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OF MANITOBA

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December 21, 2010

**TO:** All faculty, staff, and students  
**FROM:** Dr. Joanne C. Keselman   
Vice-President (Academic) and Provost  
**RE:** Copyright – New Fair Dealing Guidelines

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The landscape around copyright in Canada is rapidly evolving. Recent years have seen significant developments in the law, particularly around the issue of “fair dealing”, and the introduction of the proposed new *Copyright Act*, under Bill C-32. The use of copyrighted material by faculty, students, and staff has changed, with a growing emphasis on electronic resources.

We have previously alerted the University community to another significant development, namely, the pending expiry of the University’s licence agreement with Access Copyright on December 31, 2010. Instead of renewing this licence, and the equivalent licences it has with most other post-secondary institutions, Access Copyright has applied to the Copyright Board to certify a Tariff. The proposed Tariff would result in substantial increases in the costs of using works (primarily print publications) in the Access Copyright repertoire. Many believe that such an increase cannot be justified in light of the growing significance of electronic resources, and the changing law.

The University has every intention of paying for the use made of copyrighted material by members of our community. However, our view is that allocating the University’s limited funds to modernizing our resources and services, rather than perpetuating the antiquated relationship with Access Copyright, would better place our institution in the modern world. For this reason, our institution (like many others) has decided that it will operate outside the Access Copyright Tariff. Although some adjustments will need to be made, we expect that the impact of this decision on the University community will be minimal.

As a result of these developments, the University of Manitoba has participated with other members of the Association of Universities and Colleges of Canada (“AUCC”) in developing new guidelines which are being recommended for adoption across member institutions. The new Guidelines can be found on the website of the University’s Office of Legal Counsel:

[http://umanitoba.ca/admin/vp\\_admin/ofp/legal/index.html](http://umanitoba.ca/admin/vp_admin/ofp/legal/index.html)

If you have any questions about copyright, the new Guidelines, or whether the copying you propose to do falls within the new Guidelines, please send an inquiry to:  
[um\\_copyright@umanitoba.ca](mailto:um_copyright@umanitoba.ca)

Over the coming months, the University will continue to develop programs, educational materials, and learning opportunities to assist members of the University community with regard to the rapidly evolving issues around copyright.