



Chapter 23

Music Licensing

23.1 Legal Framework

- a) Canada's Copyright Act provides for the mandatory payment of royalties for the public "performance" of music in Canada. "Performance" includes the playing of live and of recorded music. The amounts payable are established through two series of Tariffs set by the Copyright Board of Canada, one for SOCAN and one for Re:Sound.
- b) Therefore, someone, either the club or the dance leader, must hold a valid Music Licence issued by Entandem in order for music to be played at a dance event.

23.2 Who's Who?

a) SOCAN

Formed in 1990, SOCAN (Society of Composers, Authors and Music Publishers of Canada) is a not-for-profit copyright collective that administers performing rights on behalf of Canadian composers, songwriters, lyricists, and their publishers, as well as members of its international sister societies throughout the world. SOCAN licensing fees are payable at the beginning of every calendar year and, absent an agreement to the contrary, are based on an estimate of the licence holder's activities in the year ahead. Any discrepancy between the activity forecast and what actually took place during the year is resolved at year's end.

b) Re:Sound

Formed in 1997, Re:Sound is a not-for-profit music licensing entity that collects royalties on behalf of artists and record companies. Re:Sound licenses recorded music for public performance, broadcast and other media. Re-Sound fees are payable at the end of every calendar year, based on the licence holder's activities over the past year.

c) Entandem

Established in 2019, Entandem is a joint venture with SOCAN and Re:Sound intended to simplify the licensing process. Entandem collects annual licensing fees on behalf of SOCAN and Re:Sound. The two organizations then distribute the fees to their respective rights holders.

23.3 Licence to play music in a public venue

a) General

- i) The Canadian Square and Round Dance Society (CSRDS), its member clubs and dance leaders are legally and ethically bound to compensate those who created the music they use to support their dance activities. This is done through an annual licence fee collected by Entandem on behalf of SOCAN and Re:Sound. Dance Leaders and Member Clubs may hold an Entandem Licence.
- ii) Entandem issues invoices for both SOCAN and Re:Sound to licence holders early in each calendar year. SOCAN fees are paid in advance for the coming year while Re:Sound fees cover dance activities from the previous year.



23.4 SOCAN Agreement

- a) CSRDS has entered into a formal agreement with SOCAN to streamline the licensing of CSRDS licence holders in accordance with Canada's copyright requirements. The CSRDS/SOCAN agreement is a confidential document. Details may not be shared outside of CSRDS or posted on any website. Members of EOSARDA may obtain a copy of the agreement by contacting either the Secretary or the President of the Association.

23.5 Re:Sound Understanding

- a) Re:Sound has agreed that its **Tariff 6b** applies to dance classes¹ and its **Tariff 5b** applies to events where music is played (with or without dancing) but no teaching takes place. Members of EOSARDA may obtain a copy of these tariffs by contacting either the Secretary or the President of the Association.
- b) For non-teaching events under Tariff 5b, the licence fee should be considered part of the cost of holding the event. However, it is essential that the event organizers determine in advance which licence holder is going to report on and pay the licence fee for the event. Where one of the Dance Leaders at the event voluntarily accepts this responsibility, the dance organizers should ensure that that person is compensated appropriately.

23.6 Reporting

- a) Entandem has developed a special **Music Licence Reporting Form for CSRDS Members**. This form is in MS Excel format and may be completed either on a computer or by hand. Its use will guarantee that a licensee will benefit from the new arrangements with Entandem.
- b) In January of each year, Entandem will provide all known CSRDS licence holders with a copy of the Report Form, which is to be filled out and returned to Entandem along with the calculated licence payment.
- c) New licence applicants and existing licensees who receive an incorrect Report Form or no form at all, should contact Entandem by e-mail at license@entandemlicensing.com or by phone at 1 (866) 944-6223 and ask for a copy of the Music Licence Report Form for CSRDS Members.

23.7 Externally imposed licence fees

- a) CSRDS members may hold dance events at a venue that holds a licence and charges Re:Sound/SOCAN fees as part of the rental agreement. If the venue requests SOCAN/Re:Sound fees, Entandem recommends that the licence holder inform the venue that they have obtained a licence directly from Entandem and request that the venue not include Re:Sound or SOCAN fees in the rental agreement.

¹ "class" is defined as a single instance within a series or programme of courses, with a start and end time, on a single day.