

**CANADIAN PRIVATE COPYING COLLECTIVE/LA SOCIÉTÉ CANADIENNE DE
PERCEPTION DE LA COPIE PRIVÉE (CPCC/SCPCP)**



These brief notes are designed as an introduction and resume of CPCC. They are broken down into the following sections: history, current structures, current operations, current rates and proposed rates.

PRIVATE COPYING

History

Private copying (or home taping) began with the introduction of the cassette recorder into Canada in the late seventies and began to be a serious concern by the mid-eighties. The music industry lobbied hard for the introduction of a private copying regime in the 1988 revision of the Copyright Act but was not successful at that time and it was not until the passage of Bill C-32 on April 27, 1997 that the private copying right became a reality. However, while the law was in place it still required the publishing of regulations that would allow copyright owners to enforce their rights in this regard.

Subsequent to the regulations being published tariffs were filed by several different groups representing owners. However it was quickly recognized by all concerned that it would be far more cost-effective and beneficial to copyright owners to put together an organization similar to NRCC i.e. a collective of collectives with specific tasks and objectives being assigned to CPCC by the constituent collectives.

This resulted in a delay in the filing of the first tariff until 1999 and which in fact only applied to the year 2000. A subsequent tariff was filed for the years 2001 and 2002 that resulted in substantial increases in the rates. A new tariff has been filed with the Copyright Board for 2003/2004 which will be heard in October of this year with a decision prior to year's end promised.

Current Structure

The members of the collective constitute two separate "colleges" of rights owners. The author/composer/publisher college consists of three collectives: Society of Composers, Authors and Music Publishers of Canada/Société canadienne des auteurs, compositeurs et éditeurs de musique (SOCAN), Canadian Musical Reproduction Rights Agency (CMRRA) and Society for Reproduction Rights of Authors, Composers and Publishers in Canada/Société du droit de reproduction des auteurs, compositeurs et éditeurs au Canada (SODRAC) each of whom have one seat on the CPCC Board. The artists/musicians/record producer college is represented by the Neighbouring Rights Collective of Canada/Société canadienne de gestion des droits voisins (NRCC/SCGDV) and Société de gestion des droits des artistes-musiciens (SOGEDAM) (non-voting), with NRCC having three seats on the CPCC board. Decisions voted upon must have the approval of a majority of both colleges.

Current Operations

The CPCC operates with a small staff which is charged with overseeing the preparation, research, filing and defense of tariffs in front of the copyright board, with the operating of the current zero rating scheme, with the enforcement of its rights and the effective collection of monies due, with implementing the CPCC board decisions regarding the design and implementation of effective distribution systems, working with the constituent collectives to ensure that the proper distribution is achieved and with the ensuring all CPCC governance issues are properly addressed.

Current rates for 2001/2002

Audio cassettes of at least 40 minutes	29¢
CD-R or CD-RW	21¢
CD-R Audio, CD-RW Audio or MiniDisc	77¢

Proposed rates for 2003/2004

Audio cassettes of at least 40 minutes	60¢
CD-R or CD-RW or other media \geq 100 MB	59¢
CD-R Audio, CD-RW Audio or MiniDisc	\$1.23
For each MB of memory in each removable electronic memory card, each removable flash memory storage, or each removable micro-hard drive	0.8¢
DVD-R, DVD-RW, DVD+RW, DVD-RAM or other recordable or rewritable DVD	\$2.27
For each MB of memory in each non-removable electronic memory card or flash memory storage medium incorporated into each MP3 player or similar device with internal electronic or flash memory intended primarily for recording and playing music	2.1¢
For each GB of memory in each non-removable hard drive in each MP3 player or each similar device with an internal hard drive intended primarily for recording and playing music	\$21