

~~Canada Gazette~~

~~Part I~~

~~OTTAWA, SATURDAY, DECEMBER 10, 2022~~

~~COPYRIGHT BOARD~~

Filed with the Copyright Board by SOCAN on 2023-10-15 pursuant to subsection 67(1) of the Copyright Act

Proposed Tariff Title: SOCAN Tariff 5.A – Exhibitions and Fairs (~~2018-2024~~2025-2027)

~~Citation: 2022-CB-18-T~~

~~See also: SOCAN Tariff 5.A (2018-2024), 2022-CB-18~~

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For the public performance of musical or dramatico-musical works.

Effective Period: 2025-01-01 – 2027-12-31

SOCAN TARIFF 5.A – EXHIBITIONS AND FAIRS (~~2018-2024~~2025-2027)

Proposed statement of royalties to be collected by the Society of Composers, Authors and Music Publishers of Canada (SOCAN) in compensation for the performance in public, in Canada, of musical or dramatico-musical works forming part of its repertoire.

Royalties

To perform, at any time and as often as desired in the years ~~2018-2024~~2025-2027, any or all of the works in SOCAN's repertoire, at an exhibition or fair, the royalty is calculated as follows:

- a) ~~(a)~~ where the total attendance (excluding exhibitors and staff) for the duration of the exhibition or fair does not exceed ~~75 000~~75 000 persons:

Table 1: Royalties — Attendance does not exceed 75 000 persons

Total Attendance	Fee <u>Royalty</u> Payable per Day <u>day</u>
Up to 25 000 persons	\$13.75 <u>21.46</u>
25 001 to 50 000 persons	\$27.66 <u>43.16</u>
50 001 to 75 000 persons	\$69.00 <u>107.68</u>

- b) ~~(b)~~ where the total attendance (excluding exhibitors and staff) for the duration of the exhibition or fair does not exceeds ~~75 000~~75 000 persons:

Table 2: Royalties — Attendance exceeds 75 000 persons

Total Attendance	Fee <u>Royalty</u> Payable per Person
For the first 100 000 persons	1.15¢ <u>1.79¢</u>
For the next— 100 000 persons	0.59¢ <u>0.78¢</u>
For the next— 300 000 persons	0.38¢ <u>0.59¢</u>
All additional persons	0.28¢ <u>0.44¢</u>

Terms and Conditions

In the case of an exhibition or fair that is scheduled yearly, the royalties shall be paid on the actual attendance figures in the preceding year, on or before January 31 of the year covered by the tariff. The user shall submit with its payment the figures for actual attendance for the previous year and the duration, in days, of the exhibition or fair.

In all other cases, the user shall, within 30 days of an exhibition's or fair's closing, report its attendance and duration and submit the royalties based on those figures.

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

Tariff 5.A does not apply to performances of musical works at concerts for which an additional admission charge is made; for such concerts, Tariff 5.B applies.

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

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 1% above the Bank Rate effective on the last day of the previous month (as published by the Bank of Canada). Interest shall not compound.