

Communiqué

Canadian Council of Archives, Association des archivistes du Québec, Association of Canadian Archivists

## **Canadian Archivists Applaud the INDU report on the Statutory Review of the Copyright Act**

Ottawa, July 19, 2019

The Canadian Council of Archives, the Association des archivistes du Québec, and the Association of Canadian Archivists congratulate the Standing Committee on Industry, Science and Technology (INDU) for its [Report 16: Statutory Review of the Copyright Act](#). We also applaud the INDU Committee's statement affirming the INDU report as the authoritative review of the Copyright Act, and noting why it declined to consider the *Shifting Paradigms* document prepared by the Standing Committee on Canadian Heritage. Copyright is an important issue for many Canadians, as evidenced by the volume of written and oral submissions received in the process of the Statutory Review. Making sense of all this information was a daunting task. The report is an excellent example of what a report on a public consultation should be.

While we do not agree with all the report's recommendations, we are extremely pleased with the objective tone and style of the report, particularly its careful and nuanced analysis and presentation of the arguments on all sides of each question, leading to a reasoned recommendation.

The report includes many recommendations that are of primary concern to archives and archivists. We especially welcome the following:

- the recognition of the need to allow for circumvention of technological protection measures for non-infringing purposes,
- the recognition that there is broad consensus on the need to reform Crown Copyright,
- the facilitation of text and data mining for research and analysis,
- the suggestion that in the event of copyright term extension from 50 to 70 years after the death of the creator, the extended protection could be subject to formalities such as registration,
- making the fair dealing purposes illustrative rather than exhaustive, and
- further review of fair dealing after new and authoritative information is obtained.

We particularly welcome the acknowledgement of the urgent need for recognition and protection of Indigenous Knowledge. We hope that the Government will make a firm commitment to providing adequate resources and clear timelines to proceed without delay.

While we understand that these are only recommendations, we believe the report will provide a well-considered roadmap for future amendments to the Copyright Act so it better serves all Canadians. We are prepared to actively engage in the discussions that are part of the process of implementing the recommendations in the Report that are of great concern to archives.

Shared by the Canadian Council of Archives (CCA) Statutory Review Working group, established to examine and address issues related to the Canadian archival community in the current review of the Canadian Copyright Act.

The Working Group is composed of:

Nancy Marrelli, Chair

Jean Dryden, appointed by the Association of Canadian Archivists

Frédéric Giuliano, appointed by l'Association des archivistes du Québec