



CANADIAN  
ARTS PRESENTING  
ASSOCIATION

ASSOCIATION  
CANADIENNE DES  
ORGANISMES ARTISTIQUES

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July 4, 2017

BY EMAIL

Gilles McDougall  
Secretary General  
Copyright Board of Canada  
56 Sparks Street, Suite 800  
Ottawa ON K1A 0C9

Ref: CB-CDA 2017-043

Subject: Objection to Re:Sound Background Music Tariff 2018.

Dear Mr. McDougall,

CAPACOA objects to Re:Sound Background Music Tariff 3.B 2018, gazetted May 13, 2017, on the following bases.

Firstly, the proposed royalty increases are excessive in view of existing rates and considering the financial realities of performing arts organizations.

Secondly, the proposed minimum annual fee is also excessive considering the limited use of background music in most performing arts venues. Performing arts organizations who present a variety of different disciplines are already subject to existing or proposed blanket live performance tariffs that also account for the use of background music. These include settlement Tariff 5.A Recorded Music Accompanying Live Entertainment 2015, certified Tariff 5.E Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows and Similar Events, as well as proposed 5.I Comedy and Magic Shows and 5.J Concerts. For presenters who licence mostly under one or several of these tariffs, the requirement to pay a minimum annual fee for occasional use of background music under proposed Tariff 3.B would be unfair. In addition, with so many different tariffs requiring the payment of a minimum per-event fee or a minimum annual fee, there are significant risks that multi-disciplinary performing arts organizations might have to pay several minimum fees within a given reporting period. Such an accumulation of minimum fees would be unfair, and could even cause hardship to smaller organizations.

CAPACOA reserves the right to raise additional objections to these proposed tariffs after the interrogatory phase of the proceedings has been completed.

CAPACOA intends to undertake constructive discussions with Re:Sound in order to attempt to resolve our objection before the hearing phase of the proceedings.

Yours truly,

A handwritten signature in black ink, reading "Sue Urquhart". The signature is written in a cursive style with a large initial 'S'.

Sue Urquhart  
Executive director