



The Honourable Tony Clement
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The Honourable James Moore
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House of Commons
Ottawa, Ontario
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Tuesday, August 3, 2010

Dear Ministers,

On behalf of all professional writers in Canada we want to thank you for beginning the process of amending our copyright legislation for the digital environment. We recognize this process as an absolute necessity if Canada is to fulfill her role as a leader in the context of the growing global knowledge economy.

We support the objectives contained in the preamble to Bill C-32. However, we do not think that all of these objectives have been successfully implemented in the draft bill and we believe that in a number of respects this bill fails writers and the creative community with whom we do our work. The purpose of this message on behalf of over 4,600 professional Canadian communicators is to alert you to this and to open a dialogue with you, your cabinet and caucus colleagues, and the civil servants who guide the process. Canadian writers are collectively ready to support appropriate amendments that will meet the laudable goals of Bill C-32.

From our perspective the biggest weakness in the bill is the addition of the word 'education' to the purposes of "fair dealing" without clear legislative guidance on how this amended provision of the Copyright Act will work in conjunction with other, more specific exceptions for education. We think that this new fair dealing provision will result in serious damage to the cultural sector and to Canada's embryonic knowledge economy and, together with other new exceptions, negatively affect Canada's professional writers.

We will have constructive suggestions to address this and other issues affecting professional writers, including exceptions for non-commercial user-generated content, the digital delivery of material held in libraries to library users across Canada, and secondary uses of our works on the Internet. In the near future and through the parliamentary review of Bill C-32 you will be hearing from us with suggestions on how to amend Bill C-32 in ways that will sustain the creative

community that is a key component of growth in every aspect of the knowledge economy.

The six organizations signed below are devoting time and energy to a careful analysis of Bill C-32. We see that without further clarification of some provisions there will be unintended consequences and years of costly litigation in order to establish the “clear, predictable and fair rules” referred to in the preamble to the bill, in other words the practical norms indispensable to all productive enterprise. If C-32 were enacted in its current form these norms would be set by the courts – when adjudicating between those parties who can afford to litigate – instead of through the political process in which we can all participate.

We thank you for your express willingness to amend C-32 and we will be presenting a comprehensive position that includes specific measures we hope will receive the support of your government.

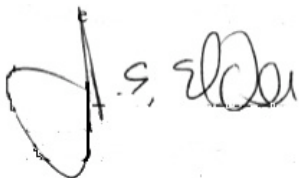
Respectfully,



Anthony Dalton
President
Canadian Authors Association



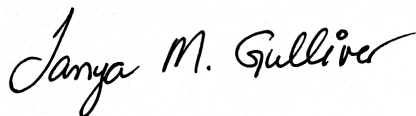
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President
League of Canadian Poets



Jo-Anne Elder
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**Literary Translators'
Association of Canada**



Shirley Barrie
President
Playwrights Guild of Canada



Tanya Gulliver
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**Professional Writers
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Alan Cumyn
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cc: The Right Honourable Stephen Harper
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The **Canadian Authors Association** is national arts service organization providing resources, professional development, information, support services, networking opportunities and community to writers at all stages of their careers since 1921.

Founded in 1966, the **League of Canadian Poets** is the national association of professional poets in Canada. Its purpose is to nurture a professional poetic community to facilitate the teaching of Canadian poetry at all levels and to develop the audience for poetry by encouraging recognition of Canadian poetry nationally and internationally.

The **Literary Translators' Association of Canada / Association des traducteurs et traductrices littéraires du Canada** represents professional literary translators throughout Canada.

Playwrights Guild of Canada is a national association mandated to advance the creative rights and interests of professional Canadian playwrights, promote Canadian plays nationally and internationally, and foster an active, evolving community of writers for the stage.

The **Professional Writers Association of Canada** represents freelance non-fiction writers who are published in newspapers and magazines across the country. We support professional development, standards and ethics and the economic and social interests of Canadian writers who contribute to diversity of opinion, freedom of expression and literacy for all Canadians.

The Writers' Union of Canada is a national organization representing professional authors of books. Founded in 1973, the Union is dedicated to fostering writing in Canada, and promoting the rights, freedoms, and economic well being of all writers.