



August 17, 2015

Mr. Gilles McDougall  
Secretary General  
Copyright Board of Canada  
56 Sparks Street, Suite 800  
Ottawa, Ontario K1A 0C9

Subject: Re:Sound Tariffs 5.A, B, D, E, I, J – 2016-2020

Dear Mr. McDougall,

Music Canada Live is the association representing Canada's live music industry, advancing and promoting its many economic, social and cultural benefits.

We object to Re:Sound Tariffs 5.A, B, D, E, I, J for the years 2016-2020 on the following basis:

- Some tariffs have very similar applications, but inconsistent royalty structures and rates. The applications of Tariff 5.E (circus only) and 5.I (Comedy and magic show) are very similar to 5.A, which applies to "any type of live entertainment event including theatrical, dance, acrobatic arts, integrated arts, contemporary circus arts or other live performances." Introducing distinct tariffs for different types of live entertainment will create confusion among licensees, which may lead to improper licencing and/or lower compliance rates. Moreover, it fails to establish a standard fair value for the use of recorded music.

Similarly, Tariff 5.J (Concerts) is essentially a background music tariff in a concert setting. Considering that background music is already accounted for under Tariff 3, the introduction of Tariff 5.J would be unduly redundant. Moreover the inconsistency in royalties between Tariff 5.J and 3 would create the same issues identified above.

The proposed royalty rates for all tariffs are excessive in view of existing rates.

Music Canada Live reserves the right to raise additional objections to these proposed tariffs after the interrogatory phase of the proceedings has been completed.