

PROPOSED TARIFF

Filed with the Copyright Board by SOCAN on 2021-10-15 pursuant to subsection 67(1) of the *Copyright Act*

Proposed Tariff Title: *SOCAN Tariff 19, Physical Exercises and Dance Instruction (2023-2025)*

For the public performance of musical or dramatico-musical works

Effective Period: 2023-01-01 – 2025-12-31

SOCAN TARIFF 19, PHYSICAL EXERCISES AND DANCE INSTRUCTION (2023-2025)

Proposed statement of royalties to be collected by the Society of Composers, Authors and Music Publishers of Canada (SOCAN) in compensation for the right to perform in public, in Canada, musical or dramatico-musical works forming part of its repertoire.

GENERAL PROVISIONS

All amounts payable under this tariff are exclusive of any federal, provincial or other governmental taxes or levies of any kind.

As used in this tariff, the terms “licence” and “licence to perform” mean a licence to perform in public or to authorize the performance in public.

Except where otherwise specified, fees payable for any licence granted by SOCAN shall be due and payable upon grant of the licence. 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 one per cent above the Bank Rate effective on the last day of the previous month (as published by the Bank of Canada). Interest shall not compound.

Each licence shall subsist according to the terms set out herein. SOCAN shall have the right at any time to terminate a licence for breach of terms or conditions upon 30 days’ notice in writing.

Tariff No. 19

PHYSICAL EXERCISES AND DANCE INSTRUCTION

For a licence to perform, at any time and as often as desired in the years 2023 to 2025, any or all of the works in SOCAN's repertoire, in conjunction with physical exercises (dancercise, aerobics, body building and other similar activities) and dance instruction, the annual fee for each room in which performances take place is \$2.96 multiplied by the average number of participants per week in the room, with a minimum annual fee of \$88.61.

No later than January 31 of the year covered by the licence, the licensee shall file with SOCAN a statement estimating the average number of participants per week for each room in which performances are expected to take place during the year, together with the payment of the estimated fee.

No later than January 31 of the following year, the licensee shall file with SOCAN a report setting out the actual average number of participants per week for each room in which performances took place during the year covered by the licence. Any monies owed shall then be paid to SOCAN; if the fee due is less than the amount paid, SOCAN shall credit the licensee with the amount of the overpayment.

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