



## The Access Copyright Interim Post-Secondary Educational Institutions Tariff Frequently Asked Questions

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### **Are institutions subject to retroactive payments under the Interim Tariff?**

The Interim Tariff will be replaced by a final tariff once certified by the Copyright Board of Canada. If the Copyright Board orders that a retroactive adjustment is appropriate, that retroactive adjustment would also apply to any payments made under the Interim Tariff.

### **What does the Interim Tariff mean to those institutions that signed the interim agreement?**

The interim agreement continues to apply to those institutions that have signed it. The Interim Tariff provides clarification to **all** post-secondary educational institutions (including those that have signed the interim agreement) about what they can copy.

### **Our institution didn't sign the interim agreement. How are we affected by the Interim Tariff?**

Your institution falls under the Interim Tariff effective January 1, 2011. The Interim Tariff maintains the “status quo” of the post-secondary photocopy licence and enables post-secondary institutions to continue their long-standing photocopying practices to get their work done as usual. The Interim Tariff also includes an option to make digital copies.

### **What uses are permitted under the Interim Tariff?**

The Interim Tariff allows you to operate under the same guidelines as you did under your previous licence with Access Copyright. Beginning January 1, 2011, the Interim Tariff allows you to:

- Continue to create and use customized paper coursepack material with the same reporting and payment provisions that institutions have become familiar with over the past 16 years.
- Make day-to-day paper copies.
- Prepare paper handouts to distribute in class.
- Place materials on reserve in the library for students to photocopy.

The Interim Tariff also addresses a shift in copying practices at post-secondary institutions by including an option to make digital copies of published works. This comprehensive digital option provides post-secondary institutions with a convenient and legal way to use content in digital format for such uses as posting material to course websites, e-reserves or emailing material to students. Professors now have access to a vast repertoire of content that they can choose to use in the format most suitable to their educational objectives.

Once an institution elects the Digital Copies option, it provides immediate, advance, legal authorization for faculty to scan material and post to course websites. This provides significant time and cost savings compared to contacting rightsholders directly to get permission to copy specific works case-by-case.

**Under the Interim Tariff, will we be permitted to obtain a clearance code for print coursepack material that is over 20% of a work?**

No. For uses beyond 20% of a work, please contact [permissions@accesscopyright.ca](mailto:permissions@accesscopyright.ca).

**What royalty payments are required under the Interim Tariff?**

The royalty rates remain the same as they were under the photocopy licence.

- The annual royalty can be calculated by multiplying the FTE by \$3.58 for institutions that signed the Proprietary College Licence and by \$3.38 for all other institutions.
- \$0.11 per page per copy will be charged for coursepack copying under the Interim Tariff for Proprietary Colleges and \$0.10 per page per copy will be charged for all other institutions. For newspapers, the royalty payment is fifty percent of these amounts.

The Interim Tariff will be replaced by a tariff certified by the Copyright Board of Canada. If the Copyright Board orders that a retroactive adjustment is appropriate, that retroactive adjustment will also apply to copies made under the Interim Tariff as well to Digital Copies made under the Interim Tariff.

**When are royalty payments required under the Interim Tariff?**

The FTE and coursepack royalty payments follow the same schedule that your institution followed under its licence.

