

## 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 2.B, Television - Ontario Educational Communications Authority (2023-2025)

For the communication to the public by telecommunication of musical or dramatico-musical works

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

### SOCAN TARIFF 2.B, TELEVISION - ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY (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 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.

## 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” 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. 2*

~~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 TELEVISION~~

B. Ontario Educational Communications Authority

~~For a licence 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.~~

~~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

- (a) a station operated by the Ontario Educational Communications Authority; and
- (b) the websites and other technological platforms (e.g. Internet, iPod, mobile phones, iPad) operated by the Authority,

the annual fee is ~~\$360,096~~\$420,247.24 for the year 2023, \$426,108.43 for the year 2024, and \$431,969.62 for the year 2025, payable in equal quarterly instalments on January 1, April 1, July 1 and October 1 of the year covered by the licence.

~~Tariff 2.B does not apply to the use of music covered under SOCAN Tariff 17 (Pay, Specialty and Other Television Services).~~

This tariff applies only to stations, websites or technological platforms operated by the Ontario Educational Communications Authority and no other distribution undertaking or programming undertaking.