

Who pays for
music

at concerts, festivals and other public events



SOCAN

Society of Composers, Authors and
Music Publishers of Canada

Société canadienne des auteurs,
compositeurs et éditeurs de musique

who SOCAN is

ABOUT SOCAN

SOCAN is a member-owned collective representing the people who create the music that is such an important part of our lives.

Our members number more than 100,000 Canadian songwriters, composers, lyricists and publishers. And through our agreements with similar organizations around the globe, we represent hundreds of thousands of international creators and their publishers.

For those who use music as part of their businesses or functions, SOCAN sells access to virtually the world's entire repertoire of copyright-protected music for public performance and telecommunication – based on tariffs set by Canada's Copyright Board.



WHO PAYS FOR MUSIC?

Generally, any person using or authorizing the use of music – either live or recorded – needs a SOCAN performing-rights licence. This includes concerts, festivals, parades, variety shows, pageants, dances, beer gardens, exhibitions and fairs.

The SOCAN music licence is a cost of putting on a musical event, just as venue rental, ticket-takers and security are (or electricity and maintenance, if you are a venue owner). Fees vary according to the type of music use.

WHY MUSIC ISN'T FREE

There's nothing new about this. Performing rights have existed in Canada for over 75 years. Every single song or melody, played at any public function, was written and published by somebody. And those people are entitled to be paid for its use. It represents an important part of how they earn their livelihoods. This holds true for any public performance of live or recorded music.

MUSIC AS AN INVESTMENT

Imagine your event without music. Others pay for background music, music at receptions, conventions, assemblies, in theatres, bars, restaurants and retail environments. The value of music to their businesses is obvious to them, or they wouldn't use it. It should be even easier to calculate its contribution to *your* bottom line. SOCAN offers you access to practically all the copyright-protected music in the world from a single source.



Let us assure you that more than 80% of all monies from fees collected by SOCAN makes its way to the creators and publishers entitled to it. These monies are an important part of their livelihood, and help them to keep on supplying us with the music that plays such an important role in all our lives.

FREQUENTLY ASKED QUESTIONS

Q: How are SOCAN licence fees set?

A: SOCAN fees are set by the Copyright Board, an independent body appointed by the government. Each year, SOCAN files its proposed tariffs with the Copyright Board. If any objections are filed by interested parties, the Board may decide to hold a public hearing to determine the appropriate tariff rate. The approved tariffs are published in the *Canada Gazette*. (SOCAN has the right to collect licence fees at the previously-approved rate until the proposed tariff is approved.)

Q: We don't use Canadian music. Do we still require a SOCAN licence?

A: Yes, you still need a licence. Performing rights exist worldwide and SOCAN has agreements with performing rights organizations (PROs) around the globe to ensure the reciprocal collection of licence fees. Your SOCAN licence gives you access to virtually all of the world's repertoire of copyright-protected music.

Q: I rent my venue to promoters. Shouldn't they be responsible for paying the SOCAN fee?

A: Yes, they are also responsible. If the promoter of an event doesn't obtain the necessary licence, the owner of the venue can be held responsible for the unlicensed performance. If music is used in your venue, simply contact SOCAN. It's easy to ensure that the right SOCAN licence is obtained.

Q: We already pay the performers. Why do we have to pay SOCAN?

A: When you hire a band or a DJ, you are paying for their services as performing artists – but not for the public performance of the music. Performing music and creating music are two separate types of creative work, and each deserves fair compensation. Only when you obtain a SOCAN licence are you paying the owners of the music.

Q: The bands I present play only their own music. Why do we have to pay SOCAN?

A: When you hire performers to play at an event, you are contracting them for their performing services. This does not cover the public performance of music – even their own works. If a performer also created the music, they have assigned the performing rights to SOCAN or another PRO for administration.

Q: We're a religious, educational, charitable or fraternal organization. Do we need a SOCAN licence for the music we perform in public?

A: Under the *Copyright Act*, there are certain exemptions, but specific conditions must be met in order to qualify for the exemption. Just contact us to discuss whether or not you are exempt from paying a SOCAN licence fee.

Q: What is Public Domain Music?

A: In Canada, a musical work enters the public domain 50 years after the year of the death of the last surviving composer/author of the work. No fee is due if all the works in a performance are public domain. However, you might be surprised to learn that some of the music we take for granted is not in the public domain. Make no presumptions; you are responsible for submitting a program to SOCAN for final determination.

Q: When does a performance require a "grand" rights licence versus a "small" rights licence?

A: SOCAN represents the "small" performing rights in musical works. When musical works are used in theatrical shows and/or operas that combine the music with staging, dialogue and costuming, they are referred to as a "grand right." "Anne of Green Gables" by Norman Campbell and "Cats" by Andrew Lloyd Webber are both productions which merit "grand" rights. To obtain a grand rights licence, you must contact the publisher directly. If you don't know whether an event is a "grand" or a "small" rights performance, please contact SOCAN.

Q: What about "casual" music, played in intermissions or before or after non-musical programs?

A: Even music that is not part of a main performance must be licensed. If you use music in any way associated with a public gathering, check with SOCAN to ensure you have the proper licence.

WE'RE HERE TO HELP

If you'd like more details about SOCAN and why you have to pay for music, please check us out at www.socan.ca or contact your local SOCAN office. We also have pamphlets on who pays for music and why, how SOCAN collects and distributes royalties, plus more. As always, we're here to assist you and answer any questions.

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what's right for music
la musique a ses droits