



COPYRIGHT LAW

Working 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 to know** about what is working and what needs to be improved in the legislation.



What to keep

- ▶ Preserve fair dealing
- ▶ Maintain existing term



What to improve

- ▶ Address Aboriginal rights
- ▶ Improve access to digital works
- ▶ Open government, the public domain

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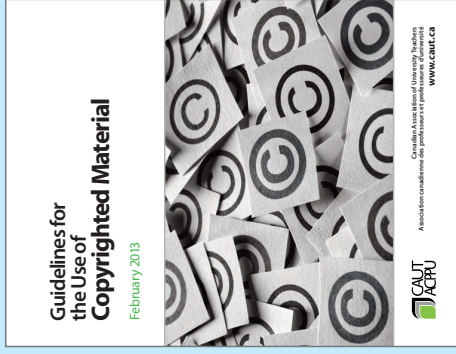
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Fair dealing

✓ 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. The *Copyright Act* currently codifies the practice of fair dealing for educational purposes, a practice enshrined in decisions from the Supreme Court of Canada. Existing fair dealing provisions greatly enrich the educational experience by allowing both teachers and students better access to works.



Fair dealing also contributes to innovation by facilitating knowledge sharing among researchers. To ensure the success of the law, the education community has created guidelines to assist teachers, researchers and students.

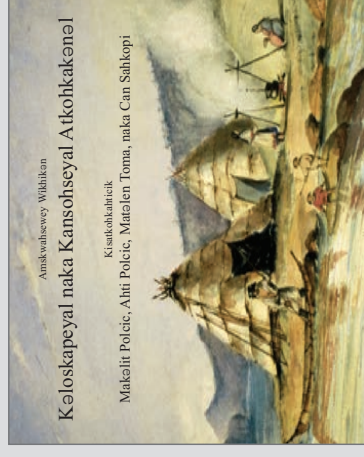
Guidelines for the Use of Copyrighted Material available at www.caut.ca

Copyright term

✓ In Canada, copyright generally endures through the life time of the creator of the work, **plus an additional 50 years**. In the US and Europe, the general copyright term has been extended to life of the author plus 70 years and there is increasing pressure on Canada to do the same. This pressure must be resisted. Term extension unjustly enriches corporate content owners and delays cultural heritage entering the public domain, impeding the creation of new works.

Aboriginal rights

✚ Copyright law, based on western notions of property ownership, is often in conflict with Aboriginal 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 devote resources to support First Nations, Inuit and Métis organizations **to explore, develop and impose 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 technological protection measures that prevent the copying of digital works – even if the copying is for a legal purpose (i.e. fair dealing, accessing works in the public domain, archival preservation, library lending, etc.). To ensure Canadians can fully enjoy the legitimate exercise of their statutory rights, the *Copyright Act* should be amended **to allow the use, manufacture or importation of devices capable of circumventing digital locks measures** in cases where the circumvention is carried out for non-infringing purposes.

Crown copyright

✚ The *Copyright Act* currently delays works produced by the government from entering the public domain for 50 years. The Act should be amended **to put this material in the public domain upon its release**. Removing copyright protection from government works will allow individuals, corporations, and other organizations to make better use of these important resources. It will also allow librarians to continue their role as stewards of government information in a digital world and make progress towards the commitment to open government.

CAUT represents 70,000 teachers, researchers, and librarians at 122 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.