

**Ministry of Education**

Mowat Block  
Queen's Park  
Toronto ON M7A 1L2

**Ministère de l'Éducation**

Édifrice Mowat  
Queens Park  
Toronto ON M7A 1L2



**MEMORANDUM TO:** Directors of Education  
Secretary-Treasurers of School Authorities

**FROM:** Elizabeth Harding  
Director  
Learning Environment Branch

**DATE:** December 7, 2009

**SUBJECT:** Reporting on Board Usage of Copyright Fee Funding

I am writing to follow up with you on the funding for retroactive copyright fees announced in Memorandum B11, dated October 16, 2009.

As noted in Memorandum B11, this one-time funding is being provided to boards to cover retroactive copyright fees and interest that are due to Access Copyright as a result of the Copyright Board of Canada's June 26, 2009, decision. It should be noted that school boards are responsible for the ongoing increase in fees and other costs resulting from the ruling and certified tariff. The ministry will not be responsible for any interest charges incurred by boards for the late payment of retroactive fees.

Board-by-board allocations (see *Appendix A*) are based on the invoices that boards received from Access Copyright, minus 68% of the GST charged on the non-interest portion of the retroactive costs which school boards can claim from Revenue Canada.

The figures for school authorities *in Appendix A* have been adjusted from the amounts stated in Memorandum B11. The new figures represent the correct amounts boards received to cover the retroactive fees and interest due to Access Copyright, minus the 68% recoverable portion of the GST.

As per Ontario Regulation 486/01, in cases where former isolate boards were merged into two separate district school boards (see *Appendix B*), the successor board which took on the assets and liabilities of the former isolate board is responsible for administering payments to Access Copyright and reporting to the ministry on the use of funding. The funding provided to successor boards on behalf of former isolate boards is indicated in *Appendix B*.

School boards are required to complete and return the attached attestation template in *Appendix C* to declare that the full transfer payment allocation for copyright fees has been spent to cover retroactive copyright fees and interest due to Access Copyright. Upon payment of the second and final Access Copyright invoice, due no later than April 30, 2010, please complete the attached attestation form and return it to Heather Power by email to [heather.power@ontario.ca](mailto:heather.power@ontario.ca) or by fax to 416-325-4344 by June 30, 2010.

If you have any questions please contact Guylaine Rheault-Oliver, Senior Policy Advisor, Healthy Schools and Student Well-Being Unit at 416-212-1347 or by email at [guylaine.rheault-oliver@ontario.ca](mailto:guylaine.rheault-oliver@ontario.ca).

*Original signed by:*

Elizabeth Harding

Attachments