

~~COPYRIGHT BOARD~~ PROPOSED TARIFF

Filed with the Copyright Board by SOCAN on 2024-10-15 pursuant to subsection 67(1) of the Copyright Act

Proposed Tariff Title: SOCAN Tariff 3.C – Adult Entertainment Clubs (~~2023-2025~~2026-2028)

Citation: ~~2022-CB-13-T~~

See also: ~~SOCAN Tariff 3.C (2023-2025), 2022-CB-13~~

~~Published pursuant to section 70.1 of the Copyright Act~~

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For the public performance of musical or dramatico-musical works.

Effective Period: 2026-01-01 – 2028-12-31

SOCAN TARIFF 3.C – ADULT ENTERTAINMENT CLUBS (~~2023-2025~~2026-2028)

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

Royalties

For the performance, by means of recorded music, at any time and as often as desired in the years ~~2023~~2026 to ~~2025~~2028, of any or all of the works in SOCAN's repertoire, in an adult entertainment club, the royalty payable by the establishment is as follows:

~~5.50~~6.75¢ per day, multiplied by the capacity (seating and standing) authorized under the establishment's liquor licence or any other document issued by a competent authority for this type of establishment.

Terms and Conditions

“Day” means any period between 6:00 a.m. on one day and 6:00 a.m. the following day during which the establishment operates as an adult entertainment club.

No later than January 31 of the year covered by the tariff, the user shall file a report estimating the amount of royalties and send to SOCAN the report and the estimated royalty.

No later than January 31 of the following year, the user shall file with SOCAN a report indicating the authorized capacity (seating and standing) of the establishment, as well as the number of days it operated as an adult entertainment club during the previous year, and an adjustment of the royalties shall be made accordingly. Any additional monies owed shall then be paid to SOCAN; if the royalties due are less than the amount paid, SOCAN shall credit the user with the amount of the overpayment.

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

~~The user may request that the examination be made by an independent auditor chosen by the user from a list of at least three auditors furnished by SOCAN. In such a case, only the auditor so appointed need be allowed access to the user's records. If the audit discloses that the royalties owed to SOCAN have been understated by more than 10%, the user shall pay the auditor's fees.~~

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

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 1% above the Bank Rate effective on the last day of the previous month (as published by the Bank of Canada). Interest shall not compound.