



Copyright law Make it work for Canadians

Copyright law plays **an important role** in the working lives of the Canadian Association of University Teachers' 70,000 academic staff members from colleges and universities across Canada. As creators, owners and users of literary and artistic works, our community relies on the *Copyright Act* to ensure just remuneration for authors, and **to make knowledge accessible** for education and research purposes.

As Parliament reviews the *Copyright Act*, here are **five things that need to be improved** in the legislation.

- + Offset the impact of copyright term extension
- + Expand fair dealing
- + Address Indigenous rights
- + Improve legal access to digital resources
- + Reform Crown copyright

Copyright term

The new trade agreement with the United States and Mexico **extends copyright in Canada by twenty years** (from life of the author plus fifty years, to life of the author plus seventy years). The provision was demanded by the US entertainment industry, with large content owners such as Disney seeking to prevent their works falling into the public domain. Term extension massively tips copyright balance towards content owners, and must be offset by granting new rights to students, teachers, researchers and the general public.

Fair dealing

Fair dealing provides a **limited right to copy literary and artistic works** in a way that is fair for both owners and users of the material. With copyright term extension undermining the availability of content, it is important that fair dealing be protected, and enhanced. A huge improvement in the legislation would be the

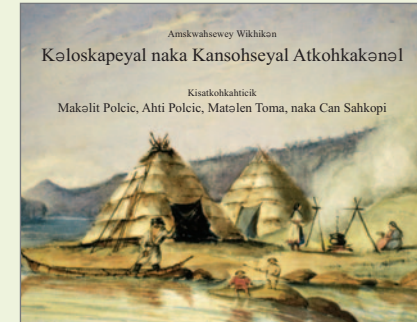
simple addition of the words “such as” in front of currently enumerated fair dealing purposes (research, private study, education, parody, satire, criticism, review or news reporting). This would create a more flexible right, facilitating knowledge sharing and innovations.



Guidelines for the Use of Copyrighted Material available at www.caut.ca

Indigenous rights

Copyright law, based on western notions of property ownership, is often in conflict with Indigenous understandings on the use, sharing and control of culture and knowledge. Tragically, this has resulted in many Aboriginal creators and communities losing control over their heritage. The federal government must ensure First Nations, Inuit and Métis peoples **can develop and impose their own rules on how the results of their creativity are shared**, ensuring that custodianship, dissemination and compensation occur according to their own traditions.



CAUT printed this collection of Maliseet traditional stories in 2015

Access to digital resources

The *Copyright Act* currently prohibits the circumvention of “digital locks” that prevent the copying of digital works – even if the copying is for a legal purpose (such as fair dealing, accessing works in the public domain, archival preservation, and library lending). To ensure Canadians can fully enjoy the legitimate exercise of their statutory rights, the *Copyright Act* should be amended **to allow digital locks to be circumvented for legal, non-infringing purposes**, such as displaying a small clip from a DVD to a class.

Crown copyright

The *Copyright Act* delays government works from entering the public domain for 50 years. The *Copyright Act* should be amended **to make most of this material freely available upon its release**. Removing copyright from government works will allow individuals, corporations and other organizations to make better use of these important resources. It will also allow librarians to better serve their role as stewards of government records, and facilitate Canada’s Open Government initiative.

The Canadian Association of University Teachers represents 70,000 teachers, researchers, and librarians at 123 universities and colleges across Canada. CAUT works actively in the public interest to improve the working conditions of its members, and the quality and accessibility of post-secondary education in Canada.


www.copyright.caut.ca