

CSBA INFOBACKGROUND

COPYRIGHT UPDATE

Digital Copyright

As a consequence of the election of a new government, opportunities have opened up for Canada's educational community with respect to digital copyright. Although *Bill C-60, An Act to Amend the Copyright Act*, died on the Order Paper when Parliament dissolved, the issue remains active since Canada must find solutions to its outdated copyright laws. The new federal Minister of Culture Bev Oda appears to have adopted a balanced approach to the education and arts communities.

Access Copyright Tariff Proposal & the Copyright Board

This issue is still proceeding through the quasi-judicial route of the federal Copyright Board. The Council of Ministers of Education of Canada (CMEC) Copyright Consortium is coordinating the opposition to the tariff proposal.

SOCAN

The Society of Composers, Authors and Music Publishers of Canada (SOCAN) is a collective authorized by the owners of copyright in musical works to licence public performance. SOCAN recently approached school boards in a number of provinces to accept a blanket licence for use of music in non-pedagogical situations. CMEC obtained a legal opinion on this issue and a copy has been shared with the CSBA Board of Directors.

Briefly, this opinion authored by Wanda M. Noel, a copyright lawyer engaged by CMEC, identifies processes for schools to guide their uses of music. For example, Noel's guide identifies music uses covered and not covered and offers guidance about the application of exceptions.

For further information, contact the Ontario Public School Boards' Association.

candrew@opsba.org.

The above report was provided by the Ontario Public School Boards' Association, the CSBA Lead Member Association on Copyright Issues. OPSBA's staff support on this issue is Cynthia Andrew.

Thank you,
Patricia Parulekar, National Director
April 2006, Ottawa

Legislative Status

In response to the **CSBA Election 2006 Survey**, the Conservative Party said: "*access to copyright works is of critical importance for learning and teaching. ..., [we] would give consideration to educational public policy goals within the copyright framework. With respect to Bill C-60, ..., our party is fighting alongside provincial education ministers and educators for the addition of an amendment that would allow teachers, researchers, and students to access publicly available material on-line.*"

The Liberals introduced the bill with sections potentially damaging to schools.

The Bloc prefers that the government compensate creators. The NDP felt the government bill was inappropriate: the CSBA will seek clarification of their position.

The House of Commons Committee will likely be established in early May.

The Hon. Bev Oda Minister



Liberal critic Mauril Bélanger



The Faces Behind the Decisions

Bloc Québécois critic Maka Kotto



New Democratic Party critic Charlie Angus