Letter to the Canadian Society of Authors

When the question of giving the Royal assent to the Canadian Act of 1889 was under discussion between the Imperial and Canadian Governments, Sir John Thompson, then Minister of Justice, did not contend that the Canadian Act would be consistent with the Berne Convention, in fact he admitted that before the proclamation bringing the Act into force could be issued the Home Government must be asked to denounce the Convention on behalf of Canada, and that the obtaining of an Imperial Order-in-Council was necessary for releasing Canada from the operation of the International Copyright Act of 1886, which made the Berne Convention operative throughout the Empire.

The effect in Canada of our withdrawal from the Convention would be as follows:—"The author of a book first "published in London would still by virtue of the Imperial "Acts before 1886 have copyright in Canada. But the "author of a book first published in Canada would cease to "have copyright in the United Kingdom or in Australia, "or in any country belonging to the Copyright Union. And "the author of a book first published in Australia or in any "other British possession except Canada or in France or in "any other foreign country belonging to the Copyright Union "would cease to have copyright in Canada."

The Imperial authorities were opposed to the Canadian Act of 1889 becoming law upon the grounds that:

"It would involve abandonment of the policy of International and Imperial copyright which Her Majesty's Government had adopted, and to which Canada had assented in 1886.

"It would be at least open to the charge of being inconsistent with the declaration as to the law of the United

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