

Minister of Industry



Ministre de l'Industrie

Ottawa, Canada K1A 0H5

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MAY 28 2015

Ms. Valoree McKay, CAE
Executive Director
Canadian Library Association
1150 Morrison Drive, Suite 400
Ottawa, Ontario K2H 8S9

Dear Ms. McKay:

Thank you for your correspondence of May 5, 2015, regarding the changes to Canada's copyright regime announced in Economic Action Plan 2015. I appreciate your taking the time to write.

As you know, our government announced its intention to implement and accede to the World Intellectual Property Organization (WIPO) Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. The Marrakesh Treaty is an important international agreement that requires member countries to provide certain exceptions to national copyright laws in order to allow for the adaptation of print materials (e.g., books, textbooks, and magazines) into formats that are accessible for persons who are visually impaired and print disabled (e.g., Braille and audiobooks) and to distribute accessible format copies, including across borders. The Treaty will therefore help facilitate the cross-border sharing of resources among national organizations that work specifically with the blind and visually impaired.

Our government will introduce amendments to the *Copyright Act* that will enable Canada to implement and accede to the Marrakesh Treaty. These amendments will maintain the important balance between the rights of copyright owners and the freedom of users, which was achieved by our government through the 2012 *Copyright Modernization Act*.

The Treaty will enter into force once 20 eligible parties have ratified or acceded to it. To date, eight countries—El Salvador, India, Mali, the United Arab Emirates, Singapore, Argentina, Paraguay and Uruguay—have ratified or acceded to the Treaty. Once the

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Canada

Treaty is in force, as a member country, Canada would benefit from greater access to adapted materials, giving blind and visually impaired Canadians greater opportunity to participate in Canada's economy, society and job market.

As mentioned in your correspondence, our government also announced changes to the term of copyright protection for sound recordings and performances. We believe that modern copyright laws play a critical role in supporting the economy, innovation and culture. To do so, copyright laws must strike the right balance between the needs of creators and users.

The proposal included in Economic Action Plan 2015 would extend the copyright term of protection for performances and sound recordings from 50 years following publication to 70 years following publication. Unlike the term of protection for other copyright-protected materials (e.g., musical compositions and books), this term of protection is not based on the life of the creator.

Extending the term of protection by 20 years will better position Canadian performers to generate revenue throughout their lives and help foster a strong Canadian recording industry by ensuring that performers and record labels (both foreign and domestic) continue to share in the value of sound recordings that are still valued by consumers 50 years later.

Our government will continue to work with all stakeholders on their copyright issues in preparation for the next mandated review of the Act expected in 2017. This review by Parliament will ensure that the Act remains responsive to a changing environment.

Given that copyright policy also comes under the mandate of the Honourable Shelly Glover, Minister of Canadian Heritage and Official Languages, I have taken the liberty of forwarding your correspondence to her for consideration.

Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Moore', written in a cursive style.

The Honourable James Moore, P.C., M.P.

c.c.: The Honourable Shelly Glover, P.C., M.P.