

## S. O. 21

The goal in this Act is to protect intellectual property and strike a healthy balance between copyright owners and users. In 1984 the Liberal Government issued a White Paper on copyright entitled *From Gutenberg to Telidon*. In 1985 a Commons subcommittee held hearings across the country on revisions to the Copyright Act and its report became known as a charter of rights for creators. Both documents provided greater protection to those who rely on copyright for their living, the creators of books, songs and other intellectual property.

While we recognize the urgency and priority of new copyright legislation, we must also recognize it is not a solution in and of itself. As stated by the Federal Cultural Policy Review Committee, commonly known as the Applebaum/Hébert report, in 1982, no one should be under the delusion that copyright legislation by itself will solve either the economic or social problems of all authors.

Copyright legislation serves best those authors whose works appeal to large segments of the public wherever in the world they be. It cannot solve the social and economic problems of those authors whose works, although they may have great aesthetic and academic value, will earn very little because they appeal to relatively small numbers of users.

Therefore, I underscore my ongoing concern, and I believe that of the Minister, that passage of this legislation will not suffice for the creators of much of Canada's artistic community. The cultural support programs already in place must continue. I refer to the book publishing policy, postal subsidies, museum assistance, Indian cultural development and art programs, film development programs, funding for sound recording programs, payments to Canadian authors for use of their works in public libraries, cultural initiative programs, assistance to the performing arts, Bill C-58, the advertising regulations for magazines and television, and the simultaneous advertising substitution for cable distributors.

In the report *From Gutenberg to Telidon* we note that the value of the work of Canadian industries concerned with copyright law is now \$10 billion. This is equivalent to 2.2 per cent of the Gross Domestic Product. Actual copyright payments totalled more than \$1 billion. Perhaps a lot of people will find that they knew very little about these facts and figures and will now start to recognize the worth of these industries. If so, they might pay a little more attention. Of that \$1 billion, 67 per cent is paid to Canadian sources and 33 per cent to non-Canadian sources.

It should be noted, however, that the radio and television industries accounted for 75 per cent of the total, with 82 per cent of those payments going to Canadian sources. With respect to the publishing, recording and film industries, just 22 per cent of those payments go to Canadian sources while the remaining 78 per cent was paid to foreign rights owners.

Last month the Government introduced the first of two stages of the copyright revisions. Bill C-60 has received favourable acclaim from Canadian artists. It addresses

computer programs, anti-piracy remedies, the relationship of copyright and industrial design legislation, the Copyright Board, collective management of copyright, moral rights, protection of choreography works, the abolition of compulsory licences for the making of sound recordings, and the right to exhibit artistic works in public.

I would like to give a small amount of background information on the part dealing with computer programs, offences and penalties, which is often referred to as the piracy section. The revenues from systems and application of software and custom software development as forecast for the Canadian software industry was to be in the range of \$1.5 billion in 1986. We are told this Bill will give the software industry the same protection against illegal copying as has already been accorded to books. The software industry estimates that illegal copying has cost it close to \$400 million a year. The legislation will now give software copyright the protection it now gives to books; that is, protection to authors for lifetime plus 50 years. It increases as well the current \$200 maximum penalty to \$1 million or a five-year prison term. Thus, the Bill recommends penalties which will be efficient and effective deterrents.

● (1100)

Casey August, Director of Intellectual Property at IBM Canada Limited, a major software developer as well as the country's largest computer company, says:

It is important that the legislation very clearly states that it is the message that is protected without reference to the media on which it is recorded.

Casey wants legal protection, not only for diskettes but for microchips, compact disks, and other media containing proprietary information.

**Mr. Speaker:** I very much regret to interrupt the Hon. Member. I hope I have interrupted at a point at which her very interesting speech can be continued very easily when she resumes debate. However, it is now time for Statements by Members.

## STATEMENTS PURSUANT TO S. O. 21

[English]

## INDIAN AFFAIRS

## TREATY TERMS—ALLEGED VIOLATIONS

**Mr. Keith Penner (Cochrane—Superior):** Mr. Speaker, the Oxford Dictionary defines a treaty as a formally concluded and ratified agreement between nations, one that a country is bound by. Canada has a number of treaties with Indian nations within Canada. These treaties are recognized and affirmed in our Constitution.

Treaty No. 9 in northern Ontario was signed in 1905, and ten years ago Treaties Nos. 6 and 7 in western Canada observed the centennial commemoration of their treaties and focused attention on the meaning of these documents. The