

C-59

First Session, Thirty-ninth Parliament,  
55-56 Elizabeth II, 2006-2007

HOUSE OF COMMONS OF CANADA

BILL C-59

An Act to amend the Criminal Code (unauthorized recording of a movie)

FIRST READING, JUNE 1, 2007

THE MINISTER OF JUSTICE

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SUMMARY

This enactment amends the Criminal Code to prohibit the unauthorized recording of a movie in a movie theatre (camcording).

Also available on the Parliament of Canada Web Site at the following address:  
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1st Session, 39th Parliament,

55-56 Elizabeth II, 2006-2007

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R.S., c. C-46

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The Criminal Code is amended by adding the following after section 431.2:

**Unauthorized recording of a movie**

432. (1) A person who, without the consent of the theatre manager, records in a movie theatre a performance of a cinematographic work within the meaning of section 2 of the Copyright Act or its soundtrack

- (a) is guilty of an indictable offence and liable to imprisonment for a term of not more than two years; or
- (b) is guilty of an offence punishable on summary conviction.

**Unauthorized recording for purpose of sale, etc.**

(2) A person who, without the consent of the theatre manager, records in a movie theatre a performance of a cinematographic work within the meaning of section 2

of the Copyright Act or its soundtrack for the purpose of the sale, rental or other commercial distribution of a copy of the cinematographic work

(a) is guilty of an indictable offence and liable to imprisonment for a term of not more than five years; or

(b) is guilty of an offence punishable on summary conviction.

**Forfeiture**

(3) In addition to any punishment that is imposed on a person who is convicted of an offence under this section, the court may order that anything that is used in the commission of the offence be forfeited to Her Majesty in right of the province in which the proceedings are taken. Anything that is forfeited may be disposed of as the Attorney General directs.

Forfeiture — limitation

(4) No order may be made under subsection (3) in respect of anything that is the property of a person who is not a party to the offence.

Published under authority of the Speaker of the House of Commons

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