

April 22, 2011

Kelly Duffin
Executive Director
The Writers Union of Canada
90 Richmond Street East, Suite 200
Toronto, Ontario, M5C 1P1.

Dear Ms. Duffin,

Thank you for the opportunity to highlight the New Democratic Party of Canada's position on issues and concerns you have raised in your questionnaire.

We appreciate your efforts to help voters make an informed decision on voting day.

Sincerely,

A handwritten signature in black ink that reads "Jack Layton". The signature is fluid and cursive, with a long horizontal stroke at the top that loops back under the name.

Jack Layton,
Leader, Canada's New Democrats

2011 Federal Election Questionnaire

Response from Canada's New Democrats

Fair Copyright

- **Would your party propose a Bill to modernize copyright that is founded on creators being compensated for the use of their works? Specifically, would you remove the over-broad exceptions that appeared in Bill C-32 (such as “fair dealing for education”) which would result in the sanctioned expropriation of writers’ property and income?**

AND

- **How would you ensure that the Copyright Act protects creators’ existing and future revenue streams in the digital economy?**

If elected, New Democrats will seek to introduce new copyright legislation that will ensure that Canada complies with its international treaty obligations (such as the WIPO Internet treaties, among others) – while balancing consumers’ and creators’ rights.

By consulting widely with stakeholder groups, New Democrats will develop legislation that is technology-neutral, balanced and flexible enough to ensure its adaptability to new platforms and technologies in the years to come; and address issues like Technological Protections – TPMs, or digital locks, statutory damages, private copying and reproduction for private purposes, collective licensing, broadcast mechanical licensing and fair dealing, among others.

We do not support the creation of powerful anti-circumvention rights as contained in the government’s copyright bill – C-32, the *Copyright Modernization Act*. In fact, we believe they pose a very real danger that consumers will be prohibited from using content for which they have already paid. We believe these new powers override not only consumers’ rights, but also creators’ and artists’ rights.

In our consultations, New Democrats will consider all sensible proposals to update or develop mechanisms to provide fair compensation for creators. We believe that, in collaboration with stakeholders, we can strike a balance between fair remuneration for creators and reasonable access for consumers.

Jack Layton and the New Democrat team value collaboration with stakeholders and concerned Canadians. A hallmark of our work in the House of Commons has been our willingness to collaborate with Members of Parliament of all political stripes on a wide range of issues – to bring about tangible results for Canadians. Our approach to developing new copyright policies and legislation will be marked by that same openness to consider varying viewpoints and interests.

Fair Taxation for Artists

- **Would your party introduce a Copyright-Income Deduction for creators, modeled on that used in the province of Quebec? If so, when?**

Jack Layton and the New Democrat team have committed to make efforts to address income variance among creators and ensure more stable incomes over time, and we are open to exploring prudent proposals to make this possible, including the introduction of a Copyright Income Deduction similar to the measure that already exists in Quebec.

As you are certainly aware, the deduction already in place in Quebec encompasses creators in a variety of fields, and applies to any copyrighted work that generates income. We believe such a measure would likely have a minimal effect on government revenues, and a far greater effect on creators' revenues.

New Democrats believe that in light of the significant contribution made by the arts, culture and heritage sector to Canada's economy – and to the cultural wealth of Canada – the federal government has a responsibility to give creators the tools and the opportunity to enjoy a stable livelihood. This is particularly important in light of vanishing revenue streams for creators.

Aside from the case of Quebec, the federal government already provides a number of tax deductions through the Canada Revenue Agency that can serve as a model for the implementation of such a deduction.

Furthermore, our party has long been committed to providing economic relief for Canadians, with specific measures targeted to small businesses and the self-employed – many of whom work in the arts, culture and heritage sector – including reducing the small business tax rate from 11 percent to 9 percent. We believe this initiative will offer concrete support to a sector of our economy that creates nearly half of all new jobs in Canada. Additionally, New Democrats will offer a Job Tax

Credit that will provide up to \$4,500 per new hire (including a \$1,000 non-refundable tax credit for worker retention).

- **Would your party exempt from taxation subsistence grants for creators administered by the Canada Council for the Arts? If so, when?**

New Democrats are open to examining the feasibility of this measure at the earliest possible opportunity. We have also committed to make tax averaging available for artists and workers in cultural and knowledge industries.

Investment in the Arts

- **Would you invest in the not-for-profit arts sector by increasing the allocation to the Canada Council for the Arts and the department of Canadian Heritage, among others? If so, by how much and in what timeframe?**

Our party has long been a keen supporter of the valuable work of the Canada Council for the Arts and as such, we have committed to increase the budget of the Council by \$30 million in 2011-2012, \$60 million in 2012-2013, and \$90 million per year in both 2013-2014 and 2014-2015.

Jack Layton and the New Democrat team believe Canada's thriving arts community should be able to rely on stable, long-term core funding from the federal government. Our commitment to fund the Council will place the organization on firm footing and enable it to maintain and expand its activities, which we believe are essential to Canada's cultural heritage.

- **Would your party return funding to the PromArt program? If so, when? If not, what would your party propose to do for the development of foreign markets for Canadian cultural products?**

The New Democratic Party recognizes the significance of developing new markets for Canadian artists and their works abroad, as well as providing support including market research, assisting creators in finalizing export plans and helping them to bring their products to market.

We opposed the Harper government's decision to abruptly shutter two key cultural funding programs that facilitated the promotion of Canadian art and culture outside of Canada – Trade Routes and PromArt – and we have made a commitment to explore the reinstatement of those programs to resume the competitive export of Canadian cultural products.

- **Would your party return the Public Lending Right Commission's hit rate to the original \$40 and commit to indexing it to inflation going forward? Would you push for PLR compensation to cover e-books as well as print books?**

New Democrats recognize that the time has come to re-examine this issue and we are open to explore an adjustment of the so-called hit rate and the possibility of extending it to cover e-books.

- **What investments does your party propose to make in art and culture as a component of a National Strategy for the Knowledge/Digital Economy?**

Jack Layton and the New Democrat team will:

- Refocus the mandate of the CRTC to promote and protect Canadian cultural industries; we will also ensure it better reflects Quebec's cultural and linguistic reality and that of Canada's francophone communities;
- Strengthen public broadcasting with long-term stable funding for CBC, Radio-Canada and other public broadcasters, including the capacity to deliver superior regional production and Internet services;
- Provide sustained funding for the Canada Media Fund and Telefilm Canada, enhancing federal film incentives and developing a targeted strategy for the promotion of domestic films and online content in Canada; and
- Develop a digital online culture service to broaden access to Canadian content.