

Senator Prowse: No, but 1.1, 1.2, 1.3—that is a little different numbering?

Mr. Gray: That is the system that we were asked to use.

Senator Prowse: This particular form of numbering is an American form of numbering.

Well, what I wanted to get to is this business of copyright. What is your complaint about the Copyright Act and I do have a copy of the Act here if somebody wants to play with it.

The Chairman: Mr. Knight?

Mr. Knight: Well, there are a number of areas in the Copyright Act which we feel need to be tightened in some way. There are a number of needs in Canadian education that need to be looked after from the point of view of the Copyright Act; but our chief concern is in broadcasting of course.

A writer at the moment makes contractual arrangements with a broadcaster and always, until the time of the introduction of cable, the broadcaster had control over the disposition of that work. That is no longer true. With cable, it is quite possible for a cable operator to pick a broadcast up and distribute it in an area which was perhaps not reflected in the original copyright or in the original contractual arrangement with the writer.

Now, the Copyright Act is in such vague terms that it is not clear as to whether or not the writer has protection for the use of his intellectual material. The cable operator disassociates himself from any responsibility in this matter and because of the advent of the technical uses that can be put by cable satellite and what you will, I think the Copyright Act needs to be up-dated to reflect the technology of today.

The principal purpose of copyright is to safeguard intellectual material, so that the person creating the material can operate within a profession and provide that material for the benefit of society. He must be able to live and the only means he has to live is through the protection the Copyright Act gives him. If the Act doesn't do that, it needs to be changed in order to serve those purposes. This is our main feeling and we are concerned with updating it so it reflects the technical reality of today.

The Chairman: Mr. Gray?

Mr. Gray: Did you have a specific opportunity to see the specific recommendations that we have made?

Senator Prowse: I read your brief yesterday.

Mr. Gray: I think that Mr. Knight has covered the major points but it is the mechanical change. The other thing is that it seems to us to be very important that Canada participates in the international agreement at the highest level.

Senator Prowse: And you are referring there to a Swedish one.

Mr. Gray: Yes, it is the Stockholm version.

Senator Prowse: Is that bringing something new to copyright, because I didn't have a copy of that and I didn't know where to get one.

Mr. Gray: I believe it is the opinion of those who drafted it that it is the best wording and it covers most of the technology up until three or four years ago. I think it provides certain options which countries can contract out and so on, but the thing that made it difficult, of course, and the reason it hasn't been adopted widely was the protocol and of course the countries are now in the process of sorting that out among themselves.

Generally we hope that Canada will see its way clear to adopt a copyright legislation internally at its highest level and to enter into the international agreement at the every highest level because this is tremendous protection for the Canadian career.

Senator Prowse: So there is not really any great change—it is just a matter of catching up with new situations created by changing technology.

Mr. Knight: Yes.

Mr. Gray: I think it is only fair for us to point out that we have suggested that there be certain changes in the Canadian Act. For example, one of the ones which I would hope to see widely debated in this country is in regards to education. Now, there are certain exceptions for education now, but the technology is such and the use of material in education is such that it looks to us as if that is an area we can examine very carefully. The usual example is that nobody objects to buying the books and nobody objects to