

## Copyright Board

### *Notice of Grounds for Proposed Tariff*

#### **SOCAN Tariff 13.C – Public Conveyances - Railroad Trains, Buses and Other Public Conveyances, Excluding Aircraft and Passenger Ships**

December 15, 2021

#### **1. Description of Uses Covered by the Proposed Tariff**

This tariff applies to public performances and communications to the public by telecommunication of musical works in SOCAN's repertoire by means of recorded music in a public conveyance other than an aircraft or passenger ship.

#### **2. Description of Users / Groups of Users Covered by the Proposed Tariff**

Users are public conveyance operators, such as Greyhound Lines of Canada Ltd. in Burlington, Ontario.

#### **3. Explanation of How Royalties are Determined**

The proposed royalty rate for 2023-2025 is \$1.34 per person per year, based on the authorized passenger capacity of the public conveyance, subject to a minimum annual fee of \$79.83. The proposed royalty is an inflationary increase based on the Board's established inflation adjustment methodology from the previously-approved rate, which has been in place since 2015.

#### **4. Submissions on the Collection of Information**

The tariff requires each licensee to report its authorized passenger capacity by January 31 in the year covered by the licence.

#### **5. Explanation of Changes from Previously Approved Tariff**

There are three changes from the previously-approved tariff:

1. The proposed royalty for 2023-2025 is an inflationary increase, as described above.
2. The tariff wording has been amended to clarify that the tariff also covers communications to the public by telecommunication.
3. The tariff wording has been amended to remove the COVID-19 adjustment implemented in the previously-approved tariff, namely, that the fee payable is no longer reduced by one twelfth for each full month during the year in which no operations occur. For the years 2023-2025, such COVID-19 adjustment is no longer necessary, and including it for these years would not be fair and equitable.