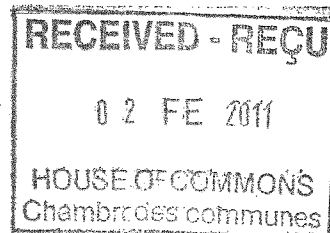


December 29, 2010

Mike Allen
MP, Tobique-Mactaquac
House of Commons
Ottawa, Ontario K1A 0A6



Dear Mr. Allen:

On behalf of Fredericton Public Library Board, and New Brunswickers who use library services, I am writing to voice concern for limitations present in the current version of Bill C-32, *The Copyright Modernization Act*.

We commend your attempt to create balanced copyright legislation in the public interest. We join the Canadian Library Association (CLA) in vigorously supporting the progressive section of the Bill while seeking amendments to address the following issues:

- 1) **Fair Dealing.** We applaud the inclusion of education, satire and parody under fair dealing and urge the government to retain these rights. However, fair dealing rights must not be superseded by digital locks.
- 2) **Exception for print disabled.** It must not be an infringement of copyright for a non-profit organization to make accessible copies of a work in a format suitable for persons with perceptual disabilities. In addition, there should be no prohibition on sign language or captioning of motion pictures by a non-profit organization.
- 3) **Research and Private Study.** To provide effective reference and interlibrary loan services, libraries must make copies from materials for their patrons. While C-32 allows libraries to loan a digital copy of a work, library staff must prevent patrons from reproducing the digital copy, communicating it to others, or using it for more than five days. These limits are too restrictive and unworkable given the currently available software. In practice, libraries would have no choice but to provide a paper copy, which is less convenient for the user and more harmful to the environment.
- 4) **Government Information.** An exception should also be made to anti-circumvention clauses related to digital locks to ensure that government information and laws are never inaccessible to Canadians. As citizens, we should have an inalienable right to access this information.

Canadians, who circumvent a digital lock for an intended use that is otherwise permitted, should not be in the position of violating the law. These issues must be addressed to ensure that technologic protection measures do not prohibit legitimate acts of circumvention.