.

2. In this act:

1. The words "to have in his possession" mean to be owner, lessee, or possessor under any title whatsoever, to be in charge of or have the control of a radio-transmitter which is in use. Interpretation:
"To have in his possession".
2. The word "person" includes also a partnership or corporation. "Person".
3. The word "radio-transmitter" includes any apparatus and accessories thereof for the wireless transmission of electric signals reproducing speech, singing and music. "Radio-transmitter".

3. Every person having in his possession a radio-transmitter shall be jointly and severally liable with the person whose singing or speaking is broadcasted by such radio-transmitter, for the damages which may be claimed from the latter for defamation committed in the course of such broadcasting. Liability for damages.

4. Every person who has a radio-transmitter in his possession may interrupt the operating of his instrument for the remainder of any period of time during which he permitted its use, whenever a defamation is committed during broadcasting. Interruption of operation authorized.

No liability
for breach of
contract.

5. Whenever such person so interrupts the operating of his radio-transmitter, he shall not be liable for any damage for breach of contract. Nevertheless, the person who had the use thereof shall be entitled to the return of the price of hire proportionate to the time during which he could not use the radio-transmitter.

Apprecia-
ting of
damages.

6. The fact that operation of the radio-transmitter was so interrupted as soon as the defamation was committed shall be taken into consideration in favour of the person having possession thereof, in appreciating damages in an action for defamation.

Keeping of
register.

7. 1. Every person who has in his possession a radio-transmitter shall keep a register in which he enters the names in full, occupation and residence of the person or persons who took part in the broadcasting, as well as the hour at which it began and at which it ceased.

Offences and
penalties.

2. Every person having in his possession a radio-transmitter who does not comply with the provisions of this section shall be liable, in addition to costs, to a fine of not less than one hundred dollars nor more than five hundred dollars, and, failing payment of the fine and costs, to imprisonment for two months.

Persons
liable to im-
prisonment.

3. If the infringement is committed by a partnership, each of its members, and if by a corporation, the president, directors and manager, shall be liable to the above-stated imprisonment, in default of payment of the fine and costs incurred.

Coming into
force.

8. This act shall come into force on the day of its sanction.