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PANORAMA

OF AMATEUR FILM & VIDEO

SUR LE FILM ET VIDEO AMATEUR



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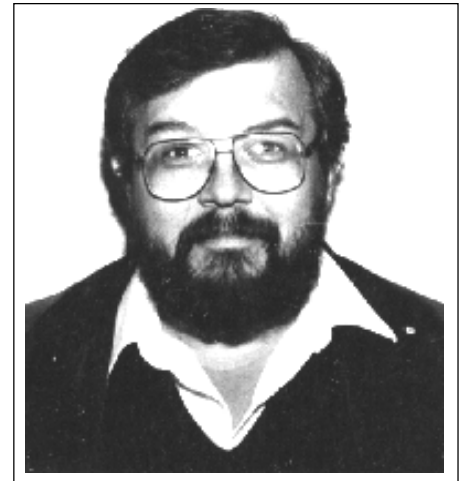
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PRESIDENT'S MESSAGE



Every morning I drive down to the edge of Lake Ontario, and park at the west end of Hutch's parking lot (Hutch's make some of the best fish and chips in Hamilton). Along side the water is an asphalt path called the "Breezeway". From one end to the other is near enough, four kilometres in length, making the return trip a very peaceful and pleasant eight-kilometre / hour and a half walk.

I say peaceful, but it's changing and I'm not so sure I like it. Pleasant it continues to be.

When I started these walks back in January the winds were cold, the snow was not that bad and rain tended to blow sideways instead of falling straight down. Not many people came out to partake of the walk, but those who did, always had a cheerful "good morning" or some type of greeting. Some were wrapped up like mannequins about to be put into storage, whereas I tended to be stupid and rarely wore a hat and gloves. The waves crashed, the winds blew and my eyes watered faster than a leaking garden hose. I enjoyed the peace, the constantly changing light and the effect it had on the physical scene, and the friendship of ...faces recognized - name unknown.

Recently, I found that the warm weather has drawn a mass of bodies to the area and now it is getting just plain crowded on the pathway. I still see the same regular faces and still say "hello" and "good morning" to them, but now we have kids (why aren't they in school), housewives and seniors walking groups taking up some space. The dogs seem to have multiplied in quantity and size. It's gotten to the point that I sometimes have to step off the path to let

FRONT COVER

After a lot of coaxing **LINDA SMITH** FSCCA your PANORAMA Editor finally agreed to have her photo appear on the cover of this

"Watch This Space
- and Keep the
Weekend of
October 24-25
Open!"

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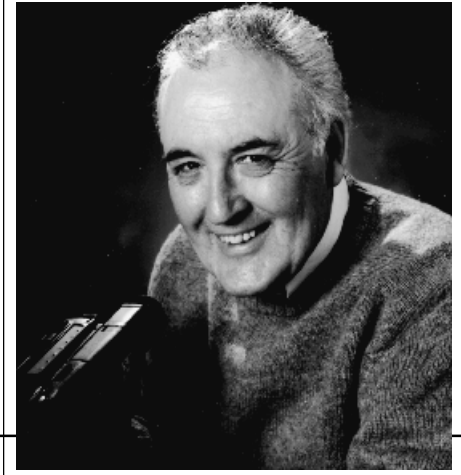
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CLUB NEWS

by Wallace Robertson
ASCCA



Recently, I fully realized that I always seem to be one step behind the last guy in the parade. Now, let's make it clear, I know I'm living in the nineties, but like my wife says, "It's more like the 1890's". While most people are computer literate and proficient with calculators, I'm still using a filing cabinet and counting on my fingers. For example, until a couple of days ago, I thought that El Nino was a Mariachi Band that specialized in performing 'The Mickey Rooney'... obviously, I was wrong. In fact, I'm so far out of it I thought the Spice Girls were the waitresses that bring you those big pepper grinders. Anyway, you can probably understand why it bothers me. Of course, that was until today.

I was seated on a bus bench handing out chocolates, relating some of my mother's wonderful platitudes and bemoaning my lot in life. I do this quite often when I am depressed. I had just finished my third box of Laura Secord Special Selection when a nice young fellow sat next to me. He listened intently for a while as I explained my dilemma. Finally he said, "Don't you know that you are probably one of the most fortunate individuals in the world?" Intrigued, I moved closer to him, "What makes you say that?", I enquired.

He eyed me suspiciously and moved slightly farther down the bench. "I say that", he replied, "because of what you have told me. You like to go to the movies and see pictures like 'Titanic' and 'The Sweet Hereafter'. You also like staying home to watch old Fred Astaire, Catherine Hepburn and James Stewart videos, as well as enjoying the CIAFF movies.

I sat mesmerized!

"Good gawd man, can't you see, you are able to enjoy the best of all worlds. You limit yourself. You are years ahead of everyone else. You are truly a motion picture aficionado.

I was spellbound, bewitched, magnet-

ized and enthralled. All the things he said were true. I blinked, and like the will-o'-the-wisp, when I opened my eyes he was gone. (I think he took the Number Eleven bus to Lakewood.) At that moment I knew I must do something. First thing tomorrow morning I'm going to write a letter to Ben Andrews thanking him for running the SCCA and CIAFF competitions. While I'm at it I just might thank all the participating clubs in the CANUSA circuit for all those wonderful evenings of entertaining videos. As for the Hollywood movies...well...they've got the Academy Awards.

While I'm on the subject of "big" thank you's, I would like to extend one to Quinte Videography Club's, President William McCormick for sending a wonderful letter and extensive material explaining their formation, aims and objectives. Reading through the information, one is impressed with the depth of their programmes. Starting as an extension of an evening course at Loyalist College, the club has grown from an initial membership of eight interested videographers until today where it has levelled off at 25+ enthusiastic and dedicated members. Their programmes are varied in nature covering all aspects of videography including such items as: the SCCA convention; special guest speakers; discussions on Videonic editing suites, explaining components of good editing; creating good video sound; describing how to use a story board, and viewing member's films. Certainly a very impressive start for a young club. Congratulations and a big "Panorama" welcome to the Quinte Videography Club of Belleville Ontario.

In the Victoria Video & Film Club's most recent bulletin, Sheila Perkins reports that Margaret Chamberlain has arranged for Kate Petersen, Victoria's film commissioner to speak at their March 31st meeting. Sheila goes on to say that the Assigned Subject Contest deadline is set for April 28th.

One of the enjoyable things about reading the Vancouver Video Production Club's "Reel Talk" is the monthly message from Vice President Pat Sheridan. We were rather saddened when we noticed his usual article was not included in the February edition. Fortunately, Pat's disappearance is only due to illness. Hope your computer is up and running soon Pat! Also noted in this edition is the return of guest speaker Linda Ohama who will present her latest film "Neighbours, Wild Horses and Cowboys" at their next meeting.

Winnipeg Amateur Movie Makers April meeting was a little out of the ordinary. One of their newest members, Lorne Strick, presented a film on prostate cancer and afterward answered a number of questions about this traumatic disease. Their March meeting was devoted to the science of stage and film lighting. President Al Ross, who is a photographer by profession, took members step-by-step through basics of the craft explaining and demonstrating, with the use of various equipment, "the how-to's" of this interesting subject.

Thom Speechley, Editor of London Videography Club's newsletter "It's A Wrap" mentions in their March issue that lately their group has experimented with a controlled studio shoot. With two actors, Kim Brown and his friend Jane Veraart, eight members of their group headed by Director Harvey Hackland and switcher Bob Thorn used three cameras, a Videonics MXI mixer, three microphones, five monitors, an audio mixer and other sundry equipment to put together a short 'blackout' skit. They finished off their evening taping an interview with Jill Price, Executive Director of the Forest City Gallery.

From the March issue of the Brant Camcorder News we learn that the

Continued on page 9

The Post Production Sound Process

by John Harris

John Harris, a member of the Hamilton Video/Film Makers, has over 25 years experience in post production audio for a wide range of broadcast and communication media. During his career, he has produced, recorded, edited and mixed original music, dialogue, and sound effects for live action television series, animation, and feature films. John's television credits include series Flash Gordon, Dennis the Menace, Ghostbusters, and Psi Factor. His feature film credits include The Man Who Skied Down Everest, Exotica, and Titanica (IMAX)

When not in the studio, John can generally be found recording new material to add to his already extensive library of original sound effects.

T better understand the importance of sound (and a high-resolution sound system) to the movie experience, let's take a look at how a movie soundtrack is put together:

- Dialogue
- Sound Effects
- Music
- Editing
- Pre-Mixing
- Final Mixing

Dialogue

Dialogue is, perhaps, the most important element of a movie soundtrack. It communicates key information on the plot and the characters, and it serves to tie the whole narrative structure of a movie together. After all, modern films were first called "talkies".

Dialogue is typically recorded on the set while the movie is being filmed using a variety of equipment (microphones and tape recorders). If the film is being shot on a sound stage, there is a very good likelihood that the dialogue recorded will be useable in the final film mix. However, if the scene is shot on location (high background noise) or the sound stage contains mechanical special effects (wind machines, etc.), the

dialogue may become contaminated. At this point, the director or sound designer may require that the actor "loop" their lines.

Looping or ADR (automated dialogue replacement) is the process whereby an actor enters a sound studio and repeats their lines of dialogue in synchronization with the film action. The individual scene is usually shown on a loop of film (hence the term "looping") so it can be repeated over and over. Good ADR is truly an art form. It requires actors to repeat, not only their lines, but their emotions days or even weeks after the scene is shot. During looping, a director may even change lines of dialogue, usually during scenes where the actor's mouth is not fully visible. Quite a bit of time is spent during dialogue pre-mixing to ensure that the tonal quality of the ADR matches the dialogue recorded on the set. Any change in dialogue character or quality could distract an audience.

Sound Effects

While Dialogue serves to make a movie understandable, the purpose of a sound effect is to draw us into the action and to make us believe that we are a part of the movie experience. Sound effects fall into four basic groups: Foley, designed Sounds, Creature Sounds, Ambience

The First Rule of Sound Design: See a sound; hear a sound. Every time you see some action on the screen, your mind expects there to be a complimentary sound. The support of sound effects helps you "willingly suspend your disbelief" and become immersed in the movie experience. This rule is the basis for the first two sound groups: Foley and Designed Sounds.

Foley

The film term Foley pays tribute forever to Jack Foley, a film sound pioneer from the earliest days of talking pictures. It was discovered that simply having people talk on a screen without any supporting sound effects came across as unnatural. When you see people walking, you expect to hear the sound of their footsteps. Now it's rather difficult to pick up the sound of an actor's footsteps on the set and still keep a microphone out of the picture. He created a unique environment now called a "Foley Stage". In it, artists can duplicate the sound of footsteps, prop handling, or body movement in sync with the picture.

While originally designed to reproduce footsteps on a variety of surfaces, a Foley artist's responsibility now extends to creating everything from the softest sounds of clothes rustling to dinosaur dung. The Foley Stage must be extremely quiet to allow the softest sounds to be recorded. It must also be extremely dead acoustically so that no acoustical character is imparted to the sound. That will be added later on in the Foley pre-mix.

Designed Sounds

Frequently the sound of something in the film doesn't exist in real life. It could be the voice of an extraterrestrial or the sound of a laser pistol. Because seeing an action without an accompanying sound can cause "cognitive dissonance" (two sensory inputs in conflict with each other - sight & hearing), the audience can be pulled out of the movie's action. Since the state of the art in visual effects keeps expanding to meet the director's imagination, the art of sound design has to keep up. In many instances, great sound design can even make a marginal visual effect seem more realistic.

Many times these sound designs are several different sounds, individually modified, and layered to provide complexity. The sound of the Imperial Walkers, from The Empire Strikes Back, were created by modifying the sound of a machinist's punch press. Added to this for complexity, were the sounds of bicycle chains being dropped on concrete. The sound of a hammer on an antenna tower guy wire, became the familiar sound of laser blasts in the Star Wars movies.



John Harris

Creature Sounds

In many instances, alien life forms and even dinosaurs have become a staple of the modern action film. Because many stories now revolve around animals or aliens, it is important that the audience have an emotional connection to these important characters. Under these circumstances, each animal must have an "emotional language". The audience must know intuitively when the creatures are sad, happy, or angry. To do this, the sound designer will record the voices of many real animals, and (in a process similar to Designed Sounds) alter them individually and then layer them to create an entirely new, but believable, creature voice.

Ambience

This is the greatest gift that surround sound has brought the film audience. Ambience is the sound of the movie's world. If the scene calls for a storm, you hear rain. If the scene is in a cathedral, you experience the echoes of the characters' voices or the sounds of their action, all around. By recreating a scene's acoustical environment in front of and all around you, the sound designer draws you into the movie, and makes you feel a part of the action.

Music

So, in the world of a movie soundtrack, Dialogue provides the content and Sound Effects provide the realism. The final anchoring point of a movie soundtrack is the Music. Music provides an emotional bedrock for a film. Even before sound was married to picture, cinemas across the world had pianists, organists, and sometimes orchestras to provide emotional enhancement for films. The greatest directors of the day even commissioned great composers to score their films. The sheet music would be shipped along with the print to major markets. While well recorded music can provide dramatic emphasis, it can also make an audience happy or sad. Musical cues can even terrify, to which anyone who has seen *Psycho* or *Jaws* can testify.

The Scoring Stage enables a composer to conduct a suitable instrumental ensemble while watching the film projected on a screen. As with everything in film sound, the music must match the picture.

Many major studios' Scoring Stages not only can accommodate a full symphony orchestra, their acoustics can also be varied by adjusting hidden acoustical panels. These panels can be

activated to cover all room surfaces and can reduce the room's reverberation characteristics dramatically. This allows for the recording engineer to achieve the greatest fidelity, without resorting to artificial reverberation.

Editing

When all of the sound elements are assembled, they must be edited, cut and spliced into the correct order to match each scene. These days, this editing process is usually done on digital audio workstations. The editing process can be very complicated. The "T-Rex smashes the Explorer" scene alone in *Jurassic Park* contained thousands of edits.

Pre-Mixing

After all of the sounds are edited to match the scenes, they are pre-mixed. Since there can be many hundreds of individual sound elements in a scene, it is best to group them together by content and mix them into "stems". These stems often follow the basic elements of film sound; Dialogue, Music, and Sound Effects. Frequently, because of their complexity, Sound Effects are not limited to only one pre-mix, but are spread out according to their content: Effects A, Effects B, Ambience A, Ambience B and Foley.

Of course the complexity of film soundtracks sometimes means that you need a very large number of audio tracks. Unfortunately, no one makes a 100+ track audio recorder, so many machines are linked together to provide this capability. As many machines as are required can be linked together and controlled from the mixing room. All machines are locked to the film projector located in the mixing stage.

Final Sound Mix

Once the sound has been designed, edited, and pre-mixed it is brought together in a movie theatre environment for the final mix. Here, the director, sound designer, dialogue mixer, and music mixer determine the overall quality, character, and placement of each sound element.

The final mix of a film can take weeks, as each scene is replayed over and over again allowing for subtle changes to be noted and made. It is here that the locations of sounds are married to the picture. Sound movement, or panning, is determined here. The level and character of the ambiances is determined. Dialogue levels and locations are set amidst the competition from sound effects and music. Here it

all comes together in a controlled environment. Even though all movie theatres conform to the same standards, it's known that not all movie theatres are perfect. For this reason, many Mixing Theatres can simulate everything from noisy air conditioning to clipping amplifiers.

Final Checks

Once the quality of the soundtrack is judged (and the computer automation has recorded every adjustment of each fader, each tone control, and the location of each pan), the print mastering begins.

Master tapes are made for each scene. One set of masters is the LT/RT (Left Total/Right Total) containing the 4 channel encoded surround signal. Most films require a 6 or 8 track print master used for 70mm, Dolby SR-D, DTS, or Sony SDDS release. Frequently, a 6 track transfer is made directly to the digital encoder for these systems. After all of the masters are completed, they must be checked to ensure that the final soundtrack is perfect. ■

President's Report Cont. from page 2

larger groups pass.

Now, I figure that at the end of the summer, when the winds turn brisk and chilly again, most of these people will return to the malls and indoor gyms for their comfort but, some will stay on the path and learn to enjoy the pleasures of walking in all the four seasons. They will in fact be hooked.

Now relate all of the above to your club meetings.

There are those that are hooked on this hobby and show up all the time, never missing a season. Out in the rest of the world are a whole bunch of interested part-timers or fair weather hobbyists. The objective this summer is to keep your meetings going, invite the potential members to join in and odds are that come winter, a fair number will be hooked and will continue to enjoy the friendship and camaraderie that local video clubs offer.

Do it. For all concerned it will be a win / win situation. ■

Jon Soyka President.

My Experience In Community Television

by **Jim Babichuk**

Two years ago I decided to expand my knowledge of video production by taking advantage of a local resource that is in most large cities across Canada - community television. In doing so, I have had a chance to learn to use cameras, editing equipment and accessories which are far beyond the means of the average video enthusiast. Multi-camera location shoots, ENG camera, in-studio productions and editing are some of the things I have been involved with.

The programs produced on community TV are done mainly by volunteers with added supervision by a few staffmembers who are paid by the local cable company which also provides the facilities, equipment, and the channel on which the programs are shown. As a volunteer, there is no minimum amount of hours you are expected to put in at the station as this is dependent on your available time and level of interest. If you show enthusiasm and commitment, the staff at the station will give you positions with more responsibility as you learn new skills.

Most volunteers who want to learn the technical side of production (as opposed to the on air positions) start out as I did - as a camera operator with multi-camera location or studio shoots. Although professional cameras are used which are many times larger than the small camcorders most of us are familiar with, this is not as difficult as it sounds. The camera is connected to the mobile truck if on location, or the control room if in the studio and it is there that exposure, sound, levels, and white balance is controlled. The camera operator's job is to focus and frame the shot using basic concepts with which they should already be familiar, i.e. leaving head room and looking room and to follow the instructions of the director (heard over your headphones) as to which shot to get. Volunteers will start on the most basic of this type of shoot such as city council or school board meetings, and studio interview shows with one host and one guest and then progress to more challenging shoots such as sporting events or dance performances.

After your commitment level is established with the staff, you can take instruction in your areas of interest. Coming from a background as a camcorder hobbyist, I wanted to learn to use the ENG (electronic

news gathering) cameras and editing equipment. Our studios in Vancouver have Betacam SP cameras which are the large but portable shoulder mounted cameras, however other community stations across the country may shoot in 3/4 inch, SVHS, or Hi8 formats.

My first experience with the ENG cameras was to shoot rehearsals, production meetings and other events surrounding the evolution of a new dance work by a local company. Our studio was producing a documentary about this as well as video taping the final performance with a five camera shoot. I found shooting the rehearsals to be very frustrating at first as things that I thought I knew how to do were hard to apply here. Getting wide, medium, close-up shots and reverse angles that would edit together in a sequence proved to be difficult as the modern dance moves were erratic and quick paced. As soon as I moved in (all camera work was hand held as this was the style requested by the director) everyone's positions would be changed. As I became more comfortable with the camera and the dancers I was able to adjust more quickly to the ever changing situation.

After this I shot and edited several stories for our local magazine show which covers events in the community and then moved on to the daily one hour studio based talk show DAYTIME which has similar counterparts in a few other cities including Toronto. I became paired up with radio personality, Ted Schredd and together we produced one or two 2 - 5 minute segments a week called "The Search For Fun". My job as cameraman was to try to keep up to Ted and his changing group of friends and DAYTIME hosts as we went on location for our adventures.

In our search for fun we tried speed golf, laser tag, wave jumping, wake boarding, go-carting, and kayaking among many others. Again, almost all my camera work on these segments was handheld as things would happen quickly and at times I would literally be running to keep up. Also, as we were a two man team, we had no crew to carry extra equipment. In the edit bay I had complete creative control and each segment would follow a similar pattern: an intro and extro by Ted, a few comments by the participants and a fast paced segment cut to music.

One of our crazier segments was called "Under Water Mountain Biking." A friend of Ted's had an idea to construct a series of planks tied to bricks on the beach at lowtide which, when covered with water, would provide a stable base

for a mountain bike's tires to run along. What he didn't take into account was that the low weight of the bricks coupled with the buoyancy of the planks would easily wash ashore with the in-coming tide. Hilarious attempts were made to stabilize the set-up until they gave up and decided to ride the bikes directly into the water as fast and as far as they could. Again, this brilliant idea underwent several revisions as bricks were tied to the front and back of the bikes to give more vertical stability once they hit the water. It may have been a strange idea which didn't quite work out as intended but everyone had fun and that is what counts.

Another regular segment I shot with Ted was called \$50 Fridays. The concept was to dare people \$50 to do something crazy and as he was already doing the spot on a local radio station we decided that the idea was so visual it was a natural to be shot and shown on DAYTIME as well. Some of the funniest segments included: one minute in the ring with a professional wrestler, eating the fixings for Kraft Dinner minus the noodles (i.e. cheese powder, milk, butter), and racing on your hands and knees and barking like a dog. It never ceased to amaze me how many people would show up at our locations around the city to do these stunts.

The shooting of the segment produced several challenges because of the fact that it was broadcast live, by cell phone to the radio station. Most of the stunts would take a minute or less and were continuous, with no room for mistakes on my part, as there would be no re-takes. As well, I had to contend with the crowds who would arrive and invariably get in my way. The set up and excitement would build for about an hour before the appointed broadcast time and then in one or two minutes of fast and furious shooting it would all be over.

I would strongly recommend looking into the options at your local community TV station as it gives you a chance to expand your skills and use equipment which would otherwise be unavailable to you. For those elder readers who think that volunteering is just for young people - not so! There are two shows in the Vancouver area produced by and for seniors and if there isn't a show in your area that interests you, a proposal can be made to the station manager who will determine if there is sufficient community interest. ■

Jim Babichuk is a member of the Vancouver Video Production Club and in addition to his activities at community TV produces his own videos on Hi8 and SVHS equipment. His videos have been shown on the local independent film and video show Production Parade three times.

1997 SCCA CONVENTION REPORT

by Bob Mathews

Reprinted from The SAVAC Monitor

A Marvel. The Convention was, in a word, superb... er... magnificent . . . uhhh . . . stupendous. I don't want to get carried away with hyperbole, but I think it would not be stretching things to say in the annals of SCCA **it will rank as one of the best, if not the best.**

The Convention was held on Thursday August 7 and 8 in Kitchener, Ontario. The opening speech, welcoming everyone to the Convention, was delivered by SCCA President Jon Soyka. After that, Fred Briggs presented a tape demonstrating a new 3D system, "Real Depth TM" developed by Floating Images, Inc. The tape showed images with real depth, without the aid of glasses. They are not as realistic as a real 3D movie. However, there's a real depth to the images and you can walk around the monitor and observe both the right and left sides. It's a very interesting development that we may be seeing more of in the future.

More Gadgets. Flite Craft Model Co. Inc. presented a very interesting way of producing movies. They mounted a 16mm movie camera on a radio controlled model helicopter, about three to four feet in length. Two people control the operation: one flies the copter and the other controls the camera. It can be employed in places where it would be

impossible, or extremely dangerous, to use a full sized copter or even a regular camera. They can fly it between tall buildings, down the main street of the city, fly it around a convention hall at table top level, or closely follow a pickup at tail gate level. Fantastic!

Computer Wonders. After a short break for coffee, Fred then demonstrated two computer controlled programs for editing your movies, Matrox's "Mystique" and "Rainbow Runner." "Mystique" has a Windows 3D and Video accelerator card. "Rainbow" provides video editing on your PC, video frame capture, and can be used in conjunction with the Mistique card. A third program, (in which I suddenly become interested when I won a copy at the banquet), was Corel's "Lumiere Suite." Lumiere makes it easy to create and customize high-quality videos for multimedia presentations. You can apply photo-editing effects with Corel Photo-Paint 6. It is possible to add audio and video tracks from the extensive libraries, make transitions such as wipes, dissolves and zooms. You can position your video clips and effects on a timeline for a visual presentation of your final movie. It is loaded with sixty minutes of royalty-free music clips. There are over 1000 photos, 1000 bitmap images, and 1000 clipart images. It looks like a well-thought-out, inexpensive tool that will enhance your creations.

Low-Tech, too. I don't want you to get the idea that the whole convention was one big technical seminar. The committee did a fine job of planning a little bit of something for everyone.

They had a speaker loaded with practical money saving tips, they had a speaker that could answer your "how'd they do THAT questions," and they had Randy Butcher, stunt man, stunt coordinator, actor, writer, producer, director, and most of all a terrific speaker.

Risks & Laughs. Randy's speech was loaded with true stories, full of humor. By some quirk of fate, I'd watched his latest movie Darkman about a week before the Convention. In that film he was the stunt man for the leading character in the movie. He told a story of how one death defying stunt went awry, and almost killed him and his stunt woman partner. They were running through a factory, frantically trying to stay ahead of a series of explosions. Unfortunately, the person setting off the blasts made a mistake, and set off some of the bombs too soon. The woman was severely burned on her face and hands. Randy had a coat wrapped over his arm, and he escaped virtually uninjured. Randy kept the audience alternately enthralled and in stitches with his humor.

Try it, you'll like it. As you can see, we had a great time. Next year you should come and see for yourself. The day after the Convention, we stayed for the optional tour to the town of Fergus for the Highland Games, with Scottish heavy events like Caber tossing, Tug of War, Highland Dancing, and - everywhere bagpipes, drummers a-drumming, and kilts a-blowing. I never realized bagpipes could play such beautiful music! ■

Sony's New Mini DV Video Walkman GVD-900

This is not a Sony commercial but I thought this would be of interest to members who are thinking about moving to the DV format.

Combine this with the new Sony DCR-TRV9 Digital Camcorder and you have a complete Mini editing system. Digital In and Out and Analog In and Out.. Both will sell for about \$2200 U.S. each

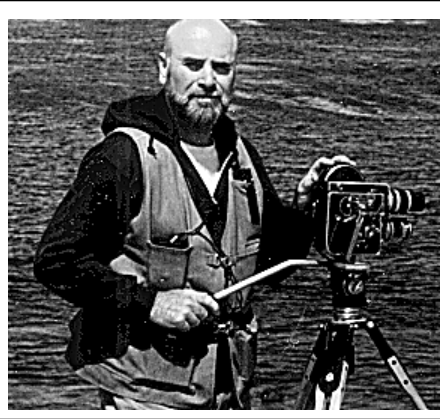
Using the exact same case, size and weight as the current GV-A500 Hi8 VCR, will be the NEW GVD-900. It has a Firewire Input/Output on the back. It has an S-Video, composite RCA video and RCA Stereo Digital Audio set of sockets behind a cover on the right hand side that are BOTH Input & Output. It

has a huge 5 1/2" active matrix high resolution screen. It has **20 program edit points**, uses Control "L" and plays back DV cam mini tapes it can operate remotely with an optional Laser Link, it can be controlled with any Sony remote, it will take the new 4500mAh Info-lithium 12 hour battery, it has drop frame time code, extended data code, CM and 184k high resolution active matrix screen for ultra sharp detail.

The exact measurements of this deck are the same as the GV-A500 (5"x5"x2" approx) and play/rec the following tapes: mini DV 30 & 60 mini w/w/o 4 bit chip and play DVCam 33 & 64 w/8bit memory.■

Editor





Stan Whitsett

WORST CASE SCENARIOS... and other bad scenes.

by Stan Whitsett

O.K. all you Steven Spielberg wannabes! Gather round! Stan, the old geezer, is working up a head of steam to bitch at you, (since attaining geezerhood, I do a lot of that).

Today I am fulminating about the story film, or, scenario as we pretentiously call it. They are in the minority of films produced by amateurs, but a high percentage of them have one thing in common...They are boring. By Granny, (I'm in my geezer mode now)...as I recall...about twenty five years ago when I began to make home movies, the Holy Grail of amateurs was lip sync. There was no affordable equipment with which amateurs could achieve lip sync, but they knocked themselves out devising all kinds of weird methods to achieve it in scenario type films. If by some stroke of luck, lip sync, or any unreasonable facsimile thereof, was attained, they were guaranteed an award in any contest they chose to enter. The photography could be terrible, the editing worse, the story nonexistent, you name it, if it had lip sync it was a winner.

"O.K. Geezer", you ask, "What the hell is it you are trying to tell us?"

Since 1927 when "THE JAZZ SINGER" inaugurated the era of "talkies", amateurs have worshiped at the feet of the great god Lip Sync, usually with disastrous results.

The lack of technology to achieve lip sync in amateur films has always been the stumbling block. For the edification and enlightenment of home movie makers

everywhere I will quote Edmund Spenser from his blockbuster hit "The Faerie Queene", that won an Oscar in 1596 "But times do change and move continually".

So what's my beef? Times have changed! The electronic imaging industry has given the amateur a technology to do things heretofore possible only for the studios of Hollywood. But alas! And alack! The home movie makers have dropped the ball. With all those new capabilities at their fingertips, they are still turning out the same lame stuff they were twenty five years ago (but hey! The lip sync is better). Nowadays, if one is going to win the contests, lip sync alone will no longer cut the mustard.

Let me start my diatribe by stating the obvious. The scenario, or story film is the most difficult genre to turn out. There are so many interlocking aspects that are not inherent in the reality-based documentary type films, that most amateur producers have trouble tying them all together into a coherent product. So, when you plan to do such a film, count on many times the volume of work you expend on your regular productions. If you don't, forget it! You will end up with a turkey.

Considering what I have seen as a judge over the years, and discussion with other film makers, the greatest weakness of most scenarios is the quality of the acting. Unless the film maker has a pool of trained actors to draw from, he has a tough row to hoe. Usually the actors are family members, friends, or members of his movie club. They are willing but they don't have the necessary skills. This lack of skill manifests itself in a self conscious demeanor that kills the credibility of the scene. They also have difficulty in achieving the timing so necessary in dialogue, leaving dead air between segments of the conversation.

These weaknesses can be overcome if the film maker lays out on paper, what he wants beforehand, and impresses on his actors, just what he wants the scene to convey. Here is where the extra work involved in a scenario comes into play. Extensive rehearsal, and more rehearsal is necessary. One glorious advantage of video is that a scene can be shot and reviewed immediately, pointing out the weaknesses, then re-shot on the spot. With tape, re-takes can be shot until it is right...without breaking the bank. In 16mm with film costing \$30.00 a minute, re-takes must be kept to a minimum. Most of my scenarios were shot on regular 8mm when film was \$3.00 a roll and I could afford to shoot a scene several times if necessary.

One of the amateur actor's most

common practices to screw up a scene, is looking at the camera during the action. Nothing labels your production "HOME MOVIE" (horrors!) quicker than one of your subjects looking at the camera with that "Hi Mom" expression. Of course that is one pitfall easy to avoid. Just threaten to shatter the kneecap of anyone caught looking at the camera while the red light is on.

Over the years I have told my readers on hundreds of occasions (on second thought, maybe it was five or six times), to adhere to the KISS (keep it simple, Stupid) principle as often as possible. As you write the script, remember your audience will not have lived with the project for months as you have, and may not pick up on subtle nuances of the story unless they are skilfully crafted. In keeping with the capability of your actors, make the story clear and straightforward, so the audience doesn't have to try to guess what meaning the film is trying to convey. Avoid convoluted plots. This characteristic is most noticeable in student films. As the students craft their obscure themed films, I am sure they are so familiar with what they want the film to say, they don't realize the audience may need more explicit guidance, to get anything from their story. On many a judging sheet I have written, "overall, very good production values, but what are you trying to tell me?"

In addition to all the foregoing verbiage, the basic rules of film making, that we have been preaching for years, applies to the scenario as well as the documentary, only more so. The editing phase is much more critical in a scenario. As I have pointed out many times in my verbal tantrums, "less is better". The amateur seems to have a pathological reluctance to discard any of his precious footage. They seem hell-bent on telling the audience more than it needs, or wants to know. An example or two. Picture this:

The scene calls for a person to get into an auto and drive away.

1. we see the subject walking across the lawn,
2. we see him approach the car,
3. we see him open the door,
4. we see him get in the seat,
5. we see him close the door,
6. we see him fasten his seat belt,
7. we see him start the engine,
8. we see him drive away...finally. We know what he is going to do, but before he finishes the driving away act, we are saying to ourselves, "get in the damn car, and get on with the story". Such a scene could consume as much as fifteen seconds on the screen. A shot of him opening the door and a cut to him driving

away, could have conveyed to the audience the same relevant information in a three or four second interval.

In another film, that had won a number of trophies, a scene called for a person to get on the roof of his house. We had to sit through his getting the ladder, putting it up, adjusting it, and climbing to the roof. In this instance, the act of leaning the ladder against the house and a cut to him on the roof would have given the same information. Unless there is something relevant to the story in the minutiae of an action, the story will have a smoother flow if extraneous details are omitted. If you need to tell the time, don't describe the process of making a watch.

There are many books written on crafting a story on film, but you and I do not have unlimited time or money to produce a feature film. Remember Guys, we are in it for the fun and glory, not the money.

In keeping with my usual practice, I will now summarize the foregoing profound pronouncements for the benefit of the slow learners, the fast forgetters, and the folks who always read the last chapter of a book first, to learn whodunit.

1. The one thing that will improve a scenario more than anything, yet seems to be missing from most efforts, is **rehearsal** of its actors. This is hard, time consuming work.
2. Coupled with extensive rehearsal, the producer must be able to do as many takes as necessary to get the scene right. Remember tape is quick...and cheap.
3. Avoid convoluted plots, and shape the story to be easily followed by an audience.
4. Editing must be tighter than that used in a documentary style film.
5. Finally, avoid "cute". I didn't mention it earlier, but am offering it in the event I am to be one of the judges for your film...I hate "cute".

There you have it! The Geezer's recipe for a successful scenario. As the Good Book says, "go forth and do thou likewise". Here's hoping your efforts will get a "thumbs up" instead of the finger.

My wife as she proof read this remarked, "You are pretty critical in this article. Aren't you afraid some of those movie folks will inflict serious type pain on your aging body?" I gently explained I am invoking my cardinal rule for self preservation and survival. I never criticize a film maker until I have walked a mile in his moccasins....then I am a mile away and I have his shoes. In this instance I don't have your shoes, but, even better, I am 2000 miles away. ■

Club News continued from page 3

monthly meeting of the Video and Movie Makers will present an appreciation night dedicated to an outstanding, long time member, Edith Crow. All stops appeared to have been pulled out for this night and it promised to be a very special meeting.

One of the projects that the Brantford group has been involved in is recording speakers at the Agricultural Conference in Paris, Ontario. It's reported that Keith Gloster was handling 'first' camera while our friend Don Bradley will be getting the editing responsibilities.

Start Middle End Video of St. Catharines and vicinity have been discussing ideas for future seminars. They also hope to include some 'hands-on' projects. The recent "Special Effects Video" competition produced a tie for first place. Mary Nikisher and Bob Wiley shared the honour while Herb Kenneford took the third place award. Coming up in the future, a demonstration of "Camera Movements" by the inimitable Gadget Guru, Don Svob.

Fred Briggs reports in the Hamilton "Reel News" that there are three rules which govern their monthly meetings. They are: (a) If you want to talk...take a walk, (b) If you forget it... go home and get it, and (c) If somebody has to do it... somebody is the president.

(This last rule is unwritten but probably applies to poor Tony Bifano. With friends like these, who needs enemies.) Also noted in the newsletter is a nice little piece about post-production sound by John Harris.

Editor, Robert Porter, in Toronto's "Shots and Angles" publication shows why the 'TO' group is so successful. Since the beginning of the season they have highlighted a great number of wonderful productions. Just get a load of this list: CIAFF videos in October; videos by Walter Strickland also in October; followed by "Gananoque" by Sigfried Rainer; "The Worlds Best Rumcake" - Art Kitchen; "Pages" - Joe Ranieri; "Speedy" - Adam Houston; "A Heritage in Jeopardy" - Jim Scott; and a series of films from Roger Fick including, "Dempseys", "Making a Video Title" and "YMCA Blowup". Add to this a number of CANUSA tapes and you have a pretty full schedule.

We hope that Christine McGregor, Editor of Ottawa's "The Caszette" is recovering after her extended bout of the flu. Along with the numerous other problems that the Ottawa region has been suffering with over the last few months, I'm sure having the flu is not something

you really need. In her column this month Christine informs us that Jan Bekooy gave a talk on the Artistic Aspects of videography at the February meeting. Christine will be complementing that with a presentation of her own when she talks about Technical Aspects at the next meeting. On the same programme Stanley Klosevych will explain editing techniques. Sounds like a very comprehensive programme.

I was pleased to see in the Buffalo Movie-Videomakers publication "Camerama" that they have honoured long-time member Henrietta Schlager by showing her 16MM film, "Niagara Falls". Also on that same programme they viewed a Super 8 production "The Year That Was: 1934"; a 1992 Video by Fran Lucca, "Niagara Swimmer Sal Gugino" and a film to video transfer by Rochester artist Wendy Smith entitled, "How Does Your Garden Grow?".

Representatives of Britain's Institute of Amateur Cinematographers have had a very busy year, combined with their normal activities they have also had occasion to attend a number of festivals and video competitions on the continent. Among these were the Belgian Film Festival in late October which drew 71 entries from 13 countries.

The 28th Open Festival of Baltic Filmamateurs took place in Tallinn, Estonia attracting participants from Estonia, Latvia, Lithuania, Russia, Finland, Norway and the U.K.

The 30th Annual Golden Knight Film & Video Festival was held in the Mediterranean Conference Centre in Malta and featured entries from the U.K., U.S.A., Germany, Cyprus, Canada, France, Australia, Korea, Greece, Sweden and Spain.

I expect that many of the productions will be entered in the Canadian International Annual Film/Video Festival either this year or next year and our Contest Chairman Ben Andrews will be awarding the winners with C.I.A.F.F. awards. By the way, entry forms are enclosed for both the S.C.C.A and C.I.A.F.F. contests and Ben expects them in by June 1st. Speaking of Ben Andrews, I just remembered, I have to go and find his address and by the way, as Red Green says, "Remember, keep your stick on the ice... we're all in this together...I'm pullin' for you." ■

EVERYTHING YOU EVER WANTED TO KNOW ABOUT COPYRIGHT and were afraid (wisely) to ask

Copyright Law is similar to Economics and Politics in that most of us think we know all about it, and most of what we think we know is wrong. Your SCCA Board of Directors feels that the SCCA needs to make the complex subject of Copyright Law understandable to our members, and have grappled with the problem for many months. The panel discussion from Kitchener at Wideangle '97 answered some questions, for those who attended. from one point of view. In the Winter issue of PANORAMA we ran 20 questions about Copyright as an introduction and we continue here and in future issues with more detailed information from INTELLECTUS, which was described in the same issue.

Fred Briggs

What is protected by copyright?

Copyright protects "original" "works" which are "fixed" in some form. There are five kinds of "works" and each must be "original" to qualify for copyright protection. There are five kinds of works protected by copyright:

- literary works: examples of which are books, pamphlets, poems and other works which are written down, lyrics for a song without music as well as computer programs which are considered to be written down because they have their own written language consisting of 1 and 0.
- dramatic works: examples of which are plays, screenplays and scripts. Films and videos are other examples which are called "cinematographic works" in the law.
- artistic works: examples of which are paintings, drawings, maps, photographs, sculptures and architectural works.
- musical works: examples of which are musical compositions consisting of both the words and the music together, or just the music. (note that lyrics by themselves fall into the literary works category);
- copyright also applies to all kinds of recordings. In the law recordings are referred to as "mechanical contrivances": an old fashioned phrase which describes what today are called sound recordings, examples of which are records, cassettes and compact discs. There is a separate copyright for the musical works, for example, the song and for the device such as a cassette which produces the song. There are 2 protected works because both the song and the sound recording are separately protected.

"Originality" is a condition of obtaining copyright protection. A person cannot obtain copyright protection for someone

else's creation. Whether a work is "original" can be tricky to determine. The answer revolves around whether a work has been copied, even in part, from someone else's work.

"Fixation" is another condition of obtaining copyright protection. You may have a brilliant idea for a mystery plot, but until the script is actually written down, or the motion picture produced, there is no copyright protection.

Copyright does not protect certain creations:

- Titles and short word combinations. (A "work" for copyright purposes must be something more substantial. (However, a title which is original and distinctive is protected as part of the work it relates to).
- names or slogans
- methods, such as a method of teaching or sculpting
- plots and characters
- factual information (For example, in the case of a magazine article including factual information, it is the expression of the factual information that is protected, and not the facts.) The rule is that facts, ideas and news are part of the public domain, that is, they are the public's property. Copyright does not protect ideas. It does protect the expression of an idea. In the case of a game it is not possible to protect the idea of a game, that is, the way the game is played. But the language in which the rules of the game are written would be protected as a literary work. | Another example is that it is not possible to protect the idea of painting a bowl of fruit. But the paintings made by a class of 20 students of the same bowl of fruit are all protected as 20 individual artistic works.

Who is protected?

The Copyright Act protects what it calls "authors". The word "authors" is not defined but is best understood as a synonym for "creators". The authors is normally the person who creates the work. Copyright protection is automatic when a work is created. It is not necessary to register in order to obtain protection (although there are advantages to doing so). When an author creates an original work he or she will have automatic copyright protection provided that at the time of creation the following conditions are met.

- the author is a Canadian Citizen or a British subject,
- or a resident within Her Majesty's Realms and Territories, or a citizen or subject of, or
- a person ordinarily resident in, a Berne Copyright Convention country, or a

Universal Copyright Convention country, or WTO.

- a citizen or subject of any country to which the Minister has extended protection by notice in the Canada Gazette.
- an author can also obtain automatic copyright if a work is first published in one of these countries, even if the author is not a citizen or subject of Canada, or one of those countries. This means that virtually everyone living in Canada can enjoy the benefits of automatic copyright protection.

The concept of "authorship" is closely connected to "ownership" of copyright in a work. Ownership of copyright as a general rule belongs to the author of the work.

Generally, if you are the creator of the work you own the copyright in it. However, there are some exceptions to this general rule:

- a work created in the course of employment will belong to the employer unless there is an agreement to the contrary,
- if a person commissions a photograph, portrait, engraving or print, the person ordering the work for valuable consideration is the first owner of the copyright unless there is an agreement to the contrary.

As the owner (individual or corporate) of a copyright, you may confer your rights to produce or reproduce a creative work to other people through legal agreement. An author (or any other copyright owner) may legally transfer all or any part of the copyright to someone else, in which case that person will own the copyright. All transfers must be in writing and signed by the owner to be legally binding. There are many types of agreements, with the main types being assignments and licences.

An assignment occurs when you transfer part or all your rights to another party. The assignment may be for the whole term of the copyright, or for a certain part of it, and be either general or subject to territorial limitations. You can give up your rights for a certain period, or completely. You do not have to register your assignment with the Copyright Office, but it is wise to do so. Suppose the original copyright owner does assign the same rights to two separate parties for the same work. If one party does not register its assignment, the assignment that was registered will be considered the valid one. A licence gives someone else a permission to use your work for certain purposes and under certain conditions, but you still retain your ownership. You have not given up your rights.

Assignments and licences which are considered "grants of interest" in a

copyright, may be registered with the Copyright Office. All you have to do is send the original agreement or a certified copy of it, along with the prescribed fee. Current fees can be obtained by contacting the Copyright Office (see "Where to Get Help" for the address and phone number of the Copyright Office). Registration takes about four weeks. The Copyright Office will retain a copy of the documentation and return your documentation, along with a certificate of registration.

How long does copyright protection last?

There is a general rule and 8 special rules. **General Rule**

Copyright in Canada usually exists for the life of the author, the remainder of the calendar year in which the author dies, and for 50 years following the end of that calendar year. Therefore, protection will expire on December 31st of the 50th year. After that, the work is said to "fall into the public domain" and anyone can use it. For example, the works of Shakespeare are in the public domain; everyone has an equal right to produce or publish them.

Special rule for photographs

The copyright exists for the remainder of the calendar year of the making of the initial negative or plate, or, where there is no negative, or other plate, the making of the initial photograph, and 50 years thereafter.

Special rule for certain cinematographic works

This rule applies to works such as films and videos. There are two types: those which have an "original arrangement, acting form of combination of incidents" and those which do not. Films and videos which gave an original arrangement, acting form or combination of incidents have always been protected for the life of the author plus 50 years. Films and videos made since 1994 which do not have an original arrangement, acting form or combination of incidents (ie. Most home videos) are protected for the remainder of the calendar year of first publication and for 50 years following the end of that calendar year. However, if they were not published within 50 years following the end of the calendar year of their making, copyright lasts for 50 years following the end of the calendar year of their making. (In other words, if a film or video is published within 50 years from the date of its making, it is protected for 50 years from the date of publication. If it is not published within the 50 year period, it is protected for 50 years from the date of making.) Films and videos of this type which were made before 1944 were protected for 50 years from the date of making.

Special rules for sound recordings

This rule applies to audio cassettes, recordings, compact discs and similar devices known as "mechanical contrivances". Copyright lasts for the remainder of

the calendar year of the making of the initial plate (master recording, tape, etc.) and 50 years after that.

Special rule for crown copyright

These are works created for, or published by, the Crown i.e. government publications. Copyright in these works lasts for the remainder of the calendar year in which the work was first published, and for 50 years after that. Copyright in unpublished Crown works is perpetual.

Special rule for works of joint authorship

Copyright will last for the life of the author who dies last and 50 years following the end of that calendar year. This rule applies in all cases except where the work is a photograph, a film or video without an original character made since 1944, a sound recording or a Crown work, in which case the special rules set out above will apply.

Special rules for works of unknown authors

In the case of a work where the identity of the author is unknown, the copyright subsist for whichever of the following terms ends earliest:

1. the remainder of the calendar year of the first publication of the work and a period of 50 years after that, and
 2. the remainder of the calendar year of the making of the work and 75 years after that.
- This rule applies in all cases except where the work is a photograph, a film or video without an original character made since 1944, a sound recording or a Crown work, in which case the special rules set out above apply.

Special rules for posthumous works

These are works which have not been published (or, for certain types of works, have not been published or performed or delivered in public) during the lifetime of the author. The copyright in these works exists from the date of publication, performance or delivery in public, whichever may happen first, until the end of that calendar year and 50 years thereafter. This rule applies in all cases except where the work is a photograph, a film or video without an original character made since 1944, a sound recording or a Crown work, in which case the special rules set out above apply.

Special rules for unpublished works

Works which have never been published (or, for certain works, have never been published or performed or delivered in public) have unlimited copyright protection. This rule applies in all cases except where the work is a photograph, a film or video without an original character made since 1944, a sound recording or a Crown work, in which case the special rules above apply.

What legal rights are provided by copyright?

In its simplest terms, copyright means

the right to copy. Suppose for example you have written a novel. Copyright law rewards and protects your creative endeavor by giving you the sole right to publish or use your work in any number of ways. You may choose not to publish your work and to prevent anyone else from doing so.

In legal terms, copyright provides owners with a bundle of exclusive legal rights attaching to their works. The rights are of two kinds: economic and moral. The economic rights are:

- produce or reproduce the work, or a substantial part of it in any form;
- perform the work, or any substantial part of it, or in the case of a lecture to deliver it;
- if the work is unpublished, it includes the right to publish it, or any substantial part of it;
- produce, reproduce, perform or publish any translation of the work;
- convert a dramatic work into a novel or other non-dramatic work;
- convert a novel, a non-dramatic work or an artistic work into a dramatic work by way of performance in public or otherwise;
- make a sound recording of a literary, dramatic or musical work;
- reproduce, adapt and publicly present a work by cinematography;
- communicate the work to the public by telecommunication;
- present an artistic work created after June 7, 1988 at a public exhibition;
- in the case of a computer program that can be reproduced in the ordinary course of its use, or a sound recording, to rent it out, and
- authorize any such acts.

Royalties are sums paid to copyright owners as commissions for sales of their works or permission to use them. For example, a composer is entitled to a royalty every time a radio station publicly plays his or her music. You do not have to pay royalties for a private performance, such as playing music in your own home. But you do if you are holding a dance or concert, since this is considered a public performance. In many cases the concert hall, hotel or other facility will have already made the necessary arrangements for paying royalties.

Tariffs are sets of fees users must pay for using certain copyright material. For example, cable companies pay tariffs for permission to transmit programs. Both tariffs and royalties account for a great many business transactions every day. To help regulate this complex and growing sector of the economy, the Canadian government has set up a public tribunal known as the Copyright Board. This Board reviews and approves fees set by the Canadian performing rights society, SOCAN. The Society of Composers, Authors and music Publishers of Canada, sets tariffs or cable re-transmission and arbitrates tariffs if there is a disagreement between a licensing body and another party.

In addition, the Board grants licences for the use of published works in certain

cases. For example, if you wanted to use a published work, but could not locate the copyright owner, you could apply to the Copyright Board for permission. You would most likely have to pay a fee which would be kept by the Board on behalf of the owner until that person is eventually located. For more information contact the Secretary of the Copyright Board (see Where To Get Help and Resources Location Map for address and phone number).

People sometimes find it difficult or inconvenient to administer the rights they hold under the Copyright Act. In such cases, they may choose to join a collective, that is an organization that collects royalties on behalf of its members. Collectives, also known as licensing bodies, grant permission to people to use works owned by their members and determine the conditions under which those works can be used. The organization may also launch a civil suit on behalf of a member in the case of copyright infringement. There is a wide range of collectives covering such areas as radio and television broadcasts, sound recordings, reprography (photocopying), performances, video recordings and visual arts. One example is a reprography collective called CANCOPY which negotiates with users, such as schools and organizations, and collects fees on behalf of copyright owners for permission to photocopy their works. Suppose you are the owner of the copyright in a book on the history of Canada: membership in the collective allows it to grant permission to teachers, for example, to copy chapters of your book and collect fees on your behalf. You may not make photocopies of material protected by copyright (other than for purposes of fair dealing) without permission nor may the library do this for you. To seek permission, contact the owner of CANCOPY, if the owner is a member (see "Where To Get Help" and "Resources Location Map" for CANCOPY's address and phone numbers).

A performing rights society is a collective that deals with musical works, collecting royalties on behalf of composers, lyricists, songwriters and music publishers for the performance or broadcasting of their music. The organization doing this work in Canada is SOCAN (see "Where To Get Help" and "Resources Location Map" for SOCAN's address and phone numbers).

The second kind of legal rights provided to authors are called "moral" rights. Even if you sell your copyright to someone else, you still retain what are called "moral rights". Moral rights cannot be sold or transferred, but they can be waived. A contract of sale or transfer may include a waiver clause. Moral rights exist for the same length of time as the copyright and pass to the heirs of the author, even if they do not inherit ownership of the copyright itself.

The moral rights provided by the copyright law include:

- no one, including the person who owns the copyright, is allowed to distort, mutilate or otherwise modify your work in

a way that is prejudicial to your honour or reputation;

- your name must be associated with the work as its author, if reasonable in the circumstances; and
- your work may not be used in association with a product, service, cause or institution in a way that is prejudicial to your honour or reputation without your permission.

Some examples of situations where a moral rights infringement may occur are:

- You have sold the copyright of a song to a certain publisher who converts your music into a commercial jingle without your permission.
- You have sold the copyright for your novel to a publisher who decides to give it a happy ending instead of the tragedy you wrote.

Are there exceptions to the legal rights provided?

Authors are provided with a bundle of economic and moral rights over their works. These legal rights are subject to a number of limitations, which are called "exceptions". An exception is a use of a work without the consent of the creator and without the payment of royalties.

The most commonly referred to exception is "fair dealing". People such as critics, reviewers and researchers often quote works by other authors in articles, books and so on. Are they infringing copyright? Not necessarily. The Copyright Act provides that any "fair dealing" with a work for purposes of research, private study, or for criticism, review or newspaper summary, is not infringement. However, in the case of criticism, review or newspaper summary, the user is required to give the source and author's name, if known. The line between fair dealing and infringement is a thin one. There are no guidelines that define the number of words or passages that can be used without permission from the author. Only the courts can decide whether fair dealing or infringement has occurred.

Examples of some other exceptions in the copyright law are:

- for religious groups for the performance of music for religious purposes;
- for photographers to photograph a sculpture or architectural work permanently situated in a public place;
- for the owner of a legally acquired copy of a computer program to make a back-up copy, or to make modifications which are essential to make the program compatible with a particular computer; and
- for agricultural fairs to perform music at their events.

For a complete list of exceptions to infringement refer to the Copyright Act (Section 27 (2)).

Infringement of copyright

Copyright provides authors with exclusive legal rights attaching to their works. For example, copyright provides the sole right to produce or reproduce a work, through publications, performances and so on, or to authorize such activities. Anyone

who does these things without permission is infringing, that is, violating, the legal rights provided by copyright. Copying, publishing or performing a work protected by copyright without the owner's permission is an infringement.

One specific form of infringement is plagiarism. This is copying someone else's work and claiming it as your own. An example is taking a novel that someone else wrote and publishing it under another name. Plagiarism can also entail using a substantial part of someone else's work. An example would be copying a novel, and simply changing the title and names of the characters.

Some activities, if carried out in private are not considered infringement. For example, if you give a private performance of someone else's song or play in your own home, this would not be an infringement. This is because your exclusive right is to perform a work in public. The examples given are of private performances. On the other hand making a copy of a videocassette movie protected by copyright is infringement, even if you only watch it in your own home. This is because the exclusive right is to reproduce the work.

The Copyright Office is not responsible for ensuring that your copyright is not being infringed. This is your responsibility. Suppose a person publishes a novel very much like yours, simply disguising the plagiarism with a few name changes. It is up to you to launch legal action. It will then be up to the courts to decide whether you have been wronged.

What legal remedies are available for infringement?

If something is against the law, there must be consequences when the law is broken. There are three types of consequences for infringement of the copyright law: civil, summary and administrative.

The first remedy is called a civil remedy and is the remedy most familiar to everyone. Examples are money being ordered by a court as damages to be paid to a copyright owner as compensation for "damages" caused by an infringement. Another example is an injunction which a court issues to prevent or stop infringing activities. A court also has the authority to order an infringer to account for profits made by the infringement and to order that all infringing copies become the property of the copyright owner.

The second type of remedy is criminal in nature and provides for fines and imprisonment. These criminal remedies are intended to deal with commercial piracy – for example, trucks loads of illegal copies of sound recordings or compact discs.

The third type of remedy available to a copyright owner is use of an administrative procedure which stops the importation into Canada of infringing copies of works. The importation will be stopped by Customs Officers at the border provided the conditions set out in the copyright law can be met. ■

Continued in the next issue of PANORAMA