

2021–22
Departmental Results Report

Copyright Board of Canada

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



Copyright Board
Canada

Commission du droit
d'auteur Canada

| **Canada** 

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

It is also available in alternative formats upon request.

Cette publication est également disponible en français.

ISSN: 2561-2638

Catalogue no.: lu121-5E-PDF

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From the Minister

It is my pleasure to present the 2021–22 Departmental Results Report for the Copyright Board of Canada.

Over the past year, the various organizations in the ISED Portfolio have together worked hard to make Canada a global innovation leader and build an economy that works for everyone.

For the second consecutive year, the Copyright Board had to contend with restrictive COVID-19 measures that were highly detrimental to the creative market and users while adapting its operations and processes to continue to serve both copyright industry and general public with the skill and excellence Canadians expect.

The Copyright Board is an independent administrative tribunal and economic regulator empowered to establish fair and equitable tariffs and licences for the use of copyrighted works. By facilitating the use of content protected by copyright, ensuring the remuneration of copyright owners and access to creative content for users, the Board actively promotes innovation, competition, job creation.

This past year, the Board continued to modernize its operations with a view to respond more efficiently to the needs of its clientele, while transitioning to a post-COVID hybrid reality. The Board is already drawing lessons from the past two years to embrace this new environment and continue to contribute to a stronger copyright marketplace for all Canadians.

I invite you to read this report to learn more about how the Copyright Board, like ISED and its other portfolio partners are working with and for Canadians to position Canada as a leader in the global economy.

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



Results at a glance

In 2021-2022, the Board:

- ✓ Rendered 16 tariff decisions, effectively approving a total of 62 filed proposed tariffs.
- ✓ Processed 26 applications and rendered 3 decisions regarding works where the copyright owner is unlocatable.
- ✓ Continued its transformation to a more efficient and transparent organization, namely by:
 - Promoting early information gathering from parties through Notice of Grounds/Notice of Grounds for Objection requirements;
 - Putting into practice the new government regulations on [Time Limits in Respect of Matters Before the Copyright Board](#), namely activating the “no hearing” process;
 - Reducing costs to Parties through informal case management techniques and by favouring written hearings and written submissions over oral hearings where appropriate;
 - Publishing all Board decisions since 1990 on CanLii in both official languages;
 - Completing the design of an e-filing system to be developed by 2023; and
 - Streamlining and redesigning its physical and technological footprint of the Board in the context of its transition to post-COVID hybrid work.
- ✓ Increased interactions with parties and colleagues, for example through:
 - Informal consultation with parties in advance of finalizing the Board’s Rules of Practice and Procedure for pre-publication in 2022-2023;
 - Informal consultation with parties on their experience of Board processes during COVID and the effectiveness of new procedural initiatives such as the new Notice of Grounds and Notice of Grounds for Objection;
 - Engaging parties and colleagues across the legal, academic, regulatory, and administrative tribunal communities on the management of Board’s current backlog; and
 - Applying formal and informal case management techniques across many active cases, to streamline processes and reduce party and Board administrative burden.
- ✓ Supported its employees and the organization by promoting their well-being, and respecting its diversity and inclusion commitments as a participant of the [50-30 Challenge](#).

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

Copyright Tariffs and Licences

Description

The Copyright Board of Canada establishes the tariffs which set the royalties to be paid for the use of copyrighted works when the rights on such works are being administered collectively. The Board also issues licences which set the royalties to be paid 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 licensing processes.

The Board's ability to meet its mandate hinges on its agility, adaptability and resilience as an organization, particularly over the last 3 years. Since 2019, its legislative and regulatory framework was significantly reviewed, with the stated intention of supporting the Board in increasing the efficiency, timeliness and predictability of its proceedings and decisions. This is particularly complex as Board proceedings rely on a highly specialized understanding of relevant legal and economic principle, in a field where the subject-matter constantly evolves, taking into account periodic developments in domestic and international copyright and administrative law, as well as shifts in technologies, business models and the copyright marketplace.

To concretize these changes and transform into a client-focused organization, the Board has been modernizing its operations on all fronts, from the publication of new tools and guidelines for Parties to transforming its internal information and data management infrastructure and practices. The following presents its results for 2021-2022.

Results

Year in Review: 2021-2022

In 2021-2022, the Board continued the implementation of Phase 1 of its Modernization Initiative to render its operations and practices more efficient and transparent, and build a more diverse, inclusive and accessible work environment.

Efficient and Transparent Operations and Practices

The Board continued to promote informal and expeditious treatment of cases to reduce the overall operational burden and costs for all parties. The Board also formally adopted a systematic

approach to addressing its backlog of proposed tariffs and favoured written hearings and written submissions over oral hearings wherever appropriate.

Activities

- Completed the examination of its oldest proposed tariffs (except for those where parties have requested a hold on proceeding, e.g., where they are involved in ongoing negotiations);
- Continued to be responsive to requests from parties where their capacity to participate in Board proceedings was deemed affected by the COVID pandemic;
- Reviewed and refined internal systems and business practices over tariff and licensing cycle, establishing and communicating predictable systems, procedures and tools to ensure clarity and consistency of analysis by staff;
- Implemented an approach promoting early information gathering from parties through Notice of Grounds/Notice of Grounds for Objection requirements. This was tested in collaboration with parties for selected proposed tariffs, with a view to adopting the approach permanently through the Board’s upcoming Rules of Practice and Procedure;
- Implemented the new government regulations on [*Time Limits in Respect of Matters Before the Copyright Board*](#)ⁱⁱ. This includes activating the “no hearing” process, where the Board is expected to proceed quickly on proposed tariffs that do not require a hearing. The first two decisions using this approach were published on March 25, 2022, well before their effective date of January 1, 2023. The Board also identified a further seven proposed tariffs for the “no hearing” track and worked with parties to implement new streamlined processes that will enable decisions and approved tariffs to be issued before January 1, 2023;
- Published all Board decisions since 1990 on CanLii in both official languages;
- Pursued the modernization of its information management framework, including its data management practices;
- Continued work toward the launch of an e-filing system by 2023, selecting the approach that best fits the Board’s operations and resources;
- Developed a new performance reporting framework to be implemented in 2022–2023; and
- Continued its corporate modernization efforts including a strategic review and renewal of its financial resources management arrangements.

Effective Collaboration with Stakeholders

The Board continued to redefine its interactions with parties, increasing engagement opportunities, to ensure its tools and practices are well suited to marketplace realities.

Activities

- Informally consulted parties and finalized Board’s Rules of Practice and Procedure, in preparation for their pre-publication and formal open consultation in 2022–2023;
- Informally consulted parties on the resources and tools that will accompany the implementation of the Board rules of practice and procedure;
- Engaged informally with parties as well as representatives from the legal, academic, regulatory, and administrative tribunal communities on the management of Board’s current backlog;
- Consulted informally with parties on their experience of Board processes during COVID and the effectiveness of new procedural initiatives such as the use of new tools to support filing of Notice of Grounds and Notice of Grounds for Objection;
- Implemented formal and informal case management practices; and
- Built and nurtured networks and partnerships through the regulatory and administrative tribunal communities, sharing best practices and engaging on common issues, including how to address data gaps in the copyright marketplace.

Support to Employees and the Organization

The Board continued to implement operational changes, while recognizing the challenges these, combined with adapting to sanitary restrictions, may pose to employees.

Activities

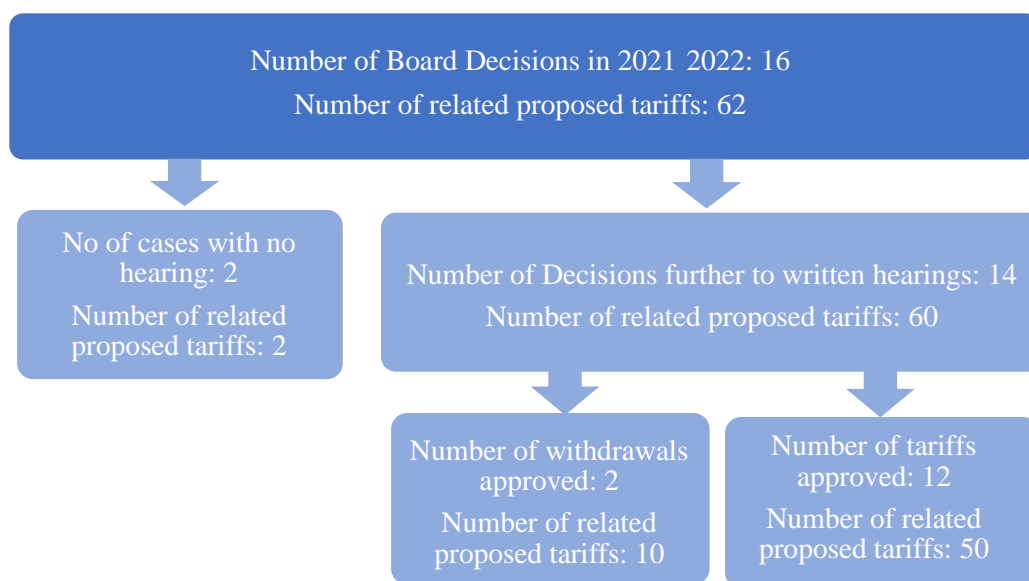
- Fostered the well-being of all employees including through its employee-led Wellness Committee, and pursued management-employee dialogue on the workplace of the future;
- Prepared for the transition to the post-COVID hybrid workplace by reviewing office space requirements, employing technology to facilitate hybrid meetings (virtual and in-person), and redefining workspaces to increase employee well-being and encourage collaboration;
- Respected its diversity and inclusion commitments as a participant of the [50-30 Challenge](#)ⁱⁱⁱ, by increasing the representation and inclusion of diverse groups within its workplace, and seeking opportunities for leadership development across the organization; and
- Promoted employees’ professional development through specialized group workshops and mandatory training required to prevent and address workplace harassment and

violence, in accordance with Government directives and the *Canada Labour Code*, Part II.

Board Operations in 2021-2022

Decisions: Tariffs and Arbitration

A single Board decision may settle several proposed tariffs at once but, for procedural fairness reasons, each proposed tariff must be considered on its own merits.



In 2021-2022, the Copyright Board rendered 16 decisions, effectively resolving 62 filed proposed tariffs. Fourteen (14) of the decisions rendered this year were examined through written hearings and written submissions. To reduce cost for parties, it is the Board’s current practice to favour written hearings and written submissions over oral hearings unless specific circumstances or elements of the proceeding warrants it.

Two of the proposed tariffs filed on October 15, 2021 (CBRA Media Monitoring Tariffs [2023-2025]) and published on the Board’s website on November 3, 2021, were identified as cases not requiring a hearing. As such, they were processed according to the Board’s new procedure implementing section 2(a) of the [Time Limits in Respect of Matters Before the Copyright Board Regulations \(SOR/2020-264\)](#).^{iv} Per the regulation, tariffs without a hearing are required to be approved prior to their effective date. The Board approved the two tariffs, and published the accompanying decision on March 25, 2022, approximately 9 months in advance of their effective date of January 1, 2023.

Pursuant to the 2019 legislative changes and the new subsection 69.1(1) of the [Copyright Act](#)^v, the Board also developed a [Practice Notice on Filing an Application to Withdraw a Proposed Tariff](#).^{vi} This framework outlines how the Board will examine such applications and is available online to maximize transparency for all parties involved.

Two withdrawal applications, CMRRA Tariff 4 (Online Music Services - Music Videos [2014-2018]) and CSI (Online Music Services [2014-2018]), were filed respectively on January 11 and February 18, 2022, and the related decisions were rendered on March 2 and March 25, 2022. The time between the filing and the issuance of the decisions represents approximately 2 months for CMRRA's application and 1 month for CSI's application.

A list of the decisions rendered and related proposed tariffs in 2021-2022 can be found on the Board's [website](#).^{vii}

Proposed Tariffs Submitted by Collective Societies

A total of 31 proposed tariffs were filed in 2021–2022 by 5 collective societies. Artisti filed 2 proposed tariffs, Re:Sound filed 4 and SOCAN filed 22, while CBRA and Access Copyright filed 2 and 1 respectively. All the proposed tariffs filed during this period are for the years 2023 to 2025, except for those filed by Re:Sound, which cover either 2023–2026 or 2023–2027.

A list of the proposed tariffs filed in 2021-2022, organized by collective society, can be found on the Board's [website](#).^{viii}

Requests for Arbitration

No requests for arbitration were received by the Board in the 2021-2022 fiscal year.

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 2021-2022, 24 licence applications were filed with the Board. A total of 26 requests were processed, and 3 decisions rendered, all within our service standards of 45 days once the application is considered complete. Two licences were issued in 2021-2022, one for the reproduction and distribution of a written note and one for the reproduction and communication of a musical work and one application for the reproduction of television footage was refused. The other files processed (23 in total) were closed for various reasons, often due to the rights owner being located or the application being withdrawn.

Information on these decisions can be found on the Board's [website](#).^{ix}

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 [Copyright Act](#)^x within 15 days of its conclusion shields the parties from prosecutions pursuant to section 45 of the [Competition Act](#)^{xi}. 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 Copyright Board to examine it. As such, in 2021-2022, 35 agreements were filed with the Board. A total of 25 agreements were filed by COPIBEC, 8 by Access Copyright, and 2 by the CBRA.

A list of the agreements filed in 2021-2022 can be found on the Board's [website](#).^{xii}

Court Proceedings

Federal Court of Appeal

On June 22, 2021, the Federal Court of Appeal rendered a [decision](#)^{xiii} on two judicial review applications (A-45-19 and A-47-19) related to a decision of the Board in respect of the retransmission of distant television signals for the years 2014 to 2018. In [Bell Canada v. Copyright Collective of Canada, 2021 FCA 148](#)^{xiv}, the Court dismissed the application for judicial review in file A-45-19. In respect of file A-47-19, the Court granted in part the application for judicial review and set aside the Board's decision to the extent of its use of the wrong pricing data in its proxy price calculation and of the wrong profit margin.

Supreme Court of Canada

The following decision is not a decision that originates from a Copyright Board decision. However, it is listed here because it concerns Board tariffs.

On July 30, 2021, the Supreme Court of Canada rendered its [decision](#)^{xv} in *York University v. Access Copyright*, 2021 SCC 32. Access Copyright sought enforcement of a Copyright Board interim tariff in the Federal Court. York University counterclaimed for a declaration that any copying conducted within its fair dealing guidelines was fair dealing. The Federal Court found that the interim tariff was enforceable against York University and that neither its guidelines nor its actual practices constituted fair dealing. York University appealed the decision of the Federal Court. The Federal Court of Appeal allowed York University's appeal on the tariff enforcement action but dismissed its appeal on the fair dealing counterclaim. Both parties appealed the decision of the Federal Court of Appeal before the Supreme Court. The Supreme Court dismissed both appeals.

Gender-based analysis plus

The Board does not have a formal gender-based analysis plus (GBA Plus) plan, but its proceedings, as defined in the Act, are open to all Canadians, and any GBA Plus issues brought forward in that context are duly considered.

Experimentation

Experimentation is at the core of the Board's modernization efforts, applying a user-centered design approach, with rapid iterations and testing of new methods, allows the Board to address issues as they emerge.

In 2021-2022, the Board applied lessons learned through the COVID-19 pandemic to accelerate the development of an e-filing system and other digital tools and resources, some in collaboration with parties. One key example is the testing of its new approach to collect early information from parties through a requirement to provide the Board with Notice of Grounds/ Notice of Grounds for Objection. This testing was done with parties, for a select number of proposed tariffs, and allowed the Board to assess the usefulness and efficiency of its new tools accordingly. The new tools will be used for the 2022-2023 tariff intake, for all proposed tariffs.

Key risks

As the Board continues to reshape and restructure itself at an organizational level, the copyright ecosystem itself is also in flux, as a result of new technologies emerging, international agreements being signed, and Canadian court decisions setting new standards or new interpretations of the law, among other developments. This is further complicated by the scarcity of data about the creative marketplace available to the Board. This ever-changing environment and the limited access to key data can impact the Board's ability to deliver on its mandate. It can also affect the quality of the Board's decisions, its capacity to measure performance, and its ability to effectively play its role of economic regulator and expert independent administrative tribunal.

In 2021-2022, the Board invested considerable time in working directly with parties, and building and nurturing networks and partnerships across regulatory and administrative communities, to share best practices and connect on common issues, including how to address data gaps in the copyright marketplace.

Delivering on these initiatives has proven to be challenging for a micro-organization like the Board, one of the smallest in the federal system. Recruitment of new specialized talent continues to be difficult, with growing competition for qualified resources. This past year, the Board devoted a considerable amount of time to staffing and training, even in the midst of its operational transformation. The corporate burden of monitoring and reporting to align the Board with Government of Canada's relevant policies and directives is also very demanding, given the current level of resources. Finally, the Board's size means that there is very little capacity to launch new initiatives to grow and develop the organization, a risk if the Board wants to continue to adapt to the constant changes in the copyright marketplace.

Results achieved

The following table shows, for Copyright Tariffs and Licences the results achieved, the performance indicators, the targets and the target dates for 2021–22, and the actual results for the three most recent fiscal years for which actual results are available.

Departmental results	Performance indicators	Target	Date to achieve target	2019 20 actual results	2020 21 actual results	2021 22 actual results
Timely tariff decisions	% of tariff decisions published within 12 months	70%	March 31, 2022	100%	90%	100%
Timely issuance of licences	Percentage of licences issued within 45 days	70%	March 31, 2022	100%	100%	100%

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

Budgetary financial resources (dollars)

The following table shows, for Copyright Tariffs and Licences budgetary spending for 2021–22, as well as actual spending for that year.

2021 22 Main Estimates	2021 22 planned spending	2021 22 total authorities available for use	2021 22 actual spending (authorities used)	2021 22 difference (actual spending minus planned spending)
3,423,846	3,423,846	3,524,114	2,922,185	(501,661)

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

Human resources (full-time equivalents)

The following table shows, in full-time equivalents, the human resources the department needed to fulfill this core responsibility for 2021–22.

2021 22 planned full time equivalents	2021 22 actual full time equivalents	2021 22 difference (actual full time equivalents minus planned full time equivalents)
21	20	(1)

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

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 refer 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)

The following table shows, for internal services, budgetary spending for 2021–22, as well as spending for that year.

2021 22 Main Estimates	2021 22 planned spending	2021 22 total authorities available for use	2021 22 actual spending (authorities used)	2021 22 difference (actual spending minus planned spending)
855,961	855,961	881,029	728,487	(127,474)

Human resources (full-time equivalents)

The following table shows, in full-time equivalents, the human resources the department needed to carry out its internal services for 2021–22.

2021 22 planned full time equivalents	2021 22 actual full time equivalents	2021 22 difference (actual full time equivalents minus planned full time equivalents)
4	4	-

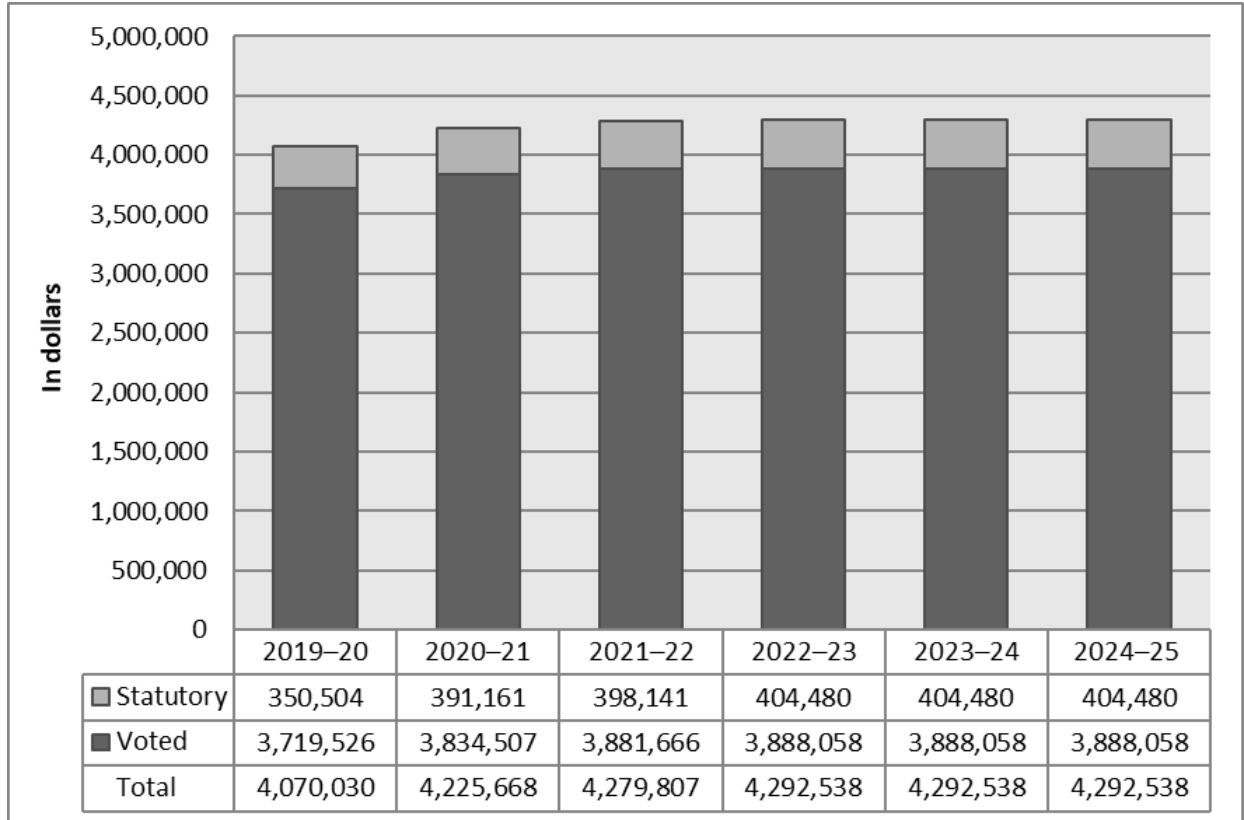
The Board receives support from its own internal services, namely: finance; human resources; communications; information management and information technology. The Board also has several service arrangements in place with some Departments, including Innovation, Science and Economic Development Canada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

Spending and human resources

Spending

Spending 2019–20 to 2024–25

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



The Board's overall (voted and statutory) authorities increased permanently in 2018-19, and remains very stable over time. 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)

The “Budgetary performance summary for core responsibilities and internal services” table presents the budgetary financial resources allocated for the Copyright Board’s core responsibilities and for internal services.

Core responsibilities and internal services	2021 22 Main Estimates	2021 22 planned spending	2022 23 planned spending	2023 24 planned spending	2021 22 total authorities available for use	2019 20 actual spending (authorities used)	2020 21 actual spending (authorities used)	2021 22 actual spending (authorities used)
Copyright Tariffs and Licences	3,423,846	3,423,846	3,434,031	3,425,231	3,524,114	3,297,974	3,162,304	2,922,185
Internal services	855,961	855,961	858,507	856,308	881,029	772,056	740,084	728,487
Total	4,279,807	4,279,807	4,292,538	4,281,539	4,405,143	4,070,030	3,902,388	3,650,672

Actual Board expenditures in 2021-22 reached approximately \$3.7 million, a decrease of \$251,716 from the previous year’s expenditures. Planned spending for the year was not fully realized for a number of reasons, including many challenges caused by the ongoing pandemic situation, which affected operations in unpredictable ways. In some instances, dedicated resources could not be allocated as predicted, due to limited corporate support, staffing shortages, recruitment difficulties and evolving organizational needs. As a micro-organization, the Board is not always able to reallocate its priorities quickly enough when plans are interrupted or change. On a positive note, the Board was able to reduce costs for certain initiatives through partnerships and collaboration. The Board will be taking positive measures in the coming year to increase its capacity in this area.

Human resources

The “Human resources summary for core responsibilities and internal services” table presents the full-time equivalents (FTEs) allocated to each of the Copyright Board’s core responsibilities and to internal services.

Human resources summary for core responsibilities and internal services

Core responsibilities and internal services	2019 20 actual full time equivalents	2020 21 actual full time equivalents	2021 22 planned full time equivalents	2021 22 actual full time equivalents	2022 23 planned full time equivalents	2023 24 planned full time equivalents
Copyright Tariffs and Licences	20	21	21	20	21	21
Internal services	3	4	4	4	4	4
Total	23	25	25	24	25	25

Expenditures by vote

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

Government of Canada spending and activities

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

Financial statements and financial statements highlights

Financial statements

The Copyright Board's financial statements (unaudited) for the year ended March 31, 2022, are available on the departmental website.

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2022 (dollars)

Financial information	2021 22 planned results	2021 22 actual results	2020 21 actual results	Difference (2021 22 actual results minus 2021 22 planned results)	Difference (2021 22 actual results minus 2020 21 actual results)
Total expenses	4,805,600	4,128,662	4,523,528	(676,938)	(394,866)
Total revenues	-	-	-	-	-
Net cost of operations before government funding and transfers	4,805,600	4,128,662	4,523,528	(676,938)	(394,866)

Condensed Statement of Financial Position (unaudited) as of March 31, 2022 (dollars)

Financial information	2021 22	2020 21	Difference (2021 22 minus 2020 21)
Total net liabilities	488,385	523,701	(35,316)
Total net financial assets	207,308	239,878	(32,570)
Departmental net debt	281,077	283,823	(2,746)
Total non-financial assets	101,788	123,421	(21,633)
Departmental net financial position	(179,289)	(160,402)	(18,887)

The 2021–22 planned results information is provided in the Copyright Board's [Future-Oriented Statement of Operations and Notes 2021–22](#).^{xxi}

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](#)^{xxii}

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](#).^{xxiii}

Operating context

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

Reporting framework

The Copyright Board’s Departmental Results Framework and Program Inventory of record for 2021–22 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](#).^{xxv}

Supplementary information tables

The Copyright Board does not have any supplementary information tables.

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](#).^{xxvi} 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.

Organizational contact information

Mailing address: Copyright Board of Canada
Suite 800 – 56 Sparks Street
Ottawa, Ontario K1A 0C9

Telephone: (613) 952-8621

Email: secretariat@cb-cda.gc.ca

Website(s): <https://cb-cda.gc.ca/en>^{xxvii}

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 tool used to support the development of responsive and inclusive policies, programs and other initiatives; and understand how factors such as sex, race, national and ethnic origin, Indigenous origin or identity, age, sexual orientation, socio-economic conditions, geography, culture and disability, impact experiences and outcomes, and can affect access to and experience of government programs.

government-wide priorities (*priorités pangouvernementales*)

For the purpose of the 2021–22 Departmental Results Report, government-wide priorities refers to those high-level themes outlining the government's agenda in the 2020 Speech from the Throne, namely: Protecting Canadians from COVID-19; Helping Canadians through the pandemic; Building back better – a resiliency agenda for the middle class; The Canada we're fighting for.

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. [Time Limits in Respect of Matters Before the Copyright Board Regulations \(justice.gc.ca\)](#)
- iii. [The 50 – 30 Challenge: Your Diversity Advantage \(canada.ca\)](#)
- iv. [Time Limits in Respect of Matters Before the Copyright Board Regulations \(justice.gc.ca\)](#)
- v. Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/index.html>
- vi. [Practice Notice on Filing an Application to Withdraw a Proposed Tariff](#)
- vii. Copyright Board Website, <https://cb-cda.gc.ca/en>
- viii. Copyright Board Website, <https://cb-cda.gc.ca/en>
- ix. Copyright Board Website, <https://cb-cda.gc.ca/en>
- x. Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/index.html>
- xi. Competition Act, <https://laws.justice.gc.ca/eng/acts/C-34/>
- xii. Copyright Board Website, <https://cb-cda.gc.ca/en>
- xiii. Federal Court of Appeal Decisions, <https://decisions.fca-caf.gc.ca/fca-caf/decisions/en/item/500599/index.do?q=copyright+collective>
- xiv. Federal Court of Appeal Decisions, <https://decisions.fca-caf.gc.ca/fca-caf/decisions/en/item/500599/index.do?q=copyright+collective>
- xv. Supreme Court Judgments, <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/18972/index.do?q=york>
- xvi. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xvii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xviii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xix. Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- xx. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xxi. Copyright Board Future-oriented Statement of Operations 2021-2022, <https://cda-cb.gc.ca/en/about-us/reports-publications/departmental-reports-and-plans/future-oriented-statements-2021-2022>
- xxii. Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/index.html>
- xxiii. Copyright Board Website, <https://cb-cda.gc.ca/en>
- xxiv. Copyright Board Website, <https://cb-cda.gc.ca/en>
- xxv. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xxvi. Report on Federal Tax Expenditures, <https://www.canada.ca/en/department-finance/services/publications/federal-tax-expenditures.html>
- xxvii. Copyright Board Website, <https://cb-cda.gc.ca/en>