

2020–21 Departmental Results Report

Copyright Board of Canada

The Honourable François-Philippe
Champagne, P.C., M.P.
Minister of Innovation, Science and Industry

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This document is available on the [Copyright Board's website](#)ⁱ in PDF and HTML.

It is also available in alternative formats upon request.

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From the Minister

It is my pleasure to present the 2020–21 Departmental Results Report for the Copyright Board.

In a year that was characterized by uncertainty and rapidly shifting priorities as a result of the global COVID-19 pandemic, ISED and its Portfolio partners remained committed in their continued efforts to meet the evolving needs of Canadians and the Canadian economy. The ISED and Portfolio Departmental Results Reports describe a number of immediate and remarkable contributions over the past year, including those that were part of Canada's COVID-19 Economic Response Plan.

Like all forms of intellectual property, copyright is crucial to a thriving marketplace. By issuing fair and equitable tariffs and licences in a timely manner, the Board stimulates innovation in the Canadian creative economy and works to foster confidence in Canada's tariff and licencing processes. Ultimately, the Copyright Board is key to ensuring an efficient creative marketplace that promotes competition, job creation and consumer choice.

The global health crisis and an enhanced focus on innovation, diversity and inclusion has transformed our daily lives, and the way we do business. In this context, the Copyright Board's role to ensure an efficient creative marketplace is even more important.

In 2020–21, the Board succeeded in delivering on its commitments despite the unanticipated challenges it faced, and the consolidation of its operational changes is showing early results. More details can be found in this report.

Through all these initiatives and more, we continued to deliver on our commitment to foster a dynamic and growing economy that creates jobs, opportunities and a better quality of life for all Canadians, including those from diverse backgrounds, such as women, Indigenous peoples, racialized Canadians, persons with disabilities and LGBTQ+ groups.

I invite you to read this report to learn more about how the Copyright Board, like ISED and its other Portfolio partners are building a strong culture of innovation to position Canada as a leader in the global economy.



The Honourable François-Philippe Champagne
Minister of Innovation, Science and Industry

Results at a glance

The Copyright Board of Canada’s (the Board) fundamental purpose is articulated in the *Copyright Act* (the Act): to establish fair and equitable tariffs and licences through timely and fair processes. Specifically, “the Board shall fix royalty and levy rates and any related terms and conditions [...] that are fair and equitable [...]”, and “All matters before the Board shall be dealt with as informally and expeditiously as the circumstances and considerations of fairness permit [...]”.

To deliver on its mandate, the Board grounds its work in solid legal interpretation and economic data and maintains 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.

The Board experienced a major transition in 2019-2020, that began with the coming into force of changes to the *Copyright Act* in April 2019 and continued with the onboarding of new leadership and an in-depth review of internal Board processes. Fiscal year 2020-2021 was planned as a year to consolidate these changes; simplify its operational structure and decision-making process; render the last decisions that implicated former Board members; and put in place measures to position the Board and Parties for success in implementing the new government regulations on deliberation timelines, in force as of December 2020.

The COVID-19 global health crisis early in 2020-2021 created considerable challenges for the Board, as it did for all federal institutions. The Board was able to adapt its priorities to this new reality and found practical and effective ways to continue its services in the face of uncertainty and constant change, both for itself and in consideration of its stakeholders. The Board was well positioned internally, having already integrated remote work into its business practices and was able to respond quickly to the needs and interests of parties and stakeholders, like small businesses, dramatically affected by the pandemic.

Despite these unanticipated challenges created by the COVID-19 situation, the Board succeeded in delivering on its 2020-2021 commitments, and the modernization of its operations is showing early results.

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

Results: what we achieved

Core responsibility

Description:

The Copyright Board of Canada establishes the tariffs which set the royalties to be paid for the use of copyrighted content which rights are being administered collectively by a society. The Board also issues licences which set the royalties to be paid for the use of copyrighted content 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 copyright licencing processes.

The Board's ability to meet its mandate, particularly in the context of the 2019 legislative and 2020 regulatory changes, hinges on its agility, adaptability and resilience as an organization. Because of the extremely complex subject-matter which continuously shifts as technologies and business models evolve, the Board must keep itself informed and well versed in a multitude of fields such as conventional broadcasting and internet streaming, in addition to domestic and international developments in copyright and administrative law.

Also, 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 also 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 Board is also expected to provide a stimulating working environment conducive to recruitment and retention of highly skilled employees. This is essential to ensure that the Board has access to the technical expertise required to render fair and equitable decisions, as prescribed by the Act.

The results section below describes how, in 2020-2021, the Board delivered on its priorities while continuing to modernize its practices and processes, taking into consideration the particular circumstances created by the COVID-19 pandemic. Included is a list of the decisions issued as well as the proposed tariffs and agreements filed with the Board in 2020-2021.

Results:

Delivering on commitments in the face of a challenging year

Over the past year, the Board issued 20 decisions, including 2 related to major cases implicating former Board Members. The Board also issued 9 decisions related to the use of works with unlocatable owners within 45 days, as per our service standards. While the pandemic forced the

Board to postpone or cancel some of its planned activities, the shift to a completely virtual work environment accelerated both the need and the opportunity to focus on digitization and information management. The Board initiated the development of a virtual registry this year, an e-filing system for use by the Board and Parties expected to be in place in 2023. The Board also adapted its activities to the pandemic by modifying, when requested by parties, certain timelines related to procedural steps and applying a “COVID lens” to its assessment of files, with a view to minimize the impact on parties, including businesses that were closed for various lengths of time over the last year.

The Board completed the implementation of the new government regulations specifying the time limits and related rules for the Board’s proceedings and decision-making, which came into effect on December 4, 2020. The Board also made progress in finalizing its own regulations, expected to be published in 2022.

The Board’s Twitter feed and updated website were officially launched in June and September 2020 respectively, as part of a strategy to foster better public access to information about the Board and its decisions. To improve access and searchability, the Board made all the decisions since its creation in 1989 available on its website through the Decisia platform. Decisions since 2020 are also available on CanLii and discussions are ongoing with Lexum to make all past Board decisions available. The Board also translated more than 300 past decisions relating to unlocatable owners and digitized over 7,000 agreements filed as per section 76 of the Act.

The Board published its [Guidelines for Economic Evidence Submitted to the Copyright Board of Canadaⁱⁱ](#), to help Parties understand how to optimize their participation in Board proceedings. These guidelines clarify expectations regarding the presentation, scope and calibre of evidence, to facilitate its usefulness to both Parties, Board staff, and ultimately, Board Members.

Finally, the development of a new performance measurement framework remains a top priority for the Board. However, the work that began in 2020-2021 to review current indicators was delayed, as COVID-related priorities took precedence. Efforts will continue in this direction in 2021-2022.

The Board as employer of choice

As a micro-organization with a critical need for highly specialized expertise, the Board’s greatest strength remains its people. Fostering workplace well-being was always a Board priority, but the changing circumstances renewed the importance of ensuring a healthy and safe work environment. Both staff and Board Members demonstrated remarkable resilience in pivoting to remote work and adapting not only to new work practices, but also to new technological tools and practices.

Acting as a responsible employer, the Board took several measures to ensure the well-being of its employees with respect to the wide-ranging impacts of the pandemic on them. The Board provided access to an Ombudsman service and supported the work of its employee-driven Wellness Committee. Given the limitations to face-to-face professional development resources, the Board prioritized online learning opportunities in addition to offering professional coaching

to its employees. The Board also conducted two surveys, in July 2020 and February 2021, to assess the impact of the pandemic and telework on its employees. Results from these and the Public Service Employee Survey conducted in 2020-2021 helped identify issues and areas where improvements were needed.

Finally, the Board joined the 50/30 Challenge in December 2020, as part of its commitment to promote diversity and foster inclusion across its activities. This initiative, led jointly by the Government of Canada, businesses and diversity organizations, challenges Canadian organizations to foster inclusion and increase the representation of diverse groups in their workplaces.

Board Operations in 2020-2021

1.1 Decisions: Tariffs and Arbitration

During the fiscal year 2020-2021, the Copyright Board rendered the following **20 decisions**:

Artists

CBC (2015-2017) and (2018-2020)	<u>Withdrawal of Proposed Tariffsⁱⁱⁱ</u>	June 26, 2020
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Re:Sound

Non-Commercial Simulcasts and Webcasts (2013-2019)	<u>Tariff 1.B.2^{iv}</u>	December 4, 2020
Background Music Suppliers (2014-2018)	<u>Tariff 3.A^v</u>	October 9, 2020
Use of Recorded Music to Accompany Dance (2013-2018)	<u>Tariff 6.A^{vi}</u>	July 31, 2020
Use of Recorded Music to Accompany Fitness Activities (2018-2022)	<u>Tariff 6.B^{vii}</u>	September 11, 2020
Use of Recorded Music to Accompany Adult Entertainment (2019-2023)	<u>Tariff 6.C^{viii}</u>	February 26, 2021

SOCAN

Radio – Non-Commercial Radio other than the Canadian Broadcasting Corporation (2018-2021)	<u>Tariff 1.B^{ix}</u>	August 7, 2020
Television – Ontario Educational Communications Authority (2018-2022)	<u>Tariff 2.B^x</u>	August 7, 2020
Television – Société de télédiffusion du Québec (2018-2022)	<u>Tariff 2C^{xi}</u>	August 7, 2020
Adult Entertainment Clubs (2018-2022)	<u>Tariff 3.C^{xii}</u>	August 7, 2020
Exhibitions and Fairs – Attendance at musical concerts (2018-2021)	<u>Tariff 5.B^{xiii}</u>	August 7, 2020
Strolling Musicians and Buskers; Recorded Music and Marching Bands; Floats with Music (2018-2022)	<u>Tariffs 10.A, 10B^{xiv}</u>	September 4, 2020

Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows and Similar Events (2018-2022)	Tariff 11.A^{xv}	August 7, 2020
Public Conveyances (2018-2022)	Tariffs 13.A, 13.B, 13.C^{xvi}	August 7, 2020
Recreational Facilities Operated by a Municipality, School, College, University, Agricultural Society or Similar Community Organizations (2021-2022)	Tariff 21^{xvii}	August 7, 2020
Jurisdictional Ruling (2007–2018)	Tariff 22.D.3^{xviii}	July 9, 2020
<i>SOCAN, Re:Sound</i>		
Radio - Canada Broadcasting Corporation (SOCAN: 2015-2019), (Re:Sound: 2012-2019)	Tariff 1.C^{xix}	November 13, 2020
<i>CMRRA, SOCAN, Connect/SOPROQ, Artisti</i>		
Commercial Radio (2020-2023)	Reproduction Tariff^{xx}	December 11, 2020
<i>Arbitration</i>		
SODRAC v CBC (2008-2012)	Redetermination^{xxi}	June 26, 2020
SODRAC v CBC (2012-2018)	Determination^{xxii}	January 27, 2021

1.2 Unlocatable Copyright Owners

Pursuant to section 77 of the *Act*, the Board may issue 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 2020-2021, 21 licence applications were filed with the Board. In addition, 27 requests were processed, including 9 decisions rendered. The other files (18) were closed for assorted reasons, including for example if the request was withdrawn or the rights holders were located.

The following 2 licenses were issued:

Bibliothèque et Archives nationales du Québec (BAnQ)^{xxiii} , Montréal, Québec	Reproduction, making available and communication to the public by telecommunication of photographs
The Slieves^{xxiv} , Duncan, British Columbia	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

The following 7 applications were denied:

<u>Vincent Beaulne^{xxv}</u> , Montréal, Quebec	Reproduction of a poem
<u>Bibliothèque et Archives nationales du Québec (BAnQ)^{xxvi}</u> , Montréal, Québec	Reproduction of four films
<u>Carrefour jeunesse-emploi Côte-des-Neiges^{xxvii}</u> , Montréal, Québec	Reproduction of six photographs
<u>Ruth A. Thideman^{xxviii}</u> , Quesnel, British Columbia	Reproduction of photographs featured on postcards
<u>Eyesteel (CHW8) Productions Inc.^{xxix}</u> , Montréal, Quebec	Reproduction of an excerpt of a television program
<u>Bob Muggeridge^{xxx}</u> , St. John's, Newfoundland	Reproduction of the poem 'The Day Is Done' by Henry Wadsworth Longfellow
<u>Sylvie Genest^{xxxi}</u> , Montréal, Quebec	Reproduction of a photography of Gaston Rochon in Paris (1967)

1.3 Proposed tariffs submitted by collective societies in 2020-2021

A total of 21 proposed tariffs were filed in 2020, for the years 2022-2024

Canadian Private Copying Collective (CPCC)

Private Copying	<u>Tariff^{xxxii}</u>
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Re:Sound

Non-Commercial Radio	<u>Tariff 1.B^{xxxiii}</u>
CBC Radio and Simulcasts	<u>Tariff 1.C^{xxxiv}</u>
Satellite Radio Services	<u>Tariff 4^{xxxv}</u>
Non- Interactive and Semi-Interactive Streaming	<u>Tariff 8^{xxxvi}</u>

SOCAN

Commercial Radio	<u>Tariff 1.A^{xxxvii}</u>
Non-Commercial Radio Other than the CBC	<u>Tariff 1.B^{xxxviii}</u>
Commercial Television Stations	<u>Tariff 2.A^{xxxix}</u>
Cabarets, Cafes, etc. – Live Music	<u>Tariff 3.A^{xl}</u>
Live Performance at Concert Halls, etc. – Popular Music Concerts	<u>Tariff 4.A^{xli}</u>
Live performance at Concert Halls, etc. – Classical Music Concerts	<u>Tariff 4.B^{xlii}</u>
Exhibitions and Fairs	<u>Tariff 5.A^{xliii}</u>
Concerts at Exhibitions and Fairs	<u>Tariff 5.B^{xliv}</u>
Motion Picture Theatres	<u>Tariff 6^{xlvi}</u>
Performance of an Individual Work	<u>Tariff 14^{xlvi}</u>
Background Music in Establishments not Covered by Tariff 16 -	<u>Tariff 15.A^{xlvi}</u>
Background Music	
Background Music in Establishments not Covered by Tariff 16 -	<u>Tariff 15.B^{xlvi}</u>
Telephone Music on Hold	
Background Music Suppliers	<u>Tariff 16^{xlix}</u>

Transmission of Pay, Specialty and Other Television Services by
Distribution Undertakings
Hotel and Motel In-Room Services

[Tariff 17ⁱ](#)

[Tariff 23^{li}](#)

SOCAN-SODRAC

Commercial Television

[Tariff 2.A.R^{lii}](#)

1.4 Request for Arbitration

On June 29, 2020, Sirius XM Canada Inc. (Sirius), for the purpose of its satellite radio and online services, applied to the Board to fix the royalty rates and related terms and conditions with respect to rights in the repertoire administered by the Canadian Musical Reproduction Rights Agency (CMRRA) for the years 2020-2025. Sirius also concurrently requested that the Board issue an interim license that would govern these activities until the final arbitration decision.

1.5 Agreements Filed with the Board

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 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.

In 2020-2021, 110 agreements were filed with the Board, as detailed below.

Access Copyright (108 agreements)

- Neovasc, New Brighton, MN
- College of Speech and Hearing Health, Vancouver, BC
- Neovasc, New Brighton, MN
- Registered Psychiatric Nurses Association of Saskatchewan, Regina, SK
- Bayer Inc., Mississauga, ON
- Columbia International College, Hamilton, ON
- Associated Hebrew Schools of Toronto, Toronto, ON
- *Lycée Claudel*, Ottawa, ON
- Ontario Conference of the Seventh-day Adventist Church, Oshawa, ON
- Ashbury College, Ottawa, ON
- Peoples Christian Academy Inc., Markham, ON
- Toronto District Christian High School, Woodbridge, ON
- St. John's-Kilmarnock School, Breslau, ON
- Timothy Christian School, Barrie, ON
- ISNA High School, Mississauga, ON
- London Christian Academy, London, ON
- Prestige School Inc., Toronto, ON
- St. Thomas Community Christian School, St. Thomas, ON
- Trenton Christian School, Trenton, ON
- Sunnybrook School, Toronto, ON
- Bridgeway Academy Association, Dartmouth, NS
- King's-Edgehill School, Windsor, NS
- Montcrest School, Toronto, ON
- MacLachlan College, Oakville, ON
- Toronto Waldorf School, Thornhill, ON
- Toronto Heschel School, Toronto, ON
- Maranatha Christian Academy, Windsor, ON

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- Rockway Mennonite Collegiate, Kitchener, ON
 - Whitefield Christian Schools, Scarborough, ON
 - King Christian School, East Gwillimbury, ON
 - Robert Land Academy, Wellandport, ON
 - Koinonia Christian Academy, Bloomington, ON
 - Timothy Christian School, Owen Sound, ON
 - Newmarket & District Christian Academy, Newmarket, ON
 - Northumberland Christian School, Cobourg, ON
 - Unity Christian High School, Barrie, ON
 - Signet Christian School, North York, ON
 - Town Centre Montessori Private Schools, Markham, ON
 - John Knox Christian School Society of Mississauga, Oakville, ON
 - Hillfield Strathallan College, Hamilton, ON
 - Brampton Christian School, Caledon, ON
 - Al-Taqwa Academy Foundation, London, ON
 - Pretty River Academy, Collingwood, ON
 - Hamilton District Christian High School, Ancaster, ON
 - Rothesay Netherwood School, Rothesay, NB
 - Upsala Christian School, Upsala, ON
 - Great Lakes Christian College, Beamsville, ON
 - Linden School, Toronto, ON
 - St. Mildred's-Lightbourn School, Oakville, ON
 - Dunnville Christian School, Dunnville, ON
 - Bishop Hamilton Montessori School, Ottawa, ON
 - London Christian High, London, ON
 - Infection Prevention and Control Canada (IPAC), Winnipeg, MN
 - Haverhill College, Toronto, ON
 - Elora Road Christian School, Guelph, ON
 - Meadow Green Academy, Mississauga, ON
 - Halton Hills Christian School, Georgetown, ON
 - Camrose Public Library Board, Camrose, AB
 - Herzing College (Winnipeg Campus), Winnipeg, MN
 - Medicine Hat Public Library, Medicine Hat, AB
 - Rosebud School of the Arts, Rosebud, AB
 - Brandon University, Brandon, MB
 - Saint-Paul University, Ottawa, ON
 - Taylor University College and Seminary, Edmonton, AB
 - Michener Institute of Education at UHN, Toronto, ON
 - Mutual Fund Dealers Association of Canada, Toronto, ON
 - Durham College of Applied Arts and Technology, Oshawa, ON
 - Johnson and Johnson Inc., Markham, ON
 - William and Catherine Booth University College, Winnipeg, MB
 - British Columbia Institute of Technology, Burnaby, BC
 - Border Regional Library, Virden, MB
 - University of Moncton, Moncton, NB
 - Regent Park School of Music, Toronto, ON
 - Redeemer University, Ancaster, ON
 - Swan Hills Municipal Library, Swan Hills, AB
 - Lakefield College School, Lakefield, ON
 - Orillia Christian School, Orillia, ON
 - Alberta Innovates, Edmonton, AB
 - Northern Ontario School of Medicine, Sudbury, ON
 - Kohai Educational Centre, Toronto, ON
 - Bonnechere Union Public Library, Eganville, ON
 - Marathon Public Library, Marathon, ON
 - The Regional Municipality of York, Newmarket, ON
 - Mary, Mother of God School, Toronto, ON
 - Islamic Foundation School, Toronto, ON
 - Wilfrid Laurier University, Waterloo, ON
 - Admaston Bromley Public Library, Douglas, ON
 - Trinity Christian School, Burlington, ON
 - True North Christian Academy, Stayner, ON
 - Crestwood School, Toronto, ON
 - Eitz Chaim Schools, Toronto, ON
 - St. George's (Islington) Church Nursery School Inc., Etobicoke, ON
 - North Star Montessori, Mississauga, ON
 - The Dunblaine School, Toronto, ON
-

- Reach Out Centre for Kids ROCK, Burlington, ON
- Abelard School, Toronto, ON
- Fulford Academy Inc., Brockville, ON
- North Shore Multicultural Society (NSMS), North Vancouver, BC
- Kingsway College, Oshawa, ON
- Grace Christian School, Charlottetown, PE
- Lac du Bonnet Regional Library, Lac du Bonnet, MB
- Oxford County, Woodstock, ON
- Sussex Christian School, Sussex, NB
- Vale Canada Limited, Mississauga, ON
- YMCA of Three Rivers, Cambridge, ON
- Bond Academy, Toronto, ON
- Human Resources Professionals Association, Toronto, ON
- Interprofessional Practice and Learning, Halifax, NS

CBRA (Canadian Broadcast Rights Agency, 2 agreements)

- Her Majesty the Queen in Right of Canada as represented by the Minister of Foreign Affairs (Global Affairs), Ottawa, ON
- TV Eyes Inc., Connecticut, USA

Experimentation

For over two years, experimentation has been core to the Board's modernization efforts, from conducting a LEAN assessment in 2019-2020 to designing user-centric operational improvements. In 2020-2021, some of the concrete results of these user-centric experiments include the publication of the *Guidelines for Economic Evidence Submitted to the Copyright Board of Canada*, the renewal of the Board's website and the focus on ensuring the accessibility of past decisions.

Results achieved

Departmental results	Performance indicators	Target	Date to achieve target	2018 19 Actual results	2019 20 Actual results	2020 21 Actual results
Timely tariff decisions	% of tariff decisions published within 12 months	70%	March 31, 2021	100%	100%	90%
Timely issuance of licences	% of licences issued within 45 days	70%	March 31, 2021	50%	100%	100%

Budgetary financial resources (dollars)

2020 21 Main Estimates	2020 21 Planned spending	2020 21 Total authorities available for use	2020 21 Actual spending (authorities used)	2020 21 Difference (Actual spending minus Planned spending)
3,422,791	3,422,791	3,638,530	3,162,304	(260,487)

Human resources (full-time equivalents)

2020 21 Planned full time equivalents	2020 21 Actual full time equivalents	2020 21 Difference (Actual full time equivalents minus Planned full time equivalents)
21	21	0

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

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)

2020 21 Main Estimates	2020 21 Planned spending	2020 21 Total authorities available for use	2020 21 Actual spending (authorities used)	2020 21 Difference (Actual spending minus Planned spending)
802,877	802,877	853,482	740,084	(62,793)

Human resources (full-time equivalents)

2020 21 Planned full time equivalents	2020 21 Actual full time equivalents	2020 21 Difference (Actual full time equivalents minus Planned full time equivalents)
4	4	0

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

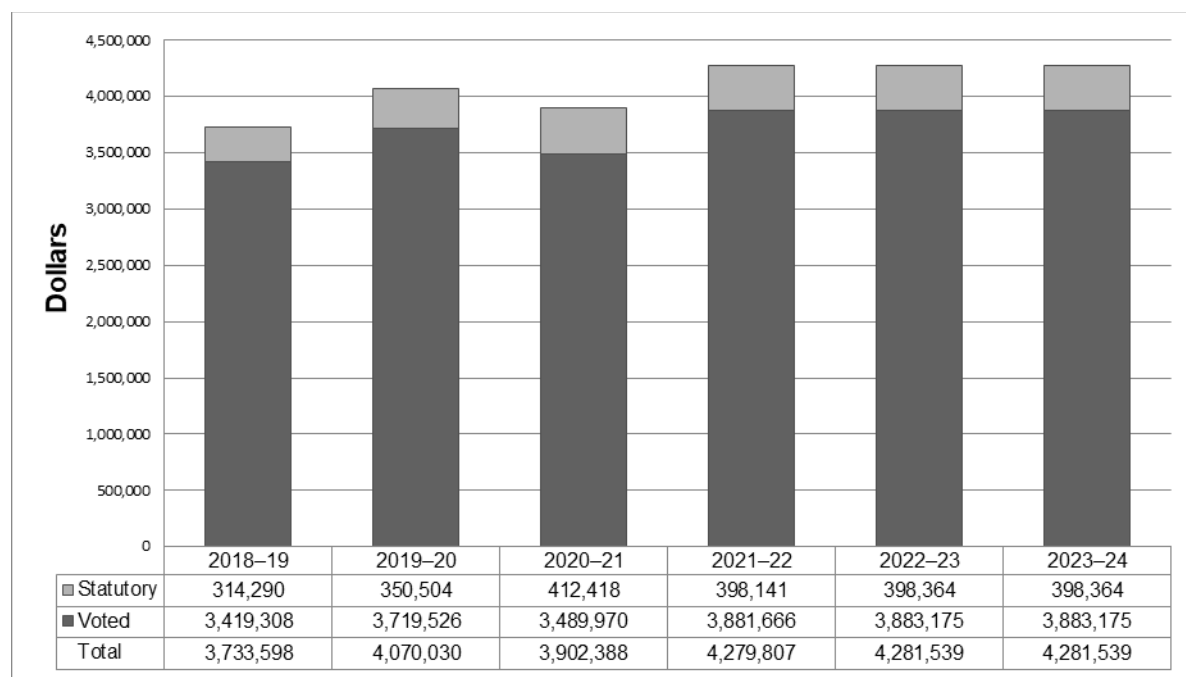
In 2020-2021, the Board completed a review of its internal management systems in consultation with an external consulting firm, Orbis Risk Consulting Inc, to assess the health of its financial oversight framework. This has led to several actions to optimize its systems, including the redesign of existing internal policies, guidelines, and processes. The initiative has upgraded the Board's accountability controls, and improved oversight of the Board's resources. The Board remains aligned with broader Government of Canada policies and directives with respect to its operations.

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 Board expenditures in 2020-21 reached approximately \$3.9 million, a decrease of \$167,642 from the previous year's expenditures. Planned spending for the year was not fully realized due to the many "unknowns" caused by the pandemic situation, which affected operations across the board.

Given its small size, it is not always easy for the Board to shift priorities and re-allocate previously dedicated resources when activities were suddenly postponed, cancelled, or not required in remote working conditions. This year, the Board also had to manage its spending judiciously, to ensure funds would be available should any special or extraordinary measures be required to respond to the pandemic and related operational issues.

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

Core responsibilities and Internal Services	2020 21 Main Estimates	2020 21 Planned spending	2021 22 Planned spending	2022 23 Planned spending	2020 21 Total authorities available for use	2018 19 Actual spending (authorities used)	2019 20 Actual spending (authorities used)	2020 21 Actual spending (authorities used)
Copyright Tariffs and Licences	3,422,791	3,422,791	3,423,846	3,425,231	3,638,530	3,024,214	3,297,974	3,162,304
Internal Services	802,877	802,877	855,961	856,308	853,482	709,384	772,056	740,084
Total	4,225,668	4,225,668	4,279,807	4,281,539	4,492,012	3,733,598	4,070,030	3,902,388

Actual human resources

Human resources summary for core responsibilities and Internal Services

Core responsibilities and Internal Services	2018 19 Actual full time equivalents	2019 20 Actual full time equivalents	2020 21 Planned full time equivalents	2020 21 Actual full time equivalents	2021 22 Planned full time equivalents	2022 23 Planned full time equivalents
Copyright Tariffs and Licences	16	20	21	21	21	21
Internal Services	2	3	4	4	4	4
Total	18	23	25	25	25	25

Expenditures by vote

For information on the Copyright Board's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2020–2021](#).^{liv}

Government of Canada spending and activities

Information on the alignment of the Copyright Board's spending with the Government of Canada's spending and activities is available in [GC InfoBase](#).^{lv}

Financial statements and financial statements highlights

Financial statements

The Copyright Board's financial statements (unaudited) for the year ended March 31, 2021, are available on its [website^{lvi}](#).

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2021 (dollars)

Financial information	2020 21 Planned results*	2020 21 Actual results	2019 20 Actual results	Difference (2020 21 Actual results minus 2020 21 Planned results)	Difference (2020 21 Actual results minus 2019 20 Actual results)
Total expenses	4,719,564	4,523,528	4,610,596	(196,036)	(87,068)
Total revenues	-	-	-	-	-
Net cost of operations before government funding and transfers	4,719,564	4,523,528	4,610,596	(196,036)	(87,068)

* 2020-21 Future-Oriented Statement of Operations

Condensed Statement of Financial Position (unaudited) as of March 31, 2021 (dollars)

Financial information	2020 21	2019 20	Difference (2020 21 minus 2019 20)
Total net liabilities	523,700	603,062	(79,362)
Total net financial assets	239,878	308,996	(69,118)
Departmental net debt	283,822	294,066	(10,244)
Total non-financial assets	123,421	145,054	(21,633)
Departmental net financial position	(160,402)	(149,012)	(11,390)

Corporate Information

Organizational profile

Appropriate minister[s]: The Honourable François-Philippe Champagne, P.C., M.P.
Minister of Innovation, Science and Industry

Institutional head: Nathalie Théberge, Vice-Chair and Chief Executive Office

Ministerial portfolio: Innovation, Science and Economic Development

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's website^{lvii}](#).

Operating context

Information on the operating context is available on the [Copyright Board's website^{lviii}](#).

Reporting framework

The Copyright Board's Departmental Results Framework and Program Inventory of record for 2020–21 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	Program: Copyright Tariff Setting and Issuance of Licences		

Supporting information on the program inventory

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

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](#).^{lx} This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs as well as evaluations and GBA Plus of tax expenditures.

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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 Plus) (*analyse comparative entre les sexes plus [ACS Plus]*)

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 2020–21 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

- ⁱ Copyright Board Website, <https://cb-cda.gc.ca/en>
- ⁱⁱ Guidelines for Economic Evidence Submitted to the Copyright Board of Canada, <https://cb-cda.gc.ca/en/procedure/economic-evidence>
- ⁱⁱⁱ Withdrawal of Proposed Tariffs, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/481685/1/document.do>
- ^{iv} Tariff 1.B.2, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/489263/1/document.do>
- ^v Tariff 3.A, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/486401/1/document.do>
- ^{vi} Tariff 6.A, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483295/1/document.do>
- ^{vii} Tariff 6.B, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/484876/1/document.do>
- ^{viii} Tariff 6.C, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/493442/1/document.do>
- ^{ix} Tariff 1.B, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483920/1/document.do>
- ^x Tariff 2.B, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483921/1/document.do>
- ^{xi} Tariff 2C, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483923/1/document.do>
- ^{xii} Tariff 3.C, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483924/1/document.do>
- ^{xiii} Tariff 5.B, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483925/1/document.do>
- ^{xiv} Tariffs 10.A, 10B, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/484787/1/document.do>
- ^{xv} Tariff 11.A, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483926/1/document.do>
- ^{xvi} Tariffs 13.A, 13.B, 13.C, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483927/1/document.do>
- ^{xvii} Tariff 21, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/483928/1/document.do>
- ^{xviii} Tariff 22.D.3, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/482200/1/document.do>
- ^{xix} Tariff 1.C, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/488273/1/document.do>
- ^{xx} Reproduction Tariff, <https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/489659/1/document.do>
- ^{xxi} Redetermination, <https://decisions.cb-cda.gc.ca/cb-cda/1/en/481691/1/document.do>
- ^{xxii} Determination, <https://decisions.cb-cda.gc.ca/cb-cda/1/en/491857/1/document.do>
- ^{xxiii} Bibliothèque et Archives nationales du Québec (BAnQ), <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/484415/1/document.do>
- ^{xxiv} The Slieves, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/499567/1/document.do>
- ^{xxv} Vincent Beaulne, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/484288/1/document.do>
- ^{xxvi} Bibliothèque et Archives nationales du Québec (BAnQ), <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/484417/1/document.do>
- ^{xxvii} Carrefour jeunesse-emploi Côte-des-Neiges, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/485727/1/document.do>
- ^{xxviii} Ruth A. Thideman, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/485728/1/document.do>
- ^{xxix} Eyesteel (CHW8) Productions Inc., <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/485726/1/document.do>
- ^{xxx} Bob Muggeridge, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/486476/1/document.do>
- ^{xxxi} Sylvie Genest, <https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/491353/1/document.do>
- ^{xxxii} Tariff, https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20CPCC%20Private%20Copying%202022-2024%20%28EN%29_0.pdf
- ^{xxxiii} Tariff 1.B, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-14%20-%20ReSound%20Tariff%201.B%202022-2024%20%28EN%29.pdf>
- ^{xxxiv} Tariff 1.C, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-14%20-%20ReSound%20Tariff%201.C%202022-2024%20%28EN%29.pdf>
- ^{xxxv} Tariff 4, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-14%20-%20ReSound%20Tariff%204%202022-2024%20%28EN%29.pdf>
- ^{xxxvi} Tariff 8, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-14%20-%20ReSound%20Tariff%208%202022-2024%20%28EN%29.pdf>
- ^{xxxvii} Tariff 1.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%201.A%20%282022-2024%29%20-%20EN.pdf>
- ^{xxxviii} Tariff 1.B, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%201.B%20%282022-2024%29%20-%20EN.pdf>
- ^{xxxix} Tariff 2.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%202.A%20%282022-2024%29%20-%20EN.pdf>

- ^{xl} Tariff 3.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%203.A%20%282022-2024%29%20-%20EN.pdf>
- ^{xli} Tariff 4.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%204.A%20%282022-2024%29%20-%20EN.pdf>
- ^{xlii} Tariff 4.B, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%204.B%20%282022-2024%29%20-%20EN.pdf>
- ^{xliii} Tariff 5.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%205.A%20%282022-2024%29%20-%20EN.pdf>
- ^{xliv} Tariff 5.B, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%205.B%20%282022-2024%29%20-%20EN.pdf>
- ^{xl} Tariff 6, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%206%20%282022-2024%29%20-%20EN.pdf>
- ^{xli} Tariff 14, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2014%20%282022-2024%29%20-%20EN.pdf>
- ^{xlii} Tariff 15.A, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2015.A%20%282022-2024%29%20-%20EN.pdf>
- ^{xliii} Tariff 15.B, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2015.B%20%282022-2024%29%20-%20EN.pdf>
- ^{xli} Tariff 16, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2016%20%282022-2024%29%20-%20EN.pdf>
- ^l Tariff 17, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2017%20%282022-2024%29%20-%20EN.pdf>
- ^{li} Tariff 23, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN%20Tariff%2023%20%282022-2024%29%20-%20EN.pdf>
- ^{lii} Tariff 2.A.R, <https://cb-cda.gc.ca/sites/default/files/inline-files/TAR%20-%202020-10-15%20-%20SOCAN-SODRAC%20Tariff%202.A.R%20%282022-2024%29%20-%20EN.pdf>
- ^{liii} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{liv} Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- ^{lv} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{lvi} Copyright Board Website, <https://cb-cda.gc.ca/en>
- ^{lvii} Copyright Board Website, <https://cb-cda.gc.ca/en>
- ^{lviii} Copyright Board Website, <https://cb-cda.gc.ca/en>
- ^{lix} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{lx} Report on Federal Tax Expenditures, <https://www.canada.ca/en/departement-finance/services/publications/federal-tax-expenditures.html>
- ^{lxi} Copyright Board Website, <https://cb-cda.gc.ca/en>