are not literary works. The expression is that dance is an arrangement in time and space using human bodies as design units. This is a technical expression for what we are trying to get at. Perhaps it is the right expression. It does not quite convey what we see. Nevertheless, the idea is that there ought to be protection for these more abstract forms of choreography as well as for the more traditional type which tells a story. This is an interesting advance to see. We have excellent dancers in Canada and excellent choreographers. This is an art form that has really thrived in recent decades. So it is quite proper that we see improved recognition of this art in our new copyright legislation.

The area of industrial design and its overlap or separation from copyright is a very complex one. At present there is a certain amount of uncertainty as to whether industrial design or copyright is the appropriate framework for some particular blueprints, designs and so forth. Our recommendation at committee, something which the Bill respects, was simply to clarify this point of division. There have been lawsuits and there is a certain amount of murkiness as to what the situation is. We have to clarify what comes under copyright, which has very much more extensive protection, and what should come under industrial design legislation.

We should extend the full rights of copyright to what should come only under industrial design. Full copyright protection is, of course, the life of the creator, plus 50 years. That is a very strong form of protection. It would be quite inappropriate and certainly not good for the economy to extend this type of protection for examples of work that should only receive the lesser protection of industrial design.

We are expecting a revision of industrial design legislation. That is another question and not one I will deal with here. We are content to see that there ought to be a careful delineation of roles and to confine copyright to what copyright was really intended to be for, that is, to protect the original work of creators.

[*Translation*]

Creators have been waiting for this Bill a long time. It is a disgrace that we still depend on legislation passed sixty years ago, when we consider the major technological changes that have taken place since then. At the time there were no computers, no software, no television or video-cassettes.

There have also been major changes in the field of artistic expression, in dance and choreography. Choreography used to mean the explanation of a theme or a story. Today, we have form choreography, without a story. The legislation mush be amended to include this type of expression.

There has been a substantial change in the value of the dollar, if we look at inflation over a period of sixty years. For composers, two cents per record side may have been reasonable in 1924 but it certainly isn't now and has not been for some time. We should abolish the right to music reproduction so that composers can get contracts that are fair.

This Bill is going to do just that, since the moral rights provisions under the present legislation are not adequate. Artists and especially painters have told us that an amendment is needed to better protect the integrity of their work. Today, an artist has to produce evidence of prejudice to his name or reputation.

The proposed legislation will extend moral protection and prevent any changes in the original work.

• (1300)

[*English*]

Another part of Bill C-60 would facilitate the establishment of copyright societies. Certainly this development is very much welcomed and very much promoted by the copyright committee.

Individual creators may authorize collectives to manage access to their rights to collect and to distribute royalties collected on their behalf. We already have two very large collective copyright societies in operation for music—CAPAC and PRO Canada. There is also the Union des écrivains du Québec for the administration of photocopying rights. However, the development of similar kinds of copyright societies has been impeded in Canada by competition legislation. There would be the possibility of prosecution under those laws, which has prohibited the formation of other copyright societies.

Under the new law, if a new society formed and filed its rates with the copyright board, it would be exempt from prosecution by the director of investigation for the Competition Act. Instead it could go to the copyright board for an examination of the tariffs set, if the society thought that the tariffs were not in the public interest. However, the society would have to make a case that the tariffs set were not reasonable and were contrary to the public interest. That gives considerable scope to artists to form collectives and ensure that their rights are better protected.

The user and owner of copyright would decide on the rates. There would be an appeal to the copyright board, only if there were an objection by one or the other side, or if there were an objection by the director of investigation for the Competition Act.

Our idea was that we should encourage creative people to get together to protect their rights, to advance their rights, to administer their rights collectively in a way which they certainly cannot realistically do individually, to assume that bargaining will take place in a fair way, and to use appeal to the copyright board only if the parties are unable to resolve their difficulties, or only if it is clear that the public interest has been harmed. We would expect that normally this would not be necessary and that owners and users of copyright would regulate tariffs themselves.

The Copyright Appeal Board is to be given a new name. Its old name was somewhat a misnomer because it was not an