

# THE LEAGUE OF CANADIAN POETS

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## CALLS FOR OVERHAUL OF ACCESS COPYRIGHT

The League of Canadian Poets, one of the original creator groups that called for the creation of a collective to administer reprography rights more than 20 years ago, is now calling for fundamental change at the agency. Reprography rights are fees for photocopying original text and visuals levied on library, university, and corporate users.

"Creators have been expressing dissatisfaction with Access Copyright for some time, and we are concerned by the lack of real change," Dennis Reid, President of the League of Canadian Poets, said today.

The League of Canadian Poets has invited the 18 other signatory creator organizations to meet with them in September prior to addressing the board of Access Copyright, calling for a new direction.

"Under the current bylaws, representatives to the board have to sign documents agreeing they will not represent their own organization when on the board. This is a constitutional flaw that we as creators are not willing to tolerate any longer. It leaves us without real representation on the board, even while our status as a creator group provides legitimacy to the collective," Reid added.

Three years ago creator groups pushed for reform and after much debate, and under continued criticism, Access Copyright commissioned law professor Martin Friedland to study its practices in 2006. The report was complete and delivered in 2007, but the Access board delayed releasing it (and then only with extensive "annotations") until February of 2008.

The document was a stinging indictment of Access Copyright, calling it out of step with copyright agencies around the world and even in Canada. For example, Access Copyright makes payments to about 7000 creators annually, but Friedland's study found that in Quebec, Copibec distributes to twice as many creators in Quebec alone. Access Copyright made various housekeeping changes to respond to the Friedland report, but the crucial issues to creators remain unresolved.

Outstanding issues include the main one Friedland identified in his report: the publishers are getting 75% of disbursements, and creators 25%. The collective was supposed to split such revenues on a 50/50 basis between publishers and creators. Access now claims that it is obligated to honour existing publisher contracts that prevent equitable distributions. Friedland did not agree, and neither does the League.

With more than \$20 million going to publishers this year and only about \$500,000 directly to creators, the League is canvassing its members to see what Access payments individuals are getting. Commenting on these issues, Reid said, "So far, we haven't found any of our members who have received a cheque based on copying of their work that's been tracked (i.e. In addition to the repertoire payment, which is not tracked to copying of an individual work). Poets, who have the lowest incomes among Canadian writers, need to receive all the reprography revenue that belongs to them. Right now much of that money is being diverted to publishers who do not pass it on to their authors. We believe the creator portion should go directly to the creator from Access, which was the original intention behind the collective's formation."

"Unless there is change, creators could cease to support Access Copyright, resulting in a collapse of the organization." Reid said. "We don't want to see that happen, but we are not willing to accept only cosmetic changes to the status quo."

The League of Canadian Poets, founded in 1966, is the national association of professional publishing and spoken word poets in Canada. Its purpose is to enhance the status of poets and facilitate the teaching of Canadian poetry at all levels of education, as well as developing the audience for poetry by encouraging publication, performance and recognition of Canadian poetry nationally and internationally.

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