

# Guidance for neighbouring rights and copyright reporting for the 2023 calendar year and beyond

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

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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 March 2024, Re:Sound Tariff 5.A (Recorded music accompanying live entertainment), which was first certified by the Copyright Board in September 2017, still has not been implemented in the Entandem portal. Besides, our negotiations with SOCAN have not yet allowed us to define a harmonized tariff structure for this use of published sound recordings.

In addition, a new Settlement Agreement with Re:Sound enables CAPACOA members to benefit from certain changes to Tariff 5.D and 5.J before their certification by the Copyright Board.

Consequently, **music users must continue to submit reports for certain licenses using an Excel form** 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><b>Recorded music accompanying live entertainment</b> (for theatrical, dance, acrobatic arts, integrated arts, contemporary circus arts or other live performances) <i>Subject to the CAPACOA-Re:Sound agreement</i></p>	<p>Use the <a href="#">CAPACOA-Re:Sound Excel form</a>. Re:Sound 5.A.</p>	<p>-SOCAN does not have a harmonized tariff: do not report via Entandem, otherwise you may end up reporting twice to Re:Sound. -If grand rights apply (as is the case for theatre, musicals, and many dance works), no SOCAN license is required. -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><b>Concerts</b> (for background music played before or after a concert) <i>Subject to the CAPACOA-Re:Sound agreement</i></p>	<p>Use the <a href="#">CAPACOA-Re:Sound Excel form</a>. 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><b>Receptions, conventions, assemblies and fashion shows</b></p>	<p><a href="#">Report online</a>. Re:Sound 5.B. Note: The CAPACOA-Re:Sound Excel form enables you to report 5.B licenses, but it is preferable to report online to avoid accidental double Re:Sound reporting.</p>	<p><a href="#">Report online</a>. SOCAN 8.</p>
<p><b>Festivals, exhibitions and fairs</b></p>	<p><a href="#">Report online</a>. Re:Sound 5.D. Note: If a music festival sells individual tickets for each concert, it may be considered a concert series; in such cases, Re:Sounds 5.J applies.</p>	<p><a href="#">Report online</a>. SOCAN 5.A. Note: Tariff 5.A does not apply to concerts for which an additional admission charge is made; for such concerts, SOCAN 4.B applies.</p>
<p><b>Circuses</b></p>	<p><a href="#">Report online</a>. Re:Sound 5.E.</p>	<p><a href="#">Report online</a>. SOCAN 11A.</p>
<p><b>Comedy and magic shows</b></p>	<p><a href="#">Report online</a>. Re:Sound 5.I.</p>	<p><a href="#">Report online</a>. SOCAN 11B.</p>

Your reporting form should be submitted to Entandem via email at [license@entandemlicensing.com](mailto:license@entandemlicensing.com).

Your reports for a given calendar year should normally be submitted to Entandem by January 31 of the next year. If however you are behind in your reporting, Entandem can be flexible. Contact them at your earliest convenience to explain your situation to remit any outstanding license payment.

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 license 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