

Schools could feel the effects of *Copyright Act* amendments

Bill C-60, *An Act to amend the Copyright Act*, received first reading in the House of Commons on June 20, 2005. While attention in the press has focused on the effects of the legislation on the recording industry and Internet service providers, the Bill could have a significant impact on schools as well.

The Bill would permit educational institutions to telecommunicate (which includes telecommunicating by means of the Internet) lessons containing copyrighted materials without this being an infringement of copyright. However, the teacher giving the lesson must destroy the lesson within 30 days after the course in which the lesson appeared has concluded, and must keep a record for three years that identifies the lesson, the date the lesson was placed on a tangible medium and the date of its destruction.

The Bill would also affect inter-library loans. It would require that where a request has been made to one library for material in digital format, the library providing the copy must take measures to prevent the borrower from making more than one copy, communicating it to someone else, or using it for more than seven days.

In response to criticism of these provisions from some observers, the government has stated that it recognizes the importance of using technology to promote education and that it has undertaken to consult with the public on this issue. Consultations are expected to begin this fall, at the same time as hearings on Bill C-60 get underway in Parliament.

For further information, please contact **Paul Marshall** at (613) 940-2754.

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