

Acadian group calls for reform to new bill

■ The AAAPNB one of about 75 cultural groups in Canada calling the 'modernized' Copyright Act, now in Senate, vague

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An Acadian group based in Moncton is part of the movement within the Canadian cultural sector, gunning for Senate to take a closer look at the newly-adopted Copyright Act, known as Bill C-11.

The association acadienne des artistes professionnel.les du Nouveau-Brunswick (AAAPNB) is one of about 75 groups contesting that the modernized act, approved by the House of Commons last week, includes many vague exceptions which could seriously hurt artists trying to make a living in the country.

Bill C-11, meant to crack down on piracy and strengthen intellectual property laws, will allow rights holders to include 'digital locks' on their content.

That includes music, video, e-books and software.

Users can make copies for personal backups, but all other duplication could result in fines.

Louise Lemieux, the president of AAAPNB, says artists, musicians, authors and others working in the cultural sector are set to lose revenue, a harsh reality for an industry where most make a modest living in the first place.

"The first thing we will see from this is a loss of revenue, for sure," she said.

"Although we don't know how much at this point," she added.

"It's hard to know how much of an artist's revenue comes from property rights but even if we cut this in half, we know it'll be very hard on some people."

In its current form, Bill C-11 will also have an immediate impact on the music industry, as the long list

of exceptions could result in the loss of various well-established sources of revenue for artists, creators and producers.

For instance, radio broadcasters will no longer be required to pay rights holders for copies of works kept for less than 30 days, a new exception will allow the reproduction of works if it is an essential part of a "technological process."

The private copying regime will also not be modernized to include digital audio recorders, and so consumers will be allowed to freely use works to create and distribute new "user-generated content" for non-commercial purposes.

The movie, music and software industries were quick to thank the Harper government for how quickly they have moved on the bill, while other groups have remained cautious of the bill.

Library groups, educators, consumer associations and thousands of Canadians have expressed concern over these digital locks, and what it will mean for the distribution of content.

Lemieux says these concerns were expressed in a list of suggested amendments the cultural groups sent to the House to minimize the negative impacts of the new act.

She says that none of them were taken into consideration.

Since the government finds it now "unfair" to tax for intellectual property, she says, the use of organizations such as SOCAN and ARTISTI is becoming an issue.

"The system works well but they say it can't be used for reproduction now," she said.

"But it's not like it's the country's issue. When a tune plays on the radio, the three cents or whatever is not paid to government, it's through one of these outlets. They're not reacting intelligently to the new world of numeric copying."

Lemieux says there are other strategies available to Canada, like in Europe, when someone buys an iPod, they are taxed separately because that person will be reproducing intellectual property.

Or the same type of tax could be included in a small amount on our Internet bills, she said.

Although she admits that the act, as is, will be adopted by the Senate, Lemieux says it's important to keep the public aware of what's going on and how it will impact everyone as citizens.

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