

~~Tariff No. 6~~ PROPOSED TARIFF

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 6 – Motion Picture Theatres (2025-2027)

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

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

SOCAN TARIFF 6 – MOTION PICTURE THEATRES (2025-2027)

~~For a licence to~~

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 ~~2014 to 2016~~ 2025-2027, any or all of the works in SOCAN’s repertoire, covering the operations of a motion picture theatre or any establishment exhibiting motion pictures at any time during the year, the annual ~~fee~~royalty is as follows:

Year	Annual Rate per Seat, – per Screen	Minimum Annual Fee – per Screen
2014-2016	\$1.50	\$150

~~The seating capacity of drive-in theatres is deemed to be three times the maximum number of automobiles which may be accommodated at any one time.~~

~~Theatres operating three days or less per week shall pay one half of the above rates.~~

~~For theatres 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 operations occur.~~

~~A licensee obtained under this~~

0.25 per cent of gross receipts from ticket sales, exclusive of any applicable taxes, with a minimum annual fee of \$300 per screen.

Terms and Conditions

This tariff does not authorize any concert or other performance of music when the exhibition of one or more films is not an integral part of the program. The ~~fees~~royalties for those performances shall be calculated under other applicable tariffs.

The user shall estimate the royalty payable for the year for which the tariff applies, based on the total gross receipts from ticket sales for the previous year, and shall pay such estimated royalty to SOCAN on or before January 31 of the year for which the tariff applies. Payment of the royalty shall be accompanied by a report of the gross receipts from ticket sales for the previous year.

If the gross receipts from ticket sales reported for the previous year were not based on the entire year, payment of this royalty shall be accompanied by a report estimating the gross receipts/royalties paid for the entire year for which the tariff applies.

On or before January 31 of the following year, a report shall be made of the actual gross receipts from ticket sales during the calendar year for which the tariff applies, an adjustment of the royalty payable to SOCAN shall be made, and any additional royalties due on the basis of the actual gross receipts/royalties paid. If the royalty due is less than the amount paid, SOCAN shall credit the user with the amount of the overpayment.

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

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.