

Copyright Board of Canada 2022–23 Departmental Results Report

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



Copyright Board
Canada

Commission du droit
d'auteur Canada



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This document is available in HTML and PDF on the Copyright Board of Canada's [website](#)ⁱ, and
in alternative formats upon request.

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From the Minister

It is my pleasure to present the 2022–23 Departmental Results Report for the Copyright Board of Canada (the Board).

Over the past year, the ISED Portfolio worked closely with other Government Departments and Agencies following the pandemic to build a more resilient, sustainable and inclusive economy that benefits all Canadians.

The Copyright Board makes an essential contribution to Canada’s cultural, economic, innovation and justice sectors. As an independent tribunal and economic regulator, it plays a leading role in the copyright industry by contributing to the remuneration of those who create copyright-protected content, facilitating the use of and access to such content and stimulating the growth and expansion of creative industries, as well as competition on the national and world stages.



Fiscal year 2022-23 marked a turning point for the Copyright Board, with the completion of the first phase of its Modernization Initiative launched in 2019. This initiative aimed to: increase the efficiency and transparency of the Board’s operations, reduce the Board’s backlog and ensure the sound stewardship of resources. Ultimately, this overhaul of the Board’s operations and systems will help it foster an effective copyright marketplace, contribute to a better access to justice and protection of the public interest.

The Copyright Board is already engaged in the next phase of this Initiative and will continue to build on its successes and partnerships to innovate while maintaining an inclusive, citizen-focused approach for the benefit of all Canadians.

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

The Honourable François-Philippe Champagne
Minister of Innovation, Science and Industry
[Minister of Innovation, Science and Industry Mandate Letter](#)ⁱⁱ

Results at a glance

In fiscal year 2022-23, the Board:

- ✓ Rendered 16 tariff decisions, effectively approving 64 proposed tariffs;
- ✓ Published 29 notices, 17 orders and 18 rulings;
- ✓ Processed 24 applications and rendered 3 decisions regarding works where the copyright owner is unlocatable;
- ✓ Completed Phase I of its Modernization Initiative, launched in 2019;
- ✓ Published its New [Rules of Practice and Procedure](#)ⁱⁱⁱ that came into force in February 2023;
- ✓ Redesigned and implemented its new performance measurement framework;
- ✓ Published its strategy for managing its backlog;
- ✓ Held its first virtual oral hearing held in October and November 2022, with great success;
- ✓ Launched new technological tools to improve its service offering and increase access to Board documents in both official languages;
- ✓ Standardized using clear and simple language practices in all of the Board’s communications; and
- ✓ Developed its first Accessibility Plan in 2022-23 and named its first accessibility champion.

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 responsibilities

Copyright Tariffs and Licences

Description

The Copyright Board of Canada (the Board) is an independent administrative tribunal and economic regulatory body empowered to establish the tariffs which set the royalties to be paid for the use of copyrighted works when the copyright in such works is administered collectively by a society. 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, the Board ensures that rights owners are remunerated in a timely manner, while supporting prosperity and innovation in the Canadian economy.

The Board has demonstrated its commitment to meet all the objectives set out in its departmental plan for the year 2022–2023 through innovative and skillful strategies to serve Canadians. To this end, the Board evaluated and updated its practices regarding how it interacts with its partners and clients, to ensure that it continues to meet the challenges of today and tomorrow in a more timely, predictable and efficient manner. This is particularly complex as Board activities, including tariff-setting proceedings, involve diverse areas of expertise ranging from copyright and administrative law to economic principles and technology, all subject to constant shift and reshaping.

Results

Year in Review: April 1, 2022 to March 31, 2023

Fiscal year 2022–2023 marked the completion of the first phase of the [Board's Modernization Initiative](#)^{iv}, launched in 2019. This suite of unprecedented reforms aimed to increase the efficiency and transparency of Board processes; reduce the Board's backlog of files; improve the transparency of its operations; and ensure the sound stewardship of resources.

In support of these objectives, Board activities undertaken in 2022–23 specifically aimed to:

1. Enhance and promote the Board's role as an effective marketplace facilitator;
2. Foster access to justice and the protection of the public interest; and
3. Focus on fostering the talent and skills of Board employees.

The following is a summary of the Board's key results for the year for each objective.

1. Enhance and promote its role as an effective marketplace facilitator

This year, the Board:

- Published and implemented its new [Rules of Practice and Procedure](#)^v that support more efficient, timely and cost-effective proceedings for all participants. The Rules came into force in February 2023;
- Published and began implementing new guidance tools, including new Practice Notices, to facilitate the understanding and application of the new Rules;
- Implemented its strategy for backlog management, including publishing a list of all pending cases online and holding informal consultations with stakeholders on how to prioritize files;
- Held exploratory discussions, including with Justice Canada, on options for future modernization of the Individual Cases regime;

2. Foster access to justice and the protection of public interest

The Board:

- Continued to promote a citizen-focused approach and increased transparency regarding Board procedures and services to allow greater and better access to information and the exchange of best practices;
- Increased access to documents in both official languages, using the Decisia and CanLii platforms;
- Standardized the use of plain language in all Board communications, including decisions;
- Enhanced the quality of services offered to Canadians through the design of an e-filing system;
- Held its first virtual oral hearing in October and November 2022, with excellent reviews from participants;
- Completed the redesign and implementation of its new performance measurement framework;
- Continued its engagement with the federal administrative tribunal community, notably via the Council of the Federal Administrative Tribunal Heads (CFATH), on issues of common interest, as the Board's vice-president and CEO continued her role as Chair of the Council.

3. Focus on fostering talent and skills of Board employees

In 2022-23, the Board:

- Continued to support a positive working environment to support the retention and wellness of its employees;

- Promoted diversity and inclusion across all organizational activities, staffing and communications;
- Implemented a flexible and inclusive Return-to-the-Office strategy, minimizing disruption in terms of mobilization and maintaining employee productivity;
- Leveraged partnerships and short-term contracting to bring in specialized skills and support staff; and
- Developed its first Accessibility Plan and appointed a first Accessibility Champion for the Board.

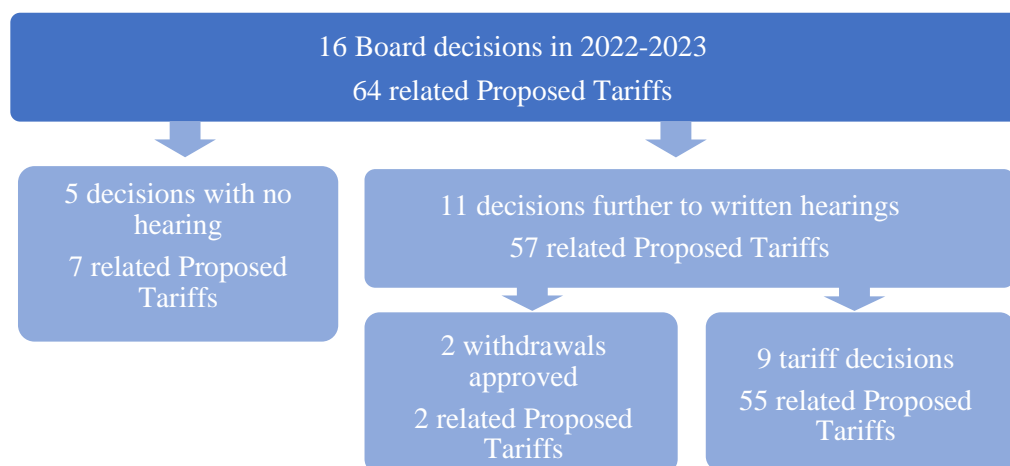
Board Operations in 2022-23

Proposed Tariffs Received

Collective societies filed 22 proposed tariffs in October 2022. All proposed tariffs relate to the years 2024 to 2026, except for those filed by Re:Sound, which cover the years 2024 to 2028. The list of the proposed tariffs filed in 2022-23 can be found on the Board's [website](#)^{vi}.

Tariff Approval

In 2022-23, the Copyright Board rendered 16 decisions, effectively resolving 64 proposed tariffs. When the Board renders a decision – approving a tariff or accepting the withdrawal of a proposed tariff – it will often decide on several proposed tariffs at once. Therefore, one decision may settle multiple proposed tariffs. That said, to ensure fairness, each proposed tariff must be considered on an individual basis.



The list of decisions rendered in 2022-23 can be found in Annex B and on the Board's [website](#)^{vii}.

Proposed tariffs not requiring a hearing

Section 2 of the [Time Limits in Respect of Matters Before the Copyright Board Regulations \(SOR/2020-264\)](#)^{viii} provides that the Board can identify some of the proposed tariffs as not requiring a hearing. As per section 2(b), such proposed tariffs are required to be approved prior to their effective period.

Seven of the proposed tariffs filed on October 15, 2021, were identified as not requiring a hearing. The approved tariffs and related decisions were published in August and September 2022, well in advance of January 1, 2023, the start of their effective period.

Withdrawal applications

Two applications for the withdrawal of proposed tariffs were filed by collective societies in 2022-23, in accordance with the legislative provisions adopted in 2019. The application for the withdrawal of SODRAC Tariff 5 – Musical Works Embedded in Cinematographic Works for Theatrical Exhibition or Private Use (2017-2019) was filed by SOCAN on April 4, 2022, and approved on August 17, 2022. COPIBEC applied to withdraw its Tariff for the Reproduction of Literary Works by Universities (2015-2019) on May 16, 2022, which was approved on September 23, 2022. The time between the filing and the issuance of the withdrawal decisions represents approximately 5 months for SOCAN’s application and 4 months for COPIBEC’s application.

The Board’s first hybrid hearing

The Board set a new standard of excellence by holding its first hybrid oral hearing in October and November 2022 for the Online Music Services (SOCAN 2007-2018) proceeding. Parties to the proceeding and members of the public attended the 4-day hearing via the Zoom platform, a first for the Board.

A post-hearing survey conducted between October 21st and November 1st aimed to collect the participants’ experience and feedback obtained an 18% response rate, with 7 responses out of a maximum of 38 non-Board participants to the hearing. Survey results indicate that the experience was very positive for parties, with comments such as “The hearing was very well done. Very smooth and well organized” and “This was the smoothest virtual hearing in which I have participated.”

Below is a summary of the survey results:

Criteria	Score
Level of satisfaction with overall hearing	9.6/10
Instructions (connection and participation): Platform	9.6/10
Audio and video quality	9.5/10
Question and chat management	9.1/10

The Online Music Services hearing showed that a hybrid model where some participants are present in person and others, virtually, can be effective to promote access to justice by permitting parties and the public to participate in proceedings from various locations.

As part of its Modernization Initiative, the Board committed to prioritizing written hearings and oral hearings in hybrid mode to lower participation costs for parties, simplify participation in proceedings and increase accessibility, while preserving the quality of the exchanges.

Settlement of Individual Cases

The Board received no applications in 2022-23 to set royalty rates or any terms and conditions as per section 71 of the [Copyright Act](#)^{ix}. One request filed in 2020 under sections 66.5 and 71 of the Act, *Sirius XM Canada Inc. v. CMRRA*, remains outstanding, at the Parties' request.

Unlocatable Copyright Owners

Pursuant to section 77 of the [Copyright Act](#)^x, 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. The Act requires that applicants make reasonable efforts to find the copyright owner. Licences granted by the Board are non-exclusive and valid only in Canada.

This year, 24 applications were filed and 6 were carried over from the previous year. The Board rendered 3 decisions: two licences were issued, and one application was refused on the grounds that the works were deemed not to be protected by copyright.

An additional 19 files were closed for various reasons. In most cases, rights owners were located after further research was conducted with the support of Board staff and collective societies; other applications were withdrawn after discussion with Board staff, for example, because a licence was not necessary, or because the applicant's project did not move forward. A list of the decisions rendered can be found on the Board's [website](#)^{xi}.

Court Proceedings

Federal Court of Appeal

In 2022-23, no Federal Court of Appeal decisions were issued relating to Board tariffs.

Supreme Court of Canada

Society of Composers, Authors and Musical Publishers of Canada v Entertainment Software Association, 2022 SCC 30

On July 15, 2022, the Supreme Court made a ruling related to the interpretation of subsection 2.4(1.1) of the Copyright Act. It rejected SOCAN's appeal of the Federal Court of Appeal decision that had rescinded a decision by the Board on August 25, 2017. In this decision, the Board concluded that making content available to the public remains a communication to the public via telecommunication, regardless of the possibility that subsequent transmission would result in downloading or streaming.

The Supreme Court determined that the Board's interpretation, which would have entailed the payment of two separate royalties (one when the work is made available online to the public and another when it is streamed or downloaded), was contrary to the technological neutrality principle.

For the Court, subsection 2.4(1.1) of the Act modifies the scope of the copyright with respect to the performance by changing the definition of paragraph 3(1)(f). Since a download represents a single protected activity that never results in the application of paragraph 3(1)(f), the change in the definition at paragraph 3(1)(f) does not transform a download in two distinct activities justifying two fees. In like manner, subsection 2.4(1.1) does not transform a single activity such as streaming into two distinct performances justifying each a payment. Although the act of making available is a physical activity that is distinct from the act of downloading or streaming, it does not mean that this is a distinct activity justifying a payment.

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 per section 76 of the [Copyright Act](#)^{xii} within 15 days of its conclusion shields the parties from prosecutions per section 45 of the [Competition Act](#)^{xiii}. 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.

In 2022–23, 30 agreements were filed with the Board as per section 76 of the Act. Of these, 13 agreements were filed by Access Copyright, 12 by the CBRA and 5 by COPIBEC. The list of the agreements filed is available on the Board's [website](#)^{xiv}.

Gender-based analysis plus

The Board is an independent administrative tribunal and economic regulatory body. In light of its mandate, the Board does not have a formal gender-based analysis plus (GBA Plus) plan. Board proceedings, as defined in the [Copyright Act](#)^{xv}, are open to all Canadians, and any GBA Plus issues brought forward in that context are duly considered.

United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals

While the Board did not have a formal plan for promoting sustainable development for 2022–23, it has been doing its part to support Canada's transition to low-carbon, climate resilient and green operations. Specifically, the Board made efforts to reduce paper usage through its new e-filing system and various practice notices which require that documents be filed electronically. This will reduce long-term paper usage for both Board employees and the various parties involved in tariff proceedings.

The Board also lowered its carbon footprint through the implementation of its long-term workplace strategy. For example, the Board adapted its accommodations and practices to support hybrid work for all of its employees, resulting in a 27% reduction of its office space. Moreover, the Board reached an agreement with another federal administrative tribunal, and is pursuing other similar agreements, to share its specialized hearing room. These agreements will maximize the use of the specialized space and eliminate the need for each organization to have its own space.

Innovation

Innovation at the Board takes place at a micro level, for instance, by implementing a LEAN approach to all business operations, and generalizing the use of clear and simple language in all Board communications, including decisions. The Board also implemented new innovative ways to serve and communicate with Canadians through the design of an e-filing system and by using the Decisia and CanLii platforms to ensure better access to Board documents in both official languages.

Key risks

The Board's ability to effectively deliver on its mandate depends on whether its clients, namely collective management societies and user groups, continue to see value in participating in Board

proceedings. The 2019 changes to the [Copyright Act](#)^{xvi}, which now allow parties to engage directly in settlement negotiations, and the Supreme Court of Canada decision in *Access Copyright v York University* which confirmed the non-mandatory nature of Board tariffs, have created some uncertainty at this level. It remains to be seen if reforms brought forward by the Board as part of its Modernization Initiative will in themselves be sufficient to keep parties interested in seeking tariffs from the Board and/or participating in its proceedings. If not, the Board’s ability to play efficiently its role of economic regulator and protector of the public interest may be lessened. Further analysis of this situation is provided in the *Modernizing the Copyright Board Status Update* published in May 2023.

Another key risk to the organization is the availability of data and information about the copyright marketplace. Currently, the Board’s access to specialized market data is limited to that submitted by parties during proceedings. While this data is essential to the Board in order to set fair and equitable tariffs, it may be difficult or impossible to obtain if not shared by Parties, as it is often proprietary. As the number of agreements negotiated in between parties increases, the data available to the Board may in turn decrease, which could hinder its ability to deliver on its mandate, may affect the quality of its decisions and/or its capacity to adequately measure its performance. To address this risk, the Board will be developing a plan to tackle the specific challenges of data availability in the coming years, in consultation with relevant federal organizations and stakeholders.

Results achieved

The following table shows, for Copyright Tariffs and Licences, the results achieved, the performance indicators, the targets and the target dates for 2022–23, 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	2020–21 actual results	2021–22 actual results	2022–23 actual results
Timely tariff decisions	Percentage of tariff decisions published within 12 months	70%	March 31, 2023	90%	100%	100%
Timely issuance of licences	Percentage of licences issued within 45 days	70%	March 31, 2023	100%	100%	50%

In 2022-23, the Board issued two licences for works where the copyright owner was unlocatable. One licence was issued in 11 business days, whereas the second licence was issued within 50 days - 5 days over the service standard of 45 days from the date of completion of the file. This licence targeted several works and, as such, the application was deemed complex, requiring additional internal steps to render the decision. Thus, our service standard of 45 days was met

50% of the time.

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

Budgetary financial resources (dollars)

The following table shows, for Copyright Tariffs and Licences, budgetary spending for 2022–23, as well as actual spending for that year.

2022–23 Main Estimates	2022–23 planned spending	2022–23 total authorities available for use	2022–23 actual spending (authorities used)	2022–23 difference (actual spending minus planned spending)
3,434,031	3,434,031	3,733,319	3,196,630	(237,401)

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

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 2022–23.

2022–23 planned full-time equivalents	2022–23 actual full-time equivalents	2022–23 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](#).^{xix}

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.

The Board's management of its corporate obligations and requirements is critical to the realization of its mandate and objectives. Internal services, namely finance, human resources, communications, information management and information technology, are supplemented in part through service agreements with some larger departments, including Innovation, Science and Economic Development Canada (ISED) and Public Services and Procurement Canada (PSPC), so that the Board has efficient and affordable access to the tools and expertise required for sound management of its resources. In 2022-23, the Board reviewed and amended these service agreements to meet its needs and remain aligned with evolving Government of Canada policies, regulations, directives, and best practices.

The Board also continues the modernization of its information management framework and tools, including its data management practices; and reiterates its commitment to launching an e-filing system in 2023.

Contracts awarded to Indigenous businesses

The Copyright Board is a Phase 3 organization and is aiming to achieve the minimum 5% target by the end of 2024-25. As a micro-organization, the Board often chooses to contract with other larger departments to complement its internal services. In general, the Board awards few contracts, and these are often not of significant value (i.e. translation, graphic design of documents).

In the past, the Board has allocated contracts to Indigenous businesses when possible. The Board is in Phase 3 of complying with the target set out in the new Appendix E to the [Directive on the Management of Procurement](#)^{xx}. The Board is thus in the transition phase and aims to fully comply with the Directive by 2025. Specific measures to meet the target include reviewing professional services and standing offers available and reaching out to other micro and small organizations to share best practices.

Budgetary financial resources (dollars)

The following table shows, for internal services, budgetary spending for 2022–23, as well as spending for that year.

2022–23 Main Estimates	2022–23 planned spending	2022–23 total authorities available for use	2022–23 actual spending (authorities used)	2022–23 difference (actual spending minus planned spending)
858,507	858,507	933,330	799,157	(59,350)

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 2022–23.

2022–23 planned full-time equivalents	2022–23 actual full-time equivalents	2022–23 difference (actual full-time equivalents minus planned full-time equivalents)
4	4	-

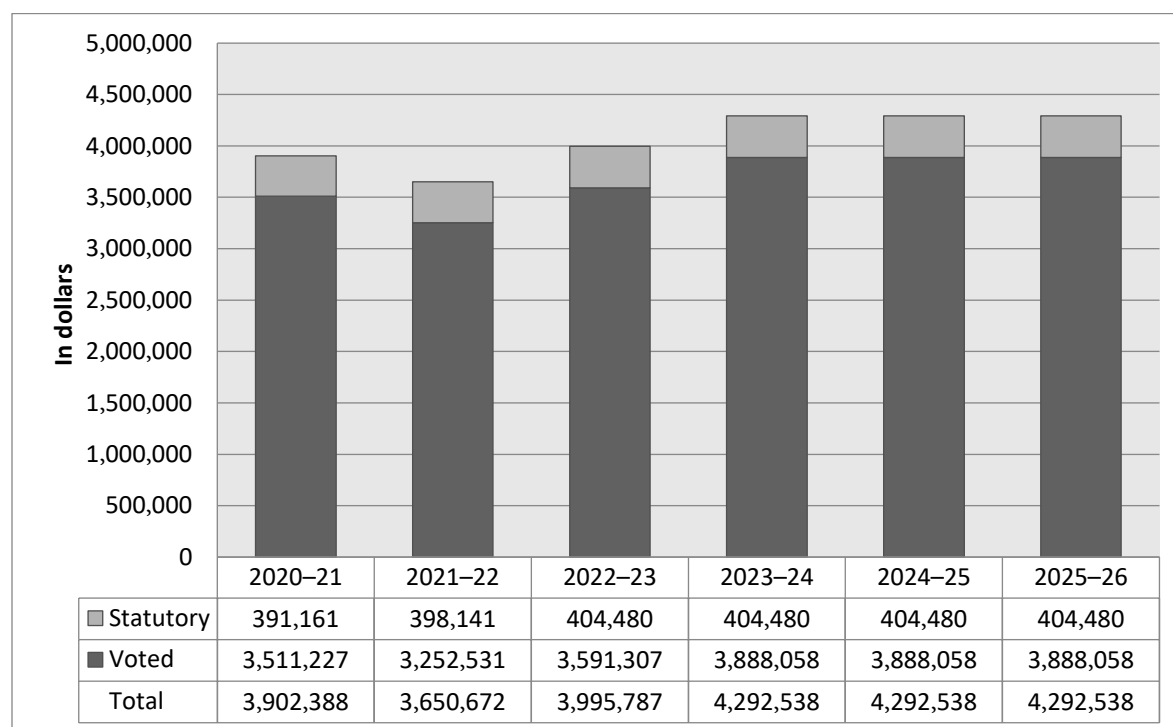
The Board receives support from its own internal services, namely: finance; human resources; communications; information management and information technology. The Board also has several service arrangements in place with various Departments, including Innovation, Science and Economic Development Canada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

Spending and human resources

Spending

Spending 2020–21 to 2025–26

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 has remained 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 Board’s core responsibilities and for internal services.

Core responsibilities and internal services	2022–23 Main Estimates	2022–23 planned spending	2023–24 planned spending	2024–25 planned spending	2022–23 total authorities available for use	2020–21 actual spending (authorities used)	2021–22 actual spending (authorities used)	2022–23 actual spending (authorities used)
Copyright Tariffs and Licences	3,434,031	3,434,031	3,481,770	3,481,770	3,733,319	3,121,910	2,920,538	3,196,630
Internal services	858,507	858,507	870,443	870,443	933,330	780,478	730,134	799,157
Total	4,292,538	4,292,538	4,352,213	4,352,213	4,666,649	3,902,388	3,650,672	3,995,787

Actual Board expenditures in 2022-23 reached roughly \$4 million, an increase of \$345,115 from the previous year’s expenditures. Planned spending for the year was not fully realized for a number of reasons, including challenges that affected operations in unpredictable ways. In some instances, dedicated resources could not be allocated as planned, 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 resources quickly enough when plans are interrupted or change. On a positive note, the Board was also able to reduce costs for certain initiatives through partnerships and collaboration. The Board is taking positive measures moving forward to increase its capacity in the area of medium–and long-term financial forecasting.

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	2020–21 actual full-time equivalents	2021–22 actual full-time equivalents	2022–23 planned full-time equivalents	2022–23 actual full-time equivalents	2023–24 planned full-time equivalents	2024–25 planned full-time equivalents
Copyright Tariffs and Licences	21	20	21	20	21	21
Internal services	4	4	4	4	4	4
Total	25	24	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](#).^{xxi}

Government of Canada spending and activities

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

Financial statements and financial statements highlights

Financial statements

The Copyright Board’s financial statements (unaudited) for the year ended March 31, 2023, are available on the department’s [website](#).^{xxiii}

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2023 (dollars)

Financial information	2022–23 planned results	2022–23 actual results	2021–22 actual results	Difference (2022–23 actual results minus 2022–23 planned results)	Difference (2022–23 actual results minus 2021–22 actual results)
Total expenses	4,912,652	4,532,840	4,128,662	(379,812)	404,178
Total revenues	-	-	-	-	-
Net cost of operations before government funding and transfers	4,912,652	4,532,840	4,128,662	(379,812)	404,178

The 2022–23 planned results information is provided in the Copyright Board’s [Future-Oriented Statement of Operations and Notes 2022-23](#)^{xxiv}.

Condensed Statement of Financial Position (unaudited) as of March 31, 2023 (dollars)

Financial information	2022–23	2021–22	Difference (2022–23 minus 2021–22)
Total net liabilities	526,906	488,385	38,521
Total net financial assets	295,397	207,308	88,089
Departmental net debt	231,509	281,077	(49,568)
Total non-financial assets	80,155	101,788	(21,633)
Departmental net financial position	(151,354)	(179,289)	27,935

The 2022–23 planned results information is provided in the Copyright Board’s [Future-Oriented Statement of Operations and Notes 2022-23](#)^{xxv}.

Corporate information

Organizational profile

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

Institutional head: Nathalie Théberge

Ministerial portfolio: Innovation, Science and Economic Development

Enabling instrument: [*Copyright Act*](#)^{xxvi}

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](#)^{xxvii}.

For more information on the department's organizational mandate letter commitments, see the [Minister's mandate letter](#)^{xxviii}.

Operating context

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

Reporting framework

The Copyright Board’s departmental results framework and program inventory of record for 2022–23 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 Board’s program inventory is available in [GC InfoBase](#).^{xxx}

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](#).^{xxxi} 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

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Ottawa, Ontario K1A 0C9

Telephone: (613) 952-8621

Fax: (613) 952-8630

Email: secretariat@cb-cda.gc.ca

Website: <https://cb-cda.gc.ca/en>^{xxxii}

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.

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 2022–23 Departmental Results Report, government-wide priorities are the high-level themes outlining the government's agenda in the [November 23, 2021, Speech from the Throne](#): building a healthier today and tomorrow; growing a more resilient economy; bolder climate action; fighter harder for safer communities; standing up for diversity and inclusion; moving faster on the path to reconciliation; and fighting for a secure, just and equitable 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.

Indigenous business (*enterprise autochtones*)

For the purpose of the *Directive on the Management of Procurement Appendix E: Mandatory Procedures for Contracts Awarded to Indigenous Businesses* and the Government of Canada's commitment that a mandatory minimum target of 5% of the total value of contracts is awarded to Indigenous businesses, an organization that meets the definition and requirements as defined by the [Indigenous Business Directory](#).

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 of Canada Website, <https://cb-cda.gc.ca/en>
- ii Minister of Innovation, Science and Industry Mandate Letter, [Minister of Innovation, Science and Industry Mandate Letter \(pm.gc.ca\)](https://www.pm.gc.ca/en/mandate-letters/2021/12/16/minister-innovation-science-and-industry-mandate-letter)
- iii Rules of Practice and Procedure, <https://cb-cda.gc.ca/en/tools/rules-of-practice-and-procedure>
- iv Board's Modernization Initiative, <https://cb-cda.gc.ca/sites/default/files/inline-files/Modernizing%20the%20Copyright%20Board%20Status%20Update%201.pdf>
- v Rules of Practice and Procedure, <https://cb-cda.gc.ca/en/tools/rules-of-practice-and-procedure>
- vi Copyright Board Website, <https://cb-cda.gc.ca/en/cases-tariffs/proposed-tariffs>
- vii Copyright Board Website, https://decisions.cb-cda.gc.ca/cb-cda/decisions/en/nav_date.do
- viii Time Limits in Respect of Matters Before the Copyright Board Regulations, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2020-264/page-1.html>
- ix Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/>
- x Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/>
- xi Copyright Board Website, https://decisions.cb-cda.gc.ca/cb-cda/refusees-other-autre/en/nav_date.do
- xii Copyright Board Website, <https://laws.justice.gc.ca/eng/acts/C-42/>
- xiii Competition Act, <https://laws.justice.gc.ca/eng/acts/C-34/>
- xiv Copyright Board Website: <https://cb-cda.gc.ca/en/agreements/filed-agreements>
- xv Copyright Act, <https://laws-lois.justice.gc.ca/eng/acts/C-42/>
- xvi Copyright Act, <https://laws.justice.gc.ca/eng/acts/C-42/>
- 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. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xx Directive of the Management of Procurement, <https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=32692>
- xxi. Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- xxii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xxiii Copyright Board Website, <https://cb-cda.gc.ca/index.php/en/about-us/reports-publications/financial-reports>
- xxiv Copyright Board's Future Oriented Statement of Operations and Notes, <https://cb-cda.gc.ca/en/about-us/reports-publications/departmental-reports-and-plans/future-oriented-statements-2022-2023>
- xxv Copyright Board's Future Oriented Statements of Operations and Notes, <https://cb-cda.gc.ca/en/about-us/reports-publications/departmental-reports-and-plans/future-oriented-statements-2022-2023>
- xxvi Copyright Act, <https://laws-lois.justice.gc.ca/eng/acts/C-42/>
- xxvii Copyright Board Website, <https://cb-cda.gc.ca/index.php/en/about-us/mandate-jurisdiction-role>
- xxviii Minister of Innovation, Science and Industry Mandate Letter, <https://www.pm.gc.ca/en/mandate-letters/2021/12/16/minister-innovation-science-and-industry-mandate-letter>
- xxix Copyright Board Website, <https://cb-cda.gc.ca/index.php/en>
- xxx. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xxxi. Report on Federal Tax Expenditures, <https://www.canada.ca/en/department-finance/services/publications/federal-tax-expenditures.html>
- xxxii Copyright Board Website, <https://cb-cda.gc.ca/en>