

COPYRIGHT BOARD OF CANADA



Copyright Board
Canada

Commission du droit
d'auteur du Canada

Filed by / Déposé par: CMRRA/SOCAN/Connect/
SOPROQ/Artisti

Date: 2022-10-17

Notice of Grounds for Proposed Tariff

Filed by CMRRA, SOCAN, Connect/SOPROQ, and Artisti (the “**Collectives**”) on
October 14, 2022

Proposed Tariff: *Commercial Radio Reproduction Tariff (CMRRA, SOCAN, Connect/SOPROQ, and Artisti: 2024-2026) (the “Tariff”)*

1. Description and examples of the activities covered by the proposed tariff.

The Tariff applies to commercial radio stations. It covers the reproduction by a station, in connection with its over-the-air broadcasting operations, of musical works in the repertoire of CMRRA or SOCAN, sound recordings in the repertoire of Connect or SOPROQ, and performers’ performances in the repertoire of Artisti. It also covers reproduction of musical works in the repertoires of CMRRA or SOCAN via simulcasting, and the authorization of a person to reproduce a musical work or performer’s performance for the purpose of delivering it to the station for the foregoing permitted purposes. The Tariff does not authorize the use of any such reproductions in association with a product, service, cause or institution.

2. Description of the group of users that are intended to be covered by the proposed tariff.

The Tariff applies only to commercial radio stations.

3. Explanation of how the royalty rates or levies were determined.

The royalty rates are based on an agreement between the Collectives and the Canadian Association of Broadcasters (the “**CAB**”), as amended (the “**Settlement Agreement**”),¹ The Settlement Agreement is described in the decision of the Copyright

¹ *Commercial Radio Reproduction Royalties Settlement Agreement (2012-2018)* (24 August 2017); *Amendment to the Commercial Radio Reproduction Royalties Settlement Agreement (2012-2018)* (29 March 2018); *Amendment to the Commercial Radio Reproduction Royalties Settlement Agreement (2012-2018)* (1 October 2019).

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Board certifying the current Commercial Radio Reproduction Tariff (2020-2023), [2020 CB 018](#).

4. Explanation of how the information that would be collected by the Collectives pursuant to the Tariff would be used.

Under the Tariff, commercial radio stations must provide basic information relating to the stations' income and use of the Collectives' repertoires. The information collected under the Tariff is needed and would be used to calculate and verify the royalties paid by the stations and to distribute those royalties to the appropriate rights holders.

5. In the case of a proposed tariff based on a previously-approved tariff, identification and explanation of all changes not explained in any of the points above.

The Tariff is identical in substance to the current [Commercial Radio Reproduction Tariff \(2020-2023\)](#).

6. Additional Information

The Terms of the Settlement Agreement require that, within five business days of the objection period contemplated by subsection 68.3(2) of the *Copyright Act* expiring in relation to the Tariff, the Collectives shall file a joint request, on behalf of the Collectives and CAB, that the Tariff be approved as filed.

The Tariff and this Notice of Grounds have been reviewed by the CAB, which has not identified any concerns.

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