

## 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 21, Recreational Facilities Operated by a Municipality, School, College, University, Agricultural Society or Similar Community Organizations (2023-2025)

For the public performance of musical or dramatico-musical works

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

### SOCAN TARIFF 21, RECREATIONAL FACILITIES OPERATED BY A MUNICIPALITY, SCHOOL, COLLEGE, UNIVERSITY, AGRICULTURAL SOCIETY OR SIMILAR COMMUNITY ORGANIZATIONS (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”~~” mean perform” means 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. 21*

~~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.~~

RECREATIONAL FACILITIES OPERATED BY A MUNICIPALITY, SCHOOL, COLLEGE, UNIVERSITY, AGRICULTURAL SOCIETY OR SIMILAR COMMUNITY ORGANIZATIONS

For a licence to perform, at any time and as often as desired in the years ~~2021 and 2022~~2023 to 2025, any or all of the works in SOCAN's repertoire, in a recreational facility operated by a municipality, school, college, university, agricultural society or similar community organizations, during recreational activities that would otherwise be subject to Tariff 5.A (Exhibitions and Fairs), Tariff 7 (Skating Rinks), Tariff 8 (Receptions, Conventions, Assemblies and Fashion Shows), Tariff 9 (Sports Events, including minor hockey, figure skating, roller skating, ice skating, youth figure skating, carnivals and amateur rodeos), Tariff 11.A (Circuses, Ice Shows, etc.) or Tariff 19 (Fitness Activities and Dance Instruction), the annual fee is ~~\$198,582~~\$235.48 for each facility, if the licensee's gross revenue from these events during the year covered by the licence does not exceed ~~\$17,500~~\$20,752.21.

Payment of this fee shall be made on or before January 31 of the year covered by the licence. On or before January 31 of the following year, a report shall be submitted to SOCAN confirming that the licensee's gross revenue from the events covered by this tariff during the year ~~does~~ not exceed ~~\$17,500~~\$20,752.21.

~~For a facility operating for less than 12 months in each year, the fee payable shall be reduced by one twelfth for each full month during the year in which no activity subject to this tariff occur.~~

A facility paying under this tariff is not required to pay under ~~SOCAN Tariffs~~Tariff 5.A, 7, 8, 9, 11.A or 19 for the events covered in this tariff.

~~This tariff does not cover the use of music expressly covered in tariffs other than SOCAN Tariffs 5.A, 7, 8, 9, 11.A or 19.~~

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.