Recent changes to the Copyright Act (Canada) (the “Act”) and decisions of the Supreme Court of Canada, in particular, Alberta (Education) v. Canadian Copyright Licensing Agency (Access Copyright), 2012 SCC 37 have expanded the scope of the fair dealing exception under the Act. This means that there are more situations in which a member of the university community may make copies of copyrighted material without having to seek prior permission from the copyright owner.

Fair dealing is a user’s right in copyright law permitting use, or “dealing” with, a copyright-protected work without permission or payment of copyright royalties. The fair dealing exception in the Copyright Act allows you to use other people’s copyright material for the purpose of research, private study, criticism, review, news reporting, education, satire or parody provided that what you do with the work is ‘fair’. Whether something is ‘fair’ will depend on the circumstances.

The university’s recently revised Fair Dealing Advisory (the “Advisory”) outlines the guidelines for making copies under the fair dealing exception of the Act, including how much of a given work may be copied, how it may be distributed and for what purposes. Please review the Advisory carefully so that you understand what you may copy under fair dealing.

The Copyright FAQ, Guide for Instructors, and Fair Dealing Flowchart have also been updated to reflect the changes to copyright law. Additional guidance on specific areas of interest, such as course packs and copying from the internet, will be made available on the university’s Copyright Page as they are developed.

We are committed to providing support and advice to assist faculty, staff and students as we move forward. If you have questions about the changes noted above, please contact Mark Haslett, Susan Routliffe, Rebecca Wickens, or the appropriate individual listed as a copyright contact.