

# Copyright Board of Canada

2019–20

## Departmental Results Report



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The Honourable Navdeep Bains, P.C., M.P.  
Minister of Innovation, Science and Industry

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by the Minister of Industry, 2020

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## Minister's message

It is my pleasure to present the 2019-20 Departmental Results Report for the Copyright Board of Canada.

As the Department continues to mobilize industry and the research community to confront the COVID-19 pandemic, the various organizations in the ISED Portfolio have coordinated their efforts to position Canada as a global innovation leader and shape an inclusive economy for all Canadians.

The Innovation and Skills Plan was introduced as a vehicle to foster new partnerships to leverage Canada's innovation strengths to bridge the gaps from science, to commercialization, to investment and scale up.



Intellectual property is key to innovation, and the Copyright Board of Canada plays a fundamental role in this ecosystem by: contributing to the remuneration of those who create content that is protected by copyright; facilitating the use of such content; encouraging innovation across sectors; inviting investments into the Canadian market; and helping our creative industries grow and compete on the world stage.

Amendments to the *Copyright Act* came into force on April 1, 2019, making 2019-20 the first full year of operations since the Government took action to modernize the Board's legislative framework to improve its efficiency, timeliness and predictability. These changes reflect our commitment towards a more efficient and effective tariff-setting system to the benefit of both creators and users, and give tools to the Copyright Board to reinvent itself.

The Copyright Board quickly rose to the occasion. In 2019-20, it launched a number of initiatives to reform and modernize its operations, to provide its stakeholders with clearer and more transparent rules of engagement, foster a new lean organizational culture, optimize the use of its human and financial resources, and ultimately, deliver on better access to justice for all Canadians.

At the same time, the Copyright Board continued to manage a heavy workload this year: in addition to its existing workload, it received nineteen new tariff proposals, filed on October 15, 2019 in accordance with the new legislative regime; twenty-one applications for licenses pursuant to the provisions of the *Act* that permit the use of works when copyright owners cannot be located; and eighty agreements filed with the Board pursuant to s. 76 of the *Copyright Act*. The Copyright Board continued to move forward a number of complex cases, and issued decisions in four substantial matters, described in more detail in this Report.

These are just a few examples of the Copyright Board's work on behalf of Canadians regardless of their background, region or generation. I invite you to read this report to learn more about how the Board contributes to a healthy and innovation-driven Canadian creative economy as part of a modern and well-functioning intellectual property framework.

## Results at a glance and operating context

The mandate of the Copyright Board of Canada (the “Board”) is defined in the Copyright Act (the “Act”). The Act provides that the Board intervenes in three areas, namely approving tariffs for works whose rights are managed by collective societies, the granting of licences for the use of works for which the rights owners cannot be found, and arbitration in the event a collective society and user cannot agree on royalties. By making decisions on proposed tariffs, the Board helps define the economic parameters that frame the cycle of use of works protected by copyright.

To deliver on its mandate, the Board must adhere to the principles of natural justice: ground its work in solid legal interpretation and economic data, and maintain a solid understanding of constantly evolving business models and technologies. As an administrative tribunal, the Board is constrained by decisions of the Federal Court of Appeal and of the Supreme Court of Canada which continuously shape the legal framework in which it operates. Finally, the Board’s decisions are subject to judicial review, which means that cases from previous years can be reversed in whole or in part and sent back to the Board.

Fiscal year 2019-20 was the first full year of operation since the most recent amendments to the *Copyright Act* came into force on April 1, 2019. These amendments updated the legislative framework in which the Board operates to improve the timeliness and predictability of its activities and decisions, clarify its proceedings, and overall to reduce the regulatory burden and costs for all stakeholders.

To ensure a successful implementation of the new legislative framework, the Board:

- Implemented a “lean management” approach based on a complete review done in 2018-2019 of all processes, practices and policies, for both tariff-setting proceedings and internal operations;
- Prepared new regulations to codify some of the Board’s existing practices, and new rules to guide various stages of its proceedings. The new regulations, once in force, will clarify Board’s expectations, ensure that its processes are more predictable and consistent, and position Parties and the Board to work together more efficiently; and
- Continued to support the Departments of Innovation, Science and Economic Development and Canadian Heritage as they develop their own regulations.

In continuing to deliver on its mandate, the Board also:

- Rendered four major decisions and approved the corresponding tariffs;
- Received nineteen new proposed tariffs filed by Collectives;
- Received twenty-one new applications, issued eight licences and denied 3 applications pursuant to the provisions of the *Copyright Act* pertaining to the use of works when copyright owners cannot be located; and
- Received eighty agreements between collective societies and users on the royalties and related terms of licences for the use of a society’s repertoire.

For more information on the Copyright Board of Canada’s plans, priorities and results achieved, see the “Results: what we achieved” section of this report.



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## Results: what we achieved

### Core responsibility: Copyright Tariffs and Licences

#### Description

The Copyright Board of Canada establishes the tariffs to be paid for the use of copyrighted works when the copyrights on such works are administered collectively. The Board also issues licences for the use of copyrighted works when the copyright owner cannot be located. By issuing fair and equitable tariffs and licences in a timely manner, the Board encourages the development and adoption of new technologies and stimulates innovation in the Canadian creative economy. Its work also promotes confidence in Canada's tariff and licencing processes.

As a matter of course, the Board hears and rules on complex disputes between rights holders and users based on evidence, relying on a highly specialized understanding of relevant legal and economic principles. In its decisions, the Board is required to consider the broader public interest. As such, in addition to submissions and evidence filed by parties and relevant legal and economic principles, the Board considers written comments from anyone, including members of the public. Finally, as with other administrative tribunals in Canada, the Board exercises its specialized decision-making functions at arm's-length from the government.

The results section below describes how in 2019-20 the Board focussed on overhauling its processes while operations continued to move forward. It also lists the proposed tariffs received by the Board in 2019-20, filed on October 15, 2019 in accordance with the new legislative regime as well as the decisions issued and the agreements filed by stakeholders as per s.76 of the Act.

#### Results

##### I. Organizational reform

###### *Legislative and regulatory changes*

The *Copyright Act* was amended in November 2018 to modernize the legislative framework in which the Board operates. These amendments aimed to improve the timeliness, predictability, and clarity of Board processes, by codifying the Board's mandate, establishing decision-making criteria, setting timelines for rendering decisions and formalizing case management.

The changes to the Act came into effect on April 1<sup>st</sup>, 2019. Since then, the Board initiated the development of a new set of regulations to articulate how it will implement the new legislative requirements and conduct more efficient tariff-setting processes. These regulations will complement both the legislative amendments and the upcoming regulations currently being developed by the government. Overall, this new legislative

and regulatory framework will support a more timely and transparent tariff-setting process with clear rules and expectations for all participants. It will also create a path towards the broader goal of the Board to support better and easier access to justice.

The Board expects to bring its new set of regulations into force in 2021, following pre-publication and an opportunity for stakeholders to comment.

#### *LEAN project*

In the spring of 2019, the Board hired the external consulting firm Lean Agility to lead a thorough review of all its internal practices and set the foundation for a renewed organization. Every employee of the Board was involved in this exercise. Using the LEAN approach, every single step leading to the rendering of a decision in a typical Board process was mapped, with a view to identifying where efficiencies could be obtained both from a time and resource perspective, while preserving the integrity and fairness of the Board's procedures. For example, to increase expediency and efficiency, the Board developed the option of a one-Member panel, as opposed to a three-Member panel, for consideration of simple agreements, simple unopposed matters, and straightforward license requests when the copyright owner is unlocatable.

This work served as a basis for innovation in, and streamlining of, Board's operations, ensuring continued alignment with Government of Canada policies and best practices, and making optimal use of resources in support of Board's mandate, its staff, Board Members, the parties and the public.

#### *New Strategic Vision*

As a federal administrative tribunal, the Board is completely independent in its decision-making activities. However, as a part of the core federal public administration, per the [Financial Administration Act](#), the Board must comply with the Government of Canada's legal, regulatory and policy frameworks with respect to its administrative activities and practices.

To guide its administrative decisions, the Board adopted a new strategic vision for its Secretariat in 2019-20 which identifies effectiveness and efficiency, transparency, sound management and being an employer of choice as its organizational objectives. Its expected results are that the Board is, and continues to be a credible, respected, agile and resilient institution that offers quality services to Parties and the public.

***Improved transparency***

In 2019-2020, the Board embarked on a transformational initiative to improve the transparency of its processes. Here are the key pieces accomplished this year:

- ***Publication of practice notices:*** four practice notices were published to clarify the interactions between the parties and the Board, processes and more broadly help parties engage with the Board. Other such notices and documents will follow.
- ***New approach to decision-writing:*** Although the Board deals with complex issues rooted in specialized legal and economic analysis, this does not justify issuing decisions that only experts can understand. The Board thus adopted an issue-based style, using plain language and similar structure across decisions.
- ***Modernizing online presence:*** The Board began a complete overhaul of its website, which will present a new intuitive architecture and an improved navigation system. The Board is also moving forward in its use of social media, including Twitter, as a tool to promote its activities.

**II. Proposed tariffs filed by Collective societies**

A total of **19 distinct proposed tariffs** were filed, respecting the new legislative requirement to file for a minimum of three years:

**ARTISTI**

- Artisti – Satellite Radio Tariff, for the reproduction of performers' performances by multi-channel subscription satellite radio services, for the years 2021 to 2023;
- Artisti – CBC Tariff, for the reproduction of performers' performances in connection with over-the-air radio broadcasting and on the Internet for the years 2021 to 2023; and
- Artisti – Pay Audio Services Tariff, for the reproduction of performers' performances by pay audio services, for the years 2021 to 2023.

### ACCESS COPYRIGHT

- Access Copyright – Post-Secondary Educational Institution Tariff, for the reproduction, communication to the public by telecommunication or making available to the public by telecommunication, or the authorization of any such act, of works in its repertoire for the years 2021 to 2023; and
- Access Copyright – Provincial and Territorial Government Tariff, for the reproduction, communication to the public by telecommunication or making available to the public by telecommunication, or the authorization of any such act, of works in its repertoire for the years 2021 to 2025.

### CMRRA and SOCAN

- CMRRA/SOCAN –Tariff for the reproduction of musical works by non-commercial radio stations, for the years 2021 to 2023.

### CMRRA, SOCAN, CONNECT/SOPROQ and ARTISTI

- CMRRA, SOCAN, Connect/SOPROQ, and Artisti - Tariff for the reproduction of musical works by commercial radio stations, for the years 2021 to 2023.

### SOCAN

Tariffs for the public performance or the communication to the public by telecommunication of musical or dramatico-musical works, for the years 2021 to 2023:

- Sports Events (SOCAN Tariff 9);
- Internet – Online Music Services (SOCAN Tariff 22.A);
- Internet – Commercial Radio, Satellite Radio and Pay Audio (SOCAN Tariff 22.B);
- Internet – Other Audio Websites (SOCAN Tariff 22.C);
- Internet – Audiovisual Content (SOCAN Tariff 22.D.1);
- Internet – User-Generated Content (SOCAN Tariff 22.D.2);
- Internet – Allied Audiovisual Services (SOCAN Tariff 22.D.3);
- Internet – Canadian Broadcasting Corporation (SOCAN Tariff 22.E);
- Internet – Game Sites (SOCAN Tariff 22.G); and
- Use of Music by Satellite Radio Services (SOCAN Tariff 25).

Tariffs for the reproduction of musical works, for the years 2021 to 2023:

- Reproduction of Musical Works Embedded in Music Videos for Transmissions by a Service (SOCAN Tariff 22.A.R – formerly SODRAC Tariff 6); and
- Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service (SOCAN Tariff 22.D.1.R - formerly SODRAC Tariff 7)

### III. Decisions

During the fiscal year 2019-20, the Copyright Board rendered **four decisions**:

#### **Retransmission of Distant Television Signals, 2014-2018 (issued August 2, 2019)**

This decision set the royalties to be paid for the retransmission of distant television signals in Canada for the years 2014 to 2018.

[Link to the decision](#)

#### **Access Copyright – Post-Secondary Educational Institutions Tariffs, 2011-2014 and 2015-2017 (issued December 6, 2019)**

This decision set the royalties to be collected by Access Copyright for the reprographic reproduction, in Canada, of works in its repertoire, by post-secondary educational institutions for the years 2011 to 2014 and 2015 to 2017. An *Erratum* was issued on December 28, 2019.

[Link to the decision](#)

[Link to the \*Erratum\*](#)

#### **Withdrawal of Proposed Tariffs - Artisti – Phonograms and Online Music Services Tariffs, 2016-2018 and 2019 to 2021 (issued December 11, 2019)**

This decision approved Artist's application to withdraw the Phonograms proposed tariffs for the years 2016 to 2021 and the Online Music Services proposed tariffs for the years 2016 to 2021, pursuant to section 69 of the *Act*.

[Link to the decision](#)

#### **CPCC – Copying for Private Use, 2020-2021 (issued December 13, 2019)**

This decision set the levies to be collected by CPCC for the sale, in Canada, of Blank Audio Recording Media for the years 2020 and 2021.

[Link to the decision](#)

### IV. Applications for use of works with unlocatable copyright owners

Pursuant to section 77 of the *Act*, the Board may grant licences authorizing the use of published works, fixed performances, published sound recordings and fixed communication signals, if the copyright owner is unlocatable. However, the *Act* requires the applicants to make reasonable efforts to find the copyright owner. Licences granted by the Board are non-exclusive and valid only in Canada.

During the fiscal year 2019-20, 21 applications were filed with the Board. The following 8 licenses were issued:

- Pointe-à-Callière, cité d'archéologie et d'histoire de Montréal, Montréal, Quebec, for the reproduction and exhibition of a poster;
- Roger Barrette, Québec, Quebec, authorizing the reproduction, the publication, the distribution, and the making available to the public of two photographs;

- Gregory Michael John Koch, Vancouver, British Columbia, authorizing the mechanical and digital reproduction, the making available and the communication to the public by telecommunication of a musical work;
- Cossette Communication Inc., Montréal, Quebec, for the reproduction, synchronization, and the communication to the public by telecommunication of a photograph in an advertisement;
- Éditions du Quartz, Rouyn-Noranda, Quebec, authorizing the reproduction, the re-publication, and the distribution on paper of a text of two books;
- Canadian Heritage, Gatineau, Quebec, authorizing the reproduction and exhibition in public of an artistic work;
- Andrew Irvin, Kelowna, British Columbia, authorizing the reproduction, the publication, the distribution on paper by selling or other transfer of ownership, and the communication to the public by telecommunication of a photograph; and
- Good Lovelies, Toronto, Ontario, authorizing the mechanical and digital reproduction, the distribution by transfer of ownership, the making available and the communication to the public by telecommunication of a musical work.

Furthermore, the following 3 applications were denied:

- Application by Pointe-à-Callière, cité d'archéologie et d'histoire de Montréal, Montréal, Quebec for the reproduction and exhibition of a photograph;
- Application by Frank Lawrence, Hamilton, Ontario, for the reproduction of 12 old-time radio drama scripts; and
- Application by Triumph Doc Inc., Toronto, Ontario, for the reproduction of a film.

## **V. Agreements filed with the Board**

Pursuant to the Act, collective societies and users of copyrights can agree on the royalties and related terms of licences for the use of a society's repertoire. Filing an agreement with the Board pursuant to section 76 of the Act within 15 days of its conclusion shields the parties from prosecutions pursuant to section 45 of the Competition Act. The same provision grants the Commissioner of Competition appointed under the Competition Act access to those agreements. In turn, where the Commissioner considers that such an agreement is contrary to the public interest, he may request the Board to examine it. The Board then sets the royalties and the related terms and conditions of the licence.

In 2019-20, 80 agreements were filed with the Board pursuant to section 76 of the Act.

Access Copyright filed 65 agreements, granting the following organizations a licence to photocopy works in its repertoire:

- HumanSystems Inc., Guelph, ON
- Beijing New Oriental Training Inc., Toronto, ON
- XanEdu Publishing, Ann Arbor, MI
- Alberta Medical Association, Edmonton, AB

- 
- Anne and Max Tanenbaum Community Hebrew Academy of Toronto, Toronto, ON
  - LAD Custom Publishing, Buford, GA
  - Toronto Prep School Inc., Toronto, ON
  - Laureate International College, Toronto, ON
  - Ontario eSecondary School Inc., Brampton, ON
  - Rosseau Lake College, Rosseau, ON
  - Breamar House School, Brantford, ON
  - Timothy's Christian School, Etobicoke, ON
  - Invivo Communications, Toronto, ON
  - Greenwood College School, Toronto, ON
  - Fern Hill School, Ottawa, ON
  - Canada's National Ballet School, Toronto, ON
  - Académie Ste-Cécile International School, Windsor, ON
  - Webtree International School of Excellence, North York, ON
  - St-Clement's School, Toronto, ON
  - UMEI Christian High School, Leamington, ON
  - Timothy Christian School, Williamsburg, ON
  - Xerox Canada Inc., Mississauga, ON
  - Appleby College, Oakville, ON
  - Canada TEMS Academy, Waterloo, ON
  - Niagara Falls Collegiate Institute, Niagara Falls, ON
  - Calvin Christian School, Hamilton, ON
  - The Sterling Hall School, Toronto, ON
  - Grenville Management and Printing, Markham, ON
  - Quinte Christian High School, Belleville, ON
  - Laureate International College, Toronto, ON
  - Turnbull School Ltd., Ottawa, ON
  - College of Physical Therapists of BC, Vancouver, BC
  - College of Chiropractors of BC, Vancouver, BC
  - College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC, Vancouver, BC
  - Crescent School, Toronto, ON
  - English Studies for Life in Canada, Langley, BC
  - The Bishop Strachan School, Toronto, ON
  - Enbridge Gas Inc., Chatham, ON
  - Solomon College, Edmonton, AB
  - Holy Trinity School, Richmond Hill, ON
  - Kempenfelt Bay School, Innisfil, ON
  - Hawthorn School for Girls, Toronto, ON
  - University of Toronto Schools, Toronto, ON
  - Trafalgar Castle School, Whitby, ON
  - Armbrae Academy, Halifax, NS

- Walker Nott Dragicevic Associates, Toronto, ON
- St-Michaels College School, Toronto, ON
- Country Day School, Toronto, ON
- Hope Reformed Christian School, Paris, ON
- Upper Canada College, Toronto, ON
- Toronto French School, Toronto, ON
- Holy Name of Mary College School, Mississauga, ON
- Walden International School, Oakville, ON
- NOIC Academy, Markham, ON
- Sobi Canada Inc., Oakville, ON
- Bayview Glen School, Toronto, ON
- Trinity College School, Port Hope, ON
- Woodland Christian High School, Breslau, ON
- Some Place Special Daycare and Academy – operating under the name of Wesley Christian Academy, Markham, ON
- The York School, Toronto, ON
- St. Andrew's College, Aurora, ON
- The Royal St. George's College, Toronto, ON
- Ridley College, St. Catharines, ON
- Branksome Hall, Toronto, ON
- Workplace Safety Prevention Services, Mississauga, ON

Copibec filed 4 agreements, granting the following organizations a licence to photocopy works in its repertoire:

- Milestone Pharmaceuticals Inc., Montréal, QC
- Montreal School of Theology, Montréal, QC
- I.C.I. Influence Communication inc., Montréal, QC
- Référence Média, Roberval, QC

CBRA filed 7 agreements with the Government of Canada in respect of its media monitoring activities:

- Her Majesty the Queen in Right of British Columbia as represented by the Minister of Finance, Victoria, BC
- Her Majesty the Queen in Right of Alberta as represented by the President of the Treasury Board and Minister of Finance, Edmonton, AB
- Her Majesty the Queen in Right of Canada as represented by the Privy Council (PCO), Ottawa, ON
- Her Majesty the Queen in Right of the Library of Parliament, Ottawa, ON
- Her Majesty the Queen in right of Ontario as represented by the President of the Treasury Board, Toronto, ON
- Her Majesty the Queen in Right of Canada as represented by the Minister of Public Safety and Emergency Preparedness (PSC), Ottawa, ON
- Critical Mention, Inc., New York, NY



Finally, CMRRA filed 4 agreements with the following organizations in respect of mechanical reproduction rights:

- 5041 Music Inc., Burlington, ON
- BMG Rights Management, New York, NY
- Shout!Factory, Los Angeles, CA
- Unidisc Music Inc., Pointe-Claire, QC

## Experimentation

As described above, in 2019-20, the Board sought the support of external consulting firm Lean Agility to thoroughly examine how the Board functioned, from its internal processes to interactions with Parties, and to test and implement new practices to support more efficient and effective operations.

Using a design-thinking approach, the Board began to transform its operations, including by publishing practice notices, introducing a new approach to decision-writing and working toward a redesigned website. While this transformation is still under way, the work that took place in 2019-20 is expected to have a profound and lasting impact on the Board, allowing it to become a more agile organization, better equipped to support its vision, values and mandate.

## Results achieved

Departmental results	Performance indicators	Target	Date to achieve target	2017 18 Actual results	2018 19 Actual results	2019 20 Actual results
Timely tariff decisions	% of tariff decisions published within 12 months	70%	March 31, 2020	93%	100%	100%
Timely issuance of licences	% of licences issued within 45 days	70%	March 31, 2020	0%*	50%	100%

\* The average number of days within which the licences were issued in 2017-2018 was 56, 11 days above the target of 45 days, and reflects a year where the Board was very active on other fronts and could not allocate the necessary resources to meet this particular performance objective.

## Budgetary financial resources (dollars)

2019 20 Main Estimates	2019 20 Planned spending	2019 20 Total authorities available for use	2019 20 Actual spending (authorities used)	2019 20 Difference (Actual spending minus Planned spending)
3,384,021	3,384,021	3,497,278	3,297,974	199,304

**Human resources (full-time equivalents)**

2019 20 Planned full time equivalents	2019 20 Actual full time equivalents	2019 20 Difference (Actual full time equivalents minus Planned full time equivalents)
23	20	(3)

Financial, human resources and performance information for the Copyright Board of Canada's Program Inventory is available in [GC InfoBase](#).

**Internal Services****Description**

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are:

- ▶ Acquisition Management Services
- ▶ Communication Services
- ▶ Financial Management Services
- ▶ Human Resources Management Services
- ▶ Information Management Services
- ▶ Information Technology Services
- ▶ Legal Services
- ▶ Material Management Services
- ▶ Management and Oversight Services
- ▶ Real Property Management Services

**Budgetary financial resources (dollars)**

2019 20 Main Estimates	2019 20 Planned spending	2019 20 Total authorities available for use	2019 20 Actual spending (authorities used)*	2019 20 Difference (Actual spending minus Planned spending)
793,783	793,783	820,349	772,056	48,293

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**Human resources (full-time equivalents)**

<b>2019 20 Planned full time equivalents</b>	<b>2019 20 Actual full time equivalents</b>	<b>2019 20 Difference (Actual full time equivalents minus Planned full time equivalents)</b>
3	3	-

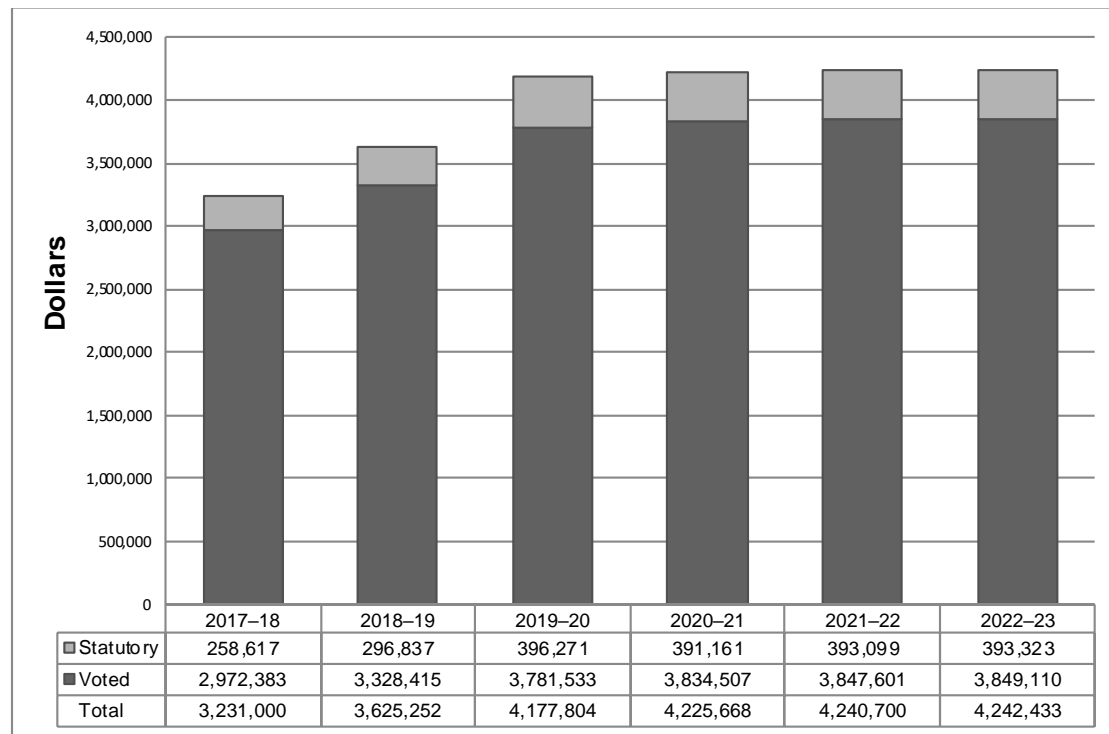
The Board receives support from its own internal services, namely: finance; human resources; communications; information management and information technology. The Board also has several service arrangements in place with certain departments, including Innovation, Science and Economic Development Canada (ISED) and Public Services and Procurement Canada (PSPC) in regard to its financial, technological and human resources functions.

## Analysis of trends in spending and human resources

### Actual expenditures

#### Departmental spending trend graph

The following graph presents planned (voted and statutory spending) over time.



Actual spending for 2019-20 reached approximately \$4.2 million, an increase of \$552,552 compared to the previous year. This reflects higher spending on salaries as well as internal operations, and is aligned with the Board's increased budget.

Overall (voted and statutory), the Board's authorities increased permanently in 2018-19, with additional financial resources provided in Budget 2018. The following table shows in detail the planned and actual spending for the Copyright Board of Canada's core responsibilities and its internal services.

**Budgetary performance summary for Core Responsibilities and Internal Services\***  
**(dollars)**

Core responsibilities and Internal Services	2019 20 Main Estimates	2019 20 Planned spending	2020 21 Planned spending	2021 22 Planned spending	2019 20 Total authorities available for use	2019 20 Actual spending (authorities used)	2018 19 Actual spending (authorities used)	2017 18 Actual spending (authorities used)
Copyright Tariff Setting and Issuance of Licences	3,384,021	3,384,021	3,422,791	3,434,967	3,497,278	3,297,974	3,024,214	2,617,110
Subtotal	3,384,021	3,384,021	3,384,021	3,384,021	3,497,278	3,297,974	3,024,214	2,617,110
Internal Services	793,783	793,783	802,877	805,733	820,349	772,056	709,384	613,890
Total	4,177,804	4,177,804	4,225,668	4,240,700	4,317,627	4,070,030	3,733,598	3,231,000

**Actual human resources**
**Human resources summary for core responsibilities and Internal Services**

Core responsibilities and Internal Services	2017 18 Actual full time equivalents	2018 19 Actual full time equivalents	2019 20 Planned full time equivalents	2019 20 Actual full time equivalents	2020 21 Planned full time equivalents	2021 22 Planned full time equivalents
Copyright Tariff Setting and Issuance of Licences	15	15	23	20	21	21
Subtotal	15	15	23	20	21	21
Internal Services	3	3	3	3	4	4
Total	18	18	26	23	25	25

The Board increased its human resources in 2019-20, aligned with its increased financial resources and to operationalize the 2018 legislative amendments and the upcoming regulations. However, while the number of full-time equivalents increased, it remained below the planned number of full-time equivalents for 2019-20. These plans were prepared before the Board began implementing the changes and have been revised since then (please see the Board's Departmental Plan 2020-21).

## Expenditures by vote

For information on the Copyright Board of Canada's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2019–2020](#).<sup>ii</sup>

## Government of Canada spending and activities

Information on the alignment of the Copyright Board of Canada's spending with the Government of Canada's spending and activities is available in [GC InfoBase](#).<sup>iii</sup>

## Financial statements and financial statements highlights

### Financial statements

The Copyright Board of Canada's financial statements (unaudited) for the year ended March 31, 2019, are available on the [Board's website](#).

### Financial statement highlights

#### Condensed Statement of Operations (unaudited) for the year ended March 31, 2020 (dollars)

Financial information	2019 20 Planned results*	2019 20 Actual results	2018 19 Actual results	Difference (2019 20 Actual results minus 2019 20 Planned results)	Difference (2019 20 Actual results minus 2018 19 Actual results)
Total expenses	4,691,954	4,610,596	4,166,750	(81,358)	443,846
Total revenues	-	-	-	-	-
Net cost of operations before government funding and transfers	4,691,954	4,610,596	4,166,750	(81,358)	443,846

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**Condensed Statement of Financial Position (unaudited) as of March 31, 2020**  
**(dollars)**

Financial information	2019 20	2018 19	Difference (2019 20 minus 2018 19)
Total net liabilities	603,061	506,212	96,849
Total net financial assets	308,996	264,322	44,674
Departmental net debt	294,065	241,890	52,175
Total non-financial assets	145,053	166,687	(21,634)
Departmental net financial position	(149,012)	(75,203)	(73,809)



## Additional information

### Organizational profile

**Appropriate minister[s]:** The Honourable Navdeep Bains, P.C, M.P.  
Minister of Innovation, Science and Industry

**Institutional head:** Nathalie Thériberge, Vice-Chairperson and CEO

**Ministerial portfolio:** Innovation, Science and Industry

**Enabling instrument[s]:** Copyright Act

**Year of incorporation / commencement:** 1989

### Raison d'être, mandate and role: who we are and what we do

"Raison d'être, mandate and role: who we are and what we do" is available on the [Copyright Board of Canada's website](#).

### Reporting framework

The Copyright Board of Canada's Departmental Results Framework and Program Inventory of record for 2019–20 are shown below.

Departmental Results Framework	Core Responsibility: Copyright Tariffs and Licences		Internal Services
	Department Result 1: Timely Tariff Decisions	Indicator: Percentage of tariff decisions published within 12 months	
	Department Result 2: Timely Issuance of Licences	Indicator: Percentage of licences issued within 45 days	
Program Inventory	<b>Program:</b>  Copyright Tariff Setting and Issuance of Licences		

## **Supporting information on the program inventory**

Financial, human resources and performance information for the Copyright Board of Canada's Program Inventory is available in [GC InfoBase](#).<sup>iv</sup>

## **Federal tax expenditures**

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the [Report on Federal Tax Expenditures](#).<sup>v</sup> This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

## **Organizational contact information**

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## **Appendix: definitions**

### **appropriation** (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

### **budgetary expenditures** (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

### **core responsibility** (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a core responsibility are reflected in one or more related departmental results that the department seeks to contribute to or influence.

### **Departmental Plan** (plan ministériel)

A report on the plans and expected performance of an appropriated department over a 3-year period. Departmental Plans are usually tabled in Parliament each spring.

### **departmental priority** (priorité)

A plan or project that a department has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired departmental results.

### **departmental result** (résultat ministériel)

A consequence or outcome that a department seeks to achieve. A departmental result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

### **departmental result indicator** (indicateur de résultat ministériel)

A quantitative measure of progress on a departmental result.

### **departmental results framework** (cadre ministériel des résultats)

A framework that connects the department's core responsibilities to its departmental results and departmental result indicators.

### **Departmental Results Report** (rapport sur les résultats ministériels)

A report on a department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

**experimentation** (expérimentation)

The conducting of activities that seek to first explore, then test and compare the effects and impacts of policies and interventions in order to inform evidence-based decision-making, and improve outcomes for Canadians, by learning what works, for whom and in what circumstances. Experimentation is related to, but distinct from innovation (the trying of new things), because it involves a rigorous comparison of results. For example, using a new website to communicate with Canadians can be an innovation; systematically testing the new website against existing outreach tools or an old website to see which one leads to more engagement, is experimentation.

**full-time equivalent** (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. For a particular position, the full-time equivalent figure is the ratio of number of hours the person actually works divided by the standard number of hours set out in the person's collective agreement.

**gender-based analysis plus (GBA+)** (analyse comparative entre les sexes plus [ACS+])

An analytical process used to assess how diverse groups of women, men and gender-diverse people experience policies, programs and services based on multiple factors including race ethnicity, religion, age, and mental or physical disability.

**government-wide priorities** (priorités pangouvernementales)

For the purpose of the 2019–20 Departmental Results Report, those high-level themes outlining the government's agenda in the 2019 Speech from the Throne, namely: Fighting climate change; Strengthening the Middle Class; Walking the road of reconciliation; Keeping Canadians safe and healthy; and Positioning Canada for success in an uncertain world.

**horizontal initiative** (initiative horizontale)

An initiative where two or more federal organizations are given funding to pursue a shared outcome, often linked to a government priority.

**non-budgetary expenditures** (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance** (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

**performance indicator** (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

**performance reporting** (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

**plan** (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally, a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead to the expected result.

**planned spending** (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

**program** (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

**program inventory** (répertoire des programmes)

Identifies all the department's programs and describes how resources are organized to contribute to the department's core responsibilities and results.

**result** (résultat)

A consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

**statutory expenditures** (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

**target** (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**voted expenditures** (dépenses votées)

Expenditures that Parliament approves annually through an appropriation act. The vote wording becomes the governing conditions under which these expenditures may be made.

## Endnotes

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<sup>i</sup> GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

<sup>ii</sup> Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>

<sup>iii</sup> GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

<sup>iv</sup> GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

<sup>v</sup> Report on Federal Tax Expenditures, <https://www.canada.ca/en/department-finance/services/publications/federal-tax-expenditures/2020.html>