

Memorandum

Office of the Provost and Vice-Principal (Academic)

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TO: Board of Governors

FROM: Professor Christopher Manfredi, Provost and Vice-Principal (Academic)

SUBJECT: Renewal of Licensing Agreement with Copibec

DATE: May 25, 2017

DOCUMENT #: GD16-60

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE & EXPECTED OUTCOME Approval is requested for the renewal of the *Convention concernant la reproduction d'oeuvres littéraires* between McGill University and the *Société québécoise de gestion collective des droits de reproduction* (Copibec).

BACKGROUND & RATIONALE Copibec is a not-for-profit organization founded in 1997 by the [Union des écrivaines et écrivains québécois](#) (UNEQ) and the [Association nationale des éditeurs de livres](#) (ANEL). Various other organizations representing newspaper and periodical authors and publishers and visual artists are also [members](#) of Copibec. Copibec acts as an agent on behalf of many authors and publishers with respect to the right to reproduce their works (books, newspapers, periodicals).

Agreements between Quebec universities and Copibec have been in place since 1987. The last agreement between Copibec and each of the Quebec universities will end on May 31, 2017. This agreement set a rate of \$15/FTE for the reproduction of copyrighted works, and was charged directly to McGill students. Such agreements are similar to agreements in the rest of Canada between some Canadian universities and Access Copyright, which is brokered by the Association of Universities and Colleges of Canada.

The new 4-year agreement will be effective until May 31, 2021, at a lower rate of \$13.50/FTE. As the current agreement expires on May 31, 2017, McGill as well as each of the Quebec universities with the exception of Université Laval, must seek governance approval of the new agreement before the end of May.

ALIGNMENT WITH MISSION AND STRATEGIC PRIORITIES In granting the University the right to reproduce printed and digital works for teaching purposes, the proposed agreement supports the University's core mission in teaching and learning.

COMPLIANCE WITH UNIVERSITY POLICY	The proposed agreement is in compliance with University policies.
COMPLIANCE WITH LEGISLATION/ EXTERNAL REGULATIONS	The agreement is in compliance with provincial legislation and has been reviewed by Legal Services
RISK FACTORS	Signing a new 4-year agreement with Copibec ensures that McGill is protected from copyright compliance risks in a legal and regulatory environment that continues to evolve with respect to copyright and the concept of fair dealing as applicable to higher education. Signing a new agreement also ensures that McGill remains in alignment with the rest of the Quebec universities.
SUSTAINABILITY CONSIDERATIONS	The agreement will be carried out according to McGill's current policy and procedures for sustainability.
IMPACT OF DECISION AND NEXT STEPS	Should the Board of Governors approve the new licensing agreement, the agreement will be signed by representatives of McGill University and Copibec, securing the agreement for a 4-year period ending May 31, 2021.
MOTION OR RESOLUTION FOR APPROVAL	<i>Be it resolved that the Board of Governors ratify the 2017-2021 Convention concernant la reproduction d'oeuvres littéraires between The Royal Institution for the Advancement of Learning/McGill University and Copibec, to take effect on June 1, 2017, and authorize the Provost and Vice-Principal (Academic) to sign the agreement on behalf of the University.</i>
APPENDICES	<i>Convention concernant la reproduction d'oeuvres littéraires entre l'Université McGill et Copibec (2017-2021) is available upon request to the Secretariat.</i>