

Experiences in the Cross Border Exchange of Accessible Format Copies

A Canadian Authorized Entity's experience

Presentation to

**Sub-Regional Meeting for ASEAN Countries
on the Marrakesh Treaty and the Production
and Exchange of Accessible Books**

Singapore, November 1-3, 2017

Canadian Government ratified Marrakesh Treaty

Government of Canada submitted its instruments of accession (ratification) to WIPO, June 30, 2016, the 20th country to do so, which triggered the Treaty coming into full force, September 30, 2016

Key conditions in Canadian copyright law align with Treaty cross-border provision

Import:

When accessible format can be made/produced pursuant to Canadian copyright law, an accessible copy may be imported without rightsholder authorization

Key conditions in Canadian copyright law align with Treaty cross-border provision (continued)

Export:

Non-profit organization may reproduce a work in alternative format and...

- Provide to ***non-profit organization across borders***, acting for the benefit of persons with print disabilities in that country
- Provide to ***person with a print disability across borders*** who has requested the work through a non-profit organization, acting for the benefit of persons with a print disability in that country

Except when...

- The work, in the format specially designed for persons with a print disability, is available in the other country 'within a reasonable time and for a reasonable price and may be located in that country with reasonable effort'

(Non-profit organization in Canada may defer to knowledge of non-profit organization in 'Marrakesh country' making request on question of whether work commercially available there or not)

Canadian Authorized Entity experience with cross-border exchange

- **Centre for Equitable Library Access, CELA**, national non-profit, Canada's most comprehensive accessible reading service, providing books and other materials to Canadians with print disabilities in formats of their choice
- Partnership with the **public libraries of Canada** offers eligible library users access to over 500,000 accessible titles
- Business relationship with the **Canadian National Institute for the Blind (CNIB)** for *production* of alternative formats for CELA collection



Centre for Equitable Library Access
Public library services for Canadians
with print disabilities

www.celalibrary.ca

CELA contracts *ABC Global Book Service* for cross-border exchange

Why ABC?

- Systems and service **already operational** no need to re-invent
- Provides **secure transfer** of copyright-protected publications
- Ability to **access books from some of the largest alternative format producers** around the world
- Ability to offer Canadians with print-disabilities **access to significantly more books, faster** than would otherwise be possible
- Opportunity to support **language diversity** of Canadians with print disabilities (over)

CELA contracts *ABC Global Book Service* for cross-border exchange (Why ABC – Continued)

- **Automated processes** allow CELA to conduct cross-border exchange **without need to increase workload and costs**, including:
 - Upload catalogue feeds to ABC
 - Upload titles produced to ABC
 - Intake of accessible formats produced by other AEs
 - Permission clearance
 - Production of exchange statistics
- In turn, opportunity to contribute Canadian-produced alternative formats to Authorized Entities around the world, **helping to address global book famine** for people with print disabilities

Benefits experienced

- Acquired about 1,700 books *more* than would otherwise have been able to through cross-border exchange, including titles to fill specific user requests
- Books acquired through exchange would have cost over C\$2 million to produce in-house
- Single agreement with ABC has provided access to content from 25 Authorized Entities around the world through a *single* system
- Participation in ABC user group has allowed AE to share experiences with other Authorized Entities and suggest ways to improve cross-border exchange service

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Final thought...

People with print disabilities worldwide, consumer organizations and other stakeholders advocated vigorously for many years for a binding international treaty to address the 'global book famine' for people who are blind or otherwise print-disabled

Cross-border exchange, particularly facilitated by national law aligned with Marrakesh Treaty, is well-worth considering to bring equitable access to literature closer for your print-disabled population

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Thank you!

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