

PROPOSED TARIFF

Filed with the Copyright Board by SOCAN on 2021-10-15 pursuant to subsection 67(1) of the Copyright Act

Proposed Tariff Title: SOCAN Tariff 11.A, Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows, Dance Shows and Similar Events (2023-2025)

For the public performance of musical or dramatico-musical works

Effective Period: 2023-01-01 – 2025-12-31

SOCAN TARIFF 11.A, CIRCUSES, ICE SHOWS, FIREWORKS DISPLAYS, SOUND AND LIGHT SHOWS, DANCE SHOWS AND SIMILAR EVENTS (2023-2025)

Proposed statement of royalties to be collected by the Society of Composers, Authors and Music Publishers of Canada (SOCAN) in compensation for the right to perform in public, in Canada, musical or dramatico-musical works forming part of its repertoire.

GENERAL PROVISIONS

All amounts payable under this tariff are exclusive of any federal, provincial or other governmental taxes or levies of any kind.

As used in this tariff, the terms “licence,” ~~“licence to perform”~~ and “licence to ~~communicate to the public by telecommunication~~” ~~perform~~ mean a licence to perform in public or to ~~communicate to the public by telecommunication~~ or to authorize the performance in public ~~or the communication to the public by telecommunication, including the right to make works available to the public by telecommunication in a way that allows a member of the public to have access to them from a place and at a time individually chosen by that member of the public.~~

Except where otherwise specified, fees payable for any licence granted by SOCAN shall be due and payable upon grant of the licence. Any amount not received by the due date shall bear interest from that date until the date the amount is received. Interest shall be calculated daily, at a rate equal to one per cent above the Bank Rate effective on the last day of the previous month (as published by the Bank of Canada). Interest shall not compound.

Each licence shall subsist according to the terms set out ~~therein~~ herein. SOCAN shall have the right at any time to terminate a licence for breach of terms or conditions upon 30 days’ notice in writing.

Tariff No. 11

~~Tariff of royalties to be collected by the Society of Composers, Authors and Music Publishers of Canada (SOCAN) in compensation for the right to perform in public or to communicate to the public by telecommunication, in Canada, musical or dramatico-musical works forming part of its repertoire including the right to make such works available to the public by telecommunication in a way that allows a member of the public to have access to them from a place and at a time individually chosen by that member of the public.~~

CIRCUSES, ICE SHOWS, FIREWORKS DISPLAYS, SOUND AND LIGHT SHOWS, DANCE SHOWS AND SIMILAR EVENTS; COMEDY SHOWS AND MAGIC SHOWS

A. *Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows, Dance Shows and Similar Events*

For a licence to perform, at any time and as often as desired in the years ~~2018, 2019, 2020, 2021 and 2022~~2023 to 2025, any or all of the works in SOCAN's repertoire, by means of performers in person or by means of recorded music at circuses, ice shows, fireworks displays, multimedia shows (including sound and light), dance shows, and similar events, the fee payable per event is as follows:

1.6 per cent of gross receipts from ticket sales, exclusive of sales and amusement taxes, subject to a minimum fee of ~~\$66.37~~78.70.

SOCAN shall have the right to audit the licensee's books and records, on reasonable notice and during normal business hours, to verify the statements rendered and the fee payable by the licensee.