

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

[CB-CDA 2022-064]

## **ORDER OF THE BOARD**

**Files: SOCAN Tariff 13.A – Public Conveyances – Aircraft (2023-2025); SOCAN Tariff 13.B – Public Conveyances – Passenger Ships (2023-2025); SOCAN Tariff 13.C – Public Conveyances – Railroad Trains, Buses and Other Public Conveyances, Excluding Aircraft and Passenger Ships (2023-2025)**

November 7, 2022

[1] The Board has begun its written hearing process in the consideration of the above-mentioned proposed tariffs and addresses the following questions to SOCAN:

### **I. IN RESPECT OF ALL PROPOSED TARIFFS**

[2] In the Notices of Grounds for Proposed Tariff filed on December 15, 2021, under section 5 (Explanation of Changes from Previously Approved Tariff), SOCAN indicates that “The tariff wording has been amended to clarify that the tariff also covers communications to the public by telecommunications”.

[3] Given that Tariffs 13.A, 13.B and 13.C approved in the past referred only to the performance of musical works, please explain why SOCAN added communication to the public by telecommunication to its proposed tariffs for the years 2023 to 2025. Also provide a description of how, to SOCAN’s knowledge, musical works are transmitted in the case of these tariffs and how such transmissions trigger the right to communicate to the public by telecommunication.

### **II. IN RESPECT OF PROPOSED SOCAN TARIFF 13.A – AIRCRAFT, 2023-2025**

[4] In section 5 (Explanation of Changes from Previously Approved Tariff) of its Notice of Grounds for Proposed Tariff, SOCAN indicates that the proposed tariff includes new reporting requirements. Since the last approved tariff for 13.A did not include reporting requirements, please explain the rationale for this addition. Also, please describe how, and using what parameters, SOCAN has distributed and currently distributes royalties collected under Tariff 13.A to rightsholders.

[5] SOCAN shall provide its answers by no later than November 23, 2022.

Lara Taylor  
Secretary General