

SOCAN PROPOSED TARIFF ~~7~~

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 7, Skating Rinks (2023-2025)

For the public performance of musical or dramatico-musical works

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

SOCAN TARIFF 7, SKATING RINKS (~~2018-2022~~2023-2025)

Royalties

~~For~~

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” and “licence to perform” mean a licence to perform in public or to authorize the performance in 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 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. 7

SKATING RINKS

For a licence to perform, at any time and as often as desired in the years ~~2018~~2023 to ~~2022~~2025, ~~of~~ any or all of the works in SOCAN's repertoire, by means of performers in person or by means of recorded music, in connection with roller or ice skating, the ~~royalties are~~fee is as follows:

~~For all years except 2020 and 2021:~~

- (a) where an admission fee is charged: 1.2 per cent of the gross receipts from admissions exclusive of sales and amusement taxes, subject to a minimum annual fee of \$~~111.92~~132.72; and
- (b) where no admission fee is charged: an annual fee of \$~~111.92~~132.72.

~~For 2020 and 2021:~~

- ~~•(a) where an admission fee is charged: 1.2 per cent of the gross receipts from admissions exclusive of sales and amusement taxes, subject to a minimum annual fee of \$56.00; and~~
- ~~•(b) where no admission fee is charged: an annual fee of \$56.00.~~

Terms and Conditions

The userlicensee shall estimate the ~~royalties~~fee payable for the year covered by the ~~tariff~~licence based on the total gross receipts from admissions, exclusive of sales and amusement taxes, for the previous year and shall pay such estimated ~~royalties~~fee to SOCAN on or before January 31 of the year covered by the ~~tariff~~licence. Payment of the ~~royalties~~fee shall be accompanied by a report of the gross receipts for the previous year.

If the gross receipts reported for the previous year were not based on the entire year, payment of ~~these royalties~~this fee shall be accompanied by a report estimating the gross receipts from admissions for the entire year covered by the ~~tariff~~licence.

On or before January 31 of the following year, a report shall be made of the actual gross receipts from admissions during the year covered by the ~~tariff~~licence, an adjustment of the ~~royalties~~licence fee payable to SOCAN shall be made, and any additional ~~royalties~~fees due on the basis of the actual gross receipts from admission charges shall be paid to SOCAN. If the

~~royalties~~fee due ~~are~~is less than the amount paid, SOCAN shall credit the ~~user~~licensee with the amount of the overpayment.

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

~~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.~~

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