



Resolution Submission Form

Please email to office@bcla.bc.ca with Subject line: *Resolution – [Title]* by Apr. 3, 2012. All submissions will be confirmed within three business days.

1. Title of Resolution	Resolution on Access Copyright and Academic Libraries in Canada
2. Rationale / Purpose for Resolution	Fair and balanced copyright; support libraries and post-secondary institutions taking a stand on this issue
3. Prior History of this Resolution (IF ANY)	
4. Body of the Resolution (Action Proposed)	<p>WHEREAS In 2011, over 30 Canadian universities and colleges opted out of licensing agreements with Access Copyright, The Canadian Copyright Licensing Agency, due to both Access Copyright's significant increase in per-student fees as well as the introduction of what many considered to be intrusive and impractical monitoring requirements.</p> <p>and</p> <p>WHEREAS In January 2012, two universities, the University of Toronto and the University of Western Ontario entered into a voluntary licensing agreement with Access Copyright.</p> <p>and</p> <p>WHEREAS from a library perspective, one of the most troubling aspects of the deal signed with Access Copyright is that it gives Access Copyright additional rights that simply do not exist under Canada's copyright legislation, specifically, defining copying to include "posting a link or hyperlink to a digital copy", a definition not upheld by the Supreme Court of Canada.</p>



British Columbia
Library Association

and

WHEREAS the Newfoundland and Labrador Library Association “strongly urges universities and colleges, particularly those in Newfoundland and in Atlantic Canada, not to capitulate to Access Copyright’s unfair and unreasonable demands”.

and

WHEREAS The Canadian Association of University Teachers (CAUT) is also condemning the agreement, advising universities and colleges that “It’s time to stand up for the right to fair and reasonable access to copyrighted works for educational purposes.”

THEREFORE, BE IT RESOLVED that the British Columbia Library Association strongly urge universities and colleges, particularly those in British Columbia, not to capitulate to Access Copyright’s unfair and unreasonable demands, but rather to stand up for the right to fair and reasonable access to copyrighted works for educational purposes. In particular, BCLA supports and applauds BC post-secondary institutions that have elected to opt out of Access Copyright and chosen alternative methods of supporting fair and balanced copyright at their institutions, and encourages all BC post-secondary institutions to opt out of Access Copyright. Any BC post-secondary institutions that choose not to opt out of Access Copyright are strongly encouraged, before signing, to strike out audit requirements that compromise the privacy of faculty, staff or students, and the clause which defines



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	<p>linking as copying, and to proactively negotiate a more reasonable rate. BCLA might pursue this Resolution through such means as sending letters to the Presidents of BC's post-secondary institutions and educating BCLA members.</p> <p>Acknowledgement: this resolution is based on the Open Letter: Access Copyright and Academic Libraries in Canada crafted by the Newfoundland and Labrador Library Association, dated February 12, 2012.</p>
5. Initiating Individual, Committee or Interest Group	Information Policy Committee
6. Mover's Name, Telephone and Email	Heather Morrison, (telephone), (e-mail)
7. Seconder's Name, Telephone and Email	Niina Mitter, (telephone), (e-mail)
8. BCLA Committees / Interest Groups Consulted (IF ANY)	Information Policy Committee
9. Endorsement by BCLA Committees / Interest Groups (IF ANY)	Information Policy Committee
10. Fiscal Implications (IF ANY)	n/a
11. If this resolution necessitates a change in an existing bylaw, state the bylaw and the change. If this resolution proposes a new bylaw, please state the new bylaw. (Review BCLA Bylaws.)*	n/a
12. If this resolution conflicts with an existing bylaw, state provisions for resolving the conflict.	n/a
13. If this resolution proposes a BCLA position statement, indicate the position's relation to libraries and library service.	n/a

* See <http://www.bcla.bc.ca/page/constitution%20and%20by-laws.aspx>