

The following message is being sent on behalf of Reeta Tremblay, Vice-President Academic and Provost:

Dear colleagues,

I am writing to you with regard to our participation in Access Copyright. The University of Victoria will be giving notice to Access Copyright (AC) that it will not operate under the Interim Tariff after August 31, 2012. I am outlining below our reasons behind this decision, the impact on the delivery of our courses and the concrete actions the university will be adopting to support our faculty, students and staff in their teaching and research duties.

Why has UVic made this decision?

There are several reasons for the decision to opt out of the AC Interim Tariff next year. Recent court decisions have expanded the definition of “fair dealing” under the Copyright Act and the library has expanded its electronic journal and book collection licenses which have significantly reduced the relevance of negotiating an Interim Tariff with AC. The Libraries existing license agreements with publishers are valued at approximately \$4M.

Currently, UVic pays AC royalty fees to copy materials that are not included under the library’s license agreements. AC applied to the Copyright Board of Canada for approval of a tariff that included a dramatic increase of fees (from \$3.38 to \$45 per FTE) to be paid by each university. The tariff application would increase the cost of UVic’s royalty payments from \$60,000 to \$700,000 per annum. The proposed tariff also requires universities to give AC access to their records and systems to conduct annual surveillance of copying activities undertaken by their faculty, staff and students.

UVic has decided that the best way to meet the needs of faculty, staff and students is to operate outside of the AC interim tariff after August 31, 2012. At least 35 out of 77 universities (including UBC, Calgary, Alberta, Queens, Dalhousie, York, Saskatchewan and Manitoba) represented by the Association of Colleges and Universities (AUCC) opted out of the Interim Tariff effective August 31, 2011.

How will this decision affect the work of faculty, staff and students?

It is important that all faculty, staff and students abide by the requirements of Canadian copyright legislation when making copies or distributing copyrighted material electronically. Failure to do so may result in serious consequences for the university and individuals.

Course packs prepared and printed by the Bookstore prior to August 31, 2012 will be produced under the

We strongly recommended that faculty and instructors continue to consider alternative course materials, such as:

- X Assign a textbook for your course
- X Create a custom textbook in collaboration with a publisher for your course
- X Provide access to licensed library resources that are accessible through existing licenses managed by the Library
- X Use material in the public domain
- X Use material with the appropriate Creative Commons license
- X Use material in which you hold copyright
- X Use material where permission has been granted by the coin which 42()11(l)8f -14.18 -1.u44(a)e0 0 12 313.