

# MUSIC

<b>Contact Information:</b> <ul style="list-style-type: none"><li>▪ <b>SOCAN (Music Licensing)</b> 41 Valleybrook Dr Toronto, ON M3B 2S6 PH:1.866.944.6223 or 1.800.557.6226 Fax: 416-445-7108 <a href="http://www.socan.ca">http://www.socan.ca</a></li></ul>	<b>Due Date:</b> Fee must be paid by 30 days after the event!	<b>Cost:</b>
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## OVERVIEW:

- A SOCAN (Society of Composers, Authors and Music Publishers of Canada) performing right license grants the right to perform in public, any of the musical works in SOCAN's repertoire. Without it, you would have to get permission from every songwriter, composer, lyricist and music publisher for every piece of music you perform. A SOCAN license is the simplest way to allow you access to virtually the world's entire repertoire of copyright protected music.
- Any music that is played at an event must be licensed by SOCAN (for example: background music, casual music, bands that play their own music, musical performances, etc)

## YOUR RESPONSIBILITY:

- Follow the proper steps to obtaining a SOCAN performing right license
- Cover the costs of a SOCAN performing right license

## STEPS TO OBTAINING A SOCAN PERFORMING RIGHT LICENSE:

1. One month before your event, contact SOCAN to determine which Application for License you need. SOCAN will send you the appropriate form.
2. Complete and return the Licensing Application Form to SOCAN.
3. Pay the necessary fees to SOCAN. Fee must be paid by 30 days after the event.

## EXTRA INFORMATION:

### Where Does the Money Go?

SOCAN collects license fees and, after its operating costs are deducted, distributes the revenue as royalties to its members (songwriters, composers, lyricists and publishers) as well as to affiliated international societies for their

members. More than 80% of the money received from fees, are distributed to the music creators and publishers entitled to it.

### How are SOCAN License Fees Set?

The Copyright Board which is an independent body appointed by the federal government, sets SOCAN fees. Each year, SOCAN files proposed tariffs with the Copyright Board. Interested parties are then permitted to submit objections to SOCAN's proposals within a limited period. If an objection or concern is raised regarding a particular tariff, the Copyright Board may hold a public hearing. After hearings are completed, the Copyright Board makes its decision and publishes the approved tariffs in the Canada Gazette.

### If I Get a License, Will it Cover All of the Music at the Special Event?

You may need more than one license, depending on how you use the music. There are more than 20 different categories of licenses to accommodate the many different uses of music, live or recorded, for which the Copyright Board has set a tariff. It applies to all hotels, banquet halls and other premises where receptions, conventions, assemblies and fashion show that are held. The Copy Right Act, R.S.C. 1985 chapter C-42 authorizes SOCAN to grant licenses on behalf of music composers and publishers for the public performance of their music at dances, conventions, receptions and similar events. Authorization of the use of copyright music at functions in a hotel, banquet hall or other like premises without permission constitutes copyright infringement.

**Please see the SOCAN brochure in the Appendix for more questions and answers.**



SOCAN

Society of Composers, Authors and Music Publishers of Canada

Société canadienne des auteurs, compositeurs et éditeurs de musique

TARIFF 3.A
Application for licence /
Annual report for the
year 2008

Your account number

CS

Live Music

In this form, you, your and licensee means the person or company applying for a licence or filing an annual report. We, our, us and SOCAN means the Society of Composers, Authors and Music Publishers of Canada. Works means any or all of the musical works in SOCAN's repertoire.

If you are applying for a licence, SOCAN will process your application within 30 days of receipt and contact you in the event that your application is approved. If you already have a licence under SOCAN Tariff 3.A, this is your annual report.

A Tariff 3.A licence gives you the right to publicly perform, by means of live musical performances, the works in SOCAN's repertoire in one room of your establishment. Please complete and attach a separate application for each room where you provide these performances.

Please contact us if you have other music uses. You may need to be licensed under other tariffs.

Tell us about yourself

Form with fields: Name of your establishment, Name of room where live music is performed, Establishment's street address, Your mailing address, City, Province and postal code, Phone, Fax, Email address, Website, Company's or organization's legal name or name of owner, If this is a company or organization, what is the name of the president/authorized signing officer?

How to calculate your licence fee per room

Each room's licence fee is a percentage of the total annual compensation paid for live musical performances. Provide us with the actual compensation, or - if you've had no live entertainment in the past - provide us with your estimated compensation for the coming year. Compensation for live musical performances includes:

- All payments made to the performers by the establishment
Market value of meals, drinks, transportation, accommodation and other non-monetary considerations given to the performers
Fees, tips, gratuities paid to the performers by your customers for their performances
Entrance fees or cover charges received by the performers

Table with 2 columns: Description (Actual compensation paid for live musical performances for 2007, OR Estimated compensation for live musical performances for 2008, Multiply A x 3% (tariff rate)) and Amount (\$ (A), \$ (A), \$ (B))

(B) is the Licence Fee for the room. Example: if estimated compensation for the year is \$20,000, the Licence Fee would be \$20,000 x 3% = \$600.

Table with 2 columns: Description (Licence fee (B) (Minimum \$83.65), Add GST (6% in 2007, 5% in 2008), Add 7.5% QST, Add HST (14% in 2007, 13% in 2008), Total) and Amount (\$, \$, \$, \$, \$)

Please make cheque payable to SOCAN. Thank you!

## Terms of this licence

The legal terms that govern your licence include those set out herein as well as the terms found in the approved tariff including the General Provisions, as approved by the Copyright Board for each year. If you have any questions regarding the terms, please contact us at the address and numbers shown at the bottom of this page.

1. If the tariff for a year has not been approved by January 1<sup>st</sup> of that year, the last approved tariff will govern until the new version is approved, at which time the annual licence fees will be adjusted to reflect the approved version for the year.
2. A copy of any tariff may be obtained from SOCAN by calling **1.866.944.6223**.
3. This licence will renew automatically on January 1<sup>st</sup> of the following year for a 12-month period unless terminated by either party upon 30 days notice in writing.
4. The licence fee, plus applicable taxes for the year, will be calculated in accordance with the terms of this licence based on the information set out in the most recently filed report form or audit form, subject to adjustment to reflect any updated reports or audits pursuant to the tariff.
5. We have the right to audit your books and records, on reasonable notice and during normal business hours, to verify your statements and licence fee. You may request that the examination be made by an independent auditor chosen by you from a list of at least three auditors furnished by SOCAN. If the audit discloses that the licence fee owed to SOCAN has been understated by more than 10 per cent, you shall pay the auditor's fees.
6. You will keep records of all information required to calculate the licence fees for each year.
7. No later than January 31<sup>st</sup> of the year for which this licence is issued, you will file with SOCAN a report estimating the compensation for entertainment to be paid for that year, and shall pay those estimated fees for that year.
8. Report forms of the actual compensation paid for entertainment during the year and payment of any adjustment of the licence fees are due by January 31<sup>st</sup> of the year following the year for which the licence is issued or within 10 days of any adjustments.

## Your signature

By signing below, you agree that:

- you have read, understood, and accept the terms of this licence
- all information you have provided is correct and complete
- you have authority to bind the licensee.

Your name (please print)	Your title (please print)
Today's date (please print in full)	Your signature

**We are committed to handling your personal information responsibly. For more information about SOCAN's Privacy Policy, please visit [www.socan.ca](http://www.socan.ca).**

After you have read, completed, and signed this form, please send it with your cheque to:

**SOCAN**  
41 Valleybrook Drive  
Toronto, ON M3B 2S6  
[www.socan.ca](http://www.socan.ca)

**Toll-free** 1.866.944.6223  
**Fax** 416.442.3829  
[customers@socan.ca](mailto:customers@socan.ca)

*Music means business*

GST/HST #R101077931  
QST #1010390466

**BEST** WINNER OF CONFERENCE BOARD OF CANADA'S  
**SMALL & MEDIUM** 2007 NATIONAL GOVERNANCE AWARD  
EMPLOYERS IN CANADA FOR THE NOT-FOR-PROFIT SECTOR



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TARIFF 5.A
Application for licence /
Annual report for the
year 2008

Your account number

CS

Exhibitions and Fairs

In this form, you, your and licensee means the person or company filing an annual report. We, our, us and SOCAN means the Society of Composers, Authors and Music Publishers of Canada. Works means any or all of the musical works in SOCAN's repertoire. If you are applying for a licence, SOCAN will process your application within 30 days of receipt and contact you in the event that your application is not approved. This form may be used as an annual report under SOCAN Tariff 5.A. A Tariff 5.A licence gives you the right to perform any works from SOCAN's repertoire at your exhibition or fair. However, if additional admission is paid for a musical concert during your exhibition or fair, you need to apply for a licence under Tariff 5.B. Please contact us if you have other music uses. You may need to be licensed under other tariffs.

Tell us about yourself

Form with fields: Name of your company or organization, Name of exhibition or fair, Street address, City, Province and postal code, Phone, Fax, Email address, Website, President/authorized signing officer of company or organization

How to calculate your licence fee

Your licence fee depends on two factors: the total attendance for the previous year and the duration, in days, of the exhibition or fair. If attendance is 75,000 or less, complete #1 (one line only). If attendance is greater than 75,000, complete #2 and add up each line for a total. Then complete #3.

1. IF ATTENDANCE IS 75,000 OR LESS, complete ONE appropriate line.

Table with 4 columns: Total attendance for the year 2007, Fee per day (A), Number of days event open (B) for the year 2007, Total A x B (\$)

Opening Date 2008
Closing Date 2008

2. IF ATTENDANCE IS OVER 75,000, complete ALL lines that apply.

Table with 4 columns: Total attendance for the year 2007, (A), Fee per person (B), A x B (\$)

3. TOTAL LICENCE FEE
Table with 2 columns: Description, Amount (\$)

Example: for actual attendance of 250,000, the fee would total \$1,715:
100,000 x 1.07 cents = \$1,070
+ 100,000 x 0.47 cents = \$470
+ 50,000 x 0.35 cents = \$175

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## Terms of this licence

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1. If the tariff for a year has not been approved by January 1<sup>st</sup> of that year, the last approved tariff will govern until the new version is approved, at which time the annual licence fees will be adjusted to reflect the approved version for the year.
2. A copy of any tariff may be obtained from SOCAN by calling **1.866.944.6223**.
3. This licence will renew automatically on January 1<sup>st</sup> of the following year for a 12-month period unless terminated by either party upon 30 days notice in writing.
4. The licence fee, plus applicable taxes for the year, will be calculated in accordance with the terms of the tariff based on the information set out in the most recently filed report form or audit form, subject to adjustment to reflect any updated reports or audits pursuant to the tariff.
5. We have the right to audit your books and records, on reasonable notice and during normal business hours, to verify your statements and licence fee.
6. You will keep records of all information required to calculate the licence fees for each year.
7. In the case of an annual exhibition or fair, licence fees and report forms are due on or before January 31<sup>st</sup> of the current year or within ten days of any adjustments. In all other cases, licence fees and reports are due within 30 days of the exhibition or the fair's closing.

## Your signature

By signing below, you agree that:

- you have read, understood, and accept the terms of this licence
- all information you have provided is correct and complete
- you have authority to bind the licensee.

Your name (please print)	Your title (please print)
Today's date (please print in full)	Your signature

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TARIFF 5.B
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Your account number

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Concert at Exhibitions and Fairs: Additional Admission Charge

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If you are applying for a licence, SOCAN will process your application within 30 days of receipt and contact you in the event that your application is approved.

A Tariff 5.B licence gives you the right to publicly perform music from SOCAN's repertoire at a concert at your exhibition or fair where an additional admission is charged for attendance at the concert.

To be licensed under this tariff, you need to be already licensed under Tariff 5.A. Please contact us if you have other music uses. You may need to be licensed under other tariffs.

Tell us about yourself

Form with fields for company name, address, city, province, phone, fax, email, website, and concert name.

How to calculate your licence fee per concert

Each concert's licence fee is 3% of gross receipts from ticket sales for the concert (excluding sales and amusement taxes). If the concert ticket allows the concert-goer access to the exhibition or fair at any time on the day of the concert, the grounds admission price shall be deducted from the ticket price.

Table with 5 columns: Name of concert, Date of concert, Name of promoter, Gross receipts for concert, Gross receipts for adult grounds admission. Includes subtotal and tax calculation rows.

Please make cheque payable to SOCAN. Thank you!

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2. A copy of any tariff may be obtained from SOCAN by calling **1.866.944.6223**.
3. The licence fee, plus applicable taxes, will be calculated in accordance with the terms of the tariff based on the information set out in the most recently filed report form or audit form, subject to adjustment to reflect any updated reports or audits pursuant to the tariff.
4. We have the right to audit your books and records, on reasonable notice and during normal business hours, to verify your statements and licence fee.
5. You will keep records of all information required to calculate the licence fees.
6. You will submit to SOCAN a licence application prior to the concert, and will submit licence fees and report forms within 30 days after the close of the exhibition.

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