

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2022-047]

NOTICE OF THE BOARD

RE: PRACTICE NOTICES ON FILING OF GROUNDS FOR PROPOSED TARIFFS AND ON FILING OF GROUNDS FOR OBJECTION

August 5, 2022

Overview

The Board has issued two new Practice Notices on Filing of Grounds for Proposed Tariffs and on Filing of Grounds for Objection.

These Practice Notices set out what information is required from Collective Societies (“Collectives”) when filing proposed tariffs [[PN 2022-006](#)] and what information is required from objectors when filing objections [[PN 2022-007](#)].

The Practice Notices are aligned with the [Board’s vision and strategic objectives](#) of ensuring the effectiveness, efficiency, and transparency of its operations and proceedings.

On June 18th, 2022, the Board pre-published its draft [Rules on Copyright Board Practice and Procedure](#) in the Canada Gazette, as required by the Governor-in-Council. The Board is currently considering stakeholders’ submissions on the draft *Rules* and will be seeking final approval by the Governor-in-Council this Fall. As a result, the official *Rules* will not be in place by the October 15th filing deadline for 2022. Therefore, this year, the Board is proceeding in a manner similar to last year’s tariff intake cycle.

Please note that all requirements, including timelines, set out in the Practice Notices could change once the final *Rules* are in place.

Requirements

Collectives will be required to provide Notice of Grounds following the filing of all proposed tariffs, respecting the parameters set out in Practice Notice 2022-006. Collectives will have 30 calendar days after the day on which the proposed tariff is filed to submit their Notice of Grounds.

As per the *Copyright Act*, users may file an objection to a proposed tariff within 30 days of its publication. Users who file an objection to a proposed tariff will be required to provide a Notice of Grounds for Objection, respecting the parameters set out in PN 2022-007. The Notice of

Grounds for Objection must be submitted to the Board within 60 calendar days after the day on which the proposed tariff is published.

Additional Information

These documents, along with any reply by the Collectives to an objection, will provide the Board with the information necessary to determine whether it should hold a hearing in respect of a proposed tariff (*Time Limits in Respect of Matters Before the Copyright Board Regulations, SOR/2020-264, s. 5*).

The Board is aware that the information provided in a Notice of Grounds for Proposed Tariffs and a Notice of Grounds for Objection will reflect the information available to a party at the time of filing. This does not prevent parties from introducing or using additional information in later submissions to the Board.

Questions

The Board understands that the new Practice Notices may not address all situations that may arise as Parties prepare Notices of Grounds for Proposed Tariffs or Notices of Grounds for Objections. As such, if you require any directions or clarifications, please contact the Secretary General at registry-greffe@cb-cda.gc.ca.

Josée Pélouquin for
Lara Taylor
Secretary General