

**Written Submission for the Pre-Budget
Consultations in Advance of the Upcoming
Federal Budget**

By: Playwrights Guild of Canada

List of Recommendations (REQUIRED)

- **Recommendation 1:** That the government implement its Budget 2022 commitment “to ensuring that the Copyright Act protects all creators and copyright holders... [and] work to ensure a sustainable educational publishing industry, including fair remuneration for creators and copyright holders, as well as a modern and innovative marketplace that can efficiently serve copyright users.”
- **Recommendation 2:** That the government amend the Copyright Act so that fair dealing for education only applies to educational institutions where a work is not commercially available under license by the owner or a collective.
- **Recommendation 3:** That the government amend the Copyright Act to clarify that tariffs approved by the Copyright Board of Canada are enforceable against infringers of copyright protected works subject to a tariff.
- **Recommendation 4:** That the government amend the Copyright Act so that statutory damages are available to all collectives.

Introduction

Playwrights Guild of Canada (PGC) champions the role of the playwright in the creation of vibrant Canadian theatre. PGC works to advance the creative rights and interests of professional Canadian playwrights, promote Canadian plays nationally and internationally, and foster an active, evolving community of writers for the stage. PGC has worked to establish community-wide respect and standard codes of practice and is recognized as the organization that negotiates nationally with theatres on behalf of Canadian playwrights. We operate an online bookstore, organize RRSP program for our playwrights, administer Amateur Rights nationally and internationally, offer a recognized awards program and provide Professional Development opportunities.

We represent approximately 1000 writers for the stage. PGC works closely with other national and regional organizations to share, plan and advocate for a strong cultural sector that ensures our artists, the creators of new Canadian cultural content, continue to feel the protections afforded under the Status of the Artist Act.

Current Issues:

In referencing the Status of the Artist Act, we know that

The Government of Canada hereby recognizes

- (a) the importance of the contribution of artists to the cultural, social, economic and political enrichment of Canada;
- (b) the importance to Canadian society of conferring on artists a status that reflects their primary role in developing and enhancing Canada's artistic and cultural life, and in sustaining Canada's quality of life;
- (c) the role of the artist, in particular to express the diverse nature of the Canadian way of life and the individual and collective aspirations of Canadians;
- (d) that artistic creativity is the engine for the growth and prosperity of dynamic cultural industries in Canada; and
- (e) the importance to artists that they be compensated for the use of their works, including the public lending of them.

However the effects of the Copyrights Modernization Act (2012) are seriously undermining the tenets of the Proclamation as noted above.

- Collective licensing royalties are an important source of income for creators
- The actions of a significant portion of the education sector created self-defined copying policies, resulting in free copying and use of 600 million pages of published works annually, all without compensation to the creators
- The result has been a 78% decline in payments to artists

Acknowledging that the Standing Committee on Finance will consider many consultation briefs, Playwrights Guild of Canada has read and concurs with the details as laid out in the brief submitted by Access Copyright.