

Canadian Council on the Status of the Artist

Conseil canadien du statut de l'artiste

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# reinstating CACSA

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# context...

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**1982 - Applebaum-Hébert Report on Federal Cultural Policy Review**

**1986 - Task Force on the Status of the Artist**

**1987 - Canadian Advisory Committee on the Status of the Artist**

**1988 – CACSA developed draft legislation, “the Canadian Artists' Code”**

**1990 - Bill C-7, Status of the Artist Act, passed in 1992**

**1995 - CAPPRT (Canadian Artists and Producers Professional Relations Tribunal) established - Legislation reviewed 2001 - 02.**

**1999 - A Sense of Place, A Sense of Being**

<http://www.parl.gc.ca/information/library/PRBpubs/933-e.htm#6.%20Status-t>

## Library of Parliament THE ARTS AND CANADA'S CULTURAL POLICY

Prepared by: Joseph Jackson, René Lemieux, Political and Social Affairs Division *Revised 15 October 1999*

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### 6. Status of the Artist Act

- “Although it appeared much later than the other components, **the *Status of the Artist Act* is a major component of Canada’s cultural policy** in the arts sector. Prior to the Act’s passage in June 1992, the artist’s role in society was not recognized in any Canadian statute. The general provisions of Part I of the Act acknowledge this role.
- Furthermore, and just as important, **the general provisions of the Act grant three new rights to artists, artists’ associations and producers:** (a) the right of artists and producers to express themselves and associate freely; (b) the right of associations representing artists to be recognized legally and to work for the professional and socio-economic well-being of their members; and (c) **the right of artists to benefit from official consultation mechanisms whereby they can express their views on their professional status and on all other issues concerning them. To these ends, the Act created the Canadian Council on the Status of the Artist and the Canadian Artists and Producers Professional Relations Tribunal.”**

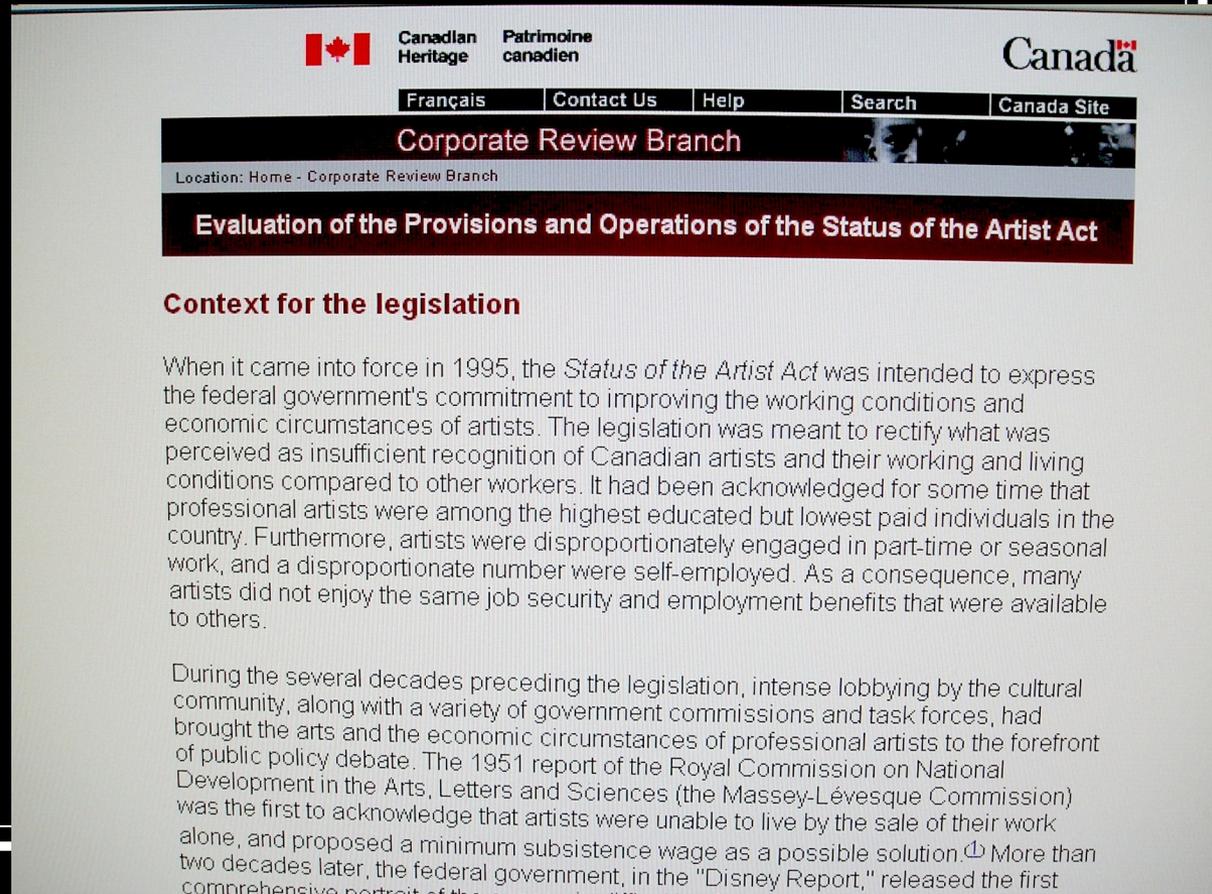
- “The Act also provides for the establishment of a regulatory framework that will govern professional relations between artists as independent contractors and producers who work in those fields under federal government jurisdiction. It entitles artists’ associations to negotiate collective agreements on behalf of their members and protects accredited artist associations, producers and producers’ associations from all actions brought under the *Competition Act*. Some sections of the Act have been in effect since May and June 1993, in particular those concerning the constitution of the Canadian Council on the Status of the Artist and of the Canadian Artists and Producers Professional Relations Tribunal. The sections enabling the Tribunal to exercise its powers came into force in May 1995.
- It is due to the existence of this Act that Canada was often cited as an example at an international conference on the Status of the Artist hosted by UNESCO in June 1997; the conference was held to review progress made in various countries following the 1980 Belgrade recommendation on the status of the artist.”

# missing context...

[www.pch.gc.ca/progs/em-cr/eval/2002/2002\\_25/4\\_e.cfm](http://www.pch.gc.ca/progs/em-cr/eval/2002/2002_25/4_e.cfm)

where is  
CACSA ?

where is the  
Canadian  
Artists  
Code ?



The screenshot shows a government website page. At the top, there is a navigation bar with the Canadian Heritage logo and the text 'Canadian Heritage Patrimoine canadien'. Below this, there are links for 'Français', 'Contact Us', 'Help', 'Search', and 'Canada Site'. The main heading of the page is 'Corporate Review Branch' in red text. Below this, there is a sub-heading 'Evaluation of the Provisions and Operations of the Status of the Artist Act' in white text on a dark background. The main content area is titled 'Context for the legislation' in red text. The text below this heading discusses the history of the Status of the Artist Act, mentioning its introduction in 1995 and the government's commitment to improving working conditions and economic circumstances of artists. It also mentions the 1951 report of the Royal Commission on National Development in the Arts, Letters and Sciences (the Massey-Lévesque Commission) and the 'Disney Report'.

**Canadian Heritage Patrimoine canadien**

Français | Contact Us | Help | Search | Canada Site

**Corporate Review Branch**

Location: Home - Corporate Review Branch

**Evaluation of the Provisions and Operations of the Status of the Artist Act**

**Context for the legislation**

When it came into force in 1995, the *Status of the Artist Act* was intended to express the federal government's commitment to improving the working conditions and economic circumstances of artists. The legislation was meant to rectify what was perceived as insufficient recognition of Canadian artists and their working and living conditions compared to other workers. It had been acknowledged for some time that professional artists were among the highest educated but lowest paid individuals in the country. Furthermore, artists were disproportionately engaged in part-time or seasonal work, and a disproportionate number were self-employed. As a consequence, many artists did not enjoy the same job security and employment benefits that were available to others.

During the several decades preceding the legislation, intense lobbying by the cultural community, along with a variety of government commissions and task forces, had brought the arts and the economic circumstances of professional artists to the forefront of public policy debate. The 1951 report of the Royal Commission on National Development in the Arts, Letters and Sciences (the Massey-Lévesque Commission) was the first to acknowledge that artists were unable to live by the sale of their work alone, and proposed a minimum subsistence wage as a possible solution. More than two decades later, the federal government, in the "Disney Report," released the first comprehensive portrait of the status of artists in Canada.

# CACSA...

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- *“The Canadian Advisory Committee on the Status of the Artist (CACSA) was established by the Minister of Communications, the Honourable Flora MacDonald, in January 1987 to provide advice to the government regarding the measures proposed to promote and strengthen the position of professional artists. The establishment of this Committee was one of the recommendations of the Task Force Report on the Status of the Artist.”*

*CACSA Report 1988 “The Canadian Artists Code”*

# the act

*Canadian Council on  
the Status of  
the Artist*

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Establishment

4. (1) The Minister of Canadian Heritage shall establish a Canadian Council on the Status of the Artist, composed of seven to twelve part-time members, including a Chairperson, one or two Vice-chairpersons and not more than nine other members, to be appointed by the Governor in Council on the recommendation of the Minister and to hold office during pleasure of the Governor in Council.

Mandate

(2) The mandate of the Council is

- (a) to provide information and advice to the Minister of Canadian Heritage in order to ensure the highest quality of decision-making in respect of artists in Canada;
- (b) to defend and promote the professional status of artists in Canada;
- (c) to maintain close contacts with associations representing artists across Canada in various disciplines of the arts in order better to assess artists' needs and propose useful responses;
- (d) to propose measures, based on research and studies, to improve the professional working conditions of artists; and
- (e) to carry out such studies as the Minister of Canadian Heritage may direct.

Report

(3) The Council shall submit to the Minister of Canadian Heritage, by May 31 of each year, a report of its activities during the previous fiscal year, including any studies that the Minister directed it to carry out.

Remuneration

(4) Each Council member shall be paid reasonable travel and other expenses incurred while performing the member's duties, and shall receive such fees for attendance at Council meetings as the Governor in Council may fix.

# la loi

## *Conseil canadien du statut de l'artiste*

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### Constitution

4. (1) Le ministre du Patrimoine canadien constitue le Conseil canadien du statut de l'artiste, composé de sept à douze conseillers à temps partiel, dont un président et au plus deux vice-présidents, et d'au plus neuf suppléants, que le gouverneur en conseil nomme, à titre amovible, sur sa recommandation.

### Mission

(2) Le Conseil a pour mission :

- a) de conseiller et d'informer le ministre du Patrimoine canadien afin qu'il puisse prendre les meilleures décisions possible concernant les artistes;
- b) de promouvoir et de soutenir le statut professionnel des artistes au Canada;
- c) de maintenir avec les associations représentant les artistes des contacts étroits, dans les diverses disciplines et partout au Canada, afin de bien comprendre les besoins des artistes et de proposer des solutions adéquates;
- d) de proposer, notamment à la suite d'études et de travaux de recherche, des mesures susceptibles d'améliorer les conditions de vie professionnelle des artistes;
- e) d'effectuer toute étude que le ministre peut lui demander.

### Rapport

(3) Au plus tard le 31 mai, le Conseil présente au ministre un rapport annuel de son activité pour l'exercice précédent, notamment en ce qui touche toute étude que celui-ci a pu lui demander.

### Indemnités

(4) Les conseillers ont droit au paiement des frais de déplacement et autres entraînés par l'accomplissement de leurs fonctions et aux jetons de présence que fixe le gouverneur en conseil pour leur participation aux réunions.

# CACSA mandate...

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- to inform, advise, study and report
- to defend and promote status
- to consult and assess needs
- to propose improvements

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- It is time to re-instate CACSA

# rationale...

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- The visionaries who set the Act in place saw it as a way of improving the ability of artists to support themselves through the income from their work.
- No other organization in Canada has this specific mandate at present.
- CACSA would assist the Minister of Canadian Heritage, where expert mediation is required.

## ...more rationale...

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- CACSA could act as a non-partisan clearing house for recommendations to the government.
- An independent body is needed to guide the evolution of the SofA legislation, and for developmental work on amendments.
- DCH has recently established similar national advisory panels for music, sound recording for film.

# reality check.. and wild thoughts

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- mandate, direction
- representation
- accountability ...to whom
- barriers... *will* vs. *won't*
- when
- harmonization
- the big picture above the Sofa

# involving the provinces...

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*“The Committee is convinced that it will be difficult to make improvements to the status of Canadian artists without the cooperation and participation of provincial governments. Existing federal status of the artist legislation will fulfil its purposes only if it is accompanied by complementary provincial legislation.”*

**A Sense of Place, A Sense of Being 1999**

# ...provinces...

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- The provincial government can show its commitment to improving the status of the artist in Saskatchewan by supporting the Canadian Artists' Code and by enacting legislation in areas that fall within its jurisdiction. To ensure the improvement of the socio-economic position of the artist in Canada and Saskatchewan, the Task Force recommends the following:
  - ***RECOMMENDATION 1:***
  - ***That the Government of Saskatchewan support the adoption of the Canadian Artists' Code, and using it as a basis, enact comprehensive legislation on the status of the artist as it relates to areas under provincial jurisdiction.***
    - *Saskatchewan Arts Strategy Task Force 1989*

# the challenge ...

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- ***status of the artist legislation***
  - *comprehensive framework, at all levels*
  - *include specific regulations*
  - *congruent and coherent with others*
- ***artist advisory council on status***
  - *effective, responsive, representative*
  - *advocate, able to take action*
  - *accountable to community*

# moving forward...

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- All of these barriers, including *too many studies and too little action*, have tested the patience of the arts community. In a recent article in the CARFAC newsletter, visual artist Gary Young describes how the word future in cultural planning has come to mean "a methodology of postponement, a denial of the present, a seduction of promise...and the primary obstacle to change." **The obstacle to change is what we ultimately have to overcome to make a commitment to the arts a tangible and empowering reality.**

- *SK ASTF 1989, Barrier statements*

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When I hesitate, I do not paint.

When I paint, I do not hesitate.

*Jean-Paul Riopelle*

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