



CANADIAN PRIVATE COPYING COLLECTIVE
SOCIÉTÉ CANADIENNE DE PERCEPTION DE LA COPIE PRIVÉE
150 Eglinton Ave. East, Suite 403
Toronto, Ontario M4P 1E8
416 486 6832
1 800 892 7235
416 486 3064 [FAX]
www.cpcc.ca

CPCC C-32 Submission

Background

The Canadian Private Copying Collective (CPCC) is the non-profit organization responsible for collecting private copying royalties and distributing them to songwriters, performers, music publishers and record companies, as well as promoting the interests of rights holders as they pertain to private copying. For over a decade, the CPCC has represented copyright holders before the Copyright Board of Canada. The Board establishes the levies that may be collected after trial-like hearings where experts, representing music rights holders and organizations that represent consumers and businesses that sell leviable blank media, present evidence and are cross-examined.

The private copying levy has been an important part of the Canadian copyright regime since 1999, when the first private copying tariff was certified by the Copyright Board, following amendments made to the *Copyright Act* (the “Act”) in 1997 to allow for a levy to be placed on blank audio recording media. Currently, the levy only applies to blank CDs and MiniDiscs, at a rate of 29 cents per unit, and is paid by manufacturers and importers of these blank media to the CPCC for distribution to rights holders.

The private copying levy has provided an effective mechanism whereby consumers are allowed to make copies of music for their personal use without infringing copyright and, in exchange, music creators receive royalties that recognize the value of private copies of their work. This solution, which addresses the widespread and unstoppable illegal copying of music, has been very successful, with the CPCC distributing close to \$200 million to music rights holders since 2003.

The New Reality: Digital Audio Recorders

Music creators currently face a problem that is both straightforward and urgent. The revenue from the levy on blank CDs and MiniDiscs is declining rapidly, as these media become obsolete as a means for copying music. As a result, the compensation that music rights holders receive for the private copying of their work is drying up, even as copying increases. In 2008, the amount available for distribution to rights holders was \$27.6 million. By 2009, that amount had dropped to \$19.8 million. For 2010, the forecast is a further drop, to \$10.8 million. In the past three years, revenue to rights holders from the private copying levy on CDs and MiniDiscs has declined 60%, and this decline has not been offset by revenue from the devices currently used most to copy

music for the simple reason that the law, as it has been unfortunately interpreted, does not allow for it.

Currently, the levy cannot be applied to digital audio recorders (DARs) because the Federal Court of Appeal ruled that they are not covered by the definition of blank audio recording media as contained in the *Act*, even though the *Act* defines “audio recording medium” as “*a recording medium regardless of its material form, onto which a sound recording may be reproduced and that is of a kind ordinarily used by individual consumers for that purpose(...)*”. DARs, more commonly known as MP3 players, such as the iPod, are now the device of choice for copying music. In Canada, these devices are used to copy 70% - and climbing - of the 1.3 billion songs copied annually. With no levy applicable, rights holders receive no compensation for the vast majority of private copies of their work.

Canadians support the idea of fair compensation for music creators. A survey undertaken on behalf of the CPCC in 2010 by Praxicus Polling showed that two-thirds of respondents believe that those who create music recordings should be paid when private copies of their music are made.

The primary purpose of DARs is to copy and store music (90% of what is copied onto DARs is music). Music copying is what gives DARs their value to consumers and, from the point of view of those who sell them, is by far the most significant driver of the price that can be charged for them. Given these circumstances, it is unfair that music creators do not receive any compensation for the use of their work, while the businesses producing and selling the DARs that are used to copy music receive market value for their product.

C-32 Does Not Solve the Problem

Extending the levy to MP3 players can be easily accomplished by a simple amendment to the *Act*, ensuring that the definition of blank audio recording media includes devices. The amendment required to section 79, Part VIII of the *Act* would replace the existing definition of “an audio recording medium” with a definition of “an audio recording medium or device”. Unfortunately, Bill C-32 does not include such an amendment or any other amendment which would have the same effect.

Instead, the format shifting provisions proposed in Bill C-32 would allow individuals to copy music without authorization, subject to limitations, and in particular that the source copy must have been legally obtained. However, most music copying onto DARs would remain illegal since the majority of copies are made from source copies that were not legally obtained. Only 15% of music copied onto DARs comes from legal (paid or promotional) downloads and 28% from other legally obtained source copies.

The CPCC understands the importance that music consumers place on being able to shift their music from one platform to another, and agrees they should be able to do so in a seamless manner. However, Bill C-32 should address music creators' interests as well as those of consumers. The economic value of reproducing music in order to make it portable must be recognized. Rights holders deserve to be compensated for all private copies made of their work, regardless of how a copy is made.

By extending the application of the levy as described above, private copying using DARs would be legal and rights holders would be compensated. As it is now, the format shifting provisions of Bill C-32 create a situation where the value of copies made onto blank CDs or MiniDiscs would continue to be recognized, but the value of making private copies for precisely the same purpose onto DARs would not. This creates an inconsistent and unfair two-tier private copying regime.

Proposed Amendment to C-32

The CPCC cannot support legislation which would strip creators of their right to be compensated for the use of their work. Ideally, Part VIII of the *Act* would be modified to restore the originally intended purpose of the private copying regime. But Bill C-32 does not propose any amendment to Part VIII and so, at this stage, an amendment to Part VIII can only come from government. As a result, the CPCC is proposing to amend subsection (3) of the new section 29.22 which would be introduced into the *Act* by section 22 of Bill C-32 under the heading *Reproduction for private purposes*. The proposed amendment is the underlined sentence in the following excerpt:

29.22 (1) It is not an infringement of copyright for an individual to reproduce a work or other subject-matter or any substantial part of a work or other subject-matter if

(a) (...)

(b) the individual legally obtained the copy of the work or other subject-matter from which the reproduction is made, other than by borrowing it or renting it, and owns or is authorized to use the **medium or device** on which it is reproduced;

(c) (...)

(d) (...)

(e) (...)

Meaning of “medium or device”

(2) For the purposes of paragraph (1)(b), a **“medium or device”** includes digital memory in which a work or subject-matter may be stored for the purpose of allowing the telecommunication of the work or other subject-matter through the Internet or other digital network.

Limitation - audio recording medium

(3) In the case of a work or other subject-matter that is a musical work embodied in a sound recording, a performer’s performance of a musical work embodied in a sound recording or a sound recording in which a musical work or a performer’s performance of a musical work is embodied, subsection (1) does not apply if the reproduction is made onto an audio recording medium as defined in section 79. For greater certainty, it is deemed always to have been the law that “recording medium” referred to in the definition of “audio recording medium” in section 79 includes a “medium or device” as used in this section 29.22.

Passage of this amendment would make it possible for the CPCC to ask the Copyright Board to approve a levy that would apply to MP3 players such as the iPod.

No Basis for Fear of Excessive Rates

An amendment allowing the private copying levy to be extended to DARs will provide fair compensation to rights holders but does not mean that there will be an undue financial burden on consumers. In 2003, before the Federal Court ruled that the current wording of the legislation did not allow for a levy on devices, the Copyright Board set the levy on DARs at a range between \$2 and \$25, depending on the memory capacity of the device. The CPCC believes that this range is still valid today, but that determination would be up to the Copyright Board, based on the evidence and representations of interested parties in a public hearing process.

If legislators remain concerned, however, with the lack of certainty as to what the amount of the levy would be, the *Act* makes effective provision for the issue to be resolved by way of a regulation. The regulation could provide for a transitional cap on the amount of the levy.

The *Act*, as it currently reads, provides that in exercising its power under Part VIII, the Copyright Board *"shall satisfy itself that the levies are fair and equitable, having regard to any prescribed criteria"* (subsection 83(9)). Section 87 provides that *"The Governor in Council may make regulations (...) (b) prescribing anything that by this Part is to be prescribed..."*. **There is, therefore, no legitimate basis for fear that levy rates would be set at an excessive level.**

No Basis for Fear of a Levy on All Devices with a Hard Drive or on Any Inappropriate Device

The *Act* also makes provision for the Governor in Council to limit the scope of qualifying “devices” by regulation. Specifically, the definition of "audio recording medium" at section 79 of the *Act* permits the Governor in Council to prescribe by regulation that a particular type of "recording medium" is not an "audio recording medium".

The process set out in the *Act* is one that would provide advance notice of any medium or device on which the CPCC wished to collect a levy. The CPCC must file a proposed tariff by March 31st of the year prior to the year in which the levy would come into effect. If the CPCC sought a tariff on a device deemed inappropriate, the Governor in Council could issue a regulation that prevented the Copyright Board from considering such a request. **There is, therefore, no legitimate basis for fear that a levy would be imposed on all devices with a hard drive or on any device to which a levy should not apply.**

Fairness for Creators and Consumers

The private copying levy has answered an important need for both consumers and music artists in Canada, but it now needs to be brought up-to-date to ensure that it reflects how copies of music are actually made today. Without an amendment like the one the CPCC now proposes, Canadians’ private copying activity will increasingly be illegal, and royalties to music creators to compensate for the massive private copying of their work will continue the decline which began three years ago. An important – and often vital – source of revenue for creators will soon disappear.

The private copying levy is not a tax, nor is it charity or a subsidy program. The revenue does not go to the government, nor does it support the provision of public services. This is *earned* income, not a handout, for music creators. This income can make the financial difference between continuing to create and abandoning music altogether.

The extension of the private copying levy has strong support across the stakeholder spectrum. Attached are letters of support from 19 organizations, 357 English language and 117 French language artists, who are all strongly in favour of the CPCC’s position that the private copying levy should be extended to DARs to provide compensation to songwriters, music publishers, artists and record labels.

One of the stated goals of the government when introducing Bill C-32 was to strike a balance between the interests of consumers and rights holders. That balance requires that the levy be updated, taking into account the new technologies being used by consumers to copy music. This means allowing the levy to apply to DARs and permitting consumers to copy music onto such devices without infringing copyright. The result would be fair for both rights holders and consumers.

November 2, 2010

The Honourable Tony Clement
Minister of Industry
Government of Canada
Ottawa, ON
K1A 0A6

The Honourable James Moore
Minister of Canadian Heritage
Government of Canada
Ottawa, ON
K1A 0A6

Dear Ministers;

As strong supporters of the principle of efficient and effective copyright laws that will be the underpinning of a digital society based on intellectual property and which will contribute greatly to Canada's prosperity in the 21st Century, the undersigned organizations are strongly supportive of the position of the Canadian Private Copying Collective with regards to compensation to songwriters, music publishers, artists and record labels for use of their works. The issue that is of major concern is that of a levy on Digital Audio Recording devices (DAR) such as MP3 players.

We agree with the CPCC that the exclusion of compensation to creators for the copying of sound recordings onto these devices as proposed in Bill C-32 is unjustifiable.

Given the reality of technology and usage in the modern world, a Copyright Act that effectively says that our creative work is valueless in this process is unacceptable.

We concur completely with the arguments and concerns expressed by the CPCC and are totally supportive of their representatives and lobbying in this regard.

Yours Sincerely,

Alliance of Canadian Cinema, Television and Radio Artists National
ARTISTI

Association québécoise de l'industrie du disque, du spectacle et de la vidéo

Canadian Actors' Equity Association

Canadian Artists' Representation

Canadian Conference of the Arts

Canadian Federation of Musicians

Canadian Independent Music Association

Canadian Music Publishers Association

Canadian Musical Reproduction Rights Agency

Musicians' Rights Organization Canada

Professional Music Publishers Association

Quebec Collective Society for the Rights of Makers of Sound and Video Recordings

Regroupement des associations d'artistes en arts visuels du Québec

Société professionnelle des auteurs et des compositeurs du Québec

Society for Reproduction Rights of Authors, Composers and Publishers in Canada

Society of Composers, Authors and Music Publishers of Canada

The Writer's Union of Canada

Union des artistes

cc:	Charlie	Angus	MP	
	Robert	Bouchard	MP	
	Marc	Garneau	MP	
	Carole	Lavallée	MP	
	Brian	Masse	MP	
	Pablo	Rodriguez	MP	
	Eric	Baptiste	Chief Executive Officer	SOCAN
	Gerald	Beaulieu	President	CARFAC
	Lytte	Bouchard	Executive Director	SOPROQ
	Mario	Chénart	President	SPACQ
	Ferne	Downey	President	ACTRA National
	Solange	Drouin	Vice-President of Public Affairs and Executive Director	ADISQ
	Alain	Lauzon	General Manager	SODRAC
	Raymond	Legault	President	UDA
	Lise	Létourneau	President	RAAV
	Duncan	McKie	President	CIMA
	David	Murphy	President	APEM
	Marie Denise	Pelletier	President	ARTISTI
	Alain	Pineau	National Director	CCA
	Caroline	Rioux	Vice-President, Operations	CMRRA
	Len	Lytwyn	Executive Director	MROC
	Arden R.	Ryshpan	Executive Director	CAEA
	Catharine	Saxberg	Executive Director	CMPA
	Bill	Skolnick	Vice-President	Canadian Federation of Musicians
	Deborah	Windsor	Executive Director	The Writer's Union of Canada

November 24, 2010

Hon. Tony Clement, Minister of Industry
Hon. James Moore, Minister of Canadian Heritage
House of Commons
Parliament Buildings
Ottawa, Ontario K1A 0A6

Dear Ministers Clement and Moore,

Thank you for your efforts to date in modernizing Canada's copyright law. As you know, that legislation has a tremendous impact on us, Canada's songwriters and recording artists, and on our ability to earn a living from the music we create.

We are pleased with some aspects of the proposed new copyright legislation, Bill C-32, such as how it would legalize the everyday activity of copying music to MP3 players like the iPod. We want Canadians to be able to enjoy our music wherever they go. However, it is very disappointing and unfair that the proposed legislation does not include compensation for creators when copies are made of their music onto MP3 players.

Thirteen years ago, in recognition of the fact that copies of music have value, Canada's private copying levy was established to provide compensation to artists when their music was copied to cassette tapes, blank CDs and other types of blank media commonly used for that purpose. Over the years, more than \$180 million has been paid out to the rights holders who created the music that was copied: songwriters, recording artists, music publishers and record labels. The revenue from the current levy is drying up at an alarming rate, dropping 60% from 2008 to 2010, and yet the number of private copies made of our work is not decreasing. Soon artists will receive no compensation for the millions of copies made of our work.

Again, it is important to stress how much we, the artists, rely on the proceeds of the levy. We are truly not, and have never considered ourselves to be, a class of elites. In reality, most of us struggle to eke out a living. Recording an album is exceedingly expensive and labour intensive. We pour everything we have into our projects and we then work ceaselessly to tour and promote our music, which is again, extremely costly. If our work does catch on and people want to enjoy our music on various media, should we not be compensated for those copies?

By leaving the private copying levy as is, applying to blank media such as CDs, you obviously recognize that these copies have value. Why would you not take the technologically neutral approach and extend it to MP3 players? Just because it is easy to make digital copies of our art, does that mean that they are worthless? MP3 players are this generation's version of blank media. A copy is a copy and the principle of fair compensation for rights holders should apply whether the copy is made onto blank media or MP3 players.

Please be fair and extend to us the same consideration you have shown consumers by protecting our interests alongside theirs. We know that you do not want to see a Canada that is devoid of musicians and songwriters, but without fair and balanced treatment, that may be the tragic consequence. We are not asking for charity, but only for the recognition that our work has value. And, we ask that this sentiment be reflected in the new copyright bill.

Yours truly,

Aleesia , Brian Allen (Toronto) , Chad Allen , John P. Allen , Colin Amey , Jorn Juul Anderson , Adele Armin , Drew Arnott , A-Track , Julian Austin , Eva Avila , Mary Aziz-Stoetzer , Robin Bachman , Tim Bachman , Bobby Baker (The Tragically Hip) , Travis Barfoot (The Mission District) , Pat Barrett , Eli Barsi , Robert Bartolucci , Steve Bays , Rick Belanger , Dave Benedict , Adam Benning , Bruce Berger , David Betts (Honeymoon Suite) , Dave Bidini , Jeff Bird (Cowboy Junkies) , Jully Black , Mike Boltz , Teddy Borowiecki , Russ Boswell (Parachute Club) , Jim P. Boudreau , Helen Boulding , Fallon Bowman , Graham Boyle , Peter Boynton , Daenen Bramberger (The Midway State) , Mark Branconnier , Paul Brennan , Ron Briggs , Scott Brightam , Lisa Brokop , Valare Bromley (Beneficiary of Ted Kowalski - The Diamonds) , Barry Brown (Family Brown) , Charity Brown , Divine Brown , Greg R. Brown , Jim Bryson , Jay Buettner , John J. Burton , Terry Bush , Derry Byrne , John Calabrese , Kerrigan Carbol , Karin Carlson , Stephen Carroll (The Weakerthans) , Roberta Carter Harrison (Wild Strawberries) , Bruce Cassidy , Izzodore Cenyano (The Envy) , Megan Chandler , Paul Chapman , Henry Christian , Micheal Philip Christie (G4) , Jarvis Church , Evan Clark (The Mission District) , Terry Clements (Lightfoot) , Ray Coburn , Tom Cochrane , Ray Cockburn , Stompin' Tom Connors , Victor Constanzi , Marg Conway , Brian Cooper , Shawn Creamer (The Beauties) , Chris Cresswell , Ian Crichton , Chris Crippin (Hedley) , Colin Cripps , Al Cross , Chris Cummings , Amelia Curran , Sean Dalton (The Trews) , Jon Darbey , Karen David , Arron Davis , Carlos Del Junco , R. Deschamps , Hugh Dillon , Davide DiRenzo , Richard Dodson (Stampede) , Luke Doucet , Herry Doucette , Mike Downes , Derek Downham (The Beauties) , Gord Downie , Damhnait Doyle , Terry Draper , Melanie Durrant , Kathleen Edwards , mark Eisenman , Rik Emmett , Teresa Ennis , David Faber (Faber Drive) , Megan Fanning , Johnny Fay (The Tragically Hip) , Troy Feener , Nathan Ferraro (The Midway State) , Sandra Fiddes , Debbie Fleming , Murray Foster , Steve Fox , Mike Francis (Lightfoot) , Shaun Frank (The Envy) , Simon Fryer , Rena Gaile , Mark Gane (Martha and the Muffins) , Amos Garrett , Alice Glass (Crystal Castles) , Dallas Good (Sadies) , Matthew Good , Eric Gosselin , Rex Goudie , Lawrence Gowan , Anthony W. Grace , Jenn Grant , Julie Gravett , James Gray (NO Arbuckle) , Brian Greenway (April Wine) , Derry Grehan (Honeymoon Suite) , Gary Gross , JK Gulley , Randy Gulliver , Darren Gusnowsky , Daryl Gutheil , Trevor Guthrie (Soul Decision) , Emily Haines (Metric) , Keith Hampshire , Mike Hand (The Mission District) , Sarah Harmer , Dave Harrison , Ken Harrison , Tara Lynn Hart , Ron Hawkins , Hayden , Kevin Hearn , Angela Hewitt , Ron Hiller , Ian Hodges , Jacob Hoggard (Hedley) , Sean Hosein , Brian Hughes , Terry Jacks , Bruce Jacobs , Logan Jacobs , Bonnie James , Rob James , Jacki Ralph Jamieson , Lionel Dean Jarvis , Carly Rae Jepsen , Brad Johner (Johner Brothers) , Doug Johnson (Loverboy) , Kit Johnson , Martha Johnson (Martha and the Muffins) , Molly Johnson , Roy Johnstone , David Jonsson , Marc Jordan , Sass Jordan , Harry Kalensky , Keith Kanashiro , Ethan Kath (Crystal Castles) , Greg Kavanagh , Tom Keenlyside , Angela Kelman , Roy Kenner (Mandala) , Todd Kerns , Ross Kerr , Sonny Keyes , Sean Kilbride , Andy Kim , Floyd King , Ronnie King , Mike Kirsh (The Midway State) , Russell D. Klyne , Nick Krishna , Chad Kroeger (Nickelback) , Tyson Kuteyi ,

Bernie Labarge , Marc LaFrance , Mark Lalama , Mary Jane Lamond , Timothy Lamson (Metric) , Paul Langlois (The Tragically Hip) , Claire Lawrence , Rick Lazar , Ranee Lee , Arielle Legere , Jason Levine , Michael Levine , Jeremy Liddle (Faber Drive) , Colin Linden , Aaron Lines , Bob Livingston , Barry Lloyd (Richie Knight and the MidKnights) , Bill Loop , Greg Lowe , Jonathan Luccock (The Envy) , Paco Luviano , Paul MacAusland , Colin MacDonald (The Trews) , John Angus MacDonald (The Trews) , Tom MacDonald (Hedley) , Trevor MacGregor (Treble Charger) , Suzie MacNeil , Dayna Manning , Barbara Mantini , Glenn Marais , Kenneth Marco , John Marmora , Michael Massaro , Steve Mastroianni (The Envy) , Craig McCaw , Melissa McClelland , Andrew McCracken , Darin McDonnell (The Beauties) , Donnie McDougall , Diana McIntosh , Kevan McKenzie , Britt McKillip , Carly McKillip , Tom McKillip , Mark McLean , Bryan McLellan (Vega 4) , Holly McNarland , Nicole Mehta , Brian Melo , Victor Micallef (Canadian Tenors) , Joseph Millar , Sophie Milman , William Mimnaught , Lyle Molzan , Deborah Mae Moore , Gil Moore (Triumph) , Lori Morrison , Peter Mueller , Daniel Mulholland (The Envy) , Gary Munn , Anne Murray , Clifton Murray (Canadian Tenors) , Alannah Myles , David Myles , Colin Nairne , Nancy Nash (Sazacha Red Sky) , Kathy Naumann , Jeffrey Neill , Chris Neilson-Smith , Vince Nudo (Priestess) , Fergus O'Byrne , Ray Parker , Kenneth Pearson , Remigio Pereira (Canadian Tenors) , Gary D. Peterson , Paul Pfisterer (The Beauties) , Joel Plaskett , Jason Plumb , Carole Pope , Kalan Porter , Kaylen Prescott , Kelly Prescott , Randall Prescott , Jordan Prichett (Faber Drive) , Murray Pulver (Doc Walker) , Les Quitzao , Paul Rameriz , David Rancourt (The Mission District) , Jimmy Rankin , Donald Reed , David Leonard Reimer , Owen Richards (Colour of Fire) , Dan Roberts (Crash Test Dummies) , Sam Roberts , Antoine Felix Rochette-Thivierge (The Mission District) , Ray M. Roper , Kathryn Rose , Dave Rosin (Hedley) , Robert Rousseau (The Mission District) , Serena Ryder , Gordie Sampson , Don Schmid , James Shaw (Metric) , Gordie Sheard , David Sigmund , Gord Sinclair (The Tragically Hip) , Johnny Sinclair , Ken Sinnaeve , Amy Sky , Sarah Slean , Brian W. Smith (Trooper) , Jodi Smith , R. Harlan Smith , Steven A. Smith , Dave Somerville , Timothy Stacey , Leslie Stanwyck , Kevan Staples (Rough Trade) , Morry Stearns , Ryan Stewart , Tommy Stewart , John Stockfish , Kim Stockwood , Shade Stone (Ignazio Pipitone) , Wayne Stone , Amanda Stott , Andrew Stricko (Faber Drive) , Kurt Swinghammer , Jack Sypereck (The Trews) , Chris Tait , Chris Taylor-Munro , Mihai Tetel , Dave Thorsteinson (Doc Walker) , Blair Thorton (BTO) , Martin Tielli , Brent Titcomb , Liam Titcomb , Ken Tobias , Frank Troiano , Gina Troiano , Mike Turner , Ryan Tweedle , J.R. Vautour , Norm Walker , Don Walsh (Downchild) , Fraser Walters (Canadian Tenors) , Dave Wasyliw (Doc Walker) , Tom Watrous , John Webster , Steven D. Webster , Gary Weeks , Jesse Weeks , Tim White (Headstones) , Rick Whitelaw , Ken Whiteley , David Wilcox , Denny Will , David Willis , Joshua Winstead (Metric) , Mike Wise (The Midway State) , Royal Wood , David Woodward , Hawksley Workman , Graham Wright , David Young , John P. Zahal , Jack Zaza , Michael Zweig , Elliott Brood and the Rheostatics.

Publié le 03 juin 2010 à 11h01 | Mis à jour le 03 juin 2010 à 11h07

Point de vue

Le gouvernement Harper nous réduit au silence!



Le collectif d'artistes demande au gouvernement conservateur d'étendre la perception des redevances de la copie privée aux enregistreurs audionumériques tels que le iPod et les autres lecteurs MP3.

Zéro. Voilà à quoi correspondra la valeur des redevances distribuées aux artistes du domaine de la musique pour les copies de leur travail si rien n'est fait pour moderniser le régime de la copie privée.

Aussi, nous pressons le gouvernement conservateur d'étendre la perception des redevances de la copie privée aux enregistreurs audionumériques tels que le iPod et les autres lecteurs MP3 dans le cadre de sa refonte de la Loi sur le droit d'auteur.

En effet, de telles redevances sont présentement perçues sur les cassettes et les CD vierges en vertu du régime de la copie privée, régime créé, rappelons-le, afin de compenser nos pertes de revenus découlant de la copie de la musique. Mais qui utilise encore de tels

supports? Avons-nous besoin de souligner que les enregistreurs audionumériques ont, de loin, supplanté les cassettes et les CD audio vierges chez les consommateurs? Que copier de la musique sur une cassette vierge, sur un CD vierge ou sur un enregistreur audionumérique, c'est du pareil au même?

En fait, nous demandons simplement au gouvernement d'étendre une mesure qui existe déjà aux supports et aux appareils que les gens utilisent désormais pour copier notre musique. Nous lui demandons de faire entrer la Loi sur le droit d'auteur dans le XXI^e siècle!

Mais le gouvernement refuse obstinément de se pencher sur cette question en prétextant que le fait d'étendre les redevances aux enregistreurs audionumériques équivaudrait à ajouter une nouvelle taxe! Rien n'est plus faux: ce n'est pas une taxe, c'est notre gagne-pain!

Voici sept raisons d'étendre les redevances aux iPod et autres lecteurs MP3 :

- 1) En 2008-2009, 70 % de la musique copiée l'était sur des enregistreurs audionumériques ne générant aucun revenu pour les créateurs.
- 2) Les redevances disponibles pour la distribution auront ainsi chuté de 60% en 2010 par rapport à 2008.
- 3) Les consommateurs du Québec, par le biais de l'Union des consommateurs, appuient notre demande.
- 4) Une motion déposée par le Bloc Québécois visant à étendre les redevances de la copie privée aux

enregistreurs numériques a été appuyée par le Comité permanent du Patrimoine canadien.

5) Les députés de la Chambre des communes ont, en avril 2010, voté majoritairement en faveur de cette motion.

6) Les fabricants et les concepteurs d'enregistreurs numériques sont rémunérés pour leur travail. Les artistes de la musique devraient l'être tout autant. Après tout, que vaut un tel appareil sans la musique?

7) Les revenus des artistes se réduisent comme une peau de chagrin depuis l'avènement du numérique.

Ce refus du gouvernement conservateur de consentir aux artistes de la musique les redevances de la copie privée qui leur reviennent de droit sonne faux! Imaginez un monde sans musique, sans chansons...C'est pourquoi nous demandons au premier ministre Stephen Harper de jouer juste!

Signataires:

Benoît Archambault, Stéphane Archambault, Marie Claude Arpin, Marie Pier Arthure, Martin Bachand, Jean-François Bastien, Stéphane Beaudin, Emily Bégin, Alexandre Bélliard, Philippe Berghella, Alain Bertrand, Sylvain Bertrand, Marguerite Bilodeau, Yanick Boivin, Luc Boivin, Emilie Bond, Nathalie Bonin, Ingried Boussaroque, Jean-François Breau, Xavier Caféine, Cassioppé, Luc Catellier, Mario Chénart, Sylvain Cossette, Pascale Coulombe, Denis Courchesne, Michel Cusson, JP Dalpé, Paul Daraïche, Julie Dassylva, Luc De Larocheillère, Maxime Desbiens Tremblay, Martin Deschamps, Sylvie Desgroseilliers, Étienne Drapeau, Luce Dufault, Pascal Dufour, Alexis Dufresne, Michel Duguay, Michel Dupire, Catherine Durand, David Étienne Durivage, Stéphane Dussault, Monique Fauteux, Louise Forestier, Marie Hélène Fortin, Steve Gagné, Manuel Gasse, Antoine Gratton, Jean-François Groulx, Amélie Hall, Steve Hill, Frannie Holder, Marie-Ève Janvier, Lynn Jodoin, Ivanhoe Jolicoeur, Jorane, Diane Juster, Florence K, Véronique Labbé, Bruno Labrie, Sébastien Lacombe, Nicolas Landré, Robert Langlois, Amélie Larocque, Matt Laurent, Daniel Lavoie, Wilfred Lebouthillier, Catherine Ledoux, FM Lesieur, Dominique Lévesque, Manon Lévesque, Annie Major Matte, Nicolas Maranda, Robert Marien, David Marin, Steve Marin, Michaël, Jérôme Minière, Ariane Moffatt, Marjolène Morin, Michel Pagliaro, Éloi Painchaud, Jonathan Painchaud, Sylvie Paquette, Kevin Parent, Mario Pelchat, André Pelletier, Bruno Pelletier, Marie Denise Pelletier, Hugo Perreault, Marc André Petel, Richard Petit, Paul Piché, Sébastien Plante, Alain Quirion, Vincent Rehel, Judi Richards, Kim Richardson, Michel Rivard, Simon Robitaille, Lise Roy, Bertil Schulrabe, Richard Séguin, Stefie Shock, Martine St.Clair, Julie St-Pierre, Maxime St-Pierre, Lynda Thalie, Jocelyn Thellier, Toyo, Mara Tremblay, Louis Valois, Stéphane Venne, Annie Villeneuve, Andrée Watters, Nanette Workman

© 2000-2010 Cyberpresse inc., une filiale de Gesca. Tous droits réservés.