



**ANNUAL  
REPORT**  
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**BOLD THINKING  
WILL HELP  
TO ENSURE  
RIGHTSHOLDERS  
ARE  
BENEFICIARIES  
AS THE DIGITAL  
SPACE EVOLVES.**

**Cameron Macdonald**  
Chair

## CHAIR'S REPORT

**A**nniversaries are a time for reflection. Perhaps it's appropriate that 2018, Access Copyright's 30th year, has also been an eventful year.

In June, I attended the Association of Canadian Publishers' (ACP) Annual General Meeting in Montreal.

I was there to accept the honorary lifetime membership ACP awarded Access Copyright, "in recognition of its unfailing support of the Canadian publishing industry and its leadership in promoting respect for copyright."

Presenting the award was Glenn Rollans, ACP president, and partner and co-principal owner of Brush Education. Glenn is no stranger to Access Copyright, having served on the Board for over a decade.

The following week, I had the privilege of presenting the award to the Access Copyright team. Each and every day, they work on behalf of you, Canadian creators and publishers, and they were honoured and humbled to receive this acknowledgement.

The award is a culmination of thirty years of tenacity, advocacy and an unwavering commitment to ensuring rightsholders are fairly compensated when their works are used.

This work is as important as ever, especially as Canadian creators and publishers continue to feel the devastating impact of the education sector's harmful interpretation of education as an allowable purpose under fair dealing.

We know Access Copyright distributions are an important source of income for creators and publishers and that they help to sustain the creation of Canadian content. While royalty levels stabilized in 2018 and increased slightly over 2017, distributions to rightsholders have declined by 77% from 2012 levels.

I am pleased that the organization continues its commitment to responsible and thoughtful stewardship of its finances. Access Copyright's revenues were higher than anticipated in 2018 while expenses slightly increased from 2017 levels.

Canadian creators and publishers are continuing to subsidize the education sector where textbooks, written and visual works are being widely and systematically copied without compensation.

The situation is untenable and unfair.

The Statutory Review of the *Copyright Act* has provided an important opportunity for Canadian creators and publishers to address and inform the Heritage and Industry Committees of the negative impact 2012 changes to the *Copyright Act* have had on their livelihoods.

The Committees are expected to issue their final reports soon and with a federal election in 2019, advocacy will continue to be an area of critical focus for the organization.

As I stated in my 2017 letter, we strive for collaboration over confrontation. However, until the education sector is willing to sit down at the table with us again, Access Copyright will staunchly defend the rights of creators and publishers, including during the recent Federal Court of Appeal hearing of the York University decision and in the legal action launched by the Ontario school boards and most Ministries of Education in 2018.

At the same time, Access Copyright is taking an active role to ensure creators and publishers are well-represented in emerging digital technologies. This mandate came about at the Board's behest in 2012 and through the membership's unanimous approval in 2013. Its evolution has brought us to Prescient Innovations' launch as a wholly-owned subsidiary of Access Copyright in October 2018. Exponential technology, artificial intelligence and blockchain are new terms for many of us, but this bold thinking will help to ensure rightsholders are beneficiaries as the digital space evolves.

It is exciting to see how Access Copyright and Prescient's examination of blockchain technology is yielding important insight and attracting the attention of organizations around the world.

2019 promises to be another busy year.

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**ACCESS  
 COPYRIGHT'S  
 DNA, FROM DAY  
 ONE, HAS BEEN  
 TO REPRESENT  
 THE INTERESTS  
 OF CANADIAN  
 CREATORS AND  
 PUBLISHERS.**

**Roanie Levy**  
 President and CEO

Image credit (above): Jennifer Rowsom Photography

## PRESIDENT AND CEO'S REPORT

**T**hirtieth anniversaries are traditionally celebrated with pearls. When we celebrated Access Copyright's 30th anniversary in August 2018, we weren't thinking of pearls, yet they are an appropriate symbol for where we have come from and where we are going. Like pearls, Access Copyright was also formed under pressure, in challenging circumstances, and as we've responded to this pressure, we've transformed and endured.

Today, if I were to ask you to name a disruptive technology, the photocopier probably wouldn't make the list. However, in the early 1980s, photocopiers – and the mass reproduction of copyrighted material they unleashed – led directly to Access Copyright's creation. Canadian creators and publishers united to form a collective to serve as a one-stop solution for licensed copying, ensuring rightsholders received fair compensation in return.

Now, Access Copyright represents more than 600 publishers and 12,000 creators across Canada, and together, we have navigated many challenges.

We continue to deal with the devastating impact of the *Copyright Modernization Act's* unintended consequences.

In 2018, Access Copyright distributed \$6,983,313 in royalties to rightsholders. While this is a slight increase from 2017, it is 77% below 2012 distributions.

The Writers' Union of Canada's 2018 study on authors' earnings, *Devaluing Creators, Endangering Creativity*, reinforces what we have heard time and time again from creators: it's becoming impossible to make a living as a creator in Canada. It comes as no surprise that publishers face similar challenges.

As a result, Access Copyright spent much of 2018 on the frontlines with advocacy and legal work.

As part of the *Copyright Act Review*, I appeared before both the Heritage and Industry Committees to advocate on behalf of creators and publishers. Access Copyright submitted briefs directly to both Committees. As part of The Partnership for The Future of Canadian Stories, a coalition of 34 creator and publisher organizations in Canada, we also submitted a factual, evidence-based analysis to address misleading and incorrect statements made by opponents of effective copyright.

Individual Canadian creators, publishers, and their collectives have made it abundantly clear: if we value culture and those who dedicate themselves to creating and publishing it, we need to level the playing field between rightsholders and the education sector. The I Value Canadian Stories coalition – a partnership of associations spanning Canada's creative industries – continues to amplify and reinforce this message through its letter campaigns and creator videos.

The committee reports are expected in early 2019. I remain optimistic that as a result of our collective work, the final recommendations will reflect a deeper, nuanced understanding and respect for the needs of Canada's creators and publishers.

However, the current stalemate with the education sector demands that we continue to represent our members and their interests before the courts. Access Copyright spent 2018 preparing for the Access Copyright vs. York University appeal, which was heard at the Federal Court of Appeal in March 2019, as well as defending the rights of creators and publishers in the legal action launched by the Ontario school boards and most Ministries of Education.

As an organization, we respond to pressures from technology, the education sector and other elements. Sometimes, we respond to pressure by anticipating it.

That's exactly why we launched Prescient, Access Copyright's purpose-driven innovation lab.

Emerging technologies, like blockchain, hold the potential to dramatically change our industry, just as we experienced with photocopiers and the Internet. This time, we can take an active role in shaping its development to ensure creators and publishers benefit when their works are used.

Our efforts in this space have moved beyond exploration into development. While it is exciting to see how we may transform the way content exists in the digital space, it's equally exciting – and validating – to hear from members and affiliates who are eager to be a part of our work.

Access Copyright's DNA, from day one, has been to represent the interests of Canadian creators and publishers. We are proud to see this commitment extend to Prescient.

## LEGAL AND ADVOCACY UPDATE

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**THE KEY IS THE 2012 LEGISLATION. THE LICENSING FEE ALWAYS ACTED KIND OF LIKE A SPEED LIMIT. ON THE 401, YOU'RE ALLOWED TO DO 100 KILOMETRES PER HOUR, ALTHOUGH YOU MIGHT DO 110 OR 115 IF YOU THINK YOU CAN GET AWAY WITH IT. ENTER THE EXCEPTION FOR EDUCATION. NOW YOU'VE MADE IT THE AUTOBAHN. THERE IS NO SPEED LIMIT. YOU CAN PHOTOCOPY ANYTHING.**

**Sylvia McNicoll**

Author  
Standing Committee on Canadian Heritage hearing  
on Study on Remuneration Models for Artists  
and Creative Industries  
November 29, 2018

### DEFENDING THE RIGHTS OF CREATORS AND PUBLISHERS

#### York University appeal hearing

The appeal of the Federal Court of Canada's decision in the legal action between Access Copyright and York University took place before the Federal Court of Appeal on March 5 and 6, 2019.

Throughout this proceeding, Access Copyright has vigorously upheld the interests of Canadian creators and publishers.

In the appeal, York is seeking to overturn the decision issued by the Federal Court of Canada on July 12, 2017, which was a resounding victory for rightsholders.

We expect a decision from the Federal Court of Appeal by the end of this year or early in 2020.

#### Update on K-12 legal action

In July 2018, Access Copyright served and filed its Statement of Defence and Counterclaim in the action commenced by all school boards in Ontario and most Ministries of Education. The plaintiffs' claim states that the K-12 education sector overpaid fees for the copying of published works for the years 2010 to 2012 and seeks the return of those fees.

In its filing in response, Access Copyright stated the plaintiffs have copied works that require them to pay tariffs certified by the Copyright Board of Canada and have failed to make those payments. Access Copyright seeks payment of the royalties set out in the tariffs for the period commencing January 1, 2013 onwards.

Access Copyright projects that the plaintiffs owe approximately \$50 million in back royalties and taxes to creators and publishers whose works are copied in K-12 classrooms. After adjustments for amounts previously paid, the plaintiffs owe over \$24 million in royalties and taxes. This amount is growing by approximately \$8 million per year.

The plaintiffs served their reply and defence to counterclaim in August 2018.

#### British Columbia

In 2018, the British Columbia Ministry of Education provided payment to Access Copyright for the copying of published works in the province's elementary and secondary schools for that year. This payment helped Access Copyright exceed its budgeted revenue for 2018 and to realize an overall increase in revenue from 2017.

#### Post-Secondary tariff

In February 2019, we received a notice from the Copyright Board of Canada requesting input on the wording for the post-secondary tariff. We expect the Copyright Board's decision will be issued within the next few months.

In January 2016, Access Copyright participated in a week-long hearing before the Copyright Board of Canada on the 2011-2013 and 2014-2017 tariffs for universities and colleges. Universities and colleges refused to participate in the hearing.

**WHEN CREATORS & PUBLISHERS SPEAK,  
POLITICIANS LISTEN**

**A voice for positive change during the  
Copyright Act review**

In 2018, Access Copyright represented Canadian creators and publishers throughout the Statutory Review of the *Copyright Act*, including the Study on Remuneration Models for Artists and Creative Industries.

**Committee hearings:** Roanie Levy, Access Copyright’s president & CEO, appeared before both the Standing Committee on Industry, Science and Technology, and the Standing Committee on Canadian Heritage. Her compelling testimony reinforced what Committee members heard repeatedly from Canadian creators and publishers: their royalty and income levels have been significantly impacted by the education sector’s interpretation of the addition of education as an allowable fair-dealing purpose. The situation needs to be remedied to ensure the continued creation of Canadian content.

**Submissions:** Access Copyright made submissions to both the Industry and Heritage Committees. The submissions provide evidence-based analyses outlining the current predicament facing Canadian creators and publishers as well as concrete actions that can be taken.

Access Copyright provided four recommendations:

- Amend the Fair Dealing Exception to distinguish between individual and institutional copying;
- Harmonize statutory damages available to collectives;
- Introduce the Artist Resale Right; and
- Confirm tariffs set by the Copyright Board of Canada are and have always been mandatory.



**CREATIVITY IS AN  
ADDED VALUE FOR A  
COUNTRY. IT IS PART  
OF OUR COMMON  
WEALTH. IT SHOULD  
BE CHERISHED,  
SHARED AND  
RECOGNIZED.**

**Monia Mazigh**

Author  
Standing Committee on Canadian Heritage  
hearing on Study on Remuneration Models  
for Artists and Creative Industries  
December 4, 2018

**The Partnership for the Future of Canadian Stories**

In December 2018, Access Copyright was one of 34 organizations that united as The Partnership for the Future of Canadian Stories. It created an evidence-based analysis to correct misleading claims put forward by opponents of effective copyright. The submission was filed with the Standing Committee on Industry, Science and Technology, as well as the Standing Committee on Canadian Heritage.

The submission makes two recommendations:

- Clarify that fair dealing does not apply to educational institutions when the work is commercially available; and
- Harmonize statutory damages available to collectives.

**I Value Canadian Stories**

Over the past year, the I Value Canadian Stories coalition, which represents more than 25 creative industry associations, including Access Copyright, has continued to encourage Canadians to register their support for Canada’s creators and publishers.

The coalition launched two letter-writing campaigns specifically addressing the members of the Industry and Heritage Committees who are entrusted with the Statutory Review of the *Copyright Act*. The campaigns also provided the opportunity to share messages via social media and encourage friends and family to get involved.

Since November 2017, thousands of Canadians have taken action to support Canadian stories.

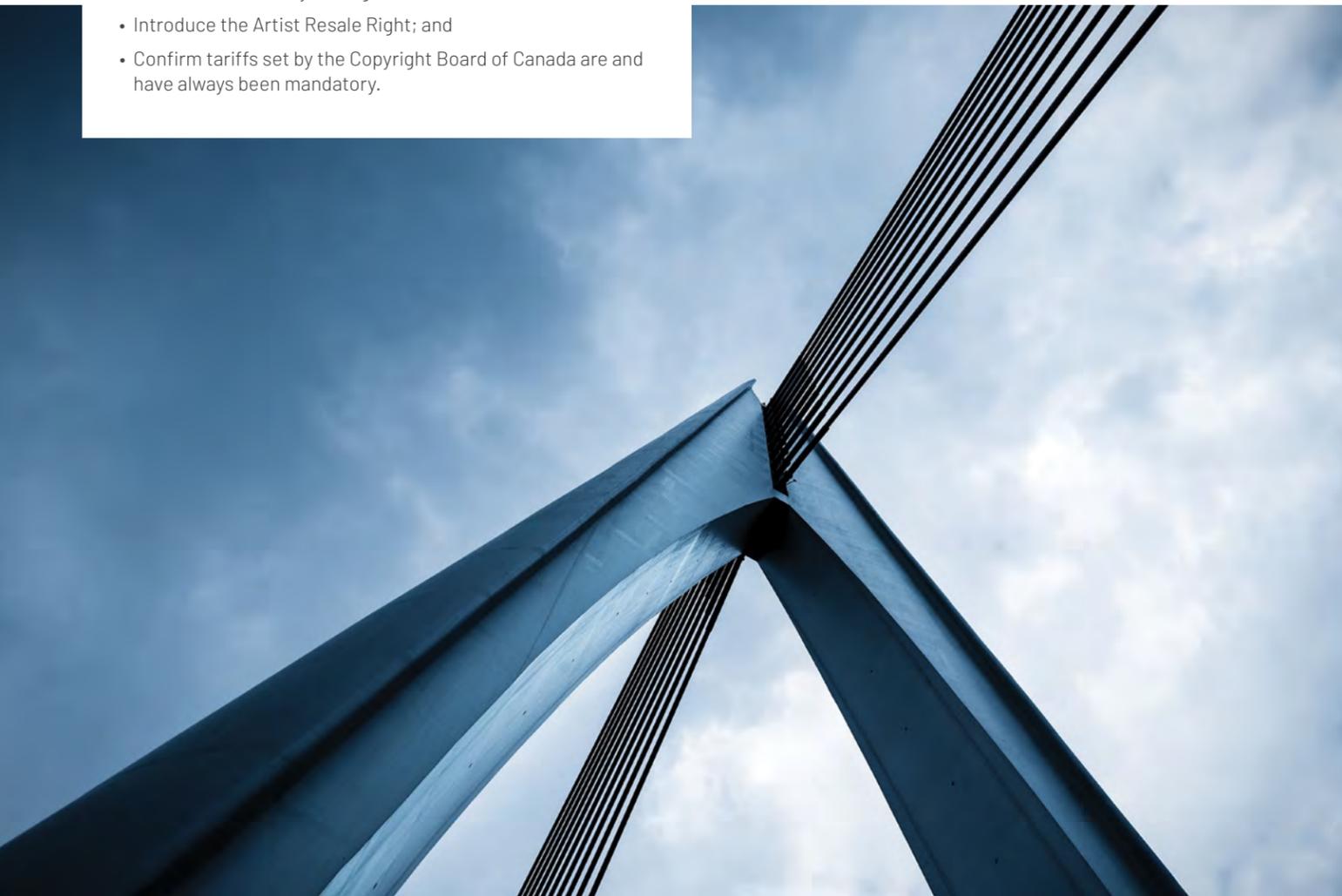
Canadian creators such as Andrew Pyper, Amy Stuart, David Chariandy, Sylvia McNicoll and Sky Gilbert have appeared in a series of videos where they discuss their craft and how their earnings have declined as a result of the education sector’s interpretation of the education fair-dealing exception. The videos have generated over 30,000 views.

As we look to the conclusion of the *Copyright Act* review and the upcoming federal election, I Value Canadian Stories will continue to highlight the important contribution of Canadian creators and publishers.



**I VALUE  
CANADIAN  
STORIES**

[ivaluecanadianstories.ca](http://ivaluecanadianstories.ca)  
Twitter: @ValueCdnStories  
Facebook: @IValueCanadianStories  
Instagram: @ivaluecanadianstories



Sylvia McNicoll, young adult author  
“3 Questions with...Sylvia McNicoll”



Jennifer Mook-Sang, children’s author  
“3 Questions with...Jennifer Mook-Sang”

## THE FUTURE OF RIGHTS MANAGEMENT

### Access Copyright's innovation journey

In 2012, Access Copyright's Board of Directors directed the organization to transform. From the onset, we understood that it would be a journey, rather than a destination. We knew the road would be long and require us to be nimble and adjust course as we accumulated knowledge and experience.

At the time, blockchain was seldom mentioned outside of the realm of cryptocurrency. Gradually, we noticed how big banks and the health care sector were starting to use blockchain and we saw its potential for rightsholders.

We decided to launch our first blockchain experiment, or Proof of Concept in 2017. While rudimentary, it validated our hypothesis that blockchain technology presented new possibilities for creators and publishers such as fan-to-fan book sales, near real-time royalty distributions and micro-licensing options – to name a few. It also showed us that without a means of confirming the lawful rightsholder(s), blockchain would replicate and potentially exacerbate many of the problems creators and publishers experience with the Internet today.

### Prescient

The journey led us to launch Prescient, our purpose-driven innovation lab, in October 2018. The two organizations share the same DNA and commitment to ensuring creators and publishers are compensated when their works are used.

We understand rights management, which allows us to bring a unique perspective to the developing blockchain economy. Prescient's work will ensure you – the writers, visual artists, photographers and publishers who invest talent, time, resources and heart in telling Canadian stories – will benefit from these dynamic technologies and the ecosystems they'll create.

### Our work

We are building a blockchain-powered, shared Ledger which is open, public and transparent to establish a clear connection between creators and their works before the work is available to digital services. We call it the Attribution Ledger. As the reliable and authoritative source of attributed content, the Ledger will acknowledge rights information as part of financial transactions in digital services, which will open new economic models for creators.

Essentially, before a work is available on a digital service or platform, it will be verified against the rights information held on the Attribution Ledger.

To seed the Ledger's adoption, Prescient is developing a digital service for creators and publishers that will use rights information held on the Attribution Ledger. This will allow, for example, fan-to-fan sale of e-books.

### Collaboration and recognition

As one of the few organizations globally exploring creator-centred blockchain applications, our work has generated considerable interest.

Throughout 2018, we shared our learning with and presented to creator and publisher associations in Canada and abroad and in early 2019, Access Copyright became a member of the Blockchain Research Institute (BRI). This association will provide access to an elite group of thought leaders in the space as well as BRI's groundbreaking research.

Media outlets are taking notice, too. Publishing Perspectives, CBC, Quill & Quire and Blockleaders.io have covered Prescient's work.

### WHAT IS BLOCKCHAIN?

Blockchain technology refers to a secure way of digitally connecting blocks of information to each other that cannot be altered.



*Innovation powered by* Access Copyright  
[prescientinnovations.com](http://prescientinnovations.com) | Twitter: @WeArePrescient

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WE BELIEVE WE'RE AT THE **PRECIPICE** OF SOMETHING NEW, EXCITING AND POTENTIALLY REVOLUTIONARY FOR CREATORS, PUBLISHERS AND AUDIENCES. THROUGH OUR WORK IN EMERGING TECHNOLOGIES, LIKE **BLOCKCHAIN**, WE'RE TAKING AN ACTIVE ROLE IN SHAPING **WEB 3.0**.

Roanie Levy

## BUSINESS DEVELOPMENT UPDATE

Interaction with content should be simple and helping businesses, governments, not-for-profits and other organizations with their content needs has always been an important focus for Access Copyright.

In 2018, our Business Development team signed 10 new licences with a value of \$397,000. The new licensees include large national career colleges, utility companies, a provincial health-care advisory organization, and even a yoga studio. They can now use and share content with the assurance their activities are covered under their Access Copyright licence.

As we've secured new licences, our Business Development team has helped businesses across Canada understand the importance of copyright and how it plays a role in ensuring Canadian creators and publishers are compensated when their works are used, copied or shared. The team has also provided valuable insight into how we can grow our corporate business with new offerings.

As of early 2019, we are doing this through:

- Education with our new online education modules on copyright law and licensing;
- Add-on licence options such as MovieComm, which allows licensees access to pre-cleared movie clips for use in presentations; and
- STEM-focused licensing such as Reprints Desk's Article Galaxy – a platform providing 'one-click' access and acquisition of scientific journals, and management of existing journal subscriptions.

In 2019, we'll continue to grow our existing client base and evolve to meet their needs.

## ACCESS COPYRIGHT FOUNDATION

In 2018, Access Copyright Foundation continued to support and fund Canadian culture.

The Foundation operates as a not-for-profit, distinct from Access Copyright, with grant programs administered by the Saskatchewan Arts Board in three areas: research, professional development and events.

Twenty event and eighteen research grants totaling \$200,000 were awarded in 2018 to individual creators and publishers as well as organizations that serve these communities. As it has since 2010, all funding from the Foundation strives to enhance the development and dissemination of publishable Canadian works.

Grants awarded in 2018 helped creators and publishers to conduct the research that will bring critical detail, texture and authenticity to publishable Canadian works. As well, the Foundation provided funding for events in 2019 that will expose Canadians from all walks of life to Canadian culture.

A full list of Access Copyright Foundation grant recipients for 2018 can be found on the Foundation website at: <https://acfoundation.ca/grantee-list/2018-2/>.



## BRINGING CULTURE TO CANADIANS

The following four events demonstrate part of the breadth of the Foundation's contribution to Canadian culture.

### Ânskoshk Aboriginal Literature Festival Ânskoshk Aboriginal Writers' Circle

Showcased Indigenous artists and authors and brought Indigenous culture to the general public.  
**Saskatoon, SK | Year-round**  
Image credit: Lisa-Bird Wilson



### The Festival of Literary Diversity The FOLD Foundation

Provided exposure to Canadian authors typically underrepresented at literary gatherings.  
**Brampton, ON | May 3-6, 2018**  
Image credit: Herman Custodio



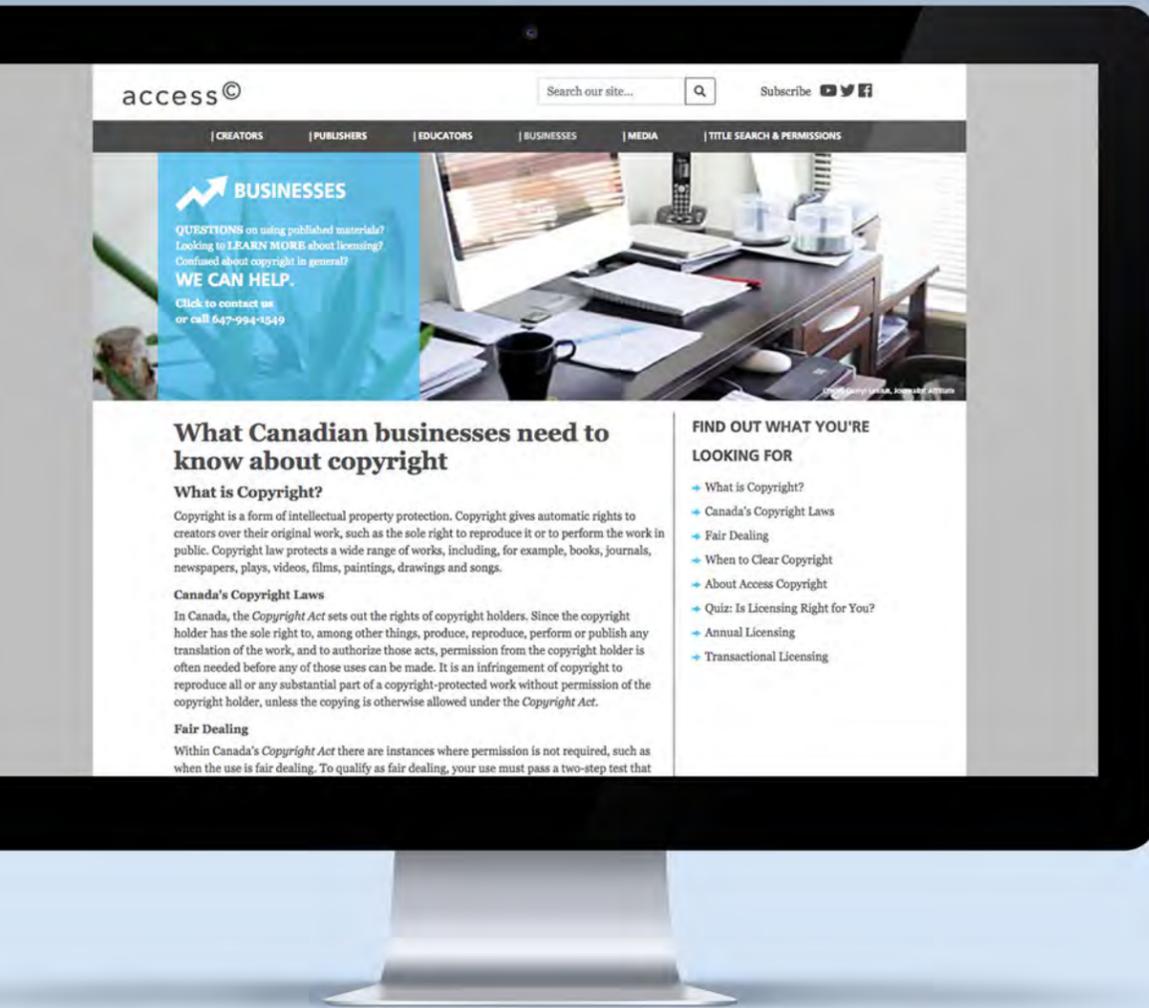
### Growing Room: A Feminist Literary Festival Room Magazine

Highlighted the work and contribution of feminist writers, editors and publishers.  
**Vancouver, BC | March 1-4, 2018**  
Image credit: Joy Muriel



### Word on the Lake Writers' Festival Shuswap Association of Writers

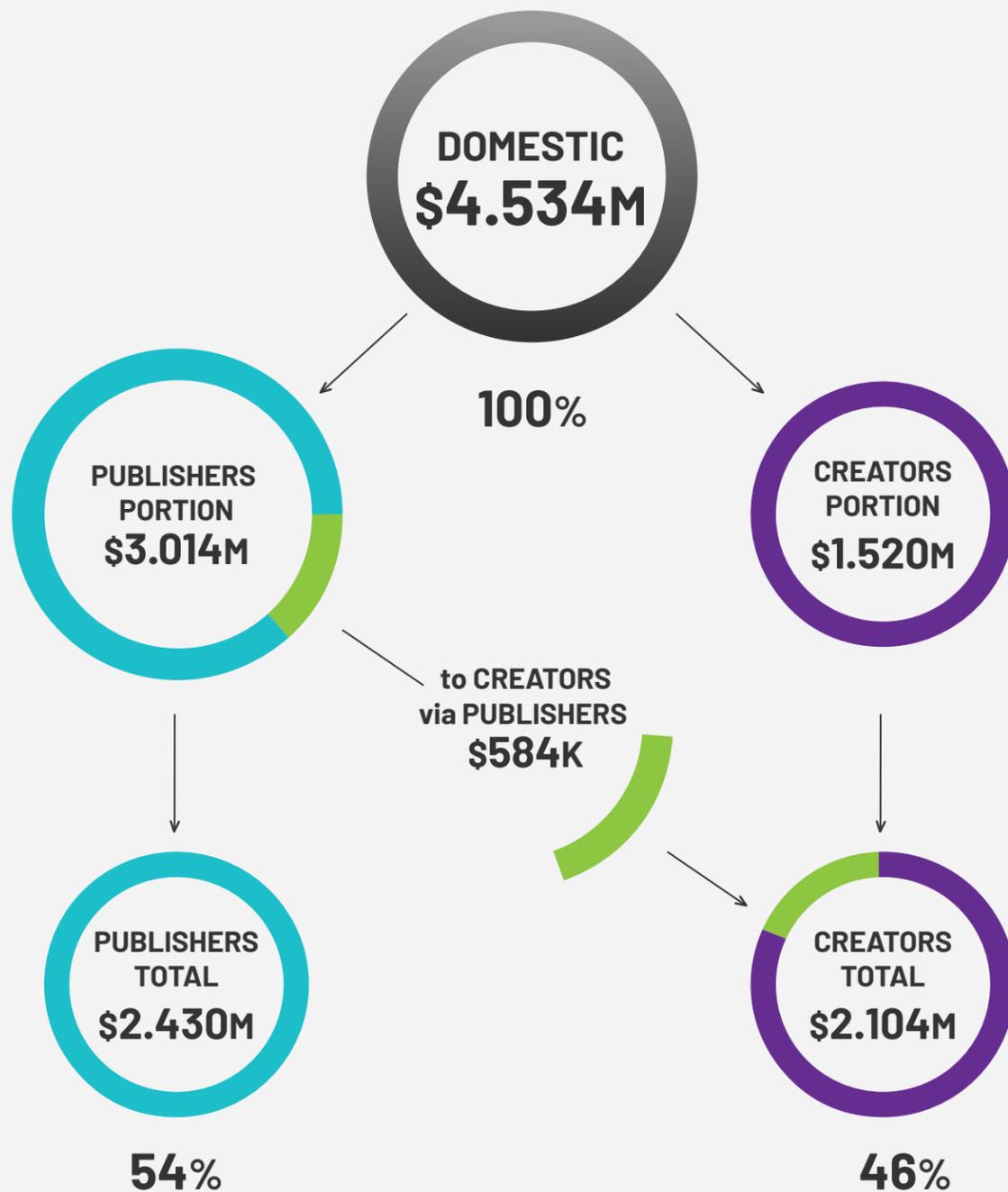
Three days of networking, workshops and literature along the Salmon Arm harbour in British Columbia.  
**Salmon Arm, BC | May 11-13, 2018**  
Image credit: Sky Stevens



# DISTRIBUTIONS AND FINANCIALS

## 2018 Domestic Distribution (Millions)

This chart predicts the 2018 split in domestic distributions based on the results of the 2017 publisher royalty survey



### 2018 revenues

Access Copyright's revenues for 2018 totaled \$11.520 million, a substantial \$3.174 million more than we had initially budgeted for the year. It is also an increase of \$640K from our revenue total for 2017.

### 2018 expenses

Access Copyright's operating expenses for 2018 totaled \$4.701 million, a small increase of \$452K from 2017 but \$1.502 million less than budgeted.

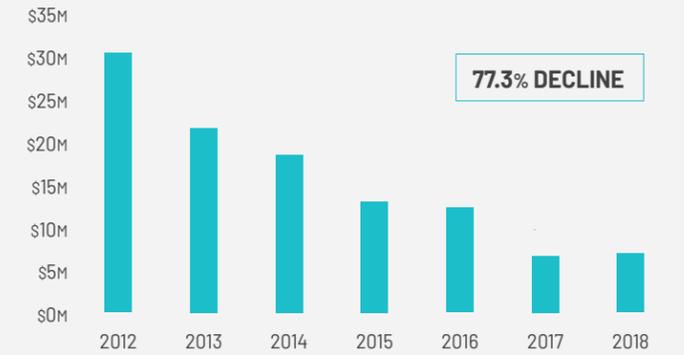
For the year, Access Copyright ran a deficit of \$715K, which is far lower than what we had budgeted. This is primarily the result of the British Columbia Ministry of Education providing payment to Access Copyright in 2018 for the copying of published works in the province's elementary and secondary schools for that year.

### 2018 distributions

In 2018, Access Copyright distributed \$6.983 million to rightsholders. While this is an increase of 3.5% from 2017, it represents a full 77.3% decline from 2012 distribution levels. Make no mistake, Canadian writers, visual artists and publishers continue to feel the full impact of the education sector's interpretation of the addition of education as an allowable purpose under fair dealing.

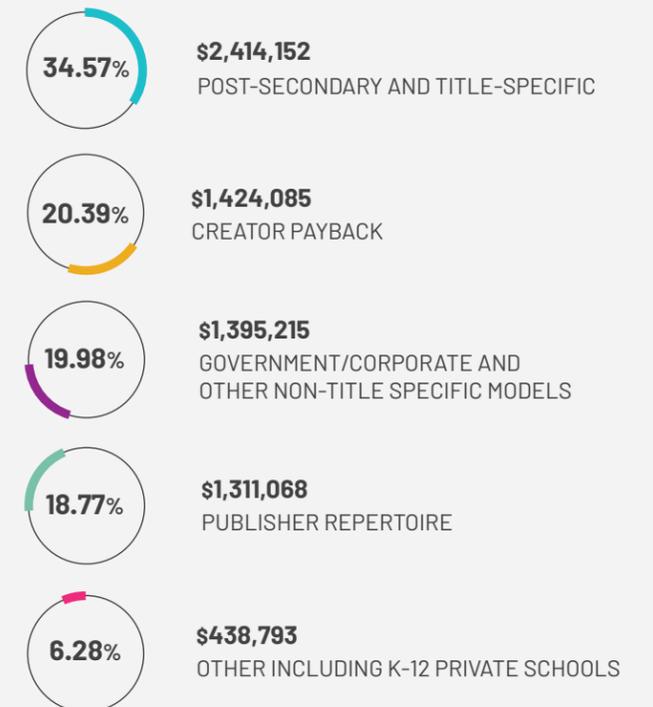
### CHARTING THE IMPACT OF EDUCATION SECTOR COPYING POLICIES (2012-2018)

#### TOTAL DISTRIBUTIONS\*



\* Distribution totals do not include retroactive 2005-2009 K-12 Tariff royalties recognized in 2012 and 2013.

## 2018 DISTRIBUTIONS AT A GLANCE



# INDEPENDENT AUDITOR'S REPORT

To the Members of

**The Canadian Copyright Licensing Agency**

## Opinion

We have audited the accompanying consolidated financial statements of **The Canadian Copyright Licensing Agency**, which comprise the consolidated statement of financial position as at December 31, 2018, and the consolidated statements of changes in net assets, operations and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, except for the effect of the matter described in the Basis of Qualified Opinion paragraph, the consolidated financial statements present fairly, in all material respects, the consolidated financial position of **The Canadian Copyright Licensing Agency** as at December 31, 2018, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

## Basis for qualified opinion

In common with other reproduction rights organizations, the Corporation derives a portion of its revenue from license fees that are based on actual copies made at the licensees' premises domestically and internationally, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our verification of these revenues was limited to the amounts recorded in the records of the Corporation, and we were unable to determine whether any increase might be necessary to license fees revenue, provision for royalties for distribution, excess of revenues over expenses for the year, accounts receivable, undistributed royalties and net assets.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the consolidated financial statements section of our report. We are independent of the Corporation in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

## Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Organization's financial reporting process.

## Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Organization and the organizations it controls to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Toronto, Canada  
March 27, 2019

*Grant Thornton LLP*

Chartered Professional Accountants  
Licensed Public Accountants

**Consolidated statement of financial position**

(In thousands of dollars)

December 31,	2018	2017
<b>Assets</b>		
Current		
Cash and cash equivalents	\$ 1,366	\$ 13,299
Investments (Note 3)	38,250	23,487
Accounts receivable and prepaid expenses (Note 4)	1,651	979
	<u>41,267</u>	<u>37,765</u>
Investments (Note 3)	21,436	24,982
Capital assets (Note 5)	328	86
	<u>\$ 63,031</u>	<u>\$ 62,833</u>
<b>Liabilities</b>		
Current		
Undistributed royalties (Note 6)	\$ 8,076	\$ 7,527
Accounts payable and accrued liabilities	507	377
Deferred revenue	1,746	1,756
Deferred revenue – K-12 (Note 7)	28,127	27,883
	<u>38,456</u>	<u>37,543</u>
<b>Net Assets</b>		
Net assets invested in capital assets	328	86
Net assets internally restricted for contingencies (Note 9)	2,000	2,000
Net assets internally restricted for tariff, litigation and advocacy fund (Note 10)	6,293	6,155
Net assets internally restricted for development fund (Note 11)	3,404	3,628
Net assets internally restricted for K-12 school tariff fund (Note 12)	788	788
Unrestricted net assets	11,762	12,633
	<u>24,575</u>	<u>25,290</u>
	<u>\$ 63,031</u>	<u>\$ 62,833</u>

Commitments (Note 14)

Contingencies (Note 15)

On behalf of the Board


Director  
Cameron Macdonald

See accompanying notes to consolidated financial statements.


Director  
Gordon Dyer**Consolidated statement of changes in net assets**

(In thousands of dollars)

Year ended December 31, 2018

Net assets	Invested in capital assets	Internally restricted contingencies fund (Note 9)	Internally restricted for tariff, litigation and advocacy fund (Note 10)	Internally restricted development fund (Note 11)	Internally restricted for K12 school tariff fund (Note 12)	Unrestricted	2018	2017
							Total	Total
Balance, beginning of year	\$ 86	\$ 2,000	\$ 6,155	\$ 3,628	\$ 788	\$ 12,633	\$ 25,290	\$ 25,307
Excess of revenues over expenses (expenses over revenues) for the year	(76)	-	(374)	(224)	-	(41)	(715)	(17)
Interfund transfers	-	-	512	-	-	(512)	-	-
Investment in capital assets	318	-	-	-	-	(318)	-	-
Balance, end of year	\$ 328	\$ 2,000	\$ 6,293	\$ 3,404	\$ 788	\$ 11,762	\$ 24,575	\$ 25,290

See accompanying notes to consolidated financial statements.

**Consolidated statement of operations**

(In thousands of dollars)

Year ended December 31

	2018	2017
<b>Revenues</b>		
Licence fees	\$ 11,116	\$ 9,698
Interest income	800	626
Unrealized (loss) gain on investments	(491)	442
Other	94	109
Realized gain on investments	<u>1</u>	<u>5</u>
	<u>11,520</u>	<u>10,880</u>
<b>Expenses</b>		
Operational expenses		
General and administrative	3,659	3,313
Professional fees	570	364
Amortization of capital assets	76	79
Travel, meetings, staff and directors' costs	94	90
Foreign exchange (gain) loss	(296)	111
Tariff, litigation, and advocacy costs	374	235
Development fund	<u>224</u>	<u>57</u>
	<u>4,701</u>	<u>4,249</u>
Distribution expenses		
Provision for royalties for distribution	<u>7,534</u>	<u>6,648</u>
Total expenses	<u>12,235</u>	<u>10,897</u>
Excess of revenue over expenses	<u>\$ (715)</u>	<u>\$ (17)</u>

See accompanying notes to consolidated financial statements.

**Consolidated statement of cash flows**

(In thousands of dollars)

Year ended December 31

	2018	2017
Increase (decrease) in cash and cash equivalents		
<b>Operating activities</b>		
Excess of (expenses over revenue) revenue over expenses for the year	\$ (715)	\$ (17)
Unrealized (loss) gain on investments	491	(442)
Amortization of capital assets	<u>76</u>	<u>79</u>
	<u>(148)</u>	<u>(380)</u>
Change in non-cash components of working capital:		
Accounts receivable and prepaid expenses	(672)	281
Undistributed royalties	549	(95)
Accounts payable and accrued liabilities	130	(26)
Deferred revenue	<u>234</u>	<u>402</u>
	<u>241</u>	<u>562</u>
	<u>93</u>	<u>182</u>
<b>Investing activities</b>		
Purchase of investments	(37,860)	(53,305)
Proceeds on maturity of investments	26,152	59,090
Purchase of capital assets	<u>(318)</u>	<u>(30)</u>
	<u>(12,026)</u>	<u>5,755</u>
(Decrease) increase in cash and cash equivalents	<u>(11,933)</u>	<u>5,937</u>
Cash and cash equivalents, beginning of year	<u>13,299</u>	<u>7,362</u>
Cash and cash equivalents, end of year	<u>\$ 1,366</u>	<u>\$ 13,299</u>
<b>Cash and cash equivalents are comprised of:</b>		
Cash	\$ 583	\$ 12,633
Cash equivalents	<u>783</u>	<u>666</u>
	<u>\$ 1,366</u>	<u>\$ 13,299</u>

See accompanying notes to consolidated financial statements.

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 1. Organization

The Canadian Copyright Licensing Agency (the “Corporation”) is an organization whose purpose is:

- a) To develop products and services that support the creation, production and use of copyright content as an integral part of a healthy and sustainable reading, writing, researching, and learning ecosystem that is inclusive of all those who create, produce, use and value content.
- b) To advocate for and increase understanding of the interests of creators, publishers and other copyright owners.

The Corporation has continued as a non-share capital corporation under the Canada Not-for-Profit Corporations Act as of May 7, 2014. The Corporation was originally incorporated under the laws of Canada by letters patent on August 23, 1988, without share capital. The Corporation is a not-for-profit organization with national jurisdiction excluding Quebec and, as such, is exempt from income taxes under 149(1)(l).

### 2. Summary of significant accounting policies

#### Basis of Accounting

The Corporation follows accounting policies that conform with the Canadian accounting standards for not-for-profit organizations. The following is a summary of significant accounting policies adopted by the Corporation in the preparation of the consolidated financial statements.

#### Principles of consolidation

The consolidated financial statements include the assets, liabilities and results of operations of the Corporation and its wholly-owned subsidiary Prescient Innovations Inc (“Prescient”).

The Corporation is currently the sole member and only source of funding of the Access Copyright Foundation (the “Foundation”). The Corporation controls the Foundation but does not direct the allocation of grants.

The Corporation has decided not to consolidate the Foundation, and will instead provide the required disclosures (Note 9) in accordance with CPA Canada Handbook Section 4450.

#### Estimates and Measurement Uncertainty

The preparation of consolidated financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the consolidated financial statements and the reported amounts of revenue and expenses during the reporting period. Items requiring significant estimates and subject to measurement uncertainty include the determination of the rate used to recognize Elementary and Secondary School licence fee revenue, determination of the allowance for doubtful accounts receivable, useful lives of capital assets and impairment of capital assets. By their nature, these estimates are subject to measurement uncertainty. Actual results could differ from those estimates. These estimates are reviewed periodically, and, as adjustments become necessary, they are reported in the statement of operations in the period in which they become known.

#### Revenue Recognition

The Corporation follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenses are incurred.

Deferred capital contributions represent restricted government assistance received for the development or purchase of capital assets. This assistance is deferred and amortized to income on the same basis as the related capital assets.

Licence fees, other than those related to full-reporting licences, are recognized as revenue on a monthly basis, over the terms as specified in the licence agreements and when the criteria for revenue recognition has been met. Licence fee revenue applicable to future periods are recorded as deferred revenue.

Full-reporting licence fees, which are based on actual copies made at the licensees’ premises, are recognized as revenue when received or receivable if the amount to be received is confirmed by the licensees.

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 2. Summary of significant accounting policies (continued)

#### Cash and Cash Equivalents

Cash and cash equivalents represent cash on hand, bank balances and investments in guaranteed investment securities with initial maturities of three months or less.

#### Capital Assets and Amortization

Capital assets are stated at cost less accumulated amortization. Amortization is provided at rates designed to charge to operations the cost of the capital assets, on a straight line basis, over their estimated useful lives, as follows:

<i>Tangible</i>		
	Office equipment	five years
	Computer hardware	three years
	Leasehold improvements	term lease
<i>Intangible</i>		
	Computer software	three years

When a capital asset no longer has any long-term service potential to the Corporation, the excess of its net carrying amount over any residual value is recognized as an expense in the statement of operations. Any write-downs recognized are not reversed.

#### Income taxes

Income taxes are accounted for using the taxes payable method. Taxes recoverable or payable and provision for income taxes are based on the corporate income tax returns filed. There is no adjustment for income taxes related to temporary differences and no recognition of the benefit of income tax losses carried forward, if any.

#### Undistributed Royalties

Undistributed royalties represent the balance of licence fees to be distributed to rightsholders. The annual provision for royalties for distribution is dependent upon decisions made by the Board of Directors.

#### Foreign Currency Translation

Monetary assets and liabilities denominated in foreign currencies are translated to Canadian dollars at the exchange rate in effect at the balance sheet date. Non-monetary assets and liabilities denominated in foreign currencies are translated at the rates in effect on the transaction date. Revenues and expenses denominated in foreign currencies are translated at the exchange rate in effect on the date of each transaction. Foreign currency gains or losses are included in the determination of the excess of revenues over expenses for the year.

#### Financial Instruments

The Corporation’s financial assets and liabilities are comprised of cash and cash equivalents, investments, accounts receivable, undistributed royalties, accounts payable and accrued liabilities.

##### *Initial measurement*

The Corporation’s financial instruments are measured at fair value when issued or acquired. For financial instruments subsequently measured at cost or amortized cost, fair value is adjusted by the amount of the related financing fees and transaction costs. Transaction costs and financing fees relating to financial instruments that are measured subsequently at fair value are recognized in operations in the year in which they are incurred.

##### *Subsequent measurement*

At each reporting date, the Corporation measures its financial assets and liabilities at cost or amortized cost (less impairment in the case of financial assets), except for equities, which consist of money market funds, quoted in an active market, which must be measured at fair value. The Corporation uses the effective interest rate method to amortize any premiums, discounts, transaction fees and financing fees to the statement of operations. The financial instruments measured at amortized cost are cash and cash equivalents, investment in bonds, notes and guaranteed investment certificates, accounts receivable, accounts payable, undistributed royalties and contributions payable to the Foundation.

For financial assets measured at cost or amortized cost, the Corporation regularly assesses whether there are any indications of impairment. If there is an indication of impairment, and the Corporation determines that there is a significant adverse change in the expected timing or amount of future cash flows from the financial asset, the Corporation recognizes an impairment loss in the statement of operations. Any reversals of previously recognized impairment losses are recognized in operations in the year the reversal occurs.

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 3. Investments

	2018	2017
The Corporation holds the following unrestricted investments:		
Corporate bonds and notes at amortized cost Interest at various rates ranging from 1.12% to 3.50% per annum, maturing on various dates to Jun 14, 2019	\$ 816	\$ 2,252
Guaranteed investment certificates, at amortized cost Interest at various rates ranging from 1.225% to 3.27% per annum, maturing on various dates to Nov 20, 2020	23,583	10,550
Equity instruments, at fair value	4,930	5,310
Fixed income funds, at fair value	2,968	2,982
	<u>32,297</u>	<u>21,094</u>
The Corporation has internally restricted the following investments for the Elementary and Secondary Schools tariff:		
Guaranteed investment certificates, at amortized cost Interest at rate of 1.40% to 2.36% per annum, maturing on various dates to May 16, 2019	16,350	16,281
Fixed income funds, at fair value	11,039	11,094
	<u>27,389</u>	<u>27,375</u>
Total investments	59,686	48,469
Less: current portion	<u>(38,250)</u>	<u>(23,487)</u>
	<u>\$ 21,436</u>	<u>\$ 24,982</u>

### 4. Accounts receivable and prepaid expenses

	2018	2017
Licence fees receivable	\$ 757	\$ 601
Accrued interest	528	190
K-12 tariff – accrued interest	224	81
Prepaid expenses	142	107
	<u>\$ 1,651</u>	<u>\$ 979</u>

Government remittances (other than income taxes) total \$16 at December 31, 2018 (2017 – \$17).

### 5. Capital assets

	2018		2017	
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Office equipment	\$ 281	\$ (226)	\$ 55	\$ 13
Computer hardware	449	(312)	137	32
Leasehold improvements	139	(3)	136	41
Computer software	6,473	(6,473)	-	-
	<u>\$ 7,342</u>	<u>\$ (7,014)</u>	<u>\$ 328</u>	<u>\$ 86</u>

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 6. Undistributed royalties

	2018	2017
Balance, beginning of year	\$ 7,526	\$ 7,622
Provision for royalties for distribution	7,055	6,648
Provision for royalties for distribution – pending final certified tariff	478	-
	<u>15,059</u>	<u>14,270</u>
Distribution to rightsholders	<u>(6,983)</u>	<u>(6,743)</u>
Balance, end of year	<u>\$ 8,076</u>	<u>\$ 7,527</u>

### 7. Deferred revenue – K-12

	2018	2017
Balance, beginning of year	\$ 27,883	\$ 27,482
Annual deferred revenue and interest	244	401
	<u>\$ 28,127</u>	<u>\$ 27,883</u>

The Copyright Board of Canada (“CBC”) does not always have certified tariffs for current years. If there is no certified tariff for the current year, the last certified tariff continues to operate on an interim basis and the Corporation may collect licence fees in accordance with the previous tariff until the proposed tariff is certified. The certified tariff may be different from the continuation tariff and could result in a higher or lower retroactive royalty adjustment.

Between 2010–2012, the Corporation invoiced the Elementary and Secondary Schools sectors (“K-12 sector”) based on the \$4.81 per full-time equivalent (“FTE”) royalty rate of the 2005–2009 certified tariff. These royalties were paid by the K-12 sector in the years 2010, 2011 and 2012 while the CBC conducted its review of the proposed 2010–2015 tariff. The Corporation distributed royalties based on the last negotiated rate between the parties of \$2.576 per FTE. The difference between the 2005–2009 certified rate and the last negotiated rate is set aside for possible future retroactive adjustments and is recorded as deferred revenue and segregated by the Corporation pending a final court decision described below.

On December 5, 2012, the K-12 sector notified the Corporation that they would stop paying royalties pursuant to the 2005–2009 certified tariff effective January 1, 2013.

On February 20, 2016, the CBC certified the 2010–2015 tariff and set royalties at \$2.46 per FTE for the years 2010–2012 and \$2.41 per FTE for the years 2013–2015.

On May 4, 2016, the K-12 sector (excluding Quebec) advised the Corporation that they maintained their status of not operating under the certified 2010–2015 tariff as of January 1, 2013. They requested refunds from the Corporation, having paid royalties at a rate of \$4.81 per FTE under the certified 2005–2009 tariff for the years 2010–2012 (as compared to the rate of \$2.46 that was set by the CBC for the 2010–2015 tariff for the years 2010–2012). The Corporation does not agree with the refund requested by the K-12 sector.

On October 25, 2016, the Corporation provided invoices to the K-12 sector that reconciled the royalties paid by the K-12 sector to the Corporation for the years 2010–2012 (as a consequence of the \$2.46 FTE rate ultimately approved by the CBC) with the amounts owing by the K-12 sector for the years 2013–2015 under the 2010–2015 certified tariff. These invoices remain unpaid.

On February 21, 2018, the Ministries of Education for all the Provinces and Territories (except British Columbia, Ontario and Quebec), and all the school boards in Ontario (together, the “Consortium”) commenced legal action against the Corporation by serving a statement of claim. In their claim, the Consortium states that since they have opted out of the certified 2010–2015 tariff from 2013 onwards, the refund for the overpayment of fees paid for the years 2010–2012 should be paid in full and not set-off against the amounts owing for the years 2013–2015 under the 2010–2015 certified tariff. The Consortium also claims that tariffs certified by the CBC are not mandatory. The Corporation disagrees with the Consortium’s position. The Corporation has filed a statement of defence denying the allegations in the statement of claim and has counterclaimed to recover royalties from the K-12 sector for the period January 1, 2013 onwards.

No amounts have been accrued or adjusted related to the 2010–2012 and 2013–2015 tariff rates set by the CBC as a reliable estimate cannot be made until a final court decision has been rendered in relation to the legal action described above.

Subsequent to year-end, events and conditions have occurred that will allow the Corporation to recognize portions of the deferred revenue described above of approximately \$4 million. These events and conditions that allow revenue to be recognized occurred after December 31, 2018, but prior to the reporting date of these financial statements.

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 8. Related party transactions

#### Access Copyright Foundation

On June 25, 2009, the Corporation established the Access Copyright Foundation, a not-for-profit organization whose purpose is to promote Canadian culture through providing grants intended to encourage the understanding, development and promotion of literary and visual arts in Canada.

The Foundation was initially funded by an allocation of undistributed royalties in the amount of \$3,237 representing a portion of licence fees received for which the rightsholders could not be identified. Commencing in 2009, 1.5% of gross licence fees received by the Corporation were being allocated for contribution to the Foundation up to a specified maximum amount to be determined by the Board of Directors. In 2013 the Board of Directors, due to declining revenues, decided to suspend contributions until there was greater certainty around the value of rights that the organization administers on behalf of rightsholders.

The Corporation is currently the sole member and only source of funding of the Access Copyright Foundation.

The Foundation has not been consolidated in the Corporation's consolidated financial statements. Consolidated financial statements of the Foundation are available upon request. Financial summaries of the Foundation as at December 31, 2018 and 2017 and for the years ended December 31, 2018 and 2017 are as follows:

Access Copyright Foundation (thousands of dollars)	2018	2017
Statement of financial position		
Total assets	<u>\$ 3,416</u>	<u>\$ 3,778</u>
Total liabilities	<u>\$ 15</u>	<u>\$ 129</u>
Net assets	<u>\$ 3,401</u>	<u>\$ 3,649</u>
	<u>\$ 3,416</u>	<u>\$ 3,778</u>
Statement of operations		
Total revenues	<u>\$ 18</u>	<u>\$ 130</u>
Total expenses	<u>\$ 267</u>	<u>\$ 313</u>
Deficiency of revenues over expenses	<u>\$ (249)</u>	<u>\$ (183)</u>
Statement of cash flows		
Cash from (used in) operations	<u>\$ (312)</u>	<u>\$ (150)</u>
Cash from (used in) investing	<u>\$ 237</u>	<u>\$ 346</u>
Increase/(decrease) in cash equivalents	<u>\$ (75)</u>	<u>\$ 196</u>

#### Prescient

On July 4, 2018, the Corporation established Prescient, a for-profit organization whose purpose is to explore and develop services supporting the future of rights management and content monetization. The Corporation is currently the sole subscriber of the initial 100 Class A common shares of Prescient with an aggregate subscription price of \$.01 and only source of funding of Prescient. The Corporation has appointed the directors and officers of Prescient.

Prescient has been consolidated in the Corporation's consolidated financial statements. There has been no operational level activity for Prescient in the current year.

### 9. Net assets internally restricted for contingencies

Net assets internally restricted for contingencies represent amounts designated by the Board of Directors to finance any material costs arising from the Corporation's indemnifications as described in Note 15, and any future legal actions concerning the Corporation or brought by the Corporation against others in respect of alleged copyright infringements.

## Notes to the consolidated financial statements

(In thousands of dollars)  
December 31, 2018

### 10. Net assets internally restricted for tariff, litigation and advocacy fund

Net assets internally restricted for tariff, litigation and advocacy fund represents 5% of gross licence fees received or receivable by the Corporation to finance costs of submitting applications to the Copyright Board of Canada ("CBC") with respect to tariff disputes by licensees, other litigation and advocacy matters and defending any appeals resulting from CBC decisions.

### 11. Net assets internally restricted for development fund

Net assets internally restricted for development fund represents revenues to be applied to the development of new service offerings, marketing, communication and corresponding plans.

### 12. Net assets internally restricted for K-12 Schools tariff

Net assets internally restricted to fund amounts in dispute related to the February 19, 2016 Copyright Board of Canada decision for 2010 to 2012, and 2013 to 2015 tariff rates that are applicable to Elementary and Secondary Schools (K-12 Schools).

### 13. Financial risk management

Risk management relates to the understanding and active management of risks associated with all areas of the business and the associated operating environment. The Corporation's financial instruments are primarily exposed to credit, interest rate and foreign currency risks.

#### Credit risk

Financial instruments that potentially subject the Corporation to concentrations of credit risk consist primarily of cash and cash equivalents, investments and accounts receivable.

Cash and cash equivalents consist of guaranteed investment certificates with a major Canadian financial institution and deposits with a major Canadian banking institution which may exceed federally insured limits. Investments consist of corporate bonds and notes, guaranteed investment certificates and money market funds which carry an investment grade credit rating and are administered by a major Canadian financial institution. The Corporation is exposed to concentration risk in that all of its cash is held with a few financial institutions, and the balances held are in excess of Canadian Deposit Insurance Corporation Limits.

Accounts receivable are primarily due from government and educational institutions and have high credit worthiness.

#### Interest rate risk

Interest rate risk arises from the possibility that changes in interest rates will affect the fair value or future cash flows of a financial instrument because of changes in market interest rates. The Corporation is exposed to interest rate risk with respect to investments in fixed income securities and money market funds.

#### Other price risk

The Corporation is exposed to other price risk on its investment in equities quoted in an active market since changes in market prices could result in changes in the fair value of these instruments.

#### Foreign currency risk

The Corporation maintains a bank account and investments denominated in U.S. funds. As such, it is subject to foreign currency risk due to fluctuations in U.S./Canadian exchange rates. The following amounts, denominated in U.S. funds are translated at (December 31, 2018 - 1.3642) and are included in the following financial statement items:

## Notes to the consolidated financial statements

(In thousands of dollars)

December 31, 2018

### 13. Financial risk management (continued)

	2018		2017
Cash and cash equivalents (U.S. dollars)	\$ 156	\$	1,035
Corporate bond and GICs (U.S. dollars)	\$ 3,080	\$	992

### 14. Commitments

The Corporation has entered into a lease agreement for the lease of its premises for a terms expiring on November 30, 2023. The future minimum lease payments under the new lease are as follows:

2019	\$	291
2020		291
2021		291
2022		291
2023		267

### 15. Contingencies

In accordance with certain licence agreements, the Corporation indemnifies its licensees against any legal actions that may be brought against them as a result of their exercise of the permission granted therein. The Corporation is not aware of any outstanding claims with respect to the aforementioned indemnifications.

On February 21, 2018, the Consortium commenced legal action against the Corporation indicating that since they have opted out of the certified 2010-2015 tariff from 2013 onwards, the refund for the overpayment of fees paid for the years 2010-2012 should be paid in full and not set-off against the amounts owing for the years 2013-2015 under the 2010-2015 certified tariff. The Consortium also claims that tariffs certified by the CBC are not mandatory. The Corporation disagrees with the Consortium's position. The Corporation has filed a statement of defence denying the allegations in the statement of claim and has counterclaimed to recover royalties from the K-12 sector for the period January 1, 2013 onwards. (See Note 7) It is management's opinion that given the early stages of the legal proceeding, an estimate of recovery and value of licence fees for the years 2013 to 2018 cannot be made.

### 16. Capital management

The Corporation's objectives when managing capital are:

- a) To safeguard the Corporation's ability to continue as a going concern.
- b) To maintain appropriate cash reserves on hand to meet ongoing operating costs.
- c) To invest cash on hand in highly liquid and highly rated financial instruments.

In the management of capital, the Corporation includes net assets in the definition of capital. The Corporation manages the capital structure and makes adjustments to it in light of changes in economic conditions and the risk characteristics of the underlying assets.

The Corporation is not subject to externally imposed capital requirements. There has been no change with respect to the overall capital risk management strategy during the year.

## DIRECTORS, MEMBER ORGANIZATIONS & EXECUTIVE/MANAGEMENT TEAM

### 2018 Access Copyright Board

Cameron Macdonald, Chair  
 Grant McConnell, Vice-Chair  
 Gordon Dyer, Treasurer  
 Kelly Duffin  
 Debbie Hogan  
 Stephen Hurley  
 Katherine Lawrence  
 Krys Ross  
 Kelly Shaw  
 Roanie Levy, President & CEO, Access Copyright

### Executive Team

Roanie Levy, President & CEO  
 Michael Andrews, Chief Operating Officer  
 Claire Gillis, Chief Business Affairs Officer  
 Sapanpreet Singh Narang, Chief Innovation Officer

### Management Team

Amy Cormier, Head of Communications & Marketing  
*(on maternity leave)*  
 Asma Faizi, Head of Legal Affairs  
 Rino Falcioni, Manager, Technology Services  
 Xin Ge, Manager, Accounting  
 Silvia Grunberg, Head of Royalties and Client Services  
 Leanne Newell, Head of Business Development  
 Stephen Sawyer, Lead, Design Research & Business Analysis  
 Anne Yourt, Head of Communications & Marketing

### Creator Member Organizations

Canadian Artists' Representation  
 Canadian Association of Professional Image Creators  
 Canadian Association of University Teachers  
 Canadian Authors Association  
 Canadian Society of Children's Authors, Illustrators and Performers  
 Crime Writers of Canada  
 Federation of British Columbia Writers  
 League of Canadian Poets  
 Manitoba Writers' Guild  
 Outdoor Writers of Canada  
 Playwrights Guild of Canada  
 Professional Writers Association of Canada  
 Saskatchewan Writers' Guild  
 The Writers' Union of Canada  
 Writers' Alliance of Newfoundland and Labrador  
 Writers' Federation of New Brunswick  
 Writers' Federation of Nova Scotia  
 Writers' Guild of Alberta

### Publisher Member Organizations

Alberta Magazine Publishers Association  
 Association of Book Publishers of British Columbia  
 Association of Canadian Publishers  
 Association of Canadian University Presses  
 Association of Manitoba Book Publishers  
 Atlantic Publishers Marketing Association  
 Book Publishers Association of Alberta  
 Canadian Association of Learned Journals  
 Canadian Music Publishers Association  
 Canadian Publishers' Council  
 Literary Press Group  
 Magazine Association of BC  
 Magazines Canada  
 News Media Canada  
 Ontario Book Publishers Organization  
 SaskBooks

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