Governed by Section 29 of the Copyright Act, fair dealing permits reproducing a copyright protected work without permission of the rights holder nor royalty payment.

Fair dealing is evaluated on a case-by-case basis. To qualify for fair dealing, two tests must be passed:

1. **Purpose**
   
   The use must be for one of the purposes stated in the Copyright Act:
   
   - Research
   - Private Study
   - Education
   - Parody
   - Satire
   - Criticism
   - Review
   - News Reporting

2. **Use is Fair**
   
   Fairness depends on the circumstances of the use and is assessed by these 6 factors:
   
   - Purpose
   - Character of the dealing
   - Amount copied
   - Alternative to copying
   - Nature of the work
   - Effect on the work

The Supreme Court of Canada in the landmark 2004 CCH case established six factors in determining "fairness":

**Purpose** - Is the use for research, private study, education, parody, satire, criticism, review, or news reporting?

**Character of the dealing** - How the material is dealt with. For example, is one copy or multiple copies being made? If multiple copies are made for sharing, how are they distributed? Does the distribution method fit with the intended purpose?

**Amount of the work copied** - Is the amount copied reasonable for the intended purpose?

**Alternative to copying** - Is there a non-copyrighted material that could be used instead?

**Nature of the work** - Is the work published or unpublished? Is the material confidential?

**Effect on the original work** - Does the reproduced material compete with the market value or have a negative effect on the original work?