

Copyright Board
Canada



Commission du droit d'auteur
Canada

Date 2025-08-22

Citation SOCAN Tariff 1.B – Radio – Non-Commercial Radio other than the Canadian Broadcasting Corporation (2022-2027), 2025 CB 9

Member Drew Olsen

Proposed Tariffs SOCAN Tariff 1.B Non-Commercial Radio (2022-2024)
SOCAN Tariff 1.B – Radio – Non-Commercial Radio other than the
Considered Canadian Broadcasting Corporation (2025-2027)

**Approval of Proposed Tariff As:
SOCAN Tariff 1.B – Radio – Non-Commercial Radio other than the Canadian
Broadcasting Corporation (2022-2027)**

Reasons for Decision

I. Overview

[1] This decision relates to tariffs proposed by the Society of Composers, Authors and Music Publishers of Canada (SOCAN): *Tariff 1B – Non-Commercial Radio Other Than the Canadian Broadcasting Corporation* for the years 2022-2024 and 2025-2027 (the "Proposed Tariffs").

[2] The Proposed Tariffs cover the communication to the public by telecommunication of the musical works and dramatico-musical works in SOCAN's repertoire by non-commercial radio stations. The Proposed Tariffs do not apply to the activities of the Canadian Broadcasting Corporation.

[3] No objections were filed in regard to the Proposed Tariffs.

[4] I find that a tariff based on the text of the proposed tariff for the period 2025 to 2027 is fair and equitable, and approve the Proposed Tariffs under a single title, using this text.

II. Background

[5] In accordance with the *Copyright Act*, the Proposed Tariffs were duly published and users were provided with an opportunity to file objections, as provided for in subsection 68.3(2) of the *Copyright Act*.

[6] No objections were filed in regard to the Proposed Tariff.

[7] The previously approved tariff, which was for the years 2018 to 2021 (the “Last-Approved Tariff”)¹, fixed the royalty rate at 1.9% of a non-commercial radio station’s gross operating costs.

[8] The Proposed Tariffs for the years 2022 to 2024 and 2025 to 2027 include a royalty rate of 1.9% of gross operating costs, which is unchanged from the Last-Approved Tariff. The terms and conditions of the Proposed Tariffs have only small wording differences from the Last-Approved Tariff.

III. Analysis

[9] The Board has frequently held that it is appropriate—absent reasons to the contrary—to use the previously approved tariff as a proxy of what could be fair and equitable. The Board has identified changes in the relevant market as one potential indicator of whether an adjustment to the rate is appropriate or necessary.²

[10] The Proposed Tariffs set the same royalty rate as in the Last-Approved Tariff. I am not aware of any changes in the market that would lead me to conclude that such royalty rate is not fair and equitable.

[11] Therefore, I find that the Last-Approved Tariff is an appropriate proxy in this proceeding. Using this proxy, I approve the proposed rate of 1.9% of gross operating costs. Since the terms and conditions of the tariff proposed for 2025 to 2027 are largely identical to those in the Last-Approved Tariff, with only minor modifications, all of which are consistent with recent Board practice, I am convinced that they are appropriate, and I approve the tariffs based on the wording of the tariff proposed for 2025 to 2027.

IV. Conclusion

[12] The Proposed Tariffs are approved under the title *SOCAN Tariff 1.B – Radio – Non-Commercial Radio other than the Canadian Broadcasting Corporation (2022-2027)*.

¹ *SOCAN Tariff 1.B – Radio – Non-Commercial Radio other than the Canadian Broadcasting Corporation (2018-2021)* 2020 CB 005-T (August 8, 2020) C Gaz Supplement Vol. 154, No. 32.

² For example, *SOCAN Tariff 9 – Sports Events (2018-2023)*, 2021 CB 6.