

Copyright Board
Canada



Commission du droit d'auteur
Canada

February 4, 2021

[CB-CDA 2021-008]

NOTICE OF THE BOARD

Subject: Notice Pursuant to the Transitional Provisions of the *Time Limits in Respect of Matters Before the Copyright Board Regulations*

The Government of Canada's [*Time Limits in Respect of Matters Before the Copyright Board Regulations \(SOR/2020-264\)*](#) (the "Regulations") came into force on December 4, 2020.

The Board hereby notifies all Parties that a hearing will be held for matters listed in Annex A. This Notice is in accordance with Section 8 of the Regulations, which requires that the Board provide a Notice of hearing within two months of the coming-into-force of the Regulations for all pending matters for which the three-month period referred to in Section 5 has ended, and for which the Board has yet to commence a proceeding. We include in this list pending matters for which the proceedings were previously initiated but have been either suspended or cancelled. The Board will provide further direction on each of these matters in due time, including whether related hearings will be oral or written, or both.

The Board also takes this opportunity to provide Parties with a status update for all matters currently filed with the Board. Information pertaining to each matter listed in Annexes A through D is available on the Board's website under [Ongoing Cases](#) and is regularly updated.

Annex B lists all matters for which the Board has already held a hearing, and for which the 12-month period referred to in Section 2(a) or Section 3 of the Regulations has ended. In accordance with Section 10 of the Regulations, the Board will render its decision in relation to those matters on or before June 4, 2021.

Annex C lists all matters for which a hearing process has been held and completed, and final submissions from Parties received when the Regulations came into force, but for which the 12-month period referred to in Section 2(a) or Section 3 of the Regulations has not yet ended. For these proceedings, the date by which the Board will render its decision to meet its obligations under Section 2(a) and Section 3 of the Regulations is indicated in Annex C.

Finally, Annex D lists matters for which the Board has already informed the Parties through written notice of its intention to hold a written or oral hearing, or both, either prior to the coming into force

of the Regulations or prior to the end of the two-month period referred to in Section 8. The Board will provide further direction, and issue a schedule, for each of these proceedings in due course.

Lara Taylor
Secretary General

Annex A

Matters where proceedings have yet to be initiated

SOCAN

- SOCAN Tariff 1.A – Commercial Radio (2019, 2020-2021, 2022-2024)
- SOCAN Tariff 1.B – Non-Commercial Radio (2022-2024)
- SOCAN Tariff 1.C – CBC Radio (2019, 2020-2022)
- SOCAN Tariff 2.A – Television – Commercial Television Stations (2019-2020, 2021, 2022-2024)
- SOCAN Tariff 2.D – Television – CBC (2019, 2020-2022)
- SOCAN Tariff 3.A – Cabarets, Cafes, Clubs, etc. – Live Music (2018, 2019, 2020-2021, 2022-2024)
- SOCAN Tariff 3.B – Cabarets Cafes, Clubs, etc. – Recorded Music (2018-2020, 2021-2022)
- SOCAN Tariffs 4.A.1 & 4.A.2 – Popular Music Concerts (2018, 2019, 2020-2021, 2022-2024)
- SOCAN Tariff 5.A – Exhibitions and Fairs (2018-2020, 2021, 2022-2024)
- SOCAN Tariff 5.B – Concerts at Exhibitions and Fairs (2022-2024)
- SOCAN Tariff 6 – Motion Pictures Theatres (2017, 2018, 2019, 2020-2021, 2022-2024)
- SOCAN Tariff 8 – Receptions, Convention, etc. (2018, 2019-2020, 2021-2022)
- SOCAN Tariff 15.A – Background Music (2019, 2020-2021, 2022-2024)
- SOCAN Tariff 15.B – Telephone Music on Hold (2019, 2020-2021, 2022-2024)
- SOCAN Tariff 16 – Background Music Suppliers (2019, 2020-2021, 2022-2024)
- SOCAN Tariff 17 – Transmission of Pay, Specialty & Other T.V. Services (2019-2020, 2021, 2022-2024)
- SOCAN Tariff 18 – Recorded Music for Dancing (2018, 2019-2020, 2021-2022)
- SOCAN Tariff 19 – Physical Exercises & Dance Instruction (2018, 2019, 2020-2022)
- SOCAN Tariff 20 – Karaoke Bars (2018-2020, 2021-2022)
- SOCAN Tariff 22.A – Internet – Online Music Services (2019, 2020, 2021-2023)
- SOCAN Tariff 22.A.R – Internet – Reproduction of Musical Works Embedded in Music Videos for Transmission by a Service (2020 [filed as SOCAN-SODRAC], 2021-2023)
- SOCAN Tariff 22.B – Internet – Commercial Radio, Satellite, Pay Audio (2019, 2020, 2021-2023)
- SOCAN Tariff 22.C – Internet – Other Audio websites (2019, 2020, 2021-2023)
- SOCAN Tariff 22.D.1 – Internet – Audiovisual Content (2019, 2020, 2021-2023)
- SOCAN Tariff 22.D.1.R – Internet – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service (2020 [filed as SOCAN-SODRAC], 2021-2023)
- SOCAN Tariff 22.D.2 – Internet – User-Generated Content (2019, 2020, 2021-2023)
- SOCAN Tariff 22.D.3 – Internet – Allied Audiovisual Services (2019-2020, 2021-2023)
- SOCAN Tariff 22.E – Internet – CBC (2019, 2020, 2021-2023)
- SOCAN Tariff 22.G – Internet – Game sites (2007-2019, 2020, 2021-2023) (Settlement filed by Parties for 2007-2019)
- SOCAN Tariff 23 – Hotel and Motel In-Room Services (2018-2020, 2021, 2022-2024)
- SOCAN Tariff 24 – Ringtones and Ringbacks (2019, 2020-2021)
- SOCAN Tariff 25 – Satellite Radio Services (2019, 2020, 2021-2023)

SOCAN Tariff 26 – Pay Audio Services (2017, 2018, 2019, 2020-2022)
SOCAN-SODRAC Tariff 2.A.R – Commercial Television (2020-2021, 2022-2024)

RE:SOUND

Re:Sound Tariff 1.A – Commercial Radio (2021-2023)
Re:Sound Tariff 1.B – Non-Commercial Radio (2022-2024)
Re:Sound Tariff 1.B.2 – Non-Commercial Online (2020-2024)
Re:Sound Tariff 1.C – CBC (2020-2021, 2022-2024)
Re:Sound Tariff 2 – Pay Audio (2017-2018, 2019, 2020-2022)
Re:Sound Tariff 3.A – Background Music Suppliers (2019-2022)
Re:Sound Tariff 3.B – Background Music (2019-2022)
Re:Sound Tariff 4 – Satellite Radio Services Simulcasts (2019-2021, 2022-2024) (Settlement filed by Parties for 2019-2021)
Re:Sound Tariff 5.A-J – Use of Music to Accompany Live Events (2021-2025)
Re:Sound Tariff 6.A – Use of Recorded Music to Accompany Dance (2019-2023)
Re:Sound Tariff 8 – Non-Interactive and Semi-Interactive Streaming (2019, 2020-2021, 2022-2024)

OTHER COLLECTIVE SOCIETIES

Access Copyright – Post-Secondary Educational Institution Tariff (2018-2020, 2021-2023)
Access Copyright – Provincial and Territorial Government Tariff (2015-2018, 2019-2020, 2021-2025)
Access Copyright – Elementary and Secondary School Tariff (K-12) (2016-2019, 2020-2022)

Artisti – CBC Tariff (2021-2023)
Artisti – Pay Audio Services Tariff (2018-2020, 2021-2023)
Artisti – Satellite Radio Tariff (2018-2020, 2021-2023)

SODRAC Tariff 5 – Musical Works Embedded in Cinematographic Works for Theatrical Exhibition or Private Use (2017-2019)
SODRAC Tariff 6 – Musical Works Embedded in Musical Audiovisual Works for Transmission by a Service (2019)
SODRAC Tariff 7 – Musical Works Embedded in Audiovisual Works for Transmission by a Service (2019)
SODRAC Tariff 8 – Commercial Television Stations (2019)

CMRRA Tariff 5 – Commercial Television Stations (2019)
CMRRA Tariff 6 – Television Services of the CBC (2019)

COPIBEC – University Tariff (2015-2019)

CPCC – Private Copying Tariff (2022-2024)

Radio Retransmission Tariff (2019-2023)

Television Retransmission Tariff (2019-2023)

Application by Sirius XM Canada to Fix Royalties and Terms in an Individual Case Pursuant to s.71 of the *Copyright Act* [although there is no formal obligation to provide a notice of hearing in relation to s. 71 applications, for clarity, the Board nonetheless informs parties that a hearing will be held for the consideration of this application.]

Matters for which the proceedings were previously initiated and either suspended or cancelled

Re:Sound – Tariff 5 A to J - Use of Music to Accompany Live Events (2016-2020) (Parties currently negotiating)

Satellite Radio Simulcasts [SOCAN: 2007-2018; Re:Sound: 2009-2018] (Parties currently negotiating)

The following proposed tariffs as they apply to satellite radio simulcasts:

- SOCAN Tariff 22.2 – Audio Webcasts (2007, 2008)
- SOCAN Tariff 22.B – Audio Webcasts (2009, 2010, 2011, 2012, 2013)
- SOCAN Tariff 22.B – Commercial Radio, Satellite Radio and Pay Audio (2014, 2015, 2016, 2017, 2018)
- Re:Sound Tariff 8 – Simulcasting and Webcasting (2009-2012)
- Re:Sound Tariff 8 – Simulcasting, Non-Interactive Webcasting and Semi-Interactive Webcasting (2013, 2014, 2015)
- Re:Sound Tariff 4.B – Satellite Radio Services Simulcasts (2016-2018)

Commercial Radio – Public Performance [SOCAN: 2007-2018; Re:Sound: 2009-2020]
(Re:Sound and CAB are currently negotiating)

- Re:Sound Tariff 1.A – Commercial Radio (2015-2017, 2018-2020)
- Re:Sound Tariff 1.A.2 – Commercial Radio Simulcasts (2016-2017)
- Re:Sound Tariff 8 – Simulcasting and Webcasting (2009-2012) [commercial radio simulcasting portion only]
- Re:Sound Tariff 8 – Simulcasting, Non-Interactive Webcasting and Semi-Interactive Webcasting (2013, 2014, 2015) [commercial radio simulcasting portion only]
- SOCAN Tariff 1.A – Commercial Radio (2014, 2015, 2016, 2017, 2018)
- SOCAN Tariff 22.3 – Webcasts of Radio Stations Signals (2007, 2008) [commercial radio simulcasting portion only]
- SOCAN Tariff – 22.C – Webcasts of Radio Signals (2009, 2010, 2011, 2012, 2013) [commercial radio simulcasting portion only]
- SOCAN Tariff 22.B – Commercial Radio, Satellite Radio, and Pay Audio (2014, 2015, 2016, 2017, 2018) [commercial radio simulcasting portion only]

Background Music [SOCAN: 2012-2018] (Parties currently negotiating)

- SOCAN Tariff 15.A – Background Music (2012-2018)
- SOCAN Tariff 15.B – Telephone Music on Hold (2012-2018)
- SOCAN Tariff 16 – Background Music Suppliers (2012-2018)

CBC Internet [SOCAN: 2012-2018] (Parties currently negotiating)

- SOCAN Tariff 22.C – Webcasts of Radio Station Signals (2012-2013)[portion that applies to CBC]
- SOCAN Tariff 22.D – Audiovisual Webcasts (2012-2013) [portion that applies to CBC]
- SOCAN Tariff 22.E – Canadian Broadcasting Corporation (2014-2018)

Commercial Television [SOCAN: 2014-2018; CMRRA: 2015-2018; SODRAC: 2017-2018]

- SOCAN Tariff 2.A – Commercial Television Stations (2014-2018)
- SOCAN Tariff 17 – Transmission of Pay, Specialty and Other Television Services by Distribution Undertakings (2014-2018)
- CMRRA Tariff 5 – Commercial Television Stations (2015-2018)
- SODRAC Tariff 8 – Commercial Television Stations (2017-2018)

CBC Television [SOCAN: 2015-2018; CMRRA: 2016-2018]

- SOCAN Tariff 2.D – Television – CBC (2015-2018)
- CMRRA Tariff 6 – Television Services of the CBC (2016-2018)

Online Allied Services (SOCAN Tariff 22.D.3)(2007-2018) (Settlement between SOCAN and CAB members was filed for 2007-2013 and Settlement between SOCAN, CAB and the BDUs was filed for 2014-2018)

The following proposed tariffs as they apply to Audiovisual Services Allied:

- SOCAN Tariff 22.4 – Audiovisual Webcasts (2007, 2008)
- SOCAN Tariff 22.5 – Webcasts of Television Station Signals (2007, 2008)
- SOCAN Tariff 22.D – Audiovisual Webcasts (2009, 2010, 2011, 2012, 2013)
- SOCAN Tariff 22.E – Webcasts of Television Station Signals (2009, 2010, 2011, 2012)
- SOCAN Tariff 22.F – Webcasts of Television Station Signals (2013)
- SOCAN Tariff 22.D – Audiovisual Content (2014, 2015)
- SOCAN Tariff 22.D.1 – Audiovisual Content (2016, 2017 and 2018)

Annex B

Matters for which the Board has already held a hearing, and for which the 12-month period referred to in Section 2(a) or Section 3 of the Regulations has ended.

SOCAN-Re:Sound – Pay Audio Services Tariffs (2007-2016)

- SOCAN Pay Audio Services Tariff (2010, 2011, 2012, 2013, 2014, 2015)
- The pay audio component of SOCAN Tariff 22.2 – Audio Webcasts (2007, 2008) [simulcast and near simulcast only]
- The pay audio component of SOCAN Tariff 22.B – Audio Webcasts (2009, 2010, 2011, 2012, 2013) [simulcast and near simulcast only]
- The pay audio component of SOCAN Tariff 22.B – Commercial Radio, Satellite Radio and Pay Audio (2014, 2015, 2016) [simulcast and near simulcast only]
- SOCAN Tariff 26 – Pay Audio Services Tariff (2016)
- NRCC Pay Audio Services Tariff (2010-2011)
- NRCC Tariff 8.A – Simulcast and Webcasting (2009-2012) [simulcast only]
- Re:Sound Pay Audio Services Tariff (2012-2013, 2014-2016)
- Re:Sound Tariff 2.B – Pay Audio Services Simulcasts (2016)
- The pay audio component of Re:Sound Tariff 8 – Simulcasting, Non-Interactive Webcasting and Semi-Interactive Webcasting (2013-2015) [simulcast and near simulcast only]
- The pay audio component of Re:Sound Tariff 8 – Non-Interactive and Semi-Interactive Webcasting (2016) [near simulcast only]

Annex C

Matters for which a hearing process has been held and completed and final submissions from Parties received, when the Regulations came into force, but for which the 12-month period referred to in Section 2(a) or Section 3 of the Regulations has not yet ended

CBRA Commercial and Non-Commercial Media Monitoring Tariffs (2020-2022) (decision to be rendered on or before September 15, 2021).

Re:Sound Tariff 6.C - Use of Recorded Music to Accompany Adult Entertainment (2019-2023) (decision to be rendered on or before October 30, 2021).

Annex D

Matters for which the Board has already informed the Parties through written notice of its intention to hold a written or oral hearing, or both, either prior to the coming into force of the Regulations or prior to the end of the two-month period referred to in Section 8

SOCAN Tariffs 4.B.1, 4.B.2 and 4.B.3 – Classical Music Concerts (2018, 2019, 2020-2021, 2022-2024)

SOCAN Tariff 7 – Skating Rinks (2018-2020, 2021-2022)

SOCAN Tariff 9 – Sports Events (2018, 2019, 2020, 2021-2023)

SOCAN Tariff 11.B – Comedy Shows and Magic Shows (2018-2020, 2021-2022)

SOCAN Tariffs 12.A and 12.B – Theme Parks (2018-2020, 2021-2022)

SOCAN Tariff 14 – Performance of an individual work (2018-2020, 2021, 2022-2024)

SOCAN Tariff 24 - Ringtones and Ringbacks (2014-2018)

Non-Commercial Radio [CMRRA: 2003-2010; CSI: 2011-2018; CMRRA/SOCAN: 2020, 2021-2023] (Settlement filed by Parties)

Re:Sound 3.B – Background Music (2016-2020) (Settlement filed by Parties)

Application by Sirius XM for interim Relief Pursuant to s.66.51 of the *Copyright Act*

Online Audiovisual Services – Music [SOCAN: 2007-2018; CMRRA: 2014-2018; SODRAC: 2014-2018]

The following proposed tariffs or portion thereof as specified in Notice [CB-CDA 2017-157]:

- SOCAN Tariff 22.A – Internet – Online Music Services (2014, 2015, 2016, 2017, 2018)
- SOCAN Tariff 22.D – Internet – Other Uses of Music – Audiovisual Content (2014, 2015)
- SOCAN Tariff 22.D.1 – Internet – Other Uses of Music – Audiovisual Content (2016, 2017, 2018)
- SOCAN Tariff 22.D.2 – Internet – Other Uses of Music – User Generated Content (2016, 2017, 2018)
- SOCAN Tariff 22.5 – Webcasts of Television Station Signals (2007, 2008)
- SOCAN Tariff 22.E – Webcasts of Television Station Signals (2009, 2010, 2011, 2012)
- SOCAN Tariff 22.F – Webcasts of Television Station Signals (2013)
- CMRRA Tariff 4 – Online Music Services, Music Videos (2014, 2015, 2016, 2017, 2018)
- SODRAC Tariff 6 – Online Music Services, Music Videos (2014)
- SODRAC Tariff 6 – Reproduction of musical works embedded in musical audiovisual works for transmission by a service (2015, 2016, 2017, 2018)
- SODRAC Tariff 7 – Reproduction of musical works embedded in audiovisual works for transmission by a service (2015, 2016, 2017, 2018)

Online Music Services [SOCAN: 2007-2018; Re:Sound: 2013-2018; CSI: 2014-2018]

The following proposed tariffs or portion thereof as specified in Notice [CB-CDA 2017-157]:

- SOCAN Tariff 22.A – Internet – Online Music Services (2014, 2015, 2016, 2017, 2018)
- SOCAN Tariff 22.2 – Audio Webcasts (2007, 2008)
- SOCAN Tariff 22.B – Internet – Other Uses of music – Audio webcasts (2009, 2010, 2011, 2012, 2013)
- SOCAN Tariff 22.B – Internet – Other Uses of music – Commercial Radio; Satellite Radio and Pay Audio (2014, 2015, 2016, 2017, 2018)
- SOCAN Tariff 22.C – Internet – Other Uses of music – Other Audio Websites (2014, 2015, 2016, 2017, 2018)
- Re: Sound Tariff 8 – Simulcasting, Non-Interactive Webcasting and Semi-Interactive Webcasting (2013, 2014, 2015)
- Re:Sound Tariff 8 – Non-Interactive and Semi-Interactive Webcasts (2016, 2017, 2018)
- CSI – Online Music Services Tariff (2014, 2015, 2016, 2017, 2018)