



Copyright Board
Canada

Commission du droit
d'auteur du Canada

ANNUAL REPORT 2021-2022



Canada 

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ISSN 1493-3276
Catalogue No. Iu120E-PDF



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Message from the Chair

As Chair of the Copyright Board, I am pleased to present its 33rd Annual Report, covering the period from April 1, 2021, to March 31, 2022.

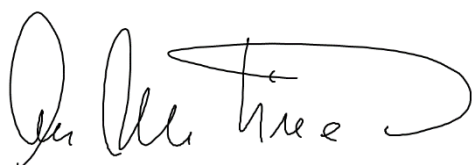
The Copyright Board (the “Board”) is an independent administrative tribunal and an economic regulator whose key mandate consists of granting licences and establishing fair and equitable tariffs for the use of protected works. The Board plays a fundamental role in the copyright ecosystem by promoting a balance between remuneration for copyright owners and access to protected works for users, while preserving the public interest and the competitive nature of the copyright marketplace.

For the second year in a row, the Board had to contend with restrictive COVID-19 measures that were highly detrimental to the creative market and users. The work of the Board was carried out entirely virtually, and arrangements were offered to parties to allow them to participate in the proceedings to the extent of their capacity. The transition toward a fully virtual mode went smoothly, especially since the Board now favours written hearings and written submissions. This decision reduces costs for the parties and the Board while ensuring the efficiency of the proceedings. It also contributes directly to reducing the organization’s ecological footprint. As a result, the Board proceeds by oral hearing only in cases where it is deemed necessary, and not by default.

The 2021–2022 fiscal year was also marked by the Supreme Court of Canada’s decision in *York v. Access Copyright*, an important decision that clarifies, among other things, the scope of tariffs approved by the Board. This decision will certainly have an impact on the Board’s ability to deliver on its mandate, but it will be some time before we see the concrete results of this decision, including the cumulative effect of the decision and the changes made to the *Copyright Act* in 2019.

With respect to improving the efficiency and transparency of its operations, the Board stayed the course in 2021–2022. The Board plans to publish its new Rules of Practice and Procedure in 2022–2023 and was able to test certain aspects of the Rules this year to ensure that its future regulatory framework will meet its objectives and the operational realities of stakeholders. The coming into force of the Rules will complete Phase 1 of the Board’s Modernization Initiative, the preliminary results of which will be published in 2022–2023.

Finally, as Chair of the Board, I would like to recognize the hard work of the entire team over the past year and acknowledge their dedication to the public service. I would also like to thank my fellow Commission members for the quality of their work, and all Board stakeholders who welcomed our new way of working with an open mind and flexibility. I would also like to thank Adriane Porcin, who left her position as Commissioner in 2021-2022 to take on new challenges, and wish her, on behalf of the Board, the best of luck in the future.



The Honourable Luc Martineau, Chair







Message from the Chief Executive Officer

For the second year in a row, the Board drew on its ability to adapt and the resilience of its employees to contend with the constraints imposed by the COVID-19 pandemic. Through our collective strength, we were able to pursue our vision, stay the course on our strategic objectives, particularly Phase 1 of our Modernization Initiative, and meet all our commitments in a fully virtual work environment. All of the credit for this success goes to the employees of the Board, to whom I extend my sincere thanks.

As part of Phase I of the Modernization Initiative, our redesign of administrative practices and policies that began last year continued steadily. In keeping with our efforts to make our management methods more effective and less costly, we continued the transition to an almost entirely digital offering of administrative and Registry services. The development of an electronic filing system, the implementation of which is planned for 2023, also continued. As this is a major project, every effort was made this year to explore the various technological models that could correspond to the Board's operational and financial reality.

This year, the Board committed to redefining the relationship between it and its clients by adopting case management practices and more frequent informal contact with stakeholders. The aim is for this relationship to be based on mutual trust, on a search for upstream solutions and more regular information sharing. Indeed, we are convinced that through such a useful dialogue, the Board will be in a better position to understand the reality of the Canadian copyright marketplace, and therefore be better equipped to deliver on its mandate as an economic regulator and independent administrative tribunal.



Nathalie Théberge
Vice-Chair and CEO

About the Copyright Board of Canada

Mandate

The mandate of the Board is defined in the *Copyright Act* (the “Act”). The Act provides that the Board intervenes in three areas, namely approving tariffs for content whose rights are managed by collective societies, the granting of licences for the use of content for which the right owners cannot be found, and arbitration in the event a collective society and users cannot agree on royalties.

The Copyright Board of Canada’s fundamental purpose is to establish fair and equitable tariffs and licences through timely and fair processes. This requirement is expressly stated in the Act: “The Board shall fix royalty and levy rates and any related terms and conditions under this Act that are fair and equitable [...]”. The requirement to have timely processes is also expressly stated in the Act: “All matters before the Board shall be dealt with as informally and expeditiously as the circumstances and considerations of fairness permit [...]”.

To deliver on its mandate, the Board is required to follow the principles of natural justice; base its work on solid legal and economic principles; and reflect a solid understanding of constantly evolving business models and technologies. As an administrative tribunal, the Board is also constrained by the decisions of the Federal Court of Appeal and of the Supreme Court of Canada which continuously shape the legal framework in which it operates. Finally, the Board’s decisions are subject to judicial review, which means that cases from previous years can be reversed in whole or in part and sent back to the Board.

As an independent tribunal, the Board reports on its administrative activities to Parliament through the Minister of Innovation, Science and Industry.

Tariffs and Royalties

The Board is mainly responsible for approving tariffs for:

- the use of musical works, sound recordings and public performances by a wide range of entities including television stations, satellite radio, online music services, hotels and restaurants;
- the use of literary works by educational institutions and governments;
- the retransmission of works embedded in distant television and radio signals, or the reproduction and public performance of a television and radio broadcast, by educational establishments for educational purposes; and
- the manufacture or importation of blank audio media for private copying purposes.

Unlocatable Copyright Owners

When the copyright owner cannot be found, it is up to the Board to rule on requests for non-exclusive licences to use a published work, a fixation of a performance, a published sound recording or a fixation of a communication signal.

Other Aspects of the Board's Mandate

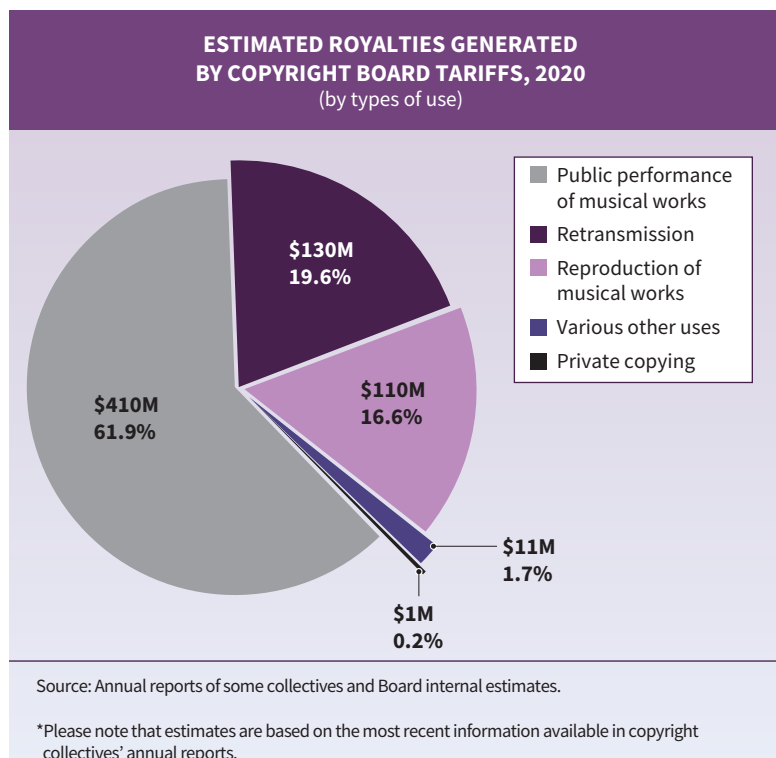
Collective societies and users of copyrights can agree on the royalties and related terms of licences for the use of works in a collective society's repertoire. In order to protect the public interest, the Board may be required to do the following with respect to agreements:

- where there is a disagreement between the parties and on application by either party pursuant to section 71 of the Act, fix the royalties payable and/or any related terms and conditions for the use of works;
- if requested to do so by the Commissioner of Competition, examine the agreements between copyright collectives and users that have been filed with the Board by either party pursuant to section 76 of the Act.

The Board is also responsible for establishing the compensation to be paid by a copyright owner to a person for ceasing to perform protected acts, following the accession of a country to an international treaty, notably the WIPO Performances and Phonograms Treaty, the Berne Convention, the Universal Convention or the Agreement Establishing the World Trade Organization, and that were not previously protected.

Royalties Generated by the Board's Tariffs

The total amount of royalties generated by the tariffs the Board certifies is estimated to approximately \$662 million in 2020, based on the annual reports of collective administration societies and internal Board estimates. The following chart shows the allocation of these royalties among the various types of tariffs approved. The public performance of musical works, which includes for example the tariffs to be paid by radio stations as well as restaurants and cinemas, represents 62% of the royalties generated in 2020, followed by the retransmission regime, the reproduction of musical works, various other tariffs and private copying.

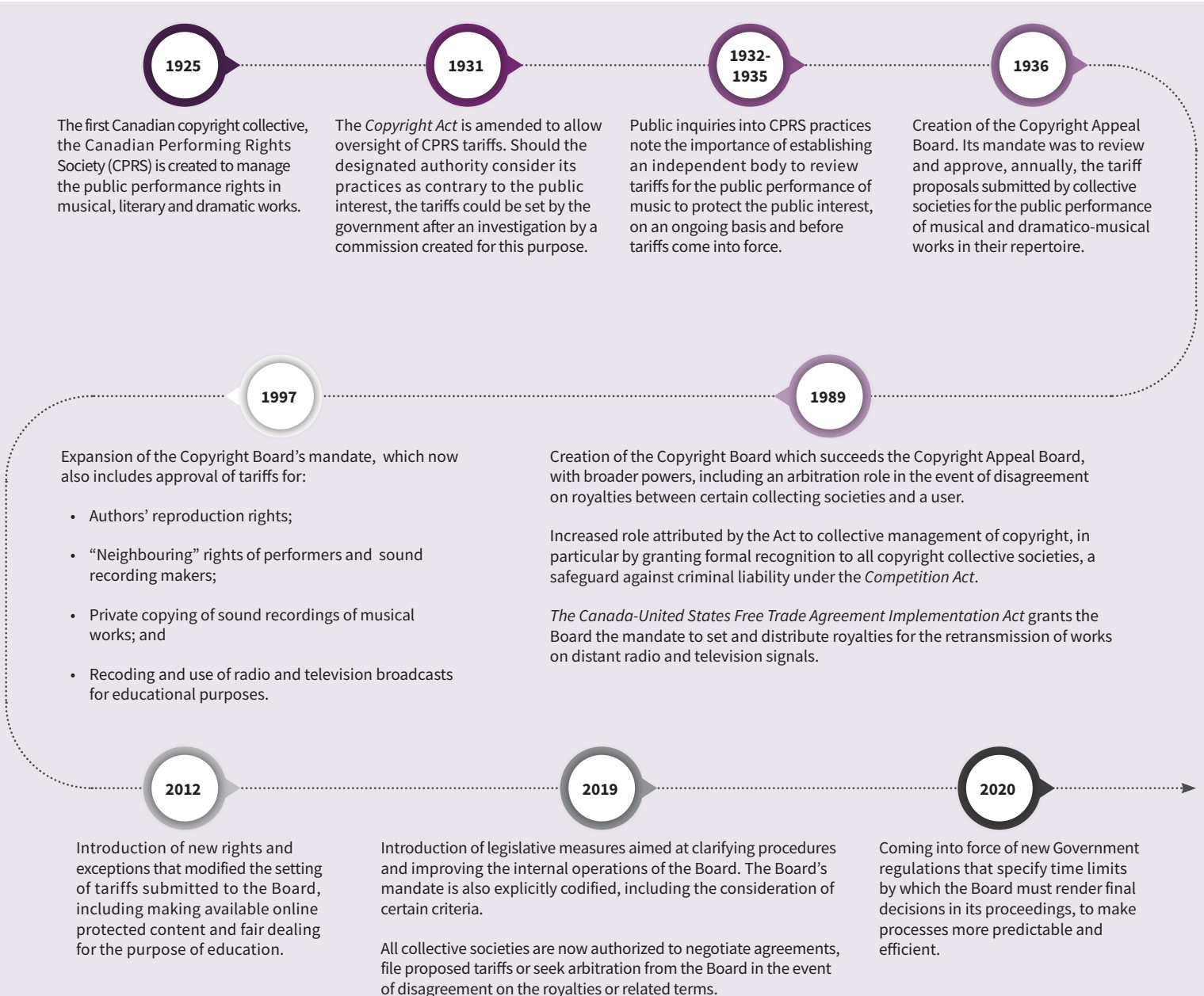


History

The Copyright Board of Canada was formally established on February 1, 1989, in its current form.

In addition to the powers that were previously bestowed upon the former Copyright Appeal Board, the newly formed Board's mandate was expanded over the years beyond the approval of tariffs for the public performance of musical works and the granting of licences for the use of works whose copyright owners are unlocatable.

The mandate of the Board has continuously evolved to take into account the political, technological and economic changes that have influenced copyright, both at the domestic and international levels.



Governance

The Copyright Board consists of a maximum of five Board Members appointed by the Governor in Council for terms not exceeding five years, which can be renewed only once. The Chair must be a judge, either sitting or retired, of a superior, county or district court. The Chair directs the work of the Board and assigns the tasks to the Members. The Vice-Chair is also the Chief Executive Officer (CEO), and directs all Board operations, including the management of its human and financial resources. Apart from the Vice-Chair, other Board Members assume their functions on a part-time basis.



Chairperson

The Honourable Luc Martineau was appointed Chair of the Copyright Board of Canada in October 2020 for a five-year term. Justice Martineau was a sitting judge of the Federal Court until his retirement on August 30, 2021. He was appointed Judge of the Federal Court of Canada, Trial Division and ex officio member of the Court of Appeal, January 25, 2002, and Judge of the Court Martial Appeal Court of Canada on April 18, 2002. On July 2, 2003, the date of the coming into force of the *Courts Administration Service Act*, he became Judge of the Federal Court. Justice Martineau was also a member and then President of the Public Servants Disclosure Protection

Tribunal from 2007 to 2014. Prior to this, Justice Martineau established his own firm as a lawyer, arbitrator and mediator in Montréal from 1996 to 2002. He was a partner at Langlois Robert from 1990 to 1996 and an associate and partner at Robert, Dansereau, Barré, Marchessault & Lauzon in Montréal from 1981 to 1990. Justice Martineau was Legal Counsel to the President of the Canada Labour Relations Board from 1979 to 1981. Justice Martineau holds a LL.L (1977) and LL.M (1985) from the University of Ottawa. He has been a member of the Bar of Quebec since 1978.



Vice-Chair & Chief Executive Officer

Nathalie Théberge was appointed full-time Vice-Chair and Chief Executive Officer of the Copyright Board of Canada in October 2018 for a five-year term. Prior to her appointment, she held various senior executive positions within the federal government, notably as Director General of Creative Marketplace and Innovation and Director General of International Trade and Copyright Policy at the Department of Canadian Heritage, and Director of the International Network on Cultural Policy. Ms. Théberge currently chairs the Council of Federal Administrative Tribunal Heads and sits on the Steering Committee for the Heads of Federal Agencies. Ms. Théberge holds a

Master's Degree (M.Sc.) in Political Science from the Université de Montréal and several certifications in change management, coaching and leadership.

Part-time Members



Katherine Braun was appointed part-time Member in November 2018 for a four-year term. Ms. Braun is an economist whose career includes service with the United Nations working in collaboration with several international agencies on international development projects. She has also worked with the governments of Ontario and Alberta on public policy. Ms. Braun holds an MBA from the University of Saskatchewan and a Master's Degree in economics from the University of Geneva.



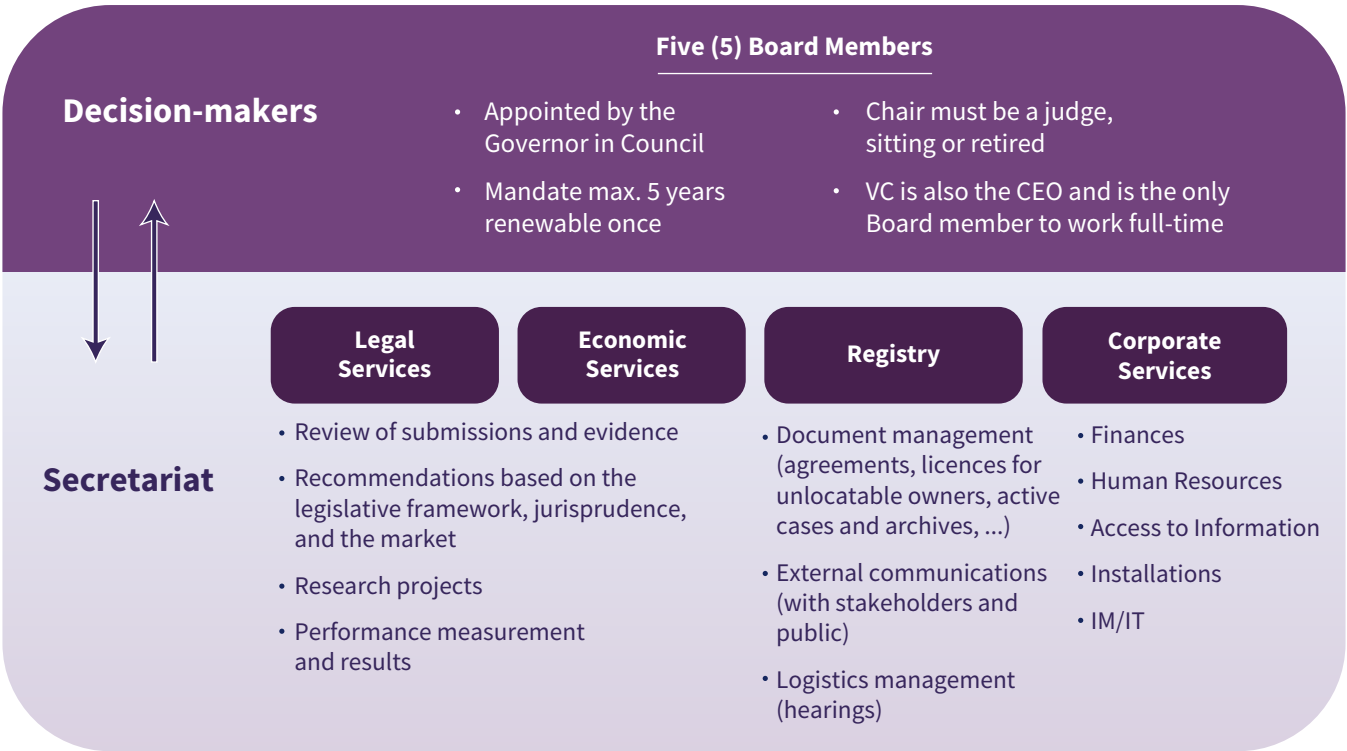
René Côté was appointed part-time Member in November 2018 for a four-year term. In June 2020, M. Côté was appointed President of the Conseil de la justice administrative du Québec. Mr. Côté is a retired professor of law at the Université du Québec à Montréal (UQAM), a member of the Quebec Bar since 1984 and a retired member of the same organization since 2015. Before that, M. Côté was Vice-President of Academic Affairs and Dean of the Political Science and Law Faculty of UQAM. He has a particular interest in law as it relates to technologies and has authored many publications in the fields of computer law, international law and intellectual property law. Mr. Côté holds a doctorate in public international law from the Université Paris X-Nanterre and an LL.B. from UQAM.



Internal Operations

The Board is a micro-organization, consisting of approximately 20 employees organized in four teams: legal services, economic services, registry and corporate services.

The Secretariat supports the Board Members in their decision-making role and ensures the smooth running of the Board’s operations. The Secretariat is also responsible for receiving and responding to requests from the public on matters related to its mandate. The offices of the Board are located in downtown Ottawa.



Detailed information on the Board’s resources, including financial statements, can be found in its Department Plan and its Departmental Results Report for 2021-2022. These documents are available on the [Board’s website](#).

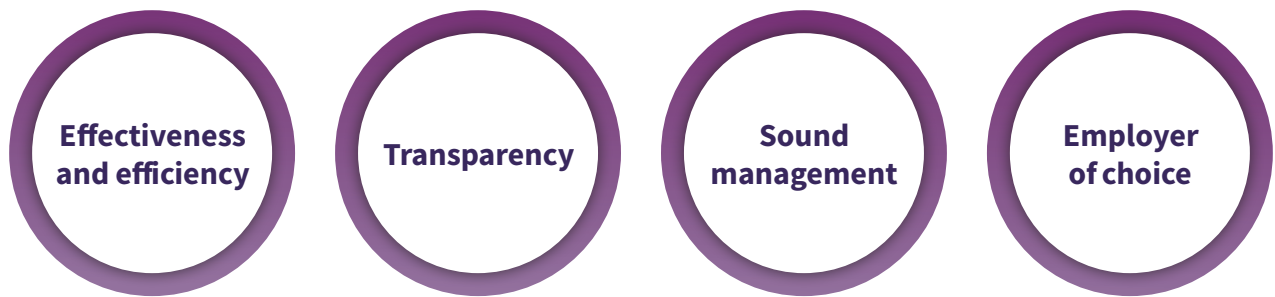
Strategic Vision for the Secretariat

As a federal administrative tribunal, the Copyright Board of Canada is completely independent in its decisions. As an administrative entity as per the *Financial Administration Act*, the Board must comply with the Government of Canada’s legal, regulatory and policy frameworks with respect to its activities and practices.

To guide its decisions, the Board adopted in 2019-2020 a strategic vision, organizational objectives and expected outcomes for its Secretariat:

The Board is recognized as a leader among federal administrative tribunals and other copyright tribunals worldwide for the quality of its work and its innovative practices.

Organizational Objectives



Expected Outcomes

The Board strives to be a credible institution, well-respected both by the creators and the users of copyrighted material, because of the efficiency of its operations and its unique expertise in copyright matters.

It has adapted and will adapt with resilience and agility to the challenges posed by a constantly evolving legal and economic environment, whether at the national or international level, while offering high-quality support to parties and the public requesting its services.





Board Operations in 2021-2022

Decisions: Tariffs and Arbitration

A single Board decision may settle several proposed tariffs at once but, for procedural fairness reasons, each proposed tariff must be considered on its own merits.

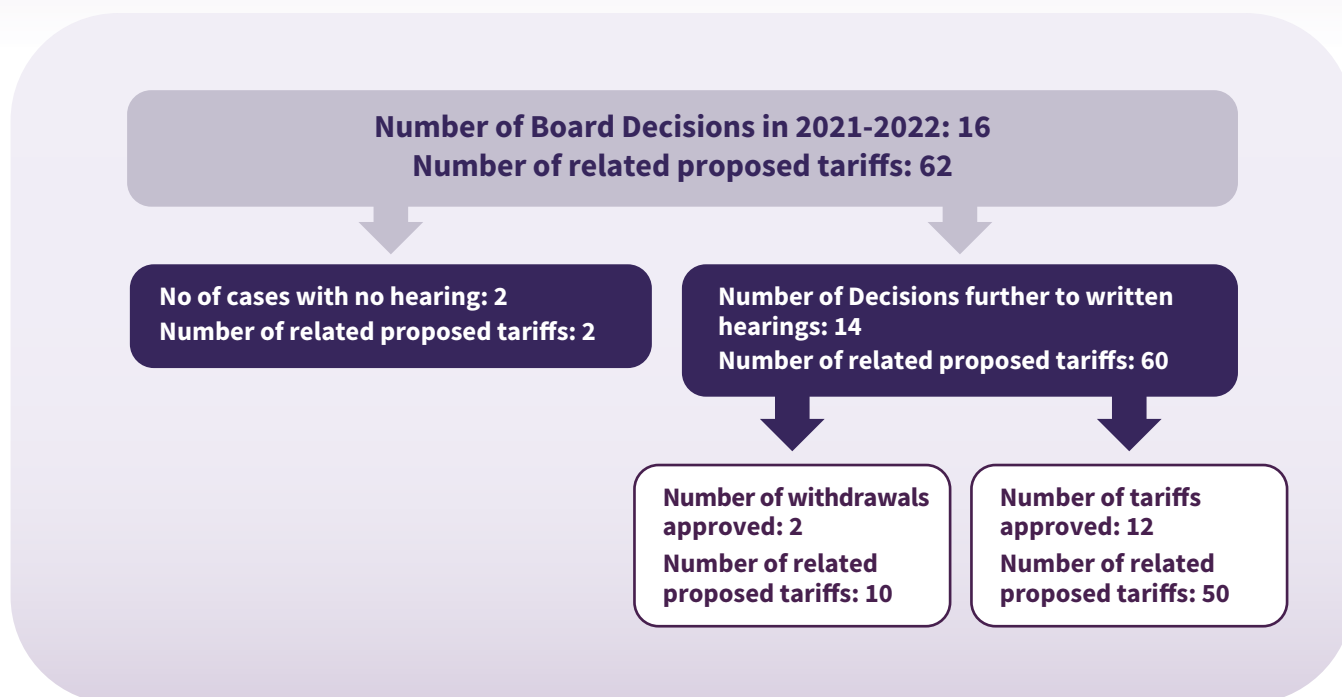
In 2021-2022, the Copyright Board rendered 16 decisions, effectively resolving 62 filed proposed tariffs. Fourteen (14) of the decisions rendered this year were examined through written hearings and written submissions. To reduce cost for parties, it is the Board's policy to favor written hearings and written submissions over oral hearings, unless specific circumstances or elements of the proceeding warrants it.

Two of the proposed tariffs filed on October 15, 2021 (CBRA Media Monitoring Tariffs [2023-2025]) and published on the Board's website on November 3, 2021, were identified as cases not requiring a hearing. As such, they were processed according to the Board's new procedure implementing section 2(a) of the *Time Limits in Respect of Matters Before the Copyright Board Regulations* (SOR/2020-264). Per the regulation, tariffs without a hearing are required to be approved prior to their effective date. The Board approved the two tariffs, and published the accompanying decision on March 25, 2022, approximately 5 months after their filing and well in advance of their effective date of January 1, 2023.

Pursuant to the 2019 legislative changes and the new subsection 69.1(1) of the *Copyright Act*, the Board also developed a [framework to consider proposed tariff withdrawal applications](#). This framework outlines how the Board will examine such applications and is available online to maximize transparency for all parties involved.

Two withdrawal applications, CMRRA Tariff 4 (Online Music Services – Music Videos [2014-2018]) and CSI (Online Music Services [2014-2018]), were filed respectively on January 11 and February 18, 2022, and the related decisions were rendered on March 2 and March 25, 2022. The time between the filing and the issuance of the decisions represents approximately 2 months for CMRRA's application and 1 month for CSI's application.

A list of the decisions rendered and related proposed tariffs in 2021-2022 can be found in Annex A and on the [Board's website](#).



Unlocatable Copyright Owners

Pursuant to section 77 of the Act, the Board may issue licences authorizing the use of published works, fixed performances, published sound recordings and fixed communication signals if the copyright owner is unlocatable. However, the Act requires the applicants to make reasonable efforts to find the copyright owner. Licences granted by the Board are non-exclusive and valid only in Canada.

During the fiscal year 2021-2022, 24 licence applications were filed with the Board. A total of 26 requests were processed, and 3 decisions rendered, all within our service standards of 45 days once the application is considered complete. Two licences were issued in 2021-2022, one for the reproduction and distribution of a written note and one for the reproduction and communication of a musical work and one application for the reproduction of television footage was refused. The other files processed (23) were closed for various reasons often due to the rights owner being located or the application being withdrawn.

Information on these decisions can be found in Annex B and on the Board's [website](#).

Court Proceedings

Federal Court of Appeal

On June 22, 2021, the Federal Court of Appeal rendered a [decision](#) on two judicial review applications (A-45-19 and A-47-19) related to a decision of the Board in respect of the retransmission of distant television signals for the years 2014 to 2018. In *Bell Canada v. Copyright Collective of Canada*, 2021 FCA 148, the Court dismissed the application for judicial review in file A-45-19. In respect of file A-47-19, the Court granted in part the application for judicial review and set aside the Board's decision to the extent of its use of the wrong pricing data in its proxy price calculation and of the wrong profit margin.

Supreme Court of Canada

The following decision is not a decision that originates from a Copyright Board decision. However, it is listed here because it concerns Board tariffs.

On July 30, 2021, the Supreme Court of Canada rendered its [decision](#) in *York University v. Access Copyright*, 2021 SCC 32. Access Copyright sought enforcement of a Copyright Board interim tariff in the Federal Court. York University counterclaimed for a declaration that any copying conducted within its fair dealing guidelines was fair dealing. The Federal Court found that the interim tariff was enforceable against York University and that neither its guidelines nor its actual practices constituted fair dealing. York University appealed the decision of the Federal Court. The Federal Court of Appeal allowed York University's appeal on the tariff enforcement action but dismissed its appeal on the fair dealing counterclaim. Both parties appealed the decision of the Federal Court of Appeal before the Supreme Court. The Supreme Court dismissed both appeals.

Proposed Tariffs Submitted by Collective Societies

A total of 31 proposed tariffs were filed in 2021–2022 by 5 collective societies. Artisti filed 2 proposed tariffs, Re:Sound filed 4 and SOCAN filed 22, while CBRA and Access Copyright filed 2 and 1 respectively. All the proposed tariffs filed during this period are for the years 2023 to 2025, except for those filed by Re:Sound, which cover either 2023–2026 or 2023–2027.

A list of the proposed tariffs filed in 2021-2022, organized by collective society, can be found in Annex C and on the Board's [website](#).

Requests for Arbitration

No requests for arbitration were received by the Board in the 2021-2022 fiscal year.

Agreements Filed with the Board

Pursuant to the Act, collective societies and users of copyrights can agree on the royalties and related terms of licences for the use of a society's repertoire. Filing an agreement with the Board pursuant to section 76 of the *Copyright Act* within 15 days of its conclusion shields the parties from prosecutions pursuant to section 45 of the *Competition Act*. The same provision grants the Commissioner of Competition access to those agreements. In turn, where the Commissioner considers that such an agreement is contrary to the public interest, he may request the Copyright Board to examine it. As such, in 2021-2022, 35 agreements were filed with the Board. A total of 25 agreements were filed by COPIBEC, 8 by Access Copyright, and 2 by the CBRA.

A list of the agreements filed in 2021-2022 can be found in Annex D and on the Board's [website](#).





Year in Review: 2021-2022

In fiscal year 2021–2022, the Board continued the implementation of Phase 1 of its Modernization Initiative with a view to render its operations and practices more efficient and transparent, and build a more diverse, inclusive and accessible work environment, while planning and preparing for the future.

Efficient and Transparent Operations and Practices

The Board continued its focus on promoting the informal and expeditious treatment of cases to reduce the overall operational burden and costs for all parties, and on reducing the size of its backlog of proposed tariffs.

Activities

- Focused on completing the examination of its oldest proposed tariffs (except for those where parties are involved in ongoing negotiations) with a view to reduce the Board’s overall backlog;
- Continued to be responsive to requests from parties where their capacity to participate in Board proceedings was deemed affected by the COVID pandemic;
- Reviewed and refined internal systems and business practices over tariff and licensing life cycle, putting in place predictable systematic procedures and tools to ensure clarity and consistency of analysis by staff;

- Implemented an approach to early information gathering from parties through Notice of Grounds/Notice of Grounds for Objection requirements. This was done in collaboration with parties, and only for selected proposed tariffs, to assess the efficiency of the notices as well as for file completion purposes;
- Put into practice the new government regulations on *Time Limits in Respect of Matters Before the Copyright Board*. This includes activating the “no hearing” process, allowing the Board to proceed quickly by identifying early those proposed tariffs that do not require a hearing. The first two decisions related to such files were published on March 25, 2022, well before their effective date of January 1, 2023. The Board also identified a further seven proposed tariffs for the “no hearing” track and worked with parties to implement new streamlined processes that will enable decisions and approved tariffs to be issued before January 1, 2023;
- Published all Board decisions since 1990 on CanLii in both official languages;
- Pursued the modernization of its information management framework and tools, including its data management practices;
- Continued work toward the launch of an e-filing system by 2023 by reviewing and selecting the approach that best fits the Board’s operations and existing resources;
- Developed a new performance reporting framework to be implemented in 2022–2023; and
- Continued its corporate modernization efforts by updating the Commission’s financial stewardship policies.

Effective Collaboration with Stakeholders

The Board continued to redefine its interactions with parties, increasing engagement opportunities, to ensure its tools and practices are well-suited to marketplace realities.

Activities

- Consulted parties to finalize the drafting of the Board’s Rules of Practice and Procedure, and the preparation for their pre-publication in 2022–2023;
- Developed various resources and tools in advance of the implementation of the Board regulations, in collaboration with parties;
- Engaged informally with parties as well as representatives from the legal, academic, regulatory, and administrative tribunal communities on the management of Board’s current backlog;
- Sought feedback from parties on their experience of Board processes during COVID and the development of new and more effective procedural initiatives. Engagement efforts were made more efficient with virtual meetings, as not all stakeholders are located within the National Capital Region;
- Implemented formal and informal case management practices; and
- Built and nurtured networks and partnerships through the regulatory and administrative tribunal communities, sharing best practices and engaging on common issues, including how to address data gaps in the copyright marketplace.

Support to Employees and the Organization

While the Board continues to implement operational changes, we recognize the challenges these, combined with adapting to sanitary restrictions, poses for employees. This year, the Board maintained its specialized in-house proficiency within a work environment that puts employees first.

Activities

- Fostered the well-being of all employees including through its employee-led Wellness Committee, and pursued management-employee dialogue on the workplace of the future;
- Prepared for transition to the post-COVID hybrid workplace by reviewing office space requirements, employing technology to facilitate hybrid meetings (virtual and in-person), and redefining workspaces to increase employee well-being and encourage collaboration;
- Honoured its diversity and inclusion commitments as a participant of the [50-30 Challenge](#), by increasing the representation and inclusion of diverse groups within its workplace, and seeking opportunities for leadership development across the organization; and
- encouraged employees' professional development tailored to the level of people management responsibilities, through specialized group workshops and mandatory training required as part of organizational measures to prevent and address workplace harassment and violence, in accordance with Government directives and the Canada Labour Code, Part II.



Annexes

Annex A – Decisions Rendered by the Board in 2021–2022

CBRA

Commercial and Non-Commercial Media Monitoring Tariffs (2020–2022)	Reasons for decision	July 31, 2021
Commercial and Non-Commercial Media Monitoring Tariffs (2023–2025)	Reasons for decision	March 26, 2022

CMRRA

Online Music Services Tariff (Music Videos) (2014–2018)	Reasons for decision (Withdrawal)	March 2, 2022
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CPCC

Private Copying Tariff (2022–2024)	Reasons for decision	December 17, 2021
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CSI

Online Music Services Tariff (2014–2018)	Reasons for decision (Withdrawal)	March 25, 2022
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Re:Sound

Tariff 3B — Background Music (2016–2020)	Reasons for decision	October 8, 2021
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Re:Sound and SOCAN

Stingray Pay Audio and Ancillary Services Tariff (2007–2016)	Reasons for decision	May 28, 2021
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SOCAN

Tariff 4.B—Live Performances at Theatres or Other Places of Entertainment—Classical Music Concerts (2018–2024)	Reasons for decision	November 26, 2021
Tariff 7—Skating Rinks (2018–2022)	Reasons for decision	August 6, 2021
Tariff 9—Sports Events (2018–2023)	Reasons for decision	October 1, 2021
Tariff 11.B—Comedy Shows and Magic Shows (2018–2022)	Reasons for decision	August 20, 2021
Tariffs 12.A & 12.B—Theme Parks, Ontario Place Corporation and Similar Operations & Theme Parks, Paramount Canada’s Wonderland Inc. and Similar Operations (2018–2022)	Reasons for decision	May 21, 2021
Tariff 14—Performance of an Individual Work (2018–2024)	Reasons for decision	April 16, 2021

Annex B – Unlocatable Copyright Owners – Decisions in 2021–2022

Licences Issued

<u>Jeffrey Masuda</u> , Kingston, Ontario	Reproduction and distribution of hard copies by sale or other transfer of ownership, and the communication to the public by telecommunication of a written note
<u>Société Radio-Canada/Canadian Broadcasting Corporation</u> , Montréal, Quebec	Reproduction and communication to the public by telecommunication of a musical work

Application Refused

<u>Production 1871 Inc.</u> , Vancouver, British Columbia	Reproduction of footage from the 1985 Lyell Island (BC) protests
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Annex C – Proposed Tariffs Filed in 2021–2022

Access Copyright

Elementary and Secondary School Tariff (2023–2025)	Tariff
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Artisti

Online Music Services (2023–2025)	Tariff
Phonograms (2023–2025)	Tariff

CBRA

Commercial Media Monitoring Tariff and Non-Commercial Media Monitoring Tariff (2023–2025)	Tariff
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Re:Sound

Pay Audio Services (2023–2027)	Tariff 2
Background Music Suppliers (2023–2026)	Tariff 3.A
Background Music (2023–2026)	Tariff 3.B
Fitness Activities (2023–2027)	Tariff 6.B

SOCAN

Radio – Canadian Broadcasting Corporation (2023–2025)	Tariff 1.C
Television – Ontario Educational Communications Authority (2023–2025)	Tariff 2.B
Television – Société de télédiffusion du Québec (2023–2025)	Tariff 2.C
Television – Canadian Broadcasting Corporation (2023–2025)	Tariff 2.D
Cabarets, Cafes, Clubs, Cocktail Bars, Dining Rooms, Lounges, Restaurants, Roadhouses, Taverns, and Similar Establishments – Recorded Music Accompanying Live Entertainment (2023–2025)	Tariff 3.B
Adult Entertainment Clubs (2023–2025)	Tariff 3.C
Skating Rinks (2023–2025)	Tariff 7
Receptions, Conventions, Assemblies and Fashion Shows (2023–2025)	Tariff 8
Parks, Parades, Streets and Other Public Areas – Strolling Musicians and Buskers; Recorded Music (2023–2025)	Tariff 10.A
Parks, Parades, Streets and Other Public Areas – Marching Bands; Floats with Music (2023–2025)	Tariff 10.B
Circuses, Ice Shows, Fireworks Displays, Sound and Light Shows, Dance Shows and Similar Events (2023–2025)	Tariff 11.A

Comedy Shows and Magic Shows (2023–2025)	<u>Tariff 11.B</u>
Theme Parks, Ontario Place Corporation and Similar Operations (2023–2025)	<u>Tariff 12.A</u>
Canada’s Wonderland and Similar Operations (2023–2025)	<u>Tariff 12.B</u>
Public Conveyances—Aircraft (2023–2025)	<u>Tariff 13.A</u>
Public Conveyances—Passenger Ships (2023–2025)	<u>Tariff 13.B</u>
Public Conveyances—Railroad Trains, Buses and Other Public Conveyances, Excluding Aircraft and Passenger Ships (2023–2025)	<u>Tariff 13.C</u>
Recorded Music for Dancing (2023–2025)	<u>Tariff 18</u>
Physical Exercises and Dance Instruction (2023–2025)	<u>Tariff 19</u>
Karaoke Bars and Similar Establishments (2023–2025)	<u>Tariff 20</u>
Recreational Facilities Operated by a Municipality, School, College, University, Agricultural Society or Similar Community Organizations (2023–2025)	<u>Tariff 21</u>
Pay Audio and Ancillary Services (2023–2025)	<u>Tariff 26</u>

Annex D – Agreements Filed Pursuant to Section 76 of the Act in 2021–2022

Access Copyright (8 agreements)

- Shalem Mental Health Network, Hamilton, ON
- District Municipality of Muskoka, Bracebridge, ON
- Algoma University, Sault Ste. Marie, ON
- Lehurst College High School Inc., Kingston, ON
- Export Development Canada, Ottawa, ON
- Township of Georgian Bay Public Library Board, Honey Harbour, ON
- Early On Child and Family Centre, Milton, ON
- Golder Associates USA Inc., Palm Beach, FL

CBRA (Canadian Broadcast Rights Agency) (2 agreements)

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