



music means business!

Spring 2005

Word from the President

Oh, Canada!



Publications such as the *New York Times* and *Spin* have recently dubbed Montreal as "the next big scene" in music. Add the Pop Montreal music festival as a must-see event and Montreal is just one of many vibrant music scenes found across Canada.

From international superstars like Céline, Avril, Diana, Nickelback and Corneille, to emerging acts like The Dears, The Constantines, Death From Above 1979, The Sadies, Patricia O'Callaghan and many more, Canadian music is heard around the world.

There are many factors contributing to our success including: our vibrant, multicultural music scene; public support; and our familiarity with the United States – the world's biggest music market. Most important of all is a musical culture that encourages creativity and innovation. Another reason for our members' success is the reciprocal agreements among performing rights organizations worldwide.

Canadian music is more popular than ever, and not just here at home. On behalf of SOCAN members, thank you for helping them get their start.

Earl Rosen

Let's do the Time Warp Again

by Alexandra Lopez-Pacheco

"I think music is very important in weddings. We've only done a couple of weddings without music, and they're usually over by 8 p.m.," says Krista Zillt, Manager of Conference Services for the Manteo Resort Waterfront Hotel & Villas in Kelowna, B.C. Stuart Joliffe, Regional VP for Delta Hotels in Atlantic Canada, concurs. "It is always part of the wedding celebration, during the reception, after dinner, either through a DJ or live music, and it adds a heightened sense to the event."

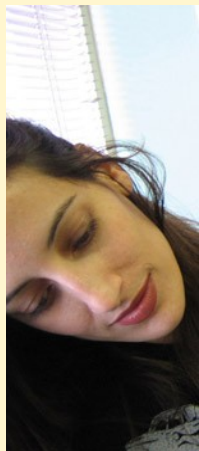
When you consider the contribution music makes to both the ambiance and celebration that are such an integral part of one of the most important milestones in a person's life, the cost of a SOCAN licensing fee—which ranges anywhere between \$20 to around \$174, depending on the number of people and whether or not the event includes dancing—seems both nominal and worth every penny.

"I feel that everyone who contributes to the success of an event deserves their fair share. SOCAN fees are justified in that the artists have worked and created this music for the guests and rightfully deserve compensation. Music is an integral part of life. Its rhythm and words spark warm memories for events past. I can't imagine any celebration without it. My thanks to those individuals who share

their talents with us through this medium," says Jim Jackson, Director of Catering, Crowne Plaza Chateau Lacombe in Edmonton. "Most guests are aware of this fee. The information sheets supplied by SOCAN certainly help in explaining it to the guests. I can't remember anyone being resistant to the fees," says Jackson. And most couples planning their weddings appear to agree. Tinalynn Reed, winner of a draw for a SOCAN Tariff 8 licence (paid by the organization) at last year's Canada's Bridal Show at the Metro Toronto Convention Centre, had been made aware of the need for a licensing fee when making arrangements for her wedding. In fact, she'd already paid her fee but was reimbursed with her prize.

The newest and easiest way to acquire a licence for music at a wedding is SOCAN's online service. "We haven't used the online service as of yet, still generating the licences manually. I will give it a try though," says Jackson. Zillt thinks it makes a lot of sense, "It could save a lot of paperwork and be much faster," she says. So, as the song says, "Let the music play..." and contact your local SOCAN Licensing representative for more information.

SOCAN and festivals “very important” to Wailin’ Jennys



“SOCAN has been very important to me from the very start of my career,” says Nicky Mehta of Winnipeg’s The Wailin’ Jennys. The close-harmony trio, nominated for a Juno Award this year in the category of Roots and

Traditional Album of the Year—Group for their full-length debut album “40 Days,” serve up a lovely blend of classic and contemporary folk, with Celtic and country influences. Critics have raved about their sweet sounds and powerful songwriter skills, both individually and as a group. Together, the trio is busy making plans for an action-packed year.

“We’re just starting to look at some festival offers,” says Mehta. “It looks as though it will be a busy summer again.” Mehta works with the trio’s management to complete SOCAN’s live performance report forms. “We do it all online,” she notes, “and I make sure I know what each of us has done on solo stages as well, since we all do our own individual solo performances besides appearances with the Jennys. My experience has been that festival directors really respect SOCAN and what the organization does for songwriters. I always make sure the songs are registered with SOCAN before we head out on the road, because we’re on the road a lot. As an independent folk artist every bit counts.”

The Copyright Board of Canada: A Primer



The Copyright Board is a quasi-judicial economic regulatory body, empowered to, among its other duties, establish royalties to be paid (as well as terms and conditions) for the use of copyright-protected works administered by collective societies such as SOCAN.

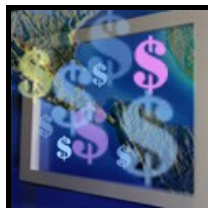
Based in Ottawa and reporting to Parliament through the Minister of Industry, the Board currently has five members - Mr. Justice William J. Vancise (chairman), Stephen J. Callary (vice-chairman and CEO), and members Francine Bertrand-Venne, Sylvie Charron and Brigitte Doucet.

SOCAN’s involvement with the Copyright Board dates back to 1936. Each year, SOCAN proposes new or newly modified tariff proposals to the Copyright Board (covering the performance of music on radio, TV, in concert halls, restaurants, clubs, cinemas, hotels, and so on). The

Board then may schedule hearings at which SOCAN and the relevant music-user groups present their positions.

Each side can call witnesses and submit evidence to support their positions. Following deliberation, which may take more than a year, the Board announces its decision and the tariffs are deemed certified under law, and published in the *Canada Gazette* as well as on the Board’s website. Either side may apply to the Federal Court of Appeal for review of the Board’s decision.

To find out more, visit www.cb-cda.gc.ca



SOCAN’S website: e-commerce made easy “Our school has been a customer of SOCAN for the last year and has always found SOCAN easy to deal with. We especially prefer the convenience of online payment,” says Frank Van Praet, Program Leader, Alexander Mackenzie Secondary School.

Making the Connection SOCAN and its customers

SOCAN went out of its way recently to thank a pair of customers who have had a positive and significant impact on the organization.



Laurence Godfrey, Regional Sales Manager, Licensing, presented the Customer Recognition plaque to Klaus Laahr, General Manager of the Winnipeg Convention Centre (top photo). A similar presentation was made to Dan Lussier, Director of Finance for the Canad Inns Corporation (bottom photo).

As well, we invite you to drop by our SOCAN booth, at any of these upcoming trade shows, and talk to one of our representatives:



Centrex

May 1 & 2, 2005

Winnipeg Convention Centre, Winnipeg, MB

ORFA Expo

May 4, 2005

University of Guelph, ON

Can-Fit-Pro

August 18 - 21, 2005

Metro Toronto Convention Centre, Toronto, ON

Canada's Bridal Show

September 9 - 11, 2005

Metro Toronto Convention Centre, Toronto, ON



We're here to assist you and answer your questions.

You Asked Us

A series of FAQs

Why, when the *Supplement to the Canada Gazette* states that a certain Tariff covers music use in a given period of time, e.g. 1999-2004, should music users have to pay for 2005.

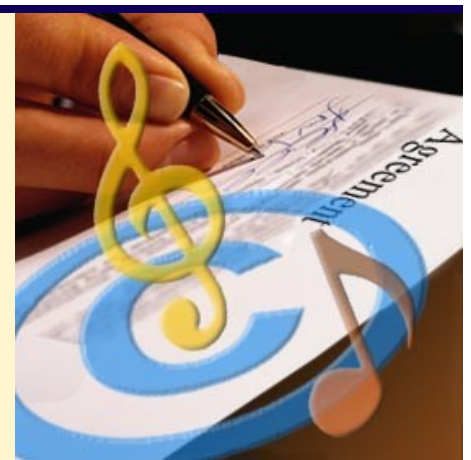
Does this mean that after 2004 there is no tariff? What should the amount be?

Under Section 678.2 of the *Copyright Act*, SOCAN may collect licence fees in accordance with the last approved tariff until the new tariff is approved. The process is that each year, by March 31st, SOCAN files its proposed tariff rates for the following year, e.g. SOCAN will have filed its proposed tariff rates for 2006 by March 31, 2005. These proposed rates are then published in the *Canada Gazette* and music users or their associations have 60 days from the date of publication to file objections. The Copyright Board may then determine that an oral hearing is necessary or may consider the matter via written arguments. Following the hearing, the Copyright Board will make its decision and the tariff, as approved by the Copyright Board with such alterations as the Board considers necessary, will be approved for the years it was filed and published in the *Canada Gazette*. The Board occasionally approves tariffs retroactively for a number of years.

Ottawa Carleton School Board and Van City Savings sign up with SOCAN!

SOCAN is pleased to announce that it has reached licensing agreements with the Ottawa Carleton School Board (for the public performance of music that is not covered by the educational exemption of the *Copyright Act*) and Van City Savings and Credit Union. The School Board showed real class in becoming a SOCAN customer and

providing their own students with the right example of respecting copyright while Van City Savings, with 49 locations in the Lower Mainland B.C., has also visibly demonstrated their interest in valuing copyright.



It's the Season

by Alexandra Lopez-Pacheco

As the festival season arrives in Canada, the hills come alive with the sound of music - whether it is major internationally renowned music festivals in metropolitan cities, or small folk festivals in rural communities. These festivals play a pivotal role in Canada's music industry.

They provide opportunities for music creators to share their art with the public, create vibrant gatherings where artists can meet one another, check the pulse on trends, styles or creative innovations, and perhaps even form new creative alliances. Of course, while festivals help promote individual acts and the music industry in general, they also attract large numbers of people to a community or city – and with them, an infusion of revenues

for local businesses.

Because SOCAN recognizes the importance of music festivals to both its members and the industry itself, it supports organizations like CAPACOA, COCA and OCFE. But while SOCAN provides support to festivals, organizers of these events have to remember they are responsible for acquiring performing-rights licences for all live or recorded music used at their events



If you'd like more details about SOCAN and why you have to pay for music, please check us out at www.socan.ca

because, as with everyone else, music creators have the right to be paid for their work – it's what's right for music.



SOCAN

Society of Composers, Authors and
Music Publishers of Canada

Société canadienne des auteurs,
compositeurs et éditeurs de musique

Help us help you!

The most efficient and dynamic way for SOCAN to communicate with its customers is through the power of technology. Send us your e-mail address now and you can enjoy up-to-the-moment updates from SOCAN. Your local Licensing representative is only an e-mail away at customers@socan.ca.