

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

[PN 2019-002 rev. 1]

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## **PRACTICE NOTICE ON ACKNOWLEDGEMENT OF EXPERT WITNESSES**

### ***General Statement***

Expert witnesses have a duty to the Copyright Board to give fair, objective and non-partisan opinion evidence.

Rule 48 of the *Copyright Board Rules of Practice and Procedure* details what parties must provide and include when introducing evidence given by an expert witness.

This Practice Notice specifies the form that must be completed by the expert witnesses and included when filing an expert report.

### ***Acknowledgement of Expert Witnesses***

Pursuant to paragraph 48(1)(b) of the *Copyright Board Rules of Practice and Procedure*, expert witnesses who provide a report for use as evidence are required to sign the Board's "Acknowledgement of Expert Witness Form" which is attached to this Practice Notice. In signing, they acknowledge that they will comply with the Board's code of conduct for expert witnesses described in the Form.

A signed copy of the Form is to be included in all expert reports filed with the Board and served on each other party.

In the event an expert fails to comply with the Board's code of conduct for expert witnesses, the Board may exclude some or all of the expert's report.

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## ACKNOWLEDGEMENT OF EXPERT WITNESS FORM

I, \_\_\_\_\_ (*name of expert*), acknowledge that I will comply with the Copyright Board's code of conduct for expert witnesses described below.

### COPYRIGHT BOARD'S CODE OF CONDUCT FOR EXPERT WITNESSES

1. An expert witness who provides a report for use as evidence has a duty to assist the Board impartially on matters relevant to his or her area of expertise.
2. The duty referred to above prevails over any obligation which an expert may owe to any party by whom or on whose behalf the expert is engaged.
3. An expert is to be independent and objective.
4. An expert is not an advocate for a party.

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(Date)

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(Signature of expert witness)