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PREFACE

Purpose

Welcome to the Publishing and Depository Services Sector (PDS) of Public Works and Government Services Canada!

Publishing Programs is the Government of Canada's Official Publisher. Since 1869 this Program has served as the Queen's Printer for Canada in all matters related to printing and publishing within the Government of Canada (GC), as delegated by the Minister of Public Works and Government Services (PWGSC) under the *Department of Public Works and Government Services Act*. Publishing Programs is also the administrator of Crown Copyright and Licensing.

This Reference Guide will introduce you to all aspects of Publishing Programs as well as Crown Copyright and Licensing and will provide you with a better understanding of the services that are available to you, as author departments and agencies. The Guide will also touch on other areas of Publishing and Depository Services which have a direct impact on author departments and agencies.

Publishing Mandate

Under its mandate, Publishing Programs provide project coordination and guidance to client departments and act as the centre of expertise for all publishing activities. It also serves as the bridge between the publishing industry and federal departments and agencies.

Publishing Mission

To provide leadership in creating innovative publishing solutions to ensure Canadians have efficient and easy access to government information through strong, working partnerships with authoring Agencies and Departments.

Government of Canada Publications

The government publishes extensively, in many different fields. The range of subjects is very wide, encompassing the financial, economic, political, medical, social, educational, cultural and scientific activities of our society and it addresses all of these from many different points of view and with varying degrees of specificity. Canadian government publications and information have an important role to play in research, the library community and the lives of citizens. GC publications are a primary medium for delivering this information to the Canadian public.

GC publications tell us what the government is thinking, what it has decided and what it is doing. They tell us how and why the government is spending our money and they tell us a great deal about ourselves, our society and our nation. They are a trusted source and deliver information that is:

- accurate
- complete
- current
- reliable
- authoritative
- comprehensive
- objective

THE PUBLISHING PROGRAM

Introducing Publishing Programs: An Overview

Planning to publish? We publish thousands of titles each year on business, health, the environment, science, the economy and more.

We're a team of professionals offering extensive knowledge and experience in the

- Development
- Production
- Printing
- Marketing; and
- Distribution

of priced publications in both official languages.

The Program provides a full range of mandatory and non-mandatory publishing services to GC departments and agencies in accordance with the *Common Services Policy* and as outlined in the *Communications Policy and Guidelines of the Government of Canada*.

We'll help you put together a publication that is on time, on target and in tune with your readers' needs. You can trust us to:

- Provide expertise on priced, print and electronic information products.
- Manage all details regarding the publication process by taking care of schedules and production.
- Manage co-publishing agreements with private sector publishers (including university presses) in collaboration with GC departments and agencies.
- Advise and provide guidance to GC departments and agencies on format (including print, electronic (CD-ROM and diskette) and alternate formats (Braille, large print).
- Reduce costs by suggesting options such as "no frills" design, publishing on demand rather than in bulk, pricing your publication rather than giving it away, or sharing costs.
- Provide a centralized order processing, fulfillment, warehousing and distribution service that accepts orders by telephone, mail, fax or e-mail, as well as manage subscriptions and standing orders.
- Participate in trade shows, book fairs, conferences, conventions and special events to promote GC publications.

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- Maintain a network of hundreds of retailers and distributors in Canada and abroad who sell our titles to facilitate regional access for Canadians and foreigners.

We also:

- Manage the GC centralized publications database (www.publications.gc.ca).
- Establish partnerships and consignment arrangements with other levels of government and institutions.
- Provide advice and recommendations to GC departments and agencies regarding government publishing policies and directives.

Services for Author Departments

When it comes to effectively planning, managing and coordinating publications products and services for federal government departments and agencies, we are the experts! Most often the Program officer acts as the lead coordinator and manages publications from the beginning throughout the lifespan of the product. The officer also provides expert guidance and advice to clients on all publications-related matters.

More specifically, we can do the following for you:

Conduct market research by

- identifying potential markets
- establishing the economics of free or priced distribution
- assessing price sensitivities
- determining appropriate quantities

Determine the best publishing methods by

- acting as your publisher or
- negotiating a co-publishing arrangement on your behalf with a private sector publisher or other government departments/agencies, or
- establishing partnerships and consignment arrangements with other levels of government and institutions

Choose the best formats for your publication through consideration of

- traditional print, hard or soft cover, including print-on-demand
- electronic formats - diskette, CD-ROM, online publishing
- web site publishing
- alternative formats - large print, Braille, audio-cassette

Handle the coordination, design and production of your publications by

- overseeing design including graphics and illustration
- handling production - project planning, costing, scheduling, printing

Market your product through various channels of information and distribution through

- our network of bookstores and distributors in Canada and around the world
- catalogues and fact sheets
- direct mail campaigns
- book fairs, trade shows and other special events
- our centralized publications database website (www.publications.gc.ca)
- central ordering desk service that accepts public orders and deals with inquiries - telephone, regular mail, fax, e-mail
- centralized fulfillment, warehousing and distribution services

Offer guidance on the following government publishing policies/directives:

- Federal Identity Program
- Crown Copyright Act
- Official Languages Act
- Depository Services Program
- Government Communications Policy

Co - Publishing

What is it? The Federal Co-Publishing Program is the means through which the government effects its policy to publish government publications (paper and/or electronic format), wherever feasible, in cooperation with Canadian publishers in the private sector and/or university presses.

We may delegate the entire publishing function to the publisher or share it with the publisher.

Roles in a Co-Publishing Project

In a typical co-publishing project, the roles of the parties are as follows:

- PDS' Publishing Programs is responsible for the operational steps of the project, including negotiations and managing the project for the duration of the contract.
- The author department is responsible for the technical content of the work.

-
- The publisher will look after product development, editing, design, printing, marketing, warehousing, distribution and commercialization.

Steps in a Co-Publishing Project

Step 1. A request for proposal (RFP) is sent to publishers, who are given a few weeks to respond. Publishers are required to bid accordingly to predetermined specifications.

Step 2. Proposals are evaluated by Publishing Programs, PWGSC Acquisitions Branch and the author department, a publisher is selected, and the contract is negotiated and signed. This process can take six (6) months or longer.

Step 3. The publisher will edit the manuscript in English and French (and in some circumstances do the translation), prepare a design mock-up of the cover and inside pages, lay out the text and integrate any visual material, proofread the page layouts, and get the work camera-ready. The author department will be involved in approvals at all stages of production.

Step 4. The publisher will print or produce, market and distribute the work. This process can also take six months or longer.

Types of Works Co-Published:

- Printed publications come in many different forms, ranging from coffee table books, lavishly illustrated with color drawings and photos, to technical books, articles and periodicals on highly specialized topics, as well as all kinds of brochures and pamphlets that touch on every aspect of daily life.
- Other formats such as diskettes and CD-ROMs may be published in addition to, or as replacements for, printed publications.

Costs of Co-Publishing Projects:

- The author department most often assumes part or all of the costs associated with product development, editing and design.
- The author department and PWGSC will always purchase a specified number of copies of a new title or of a new or revised edition of a title that is being co-published. These copies are for internal use, resale and for the depository libraries across Canada (which is a mandatory requirement).

Copyright Regarding Co-Publishing Projects:

With co-publishing projects, copyright is retained by the Crown. In most cases, the publisher is granted sole license for a period of three to five years from the release date of the final product. Royalties are payable to the Receiver General for Canada.

Delegation of Publishing

The Minister of PWGSC may grant a special delegation of purchasing authority for publishing, provided that copies of any publications published under this delegation are provided, at no cost, to the Depository Services Program, as per the requirements of the Treasury Board of Canada Secretariat Policy.

These delegations do not give the delegated minister the authority to act as a publisher for other organizations or for material from other organizations.

Some authorities that remain the sole responsibility of the Minister of PWGSC are excluded from the printing and publishing delegations. These are the publications of the Statutes of Canada, the Canada Gazette and other mandatory publications as outlined in the Communications Policy and Directives.

CROWN COPYRIGHT AND LICENSING

Introducing Crown Copyright and Licensing: An Overview

What exactly is Crown Copyright and Licensing and what role does Publishing Programs play?

As the official publisher of GC information, Publishing Programs under Publishing and Depository Services, is responsible for protecting and administering Crown Copyright. Each request by the private sector is received, reviewed and evaluated in order to obtain copyright clearance for the reproduction, adaption or translation of works (in any format) for which the GC holds the copyright.

The Program:

- Provides a central office of expertise on “intellectual property”, specifically Crown Copyright.
- Protects the rights of the GC with regard to “intellectual property “as it applies to publications.
- Provides advice and recommendations to GC departments and agencies regarding Section 12 of the *Copyright Act* and its application to the management of Crown Copyright by the GC.
- Serves as an information source for individual Canadians, the private sector, provincial/territorial/municipal governments, educational institutions, foreign nationals, and others on all matters related to Crown Copyright.
- Manages and processes requests for permission to reproduce GC copyrighted works.
- Investigates potential cases of Crown Copyright infringement and works with departmental legal counsel in the resolution of infringement cases.
- Directs requesters to the proper permission authority if the work in question does not belong to the Crown.
- Negotiates, grants and issues licensing agreements for commercial or non-commercial purposes whereby a royalty fee may be levied.
- Manages licenses for a period of the agreement, including all aspects of the collection and deposit of royalties paid to the Crown for the authorized use of GC works (if applicable).

Crown Copyright Defined

Information published by the GC is considered to be *intellectual property*. This type of property is *intangible* – made up of ideas, rather than tangible objects such as buildings or equipment. Ideas alone cannot be copyrighted, but forms of these ideas – words, illustrations and design – can be. Canada’s *Copyright Act* protects ideas in these forms from being appropriated, misused, altered or misinterpreted.

There are five kinds of *intellectual property*:

- copyright;
- trademark;
- patent;
- industrial design; and
- integrated circuit topographies

Copyright provides legal protection for literary, dramatic, musical and artistic works, sound recordings, performances, and communications signals.

Under Section 12 of the *Copyright Act*, copyright belongs automatically to the Crown for all works created by, for, or under the direction of the GC, unless a legal agreement has been signed that specifies otherwise. “Crown Copyright” begins on the date the work is published, i.e. the date when the work is made available to the public, and for a period of fifty (50) years following the end of that calendar year. After that period, the copyright expires and the “work” falls into the public domain.

The Protection of Crown Copyright

The *Copyright Act* states that “the government owns the copyright of any work that has been prepared or published by or under the protection or control of any government department or agency”. It provides sanctions against infringement of *intellectual property* and governs the creation, acquisition, reproduction, distribution and consumption of *intellectual property*.

Canadian government information published in paper and/or electronic format, both free and priced, is automatically protected by Crown copyright under the *Copyright Act*, unless otherwise specified.

With few exceptions, permission must be sought and received before any Crown Copyright work can be reproduced. The reproduction of a Crown Copyright work without permission is an infringement of the rights granted under the *Copyright Act*.

Copyright of Images and Photographic Works

The same rules of copyright apply to the use of images and photographic works as to works produced in other existing formats.

GC departments and agencies who wish to use images and photographs belonging to a third party must ensure that written permission is obtained from the copyright holder before such work is used in GC publications and web sites.

Technically, GC departments or agencies are not required to seek permission to reproduce the work of other departments or agencies since we are all considered to be part of the "Crown". However, because images and photographic works found in GC works can be subject to copyrights held by third parties, some restrictions on the reproduction of these materials may apply and it may be necessary to seek permission from the third party rights holder prior to reproduction of the material in question.

Moral Rights

While the Government of Canada may own copyright in a work, the creator of the work retains moral rights in the work (if these moral rights have not been waived).

Procedures for Copyrighting Crown Works

How exactly do you affix a copyright notice? For works produced and published by or for the GoC, it is recommended that the copyright symbol "©", followed by a copyright and instruction notice be placed on all works, regardless of format. The following examples give a good idea of how the copyright symbol is to be used:

Paid publications

“© Her Majesty the Queen in Right of Canada, represented by the Minister of Public Works and Government Services (year).”

Free publications

“© Her Majesty the Queen in Right of Canada, represented by the Minister of (Legal Name of Department/Agency) (year).”

The following example is one of several instruction notices available to GC departments and agencies:

“All rights reserved. No part of this information (publication or product) may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, or stored in a retrieval system, without prior

written permission of the Minister of Public Works and Government Services Canada, Ottawa, Ontario K1A 1M4.”

Affixing a copyright and instruction notice to a work effectively ensures that the reader is aware that copyright exists and identifies the organization(s) to which copyright belongs. It also gives the reader pertinent information as to whom permission should be requested from in the case of a reproduction or other end-use.

Copyrighting Crown Works - Special Cases

There are four special cases where normal procedures for copyrighting Crown works do not apply. They are the following:

1. Publications Produced Under a Private Sector Partnership

In this case, how copyright is managed should comply with the terms and conditions established by the contract or the agreement between the parties.

The assignment of Crown Copyright works in the federal government must be done in accordance with the *Surplus Crown Assets Act*, or, an Order-in-Council must be obtained which permits the transfer. Departments or agencies might wish to consult with their legal services before entering into such arrangements with other private or public sector entities.

It is beneficial to all the parties involved to determine who will manage the receipt of royalties. When royalties are payable to the GC, payment is normally returned to the Receiver General for Canada. Departments and agencies that wish to retain payment of royalties must ensure that they have the authority to receive these payments under the terms of the *Financial Administration Act* or through their own Financial Services area.

2. Publications Written by Contractors

Section 12 of the *Copyright Act* states "where any work is, or has been, prepared or published by or under the direction or control of Her Majesty or any government department, the copyright in the work shall, subject to any agreement with the author, belong to Her Majesty." All contractual documents related to the creation of a new work should clearly define who owns copyright in the finished work.

GC departments or agencies can obtain more information about ownership of copyright in the Treasury Board of Canada Secretariat's Policy on *Title to Intellectual Property Arising Under Crown Procurement Contracts*, which is available at the following address:

http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/Contracting/tipaucpc_e.asp

3. Publications Written by Former Employees

It is not a copyright issue if a former employee wishes to write a document on a subject related to the GC. However, if the former employee wishes to use an existing document, copyright clearance must be secured before using this document.

4. Publications Written by Government Scientists for a Scientific Publication (a Peer-Reviewed Journal)

If the journal has a policy where it requires the author to transfer copyright to the journal, neither the employee(s) nor the department or the agency that created the work has the authority to transfer the copyright to any other party. If a GC employee agrees to a transfer of copyright, such agreement has no validity under the law.

GC institutions that wish to transfer copyright in any of their works to a third party must act in accordance with the provisions of the *Surplus Crown Assets Act*, or must obtain an Order-in-Council that permits the transfer. Institutions must also consult with their legal services before entering into such arrangements with other private or public sector entities.

Documents on Crown Copyright

Please refer to the following documents for specific policies and regulations on Crown Copyright and Licensing:

- The *Copyright Act* (specifically Section 12)
- The Communications Policy of the Government of Canada

DEPOSITORY SERVICES PROGRAM

Government of Canada's Information Safety Net!

The Depository Services Program (DSP) is a GC program created in 1927 by Order-in-Council. It is an essential link between the Federal Government and the Canadian public, other governments, universities and businesses.

Its primary goal is to ensure that Canadians have ready and easy access to federal government information. It achieves this by supplying government information materials to a network of more than 1,000 libraries in Canada and around the world that hold collections of Canadian government publications.

Administered by the Publishing and Depository Services Sector of PWGSC, the DSP ensures that publications provided by federal departments and agencies are distributed to depository libraries in a timely manner.

The Program:

- Collects and catalogues current and older federal government publications in all available formats for the GC Publications Database and Web Site (www.publications.gc.ca).
- Distributes these publications through a network of libraries across Canada and abroad.
- Publishes the *Weekly Checklist of Canadian Government Publications* (the "Pink List") and distributes it to over 1,000 depository libraries.
- Maintains an electronic collection of permanently archived government publications.
- Maintains two mailing listservs through which depository librarians can exchange information.
- Under international exchange partnerships, supplies GC publications to national libraries and libraries of foreign universities that have Canadian studies programs.

Without the DSP, Canadians would have difficulty gaining timely access to Canadian government information.

The DSP Network: Who's Eligible to Participate

- **Full depositories** (49) are nominated and approved by a committee of representatives of Library and Archives Canada (LAC) and the DSP; this status is

granted as English, French, or bilingual, depending on the clientele of the library; full depositories automatically receive a copy of **all** publications distributed through the Program based on the languages that they have selected, as do LAC and the Library of Parliament.

- **Selective depositories** (963) include university/college, federal, legislative and public libraries; they may order items of interest to their users from the *Weekly Checklist* or subscribe to mailing lists. Selective depository status is generally granted to Canadian public and educational (and some governmental) libraries open to the public at least 20 hours a week and with at least one full-time employee.

DSP Operations

Overview

- Step 1: A department decides to publish.
- Step 2: It obtains catalogue and ISBN numbers from the DSP.
- Step 3: It prints enough copies to meet DSP requirements.
- Step 4: It sends copies to the DSP warehouse for distribution.
- Step 5: The DSP receives copies at its head office and completes cataloguing.
- Step 6: The DSP produces the *Weekly Checklist* and releases publications to full depository libraries.
- Step 7: Selective depository libraries place their orders for titles listed in the *Weekly Checklist*.
- Step 8: The DSP processes and distributes orders.
- Step 9: Customer service deals with claims, queries, etc.

The DSP and Author Departments

- Under Treasury Board's Communications Policy and the GC's Common Services Policy, government departments must supply the DSP with copies of their publications for free, for distribution to depository libraries. In so doing, they play a key role in the success of the Program.
- This policy applies to all GC publications containing information for public consumption or for limited circulation, including:
 - free and priced titles

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- different formats, including print, large print, Braille, audiocassette, maps, digital data, music CD, PDF, microform, diskette, CD-ROM, videocassette, and DVD
 - Publications are generally offered in both official languages and some are offered in several Asian, European and Aboriginal languages.
 - Author departments assume only the additional cost associated with producing copies specifically for DSP distribution. The DSP absorbs all costs of cataloguing and distribution of publications to depository libraries.
 - The DSP has Memoranda of Understanding (MOUs) with five departments under which the DSP covers the cost of the priced publications they provide to the DSP: Statistics Canada, National Research Council of Canada, Canada Mortgage and Housing Corporation, Natural Resources Canada and Canadian Government Standards Board.

Catalogue Numbers and International Standard Book Numbers (ISBNs)

- As part of its pre-publication planning, the author department applies to the DSP for a GC catalogue number and ISBN. International Standard Serial Numbers (ISSNs) and Cataloguing-in-Publication (CIP) information are obtained from Library and Archives Canada (LAC). This pre-publication information is exchanged between the DSP and LAC. For more information about ISBNs see:
<http://dsp-psd.pwgsc.gc.ca/ISBN/isbn-e.html>.
- Author departments can apply for catalogue numbers and ISBNs on-line via the GC Publications web site (www.publications.gc.ca).
- ISBN numbers have a 0-660 prefix for priced government publications and a 0-662 prefix for free ones.
- The DSP assigns approximately 5,000 catalogue numbers a year.
- Catalogue numbers are applied to all publications and are especially useful for organizing, browsing and searching because they are unique identifiers that indicate:
 - author department (each has its own code)
 - type of publication: annual, monograph, series and series issue number
 - year of publication
 - language
 - format

Acquisitions

- Once the catalogue numbers and ISBNs have been assigned, the DSP determines the quantities required.

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- Departments with an existing agreement with the DSP generally know how many copies the Program will need.
 - Quantities needed will vary based on the type of publication, i.e. language, subject matter and intended audience:
 - 150-350 English/bilingual copies and 75-150 French copies depending on the nature of the publication
 - the minimum requirement is 55 English/bilingual and 25 French copies for distribution to full depositories only
 - If a department does not have an agreement with the DSP and has registered titles in the GC Publications Database, the DSP contacts them to get the required number of copies.
 - The DSP actively searches government web sites to track down non-registered publications and request the required number of copies.
 - We have significantly increased the number of publications made available to the DSP in the past year as a result of:
 - assigning more resources to acquisitions
 - adopting a more proactive approach to contacting departments
 - developing improved tracking systems

The Weekly Checklist

- The DSP produces paper and electronic versions of the *Weekly Checklist of Canadian Government Publications*, which lists publications (both monographs and serials) received by the DSP from author departments during the previous week.
- It distributes the *Weekly Checklist* to over 1,000 depository libraries in Canada and abroad.
- The *Weekly Checklist* serves two purposes:
 - an ordering tool for depository libraries
 - a reference tool for everyone, with information on who's publishing what and how to obtain it
- It covers all formats, free and priced, parliamentary and departmental, as well as some quasi-departmental and non-governmental organizations of great public interest, e.g. health-related institutions.

DSP Contact Information

The DSP plays an active role in communicating with author departments in educating them about the many benefits of the Program:

- Government of Canada Publications Web Site: www.publications.gc.ca
- DSP Web Site: www.dsp-psd.pwgsc.gc.ca
- Mail:
Customer Relations
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, ON K1A 0S5
- Phone: 1 800 635-7943 (Canada & US) or: (613) 941-5995
- Fax: 1 800 565-7757 (Canada & US) or: (613) 954-5779
- E-mail: publications@pwgsc.gc.ca

For more information on the DSP, please refer to the Quick reference Guide for Depository Libraries, Cat. No. P109-6/2007.

GC PUBLICATIONS WEB SITE (www.publications.gc.ca)

The GC Publications Web Site provides single window access for obtaining information and one-stop shopping for free and priced GC publications.

Our publications database

- Contains over 120,000 records on free and priced publications and over 30,000 e-documents.
- Provides authoring agencies with the widest possible reach for their publications.
- Offers full e-commerce capability to order and pay on-line through secure end-to-end electronic transactions.
- Includes an on-line self-serve Client Centre which is a web-enabled module to improve accessibility and service delivery.
- Complements other GC primary portals such as the Canada Site, 1-800-O - CANADA, various other gateways and clusters, with valuable source information on publications.

CUSTOMER SERVICE

Our Customer Service bilingual information officers are there to assist you with orders and general information on our programs! You can count on them to direct you to the appropriate officer or address any ordering and distribution concerns you might have.

Customer Service staff provide

- an e-mail service for responding to information requests, comments and feedback.
- a central order desk and toll-free phone and fax service which operates from 8 a.m. to 5 p.m., Monday to Friday, eastern time.
- an on-line service for ordering and claims which is available around the clock.

HOW TO REACH US

Mailing address: *Publishing and Depository Services
Public Works and Government Services Canada
Ottawa ON K1A 0S5
Canada*

Hours of operation: Monday to Friday 8 a.m. to 5 p.m. ET

Phone / Toll free: 1 800 635-7943 (Canada & US)

Phone / Local: (613) 941-5995

Fax / Toll free: 1 800 565-7757 (Canada & US)

Fax / Local: (613) 954-5779

E-mail: publications@pwgsc.gc.ca

Web site: www.publications.gc.ca