

Guidance for copyright and neighbouring rights reporting for the 2020 calendar year

Prepared by CAPACOA, for CAPACOA members and for members of affiliated networks

Last updated: January 15, 2021

Since 2010, CAPACOA has had an ongoing dialogue with Re:Sound, SOCAN and Entandem to define fair and clear tariffs, and to achieve the most streamlined reporting process for music users.

→ [Find out more](#)

As of January 2020, Re:Sound Tariff 5.K (Recorded music accompanying theatrical, dance and other live performances), which was certified by the Copyright Board in September 2017, still has not been implemented in the Entandem portal. In addition, our negotiations with SOCAN have not yet allowed us to define a harmonized tariff structure for this use of published sound recordings. Consequently, **music users must continue to submit reports for certain licenses using PDF forms** rather than via the Entandem portal.

In order to help CAPACOA members (and members of affiliate networks) report as efficiently as accurately as possible in the circumstances, we prepared the following guidance.

<p>Circuses <i>Subject to the CAPACOA-Re:Sound agreement</i></p>	<p>Use the CAPACOA-Re:Sound PDF form. Pay Re:Sound 5.K (in lieu of Re:Sound 5.E).</p>	<p>Unless the work is subject to grand rights, use this PDF form to pay SOCAN 11A.</p>
<p>Comedy and magic shows <i>Subject to the CAPACOA-Re:Sound agreement</i></p>	<p>Use the CAPACOA-Re:Sound PDF form. Pay Re:Sound 5.K (in lieu of Re:Sound 5.I).</p>	<p>Use this PDF form. Pay SOCAN 11B.</p>
<p>Recorded music accompanying theatrical,</p>	<p>Use the CAPACOA-Re:Sound PDF form.</p>	<p>-If it's a dance performance and if the work isn't subject to</p>

<p>dance and other live performances <i>Tariff certified further to the CAPACOA-Re:Sound agreement</i></p>	<p>Pay Re:Sound 5.K.</p>	<p>grand rights, use PDF form for SOCAN 8 -If it's a theatre performance, grand rights apply – no need for a SOCAN license. -For all other uses of a published sound recording as part of a performance or if you are unsure, contact Entandem to determine which SOCAN tariff applies.</p>
<p>Concerts (for background music played before or after a concert) <i>Subject to the CAPACOA-Re:Sound agreement</i></p>	<p>Use the CAPACOA-Re:Sound PDF form. Pay Re:Sound 3.B (in lieu of Re:Sound 5.J).</p>	<p>Background music at a concert is included in SOCAN 4A and 4B. (Note: When reporting online, there is an <u>option</u> to enter Re:Sound 5.J information ('number of events with recorded music'). You should not use this option. If you do, you will be reporting twice to Re:Sound.)</p>
<p>Receptions, conventions, assemblies and fashion shows</p>	<p>Report online. (Although the CAPACOA-Re:Sound PDF form still includes a space to report Re:Sound 5.B, it is preferable not to use it. If you used it, then make sure you also report with the equivalent PDF form for SOCAN8 to avoid double reporting.)</p>	<p>Report online. (Although the CAPACOA-Re:Sound PDF form still includes a space to report Re:Sound 5.B, it is preferable not to use it. If you used it, then make sure you also report with the equivalent PDF form for SOCAN8 to avoid double reporting.)</p>
<p>Festivals, exhibitions and fairs</p>	<p>Report online. (Although the CAPACOA-Re:Sound PDF form still includes a space to report Re:Sound 5.D, it is preferable not to use it. If you used it, then make sure you also report with the equivalent PDF form for SOCAN5A to avoid double reporting.)</p>	<p>Report online. (Although the CAPACOA-Re:Sound PDF form still includes a space to report Re:Sound 5.D, it is preferable not to use it. If you used it, then make sure you also report with the equivalent PDF form for SOCAN5A to avoid double reporting.)</p>

Your PDF forms should be submitted to Entandem via email at license@entandemlicensing.com.

Your reports for the 2020 calendar year should normally be submitted to Entandem by January 31, 2021. If however, because of the exceptional circumstances of the pandemic, you don't think

you will be able to submit your reports on time, please don't hesitate to contact Entandem and to ask for an extension.

As a reminder, you only need Re:Sound licenses for events where a 'published' sound recording is performed to the public. If the recording can't be found on Spotify, Bandcamp or iTunes, no licence is needed.

We realize the above reporting processes fail to achieve the streamlining that Entandem was meant to provide. We are hopeful that we can address these complexities during the current rounds of negotiations with Re:Sound and SOCAN.

The CAPACOA team