

## STATEMENT

ROYAL BANK BUILDING,

Toronto, 27th March, 1925.

*Re* Bill No. 2, Copyright Act, 1921, Performing Right Society, Limited,

W. G. RAYMOND, Esq., M.P.,  
Chairman, Special Committee,  
House of Commons,  
Ottawa.

Dear SIR,—Referring to my evidence as recorded in “Proceedings and Evidence,” No. 4, dated Tuesday, 17th March, 1925, page 138 (top), being cable received from Performing Right Society, London and quoted by me, and also referring to page 139, question by Mr. Ladner, who asked,

(Q) In what respect would the radio free broadcasting be an infringement of the Berne Convention.

(A) That is the statement of my principals which I submit for what it is worth.

I had already previously explained that I was not versed in copyright law, but would be glad to obtain for my principals any information required. They have given me the required explanation and which answers the question. The Performing Right Society, Limited, of London, (my principals) write me as follows:—

“We apprehend you are aware that the Berne Convention (1886), as revised by the Additional Act of Paris and the Berlin Convention of 1908, constituted the contracting States a union for the protection of the rights of authors in their literary and artistic works. Practically all the civilized countries of the world are represented by the Convention in copyright matters, its fundamental principle being that

‘authors who are subjects or citizens of any of the countries of the Union shall enjoy in countries other than the country of origin of the work, for their works, whether unpublished or first published in a country of the Union, the rights which the respective laws do now or may hereafter grant to natives as well as the rights specially granted by the present convention.’”

(Their quotation is article 4 of the revised Berne Convention, as appearing in the second Schedule, page 26, of the Copyright Act, 1921).

“The proposal, therefore, to deprive authors of their rights in regard to the public performance of their works by wireless, would be in direct violation of the principles of the International Copyright Union, to which Canada has signified her adhesion, to take effect from 1st January, 1924.

*Generally.* We consider there is no more justification for depriving the author of his rights in regard to broadcasting, than of any other of the rights which he has been given by statute in practically all the civilized countries of the world. No doubt considerable sums are spent in orchestras, singers and otherwise in providing a broadcasting service for the entertainment of the public. There is no logical reason, therefore, why the copyright owner should not also receive some monetary compensation for the use of his property in that connection.”