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1. Members and Staff of the Tribunal

David P. Silcox
*Chairperson and Chief Executive
Officer*

Marie Senécal-Tremblay
Vice-chairperson

Moka Case
Member

Lyse Lemieux
Member

John M. Moreau Q.C.
Member

John Van Burek
Member

Josée Dubois
Executive Director and General Counsel

François Auger
A / Registrar and Legal Counsel

Melvin Chuck
Legal Counsel

Ginette Demeule
Liaison and Scheduling Officer

Lorraine Farkas
*Director, Planning, Research and
Mediation*

Marc Boucher
Analyst, Research and Communications

Marie-Anne Lebeau
Administrative Officer

Gilles Gareau
Chief, Administrative Services

Nancy Lévesque
Administrative and Hearing Officer

2. Mandate

The Canadian Artists and Producers Professional Relations Tribunal is the independent quasi-judicial agency established to administer the framework governing professional relations between self-employed artists and producers under federal jurisdiction that is prescribed by Part II of the *Status of the Artist Act* (hereinafter called the *Act*).

The *Act* defines “artists” as independent contractors who are authors within the meaning of the *Copyright Act*, directors, performers or other professionals who contribute to the creation of a production.

All broadcasting undertakings under the jurisdiction of the Canadian Radio-Television and Telecommunications Commission, all federal government departments and the majority of federal government agencies and crown corporations are considered to be “producers” for the purposes of the *Act*.

By following the procedures specified in the *Act*, associations representing self-employed artists can obtain legal recognition and the exclusive right to negotiate with producers for the purpose of entering into scale agreements. These agreements will specify the minimum terms and conditions under which self-employed professionals in a particular cultural sector will provide their services to producers in the federal jurisdiction.

The objective of the Canadian Artists and Producers Professional Relations Tribunal is to contribute to the enhancement of Canada’s cultural community by

encouraging constructive professional relations between artists, as independent contractors, and producers in the federal jurisdiction.

The Tribunal’s principal responsibilities are:

- to define the sectors of cultural activities subject to federal jurisdiction that are suitable for collective bargaining;
- to certify artists’ associations to represent these sectors;
- to hear and decide complaints of unfair practices filed by artists, artists’ associations or producers and to prescribe appropriate remedies.

The Tribunal reports to Parliament through the Minister of Labour. However, certain provisions of Part II of the *Act* specify a role for the Minister of Canadian Heritage.

3. Activities

3.1 Introduction

During the 2002-2003 fiscal year, the Tribunal rendered six interim or final decisions. Six new requests including three applications for certification were received.

The Tribunal granted certification to the APVQ-STCVQ federation. Since it began operations in May 1995, the Tribunal has received 32 applications for certification. Twenty-two artists' associations have been granted certification to represent the 24 bargaining sectors defined by the Tribunal. In five cases, the applications were withdrawn. Three applications are pending.

Eleven certifications issued by the Tribunal came up for renewal. Pursuant to subsection 28(2) of the *Act*, a certification is valid for three years. It is automatically renewed for an additional three-year period unless a competing application for certification in respect of the sector, or an application for revocation of certification, is filed within the three months before the expiry of the certification. All eleven certifications were renewed.

The Tribunal also rendered three final decisions regarding two complaints and one application for review. A complaint

Representatives of the Tribunal participated in or attended several events. For example, the Chairperson, David Silcox, gave the keynote speech at the

was also withdrawn after settlement between the parties.

The Minister of Canadian Heritage in consultation with the Minister of Labour proceeded with the review of the *Act* in the course of the year, in accordance with subsection 66(1). A report was prepared by Prairie Research Associates (PRA) Inc. during the summer of 2002 and the government's response was tabled April 1, 2003. The report is available on our website in the *News 2003* section.

Under the *Act*, the Tribunal has the power to make procedural regulations. In January 2001, the Tribunal invited artists, artists' associations and producers to provide any comments on a draft version of its procedural regulations. The draft was modified in light of the comments received during that process. In March 2002, the draft regulations were given to the Department of Justice for review. The prepublication of the procedural regulations in the *Canada Gazette* was scheduled for the beginning of May 2003.

The Tribunal Secretariat is also preparing a handbook for persons representing themselves. The handbook will give self-represented persons advice on preparing for a hearing before the Tribunal as well as information on the procedures the Tribunal follows. Publication is expected during the upcoming fiscal year.

Arts Congress in Saskatchewan in May, a time when the province was preparing to introduce its own status of the artist legislation. Mr. Silcox also addressed

Canadian and American labour relations boards on the subject of collective bargaining in the entertainment sector in Canada at the *Association of Labor Relations Agencies Conference* in July 2002.

The services of a specialized firm were retained to create a new corporate image for the Tribunal and to enhance its communication materials. A new brochure will be available in June 2003.

Three issues of the Tribunal's *Information Bulletin* were published. This publication provides a summary of decisions issued by the Tribunal and information on a variety of matters of interest to parties engaged in bargaining under the *Act*. Tribunal staff distributed pertinent information on the *Act* and the obligations it imposes at the annual workshop organized by the Material Management Institute, an association of federal government goods and services purchasers.

Two new members were appointed: Ms. Lyse Lemieux of Vancouver and Mr. John Van Burek of Toronto.

3.2 Applications for Certification

The following section presents a summary of the developments respecting applications for certification received this year or pending at the end of the previous fiscal year.

Federation consisting of the APVQ and the STCVQ (File No. 1310-96-0026-A)

In November 1996, the Association des professionnel-le-s de la vidéo du Québec (APVQ) applied to represent a sector composed of independent contractors falling into a number of professional categories not specifically defined in the *Status of the Artist Act*. The applicant requested that its application be deferred until regulations prescribing additional categories of artists were enacted. After the *Professional Category Regulations* were enacted on April 22, 1999, the APVQ filed an amended application for certification.

Public notice of the application was given in December 1999. Following the publication of the notice, the APVQ asked the Tribunal to temporarily defer consideration of its application for certification. The APVQ then decided to pursue the application jointly with the Syndicat des techniciens du cinéma et de la vidéo du Québec (STCVQ). The

“all professional independent contractors engaged by a producer subject to the *Status of the Artist Act* to perform the function of assistant director, first assistant director, director

Tribunal published another notice in August 2000 as the proposed sector had been amended. Between the publication of that notice and the hearing of the case, the sector was modified several times.

Between January 8 and August 15, 2001, three interim decisions were rendered in this complex case. They are Decisions 2001 CAPPRT 032, 2001 CAPPRT 034 and 2001 CAPPRT 035, dealing with a request for intervention, a declaration requesting the disqualification of a law firm and a preliminary objection dealing with the status of the individuals in the proposed sector.

On June 21, 2002, a partially competing application for certification was filed by the Directors Guild of Canada (DGC). The Federation filed a preliminary objection to the competing application alleging that it was inadmissible due to lateness in filing. The Tribunal upheld the Federation’s preliminary objection.

The hearing on the merits of the Federation’s application for certification was held April 2 and August 21, 22 and 23, 2002. On March 4, 2003, the Tribunal rendered Decision 2003 CAPPRT 041 in which it granted certification to the Federation to represent, for the purposes of collective bargaining, a sector composed of :

of photography, camera operator, cameraman (including steady-cam, baby-boom, and camera operated through a specialized system [C.O.S.S.]), lighting director, sound man,

sound effects technician, computer graphics designer, computer graphics special effects technician, make-up designer, supervising make-up artist, make-up artist, make-up assistant, special effects make-up artist, prosthetic make-up technician, prosthetic make-up assistant, hairstylist designer, supervising hairstylist, hairdresser, wig-maker, costume designer, costumer, puppet designer, assistant art director, set designer, props designer, propsman crewleader, head painter, scenic painter, sculptor-molder, draughtsman, studio special effects technician, floor director or manager (excluding dubbing directors), production assistant, location manager, script-clerk, editor, off-line editor, in-line editor, sound editor, sound mixer, in all audiovisual productions shot primarily in the province of Québec, in any language, in all forms and in all mediums, including film, television, video, multimedia and the recording of commercials.”

**Association des journalistes
indépendants du Québec
(File No. 1310-96-0028-A)**

Sector sought:

“all professional freelance journalists and researchers who are authors of works in French, engaged by a producer subject to

the *Status of the Artist Act* in the following areas: publication or distribution of periodicals, newspapers, magazines, or any other means of publication or distribution, film, video, television, radio and sound-recordings.”

Public notice of the application was given in December 1999. A hearing in this matter was scheduled for December 18 and 19, 2002. On December 4, 2002, the Association des journalistes indépendants du Québec (AJIQ) informed the Tribunal of its desire to withdraw its application for certification. The Tribunal agreed to AJIQ’s request and the file in this matter was closed.

**Guild of Canadian Film Composers
(File No. 1310-02-002)**

Sector sought:

“all professional independent contractors engaged by a producer subject to the *Status of the Artist Act* who create, write, compose, orchestrate, arrange or edit music, lyrics (in a language other than French) or music and lyrics where the said music and/or lyrics are intended for film, videotape, digital media or any other audio-visual media or analogous process, or any other process now known or to be invented which modifies or replaces the aforementioned technology and processes, with the exception of :

The artists covered by the certification granted to the Société professionnelle des auteurs et des compositeurs du Québec (SPACQ) by the Canadian Artists and Producers Professional Relations Tribunal on May 17, 1996, as may be amended by the Tribunal in the future.

And subject to:

(a) The agreement concluded between the Guild of Canadian Film Composers and the Society of Composers, Authors and Music Publishers of Canada (SOCAN) on May 6, 2002; and

(b) The agreement concluded between the Guild of Canadian Film Composers and the Société du droit de reproduction des auteurs, compositeurs et éditeurs au Canada (SODRAC) inc. on May 13, 2002.”

Public notice of the application was given in September 2002. A hearing in this matter was held on March 12, 2003.

Directors Guild of Canada
(File No. 1310-02-003)

Sector sought:

“all professional independent contractors engaged in all productions by a producer subject to the *Status of the Artist Act* to perform the function of director, first assistant director,

second assistant director and third assistant director, excluding:

(a) the artists covered by the certification granted to the Association des réalisateurs et réalisatrices du Québec (ARRQ) by the Canadian Artists and Producers Professional Relations Tribunal on December 30, 1997; and

(b) the assistant directors in Quebec for which an application for certification is pending before the Canadian Artists and Producers Professional Relations Tribunal (APVQ-STCVQ, file no. 1310-96-0026A).”

Public notice of the application was given in September 2002. A hearing in this matter was scheduled for April 15, 2003.

Independent Film and Video Alliance
(File No. 1310-02-004)

The applicant was asked to provide additional information in support of its application and the matter was pending at fiscal year end.

3.3 Applications for Review

The Writers' Union of Canada *(File No. 1350-01-007)*

An application for review was filed by The Writers' Union of Canada (TWUC) regarding Decision 2001 CAPPRT 033 as modified by Decision 2001 CAPPRT 036.

Decision 2001 CAPPRT 036, rendered on September 27, 2001, follows the Tribunal's interim Decision 2001 CAPPRT 033, rendered on February 28, 2001, wherein the Tribunal defined a sector suitable for bargaining as one composed of professional freelance editors and declared that the Editors' Association of Canada (EAC) was the association most representative of artists in this sector.

A hearing was held with respect to TWUC's application for review on May 9 and 10, 2002. On November 1, 2002, the Tribunal rendered Decision 2002 CAPPRT 039, in which it issued a new certification order to the EAC, for a sector composed of:

“professional freelance editors who are engaged by a producer subject to the *Status of the Artist Act* to prepare original works in the form of compilations of data, including but not limited to original indexes, glossaries, tables of contents and bibliographies in either French or English, but excluding:

TWUC also filed an application for judicial review of Decision 2001

(a) authors covered by the certification granted to the Periodical Writers Association of Canada by the Tribunal on June 4, 1996,

(b) authors covered by the certification granted to the Writers Guild of Canada by the Tribunal on June 25, 1996,

(c) authors covered by the certification granted to the Société des auteurs de radio, télévision et cinéma by the Tribunal on January 30, 1996 as amended on June 8, 2001,

(d) authors covered by the certification granted to The Writers' Union of Canada by the Tribunal on November 17, 1998,

(e) authors covered by the certification granted to the Union des écrivaines et écrivains québécois by the Tribunal on February 2, 1996, and

(f) authors covered by the certification granted to the Playwrights Union of Canada by the Tribunal on December 13, 1996.”

CAPPRT 033 as modified by Decision 2001 CAPPRT 036 in the Federal Court

of Appeal. Following Decision 2002 CAPPRT 039, TWUC withdrew its application for judicial review in the Federal Court of Appeal.

Société professionnelle des auteurs et des compositeurs du Québec
(File No. 1350-02-008)

The Société professionnelle des auteurs et des compositeurs du Québec (SPACQ) asked the Tribunal to amend its certification as a result of the application for certification filed by the Guild of Canadian Film Composers (Tribunal File No. 1310-02-002). The sector requested by the SPACQ is as follows:

“Independent contractors engaged in a production in Quebec, by a producer subject to the *Status of the Artist Act* with the exception of a national private English-language broadcaster, to perform the function of lyricist, composer, lyricist-composer, or music or song editor.”

Public notice of the application was given in September 2002. A hearing in this matter was held on March 12, 2003.

A complaint was filed by an artistic director of a theatre company and former member of the Canadian Actors' Equity Association (CAEA) against CAEA and and the association's Executive Director. In this matter, the plaintiff alleged that the respondents breached section 35 of the *Status of the Artist Act* respecting an artists' association's duty of fair representation, and paragraph 51(d) of the

3.4 Complaints and Other Applications

Société des auteurs de radio, télévision et cinéma vs TVOntario
(File No. 1330-97-0003-C)

A complaint was filed by the Société des auteurs, recherchistes, documentalistes et compositeurs (SARDeC) [renamed the Société des auteurs de radio, télévision et cinéma (SARTeC)] against TVOntario pursuant to paragraph 32(a) of the *Status of the Artist Act*. Because the parties were able to commence negotiations, SARTeC requested that the Tribunal postpone the processing of the complaint. The Tribunal agreed to the request and adjourned the proceedings *sine die*. Since the parties were in negotiations but had still not concluded a scale agreement, SARTeC requested that the Tribunal maintain the complaint. The matter was still pending at fiscal year end.

Mr. Patrick Christopher vs the Canadian Actors' Equity Association and Ms. Susan Wallace
(File No. 1310-95-0019-A)

Act respecting an artists' association's obligation not to apply its standards of discipline to an artist in a discriminatory manner. As a preliminary objection, the respondents argued that the Tribunal did not have the required constitutional jurisdiction to entertain the complaint.

The Tribunal concluded that it lacked constitutional jurisdiction to adjudicate

the complaint because there is no evidence of a nexus between the plaintiff and a producer subject to the *Act*.

The Tribunal upheld the preliminary objection and dismissed the complaint for lack of jurisdiction, in accordance with paragraph 53(3)(b) of the *Act* which states that the Tribunal shall not hear a complaint if it is not within its jurisdiction.

Guilde des musiciens du Québec vs CKRL-FM
(*File No. 1330-01-004*)

A complaint pursuant to paragraph 32 (a) of the *Status of the Artist Act* was filed by the Guilde des musiciens du Québec against CKRL-FM, a radio station from the Quebec city region. The Guilde alleged that CKRL-FM was not negotiating in good faith. CKRL-FM filed a preliminary objection to the filing of the complaint on the ground that it was statute-barred. At the hearing held June 12 and 13, 2002, the Tribunal heard the parties' evidence and submissions concerning the respondent's preliminary objection as well as the merits of the case.

In Decision 2003 CAPPRT 040, the Tribunal granted the respondent's motion and dismissed the complaint on the ground that it was inadmissible.

Union des artistes vs TVA
(*File No. 1330-02-005*)

A complaint pursuant to paragraph 32 (a) of the *Status of the Artist Act* was filed by the Union des artistes (UDA) against

TVA. UDA alleged that TVA was not negotiating in good faith. A hearing in this matter was scheduled for May 1 and 2, 2003.

Canadian Actors' Equity Association vs National Arts Centre
(*File No. 1330-02-006*)

A complaint pursuant to paragraph 32 (a) of the *Status of the Artist Act* was filed by the Canadian Actors' Equity Association (CAEA) against the National Arts Centre (NAC). CAEA alleged that the NAC was not negotiating in good faith. The parties referred the negotiations to mediation and concluded a scale agreement. The CAEA informed the Tribunal that it wanted to withdraw its complaint. The Tribunal granted the request for withdrawal.

Canadian Broadcasting Corporation vs Writers' Guild of Canada
(*File No. 1340-03-001*)

The Canadian Broadcasting Corporation filed an application for declaration of illegal pressure tactics pursuant to section 47 of the *Status of the Artist Act* against the Writers' Guild of Canada. The matter was pending at fiscal year end.

4. Case Statistics

All files	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003
Brought forward from previous fiscal year ¹	n/a	18	15	14	11	11	8	7
New applications received ¹	22	10	6	1	3	3	7	6
Days of hearing held	8	20	9	6	2	16	12	12
Interim decisions rendered	7	2	2	0	1	8	8	2
Final decisions rendered	3	10	6	4	1	3	5	4
Cases settled / withdrawn	1	3	1	0	2	3	3	2
Renewals	n/a	n/a	n/a	2	11	3	5	11
Pending at fiscal year end	18	15	14	11	11	8	7	7

1. Includes applications for certification, applications for review of decisions or orders, applications for determinations or declarations, applications for consent to prosecute, and complaints.

Appendix 1. Negotiation Activity Under the *Act*

Notices to bargain

The following section presents a list of notices to bargain sent between April 1, 2002 and March 31, 2003, copies of which were provided to the Tribunal. An asterisk indicates a notice to bargain for a first scale agreement.

Artists' Associations	Producers
ACTRA Performers Guild	Global Communications Limited (television)
	National Film Board of Canada
	Canadian Broadcasting Corporation (television)
	Canadian Broadcasting Corporation (radio)
American Federation of Musicians of the United States and Canada	Rogers TV (London) *
Canadian Actors' Equity Association	National Arts Centre (Queen's Jubilee Gala) *
	National Arts Centre (Governor General's Performing Arts Award) *
	National Arts Centre (Variety programming) *
	Canadian Centre for Management Development *
Canadian Artists' Representation / Le Front des artistes canadiens	National Gallery of Canada / Canadian Museum of Contemporary Photography *
Union des artistes	National Film Board of Canada

Agreements concluded

The following section presents a list of scale agreements concluded between April 1, 2002 and March 31, 2003 that were copied to the Tribunal. An asterisk indicates a first scale agreement.

Artists' Associations	Producers
ACTRA Performers Guild	CTV Television Network
Canadian Actors' Equity Association	Canadian Centre for Management Development *
	National Arts Centre (Queen's Jubilee Gala) *
	National Capital Commission (Events Agreement)
Guilde des musiciens du Québec	National Battlefields Commission
Union des artistes	National Arts Centre (Opera and Lyric) *
Union des écrivaines et écrivains québécois	Department of Canadian Heritage *

Appendix 2. Spending

	2002-2003 (in dollars)	2001-2002 (in dollars)
Operating expenditures	614,189	476,552
Salaries, wages and other personnel costs	889,066	784,525
Total	1,503,255	1,261,077

Appendix 3. Statutory Responsibilities

The *Status of the Artist Act* requires or permits the Tribunal to undertake the following activities:

1. pass by-laws governing the conduct of its affairs [subs. 11(2)];
2. hold meetings or proceedings of the Tribunal at such times and locations in Canada as it considers desirable [subs. 13(2)];
3. make regulations of general application which it considers conducive to the performance of its duties [s. 16];
4. make interim orders [subs. 20(2)];
5. rescind or amend determinations or orders and rehear applications [subs. 20(1)];
6. file a copy of its order or determination in the Federal Court for purposes of enforcement [s. 22];
7. review by-laws of artists' associations for conformity with [s. 23];
8. receive copies of membership lists filed by associations of producers in conformity with [s. 24];
9. receive applications for certification from artists' associations pursuant to s. 25 and provide public notice of the application;
10. determine the appropriateness of sectors for collective bargaining [s. 26];
11. determine whether an artists' association is representative of the sector for which it seeks certification [s. 27];
12. certify artists' associations to represent specific sectors [s. 28];
13. maintain a register of all certificates issued [subs. 28(4)];
14. receive, consider and decide applications for revocation of certification [s. 29];
15. determine the rights, duties and privileges acquired by an artists' association following a merger, amalgamation or transfer of jurisdiction [s. 30];
16. determine whether contractual conditions are "more favourable" to an artist than those contained in a scale agreement [subs. 33(5)];
17. change the termination date of a scale agreement when so requested by the parties [s. 34];
18. hear and determine questions referred to it by an arbitrator or arbitration board [s. 41];
19. hear and decide on applications for a declaration that the use of pressure

tactics is unlawful and prescribe
20. hear and decide applications alleging
unfair labour practices and prescribe
appropriate remedies [ss. 53, 54];

21. issue consent to prosecute [s. 59];

22. establish other offices which it
considers necessary [subs. 13(1)];

23. prepare and submit an annual report
to Parliament through the Minister of
Labour regarding activities during the
fiscal year [s. 61].

appropriate remedies [ss. 47, 48, 49];

Appendix 4. Members' Biographies

Mr. David P. Silcox **Toronto, Ontario**

David P. Silcox has been a part-time member of the Tribunal since December 1995 and was appointed chairperson and chief executive officer on March 1, 1998.

Mr. Silcox holds a Master of Arts from the University of Toronto and has been awarded an honorary Doctor of Letters Degree by the University of Windsor. He is also a senior fellow of Massey College.

As a recognized art critic and author, he is the author of an extensive biography of David Milne, published in 1996, and co-author of a catalogue raisonné of the paintings of the same artist which was published in 1998. He is also the co-author of a major book on the painter Tom Thomson. Before being appointed head of Sotheby's in Canada on July 1, 2001, Mr. Silcox was the Director of the University of Toronto Art Centre.

Mr. Silcox has extensive experience in cultural portfolios at the federal, provincial and municipal levels. He served as Assistant Deputy Minister (Culture) with the federal Department of Communications. He was a member, vice-chairman and chairman of Telefilm Canada as well as a member of numerous boards and commissions.

Ms. Marie Senécal-Tremblay **Montréal, Québec**

Marie Senécal-Tremblay has been a part-time member of the Tribunal since March 1, 2001 and vice-chairperson since April 1, 2002. She holds a Bachelor of Social Sciences Degree in Sociology (1978) and an LL.B. from the University of Ottawa (1982). She was called to the Ontario Bar in April 1984.

Ms. Senécal-Tremblay served as the interim executive director of the Institute for Family Enterprise in Montréal from 1998 to 1999. Prior to that, from 1991 to 1997, she was senior legal counsel at Canadian Pacific Limited where she provided advice and opinions in the area of federal labour, employment, human rights and immigration law.

Actively interested in the arts and culture, Ms. Senécal-Tremblay has worked with organizations such as Héritage Montréal and the Montreal Children's Museum Project.

Ms. Moka Case **Dartmouth, Nova Scotia**

Moka Case has been a part-time member of the Tribunal since April 15, 1999. Ms. Case has been active in the cultural sector for a number of years and has a broad experience in the music and theatre sectors. She has been a member and chair of the East Coast Music Association Board. At the Théâtre Capitol Theatre Inc. in Moncton, she was interim general manager. Ms. Case has served as a jury

member on numerous peer assessment committees.

Ms. Lyse Lemieux
Vancouver, British Columbia

Ms. Lyse Lemieux was appointed a part-time member of the Tribunal on April 18, 2002. Ms. Lemieux is a visual artist with extensive experience in the field of arts and culture. In addition to her experience in gallery management, her artistic work has been exhibited in Canada and Europe and is held in corporate and private collections.

Ms. Lemieux also worked for the Canadian Broadcasting Corporation for many years. She produced many radio programs during her career at the CBC and she was assistant producer for the national French radio program "Le Monde à Lanvers". She won the 1999 French radio award "Meilleure création radiophonique" for this program.

Mr. John M. Moreau Q.C.
Calgary, Alberta

John M. Moreau has been a part-time member of the Tribunal since March 1, 2001. He holds a Bachelor of Arts (1973) and a Bachelor of Laws (1974) from the University of Alberta. He has been a member of the Law Society of Alberta since 1975. From 1977 to 1998, he was a partner at the law firm of Moreau, Ogle & Hursh.

Mr. Moreau has been a member of the National Academy of Arbitrators since 1994 and was appointed Queen's Counsel in 2001. He is the author of many

conference and seminar papers. Involved in his community, Mr. Moreau was the president of the Association canadienne-française de l'Alberta from 1995 to 1997. Since 1992, he has been president of the Robert Spence Foundation.

Mr. John Van Burek
Toronto, Ontario

John Van Burek has been a part-time member of the Tribunal since May 2002. Mr. Van Burek obtained a Bachelor of Arts Degree from the Saint Anselm College in Manchester, New Hampshire, a Master of Arts from the University of New Brunswick and a Bachelor of Education from the University of Toronto. He has been active in the cultural sector for many years, serving as a theatre director, teacher and translator. He founded the Théâtre Français de Toronto where he was artistic director for two decades, and the Pleiades Theatre. He directed more than 90 productions from a variety of repertoires in Canada, the U.K. and France.

Mr. Van Burek has taught at many theatre schools. He has translated several plays and is the co-translator of most of Michel Tremblay's plays into English.