



PLANNING A WEDDING? DON'T FORGET TO INVITE THE COPYRIGHT BOARD OF CANADA

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The use of music in public areas is as ubiquitous as the sale of popcorn at movie theatres. However, despite the fact that most of us in Canada take the use of this music for granted, there are still those who are entrusted with ensuring that the rights holders associated with this music reap a financial benefit from the public use of their works.

To this end, Re:Sound, a non-profit licensing company entrusted with protecting the financial interests of performance artists and record companies in Canada, has recently obtained certification from the Copyright Board of Canada for a new tariff applicable to recorded music used when accompanying live events such as weddings, carnivals, garage sales, festivals and nightclubs (Re:Sound Tariff 5 - Use of Music to Accompany Live Events (Parts A to G), 2008-2012).

Previously, event organisers and venue operators only paid royalties to the authors of musical works, whose music was used or played at said events or venues, through the Society of Composers, Authors and Music Publishers of Canada (otherwise known as SOCAN). However, this new tariff is added to the existing SOCAN tariff and specifically compensates those who own the performance rights to this music, and who did not receive equitable remuneration prior to the new tariff.

The tariff separates all public events into seven categories, such that new and additional royalties would need to be paid, depending on the type of event and number of attendees:

- a) For all recorded music that accompanies live entertainment in cabarets, cafés, clubs, restaurants, roadhouses, taverns and similar establishments ;
- b) For all recorded music used as a part of receptions (including weddings), conventions, assemblies and fashion shows;
- c) For all recorded music used by way of karaoke machines at karaoke bars and similar establishments;
- d) For all recorded music used in association with festivals, exhibitions and fairs;

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- e) For all recorded music used in association with circuses, ice shows, fireworks displays, sound and light shows and similar events. In this particular case, this tariff applies regardless if the music is played indoors or out, if the music is played during the event itself, during intermissions, or during the entrance and exit of the audience.
- f) For all recorded music used by floats in parades;
- g) For recorded music used publicly in parks, streets and other public areas.

As mentioned above, Re:Sound is entrusted with collecting the fees under this tariff and relies on an “honour system” reporting process to collect fees from all implicated parties. Consequently, since Re:Sound may audit organisers and venue operators to gain access to their event records, it is important to consult a copyright professional to verify whether this new tariff applies to you.



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