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# Canadian Copyright Act Annotated

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This publication is a comprehensive reference work that provides guidance through annotation of the Act along with interpretation of case law and authorities. Special attention is given to software issues, the Copyright Board, and the interface between industrial designs, designs protected by copyrights and those not protected because of their functionality.

This release features updates to the case law and commentary in Chapter 66.7 (General Powers), 66.8 (Studies), 66.9 (Report), 66.71 (Distribution), 66.91 (Regulations), 67 (Public Access), 67.1 (Filling of Proposed Tariffs); and 70.1 (Collective Societies) of Part VII (Copyright Board and Collective Administration of Copyright) of the *Copyright Act*.

## Highlights

**Part VII — Copyright Board and Collective Administration of Copyright — Copyright Board – General Powers – Model Directive on Procedure** – This directive outlines the procedure the Board usually follows in considering a proposed tariff and objections thereto. The directive aims to ensure that the proceedings are conducted as efficiently and simply as possible, while providing the appropriate procedural safeguards.

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**Part VII — Copyright Board and Collective Administration of Copyright — Collective Administration of Performing Rights and of Communication Rights – Collective Societies** – Access Copyright is a “collective society”. Loosely put—and just highlighting those matters relevant to this case—that means that it obtains remuneration for the benefit of those who, through licence agreements, appoint it as their agent and authorize it to act on their behalf for that purpose. Access Copyright also falls under subsection 70.1(a) of the *Copyright Act*. It “operates a licensing scheme” that applies “in relation to a repertoire of works of more than one author” and “sets out the classes of uses for which and the royalties and terms and conditions on which it agrees to authorize” such things as reproducing the works. Under section 70.12 of the *Copyright Act*, Access Copyright may propose tariffs to the Board: *Canadian Copyright Licensing Agency (Access Copyright) v. Canada*, 2018 CarswellNat 1157 (F.C.A.; 2018-03-22).