

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2024-086]

NOTICE OF THE BOARD

Proceeding: Non-Commercial Radio Reproduction Tariffs [CSI: 2018 ; CMRRA/SOCAN: 2020-2026]

October 28, 2024

[1] On October 2, 2024, in Notice CB-CDA 2024-074, the Board informed the Parties that it was ready to resume the examination of the proposed tariffs for the years 2018, 2020 and 2021-2023 (“the Proposed Tariffs for 2018-2023”). It also expressed the view that the proposed tariff for the years 2024-2026 should be considered with the Proposed Tariffs for 2018-2023, and asked Parties to comment.

[2] On October 16, 2024, the Alliance des radios communautaires du Canada, the Association des radiodiffuseurs communautaires du Québec and the National Campus and Community Radio Association (the “Associations”) informed the Board that they did not object to the consolidation of the proposed tariff for the years 2024-2026 with the Proposed Tariffs for 2018-2023.

[3] On the same day, CMRRA and SOCAN (“the Collectives”) expressed a preference that the Board not consolidate the proposed tariff for 2024-2026 with the Proposed Tariffs for 2018-2023. The Collectives noted that the agreement underlying the Parties’ request that the Board approve a tariff in the form of a jointly-submitted text did not extend to the years 2024-2026. More importantly, they were concerned that the consolidated examination of the proposed tariffs may delay the approval of the Proposed Tariffs for 2018-2023.

[4] The Board is of the view that considering the proposed tariff for the years 2024-2026 with the Proposed Tariffs for 2018-2023 will have no impact on the timing of the approval of the Proposed Tariffs for 2018-2023. As the Collectives conceded, a timely determination of the Non-Commercial Radio Reproduction Tariff for the years 2018 to 2026 is possible given that the rates and terms and conditions of the proposed tariff for 2024-2026 are identical to those of the jointly-submitted text for 2020-2023 and those of the proposed tariff for 2021-2023. Moreover, no objection to the proposed tariff for 2024-2026 has been filed. Therefore, the Board is of the view that the absence of an agreement covering the years 2024-2026 is not an impediment to setting a tariff of general application expediently for the entire 2018 to 2026 period.

[5] As such, the Board:

- hereby notifies the Parties that it is ready to proceed with the examination of the proposed tariff for 2024-2026;
- will examine the proposed tariff for the years 2024-2026 along with the Proposed Tariffs for 2018-2023;
- gives notice to the Parties, pursuant to Rule 22 of *Copyright Board Rules of Practice and Procedure*, that it has sufficient information to decide the matter pertaining to the proposed tariff for 2024-2026 based on the record as it stands.

Greg Gallo
A/Secretary General