

Who pays for

# music

at recreational facilities



SOCAN

Society of Composers, Authors and  
Music Publishers of Canada

Société canadienne des auteurs,  
compositeurs et éditeurs de musique

## WHO PAYS FOR MUSIC?

Any public performance of music – large or small, live or recorded – needs a SOCAN performing rights licence. A Tariff 21 licence covers any live or recorded music used during a number of different types of events held at a recreational facility or local community hall. These events include receptions, fairs, ice-skating, fashion shows, circuses, fitness activities, minor hockey and other sporting events.



The fee for a Tariff 21 licence is a set annual amount plus applicable taxes. To be eligible, you have to be sure that your facility's gross revenues generated from events like those mentioned above doesn't exceed the annual threshold amount.

## WHY MUSIC ISN'T FREE

There's nothing new about this. Performing rights have existed in Canada for over 75 years. Of course, 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, recorded and broadcast music – including during fairs, fitness activities, sporting events and other community gatherings.



## FREQUENTLY ASKED QUESTIONS

### **Q: Why was a Tariff 21 licence implemented?**

**A:** The Tariff 21 licence was created to streamline the licensing process for recreational facilities that commonly have multiple types of events where music is used. A number of different music uses that are common to community halls have been bundled together so that only one licence may be required.

### **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 proposed tariffs with the Copyright Board. If any objections are filed, the Copyright Board holds a public hearing or hearings. The Board then publishes approved tariffs in the *Canada Gazette*. (SOCAN has the right to collect licence fees at the previously approved rate until the new proposed tariff is approved.)

### **Q: Is there a special licence for smaller community facilities?**

**A:** Yes. Below a certain threshold annual income, each facility operated by your organization likely falls under Tariff 21. It incorporates virtually all the types of music use expected for typical Community Halls and Recreational Facilities. You'll pay a simple set annual licence fee, plus applicable taxes of course. Tariff 21 includes facilities operated by a municipality, a school, college, university or agricultural society, or similar community organization.

### **Q: What is the threshold income and how is the fee calculated?**

**A:** The threshold income and set Tariff 21 fee change from time to time. For current rates visit [www.socan.ca](http://www.socan.ca) or call your nearest SOCAN office. If the facility's gross revenues is greater than the threshold amount, you must obtain licences for each type of music use. Your facility is required to keep certain financial records to confirm that it remains below the threshold income.

**Q: What events are covered by this licence?**

**A:** It covers public use of music at events including Fairs & Exhibitions (Tariff 5A), Skating Rinks (Tariff 7), Receptions & Assemblies (Tariff 8), Sports Events (Tariff 9), Circuses & Ice Shows (Tariff 11A), and Fitness Activities (Tariff 19). If each of your facilities qualifies, you need only pay a single set fee per facility for Tariff 21.

**Q: What events are not covered by this licence?**

**A:** If your facility is used for Concerts (Tariff 4A) or Cinema (Tariff 6) you may require additional licences. See a complete list of SOCAN tariffs at [www.socan.ca](http://www.socan.ca) or call your nearest SOCAN office.

**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 other international performing rights organizations to ensure the reciprocal collection of licence fees. Your SOCAN licence gives you access to virtually the world's entire repertoire of copyright-protected music.

**Q: We're a religious, educational, charitable or fraternal organization. Do we need a SOCAN licence for the music we use at our functions?**

**A:** Under the *Copyright Act*, there are certain exemptions, but specific conditions must be met in order to qualify for the exemption. The exemptions are as follow:

- Religious – music as part of worship or service
- Educational – music forms part of the curriculum
- Charitable – the organization is a charitable organization;  
AND – the performance at the event is done by the charitable/religious/educational organization itself (as opposed to independent contractor performers);  
AND/OR – the performance of music directly furthers a charitable/religious/educational object.

For more information visit [www.socan.ca](http://www.socan.ca) or call your nearest SOCAN office.

# 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 140,000 Canadian songwriters, composers, lyricists and publishers. And through our affiliations, we represent hundreds of thousands of other creators and publishers around the world. For those who use music as part of their businesses, functions or events, SOCAN sells access to virtually the world's entire repertoire of copyright-protected music for public performance – based on fees set by the Copyright Board.

More than 80% of all monies collected from fees makes its way into the pockets of the creators and publishers entitled to it.



## LOOK AT IT THIS WAY

Your facility pays for food, drinks, equipment and maintenance – of course. Suppliers of those things need to make a living. The same is true of music. Those who create and publish it have the right to be compensated for their work wherever and however it is used in public.

## 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](http://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.

### SOCAN Head Office

41 Valleybrook Drive  
Toronto, ON M3B 2S6  
☎ 416.445.8700  
☎ 416.445.7108  
☎ 1.800.55.SOCAN (1.800.557.6226)

### SOCAN Quebec Division

600 de Maisonneuve Blvd. W., Ste. 500  
Montreal, QC H3A 3J2  
☎ 514.844.8377  
☎ 514.844.4560  
☎ 1.800.79.SOCAN (1.800.797.6226)

### SOCAN West Coast Division

1201 West Pender Street, Ste. 400  
Vancouver, BC V6E 2V2  
☎ 604.669.5569  
☎ 604.688.1142  
☎ 1.800.93.SOCAN (1.800.937.6226)

### SOCAN Edmonton

1145 Weber Centre, 5555 Calgary Trail  
Edmonton, AB T6H 5P9  
☎ 780.439.9049  
☎ 780.432.1555  
☎ 1.800.51.SOCAN (1.800.517.6226)

### SOCAN Dartmouth

45 Alderney Drive, Ste. 802,  
Queen Square  
Dartmouth, NS B2Y 2N6  
☎ 902.464.7000  
☎ 902.464.9696  
☎ 1.800.70.SOCAN (1.800.707.6226)

And check us out at

[www.socan.ca](http://www.socan.ca)



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what's right for music  
la musique a ses droits