

## **NOTICE OF GROUNDS FOR PROPOSED TARIFF**

Filed with the Copyright Board by SOCAN on 2023-10-23 pursuant to Rule 15 of *Copyright Board Rules of Practice and Procedure*

### **SOCAN Tariff 23 – Hotel and Motel In-Room Services (2025-2027)**

#### **1. Description of Uses Covered by the Proposed Tariff**

This tariff applies to communications to the public by telecommunication (including making available of such works to the public by telecommunication in a way that allows a member of the public to have access to them from a place and at a time individually chosen by that member of the public), of any or all of the works in SOCAN's repertoire, by means of hotel or motel in-room audiovisual or musical services.

#### **2. Description of Users / Groups of Users Covered by the Proposed Tariff**

Users are hotels and motels and similar establishments.

#### **3. Explanation of How Royalties are Determined**

The proposed royalty rate for 2025-2027 is

- a) 1.25% of the fees paid by guests to view audiovisual works other than mature audience films;
- b) 0.3125% of the fees paid by guests to view mature audience films containing any work in respect of which a SOCAN licence is required; and
- c) 5.5% of the revenues of the provider of any musical service.

The proposed royalties are the same as the royalties in the previously approved tariff, which was approved by the Board in 2023 for the years 2018-2024 (2023 CB 2-T).

#### **4. Submissions on the Collection of Information**

The proposed tariff requires users to report, no later than 60 days after the end of each quarter, the information necessary to calculate the royalty payable, along with a list of individual titles of the audiovisual works used during the quarter, and/or a list of identifying information for sound recordings used during the quarter (as the case may be).

Where a user claims that a film does not contain any work in respect of which a SOCAN licence is required, the proposed tariff requires the user to supply documentation establishing that no such works were used.

The information collected under the proposed tariff is needed to calculate royalties and to distribute those royalties to rights holders.

These reporting requirements are the same as those set out in the previously approved tariff.

## **5. Explanation of Changes from Previously Approved Tariff**

The application clause in the proposed tariff has been updated to improve clarity and consistency with other SOCAN tariffs and to comply with the Board's *Practice Notice on Filing of Proposed Tariffs* [PN 2019-004 rev. 3] by limiting reliance on ambulatory references to other tariffs.