

SOUND

Your Guide to what is happening at your AFM/CFM Local 571 - Things are changing and so are we. Let's Move Forward!

32-B St. Margaret's Bay Road, Halifax, NS B3N 1J7 ph. 902.479-3200 fax: 479-1312 toll free 1-866-240-4809 email: 571@bellaliant.com

Teaching & Pension Contributions

We are now able to provide Music Teachers the opportunity to participate in the AFM-EPW.

Page 6 & 7

Copyright Information

Important information for protecting your recordings.

Page 5

Neighboring Rights & Private Copying -

The Forgotten Royalties. You may be entitled to equitable remuneration.

Page 9

Your New Executive Board of Directors

Yes, its official, AFM 571, doing business as CFM 571, is alive and kicking.

Page 2 & 3

Win! Win! Win!



Be entered to win some great prizes!

Page 12

SRSPF - Sound Recording Special Payments Fund

Are you getting your cut?? For further information and details about the Fund, contact the SRSPF directly.

Their website address is: www.sound-recording.org.

Page 8

Membership Has its Benefits!

Let us give you the reasons why.

Page 8



Status of the Artist Legislation

Read more on this  very important issue!

Page 3

Congratulations!!!

Meaghan Smith comes home with a Juno for Best New Artist. Meghan also wins ECMA for her Pop Album of the Year, *Cricket's Orchestra*. This talented guitarist, singer-songwriter has made her mark on the East Coast Music Scene and is quickly rising as one of our newest ambassadors of music. Congratulations and all the best in your

creative endeavors. Congrats. to all the winners and nominees for this year's Junos and ECMAs! More winners on page 4.



Meaghan Smith

meaghansmith.com



GoProMusic.com

There is simply no equal to the sound of live music performed by AFM members!

The American Federation of Musicians of the United States and Canada (AFM) is the largest organization of its type in the world. It represents nearly 100,000 members that are serviced by more than 230 Locals in every geographical area of North America. AFM musicians perform all kinds of music for all kinds of events.

Whether it's live entertainment for a wedding, corporate event, concert, fair, night club, or ANY other function, insist on the quality and professionalism that only AFM members can deliver. Members use industry standard AFM approved contracts to clearly define the terms of the engagement. An AFM contract is your guarantee that you will get the music you want at the price, date and time you want it. Once signed, the AFM musician is obligated to honor the contract and so is the purchaser. It's truly a "win win" situation! The GoPro site is comprised of three convenient resources to help you search for that perfect musical choice:

- (1) [The GoPro Members Directory:](#)
- (2) [The AFM Locals Directory:](#)
- (3) [The AFM Agents Directory:](#)

(cont. on page 7)

GET YOUR MUSIC HEARD!

GoProTunes.com

100% of net revenues go back to the musician

There are no fees for musicians to list their music

Musicians can set their own prices for tracks & albums

Only AFM members can sell their music on GoPro Tunes

Customers can purchase music in Mp3 or lossless FLAC format

Board of Directors Introduction



President - TOM ROACH

Fellow Members,

My first words as newly elected president are of thanks. Thank you to all who supported me in the recent election and thank you to all the candidates for their willingness and commitment to serve. A special thanks to the nominating committee, Chairman Jim Forde and members Virginia Beaton and Asif Illyas for their efforts. Also, a big thanks to Norm Slongo and Pam Hanson for their oversight throughout this process and for organizing the swearing in ceremony. It was a lovely event made more enjoyable by the live music provided by members Mike Cowie, Paul Simons and Larry Bjornson. Thanks to all who attended.

You now have in place, a newly elected executive, dedicated to serve this local to the best of our ability, but I would be remiss if I did not take the opportunity to acknowledge two people. Despite any concerns subsequent to the resignation of the previous board, the business of local 571 has been ongoing due to the efforts of our administrative assistant Pam Hanson and the appointed trustee Norm Slongo. Over the past year our local has not only survived but has made significant strides toward securing our long term stability. Most significantly we have disposed of our building on Herring Cove road and thereby eliminated our debt while also reducing our annual expenses. Mr Slongo has also revised our Bylaws to more practically reflect our locals resources while bringing us in line with established national principles. He has brought forth initiatives and suggestions that we will continue to build on in an effort to make our local successful and sustainable. I would like to offer a heart felt thank you to Pam and Norm for their dedication throughout difficult circumstances.

Now to the task of going forward. We are not alone in our challenges. Across North America musicians are struggling more than ever to survive professionally. Union locals are facing declining numbers and the ever present questions of relevance. My belief is that our newly revitalized board are both committed and capable of meeting these challenges, my hope is that you, our membership, stands by us and continues to support this local. Only through a unified commitment can we overcome the many challenges that our industry presents. I look forward to working with this talented and committed board as we strive to better serve our membership.

Sincerely,
Tom Roach
President CFM 571
479-7630



Vice-President - TERRY KELLY

Dear fellow members of the AFM,

I'm writing to share a few thoughts with you, and to say how I do not take the position of Vice President of the AFM lightly. Your new board is aware of how important it is to take lessons from the past, and we're committed and ready to move forward to nurture and grow the AFM to be an organization that all musicians in our region will want to join. They'll want to join because there will be membership privileges, educational and professional opportunities, guidance with financial literacy, and pension counseling, and maybe more.

I say maybe more, because we will thrive and prosper, only if each of you takes a moment from time to time to contribute, and participate by attending meetings, sharing your thoughts and suggestions with us, so as to make the AFM an organization of and for musicians of all ages.

Please stay in touch, and be a part of the future growth of The Atlantic Federation of Musicians, Local 571. In closing, I would like to sincerely thank Norm Slongo for all his work and to our former By-laws committee of Chair Shimon Walt, Artie Irwin, Floyd King, Ken MacKay, Peter Power, Varun Vyas and assistant, Pam Hanson for their many volunteer hours selflessly donated to help us move forward.

Yours truly,
Terry Kelly
435-2781

GENERAL MEMBERSHIP MEETING

Tuesday July 26, 2011 - 7:00 PM
at the offices of McInnes Cooper,
13th floor, Purdy's Wharf - Tower II
6:15 PM Sociable
Beverages & Snacks
PLEASE RSVP to 571@bellaliant.com

NOTICE OF MOTION

Be it Resolved:
Change of name from Atlantic
Federation of Musicians Property
Society
to
Atlantic Federation of Musicians Local
571 Society



Secretary-Treasurer - VARUN VYAS

Dear Brothers and Sisters,

As your Secretary-Treasurer, I hope to work with you to help bring us, with the guidance of our newly-elected board, change and prosperity.

The Local has faced some challenges in its past and will continue to do so going forward. We are working hard to improve our visibility in the community and let our membership know we continue to be in business. We have relocated our office to 32-B St. Margaret's Bay Road and welcome you to stop by.

I would like to personally thank Norm Slongo for his work and commitment to our Local's well being. I will continue where he has left off and work hard in a proactive manner to earn your confidence moving forward. We are working on ways of offering value for your membership. Some of the projects we are focusing on now are as follows:

The Work Referral Program: Please bring in your promotional material so that we can promote you, your group, band and recording studio to engagers. Also, there is limited MPF funding available. Arrange your co-sponsorship and forward details to our office asap!

Pension: We are now able to offer Music Teachers the opportunity to participate in the Musicians Pension Fund of Canada. We are working on putting a Committee together to address this new valuable service.

Workshops: Workshops will be offered discussing topics such as the Pension Fund, Special Payments Fund, Neighbouring Rights, GoPro Music and other ways to help the artist.

Status of the Artist: We are working hard at having the Status of the Artist legislated in the Province of Nova Scotia. We need to elevate the socio-economic status of the artist, allowing them access to collective bargaining rights that many Canadians already enjoy. Please support us on this important issue.

Local 571's website: We will be updating our website soon. We hope to add some valuable resources and regular updates. I know changes will take time but I know with your support, we will make a difference.

I am encouraged by the feedback we are receiving and hope to incorporate some of the suggestions I have heard so far. If you would like to be considered for assisting with Committees, please contact Pam or myself. Join us in our vision!

Fraternally,
Varun Vyas
479-3200
email: cfm571@bellaliant.com

Executive Board (cont. from page 2)**Holly Arsenault: Board Member**

Hi, all ! Thanks for entrusting me with your support on March 25th. I promise to bring all I've learned – and am learning still – in my 30 years as a full-time freelance artist to the concerns of local 571. In particular, I will endeavour to use my position to build bridges between local 571 and the community at large – with other artist organizations, government, and the business community – to foster further recognition of the necessity of a healthy arts scene as part of a healthy world.

"Be the change you want to see in the world"

www.hollyarsenault.com

arsenaultholly@hotmail.com

444-5283

Suzanne Lemieux: Board Member

As a newly-elected Board member, I would like to thank everyone who participated in the election. Thanks also to Trustee Norm Slongo who brought us to this new beginning. I am confident that our Local can thrive and make us all proud to be members and I will do all I can to achieve this.

Suzanne Lemieux

475-1545

John Cuming: Sergeant at Arms /Board Member

Dear members,
I would like to take this opportunity to thank you all for your support. I am confident that this new board will do everything in its power to ensure the best representation of your concerns. We are all eager to move forward and are committed to making your union a most progressive, viable, stable institution.

Sincerely,

John Cuming

835-1184

**Status of The Artist****What is "Status of the Artist"?**

Studies and lobbying have been focused on ensuring that artists have the same benefits and freedoms held by the majority of Canadian workers, including the right to equitable remuneration for their work. This does not mean according special treatment to artists. Instead, it recognizes that special legislation is required to respond to the unique manner in which professional artists work.

Why aren't existing provincial labour codes adequate?

Existing provincial labour codes have been set up to deal with relationships between employees and employers in traditional workplaces. In most cases, they don't cover artists, who are predominantly independent contractors. Engagers do not "employ" artists. Instead they contract for their services (e.g. as a performer) for specific periods of time or for a number of uses. Often an artist has multiple engagers in a course of a year. What artists need is separate legislation that addresses their unique working arrangements.

How has the Status of the Artist been implemented at the federal level?

In Canada, the focus of Status of the Artist lobbying has been on empowering professional associations to represent artists collectively.

In 1987, Quebec passed legislation to oversee the collective bargaining activities for professional artists and their engagers. In 1992, the federal government passed similar legislation and in 1995, the federal Canadian Artists and Producers Professional Relations Tribunal (CAPPRT) was established. Although discussion papers have been developed in several provinces, there is no legislation in place other than Quebec.

Both the Federal and Quebec legislation empower tribunals to recognize professional artists' organizations as their exclusive representatives of artists in a defined sector. Once this recognition is granted, all those who engage professional artists in that sector are obligated to negotiate with the certified bargaining agent in good faith to reach an agreement to govern the conditions of engagement for that group of artists.

Like labour codes, the legislation provides that the artists' associations must represent all individuals fairly, mandates minimum standards for the agreements and establishes procedures when parties are unable to reach an agreement.

Why is Provincial Status of the Artist Legislation needed now?

For decades, organizations such as AFM, ACTRA, Actors' Equity, and other associations representing professional musicians, actors, performers and other artists have negotiated and administered agreements with groups of engagers. These agreements provide for minimum terms and conditions of employment. This system has worked until now as an informal arrangement voluntarily entered into by the parties involved. However, with the growth of the cultural sector over the last 15 years, and the economic changes that are occurring internationally, informal conventions that previously formed the basis of collective agreements have increasingly become the focus of legal attacks. The result has been increased conflict and uncertainty for artists in their working environment.

While there is federal legislation now in place, most cultural production in Canada occurs in areas where jurisdiction is provincial, not federal. In these areas, rights for artists can only be provided by the provincial governments.

Who would be affected by this legislation?

All self-employed artists - musicians, actors, writers, visual artists, singers, composers, dancers, choreographers, photographers.

What would the cost to implement this legislation?

The only real cost would be in creating and staffing an Artists and Producers Professional Relations Tribunal in each province.

What would change with this legislation in place?

All producers/engagers in the artistic community would be obligated by law to negotiate with recognized professional associations. These associations, acting as collective bargaining agents, would be able to insist that engagers meet with them to establish minimum fees and working conditions for the groups of artist represented by the association, and would have legal recourse if engagers refused to do so. This would give artists the rights and protections that other Canadian workers already have, while acknowledging their unique work duties.

This document is based on a summary prepared by the Ontario Status of the Artist Coalition, representing 12,000 professional actors, directors and writers working in the cultural sector in Ontario.



Swearing-In Ceremony April 4, 2011



Trustee, Norm Slongo administered the Oath of Office to our newly-elected board members: from left, Norm Slongo, Terry Kelly, Tom Roach, Holly Arsenault; In back, John Cuming and Varun Vyas (Absent: Suzanne Lemieux - sworn in April 1, 2011). Thanks to Mike Cowie, Larry Bjornson and Paul Simons for providing us with great music and to all who participated in our event held at the Best Western Hotel, Chocolate Lake. We would like to take this opportunity to especially thank Norm Slongo and Pam Hanson for their tireless efforts and continued assistance in effectively restructuring our Local.

Rose Cousins

*Rose Cousins, a Maritime favorite, has won the ECMA this year for Female Soloist of the Year for her album, **Send Off** and SOCAN Songwriter of the Year.*

rosecousins.com

Wintersleep

*Wintersleep, Halifax indie rock band heroes are the winners of this year's ECMA FACTOR Recording of the Year for **New Inheritors**. Members are Paul R. Murphy, Loel Campbell, Tim d'Eon and Jon Samuel.*

wintersleep.com

Lennie Gallant

*Lennie Gallant, a veteran of the Maritime Music Scene has added another ECMA to his collection for Francophone Recording of the Year for his album, **Le Coeur Hanté**.*

lenniegallant.com

Dave Gunning

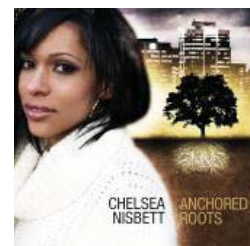
*Dave Gunning received ECMAs for Producer of the Year and Roots-Traditional Recording of the Year for **A Tribute to John Allan Cameron**.*

davegunning.com

David Myles

*David Myles has added ECMA hardware for Folk Recording of the Year for **Turn Time Off** and Vibe-Creative Group Single of the Year.*

davidmyles.com

Chelsea Nisbett

*Congratulations to our new member, **Chelsea Nisbett** for bringing home the ECMA for **Anchored Roots**, Gospel Recording of the Year and R&B/Soul Single Track of the Year. She also picked up the 2011 ANSMA Artist of the year award.*

chelseanisbett.com

*From All of us at AFM/CFM 571,
Congratulations to all the winners and nominees at this year's
ECMAs held in Charlottetown, P.E.I.!!!*

**Please Submit Your Promotional Material If You Would
Like To Be Included In The Local 571 Work Referral Program**

COPYRIGHT INFORMATION - Alan Willaert

Protection of songs is only part of the equation, and “protection”, as most people understand it, strictly means keeping it safe from someone who wants to make it theirs. I prefer to think of protection as the steps to ensure all the revenue streams are in place. As such, the real answer must be in multiple parts.

There are several factors in protecting a song. First would probably be registration with **SOCAN** (information at www.socan.ca), in which case the rights of the composer and the publisher are protected, and if the song finds its way to radio or CBC, or background music etc., royalties are paid in 2 parts – 50% to the composer(s), and 50% to the publisher. As long as you have not made any deals or signed away anything, you own the publishing.

One of the things AFM does, of course, is distribute royalties similar to SOCAN, in that they are based on the same series of tariffs covered under Copyright, but these royalties are paid as 50% to the musicians on a recording and 50% to the maker (label). If you have made a recording on your own label, you would be entitled to both the 50% to the label and the musicians’ 50%, if she also played/sang on the recording. More information on this can be found at www.mnrr.ca.

Protection from someone stealing a song is protected by **Copyright**. The minute you create something, you own the Copyright, and in this country that is an inalienable right. The problem, of course, is to prove that you did it first (if the issue should come up, which is very rare). The way to prove WHEN you wrote a song is to establish a timeline, or date stamp on your material. Registering with SOCAN establishes a date stamp, as does registering with AFM for NRCC purposes (although this requires having recorded the song first). The old way of doing it was to make a tape and a lead sheet and mail them to you, and lock it away unopened, for a day when proof might be necessary. Or, if you want to really be secure, you can register your copyright with the intellectual properties office, information here: http://www.cipo.gc.ca/epic/site/cipointernet-internetopic.nsf/en/h_wr00003e.html?OpenDocument.

Another form of protection, or revenue stream, would be available by contacting the Canadian Musical Reproduction Rights Agency (www.cmrra.ca), who act like the Harry Fox Agency in the United States, and are a place to assign non-exclusive rights of reproduction. Put more simply, they will get you money if someone else re-records one of your songs (mechanical LICENSE), or if someone wants to use it in a video medium, such as a movie, jingle, TV etc., known as a synchronization LICENSE. Mechanicals are paid at 8.2 cents per record produced, and sync fees are a negotiated fee, each time it is synced to something. This outfit has also joined forces with the Quebec-based agency (**SODRAC**) to form a new company called **CSI** (CMRRA SODRAC Inc). Under this new name, they have applied for some of the new tariffs available under copyright, such as ring tones, opening up even more revenue streams, if someone uses your song.

Any finally we come to the AFM end of things, where another set of revenue streams is available – not under copyright but under collective agreement. So where the other folks track and pay for use of the song, we track and collect money for use of the recorded product. If a song is used in a motion picture, that is called a **New Use**, and under our agreements, the musicians who made the recording must be paid a session fee as if though they had recorded it for the motion picture. In addition, when that movie leaves the theatres, they are paid for each supplemental market use – such as in-flight movies, DVD & videocassette rental/sales, pay TV, basic cable, free TV and after that, each and every country it is sold to world-wide, they are paid a fee which is generally attached to the gross of the amount it sold for. In addition, of course, we have the Special Payments Fund for sound recording and pension – all the other wonderful things attached to using AFM paper.

So there you have it – protecting a song in its entirety. It is not a simple, one-step operation, and many folks who think of things in a more linear way tend to believe that only one organization is necessary, when in truth, it is best to join/register with all in order to maximize revenue, in all forms, in perpetuity.

IN REMEMBRANCE

Joe Skowronski - 1924-2011

We are all saddened by the death of Joe, who served as Secretary-Treasurer from the late '80s until 1976. Joe was a Life Member of Local 571, having served in the Stadacona Band, the Halifax Symphony, and later as a band leader for many years. Our heartfelt condolences go out to his family.

ATTENTION MEMBERS

Please provide the AFM 571 office with your current e-mail address and contact info: e-mail: 571@bellaliant.com with your updates.

E-mail is an important method of communicating important information to our members in a timely manner. It also allows the Local to minimize costs associated with providing a paper copy.

HELP SAVE A TREE – OPT FOR E-MAIL COMMUNICATION

**GENERAL MEMBERSHIP MEETING TUESDAY JULY 26, 2011 - 7:00 PM AT THE OFFICES of McINNES
COOPER, 13th floor, PURDY'S WHARF TOWER II**

Musicians' Pension Fund of Canada

One of the most valuable benefits available to professional musicians is the ability to participate in the **Musicians' Pension Fund of Canada**.

The Fund is completely independent of the AFM or their Locals. The Fund is governed by a board of trustees representing both Employer and Employee interests. With the assistance of their professional advisors and in compliance with government regulations, the trustees make all major plan decisions. The contributions are paid by your Employers.

Musicians are not allowed to make their own contributions. Contributions are paid on the basis of Collective Bargaining agreements, or pursuant to Local tariffs. Contributions are always based on scale for the work. If there is no agreement or provision in your tariff of fees for the type of work you do, you have the ability to negotiate pension.

Certain conditions apply. At no time can the pension contribution rate be more than 12% of the scale fee for the engagement.

The Fund's investments are handled by twelve investment managers who are carefully selected and monitored by the trustees with the assistance of professional advisors.

The Fund's assets are presently at \$590M (Sept., 2010). The Plan provides Normal, Early, Deferred, Special Retirement, Disability and Survivor benefits. The Plan provides a Defined Benefit. This means that you know now what your retirement benefit will be based on the amount of contributions received on your behalf.

Here is a pension example which will clearly illustrate the importance of participation in the "musicians' pension fund".

Let's say scale for a casual (one night) club date is \$90 plus a 10% (\$9) pension contribution. The scale, plus pension is less than \$100. If you did 100 of those \$90 dates per year, for 25 years, you are going to end up with \$22,500 in your account. Add in a few other pensionable engagements throughout your working career and you can easily wind up with \$25,000 in pension contributions.

If you were 65, the Musicians' Pension Fund of Canada would pay you \$3.70 per month for each \$100 of contributions for engagements

done up to and including December 31, 2010 and \$3.25 for each \$100 of contributions for engagements done on or after January 1, 2011.

The \$25K is made up of \$21K for pre January 1, 2011 engagements and \$4K for engagements on and after January 1, 2011. You would receive \$10,884 per year or \$907 per month for the rest of your life! If you should live for twenty years, the \$25,000 in contributions that you had accumulated would have generated \$217,680 in benefits for you. It is hard to fathom, but it's true.

If you are a busy musician during your career and do a lot of recording, CBC work, personal concert and tour dates, there is nothing to say that you couldn't end up with \$50K, \$75K or \$100K in your pension account. The math is still the same.

At age 65 (or as early as 61 under the "Special Retirement Pension") using the example above 43.536% of your total contributions will come back to you on an annual basis for the remainder of your life.

If you are vested and die before you retire, your spouse is entitled to a pre-retirement spouse's benefit. Your spouse will have a choice on the form of the benefit. This will depend on the provincial legislation you were affected by. In Alberta, your spouse would have a choice of an immediate monthly pension for their lifetime, with a 120 month guarantee or they could transfer the commuted value of your accrued benefit, in accordance with the Portability Option as provided in the Plan.

If you die after you retire, and you were receiving a Joint & Survivor pension, your spouse will receive 66- 2/3% of your monthly benefit.

For explanations and examples of the Fund's other benefits visit their website at www.mpfcanada.ca or contact the Fund office for details. You can write to the Fund at A110-2255 Sheppard Avenue East, Toronto, ON M2J 4Y1 or email at info@mpfcanada.ca

Please note: Pension remittances are now payable to the Musicians' Pension Fund of Canada

Payment Options for paying your membership and work dues include **Visa**, **MasterCard** & **American Express** by phone only. Yes, **PayPal** and e-mail money transfers are accepted too.

REGULAR MEMBERSHIP DUES

PAYMENT OPTIONS:

1. **Yearly - One Payment of \$162.00**
(covering January 1-December 31) - Due Jan. 1st
2. **Half-Yearly -**
1st Half - \$86.00
(covering January-June 30) - Due Jan 1st
2nd Half - \$86.00
(covering July 1-December 31) - Due July 1st
3. **Quarterly -**
1st Quarter - \$45.50
(covering January 1-March 31) - Due Jan. 1st
2nd Quarter - \$45.50
(covering April 1-June 30) - Due April 1st
3rd Quarter - \$45.50
(covering July 1-September 31) - Due July 1st
4th Quarter - \$45.50
(covering October 1-December 31) - Due Oct. 1st

authorized dealer

TELUS



We are pleased to offer
preferred rates to
AFM Local 571 members.
Please contact Tim Smith
for details.

Tim Smith

Corporate Account Manager
Advantage Wireless
202 Brownlow Ave.
Dartmouth, NS
B3B 1T5

office: 902.468.0288 ext.1008
cell: 902.818.2350

tsmith@advantagewireless.ca

Teaching and Pension Contributions

The pension plan is called Employer's Pension Welfare which means that the employer submits the contributions and not the employee. An AFM member can have pension contributions submitted and they can even write the cheque on behalf of the employer; in this case the student or the student's parents.

You need to be charging a scale rate of at least (\$30/hr) plus the percentage that you wish to have submitted to your pension for teaching. For example, if you want to have 10% put into pension you must be charging at least \$33/hr for the lessons that you are submitting a contract for.

You need to fill out one contract for each student. You can total all of your contracts and submit one cheque made out to Musicians' Pension of Canada. Write at the bottom, "On behalf of Employer."

The contracts must be submitted by the end of the month following the last date of class for that semester. For example, if the classes go from Sept/09-Feb/10 we must receive the contracts along with the cheque sometime in March. They must be received in the pension office before the end of March to be sure to allow for processing time in our office.

This is how the contract should be completed for each student:

Performance Date(s): put in the first date and last date of classes and the number of classes and the day(s); Sept 7/09 - Feb 1/10 Mondays (21 classes total)

Hours: e.g., 3:30-4:30

Total Fee Agreed Upon: Put in the amount the student paid for all of the lessons.

Total AFM-EPW Fund (Canada) Payment:

This amount is based upon the scale wages listed in our Bylaws and Tariff of Fees. Presently, the scale for teaching is \$30/hr. Pension can be submitted against this rate to a maximum of 12%. Usually, teachers are having 10% put in because the 11% & 12% do not have as good returns. If you are submitting 10% on behalf of your student on the 21 classes listed in the example above the amount here would be \$63.

This cheque is payable to: Musicians' Pension Fund of Canada.

Engager: The student (or, if underage, the student's parent) should fill in this part and sign and date it. Basically what this does is shows that the Employer is aware that part of the fees paid for lessons is going into a pension plan on your behalf.

Leader: The teacher (you) should fill in this part and date and sign it. Next step is to either mail it to us or bring it into the office where we will process it and forward it to the pension office.

We recommend making one copy of the contract and filling in all of the information that will be constant; i.e., teaching address, leader section etc.; and then make copies. Then you only need to fill in dates and amounts which could vary for each student. This will make it easier and less tedious for you.

Please contact the office for contracts or for further information.

PROUD MEMBER OF



Atlantic Federation of Musicians

32-B St. Margaret's Bay Road

Halifax, NS B3N 1J7

902-479-3200 / fax: 902-479-1312

Toll Free: 1-866-240-4809

www.cfm571.ca

571@bellaliant.com

Please visit Symphony Nova Scotia's Players Association website to find out more on their members and activities.

http://www.snsplayersassociation.ca/SNS_Players_Association.html

We would like to encourage all musicians to become members. This is an important goal for our Local and with your input and support, we can make a positive change. Please note in Article 7, Section 8, subsection 9, "No member shall Participate in any paid engagement with any musician who is not a member, without the consent of the Executive Board."



Heartstring Productions

6100 Young St. Suite 300, Halifax, NS
B3K 2A4

For Recording, Mixing & Mastering information please contact Jamie at 880-5152 or Al at 440-7728

email or visit our website:

www.heartstringproductions.ca

jamie@heartstringproductions.ca

Advertise in the Sound!

Competitive Rates. Discounted Rates available to Local 571 members

THERE IS A BOARD VACANCY - DO YOUR PART - GET INVOLVED!

GoPro Music *(cont. from page 1)*

The GoPro site is comprised of three convenient resources to help you search for that perfect musical choice:

(1) The GoPro Members Directory:

It's the most direct method of locating and contacting quality AFM members. Detailed information is contained in each GoPro listing making it easy to choose the perfect entertainment for your next function. Simply contact your choice to receive a quote or check the availability of the musician/group. The GoPro site will continue to grow at a rapid pace as more and more AFM members develop a Web presence. Please check back often for the most recent updates.

(2) The AFM Locals Directory:

There's an office of the AFM in or near your community that is staffed by professionals that really know the member talent in their areas. They offer booking and/or referral services and would be pleased to receive your request for assistance. The directory contains all necessary contact information including e-mail and *Website addresses. (*Where applicable)

(3) The AFM Agents Directory:

These approved Agents are signatories to the AFM's Booking Agent Agreement. They act as the "sales force" for AFM members in the US and Canada. Purchasers are provided with legitimate agreements, members are provided with protection of their earnings, and the Agents earn commissions for their sales. The directory contains the name, city location, phone number and *e-mail/website addresses (*where applicable)

GoPro Tunes:

AFM Members: We need your music!

After you have registered with GoPro Tunes, you can easily tell us about your recordings and upload your audio files and cover art. There are no upfront or ongoing charges for selling your music on GoPro Tunes - you'll receive 100% of sales, minus credit card processing fees. Lastly, your agreement with GoPro Tunes is non-exclusive. You can sell your music anywhere else, online or offline.

Why Join?

Whether you are already an established artist or in the midst of completing your first creative project, the moment you consider recording or performing in public, you create a product that has value both now and in the future. When you become a member of an AFM Local within Canada you are automatically a member of both The American Federation of Musicians of US and Canada [parent organization], and its distinctly Canadian arm, The Canadian Federation of Musicians (CFM). By joining, CFM collectively helps you to minimize the potential threats of exploitation and potential theft of your intellectual property.

By joining you become part of an illustrious membership that includes Canada's finest professional musicians performing all styles of music in every type of venue. This legacy helped AFM Canada establish unrivaled working conditions for all members, which will be continued through CFM. From comprehensive instrument, health and liability insurance, to a world-class pension plan, contract protection with emergency travel assistance, free Internet referral postings, access to AFM/CFM-licensed booking agents to keep those gigs coming and more, we demonstrate that as a member-driven organization, we understand the critical benefits you need to further your career and to protect your future.

Specialized departments within CFM and the AFM International also offer members a host of vital services including assistance with immigration, media recordings, symphonic and theatrical matters, touring, freelance musicians and membership services, contract negotiations and administration, and management of royalty streams. In addition, we offer web referrals, as well as three additional sites that provide members with a domain and hosting service, a musical instrument/gear auction site and another for music lessons.

As a member, AFM and CFM will be your voice in the US and Canadian legislative process. We are proactive in legislative action and were instrumental in bringing about Federal and Provincial Status of the Artist, as well as Copyright reform and new payments to musicians from new tariffs such as Neighbouring Rights and the private copying levy.

We make it our business to open the door to ongoing public dialogue on the issues that matter to you the most. So, each time you take to the stage or enter a recording studio, why not bring the experience and strength of more than 90,000 musicians (across US and Canada) with you. Simply put, as a professional Canadian musician, you can't afford not to be a member.

The Sound Recording Special Payments Fund

Musicians who play on a major album in Canada or the US are entitled to significant residual payments from the [Sound Recording Special Payments Fund](#) (SRSPF) if they work under an AFM recording contract for a major release.

These payments can represent thousands of dollars in income for artists and bands. They are accessed by filing an AFM recording contract and also provide substantial opportunities for contributions to the participating musicians' pension funds.

How much can you receive by filing a recording contract? A twelve-tune recording by a group of four musicians can generate more than \$7000 in Special Payments to the participating musicians over a five year period!

To access these payments, a recording contract must be filed, pension contributions made by the producer, and work dues paid to the Local by participating musicians. We are always happy to work with musicians to help them set up a recording budget that allows for this.

The Sound Recording Special Payments Fund (SRSPF) was established in 1964 through an agreement between the American Federation of Musicians and recording companies employing musicians represented by the AFM, and embedded in a collective bargaining agreement known as the Phonograph Record Labor Agreement (predecessor to the current Sound Recording Labor Agreement).

Record companies pay into the SRSPF twice a year, based on their sales of recordings. Funds also come into the fund from ringtone sales. The contributions from record labels are only about three cents per physical unit sold, but each year this still adds up to millions of dollars.

Every August 1st, the accumulated funds are distributed to musicians who have recorded music for a major release in Canada or the United States under an AFM contract.

The payment to each musician depends on the total amount received by the fund in each year, the number of musicians receiving residual payments in the year, and the year in which the recording was made, since payments are paid out over a five year period in decreasing amounts following the filing of the recording contract.

To qualify for the Special Payments Fund you must have worked on the recording of a major release, with everyone on the recording being under AFM contract, and for which pension contributions were made and a contract filed with a Local of the AFM.

Neighbouring Rights and Private Copying

For many years, Canadian composers and songwriters have received payment when their songs are played on the radio. As most Canadian musicians know, these payments come from **SOCAN** – the organization that represents composers and authors of sound recordings in Canada. However, what most Canadian musicians do not know is that musicians who perform on recordings can also receive a payment when their recording receives radio play! In 1997 the Copyright Act of Canada was amended to acknowledge the involvement of performers and makers in the creation of sound recordings. This right to equitable remuneration is sometimes also called a “**neighbouring right**”, because it is so similar to the existing copyright that serves to remunerate songwriters and authors.

The funds that we distribute to performers come from tariffs applied to the public broadcast of sound recordings in Canada. We currently have tariffs in place that cover commercial radio, CBC radio, pay audio (television stations streaming music), background music (retail stores, airports etc.) and satellite radio, but expect more in the future.

In addition, we also distribute royalties resulting from the private copying levy. This levy was established in Canada to compensate performers (and other rights holders) when people make personal copies of their works. The media covered under this levy includes: CD's, tapes and minidisks, but not mp3 players such as iPods. The royalties collected from these tariffs and levies are distributed to performers based on radio playlists and album sales data.

We also have reciprocal agreements with other societies around the world and have

distributed royalties from foreign territories to performers in Canada.

If you've performed on a recording as a featured artist or background performers and it has received airplay, we may already have money for you! If you can't believe what you are reading and would like to start collecting right away, you can do so by signing up with AFM Canada's Musicians' Neighbouring Rights Royalties department! We can be reached by email (info@mnrr.ca), web (www.mnrr.ca) or by phone (416-391-5161). Signing up with AFM Canada to collect these royalties is free and you do not have to be an AFM union member to register.

While neighbouring rights and private copying royalties are becoming increasingly popular both in Canada and around the world, there are still many musicians who don't know that they exist! Please spread the good word to your fellow musicians.

S Y M P H O N Y N O V A S C O T I A . C A

SYMPHONY NOVA SCOTIA



***Symphony Nova Scotia**, a cornerstone of Nova Scotia's music scene has the reputation of being the most diverse, creative, and artistically exciting orchestras in Canada. It is our largest employer in Nova Scotia's cultural community, with 37 musicians and 150 more contracted artistic, production and technical personnel. From Hawksley Workman and Pink Floyd to Anton Kuerti and the National Arts Centre Orchestra, Symphony Nova Scotia presents yet another a season of classical heavyweights, Canadian and Maritime content, and brilliant local artists and bands for their 2011/12 season. Local artists such as **Kim Dunn**, **Dave Gunning** and **Thom Swift** will also be featured. Symphony Nova Scotia also places a high priority on community engagement and corporate social responsibility. Its education programs reach over 15,000 elementary, junior, and senior high school students each year. They offer many accessible community programs, including performances in local libraries and free community concerts. Now in its 29th season, Bernard Gueller will again lead us into an exciting new season!*

www.symphonymovascotia.ca



The Music Performance Fund (MPF) is the world's largest sponsor of live admission-free, professional musical programs. MPF operates as a non-profit, tax-exempt public service organization. From its New York office it distributes funding across the US and Canada to support free admission musical events.

The fund provides for Live Music Performances which are free to the general public. It operates on a co-sponsorship basis between a co-sponsor and a Local Office of the AFM/CFM. The rate of funding is based on an individual's Local's Tariff of Fees.

Any and all manner of musical styles are eligible provided the venue is Free and Open to the public in general. No commercial ties, special interest fundraisers, or alcohol sales may be connected with the performance venue.

Credit must be visibly displayed or orally given to the Recording Industries Performance Trust Fund and The Atlantic Federation of Musicians, Local 571.

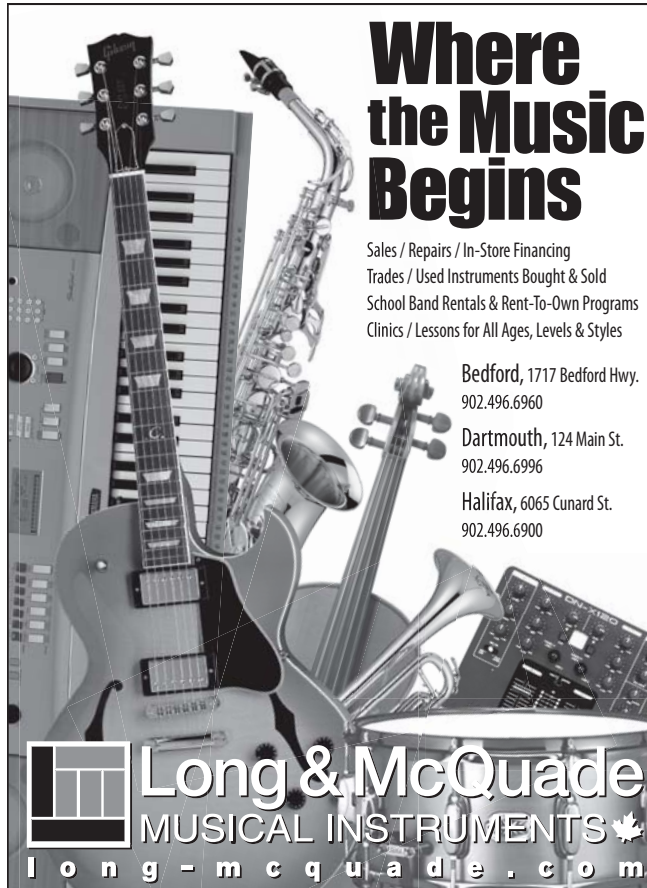
If you have any questions or have a project or performance in mind for MPF funding, please contact us by [email](mailto:info@musicpf.org) or by telephone: 479-3200. We will work with you to make sure it meets the criteria of this program.

For general information about MPF and the thousands of concerts and educational events they have sponsored over many years, you can visit their website: www.musicpf.org

Limited MPF funds are available for the following engagements:

- 30% MPF co-funding available for general musical concerts
- 40% MPF co-funding available for Hospitals, Assisted living etc.
- 50% MPF co-funding available for school projects
- Veteran's facilities are on a case by case basis.

Please Note: MPF Application Forms have been revised. Please contact the office for details.



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902.496.6960

Dartmouth, 124 Main St.
902.496.6996

Halifax, 6065 Cunard St.
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For our General Membership Meeting, Parking is available in the Purdy's Wharf Parkade and the Casino Parkade, both of which are connected to Purdy's by pedway. Purdy's is a secure building. You will be met at the ground floor entrance and at the pedway entrance, and escorted to the elevator. If you arrive on the ground floor or at the pedway entrance after 7:00, please call 401-8333 and you will be met and escorted into the building. Yes, Parking will be validated!

For Your Information

To obtain current updated forms and procedures for processing P2 Visa petitions and "B1 Permit Letter of Support" applications that cover showcases go to the CFM/AFM website at the following link:

www.cfmusicians.org/services/work-permits

2011 processing fees for P2 visas are now \$325 USD plus \$100 CFM/AFM Canada administration fee (per petition). Processing times are currently 45 days. The 'Payee' for bank money orders issued is 'Department of Homeland Security', which has to be spelled out - they don't accept acronyms. Passports are mandatory. If you have any additional questions please contact either Liana White, lwhite@afm.org or Susan Whitfield, swhitfield@afm.org.

For crossing the border with equipment, contact Canada Border Information Services for an 'Identification of Articles for Temporary Exportation' form. It must be filled out and stamped by the agency. This will make crossing back into Canada a little easier.

Call 403-292-8777 for more info.

For members who are on the road, two important phone #'s are:

1-800-ROADGIG (762-3444) in the USA.

1-800-INFOFED (463-6333) in Canada.

These numbers provide emergency help for members who have contract disputes while on tour.

The Musicians' Emergency Fund is available to Local 571 members if they need temporary financial support. Please contact the office for details.

Contract disputes? Interest free loans from the Contract Guarantee Fund are the answer. Members applying must be in good standing, file a fully executed AFM contract prior to the engagement, file a written claim for wages and prove that such a claim exists. Members will be advanced scale wages for the engagement and their claim will be taken to Small Claims Court. Legal contracts are available free of charge through the office or on the website.

IRS STEPS UP ENFORCEMENT OF FOREIGN TAX WITHHOLDING!

FTM Arts Law is receiving an increasing number of reports from artists, managers, agents and presenters that the Internal Revenue Service is contacting presenters and venues where non-resident foreign artists are scheduled to perform and directing them to withhold 30% of the artists' gross fee.

The IRS is sending out letters called Directed Withholding Letters (DWL's) and they have serious implications. Unless a foreign artist qualifies for an exemption from withholding, or enters into a Central Withholding Agreement (CWA) with the IRS, then 30% of the artist's gross fee must be withheld. (Note that not all exemptions from taxation entitle an artist to an exemption from withholding!) Those who represent or present foreign artists in the U.S.A. and who continue to choose not to address tax issues are taking an enormous risk.

WHY IS THIS HAPPENING? HOW IS THIS HAPPENING?

Until recently, the IRS did not actively pursue non-resident artists for U.S.A. taxes. This led to lax attention to, and even complete disregard of, applicable tax obligations. However, the IRS is now using the internet to search for, find, and aggressively pursue non-resident artists who will be touring the United States. The IRS finds the touring non-resident artist on the internet and then sends out DWL's to all presenters and venues on that artist's U.S.A. tour. Unfortunately, in many cases, these letters are being sent to presenters and venues much too late for the artist to obtain a Central Withholding Agreement and, therefore, the artist is stuck with the 30% withholding - even where the artist has previously been able to avoid withholding by providing presenters and venues with a W-8BEN!

TO MAKE MATTERS WORSE...

It appears as if the IRS very recently revised its rules for obtaining a CWA and now is examining CWA requests much more closely.

Among the new procedures:

- Budgets are being more closely scrutinized, and artists are required to provide much more detail than in the past. For instance, if an artist's budget shows a cost of \$10,000 for airfares, the IRS will require a detailed breakdown as to how the \$10,000 figure was calculated. I.e. exactly how many airfares are included, what is the origination and destination point of each ticket, etc. If a budget includes a cost of \$5,000 for hotels, the IRS will require information on how many rooms this will cover and in what cities.

- Even more importantly, the IRS now requires an artist requesting a CWA to identify, by name and country of residence, each member of the artist's touring party, including each performer who will be performing with the artist. Each performer touring with the artist must be in compliance with their U.S. tax returns. If any performers is not in compliance with their U.S. tax returns, the IRS will direct that 30% of that person's income must be withheld for U.S. taxes.

FOREWARNED IS FOREARMED!

Don't panic! Be proactive! There are several steps that foreign artists and their managers can take toward compliance with U.S. tax law:

- 1). Be realistic. If the presenters or venues on a non-resident artist's tour have received DWLs, and it's too late to obtain a CWA, accept the fact that the artist will be subject to 30% withholding. When the artist files their U.S. tax return, they may claim deductions and exemptions to offset income, or claim the benefits of a tax treaty, and likely receive a refund of part or all of the withheld tax.

- 2). Go to www.FTMArtsLaw-pc.com Our website contains additional free resources that simplify the legal issues involved in U.S. tours of foreign artists - including a foreign artist taxation memorandum which summarizes the information contained in the artistsfromabroad.org website.

- 3). Go to www.IRS.gov The Internal Revenue's website is a valuable source of information that includes complete tax treaties, and forms and publications that offer guidance as to both withholding and taxation. Publications relevant to taxation of foreign guest artists are Publication 515 (Withholding of Tax on Non-resident Aliens and Foreign Entities); Publication 519 (U.S. Tax Guide for Aliens) and Publication 901 (U.S. Tax Treaties).

- 4). Don't be afraid to ask for help. There are times when you can self medicate and other times when you really need to see a doctor before you get worse!

Thanks to Brian Taylor Goldstein

FTM Arts Law

www.ftmartslaw-pc.com

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New Members, 2011

Holly Suzanne Arsenault – dancer – 863-1525
Leanne Aucoin – fiddle, piano – 455-9056
Glenn Beck – drums – 404-2914
Colin Buchanan – guitar – 218-7232
Mike Carroll – drums, percussion, vocals – 832-3364
Cory Chiasson – guitar, vocals, drums – 876-8107
Andrew Coll – piano, keyboard – 464-0068
John Connolly – vocals, guitar, piano – 892-5615
Dennis Ellsworth – guitar, vocals – 892-3665
Mark Geddes – upright bass, drums – 218-9353
Greg Hann – drums, percussion – 802-6535
Scott Henderson – guitar
Marielle Lesperance – dancer – 709-749-6809
David C. R. MacDonald – drums, percussion, vocals – 367-5323
John MacPhee – vocals, guitar, piano – 367-2692
Rob MacPhee – vocals, bass
Margaret (Maggie) MacKay – banjo, vocals, guitar – 857-445-7276
Christina Martin – vocals, guitar – 488-2762
Chelsea Nisbett – vocals – 478-2065
Adam Pye – double bass – 461-9623
Wade Salter – vocals – 754-1359
Mary Sampson – piano, vocals – 865-8543
David Wilson – guitar – 925-2727

Resigned Members

Aldrich, Margot
Alexander, Audrey
Bergeron, Helen
Bilodeau, Dany
Brownell, Sophie
Carruthers, Gerry
Clark, Ted
Clarke, Gerald
Ellis, Josh
Ferris, Shawn
Fisher, Stan
Grant, Colin
Graves, Karen
Hopkin, Ian
Jeffrey, Colin
Kirkham, Thomas
Lawrence, Sue Ellen
Mumford, Terrance
Oliver, John
Therault, Christiane
Tremblay, Mike
Webb, Peter

Suspended

Members who have not paid their 2011 annual dues are now removed from Membership effective March 31. It is contrary to the AFM/Local 571 Bylaws to perform with expelled, suspended or non-members without clearance from the Local's Board of Directors.

Please contact the Office to make alternate payment arrangements if you are having difficulty with paying your dues.

Leaders and contractors are asked to contact the office for the current status of musicians prior to engaging them.

Contracts are to be filed by the leader with the office before the engagement and work dues for freelance engagements are now the responsibility of the individual member and must be paid up to be in good standing.

Please consult your Bylaws for further details.

Win, Win, Win!

*Paid up, current members will automatically be entered in a draw for a chance to win a Zoom Q3 HD video recorder, including accessory pack (over \$400 value), one of four \$50 Pharmasave Gift Certificates, 8GB USB drives, t-shirts with our new logo, or your dues paid for the following year. Contest runs from June 1st until July 26th. Contest is open to all AFM/CFM 571 members in Good Standing. Odds of winning depend on the number of entries received. Winners are required to answer a mathematical skill testing question. Please contact the office for further details. **Do Your Part - Promote Live Music!***

Draw to be held at the General Membership Meeting on July 26, 2011 at the offices of M^cInnes Cooper

