

Library unsure of copyright violations

by Susan Williams

Acadia's Vaughan Library is balancing on the borderline of illegal procedure with regard to the photocopying of materials in which copyright exists.

During a recent interview, Mrs. Horton, the acting Head Librarian, said that "as far as possible" the library was following the "Fair Dealing" clause in the Canadian Copyright Act. This clause however, is subject to a variety of interpretations, with no specific instructions governing photocopying in university libraries.

In a recently published booklet, *Questions and Answers about Copyright*, a definition is offered:

24. Q. What is "Fair Dealing"?
A. It means the quotation from, or reproduction of minor excerpts of a work in which copyright exists for bona fide purposes of private study, research criticism, review or newspaper summary. The line between "fair dealing" and "infringement" is difficult to define. There are no guidelines as to the number of words or passages that can be used without permission from the author. Only the courts can rule whether "fair dealing" or "infringement" is involved in any case.

Mrs. Horton said that in general, the library would issue a single copy of part of a work to an individual for his or her own use. This means that multiple copies, for use in classes or seminars, would not be issued. The rule however, is subject to exception in some individually studied cases.

When asked about an "all rights reserved" copyright, Mrs. Horton said that this must be interpreted as meaning "no copying for any purpose without the permission of the owner of the copyright." It seems, though, that this rule is also subject to some bending and twisting, as the library has, in the recent



past, made copies of "all rights reserved" material, held them in reserve in the library, and later destroyed the copies.

Much concern about copyright laws is being shown by university libraries all over the world. University librarians are "cleaning up their act," and much of the recent concern is due to an Australian court case which took place last year. The University of New South Wales was the scene of a conflict concerning an angry author and an infringement of the copyright act through the use of photocopy.

Legal action is also being taken in

London, Ontario where the London Board of Education is being sued by Thomas Nelson and Sons Limited.

The issue is getting closer to home and the Vaughan Library is reacting - or is it? Perhaps a little consistency is called for. At present, the library's "front desk policy" is apparently being governed by a statement, in question and answer form, made in a periodical issued by Queen's University.

Q. Now that an Australian court case has caused you to prohibit photocopying of materials for reserve reading, what are you doing constructively to rectify this matter?

A Canadian copyright law provides for "fair copying for purposes of private study and research". The Canadian copyright act is under study for revision, and it is not possible to say what the provisions of the new act, expected possibly in 1975, may be. It is entirely possible that they may be more restrictive in regard to photocopying than the present act.

While the provisions of the Canadian Copyright Act have not been deliberately tested by a court case brought by a Canadian publisher, it is generally accepted that "fair copying . . ." refers to a single copy of part of a work (i.e. part of a book, or a single article from a periodical) requested or made by an individual for his own use.

This library will adhere to that interpretation: A single copy will be provided upon signed request. No complete book will be photocopied. Multiple copies will not be made for any purpose.

When multiple copies of an item are required for reserve reading [i.e. required reading for courses], the responsibility rests with the instructor to obtain permission of the copyright owner to make such multiple copies.

(A copy of this "policy" is kept in a little red book under the counter at the front desk of the Library. If you feel you are not being treated according to the "rule" you might ask to see the policy).

The copyright act does exist for a purpose as does the fair dealing clause. Clarification of this matter is necessary where photocopying is concerned, and students must be made aware of actual laws, rules, and policies, and the differences in their implications. Perhaps if a little pressure is applied, the library will be forced to deal with the issue in a specific and consistent manner.

"In confusion and lies"

by R. Beamish

Retrospective pay for seasonal workers is still an issue at Acadia University. Craig Hopkins is a student. He claims to have been lied to and discriminated against by the Administration.

Last summer Mr. Hopkins worked as a painter from June 2 to September 9. During this time, he claims he was "lied to believe" that he would be eligible for retrospective pay once the current contract negotiations were over, and the new contract was signed. He said he got this impression from Physical Plant supervisor G. Mackinley. According to Hopkins, Mackinley went around telling various seasonal workers that they would be entitled to these retroactive monies. However, Mr. Hopkins and his fellow workers have yet to receive any retroactive monies. Why?

About a month ago, Mr. Hopkins claims to have gone to the Administration looking for his back pay. He was supposedly with some other painters. He affirms that Mr. George Estey told him he was not entitled to any money,

because he was not working when the contract was signed. However Hopkins's says Estey rapidly retracted this statement when he discovered that the other painters were working when the contract was signed. He ended by arguing that one had to be employed when the Administration signed the cheques. This disqualified the other painters as well as Mr. Hopkins.

The other painters ended up getting paid. They threatened the University with court action. The personnel department issued them their cheques, and Hopkins says they went back to their former promise of paying people who were in service when the new contract was signed.

Craig Hopkins has yet to receive any retroactive money whatsoever. He is seeking support from the International Union of Operating Engineers. In Mr. Hopkins' opinion "management in its confusion and lies has picked date out of a hat". He is willing to cooperate to the fullest with whatever measure the Union may decide to take.

Business to be a 4-year program

Starting September 1977 all business degrees will be a four year program from N.S. grade 12 instead of the present three years.

This decision was made at the regular meeting of the Councils of Deans of the Atlantic Schools held at Acadia last weekend. The meeting unanimously decided to institute the four year program "to bring Business education in the maritimes back in step with the rest of Canada".

A 3-day conference for the conference was Professor Guard of Acadia. Twelve of the thirteen Maritime Schools attended, next year's conference is at Memorial.

Creative writers meet at Acadia

The Executive Director of new Writer's Federation of Nova Scotia, Ms. Geraldine Gaskin, will be visiting the Wolfville and Kentville areas on Nov. 6 and 7. Ms. Gaskin hopes to meet with anyone interested in the creative writing field - either as a beginning or accomplished writer, or as an informed reader. The Federation has arranged for coffee to be served in room 508-509 of the Student Union Building at Acadia University from 7-9 p.m. on Thursday evening, Nov. 6, and from 2-4 p.m. on Friday afternoon.

English teachers, both high school and university, with an interest in teaching Canadian Literature or creative writing in their classes, are particularly invited to attend. The Federation would like to

offer to these teachers any possible assistance.

Ms. Gaskin and Greg Cook, a writer living in Wolfville and a member of the Federation's Executive Committee, would be pleased to talk to any person with an interest in developing his or her creative writing skills.

If any groups would like Ms Gaskin to join them for a chat during her two day stay in the area, please leave a message for Mr. Cook at 542-3577 before Thursday at noon.

The purpose of the Writers' Federation is to foster creative writing and advance the profession of writing in Nova Scotia, by providing advice and assistance to writers at all stages of their career. This will range from the practical

guidance and instruction of beginners to the provision of expert advice in such matters as copyright and contracts for the professional. It is also their purpose to encourage greater public recognition of Nova Scotia writers and their achievements, and eventually contribute to the enhancement of the literary arts in our regional and national culture.

The Federation proposes to use the term, writer, to embrace everyone who is seriously interested in the practice of creative writing, including students and beginners as well as accomplished professionals. By creative writing they simply mean writing which reveals, or is intended to reveal some degree of imagination and craftsmanship. Creative writing may be found in examples of

most any of the present day forms of writing, from fiction and drama to certain kinds of journalism.

The Federation assumes that any person seriously interested in the practice of creative writing will wish to improve or extend the range of their work, and raise the level of their acceptance and achievement in the writing and publishing community.

Furthermore, the Federation believes there are numerous services it can perform for Nova Scotia writers, as members of an organized group, which will help them reach their individual goals in writing. Thus, the Federation sees itself basically as a service organization for all the Nova Scotia writers who will constitute its membership.