

Copyright Board
Canada



Commission du droit d'auteur
Canada

Date 2008-03-27

Citation File: Private Copying 2008-2009

Regime Copying for Private Use
Copyright Act, subsection 83(8)

Members Mr. Justice William J. Vancise
Mrs. Francine Bertrand-Venne
Mrs. Sylvie Charron

CPCC's proposed tariff of levies to be collected in 2008 and 2009 on the sale of blank audio recording media, in Canada, in respect of the reproduction for private use of musical works embodied in sound recordings, of performers' performances of such works or of sound recordings in which such works and performances are embodied

Reasons for decision

In response to the April 11, 2007 motion of the Retail Council of Canada and the April 20, 2007 motion of the Canadian Storage Media Alliance and pursuant to an order of the Federal Court of Appeal dated January 10, 2008, all portions of the Canadian Private Copying Collective's (CPCC) proposed Private Copying Tariff, 2008-2009 dealing with digital audio recorders are struck out. These consist of the definition of "digital audio recorder" found in section 2, of subparagraph (a)(v) of the definition of "blank audio recording medium" found in the same section and of paragraph 3(1)(e).

Furthermore, in a letter to the Board dated June 8, 2007, CPCC withdrew its proposed tariff as it applied to removable electronic memory cards. As a result, the examination of the proposed tariff will proceed on the dates already set for the hearing but only with respect to the following blank audio recording media: audio cassettes, recordable and rewritable CDs of all types and MiniDiscs.

A handwritten signature in black ink that reads 'Claude Majeau'.

Claude Majeau
Secretary General