

## EXPLANATORY NOTES.

This is a reprint of Bill No. 2 of the session of 1925, as amended and reported by the Special Committee appointed by the House of Commons on February 11th, 1925, which was reported too late to be considered before the close of the session. The minutes of Proceedings and Evidence taken before the Committee were published, in September 1925, as a Blue Book entitled "Special Committee. Bill No. 2 *re* Copyright Bill."

Since 1921, the matter has been laid before Parliament on behalf of the Canadian Authors' Association seeking legislation to implement the protection of the rights of authors, playwrights, composers, artists and publishers, which is not granted by the Copyright Act now in force, though the said Act was supposedly designed for that purpose. No opportunity was, during the preparation of the said Act, awarded to them of submitting their rights for consideration. Most of the amendments adopted by the Special Committee and herein reported have been recommended as timely compromises on several main points of copyright which concern the authors and the dealers in literary and artistic works.

By the terms of the Revised Convention of Berne, 1908, to which Canada now adheres, the rights of many thousands of authors belonging to 30 or 35 different countries, adherent to the Union, were to be fully protected in Canada without the fulfilment of any formality; and, reciprocally, Canadian authors were likewise to enjoy, in every Unionist country, the same protection which Canada granted to Unionist authors. But the Canadian Act fails to afford the necessary remedies in case of infringement, and, contrary to the terms of the Revised Convention, imposes upon authors formalities not contemplated by the said Convention, thus limiting the enjoyment of their rights in Canada. The said Act should be amended in the manner hereinafter submitted, assuring thereby to Canadian authors, in Unionist countries, a treatment similar to the treatment which Canada, by the passing of this Bill, would prescribe and determine.

2. (1) This expression had not been previously defined.

2. (2) Paragraph (*j*) is amended by the addition of the underlined words so as to define the expressions "pirated work" and "pirated copy," used in section sixteen of this Bill.

2. (3) No alterations are made except replacing the words "legal representatives" in the second and third lines of paragraph (*m*) by the words now underlined.