



NOTICE TO THE PROFESSION

TO: Members of the legal profession

FROM: The Honourable Marc Noël, Chief Justice

DATE: April 15, 2019

RE: Amendments to the Request Form for Access to Digital Audio Recordings of Federal Court of Appeal Hearings

On December 21, 2016, the Federal Court of Appeal issued a notice to the profession concerning access to digital audio recordings of hearings before the Court. The purpose of this notice is not to replace or invalidate the notice of December 2016. Its purpose is to give notice to the profession of changes made to the form used to request access to a digital audio recording or to request a copy of a digital audio recording; specifically the addition of a request for information on the use the requester intends to make of the requested copy.

Please refer to the notice to the profession dated December 21, 2016, for more information about the restrictions on access to and the use of digital audio recordings of Federal Court of Appeal hearings.

The attached form must henceforth be used for all requests for access to digital audio recordings of Federal Court of Appeal hearings. Such requests must be submitted to the Registry, in person or by fax. See the “*Contact us*” page of the Court web site ([www.fca-caf.gc.ca](http://www.fca-caf.gc.ca)) to find your local Registry office.

“Marc Noël”

Chief Justice,

Federal Court of Appeal



## Annex – Access to an Audio Recording of a Federal Court of Appeal Hearing

<b>REQUESTER INFORMATION</b>		
Please check the appropriate box:		
<input type="checkbox"/> Party/Solicitor of Record		
<input type="checkbox"/> Member of the public		
<input type="checkbox"/> Member of media		
<input type="checkbox"/> Representative of the tribunal whose decision is under appeal/review		
Surname:	Given name:	Title:
Organization (if applicable):		
Street Address:		
City:	Province:	Postal Code:
Telephone Number:	E-mail Address:	
<b>NATURE OF THE REQUEST (please check the appropriate box)</b>		
<input type="checkbox"/> Request to listen to an audio recording	<input type="checkbox"/> Request for a copy of an audio recording (Court order required for members of the public and members of media)	
<b>CASE INFORMATION</b>		
Court File Number:		
Case Name:		
Date(s) of Hearing:		
<b>INFORMATION ON REQUEST FOR COPY OF DIGITAL RECORDING (please check the appropriate box)</b>		
<input type="checkbox"/> Preparation of transcripts <input type="checkbox"/> Client information <input type="checkbox"/> Media (non-broadcast) – note verification / research tool / similar use <input type="checkbox"/> Media (broadcast) – Please specify if you wish to broadcast the recording in whole or in part and provide a description of the intended broadcast use _____ <input type="checkbox"/> Other use (please specify the use you wish to make of the recording) _____		
<b>FEES PAYABLE FOR DIGITAL RECORDING</b>		
A person requesting a digital recording of all or part of any day of a proceeding from the Registry shall pay \$15 per recording. No fee is required to listen to an audio recording.		
<b>UNDERTAKING TO THE FEDERAL COURT OF APPEAL FOR ACCESS TO AN AUDIO RECORDING</b>		
<p><b>Restrictions on Use of Audio Recordings of Federal Court of Appeal Proceedings</b> – Copyright in audio recordings shall vest in and remain the property of <i>Her Majesty the Queen in Right of Canada</i>. Reproduction, broadcast or distribution of any audio recording of Federal Court of Appeal proceedings is prohibited.</p> <p>The requester undertakes not to reproduce, broadcast or distribute the copy of the audio recording provided in accordance with this request.</p>		
Signature _____		Date _____