

REGROUPEMENT DES ARTISANS DE LA MUSIQUE (RAM)

THE VOICE OF THOSE WHO MAKE MUSIC

RAM represents the voice of authors, composers, performers and musicians, including artist-entrepreneurs.

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OUR MOVEMENT

The Regroupement des artisans de la musique (RAM) is a citizen and artistic movement started by David Bussi eres and supported by a large number of music artists, as well as by the Guilde des musiciens et musiennes du Qu ebec (GMMQ), the Soci et e professionnelle des auteurs et des compositeurs du Qu ebec (SPACQ) and the Union des artistes (UDA). It works to address new economic issues in the music sector and actively participates in the major changes currently happening in the sector.

Bringing together authors, composers, performers and musicians, including artist-entrepreneurs, as well as other music artists, the RAM includes all musical genres and languages. The movement began in Quebec and is open to other geographic areas.

OUR VOCATION

TO REPRESENT THE CHARACTER AND REALITY OF MUSIC ARTISTS: TO BE THE VOICE OF THOSE WHO MAKE MUSIC

OUR OBJECTIVES

- To exist: serving as a representation tool
- To express ourselves: establishing lines of communication
- To act: working to promote our principles

OUR PLATFORM

Our platform is divided into three parts with the shared goal of ensuring the voices of those who make music are heard.

Part 1: Making representations to authorities and organizations

- Actions regarding online music services
- Actions to make Internet service providers (ISPs) accountable
- Actions regarding the private copying regime
- Actions regarding the fair compensation regime
- Actions involving CBC/Radio-Canada

Part 2: Helping redesign the current models

- Actions to encourage transparency between artists and other industry players
- Actions aimed at reviewing funding models and tax instruments
- Actions to refocus projects and funding on the artist and the music

Part 3: Providing a one-stop shop for services and information

- Actions aimed at creating a range of services for music artists
- Actions to encourage the community to mobilize, network and increase its visibility

Part 1: Making representations to authorities and organizations

ACTIONS REGARDING ONLINE MUSIC SERVICES

1. Make it easier to discover Quebec music on online music service platforms

We propose that online music service companies be required to take steps to understand the unique nature of Quebec's music scene and to promote it. Ways to accomplish this include ensuring that there is a specialized curator, that they offer specialized playlists, that they include Quebec works in general, themed or international playlists, etc.

2. Improve access to Quebec music on online music service platforms

We propose that online music service companies be required to offer home pages specific to Quebec consumers. This could include increasing the visibility and positioning of Quebec music on the home page, making it easier to access and search content, etc.

3. Ensure that all legitimate royalties are paid to all rights holders when music accompanies an audiovisual medium

We propose that decision-making bodies amend the *Copyright Act* so that performers, just like authors and composers, receive fair compensation levies when music is incorporated into an audiovisual medium. Examples: when broadcasting videoclips on YouTube or television, or when broadcasting soundtracks of movies and Netflix series, or at the movies.

4. Ensure that the value of musical works is recognized and that rights holders receive adequate royalties when their work is broadcast through online music service platforms

We propose that the government amend the *Copyright Act*, and we would like to work with collective societies to obtain an increase in royalties for rights holders. Examples: increase the SOCAN (Society of Composers, Authors and Music Publishers of Canada) tariff, obtain a tariff for performing artists.

5. Make foreign online music service companies subject to Canadian and Quebec tax obligations and rules in order to fund cultural measures

We propose that decision-making bodies impose provincial and federal taxes on sales and subscriptions to online music services, tax their profits made in Canada, and redirect a portion of the revenues from this tax to creating music.

6. Ensure that online music service companies contribute to the vitality of Quebec music creation

Impose a contribution to funding the creation and distribution of Quebec music based on the company's subscription revenues.

Part 1: Making representations to authorities and organizations

ACTIONS TO MAKE INTERNET SERVICE PROVIDERS (ISPs) ACCOUNTABLE

7. Ensure that ISPs pay royalties to the rights holders of the music they provide access to

We propose to remove the existing exception in the *Copyright Act* for ISPs (section 2.4(1)(b)), which currently exempts them from the responsibility to pay royalties if they act only as access providers. By removing this section, it will be possible to file a tariff with the Copyright Board for ISPs.

8. Ensure that ISPs make financial contributions to the development of Quebec music

We propose that decision-making bodies amend both the *Telecommunications Act* and the *Broadcasting Act* to make it possible to impose obligations on Internet service providers to develop and promote Quebec music and increase its visibility.

Part 1: Making representations to authorities and organizations

ACTION REGARDING THE PRIVATE COPYING REGIME

9. Extend the private copying regime to all digital audio recording media used to copy music

We propose that the government amend the *Copyright Act* to extend its application to all forms of digital audio recording media and to limit the exceptions that allow users to reproduce works for private purposes, in accordance with the general principle of technological neutrality.

Axis 1: Making representations to authorities and organizations

ACTION REGARDING FAIR COMPENSATION

10. Remove the exemption in section 68.1(1)(a)(i) of the *Copyright Act* that limits the royalties paid by broadcasters on the first \$1.25 million of revenues to \$100

We propose that the government amend the *Copyright Act* to remove this exemption and require full payment of royalties to performers and producers on the first dollar of broadcasters' advertising revenue.

Part 1: Making representations to authorities and organizations

ACTION INVOLVING CBC/RADIO-CANADA

11. Encourage CBC/Radio-Canada to strengthen its mandate to broadcast Quebec music in all its diversity

We propose that CBC/Radio-Canada increase the presence of original Quebec music of all types in its television and radio programming and that it promote Quebec creators and performers.

Part 2: Helping redesign the current models

ACTIONS TO ENCOURAGE TRANSPARENCY BETWEEN ARTISTS AND OTHER INDUSTRY PLAYERS

12. Improve transparency for federal funding granted to companies through the sub-components of the Music Entrepreneur Component (MEC)

We propose that artists be required to countersign at each step of the funding process for the parts that apply to them, from the initial application through the annual financial statements to the final use report, before they are sent to Canadian Heritage.

13. Improve transparency for federal funding granted to companies through Musicaction programs

We propose that artists be required to countersign at each step of the funding process for the parts that apply to them, from the initial application through the annual financial statements to the final use report, before they are sent to Musicaction.

14. Improve transparency for provincial funding granted to companies through SODEC programs

We propose that artists be required to countersign at each step of the funding process for the parts that apply to them, from the initial application through the annual financial statements to the final use report, before they are sent to SODEC (Société de développement des entreprises culturelles).

15. Improve transparency for the budgets, revenues and expenses of record producers, record companies and show producers

We propose that companies be required to inform artists of the amounts awarded in grants or funding, as well as expenses related to the production of sound recordings and shows.

Part 2: Helping redesign the current models

ACTIONS AIMED AT REVIEWING FUNDING MODELS AND TAX INSTRUMENTS

16. Consider self-producing artists to be companies for SODEC programs

We propose removing the following from Part 3 of SODEC's Programme d'aide aux entreprises en musique et variétés: "Avoir sous contrat au moins deux artistes, groupes ou ensembles québécois, excluant les artistes actionnaires de l'entreprise". By doing so, self-producing artists could have access to funding for projects in the para-industrial sector as well as additional support when they are on tour.

17. Increase funding for CALQ research and creation programs

We propose that funds from new sources of income (ISPs, online music services) be funnelled into the research and creation programs under CALQ (Conseil des arts et des lettres du Québec) so that more artists have guaranteed minimum sources of income when they have to step back from their activities to create.

18. Establish federal tax relief measures for producing sound recordings and shows

Like the provincial tax credit granted by SODEC, a federal tax credit should be available to producers and self-producing artists.

Part 2: Helping redesign the current models

ACTIONS TO REFOCUS PROJECTS AND FUNDING ON THE ARTIST AND THE MUSIC

19. Ensure that all production and marketing budgets are approved by the artist

We propose that companies be required to obtain budget approval and the artist's signature before undertaking any production or marketing expenses.

20. Encourage artists with established careers while supporting emerging artists

We propose that projects for more than 4 albums or 150,000 copies sold per artist be funded through Musicaction.

21. Encourage artists to take ownership of their master tapes

We propose that a model be developed that allows artists to keep their master tapes at the end of the period provided for in the contract.

22. Propose a new artist-centric model

Put the project and funding focus on the artist. Collectively consider a model in which funding is provided in the artist's name and the artist is a decision maker in how mandates are allocated to the various stakeholders.

23. Propose establishing a round table with music artists, broadcasting networks and performance venues in all regions of Quebec

We propose a conversation and close collaboration between music artists and all stakeholders involved in broadcasting shows in Quebec to reflect on concrete solutions to increase attendance, encourage diversity and improve event promotion. Ways to accomplish this include encouraging partnerships between small and large venues to increase recognition for artists and public development, as well as enriching the experience for members of the audience.

24. Ensure that music artists are represented in funding agencies

We propose that a sufficient number of seats be reserved for music artists on the various boards of directors, committees and juries of funding agencies such as Musicaction, FACTOR (Foundation to Assist Canadian Talent on Records), MEC (Music Entrepreneurs Component) through Canadian Heritage, CALQ and SODEC.

Part 3: Providing a one-stop shop for services and information

ACTIONS AIMED AT CREATING A RANGE OF SERVICES FOR MUSIC ARTISTS

25. Create a service and tools to provide information to music artists

We propose offering an information, advice and referral service to the various services already offered to artists in the music sector by organizations working in the music sector (examples: UDA, SPACQ, GMMQ, SOCAN, SODRAC (Society for the Reproduction Rights of Authors, Composers and Publishers in Canada), Artisti, etc.).

We also propose offering services that complement those already offered by these organizations in order to meet the needs of music artists.

26. Improving social protection for music artists

We propose that the authorities in question consider copyright royalties as eligible income for the Caisse de sécurité des artistes (CSA) programs.

Part 3: Provide a one-stop shop for services and information

ACTIONS TO ENCOURAGE THE COMMUNITY TO MOBILIZE, NETWORK AND INCREASE ITS VISIBILITY

27. Increase knowledge about the situation of music artists

We propose that government authorities grant the OCCQ (Observatoire de la culture et des communications du Québec) the necessary funding to conduct an in-depth study of the sector to create a detailed socio-economic profile of music artists.

28. Promote the discovery and branding of Quebec music among youth

We propose to significantly increase the involvement of music artists in schools in the form of shows, discovery, creation and practice workshops, encounters with artistic works and meetings with the artists.

29. Integrate RAM into an international movement and a global perspective

We are committed to forming partnerships with other artists' organizations in order to join the international movement to protect the interests of music artists, to make the voice of Quebec's music artists heard beyond its borders, and to strengthen its influence within Quebec.

NEXT STEP

Create a permanent structure to protect the interests of music artists

The RAM working group will continue to pursue its objective of laying the foundation for a permanent structure that will protect the interests of music artists. Its reflections on the legal status of this structure are ongoing.