

*The Address—Mr. Gourd*

able, so I invite Hon. Members to pay special attention to that particular rule.

[*Translation*]

**Mr. Robert Gourd (Argenteuil-Papineau):** Mr. Speaker—

**An Hon. Member:** That is going to be a good speech!

**Mr. Gourd:** —I shall, if I may, take a few moments to congratulate you on your election as Speaker of the House. I am sure that with the wisdom and experience gained during the previous session, you will perform your task with exceptional competence.

I also wish to congratulate my colleague, the Member for London West (Mr. Burghardt) who moved the Address in reply to the Speech from the Throne, and the Member for Lévis (Mr. Gourde), who seconded the motion.

Mr. Speaker, to me the Speech from the Throne was extremely important. First of all, we saw that, above party concerns, our Prime Minister has one concern that is world-wide, and that is peace in this world of ours. I am proud to be associated with a Government that wants peace for the peoples of this earth.

[*English*]

Unfortunately, one of the most interesting and promising points in the speech has gone almost unnoticed in the English media. I would like to bring the attention of my English speaking friends to the Government's undertaking to revise, at last, our antiquated Copyright Act. It has been repeated many times that our Copyright Act was adopted in 1924 at a time when modern technologies for the creation and distribution of works of authors were virtually unknown. Even in those days our Act was a copy of the 1911 British legislation. That is 1911, Mr. Speaker, before the advent of talking movies, let alone television, cable distribution, satellites, photocopying, home recording devices and video rental shops. This was before authors began to express themselves through jazz, electro-acoustic music, computer graphics and transcendent performances.

As early as 1953, Mr. Speaker, it was understood that the Copyright Act was no longer meeting the challenge of creation in modern times. The Ilsley Roal Commission of Inquiry was set up and reported on needed modifications in 1956, but none of the recommendations was implemented save for Canada joining the Universal Copyright Convention.

The Economic Council of Canada in 1971 also reported on how the Copyright Act should be amended. Nothing came out of the report. In 1977, Consumer and Corporate Affairs Canada published an exhaustive series of recommendations by Messrs. Keyes and Brunet. These recommendations have resulted in nothing concrete. In 1980, I again tried to bring into focus the impossible situation of creative Canadians by suggesting a special fiscal treatment for their benefits. Since 1924, however, in spite of numerous calls for help, hundreds of briefs, demonstrations in front of this very Parliament, in spite of urgent recommendations from the Applebaum-Hébert

Committee, nothing has changed. Meanwhile, our authors create works that are not adequately protected by copyright, or when their works are protected the protection is so limited in some cases that it is virtually useless.

Cable distributors exploit works without paying a cent to their authors. Composers still receive two cents per record sold. Music is performed in concert for less than one hundredth the price that would be paid for the same performance in any European country. Governments, schools and libraries throughout the land steal the works of authors by photocopying them or taping them without any remuneration at all.

● (1650)

[*Translation*]

This situation could not go on. Like the fairy tale, we were killing the goose that laid the golden eggs. Publishers, record producers and film and video producers are going out of business because they have no control over the manner in which their products are exploited today. Authors, deprived of sources of income, become taxi drivers or run restaurants. Painters hide their works to create an artificial "shortage".

It was therefore high time the Government acted responsibly and concerned itself with the lot of the creative elements in our society. Obviously, what is basically and urgently needed here is a revision of the Copyright Act. The Government is to be congratulated for having understood this, especially since it is a difficult and still rather obscure area which may not seem terribly important to the average citizen. Personally, I am very happy the Government had the courage to decide, even without obvious public support, to settle one of the basic problems of our Canadian culture.

By announcing that it intended to revise the Copyright Act, the Government showed that it was still able to set objectives that will result in benefits for generations of Canadians. Such leadership is to be praised, but at the same time, the Government should be warned against thinking the problem is the same for authors and artists. For artists, including performing artists, the best protection is a good contract. The prudent artist can easily protect himself every time a contract has to be signed, and it very seldom happens that an artist's performance can be exploited without his permission. Authors, on the other hand, rarely sign contracts. As soon as an author's work is known to the public, it can be used without the author ever being consulted. The author's only protection is provided by the Copyright Act, and today, that protection is simply not enough.

In this connection, Mr. Speaker, I recall that last week in the House, the Communications and Culture critic, the tiny perfect mayor—imagine, Mr. Speaker, the tiny perfect mayor finally discovers artists and attacks the Government! But where was this critic in 1979, Mr. Speaker, when I was making my first speech in the House and asked, on that occasion, that the Copyright Act be revised? At that time, that same tiny