

Copyright Board of Canada

2018-19

Departmental Results Report

The Honourable Navdeep Bains, P.C., M.P.
Minister of Innovation, Science and Economic Development

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by the Minister of Industry, 2019

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Minister's Message

We are pleased to present the 2018-19 Departmental Results Report for the Copyright Board of Canada.

Over the past year, the various organizations in the Innovation, Science and Economic Development Portfolio have together worked hard to make Canada a global innovation leader and to build an economy that works for everyone.

Our primary objectives were, and continue to be, to empower businesses to reach their innovation potential to compete in a global, knowledge-based economy; to enhance Canada's economic strengths by supporting science and research; and to promote Canadian tourism. These objectives were supported by new and existing policies and programs designed to help Canadian entrepreneurs from across the country and from diverse backgrounds grow and reach new markets. We also continued to implement multi-year investments in science, including historic investments in fundamental research, while our robust tourism industry was bolstered by support for national initiatives.

The Copyright Board of Canada plays a fundamental role in our intellectual property ecosystem. By establishing fair and equitable tariffs and licences, it contributes to the remuneration of creators and facilitates the use of content protected by copyright, supports the development and adoption of new technologies and stimulates innovation in the Canadian economy.

Several consultations and recent research have identified the need for timely decisions regarding royalty rates for the use of copyrighted content, particularly in light of the rapid technological advances. The Government took comprehensive action to tackle delays through Budget 2018, with a 30% increase in financial resources for the Board, accompanied by legislative changes. Together with new appointments at the Board, these measures set a new course for decision-making processes.

In 2018-19, the Board devoted a great deal of its energy and resources toward improving the regulatory and organizational environment that will allow for a more effective, timely, transparent and predictable tariff-setting processes. In addition, the Board issued eleven decisions related to musical works, sound recordings and the retransmission of distant signals and certified the corresponding tariffs, and received seventy-four new proposed tariffs for the years 2020 and beyond. Finally, the Board issued decisions and licences for the use of works when the copyright owner could not be located.

These are just a few examples of the Copyright Board of Canada's work on behalf of Canadians through collaboration, dialogue and partnerships across the country. We invite you to read this report to learn more about how we are working with and for Canadians to build our innovation nation.



The Honourable Navdeep Bains
Minister of Innovation, Science
and Economic Development

Results at a glance

2018-19 Actual Spending	2018-19 Actual Full-time Equivalent
\$3,733,598	18

The Copyright Board of Canada establishes the fair value for the use of copyrighted content by setting royalty rates and related terms and conditions in a broad range of areas when the administration of such copyright is entrusted to a collective management organization. This includes music streaming, the public performance of music, educational copying, and the retransmission of distant television and radio signals.

In pursuit of this mandate, the Board completed the following activities:

- Following public consultations, the Government introduced amendments to the *Copyright Act* in November 2018 modernizing the legislative and regulatory framework in which the Board operates, with an overall view of improving the timeliness, predictability, and clarity of its proceedings and reducing the costs for all stakeholders. The amendments to the *Act* came into effect on April 1, 2019 and on-going additional financial resources were provided to the Board through 2018 Federal Budget to support the implementation of these changes.
- In this context, in collaboration with the Departments of Innovation, Science and Industry and Canadian Heritage, the Board participated in defining a framework for government regulations to support the implementation of the legislative amendments. In parallel, the Board initiated its own set of regulations to clarify rules and expectations for all participants into the tariff-setting process, thus making the process shorter and less burdensome.
- In the same spirit, the Board published a first series of Practice Notices designed to better frame its interactions with the parties, to instill more procedural discipline – while at the same time respecting principles of fairness and integrity – and reduce the overall administrative burden for both parties and the Board.
- The Board rendered eleven decisions related to musical works, sound recordings and the retransmission of distant signals and approved the corresponding tariffs.
- Collectives filed with the Board a total of seventy four new proposed tariffs for the years 2020 and beyond, all of which were prepared for publication in the *Canada Gazette*. The Board is currently evaluating the best timing options to launch the examination process for approval of these proposed tariffs.
- The Board received thirty-one applications, rendered eleven decisions, and issued four licences, pursuant to the provisions of the *Copyright Act* that permit the use of published works when copyright owners cannot be located.

- Finally, thirty-seven agreements, between collective societies and users on the royalties and related terms of licences for the use of a society's repertoire, were filed with the Board.

For more information on the Board's plans, priorities and results achieved, see the "Results: what we achieved" section of this report.

Results: what we achieved

Core Responsibilities

Copyright Tariff Setting and Issuance of Licences

Description

The Board ensures that the tariffs it sets for the use of copyrighted content are fair and equitable to both rights holders and users of this content, as well as to end-users. As a matter of course, the Copyright Board hears and rules upon complex disputes between rights holders and users based on evidence and a highly specialized understanding of relevant legal and economic principles. As with other administrative tribunals in Canada, it exercises its specialized decision-making functions at arm's-length from government. In its decisions, the Board is asked to consider the broader public interest. For instance, in addition to submissions and evidence filed by parties and relevant legal and economic principles, the Board considers written comments from anyone, including members of the public.

The mandate of the Board is in two parts. The first part is to establish, either mandatorily or at the request of an interested party, the royalties to be paid for the use of copyrighted works, when the administration of such copyright is entrusted to a collective-administration society. This part of the mandate is delivered through the setting of copyright tariffs and licences. The second part is to issue licences for the use of works protected by copyright when the copyright owner cannot be located.

In fulfilling its mandate, the Board publishes the tariffs that are filed with the Board by the various collective societies representing rights owners. The section below lists the proposed tariffs received by the Board in 2018-19. The Board also issues decisions approving tariffs, issues licences, and receives agreements filed by the stakeholders. These are described below in further detail.

Results

I. ORGANIZATIONAL REFORM

The past year was marked by significant change for the Copyright Board. The Board welcomed four new government appointees. Nathalie Th  berge joined the Board in October 2018 as its new Vice-Chair and Chief Executive Officer for a five-year term. Three new part-time Board Members were also appointed in 2018, each for a four year term: Adriane Porcin, then Assistant Professor at the University of Manitoba's Faculty of Law; Katherine Braun, an economist, and Ren   C  t  , a professor of Law at the Universit   du Qu  bec    Montr  al.

The Board also worked closely with the Government on procedural and organizational reform to ensure that royalty rates are determined faster and with more certainty, while continuing to protect the public interest. These reforms will have positive results for rights-holders and users

alike by reducing legal costs for all parties involved and facilitating more timely Board decisions that will provide copyright-based markets with the certainty they need to thrive.

The Board launched a complete review of its administrative and procedural practices, using a “lean management” approach to identify which practices brought real value to the tariff-setting process, and how overall performance and effectiveness of the Board could be enhanced.

Finally, the Board published a first series of Practice Notices designed to better frame its interactions with the parties, to instill more procedural discipline – while at the same time respecting principles of fairness and integrity – and reduce the overall administrative burden for both parties and the Board. The following three Practices Notices were issued:

- Practice Notice on Electronic Files Submitted to the Copyright Board [PN 2019-001]
- Practice Notice on Acknowledgement of Expert Witnesses [PN 2019-002] and Acknowledgement of Expert Witness Form
- Practice Notice on Sworn Statements or Solemn Declarations by Fact Witnesses in Oral Hearings [PN 2019-003]

II. PROPOSED STATEMENTS OF ROYALTIES FILED BY THE COLLECTIVE SOCIETIES

During fiscal year 2018-19, the following collective societies filed with the Board proposed statements of royalties to be collected in 2020 and beyond:

Access Copyright

- Proposed statement of royalties to be collected for the reproduction, communication to the public by telecommunication or making available to the public by telecommunication, in any form or by any method or process whatsoever, or the authorization of any such act, of works in its repertoire for the purposes of elementary or secondary education for the years 2020 to 2022.

Canadian Broadcasters Rights Agency (CBRA)

- Proposed statement of royalties to be collected for the fixation and reproduction of works and communication signals by commercial media monitors for the years 2020 to 2022.
- Proposed statement of royalties to be collected for the fixation and reproduction of works and communication signals by non-commercial media monitors for the years 2020 to 2022.

Canadian Musical Reproduction Rights Agency Ltd. (CMRRA) and Society of Composers, Authors and Musical Publishers of Canada (SOCAN)

- Proposed statement of royalties to be collected for the reproduction of musical works by non-commercial radio stations for the year 2020.

CMRRA, SOCAN, Connect Music Licensing Service Inc., the Société de gestion collective des droits des producteurs de phonogrammes et de vidéogrammes du Québec (CONNECT/SOPROQ) and ARTISTI

- Proposed statement of royalties to be collected for the reproduction of musical works, of sound recordings and of performers' performances by commercial radio stations for the year 2020.

Canadian Private Copying Collective (CPCC)

- Proposed statement of levies to be collected on the sale of blank audio recording media for the year 2020.
- Proposed statement of levies to be collected on the sale of blank audio recording media for the year 2021.

Re:Sound Music Licensing Company (Re:Sound)

Proposed statements of royalties to be collected for the performance in public or the communication to the public by telecommunication of published sound recordings embodying musical works and performers' performances of such works:

- Tariff 1.A – Commercial Radio (2021-2023)
- Tariff 1.B.2 – Non-Commercial Online (2020-2024)
- Tariff 1.C – CBC Radio (2020-2021)
- Tariff 2 – Pay Audio Services (2020-2022)
- Tariff 5 – Use of Music to Accompany Live Events (2021-2025) :
 - A – Recorded music accompanying live entertainment in cabarets, cafes, clubs, restaurants, roadhouses, taverns and similar establishments
 - B – Receptions, conventions, assemblies and fashion shows
 - C – Karaoke bars and similar establishments
 - D – Festivals, exhibitions and fairs
 - E – Circuses, ice shows, fireworks displays, sound and light shows and similar events
 - F – Parades
 - G – Parks, streets and other public areas
 - H – Sports events
 - I – Comedy and magic shows
 - J – Concerts
- Tariff 8 – Non-interactive and semi-interactive streaming (2020-2021)

SOCAN

Proposed statements of royalties to be collected for the public performance or the communication to the public by telecommunication of musical or dramatico-musical works:

For the year 2020:

- Tariff 9 – Sports Events
- Tariff 22.A – Internet – Online Music Services
- Tariff 22.B – Internet – Other Uses of Music – Commercial Radio, Satellite Radio and Pay Audio
- Tariff 22.C – Internet – Other Uses of Music – Other Audio Websites
- Tariff 22.D.1 – Internet – Other Uses of Music – Audiovisual Content
- Tariff 22.D.2 – Internet – Other Uses of Music – User-Generated Content
- Tariff 22.E – Internet – Other Uses of Music – CBC
- Tariff 22.G – Internet – Other Uses of Music – Game Sites
- Tariff 25 – Use of Music by Satellite Radio Services

For the years 2020 and 2021:

- Tariff 1.A – Commercial Radio
- Tariff 3.A – Cabarets, Cafes, Clubs, etc. – Live Music
- Tariff 4.A.1 – Live Performances at Concert Halls, etc. – Popular Music Concerts – Per Event Licence
- Tariff 4.A.2 – Live Performances at Concert Halls, etc. – Popular Music Concerts – Annual Licence
- Tariff 4.B.1 – Live Performances at Concert Halls, etc. – Classical Music Concerts – Per Concert Licence
- Tariff 4.B.2 – Live Performances at Concert Halls, etc. – Classical Music Concerts – Annual Licence for Orchestras
- Tariff 4.B.3 – Live Performances at Concert Halls, etc. – Classical Music Concerts – Annual licence for Presenting Organizations
- Tariff 6 – Motion Picture Theatres
- Tariff 15.A – Background Music in Establishments not Covered by Tariff 16 – Background Music
- Tariff 15.B – Background Music in Establishments not Covered by Tariff 16 – Telephone Music on Hold
- Tariff 16 – Background Music Suppliers
- Tariff 24 – Ringtones and Ringbacks

For the year 2021:

- Tariff 1.B – Non-Commercial Radio Other than the CBC
- Tariff 2.A – Commercial Television Stations
- Tariff 5 – Exhibitions and Fairs
- Tariff 14 – Performance of an Individual Work
- Tariff 17 – Transmission of Pay, Specialty and other Television Services by Distribution Undertakings
- Tariff 23 – Hotel and Motel In-Room Services

For the years 2020 and 2022:

- Tariff 1.C – CBC Radio
- Tariff 2.D – CBC Television
- Tariff 19 – Physical Exercises and Dance Instruction
- Tariff 26 – Pay Audio Services

For the years 2021 and 2022:

- Tariff 2.B – Television of the Ontario Educational Communications Authority
- Tariff 2.C – Television of the *Société de télédiffusion du Québec*
- Tariff 3.B – Cabarets, Cafes, Clubs, etc. – Recorded Music Accompanying Live Entertainment
- Tariff 3.C – Cabarets, Cafes, Clubs, etc. – Adult Entertainment Clubs
- Tariff 7 – Skating Rinks
- Tariff 8 – Receptions, Conventions, Assemblies and Fashion Shows
- Tariff 10.A – Parks, Parades, Streets and Other Public Areas – Strolling Musicians and Buskers; Recorded Music
- Tariff 10.B – Parks, Parades, Streets and Other Public Areas – Marching Bands; Floats with Music
- Tariff 11.A – Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows and Similar Events
- Tariff 11.B – Comedy Shows and Magic Shows
- Tariff 12.A – Theme Parks – Ontario Place Corporation and Similar Operations
- Tariff 12.B – Theme Parks – Paramount Canada’s Wonderland and Similar Operations
- Tariff 13.A – Public Conveyances – Aircraft
- Tariff 13.B – Public Conveyances – Passenger Ships
- Tariff 13.C – Public Conveyances – Railroad Trains, Buses and Other Public Conveyances, Excluding Aircraft and Passenger Ships
- Tariff 18 – Recorded Music for Dancing
- Tariff 20 – Karaoke Bars and Similar Establishments
- Tariff 21 – Recreational Facilities Operated by a Municipality, School, College, University, Agricultural Society or Similar Community Organizations

SOCAN/ Société du droit de reproduction des auteurs, compositeurs et éditeurs au Canada inc. (SODRAC)

Proposed statements of royalties to be collected for the reproduction of musical works:

For the year 2020 :

- Tariff 22.A.R – Reproduction of Musical Works Embedded in Music Videos for Transmissions by a Service (formerly SODRAC Tariff 6)
- Tariff 22.D.1.R – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service (formerly SODRAC Tariff 7)

For the years 2020 and 2021:

- Tariff 2.A.R – Commercial Television Stations (formerly SODRAC Tariff 8)

III. DECISIONS

During the fiscal year 2018-19, the Copyright Board rendered the following eleven decisions:

July 6, 2018 – Re:Sound Tariff 1.B – Non-Commercial Radio Other than the Canadian Broadcasting Corporation, 1998-2021

This decision sets the royalties to be collected by Re:Sound for the communication to the public by telecommunication in Canada, by non-commercial radio stations, of published sound recordings embodying musical works and performers' performance of such works for the years 1998 to 2021.

July 13, 2018 – Retransmission of Distant Radio Signals, 2014-2018

This decision sets the royalties to be paid for the retransmission of distant radio signals, in Canada, for the years 2014 to 2018.

July 20, 2018 – CBRA Commercial and Non-Commercial Media Monitors, 2017-2019

This decision sets the royalties to be collected by the CBRA for the fixation and reproduction of works and communication signals, in Canada, by commercial and non-commercial media monitors for the years 2017 to 2019.

September 28, 2018 – SODRAC Tariff 5 – Reproduction of Musical Works in Cinematographic Works for Private Use or for Theatrical Exhibition, Redetermination 2009-2012; Determination 2013-2016

This decision sets the royalties to be collected by SODRAC for the reproduction, in Canada, of musical works embedded into cinematographic works for the purpose of distributing copies of these cinematographic works for private use or for theatrical exhibition for the years 2009 to 2016.

November 6, 2018 – SOCAN Tariff 22 – Internet – Other Uses of Music – Other Sites, 2007-2013

In this decision, the Board decides not to set royalties for SOCAN to collect for the communication to the public by telecommunication, in Canada, of musical works on the Internet by sites not covered by other parts of SOCAN Tariff 22 for the years 2007 to 2013.

December 7, 2018 – SOCAN Tariff 21 – Recreational Facilities Operated by a Municipality, School, College, University, Agricultural Society or Similar Community Organizations, 2013-2020

This decision sets the royalties to be collected by SOCAN for the public performance, in Canada, of musical works in its repertoire in recreational facilities operated by a municipality, school,

college, university, agricultural society or similar community organizations for the years 2013 to 2020

December 14, 2018 – Commercial Radio Stations – Application to Vary: CSI (2012-2013); Connect/SOPROQ (2012-2017); Artisti (2012-2014); and Determination: CSI (2014-2018); Connect/SOPROQ (2018); Artisti (2015-2018)

This decision sets the royalties to be collected for the reproduction, in Canada, of musical works, sound recordings, and performers' performances by commercial radio stations for the years 2012 to 2018.

December 18, 2018 – Retransmission of Distant Television Signals, 2014-2018 – Quantum Decision

This decision sets the royalties to be collected for the retransmission, in Canada, of distant television signals for the years 2014 to 2018. This decision only set the rates, with reasons to follow.

December 21, 2018 – Commercial Radio Stations, 2019 – CMRRA/SODRAC; Connect/SOPROQ and Artisti

This decision sets the royalties to be collected for the reproduction, in Canada, of musical works, sound recordings, and performers' performances by commercial radio stations for the year 2019.

December 28, 2018 – Retransmission of Distant Television and Radio Signals, 2019-2023 – Interim Decision

This decision sets the interim royalties to be paid for the retransmission of distant radio and television signals, in Canada, for the years 2019-2023.

February 22, 2019 – Retransmission of Distant Television Signals, 2019-2023 – Interim Decision

This decision varies the December 28, 2018 decision that set the interim royalties for the retransmission of distant television signals, in Canada, for the years 2019-2023. More precisely, it changes the allocation of royalties between the nine retransmission collectives, based on an agreement between them.

IV. UNLOCATABLE COPYRIGHT OWNERS

Pursuant to section 77 of the *Act*, the Board may grant licences authorizing the use of published works, fixed performances, published sound recordings and fixed communication signals, if the copyright owner is unlocatable. However, the *Act* requires the applicants to make reasonable efforts to find the copyright owner. Licences granted by the Board are non-exclusive and valid only in Canada.

During the fiscal year 2018-19, 31 applications were filed with the Board. The following 4 licences were issued:

- Birch Kuch, Wells, British Columbia, for the recording and mechanical reproduction of a musical work;
- 9224-0241 Quebec Inc., Montreal, Quebec, for the synchronization of an excerpt of a musical work and the reproduction, the distribution and the communication to the public by telecommunication of the excerpt in a film entitled *La Couleur de tes lèvres (Le Souffle)*;
- Lamb of God Ministries Ltd., Saskatoon, Saskatchewan, for the reproduction, communication to the public by telecommunication and distribution of a map; and
- Groupes Fides inc., Anjou, Quebec, for the reproduction of a photograph in a book and the distribution of the book incorporating the photograph.

Furthermore, the following 7 applications were denied:

- Application by *Groupe Innovamber Inc.*, Montreal, Quebec, for the authorization to publish a translation of a literary work;
- Application by *Bibliothèque québécoise inc.*, Montreal, Quebec, for the reproduction of a photograph;
- Application by Irene Crawford, Woodstock, Ontario, for the reproduction of sixteen images;
- Application by John Richardson, Victoria, British Columbia, for the reproduction of a photograph;
- Application by *Musée des maîtres et artisans du Québec*, Montreal, Quebec, for the reproduction of the image of several contemporary artistic works;
- Application by Saskatchewan Legal History Society, Calgary, Alberta, for the reproduction of a photograph; and
- Application by *Les Productions Ciné-Plurielles Inc.*, Montreal, Quebec, for the reproduction and synchronization of fourteen excerpts of films.

V. AGREEMENTS FILED WITH THE BOARD

Pursuant to the *Act*, collective societies and users of copyrights can agree on the royalties and related terms of licences for the use of a society's repertoire. Filing an agreement with the Board pursuant to section 70.5 of the *Act* within 15 days of its conclusion shields the parties from prosecutions pursuant to section 45 of the *Competition Act*. The same provision grants the

Commissioner of Competition appointed under the *Competition Act* access to those agreements. In turn, where the Commissioner considers that such an agreement is contrary to the public interest, he may request the Board to examine it. In these cases, the Board then sets the royalties and the related terms and conditions of the licence.

In 2018-19, 37 agreements were filed with the Board pursuant to section 70.5 of the *Act*. Access Copyright filed 19 agreements granting a licence to photocopy works in its repertoire, with the following organisations:

- Teck Resources Limited, Vancouver (BC)
- The Alberta Association of Recreation Facility Personnel (AARFP), Cochrane (AB)
- Cornerstone Research Group Inc., Burlington (ON)
- Ontario Association of Children's Aid Societies (OACAS), Toronto (ON)
- Health Technology Assessment, Toronto (ON)
- BayBridge Senior Housing Inc., Toronto (ON)
- Northern College of Applied Arts and Technology, Kingston (ON)
- Yoga by Sarah, St. Catharines (ON)
- Eastern College Inc., Toronto (ON)
- TriOs College Business Technology Healthcare Inc., Toronto (ON)
- Carleton Printers, Toronto (ON)
- Greater Sudbury Utilities, Sudbury (ON)
- Trillium Gift of Life Network, Toronto (ON)
- College of New Caledonia, Prince George (BC)
- Labour College of Canada, Ottawa (ON)
- Sunnybrook United Church, Red Deer (AB)
- Working Skills Centre, Toronto (ON)
- Herzing College (Winnipeg Campus), Winnipeg (MB)
- Enbridge, Inc., Calgary (AB)

Copibec filed 16 agreements granting a licence to photocopy works in its repertoire, with the following organisations:

- 9249-9219 Québec inc. (ChallengeU), Montréal (QC)
- Ville de Montréal - Service du greffe, Montréal (QC)
- Ville de Montréal - Service des technologies de l'information (STI), Montréal (QC)
- Ville de Montréal - Service des finances, Montréal (QC)
- Ville de Montréal, Montréal (QC)
- Centre de justice de proximité de la Côte-Nord, Sept-Île (QC)
- Ville de Montréal - Service du développement économique, Montréal (QC)
- Ville de Montréal - Direction générale, Montréal (QC)
- Centre de justice de proximité de la Montérégie, Montérégie (QC)
- Ville de Montréal - Service de la mise en valeur du territoire, Montréal (QC)
- Le Centre de Formation Professionnelle des Maux, Repentigny (QC)
- Université Laval, Québec (QC)
- INNU TAKUAIKAN UASHAT MAK MANI-UTENAM (ITUM) - Secteur éducation, Uashat (QC)

- Institut québécois de planification financière, Verdun (QC)
- Ville de Laval, Laval (QC)
- Centre de justice de proximité de la Mauricie

CBRA filed one agreement with the Government of Canada in respect of its media monitoring activities.

Finally, CMRRA filed one agreement concluded with a British Company, Snapper Music Limited Company, in respect of mechanical reproduction rights.

Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2018-19 Actual results	2017-18 Actual results	2016-17 Actual results
Fair and Equitable Tariffs	% of tariff decisions published within 12 months	70%	End of fiscal year	100%	93%	75%
	% of licences issued within 45 days	70%	End of fiscal year	50%	0%*	100%

* The average number of days within which the licences were issued is 56, 11 days above the target of 45 days. This performance reflects a year where the Board was very active on other fronts and could not allocate the necessary resources to meet this particular performance objective.

Budgetary financial resources (dollars)

2018-19 Main Estimates	2018-19 Planned spending	2018-19 Total authorities available for use	2018-19 Actual spending (authorities used)	2018-19 Difference (actual minus planned spending)
2,688,641	2,688,641	3,073,682	3,024,214	49,468

Human resources (full-time equivalents)

2018-19 Planned Full-time Equivalents	2018-19 Actual Full-time Equivalents	2018-19 Difference (actual minus planned full-time equivalents)
16	16	0

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

Results

Internal Services deals with financial and materiel management policies, systems, processes and standards. In implementing these policies, compliance with Parliament's requirements for financial stewardship and integrity is ensured. This activity also encompasses the responsibility of providing human resource services.

The Board receives timely support from the services mentioned above.

Budgetary financial resources (dollars)

2018-19 Main Estimates	2018-19 Planned spending	2018-19 Total authorities available for use	2018-19 Actual spending (authorities used)	2018-19 Difference (actual minus planned spending)
630,669	630,669	720,987	709,384	11,603

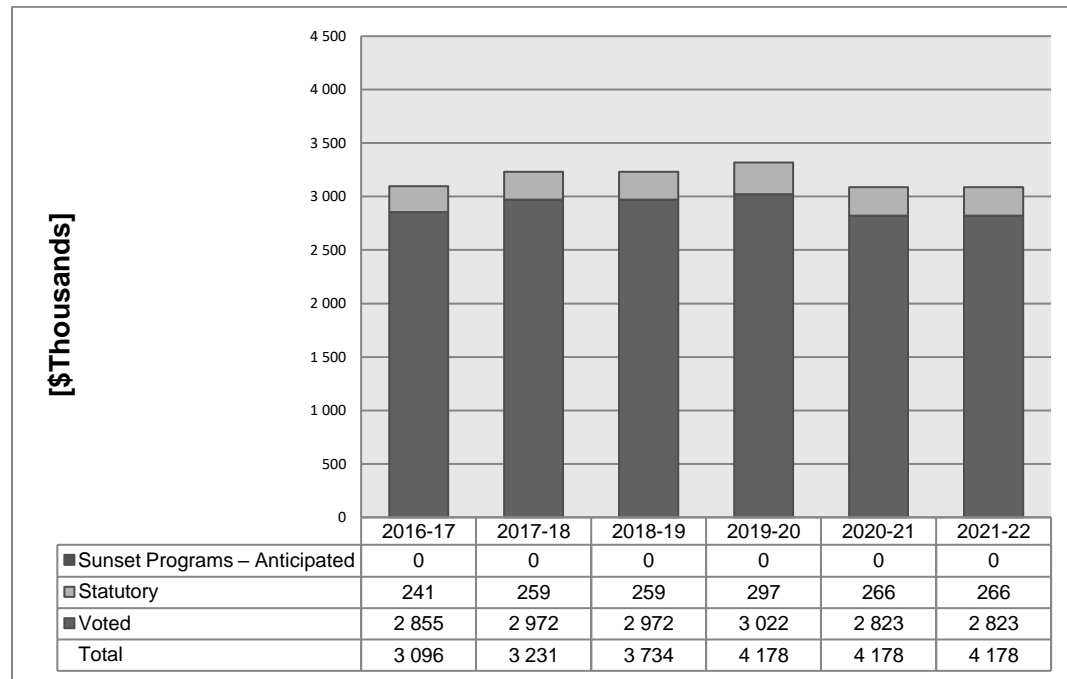
Human resources (full-time equivalents)

2018-19 Planned Full-time Equivalents	2018-19 Actual Full-time Equivalents	2018-19 Difference (actual minus planned full-time equivalents)
2	2	0

Analysis of trends in spending and human resources

Actual expenditures

Departmental spending trend graph



Actual spending for the year 2018-19 was about \$3.7 million, an increase of \$500,000 compared to last year. This reflects higher spending on salaries as well as operations, as the Board's budget was increased permanently, starting in 2018-19.

Budgetary performance summary for programs and Internal Services (dollars)

Programs and Internal Services	2018-19 Main Estimates	2018-19 Planned spending	2019-20 Planned spending	2020-21 Planned spending	2018-19 Total authorities available for use	2018-19 Actual spending (authorities used)	2017-18 Actual spending (authorities used)	2016-17 Actual spending (authorities used)
Copyright Tariff Setting and Issuance of Licences	2,688,641	3,073,682	3,384,021	3,384,021	3,073,682	3,024,214	2,617,110	2,507,540
Subtotal	2,688,641	3,073,682	3,384,021	3,384,021	3,073,682	3,024,214	2,617,110	2,507,540
Internal Services	630,669	720,987	793,783	793,783	720,987	709,384	613,890	588,188
Total	3,319,310	3,794,669	4,177,804	4,177,804	3,794,669	3,733,598	3,231,000	3,095,728

The Board's total authorities for 2019-20 have a net increase of almost 1 million from 2017-18 and about \$500,000 from 2018-19. These are reflections of the additional financial resources provided in Budget 2018. The amounts for 2018-19 have however been made available to the Board only at the end of the period.

Actual human resources

Human resources summary for programs and Internal Services
(full-time equivalents)

Programs and Internal Services	2016-17 Actual full-time equivalents	2017-18 Actual full-time equivalents	2018-19 Planned full-time equivalents	2018-19 Actual full-time equivalents	2019-20 Planned full-time equivalents	2020-21 Planned full-time equivalents
Copyright Tariff Setting and Issuance of Licences	16	16	16	16	20	20
Subtotal	16	16	16	16	20	20
Internal Services	2	2	2	2	3	3
Total	18	18	18	18	23	23

Expenditures by vote

For information on the Copyright Board's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2018-2019](#).ⁱ

Government of Canada Spending and Activities

Information on the alignment of the Copyright Board's spending with the Government of Canada's spending and activities is available in the [GC InfoBase](#).

Financial statements and financial statements highlights

Financial statements

The Copyright Board's financial statements [unaudited] for the year ended March 31, 2019, are available on the [Board's website](#).ⁱⁱ

Financial statements highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2019 (dollars)

Financial information	2018-19 Planned results	2018-19 Actual	2017-18 Actual	Difference (2018-19 actual results minus 2018- 19 planned results)	Difference (2018-19 actual results minus 2017- 18 actual results)
Total expenses	3,779,215	4,166,750	3,638,078	387,535	528,672
Total revenues					
Net cost of operations before government funding and transfers	3,779,215	4,166,750	3,638,078	387,535	528,672

For fiscal year 2018-19, the Board's total actual net cost of operations is \$4.2 million, an increase of about \$529,000 from last year. As part of Canada's Intellectual Property Strategy, Federal Budget 2018 announced a 30% increase in the Board's financial resources, to increase its internal capacity to support more efficient processes.

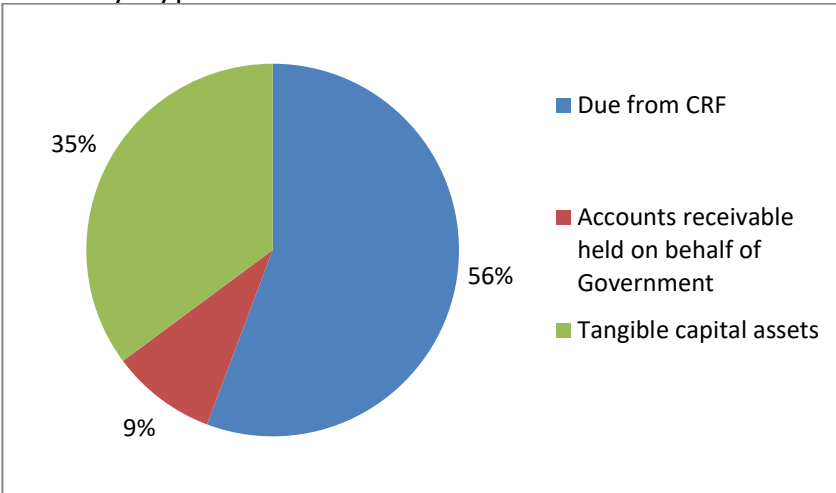
Condensed Statement of Financial Position (unaudited) as at March 31, 2019 (dollars)

Financial Information	2018-19	2017-18	Difference (2017-18 minus 2016-17)
Total net liabilities	506,212	424,872	81,340
Total net financial assets	264,322	152,024	112,298
Departmental net debt	241,890	272,848	(30,958)
Total non-financial assets	166,687	188,320	- 21,633
Departmental net financial position	(75,203)	(84,528)	9,325

The Board's net financial position for fiscal year 2018-19 is at -\$75,000, compared to -\$85,000 for the year before. This partly reflects an increase in total net financial assets.

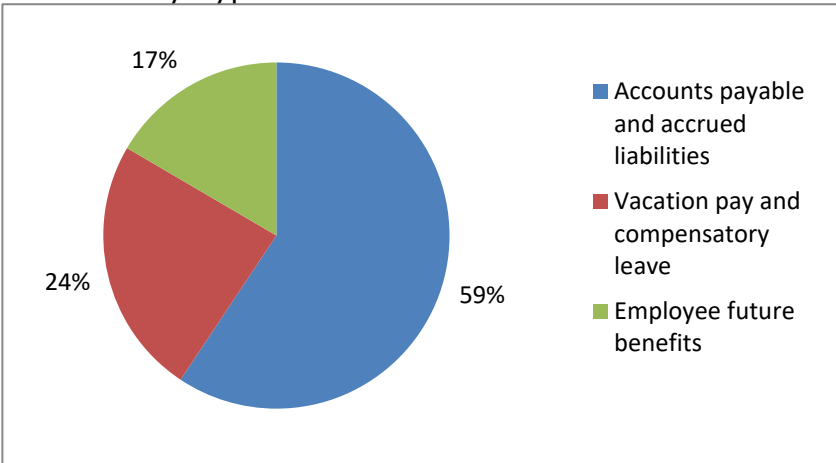
Financial Highlights Graphs

Assets by Type



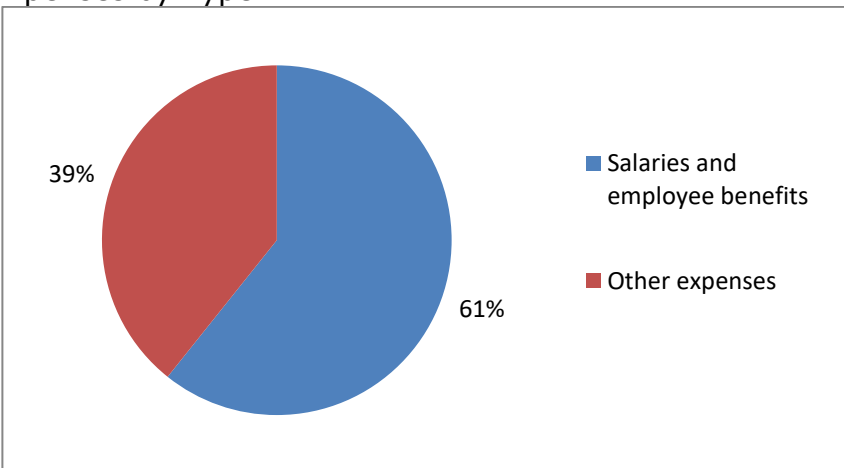
Total assets were valued at about \$474,000 in fiscal year 2018-19. This reflects amounts due from Consolidated Revenue Fund (56% or \$264,000), Accounts Receivable held on behalf of Government (9% or \$43,000) and Tangible Capital Assets (35% or \$167,000).

Liabilities by Type



Total liabilities were valued at about \$506,000 for fiscal year 2018-19. This is mostly made up of accounts payable and accrued liabilities (59% or \$300,000), vacation pay and compensatory leave (24% or \$122,000) and employee future benefits (17% or \$84,000).

Expenses by Type



For fiscal year 2018-19, total planned expenses were \$4.2 million. These expenses were made up of salaries and employee benefits (61% or \$2.5 million) and operating expenses (39% or \$1.6 million). The majority of these latter expenses were required for the Board's unique program activity. The balance was associated with internal services.

Supplementary information

Corporate information

Organizational Profile

Appropriate Ministers: The Honourable Navdeep Bains, P.C., M.P.
Minister of Innovation, Science and Economic Development

Institutional Head: Nathalie Théberge, Vice-Chairperson and CEO

Ministerial portfolio: Innovation, Science and Economic Development

Enabling Instrument: [Copyright Act](#)ⁱⁱⁱ

Year established: 1989

Raison d'être, mandate and role: who we are and what we do

“Raison d'être, mandate and role: who we are and what we do” is available on the [Copyright Board of Canada's website](#).

For more general information about the Copyright Board, see the “Supplementary information” section of this report.

Operating context and key risks

Information on operating context and key risks is available on the [Copyright Board's website](#).

Reporting Framework

The Copyright Board of Canada's Departmental Results Framework and Program Inventory of record for 2018–19 are shown below:

Departmental Results Framework	Core Responsibility: Copyright Tariffs and Licences		Internal Services
	Department Result 1: Timely Tariff Decisions	Indicator: Percentage of tariff decisions published within 12 months	
Department Result 2: Timely Issuance of Licences	Indicator: Percentage of licences issued within 45 days		
Program Inventory	Program: Copyright Tariff Setting and Issuance of Licences		

Supporting information on the Program Inventory

Financial, human resources and performance information for the [name of department]'s Program Inventory is available in the [GC InfoBase^{iv}](#).

Federal Tax Expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the [Report of Federal Tax Expenditures](#).^v This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational Contact Information

Copyright Board of Canada
Suite 800 - 56 Sparks Street
Ottawa, Ontario K1A 0C9
Telephone: 613-952-8621
E-mail: secretariat@cb-cda.gc.ca

Appendix: Definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Core Responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

Departmental Result (résultat ministériel)

A Departmental Result represents the change or changes that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

Departmental Result Indicator (indicateur de résultat ministériel)

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

Departmental Results Framework (cadre ministériel des résultats)

Consists of the department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on an appropriated department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

experimentation (expérimentation)

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical process used to help identify the potential impacts of policies, Programs and services on diverse groups of women, men and gender differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2018–19 Departmental Results Report, those high-level themes outlining the government's agenda in the 2015 Speech from the Throne, namely: Growth for the Middle

Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

horizontal initiative (initiative horizontale)

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

priority (priorité)

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s) or Departmental Results.

program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

result (résultat)

An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome (résultat stratégique)

A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

target (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

- i Public Accounts of Canada 2017-2018: <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- ii Board's Website: <http://cb-cda.gc.ca/home-accueil-e.html>
- iii *Copyright Act*: <http://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>
- iv GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- v Report of Federal Tax Expenditures: <http://www.fin.gc.ca/purl/taxexp-eng.asp>